



MINUTES

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Minutes of the Upper Spencer Gulf Regional Assessment Panel meeting held in the Whyalla City Council Conference Room, Darling Terrace, Whyalla, on Tuesday 10 October 2023, commencing at 5.02pm.

1. Welcome – Stewart Payne, Presiding Member

Stewart P suggested Item 8.2 Development Application 22041021 - Variation to Development Application 850/101/20 for changes to originally approved structure, be heard first. It was agreed unanimously that the agenda be altered accordingly.

2. Present

Panel Members: S Payne (Presiding Member), N Stassinopoulos
Attendance via Microsoft Teams - F Barr Zoom, R Donaldson, Angie Stokes

Staff/advisors: J Perone, (Assessment Manager), C Schubert, Minute Taker (WCC).
Attendance via Microsoft Teams - L Trevisan, Planning Officer (WCC), J Skinner (URPS for PACC)

Applicants: P Leech (22041021)
Attendance via Microsoft Teams – S Xott-Dickson, Stellard Meek-Flightpath (23012328)

3. Apologies,

Nil

4. Confirmation of Minutes

Moved R Donaldson, seconded N Stassinopoulos

RAP28/23 That the minutes of meeting held on 5 September 2023 be received and adopted

CARRIED

5. Business Arising from the Previous Minutes

Nil.

6. Conflict of Interest Declarations

N Stassinopoulos declared a conflict of interest with Application 22041021.

5:05pm N Stassinopoulos vacated the meeting.

7. Hearing of Representations

Refer 8.1.

8. Officer Reports

S Payne gave a brief summary of the application and invited Jodie P if she would like to speak to the application.

Jodie P gave an overview of the application

5:08pm L Trevisan entered the meeting.

8.1 Development Application 22041021

Variation to Development Application 850/101/20 for changes to originally approved structure.

Richard W, Representor, addressed the Panel in relation to his representation.

5:13pm F Barr entered the meeting.

Discussion ensued regarding the details of the roller door and Winterlite.

R Winkless advised the use of Winterlite along the boundary portion of the carport resolved his concerns.

Moved F Barr, seconded A Stokes

RAP29/23 1 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; and

Carried

Moved F Barr, seconded R Donaldson

RAP30/23 Development Application Number 22041021, by Phillip Leech is granted Planning Consent subject to the following conditions:

CONDITIONS

Conditions imposed by the planning authority:

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

That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property.

Condition 3

The external colours of the structure herein approved are to match or blend in with the existing dwelling to the reasonable satisfaction of the Council.

ADVISORY NOTES

Planning Consent

Advisory Note1

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two 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

**5:18pm P Leech and R Winkless vacated the meeting,
N Stassinopoulos re-entered the meeting.**

8.2 Development Application 23012328

Child care centre (89 Places), landscaping, car park, fencing, outbuilding and new wastewater disposal system.

Discussion ensued in relation to the conditions included with the recommendation of Planning Consent.

It was agreed Conditions and 6 and 7 were not required. The footpath from the site, pedestrian ramp and footpath alterations and places for vehicle crossing are adequately captured in the plans and Condition 1.

Lengthy discussion was had regarding Condition 19. It was agreed that the requirement to provide a Statement of Suitability of the subject land for the proposed use prior to the

issuing of the Certificate of Occupancy, rather than earlier in the development, would result in unreasonable cost and/or risk to the applicant and the Council.

It was agreed by the Panel to defer resolving to grant development consent until the appropriate advice in relation to the condition be sought.

The Panel requested J Skinner to contact the EPA and seek the condition be amended to require the Statement of Suitability at an earlier stage of the development.

Should the EPA not wish to amend the condition, then J Perone would seek Legal advice in relation to the matter.

The Panel members unanimously agreed to defer the decision on the item and to reconvene when either the EPA agreed to amend the condition or legal advice was obtained in the effectiveness of the condition and its possible impact on the applicant and/or Port Augusta City Council.

S Payne addressed J Skinner and asked him to advise the Applicant that the Panel did not believe the proposal was at serious variance to the Planning & Design Code, however, it should not grant consent until this matter is resolved.

9. Other business

9.1 USGRAP Annual Report – 2002-2003


Moved F Barr, seconded R Donaldson

RAP31/23 That the Upper Spencer Gulf Regional Assessment Report – 2002-2003 be accepted.

Carried

10. Close

S Payne declared the meeting closed at 6.00pm



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Stewart Payne
PRESIDING MEMBER