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MINUTES OF THE MEETING of the Council Assessment Panel of Mount Barker District Council held in the Council Chambers of the Local Government Centre, 6 Dutton Road Mount Barker on Wednesday 16 October 2019, commencing at 9.30 am.

PRESENT **(Members)** Mike Canny (Presiding Member), Tom Gregory, Judith Urquhart, Carol Bailey.  
**(Staff)** Senior Planner, City Development (D Henderson), Senior Planner, City Development (R Richards) and the Minute Secretary (S Mann).

**1. APOLOGIES**

Nil.

**2. CONFLICT OF INTEREST DECLARATION**

Nil declared.

**3. CONFIRMATION OF MINUTES**

Moved Tom Gregory that the minutes for the meeting held on 5 September 2019 be taken as read and confirmed.

Seconded Carol Bailey

*CARRIED  
CAP20191016.01*

**4. REPORTS DEFERRED**

Nil.

**5. REPORTS BY OFFICERS**

**5.1 NON-COMPLYING APPLICATIONS**

Nil.

**5.2 CATEGORY 3 APPLICATIONS**

Nil.

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## 5.3 CATEGORY 2 APPLICATIONS

### 5.3.1 SUMMARY DETAILS

<b>Application No.</b>	580/925/18
<b>Applicant</b>	Des's Mount Barker Pty Limited
<b>Subject Land</b>	ALT: 114 SEC: 4473 FP: 9189 CT: 5710/7, 8 Hampden Road MOUNT BARKER.
<b>Ward</b>	Central
<b>Proposal</b>	Change of Use to Taxi Drivers Facility (Offices and Staff Amenities, including Residential Accommodation) and Associated Signage, Carparking and Landscaping
<b>Development Plan</b>	8 August 2017
<b>Zone</b>	Regional Town Centre
<b>Policy Area</b>	Business and Retail Core Policy Area 5
<b>Form of Assessment</b>	Merit
<b>Public Notification</b>	Category 2
<b>Representations</b>	Two (2)
<b>Persons to be heard</b>	None
<b>Responsible Officer</b>	Randall Richards
<b>Main Issues</b>	<ul style="list-style-type: none"><li>• Land Use</li><li>• Interface between Land Uses</li><li>• Car Parking and Storm Water</li></ul>
<b>Recommendation</b>	Development Plan Consent

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9.43hrs Chris Brougham, Executive Chairman – Des's Cabs Pty Ltd spoke for the application providing clarification as required.

The Panel discussed the application and reached the following decision with the minor amendments to conditions 4, 5, 6 & 7;

Carol Bailey moved that the Council Assessment Panel:

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker District Council Development Plan Consolidated – 8 August 2017.

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RESOLVE to GRANT Development Plan Consent to the application by Des's Mount Barker Pty Ltd for a Taxi Driver's Facility (Offices, Staff Amenities, including Residential Accommodation) and Associated Signage, Car Parking and Landscaping at 8 Hampden Road, Mount Barker (Development Application 580/925/18) subject to the following conditions and advisory notes:

- (1) The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, including but not limited to the following:
    - a. Planning Report from George Manos dated 20 September 2018 (re: GM/218249), including Site Plan, Signage Plan and Landscape Design by A. Whitham;
    - b. Environmental Noise Assessment (S5817C3) dated November 2018 by Sonus;
    - c. Traffic Impact Statement dated 26 September 2019 by Phil Weaver & Associates
    - d. Response to representations – DA 580/925/18 – 8 Hampden Road, Mount Barker dated 8 April by George ManosExcept where amended by the following conditions and requirements/notes;
  - (2) Effective measures are to be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
    - prevent silt and water run-off from the land to adjoining properties, roads and drains;
    - control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
    - ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
    - ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
    - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.
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- (3) Lighting shall:
- Be provided to the manoeuvring areas and car parks in accordance with AS 1158.1 Public Lighting Code and AS 2890.1 Parking facilities – Off-street car parking.
  - Designed so as to limit overspill of light on adjacent roads and residential areas which may create a nuisance to any neighbour or road user, whilst providing adequate illumination on-site and to perimeters of the site for security purposes, to the reasonable satisfaction of Council.
- (4) Traffic management, parking and construction of vehicle manoeuvring and car parking areas is to be in accordance with the submitted plans (other than any amendments conditioned below) and achieve the following:
- The parking of all commercial vehicles associated with the development shall be restricted to the confines of the subject site.
  - The area set aside for the parking of vehicles shall be made available for such use and shall not be used for any other purpose.
  - The driveways and car parking areas shall be paved or surfaced, drained and marked to accepted engineering standards within 1 month of Development Approval and shall be maintained in good condition at all times.
  - Vehicles accessing/egressing in forward direction only.
- (5) The landscaping shall be completed within three (3) months of the granting of Development Approval, and be maintained in good condition with losses replaced within one (1) month.
- (6) Noise impact on adjoining land users is to achieve the requirements of the *Environment Protection (Noise) Policy 2007*, through the implementation of recommendations contained in the stamped Environmental Noise Assessment by Sonus, including:
- Vacuuming
  - Waste collection shall be restricted to between 9am and 7pm on Sundays or Public Holidays, and between 7am to 7pm on any other day.
- (7) Any servicing or cleaning of vehicles onsite, shall be of minor in nature only, such as but not limited to:
- Washing, but not including use of detergents,
  - General vehicle maintenance but not including changing of oil and fluids,
  - Changing a tyre, a light, a mirror.
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**Notes:**

- (1) The applicant/owner is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that its activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause environmental harm.
- (2) Building Rules Consent will be required within 3 months of Development Plan Consent as there is no certificate of occupancy for the current use of the land and building.

Seconded Judith Urquhart

*CARRIED*  
*CAP20191016.02*

**5.4 CATEGORY 1 APPLICATIONS**

Nil.

**6. INFORMATION REPORTS**

Nil.

**7. CONFIDENTIAL REPORTS**

Nil.

**8. POLICY MATTERS ARISING FROM THIS AGENDA**

Nil.

**9. OTHER BUSINESS**

Derek Henderson provided an update in relation to some recent appeals.

Panel Members requested an information report in relation to the Review of the Design Code, specifically deficiencies in energy efficiency and standardisation.

**10. CLOSURE**

Meeting declared closed at 10.14hrs

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CHAIRMAN

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DATE

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