



Port Augusta
CITY COUNCIL



**UNEARTH
WHYALLA**

MINUTES

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Minutes of the Upper Spencer Gulf Regional Assessment Panel meeting held in the Civic Chamber, Civic Building, 21 Grundel Street, Whyalla Norrie, on Wednesday 12 June 2024, 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, A Stokes
Attendance via Microsoft Teams - F Barr

Staff/advisors: J Perone, Assessment Manager, L Trevisan, Planning Coordinator (WCC)
C Schubert, Minute Taker (WCC).

Attendance via Microsoft Teams – D Altmann (Development Answers for PPRC)
P Coombes (URPS for PACC) V Shute (Kellady Jones for PACC), C Davey, Director
Development & Regulation (PPRC) A Teaha, Planning Officer (PPRC) R Jones (PPRC)

3. Apologies

R Donaldson

4. Confirmation of Minutes

Moved, N Stassinopoulos seconded A Stokes

RAP46/24 That the minutes of meeting held on 30 April 2024 be received and adopted, with the correction to Item 10 Close declared the meeting closed at 6.45pm.

CARRIED

5. Business Arising from the Previous Minutes

Nil

6. Conflict of Interest Declarations

Nil

7. Appeal Matter

J Hilditch, Hilditch Lawyers, engaged to represent the applicant Green & Gold Energy, addressed the Panel in relation to the compromise.

F Barr entered the meeting at 5:35pm

S Payne invited B Green, Director Ben Green & Associates to speak to the proposal.

B Green, spoke to the Panel in relation to the planning report prepared for Green & Gold Energy for the compromise.

Stewart advised the gallery the panel would move into camera to deliberate on the item.

S Payne, F Barr, N Stassinopoulos, A Stokes, J Perone, C Schubert, V Schute and P Coombes vacated the meeting at 5:44pm to determine the compromise 'in camera'.

7.1 Development Application 660/117/2020

Renewable Energy Facility (Solar Farm) 2b Marks Road, Port Paterson.

P Coombes, as the assessing officer, addressed the Panel in relation to the policies of the Port Augusta City Development Plan.

V Shute, acting for Port Augusta City Council provided legal advice to the Panel regarding the Environment, Resources & Development Court and the outcomes of previous hearings relating to renewable resources developments.

Moved, A Stokes seconded, F Barr

RAP47/24 The panel considered the relevant Development Plan provisions and determined that the compromise proposal for Development Application Number 660/117/2020, by Green Gold Energy Pty Ltd is not seriously at variance with the Port Augusta City Development Plan.

Carried

Moved, A Stokes seconded, F Barr

RAP48/24 The Panel accepts the compromise and authorises the Assessment Manager to negotiate the appropriate court orders.

Carried

S Payne, F Barr, N Stassinopoulos, A Stokes, J Perone, C Schubert, V Schute and P Coombes re-entered the meeting at 6:09pm

Stewart advised the gallery that the panel had accepted the compromise and would progress the consents accordingly.

8. Officer Reports

J Perone advised Chair that late correspondence had been received advising representor Marieanne Gadaleta was not able to attend the meeting and Fred Clarke would speak on her behalf. S Payne accepted the late change.

S Payne advised the representors they had 5 minutes each to address the panel. He directed them this time was an opportunity for them to speak to their submission and highlight the main points of their written representation, and not for debate.

8.1 Development Application 24006777

Child-care facility with associated carparking, fencing and associated works.

8.1.1 Hearing of representations.

- Fred Clarke addressed the Panel on behalf of Marieanne Gadaleta
- Craig Rimmer addressed the Panel
- Heather Eglinton addressed the Panel on behalf of Raylene Phillis
- Heather Eglinton addressed the Panel in relation to her own representation
- Petra Goodridge addressed the Panel
- The panel watched the video presentation provided by Tanya Williams
- S Payne asked Megan O'Shaughnessy whether she would prefer to address the Panel instead of showing her video. She declined the offer. The Panel watched her video presentation.
- Chris Keane addressed the Panel

S Payne invited Ben Victory (URPS), Frank Siow, (Frank Siow & Associates), to respond to the representations.

B Victory, planning professional, addressed the Panel in response to representations.

He advised the applicant wished to include the signage in the application, which he considers appropriate, as the planning report and representations all addressed the signage.

F Siow, Traffic engineer, addressed the Panel in response to representations relating to traffic management and the centre's traffic impacts on the locality.

Chris Davey entered the meeting at 7:18

S Payne addressed the gallery and advised the Panel would move into camera to deliberate on the matter.

S Payne, F Barr, N Stassinopoulos, A Stokes, J Perone, C Schubert, D Altmann and P Coombes vacated the meeting at 7:29pm to determine the item.

Discussion was had in relation to the impacts of the proposal on the locality, traffic impacts and the building design in relation to the character of the locality.

Moved F Barr seconded N Stassinopoulos

RAP49/24 Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code.

Carried

The panel deliberated and assessed the lighting and signage.

Moved F Barr seconded A Stokes

RAP50/24 Pursuant to Section 107(1) and (2)(b) of the Planning, Development and Infrastructure Act 2016, based on an assessment of the application on its merits against the Planning and Design Code, Development Application Number 24006777, by Emali Port Pirie for a child-care facility with associated carparking, fencing, lighting, signage and associated works, at 404 and 406 The Terrace, Risdon Park, be granted Planning Consent subject to the following conditions and notes:

Conditions

General

- 1. The development is to take place in accordance with the supporting documentation and plans relating to Development Application Number 24006777, except as modified by any conditions attached to this Decision Notification.**
- 2. That the development be undertaken in accordance with the Environmental Noise Assessment, Sonus, March 2023, inclusive of the following noise mitigation measures:-**
 - Construct a 2.1m high, solid boundary fence for the extent shown as RED on the Figure on page 9 of the report.**
 - Construct a 1.2m high, solid boundary fence for the extent shown as GREEN on the Figure on page 9 of the report.**
 - The fences shall be constructed from a material such as 0.35 BMT sheet steel (Colorbond or similar) and sealed airtight at all junctions, including at the ground. For the 1.2m fence shown in GREEN, if the masonry sections in the architectural documentation**

are discontinuous, then a clear material such as 4mm thick Perspex may be used.

- The mechanical plant units be located in the location shaded in ORANGE in Figure 2 on Page 12 of the report.
3. The landscaping areas as shown on the approved plans must be planted prior to occupation of the development. The plantings shall be watered and maintained, with diseased and dying plantings replaced as necessary, to the satisfaction of the Council.
 4. Stormwater run-off from the proposed development must be managed in accordance with the PT Design, Consulting Engineers, stormwater design, September 2023.
 5. All car parks, driveways and vehicle manoeuvring areas shall be set out and line marked in accordance with the approved plans and in accordance with Australian Standard - Off Street Parking - Car Parking Facilities and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice to the reasonable satisfaction of the Council prior to use of the development.
 6. The applicant shall undertake sealed driveway crossovers, and associated works, at the applicant's cost. The applicant must provide final design details and civil works plans to the Council for approval prior to undertaking such works.
 7. Refuse collection shall occur outside of peak operating hours so as not to impact on other users of the car park.
 8. During construction activities the subject land must be managed in a manner as to prevent erosion and pollution of the site and the environment, including keeping the area in a tidy state and ensuring any waste materials are appropriately contained.
 9. Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the Council, with all costs being borne by the applicant.
 10. Any portion of redundant crossovers shall be closed and reinstated with Council standard kerb and gutter with all cost borne by the applicant.
 11. External lighting be directed and shielded to minimise light overspill.
 12. A construction environment management plan with particular focus on addressing lead dust contamination must be submitted prior to Development Approval being issued.

Reserved Matters

Final plans and details relating to signage and lighting, including hours of illumination for both signage and lighting are to be submitted and approved prior to building consent being granted.

The panel authorises the Assessment Manager to review, negotiate and accept the amended plans/drawings relating to signage and lighting, including hours of illumination for signs and lights relating to the Reserved matter.

Notes

- 1. Building Rules approval and final Development Approval must be sought and obtained prior to undertaken any development.**

Carried

S Payne, F Barr, N Stassinopoulos, A Stokes, J Perone, C Schubert, D Altmann and P Coombes re-entered the meeting at 8:18pm

S Payne advised the gallery that the panel had approved the development with conditions and a reserved matter in relation to the lighting and signage. A Construction Management Environment plan would also be required.

9. Other business

Nil

10. Close

S Payne declared the meeting closed at 8.23 pm

A handwritten signature in blue ink, appearing to read 'Stewart Payne', is written over a horizontal dotted line.

**Stewart Payne
PRESIDING MEMBER**