



MINUTES

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Minutes of the Upper Spencer Gulf Regional Assessment Panel meeting held in the Council Chamber, Civic Building, 21 Grundel Street, Whyalla Norrie; and Port Pirie Regional Council, 115 Ellen Street, Port Pirie, on Tuesday 3 February 2026, commencing at 5.30pm

1. Welcome – Stewart Payne, Presiding Member

S Payne welcomed those in attendance and declared the meeting open.

2. Present

Panel Members:

S Payne, Presiding Member; N Stassinopoulos

Attendance via Microsoft Teams - F Barr, C Pedler OAM, J Hunt

Staff/advisors:

L Trevisan, City Development Co-ordinator (WACC).

Attendance via Microsoft Teams – ATeaha, Assessment Manager, R Jones, Minutes.

Adam Hinton-Thomson, Applicant

Om Prakash, Representor

3. Apologies

Nil

4. Confirmation of Minutes

Moved: N Stassinopoulos

Seconded: F Barr

RAP01/26 That the minutes of meeting held on 05 August 2025 be received and adopted.

CARRIED

5. Business Arising from the Previous Minutes

Report to be considered item 8.1

6. Conflict of Interest Declarations

Nil

7. Officer Reports

7.1 Development Application 25034042

Change of use to Indoor Recreation Facility (VSpot) with associated signage on front elevation. 21 Jenkins Ave, Whyalla Norrie, SA 5608

S Payne invited representor, Om Prakash, to address the Panel. The representor advised that he is now in support of the project and has no concerns.

S Payne invited applicant A Hinton-Thomson, to address the panel. The applicant answered questions in relation to liquor licence, noise and number of patrons.

S Payne invited Lucas Trevisan to provide an overview of the item

L Trevisan addressed the Panel and gave an outline of the proposal.

The Panel discussed the proposal against the Planning & Design Code and agreed to endorse the following recommendation.

Moved: C Pedler

Seconded: F Barr

RAP03/25 The proposed development is not seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Carried

Moved: C Pedler

Seconded: N Stassinopoulos

**RAP04/25 Development Application Number
CONDITIONS**

Planning Consent

Condition 1

The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

All trading activity, including the consumption of food and beverages and the storage of goods or waste, must be confined entirely within the boundaries of the now approved Indoor Recreation Facility. No commercial activity is permitted to encroach upon the adjacent Common Property (C1) identified in Community Plan 21125.

Condition 3

The approved advertisement shall be maintained in good repair at all times.

Condition 4

Any modifications to the external windows (including boarding or obscuring) shall be finished in a professional manner and painted or treated to match the existing external colour scheme of the building, to the reasonable satisfaction of the Council.

Condition 5

Noise generated from the premises (including music and patron activity) must not exceed 52dB(A) between 7:00 am and 10:00 pm and 45dB(A) between 10:00 pm and 7:00 am when measured at the boundary of the nearest residential allotment, consistent with the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

Condition 6

The hours of operation for the development herein approved shall be between 10:30am and 10:30pm Monday to Saturday, and 11:30am to 8:30pm Sunday. If operating hours are to substantially and frequently deviate from the times conditioned, the submission of a variation to amend the hours of operation is required.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The applicant has a right of review and/or appeal against this decision, or the conditions which have been imposed, as follows;

- to seek a review of the decision of the Assessment Manager to the Upper Spencer Gulf Regional Assessment Panel - this must be made within one (1) month after the day of receiving this notice of the decision unless the Assessment Panel, in its discretion, allows an extension of time; or
- to appeal the decision of the Assessment Manager to the Environment, Resources and Development Court within two (2) months from the day of receiving this notice or such longer time as the Court may allow.

The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 2

The applicant is advised that this Planning Consent relates to the use of Lot 2 within the Primary Community Plan 21125 only. Any access to, or use of, the Common Property (C1) for egress, waste transport, or infrastructure maintenance is subject to the provisions of the Community Titles Act 1996 and the relevant By-Laws of the Community Corporation. Disputes regarding the use of Common Property are civil matters to be resolved between the Corporation members.

Advisory Note 3

The applicant is advised that By-Law Part 1(B) of Community Plan 21125 requires prior written approval from the Community Corporation (by majority vote) for any alterations to the exterior of the building. This includes the approved signage and the boarding/obscuring of windows required by Condition 4. Planning Consent does not override this requirement.

Advisory Note 4

The applicant is advised of their obligation to notify the Council's Environmental Health Officer (EHO) of the proposed food business and to ensure compliance with the *Food Act 2001* and the *Food Safety Standards*. All food handling and preparation areas should

be designed, constructed, and operated in accordance with these standards.

Advisory Note 5

By-Law 8.2 mandates that garbage bins must be stored upon the community lot in a position such that they are not visible from outside the lot. The applicant is advised to ensure the designated waste storage area remains compliant with this By-Law to avoid potential compliance action by the Community Corporation.

Advisory Note 6

The applicant is advised that this Planning Consent does not constitute approval under the *Liquor Licensing Act 1997*. Furthermore, the hours of operation specified in Condition 6 of this consent take precedence over any wider trading hours that may be granted via a Liquor License.

8. Other business

8.1 Instrument of Delegation – Review of \$5m Assessment Manager Delegation

Moved: F Barr

Seconded: J Hunt

RAP02/26

That the Upper Spencer Gulf Regional Assessment Panel resolves to amend the Schedule of Conditions or Limitations Applicable to Delegation in the Instrument of Delegation for the Upper Spencer Gulf Regional Assessment Panel, dated 24 March 2021, as follows:

2.1 This delegation can only be exercised by delegates where:

- no valid representations are received; or
- all valid representations are withdrawn; or
- a representor has lodged a valid representation in support of the application and does not wish to be heard.

CARRIED

9. Close

S Payne declared the meeting closed at 6.00 pm



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Stewart Payne
PRESIDING MEMBER