



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 27 June 2023, commencing at 5.01pm.

1. **Welcome – Stewart Payne, Presiding Member**

2. **Present**

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

Staff/advisors: J Perone, (Assessment Manager), C Schubert, Minute Taker (WCC).
Attendance via Microsoft Teams - Kevan Delaney Director Infrastructure (PACC), Henri Muller Manager Growth & Regulatory (PACC), Yantel Burns Planning Officer (PPRC), Rosalie Jones, Personal Assistant to Director Development & Regulation (PPRC)

Applicant: Attendance via Microsoft Teams – Blake Stringer

Representor: Attendance via Microsoft Teams – Shelley Brook

3. **Apologies,**

Nil

5:08pm F Barr entered the meeting.

4. **Confirmation of Minutes**

Moved A Stokes, seconded R Donaldson

RAP22/23 That the minutes of meeting held on 28 March 2023 be received and adopted

CARRIED

5. Business Arising from the Previous Minutes

Nil.

6. Conflict of Interest Declarations

Nil.

7. Hearing of Representations

Refer Item 8.2.

8. Officer Reports

8.1 Development Application 22042636 Page

Alterations and additions to existing Museum (State Heritage) – including various conservation and restoration works, associated café and function area, relocation of steam locomotive, new amenities building, covered shelter, veranda, fencing and carparking – 73-77 Ellen Street, Port Pirie.

Stewart P gave a brief summary of the item before a small discussion by the Panel in relation to the item.

Moved A Stokes, seconded R Donaldson

RAP23/23 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

2 Development Application Number 22042636, by Swanbury Penglase Architects, at 73-77 Ellen Street, Port Pirie, be granted Planning Consent, subject to the following reserved matter and conditions.

Reserved Matters

That pursuant to Sections 102(3)(c) of the Planning, Development and Infrastructure Act 2016, the Applicant shall obtain the following approval prior to the granting of Development Approval for the application:

- The applicant must obtain relevant authorisations from the Council under the Local Government Act, for undertaking development (being portion of the car park area) on Local Government land on Local Government land, on terms acceptable to the Council.**

That the Upper Spencer Gulf Regional Assessment Panel Assessment Manager be authorised to receive the above approval and, if satisfied that the relevant approval has been

obtained, determine that the reserved matter is fulfilled and impose any additional conditions of planning consent related to the reserved matter as the Assessment Manager deems necessary and appropriate.

Conditions

General

- 1. The development is to take place in accordance with the supporting documentation and plans relating to Development Application Number 22042636, except as modified by any conditions attached to this Decision Notification.**
- 2. That 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.**
- 3. All external lighting must be of a nature, and be shielded, to prevent light spill or light nuisance to adjoining land.**
- 4. Stormwater run-off from the proposed development must be managed to prevent erosion or pollution of the site and the environment and prevent runoff on to adjoining land.**

State Heritage

- 5. Lime mortars must be used in all masonry works to the State heritage place (nominally 1 part lime to 3 parts washed, well-graded sharp sand). Slaked lime putty (with or without pozzolanic agents) or natural hydraulic limes is to be used. Cement, cement-based additives, salt retarders and the like must not be added to any mix.**
- 6. Cleaning of any metal work must be done using stiff bristle brush. The use of wire brushes and power grinding tools is not acceptable.**
- 7. Paint removal must not be done using mechanical sanding or abrasive blasting. A test sample of paint removal must be provided for approval by the Heritage Architect to determine the most appropriate method which avoids damage to the masonry.**
- 8. Removal of internal walls must be done by hand without power tools to avoid damage to surrounding walls and floors.**

9. **Colour schedule for all paint work must be provided for approval prior to painting taking place.**

State Heritage Notes

- **Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for example:**
 - **An application to vary the Planning Consent, or**
 - **Building Rules documentation that incorporates differences from the proposal as documented in the development application.**

- **Please note the following requirements of the Heritage Places Act 1993:**
 - **If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.**
 - **Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.**

For further information, contact the Department for Environment and Water.

- **Please note the following requirements of the Aboriginal Heritage Act 1988:**
 - **If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the Aboriginal Heritage Act 1988.**

Coast Protection Board Notes

- **The Coast Protection Board advises that any part of the development site which does not achieve site and finished floor levels of 3.15 metres and 3.4 metres Australian Height Datum respectively may be at risk of coastal flooding from a significant storm surge event unless the site is protected from this risk. (The Board notes that the site is set back from the waterfront and has not determined the actual extent of flood risk in this case.) The above levels are recommended to reduce coastal flooding risk to 2050 and take into account 0.3 meters of sea level rise and 1% AEP storm surge conditions. The Board advises that a potential further 0.7m of sea level rise to the year 2100 may increase the above flood risk.**

General Notes

- **Building Rules approval and final Development Approval must be sought and obtained prior to undertaking any development.**
- **Planning approval will lapse at the expiration of 2 years from its operation date, unless Development Approval is granted or unless an extension is granted by the Relevant Authority.**
- **The applicant is reminded of its obligation to seek any necessary approvals from the service authorities who hold registered easements over Lot 401, as it relates to any proposed works over those easements.**
- **The applicant is reminded of its obligation to seek any necessary approval from the Crown, under the Crown Lands Management Act, for use of land that is held in the custodianship of the National Trust.**

Carried

8.2 Development Application 23000012; Store (80% builders' storage & 20% domestic use) – 51 Steamtrain Rd, Coonamia.

Shelley B, Representor addressed the Panel in relation to her submission concerning the application.

Blake S, Applicant addressed the Panel and responded to questions in relation to his proposal.

Stewart thanked Shelley and Blake for attending and advised the Panel would now enter into 'in-camera' discussion to decide on the matter and asked them to end their Teams session.

In-camera discussion commenced 5:31pm

The Panel discussed the proposal and agreed on the decision to not approve the application.

5:48 break to draft resolution

Jodie P and Stewart P prepared a draft wording for the reasons for refusal

5:57 resumed the meeting

The Panel agreed on the wording of the reasons for refusal.

Moved N Stassinopoulos, seconded A Stokes

- RAP24/23 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 seriously**

at variance with the provisions of the Planning and Design Code

2 Development Application Number 2300012 Store by Alanah Barr is not granted Planning Consent for the following reasons;

- The Development is contrary to DO 1 for the Rural Zone as it does not relate to the production, processing, storage or distribution of primary production being a store related to the conduct of a building services business.
- The development is contrary to DO 2 for the Rural Zone as it does not relate to an existing rural business upon the land.
- The development is contrary PO 4.1 DPF 4.1(A) as it does not relate to primary production activity on the land, DPF (B) is not proposed on land greater than 20 hectares, or DPF 4.1 (c) as the building has an area in excess of 500m².

Advisory Note

Please refer below for avenues of Appeal, noting there is a timeframe to lodge your appeal.

Carried

9. Other business

Nil

9 Close

S Payne declared the meeting closed at 6:09pm



**Stewart Payne
PRESIDING MEMBER**