



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 Tuesday 27 August 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,
Attendance via Microsoft Teams - F Barr, R Donaldson, A Stokes

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

Attendance via Microsoft Teams – H Mueller (PACC)

Applicant:

Attendance via Microsoft Teams – A Albanese, B Victory

Representors:

3. Apologies

Nil

4. Confirmation of Minutes

Moved, A Stokes seconded F Barr

**RAP51/24 That the minutes of meeting held on 12 June 2024 be received
and adopted.**

CARRIED

5. Business Arising from the Previous Minutes

Nil

R Donaldson entered the meeting at 5:32pm

6. Conflict of Interest Declarations

Nil

7. Officer Reports

7.1 Development Application 24010506

Change of land use to Service Trade Premises (Motor Vehicle Showroom) with associated freestanding advertisement(s) and vehicle parts storage shed, 32 & 34-36 Forsyth Street, Whyalla.

7.1.1 Representor S Flack did not wish to be heard.

7.1.2 Representor J Connolly wished to be heard.

C Schubert advised the Chair that representor J Connolly wished to address the Panel and had brought in supporting plans and pictures. S Payne accepted the late change and allowed the pictures (attached) to be tabled at the meeting.

The pictures were emailed to the Panel members and applicant attending via Teams.

S Payne advise the representors the role of the Panel and introduced the Members. He then invited J Connolly to address the panel in relation to his representation.

J Connolly addressed the Panel in relation to his representation regarding the lighting and its impact on his property.

Stewart invited the Panel members to ask questions of J Connolly.

Stewart invited B Victory to address the Panel on behalf of the applicant in response to J Connolly's representation in relation to the measures proposed to reduce the impact of the lighting on the neighbouring properties.

The Panel discussed the impact of the lighting and the measures proposed to reduce/eliminate light spill into adjacent residential properties.

It was agreed that the lighting issue should be addressed as a reserved matter, as the concerns discussed do not materially influence whether the use of the site is appropriate as per the Code.

Moved F Barr seconded N Stassinopoulos

RAP52/24 The proposed development is not considered 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

The Panel discussed the conditions and resolved to;

- omit Condition 2 and Reserve Matter 1.
- Reword Condition 3 to replace the provision of a Construction Environmental Management Plan with a requirement to implement measures to mitigate dust, noise and stormwater impacts.
- Leave Condition 8 as recommended
It was agreed that the condition as proposed did not include staff arrival and departure and the second sentence allowed for the occasional slight deviation to hours as required.
- Reword Condition 9 and it becomes Reserve Matter 1 relating to lighting.
- Replace the word 'Council' in Reserve Matter 2 with the words 'delegate of the Panel'.

Moved F Barr seconded A Stokes

RAP53/24 Development Application Number 24010506, by Adam Albanese 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 works shall be conducted in such a manner that will mitigate or minimise impacts (particularly noise and dust) on the locality during and after construction. Stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices.

Condition 3

The advertisement(s) and advertising structure(s) herein approved shall be maintained in good repair at all times.

Condition 4

Landscaping plantings as detailed in approved plans prepared by Northeast Auto Group, dated 12/04/2024, shall be planted prior to use of the development. Plantings shall be maintained, with diseased and dying plants replaced as necessary to the satisfaction of Council.

Condition 5

That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices, and shall be installed as per the Stormwater Management Report (PROJECT: 240327, dated 18 July 2024) prepared by Gama Consulting, to ensure that stormwater does not adversely affect any adjoining property.

Condition 6

The driveway and parking areas (inclusive of vehicle display areas) shall be maintained in a good and trafficable condition to the reasonable satisfaction of the Council at all times.

Condition 7

The hours of operation for the development herein approved shall be between 8:00am - 5:30pm Monday to Friday and 8:00am – 1:00pm Saturday. 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.

RESERVED MATTERS**Planning Consent****Reserve Matter 1**

The applicant shall provide a lighting plan that ensures that the constructed lighting will meet the Australian Standard AS/NZS 4282 and confirmation from a suitably qualified lighting expert that the lighting will not unreasonably impact on residential premises outside of the site to the satisfaction of the Upper Spencer Gulf Regional Assessment Panel.

Reserved Matter 2

Prior to the granting of Development Approval, detailed design plans and specifications shall be submitted to and approved by the delegate of the Panel. The plans shall include the following:

1. Updated scaled site plan illustrating the location of the security fencing spanning the boundary shared with the rear laneway, Rogers Lane.
2. Elevation drawings of the security fencing depicting the height of the fence above the lowest point of natural and/or finished ground.
3. Cross-section of the fence to depict the height of retained soil.

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).

9. Other business

Nil

10. Close

S Payne declared the meeting closed at 7:03 pm

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

Stewart Payne
PRESIDING MEMBER

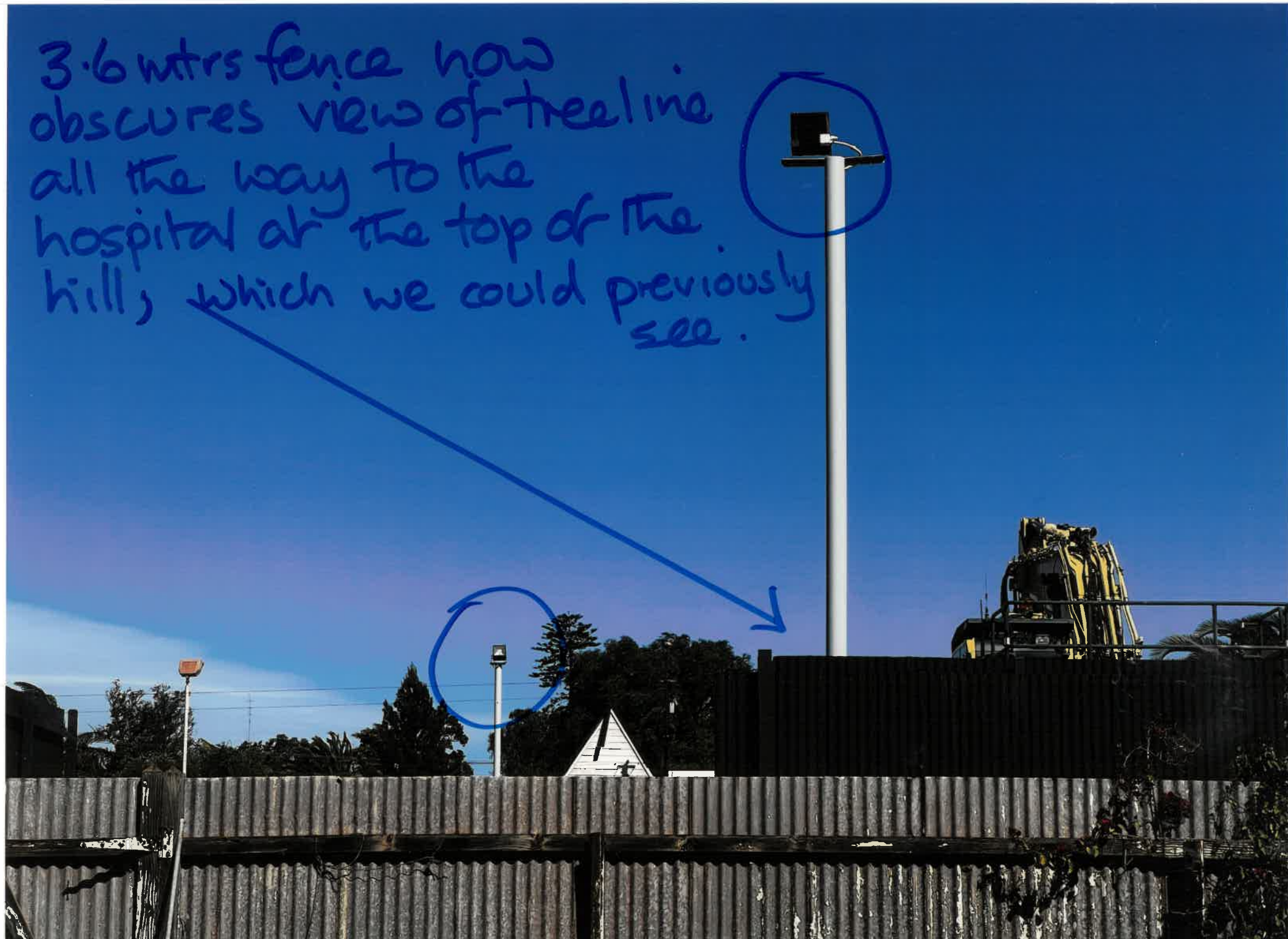
↑ EDGE OF VERANDA →
(view from kitchen)





Faces Connolly residence.
Plan shows it faces
in opp. direction.

3.6 mtrs fence now
obscures view of treeline
all the way to the
hospital at the top of the
hill, which we could previously
see.





Directed into our kitchen + backyard

Faces directly into kitchen
from far side of car yard.



Along with other lights, will have
a huge impact of light spill on our yard



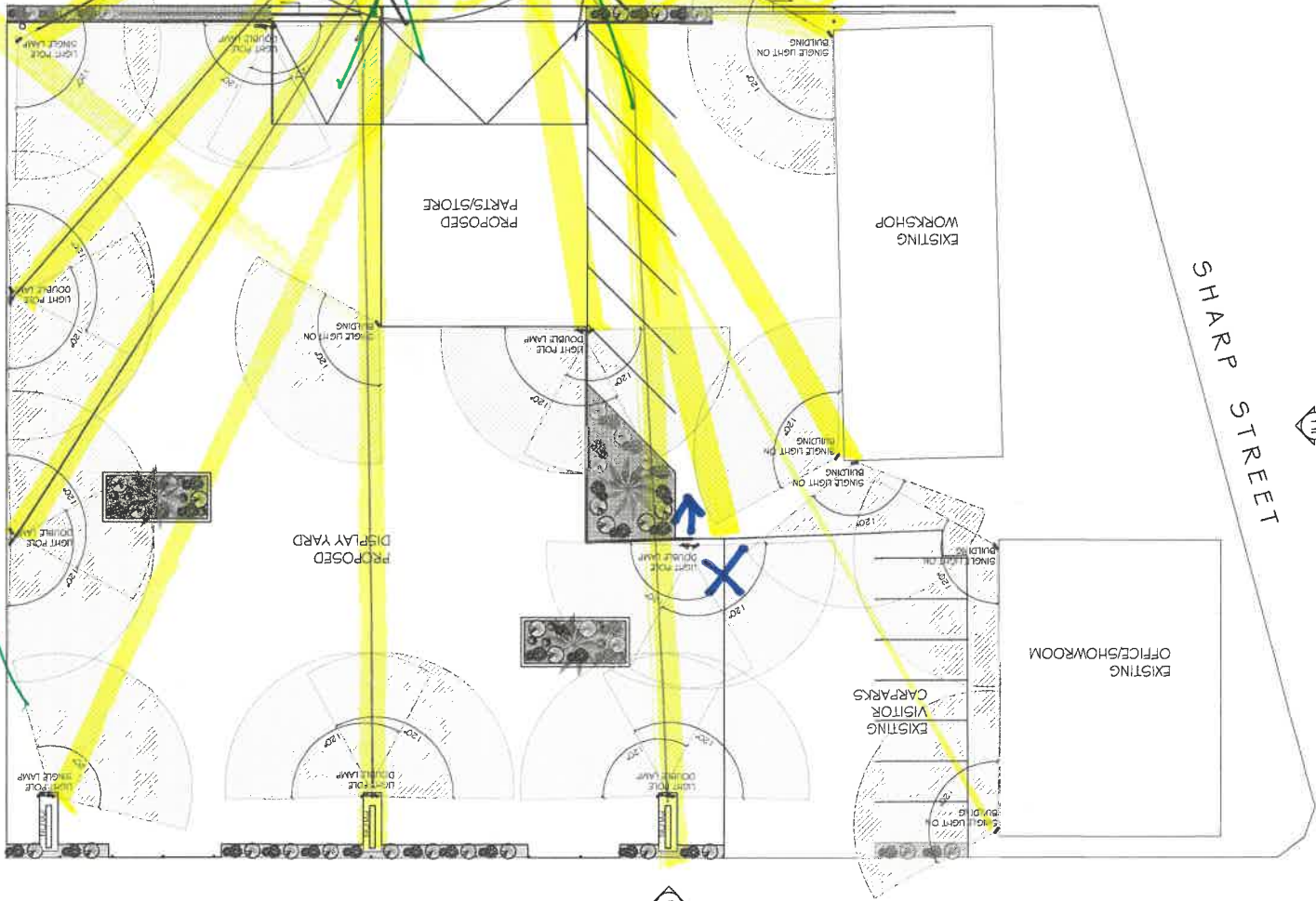
These are the first lights to be put up
but there are many more to come.

LIGHTING PLAN
SCALE 1:200



SHARP STREET

FORSYTH STREET



HOUSE 1
HOUSE 2

TYPICAL LIGHT POLE

6000

PIEDISTAL - SHADOWED
LED 800W FLOODLIGHT -
SHADOWED 2000000

STEEL COLUMN

Drawn	AA
Check	AA
Scale	1:200 & 1:50
Date	12/04/2024
Drawn No.	06 of 06
Project No.	03.2024

Whyalla
3.2 North Street

Whyalla Renovation

Project
Architect
Jasper Spencer

Design
Jasper Spencer

Design
Jasper Spencer

Design
Jasper Spencer

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