



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 Wednesday 29 January, 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, C Schubert, Minute Taker (WCC).
Attendance via Microsoft Teams – H Mueller, Manager Growth & Regulatory (PACC),
S Sikdar, Development Officer – Planning (PACC).

3. Apologies

Nil

4. Confirmation of Minutes

Moved, N Stassinopoulos seconded F Barr

RAP59/25 That the minutes of meeting held on 17 September 2024 be received and adopted.

CARRIED

5. Business Arising from the Previous Minutes

Nil

6. Conflict of Interest Declarations

Nil

7. Officer Reports

7.1 Development Application 24023329

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Change of land use to caravan and tourist park for RV's comprising 28 sites, internal access roads and limited stay up to 48 hours in conjunction with an existing residence, associated water storage tanks for potable water and firefighting purposes, and sullage point for disposal of effluent; 18618 Augusta Hwy Winninowie SA 5700

S Payne invited S Sikdar to provide an overview of the item

S Sikdar addressed the Panel and gave an outline of the proposal.

S Payne sought clarity of the location of the quandong orchard referred to in the report, which was not indicated on the plans provided. S Sikdar advised they would be included in Stage 2 of the development.

7.1.1 Two (2) representors were heard.

K Cornelsen, SA Arid Lands Landscape Board and J Van Weenen, Urban Biodiversity addressed the Panel at the invitation of S Payne.

Discussion ensued regarding the impact on an indigenous species of butterfly specific to South Australia and the issues surrounding their preservation. The butterfly population is located in an area of roadside vegetation on the Horrocks Road, across the road from the subject site.

7.1.2 Applicant's response

N Maloney was invited by the S Payne to address the Panel in relation to his response to the representations.

N Maloney advised he had nothing further to add to written representation, however, was clear that he was prepared to work with the Arid Lands in relation to the butterfly population.

The Panel discussed the proposal against the Planning & Design Code. It agreed that while it was in conflict with DO1, however as the site does include the envisaged use of a Quandong plantation and is low impact on the site.

Moved F Barr, seconded N Stassinopoulos

RAP60/25 The proposed development is 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 was had in relation to the Planning & Design Code and the impacts of the described activities on the subject site and whether its impact on the butterfly population at another site, as described by the representors, can be considered.

It was agreed that the caravan/recreational vehicle park proposal is low impact and should the use cease, the affected portion of land could be easily returned to primary production.

The Panel agreed that the plans should reflect the location of the quandong plantation.

Moved R Donaldson seconded A Stokes

RAP61/25 Development Application Number 24023329, Change of land use to caravan and tourist park for RV's comprising 28 sites, internal access roads and limited stay up to 48 hours in conjunction with an existing residence, associated water storage tanks for potable water and firefighting purposes, and sullage point for disposal of effluent by Mr N Maloney granted Planning Consent subject to the following conditions and Reserved Matter:

CONDITIONS

Condition 1

The applicant must take all necessary measures to ensure that sound emissions from any equipment, device, or other sources, including amplified noise, must comply with the Environmental Protection (Noise) Policy 2007.

Condition 2

Landscaping shown on the approved plans shall be established within 12 months of the date of consent and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

Condition 3

External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent properties, motorists and aircraft operations.

Condition 4

The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times to the satisfaction of the relevant authority.

Condition 5

The Quandong plantation must be established during the first planting season following the commencement of the approved use. The plantation must be maintained in good condition, with any plants that become diseased or die replaced promptly, ensuring sufficient growth to contribute to fruit production as outlined in the proposal.

Condition 6

Adequate bins must be placed around the site to maintain cleanliness.

Condition 7

All waste must be segregated at the source and disposed of legally.

Condition 8

No other points of egress from or ingress to the subject land shall be created without prior consent of Council being first obtained in writing.

Condition 9

A separate application for section 221 must be submitted to the Council for the existing access, as it was approved solely for the use of the existing residence on-site.

Condition 10

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

Conditions from Native Vegetation Council:

Condition 11

Clearance areas are to be defined with barriers, pegs, flags or temporary fencing to ensure that native vegetation outside the approved area is not damaged.

Condition 12

Native Vegetation and trees retained in close proximity to the construction activity zone are to be protected with barriers (i.e. fencing or flagging) in accordance with the Australian Standard for Protection of Trees on Development Sites AS 4970-2009.

Condition 13

Stockpiled materials, including cleared vegetation and excavated soil is not to be placed under native trees or on top of native understorey outside the approved area

Condition 14

Construction vehicles, equipment or materials are not to be stored or placed on top of native vegetation outside the approved clearance area.

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

Condition 15

All access to/from the development shall be gained in accordance with the Part Site Plan produced by Looka Design, Project No. J000313, Drawing No. A02, Revision No. 02-WIP,

dated 4.07.2023. The access point shall be sealed from the edge of seal on Horrocks Pass Road and shall be provided with BAR and BAL treatments in accordance with the site Proposed Access Point Plan produced by Phil Weaver & Associates, Ref: 21-223, dated 15.10.2021.

Condition 16

All roadworks on Horrocks Pass Road required to facilitate safe access shall be designed and constructed in accordance with the relevant Austroads Guides, Australian Standards and to the satisfaction of the Department for Infrastructure and Transport with all associated costs (including and not limited to project management and any necessary road lighting and drainage upgrades) to be borne by the applicant. All works shall be completed prior to the operation of the facility.

Note: The applicant shall contact DIT Road Assets, Asset & Maintenance Manager, Mr Bonaventure Tan on telephone (08) 8864 85243, mobile 017 767 452 or via email at Bonaventure.Tan@sa.gov.au, to discuss the proposed road works prior to undertaking any detailed design. The developer shall enter into a Developer Agreement to undertake the above works.

Condition 17

The redundant crossover on Augusta Highway shall be closed and reinstated to Council's standards at the applicant's expense prior to the operation of the site.

Condition 18

All vehicles shall enter and exit the site in a forward direction. The largest vehicle permitted on-site shall be restricted to a 19m semi-trailer. Page 2 of 2

Condition 19

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 20

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. In addition, longitudinal drainage along Horrocks Pass Road shall be maintained (including any required trafficable headwalls) adjacent and across the access in order to minimise the impact on the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

RESERVED MATTER

A site plan to show the extent of the Quandong Plantation is to be provided to the Assessment Manager for approval, prior to Development Approval being granted

ADVISORY NOTES

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).

Advisory Note 2

A separate application must be submitted for any proposed new signage or advertisement.

8. Other business

8.1 Panel members tenure

J Perone advised all three Councils had resolved to advertise for Panel Members and the existing members were encouraged to apply. The positions will be advertised for a two week period.

8.2 Isuzu

J Perone advised the Panel of the progress of the Reserved Matter.

Council Officers have been advised the manager of the Isuzu site on Forsyth Street had come to a compromise with the representor, Dr Connolly, to have the lights turned off at 10pm. It has also been noted the lights have been tilted down,

The report confirming the lighting will not impact adjoining property owners, which is to be considered by the Panel, has not yet been submitted. It has also been noted the business is being conducted without Development Approval. J Perone advised the matter was being pursued and an order would be issued accordingly.

9. Close

S Payne declared the meeting closed at 6:49 pm



Stewart Payne
PRESIDING MEMBER