



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 Council Chamber, Civic Building, 21 Grundel Street, Whyalla Norrie, on 03 June 2025, 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: J Perone, Assessment Manager, L Trevisan, City Development Co-ordinator (WACC).

Attendance via Microsoft Teams –H Mueller, Manager Growth and Regulatory (PACC), J Hugo, Strategic Project Engineer (PACC), ATeaha, Planning Officer (PPRC), R Jones, Minutes.

Chris Webber and Michael Osborn, Future Urban
Amy Vanroosmalen, Applicant.

3. Apologies

Nil

4. Confirmation of Minutes

Moved F Barr seconded N Stassi

RAP65/25 That the minutes of meeting held on 18 March 2025 be received and adopted.

CARRIED

5. Business Arising from the Previous Minutes

Outstanding reserve matter, lighting at Isuzu – report to be provided at next meeting.

6. Conflict of Interest Declarations

Jordan Hunt declared a conflict of interest in item 7.2, in that he is employed by Future Urban. Jordan will leave the meeting while this item is discussed and will not vote on the item.

7. Officer Reports

7.1 Development Application 23034559

Change of land use from Shop to Gymnasium, Shop 1-10 58-66 Flinders Ave, Whyalla Stuart SA 5608

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

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

The Panel discussed the proposal against the Planning & Design Code and agreed the proposal is not in conflict with the Code.

Moved: N Stassinopolous Seconded: J Hunt

RAP66/25 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

Discussion

Matter raised in relation to music noise. Conditions and times set address this. Discussions with applicant, will use noise meter to provide noise parameters.

Moved: C Pedler Seconded: F Barr

RAP67/25 Development Application Number 23034559, by Amy Vanroosmalen is granted Planning Consent subject to the following reasons/conditions/reserved matters:

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 amplified music or sound originating from within the gymnasium tenancy must be controlled so that the noise level, when measured at the boundary of any adjacent residential premises, does not exceed the noise in accordance with the Environmental Protection (Commercial and Industrial Noise) Policy.

Condition 3

The rear roller door providing access to Hall Street must remain closed and not be used by members or staff for general entry to or exit from the tenancy between the hours of 7:00 pm any day and

7:00 am on the following day. This access point shall only be used for emergency egress, or for occasional deliveries or maintenance arranged during daytime hours.

Condition 4

All business operations and activities associated with the approved 'Indoor Recreation Facility - Gymnasium' must be conducted and contained entirely within the building of the approved tenancy (Shop 7). No classes, training sessions, or other organised fitness activities shall be undertaken in any external areas, including the shared vehicle parking area, internal access ways, footpaths, or adjacent public roads.

Condition 5

The applicant agrees to the noise assessment being undertaken by the Council to ensure noise levels are within the EPA noise requirements.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The applicant has a right of appeal against this decision, or the conditions which have been imposed. Such an appeal must be to either;

- the Upper Spencer Gulf Regional Assessment Panel and 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
- 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).

CARRIED

J Hunt left the meeting.

7.2 Development Application 24035468

Construction of a retail fuel outlet and restaurant with associated car parking, truck parking, advertisements, caretakers suite, acoustic wall and landscaping, 2 Augusta Highway, Port Augusta SA 5700.

S Payne invited Michael Osborn from Future Urban to provide an overview of the item.

H Mueller addressed the Panel and gave an outline of the proposal.

The Panel discussed the proposal against the Planning & Design Code and agreed the proposal is not in conflict with the Code.

Moved: C Pedler

Seconded: F Barr

RAP68/25 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

Discussion.

Moved: F Barr

Seconded: N Stassinopolous

RAP69/25 Development Application Number 24035468, by Romaldi Group C/Future Urban for the Construction of a retail fuel outlet and restaurant with associated car parking, truck parking, advertisements, caretaker suite, acoustic wall and landscaping at 2 Augusta Highway, Port Augusta is granted Planning Consent subject to the following reserved matters, conditions, and notes:

RESERVED MATTERS

Reserved Matter 1

That a development deed and Land Management Agreement be entered into with the Council prior to final development approval to cover off site works involving landscape planting, installation of a watering system, and ongoing maintenance on the Council's verges to soften the appearance of the acoustic fence.

Reserved Matter 2

That an arborist be engaged to provide advice on measures to minimise damage to the root zone of street trees during construction and guidelines to maximise the survival of the trees following pruning to the satisfaction of Council's Parks and Gardens Manager.

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 the conditions below.

Condition 2

Landscaping be undertaken in accordance with the plans approved herein or as varied to the reasonable satisfaction of Council's Parks and Gardens Manager.

Condition 3

An acoustic fence shall be constructed along the perimeter of the property as shown on the plans approved herein and its appearance

be softened and screened by landscape planting both internal to the property and on the adjoining verge.

Condition 4

The acoustic fence shall be sealed airtight at all junctions including at the ground. The fencing shall be installed prior to the occupation of the development herein approved and be maintained in good condition to the reasonable satisfaction of Council.

Condition 5

Noise levels from mechanical plant shall comply with the Noise EPP criteria with appropriate mitigation measures adopted to the satisfaction of the Manager of Growth and Regulatory Services where appropriate.

Condition 6

According to the Noise EPP, if noise from garbage removal activities exceeds a maximum noise level of 60dB(A) at a noise sensitive receptor it must only occur between 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day.

Condition 7

Acoustic absorption shall be installed to the underside of the truck canopy.

Condition 8

That deliveries to the convenience store shall only be undertaken during daytime hours.

Condition 9

Waste collection and deliveries shall be restricted to the hours of:

- 7 am to 7 pm, Monday to Friday and
- 9 am to 7 pm Sunday and public holidays to the reasonable satisfaction of Council.

Condition 10

Lighting must be in accordance with AS 1158.

Condition 11

All on-site car parking spaces are to be designed, line marked and constructed in accordance with AS/NZ2890.1-2004 "Parking Facilities part 1: Off-street car parking".

Condition 12

The provision of 27 individually accessible carparks complying with AS2890.1 cat 3 and a single disability carpark complying with AS2890.6f to the satisfaction of Council

Condition 13

The parking areas, manoeuvring areas and access ways thereto are to be sealed with either concrete or asphaltic concrete and be line marked with a suitable line marking paint and those areas shall be maintained in good condition thereafter to the reasonable satisfaction of Council.

Condition 14

That finished floor levels shall be no less than 4.3m AHD

Condition 15

Stormwater overflow onto council property Post Development is to be no greater than Pre-Development.

Condition 16

AEP requirements for Urban residential with min Commercial for minor and major systems is to be as follows;

Minor System: 10%AEP (underground)

Major System: 1% AEP (overland flow when minor system is exceeded)

Condition 17

Maximum allowable stormwater discharge to kerb is to be 12L/s at any single kerb outlet. Maximum of 2 kerb outlets allowable on frontage with a minimum separation of 10m between them.

Condition 18

All Stormwater discharge into Councils stormwater network (including kerb and watertable) is to be treated as per EPA SA guidelines

- Total Gross Pollutants (kg/yr) 100%
- Total Suspended Solids removed (kg/yr) 80%
- Total Phosphorus removed (kg/yr) 60%
- Total Nitrogen removed (kg/yr) 40%
- No visible oil or grease for all flows up to the 3month AEP peak flow
- MUSIC modelling is required to support the water quality improvement performance

Condition 19

Signage shall not contain any element of LED or LCD display, except for the fuel prices on the pylon sign. The fuel prices shall be white characters on a black background.

Condition 20

Signage shall not flash, scroll, move or change, with the exception of the LED fuel price signs, which may change on an as-needs basis. The signs shall not include or imitate a traffic control device in any way.

Condition 21

Signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, illuminated signage visible from the arterial road network shall be limited to a low level of illumination (i.e., $< 150\text{Cd/m}^2$), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	150

Condition 22

An approval for food premises under the Environmental Health Act is required prior to the commencement of the use approved herein.

Condition 23

Care to be taken at the service and delivery section so that there is no cross contamination between delivered foods and solid waste.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 24

The access points to Augusta Highway and Edinburgh Terrace shall be constructed as shown on Cheesman Architects, Proposed Site Plan, Drawing No. 24109_SD02, Revision 1 dated 11/9/24 with all vehicle movements consistent with the MFY Traffic Report, reference JML/24-0109 dated 15 October 2024.

Condition 25

All modifications to the Augusta Highway (including the modifications to the Augusta Highway and Edinburgh Terrace intersection conceptually shown on MFY Figure 3) to facilitate access to the development shall be designed and constructed in accordance with DIT Master Specifications, Austroads Guides/Australian Standards and be to the satisfaction of the Department for Infrastructure and Transport (DIT). All costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. All works shall be completed prior to operation of the development.

NOTE: The applicant shall contact DIT's Asset & Maintenance Manager, Zone 3, Mr Bona Tan on (08) 8648 5243, mobile 0417 767 452 or via email bonaventure.tan@sa.gov.au to obtain approval and discuss any technical issues regarding the required works prior to any detailed design. The developer shall enter a 'Developer Agreement' to undertake the above works.

Condition 26

The access points shall be suitably signed, and line marked to reinforce the desired traffic flow through the site.

Condition 27

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 relevant asset owner, with all costs being borne by the applicant.

Condition 28

All advertising signs shall be located fully on private property with all illuminated signage being installed as shown on Cheesman Architects Drawing No. 24109_SD12 and SD_13 (Revision 1).

Condition 29

All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022 with all commercial vehicle areas being designed and constructed in accordance with AS 2890.2:2018.

Condition 30

A final stormwater management plan (including DRAINS modelling) shall be developed in conjunction with DIT. All drainage infrastructure is to be to the satisfaction of Council and DIT.

Condition 31

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of Augusta Highway and Edinburgh Terrace. All costs associated with any upgrade/alterations shall be borne by the developer.

Conditions imposed by Environment Protection Authority under Section 122 of the Act

Condition 32

Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.

Condition 33

Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refueling.

Condition 34

Stormwater runoff from all hardstand areas of the petrol station (including the refueling and fuel delivery areas) must be managed in accordance with the *Stormwater Management Plan*, prepared by Lelio Bibbo Consulting Engineers, dated 23/09/2024, and the *Stormwater Management Report*, prepared by Herriot Consulting, dated 28/11/2024, and must be directed via grates and grade changes to the Atlan Spillceptor Class 1 full retention oil/water separator that:

- a. has a no-bypass function
- b. has capacity to contain the spill of least one compartment of the largest fuel tanker to service the site, plus stormwater runoff in the event of rainfall occurring
- c. reduces oil content in the outlet to less than 5 milligrams per litre (mg/L) of water at all times (as confirmed by independent third-party scientific testing)
- d. will operate effectively in the event of a power failure
- e. has high level and maintenance alarms.

Condition 35

Prior to operation, all underground fuel storage tanks must be double-walled and fitted with a leak detection system which is designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 *The design, installation and operation of underground petroleum storage systems*.

Condition 36

Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system which is designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 *The design, installation and operation of underground petroleum storage systems*.

ADVISORY NOTES

Planning Consent

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 1

This property abuts a section of Augusta Highway that was proclaimed as controlled access road on 13 December 1979 pursuant to Part 2A of the Highways Act 1926. Departmental records show that there are no proclaimed means of access by which persons and vehicles may directly enter or leave the controlled access road from/to this site.

The application for a permit can be applied for by email to the Commissioner of Highways

(via dit.landusecoordination@sa.gov.au) and must include a dimensioned plan showing the new access points, a summary of likely vehicular use and times of day of operation.

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

Advisory Note 2

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Note 3

An environmental authorisation (licence) is required for this development. Before commencing operation, the applicant/operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for information about the licensing application process and requirements.

Advisory Note 4

The applicant/owner/operator are reminded that any sludge or oily residue collected within the forecourt full retention oil/water separator is required to be removed by an EPA licensed waste transporter to a licensed waste depot.

Advisory Note 5

A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.

Advisory Note 6

More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au

J Hunt returned to the meeting.

8. Other business

8.1. Discussion regarding criteria of applications to be heard by the Panel.

9. Close

S Payne declared the meeting closed at 6.20 pm

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Stewart Payne
PRESIDING MEMBER