

AGENDA

Limestone Coast Southern Regional Assessment Panel

Thursday 16 October 2025



I hereby give notice that a Limestone Coast Southern Regional Assessment Panel will be held on:

Time: 5:00 pm
Date: Thursday 16 October 2025
Location: Level 1 Conference Room, Civic Centre
10 Watson Terrace, Mount Gambier

Tracy Tzioutziouklaris
ASSESSMENT MANAGER
10 October 2025

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1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil

3 CONFIRMATION OF MINUTES

3.1 CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Limestone Coast Southern Regional Assessment Panel Meeting held on 21 August 2025 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE

5 INVITEES

Invitees for Item 6.1 - DA 25015714 – 34311 Princes Highway, Suttontown - Change of Use from Dwelling to Supported Independent Accommodation Facility & associated signage

The Representor - Kristy O'Laughlin

The Representor – Nicky Hosking

The Representor – Ronald and Suzanne Kenny

The Representor – Roslyn Snaauw, Silver Fox Planning on behalf of Rebecca Hudson

The Representor – Kirby and Brad Turnbull

The Representor – Elliot Jones

The Representor – Jim and Julie Cope

The Applicant – Frank Brennan, Frank Brennan Consulting Services

The Applicant – Sibi Thompson, Serene Country Living

6 REPORTS

6.1 DA 25015714 - CHANGE OF USE FROM DWELLING TO SUPPORTED INDEPENDENT ACCOMMODATION FACILITY & ASSOCIATED SIGNAGE AT 34311 PRINCES HWY SUTTONTOWN

Author: Ben Victory, Planning Consultant

Authoriser: Tracy Tzioutziouklaris, Assessment Manager

RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel report titled 'DA 25015714 - Change of Use from Dwelling to Supported Independent Accommodation Facility & associated signage at 34311 Princes Hwy Suttontown' as presented on Thursday 16 October 2025 be noted.
2. 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.
3. Development Application Number 25015714, by Serene Country Living is refused Planning Consent for the following reasons:

REASONS FOR REFUSAL

1. The proposed change of use to supported accommodation does not satisfy the following Performance Outcomes in the Planning and Design Code for the Rural Zone:

PO 1.1 The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.

PO 5.1 Dwellings provide a convenient base for landowners to conduct and manage commercial scale primary production and rural related value adding activities without compromising the use of the allotment, adjacent land or long term purpose of the zone for primary production or related tourism values due to a proliferation of dwellings.

The use is not ancillary to a primary production use, and the building would not be used as a convenient base for landowners to conduct and manage commercial scale primary production and rural related value adding activities.

2. The proposed change of use to supported accommodation does not satisfy the following Performance Outcomes in the General Development Policies of the Planning and Design Code for Interface Between Land Uses:

PO 9.1 Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.

PO 9.6 Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.

The proposed supported accommodation use would not be ancillary to a farming use, and would become more sensitive to surrounding farming activities without sufficient setbacks or an effective vegetated buffer.

ADVISORY NOTES

The applicant has a right of appeal against the refusal decision. 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).

DEVELOPMENT NO.:	25015714
APPLICANT:	Serene Country Living
ADDRESS:	34311 Princes Highway, Suttontown
NATURE OF DEVELOPMENT:	Change of use from a dwelling to supported accommodation and associated signage
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Rural <p>Overlays:</p> <ul style="list-style-type: none"> • Dwelling Excision • Hazards (Bushfire - General) • Hazards (Flooding - Evidence Required) • Key Outback and Rural Routes • Limited Land Division • Native Vegetation • Prescribed Wells Area • Water Protection Area <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Finished Ground and Floor Levels (Minimum finished ground level is 1.85m AHD; Minimum finished floor level is 2.1m AHD) • Minimum Dwelling Allotment Size (Minimum dwelling allotment size is 20 ha)
LODGEMENT DATE:	11 Jun 2025
RELEVANT AUTHORITY:	Limestone Coast Southern Regional Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.10 29/05/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Ben Victory Planning Consultant
REFERRALS STATUTORY:	N/A
REFERRALS NON-STATUTORY:	N/A

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is described as a change of use from a dwelling to supported accommodation and associated signage. It includes the following:

- Internal alterations to the existing dwelling to change the use to a Supported Independent Living (SIL) accommodation facility. Accommodation is provided for three residents plus staff

facilities, fitting the definition in the Planning and Design Code of 'supported accommodation', which means:

premises in which residential accommodation is provided to persons requiring/together with regular medical and/or personal care assistance, but does not include home care.

This definition includes a nursing home and residential care, and excludes a hospital and retirement facility.

- An Operation Plan from the applicant Serene Country Living (SCL), noting that it 'will provide person centred, accessible, and inclusive housing for individuals with disabilities funded through the National Disability Insurance Scheme (NDIS). The facility aims to support residents in living independently while receiving the assistance they require to maintain safety, health, and wellbeing'.
- SCL also advise that 'this facility will support low-risk, pre-screened NDIS participants who require supported living in a shared home setting. All residents will be:
 - Assessed for suitability through a formal intake process, ensuring alignment with the environment, other residents, and available support structures.
 - Subject to individualised risk assessments prior to admission, as outlined in our Risk Management and Intake Policies. Selected based on their ability to live harmoniously in a shared, semi-independent setting, with behaviours and support needs compatible with a rural, low-stimulation environment.
 - Have an approved NDIS plan to include Supported Independent Living funding.
 - Require moderate to high levels of daily support.'
- The Operation Plan also 'incorporates therapeutic farming activities into daily routines' in the form of an 'egg production program' including:
 - residents caring for approximately 70 chickens and ducks, collecting 100–150 eggs daily
 - activities being voluntary and aligned with resident goals, interests, and support plans
 - feeding, watering and coop cleaning
 - collecting, sorting, and packaging eggs
 - logging egg counts and maintaining basic records
 - distributing eggs for household use or community sharing
 - learning about animal welfare, biosecurity, and sustainable practices.
- Access using the existing driveway from Princes Highway, initially via an unmade public road to the south of the land, then inside the eastern boundary to the dwelling, where car parking is available.
- A small sign to identify Serene Living is provided inside the land at the Princes Highway intersection.

BACKGROUND:

The use has commenced without authorisation, either in the form of a Development Approval under the *Planning, Development and Infrastructure Act 2016*, or a licence under the [Supported Residential Facilities Act 1992](#). This is a retrospective Development Application.

Serene Country Living operate several other similar facilities in the region. Two were approved in recent years within the Rural Zone at 276 Pinehall Avenue, Suttontown and 247 Mount Percy Road, Compton. It is understood that those planning assessments found support given the nature of their location and uses. The Pinehall Avenue site is adjacent to the Suburban Neighbourhood Zone at Suttontown and the edge of Mount Gambier. The Mount Percy Road proposal is a retreat

for short term stays (generally 3-7 days and conditioned for no longer than one month), and was considered to be akin to tourist accommodation as an envisaged use in the zone.

Another Development Application (25002145) close by to the east at 135 Sassanowsky Road, Suttontown, is currently on hold after receiving numerous representations against it. That was described in the notification as 'Change of Land Use - Convert Dwelling to a Community Facility (Drug & Alcohol Rehabilitation Centre). It is understood that the nature of that proposed use has differences to the proposed use in this DA 25015714.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 34311 PRINCES HWY SUTTONTOWN SA 5291		
Title ref.: CT 6284/995	Plan Parcel: D131850 AL103	Council: THE DC OF GRANT

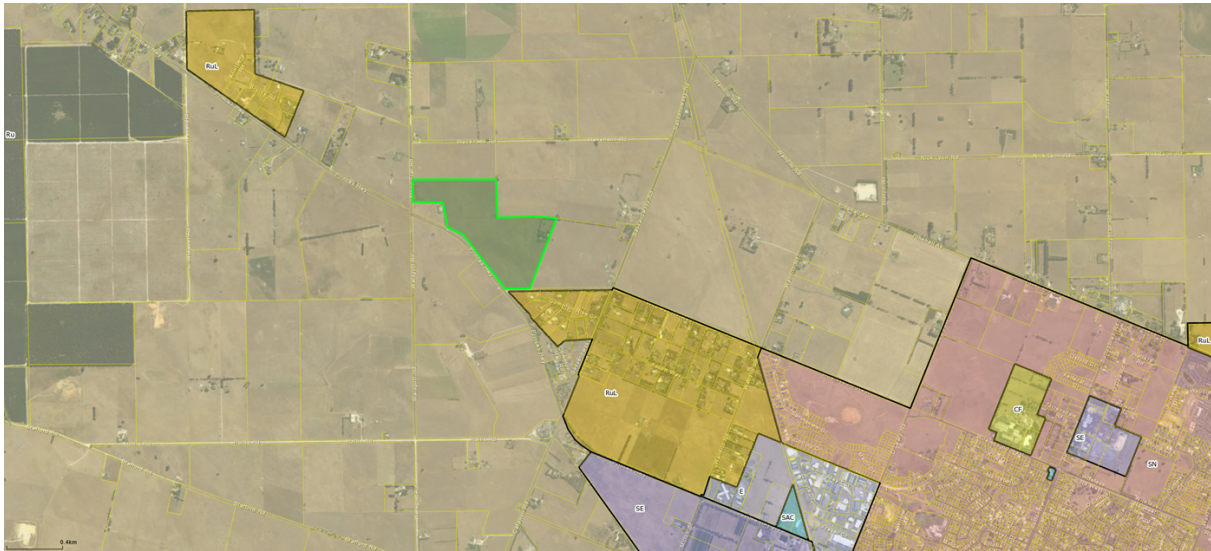
The allotment is 40 hectares in area with an irregular shape. It has a southwestern frontage to Princes Highway of approx. 620m, a southern frontage to the unmade road of approx. 180m, and a western frontage to Snowy Flat Road of approx. 160m. There are no easements, encumbrances or Land Management Agreements on the title.

Topography is gently undulating, generally rising up from the road frontages and with no watercourses or dams. Farming in the form of grazing is the land use, with the site generally devoid of trees, except for around the dwelling in the eastern corner. The curtilage of the dwelling includes maintained gardens and various outbuildings/agricultural buildings, water tanks and vehicle parking. Refer to the image below:



Locality

The locality reflects the zoning, generally being farming (grazing and cropping) in the immediate locality within the Rural Zone, but with rural living in the Suttontown Rural Living Zone to the southeast and in the Wandilo Rural Living Zone to the northwest. The Compton Primary School and associated community uses are also approx. 500m to the southeast (in the Rural Zone on the eastern side of Princes Hwy). Mount Gambier is further to the southeast, as shown in the image with zoning below:

**CONSENT TYPE REQUIRED:**

Planning Consent

CATEGORY OF DEVELOPMENT:**PER ELEMENT:**

Change of use: Code Assessed - Performance Assessed

Other - Community - Supported Independent Accommodation Facility: Code Assessed - Performance Assessed

Advertisement: Code Assessed - Performance Assessed

OVERALL APPLICATION CATEGORY:

Code Assessed - Performance Assessed

REASON

P&D Code - Does not meet Accepted, Deemed To Satisfy or Restricted Development assessment pathway criteria

PUBLIC NOTIFICATION**REASON**

Supported accommodation is not listed as an exempt form of development under Table 5 - Procedural Matters – Notification. The proposal was also not considered to be development of a minor nature only and not unreasonably impacting on neighbours. Accordingly, notification was required.

LIST OF REPRESENTATIONS

Name	Address	Position	Heard
1-5. Kirsty O'Loughlin	PO Box 9936 Mount Gambier West	Support with some concerns	Yes
6. Nicky Hosking	95 Sassanowsky Rd, Suttontown	Oppose	Yes
7. Ronald and Suzanne Kenny	RSD 4012 Mount Gambier	Oppose	Yes
8. Rebecca Hudson	PO Box 9280 Mount Gambier West	Oppose	Yes
9. Kirby and Brad Turnbull	PO Box 9765 Mount Gambier West	Oppose	Yes
10. Elliot Jones	PO Box 9589 Mount Gambier West	Oppose	Yes

11. Jim and Julie Cope	PO Box 2193 Mount Gambier	Oppose	Yes
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SUMMARY & RESPONSE

Issues raised in the representations include:

- Clarity on building alterations and nature of the use
- Fire safety
- Supervision and staffing ratios
- Land use and compatibility with farming in the Rural Zone
- Sensitive receiver interface – noise, spray drift, odour etc
- Noise and anti-social behaviour
- Traffic and safety
- Water supply.

A response to the representations was provided by SCL. It clarifies some of the information in response to questions and issues raised. It also provides further arguments in support of the proposal, including land use and compatibility with the Rural Zone.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Question of Seriously at Variance

The proposed development comprises supported accommodation in the Rural Zone. This land use is not specifically envisaged in the Zone, although it is not a 'restricted' development and is performance assessed on its merits.

The Zone does envisage other forms of accommodation including a dwelling, tourist accommodation and workers' accommodation. Given the:

- small-scale nature of the proposal for three clients plus staff
- change of use from the existing dwelling that can be easily converted back
- other forms of accommodation envisaged in the Zone

it is not considered to be 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*.

Land Use

The primary planning issue in this assessment is land use. The following provisions for the Rural Zone are most relevant:

DO 1 - A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.

DO 2 - A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

PO 1.1 - The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.

PO 5.1 - Dwellings provide a convenient base for landowners to conduct and manage commercial scale primary production and rural related value adding activities without compromising the use of the allotment, adjacent land or long term purpose of the zone for primary production or related tourism values due to a proliferation of dwellings.

The proposed change of use does not preclude the predominant farming land use from continuing, or the building being later returned to a dwelling use. While it is not considered to strongly offend the above provisions, it does not satisfy them either.

The Operation Plan includes an 'egg production program' for the residents as described above for the proposal. However, this is not considered to be sufficient as a genuine association with the farming use of the land, or an essential part of the commercial scale farm. It prevents the building from being used as the intended dwelling to provide a convenient base for landowners to manage commercial scale primary production and rural related value adding activities.

While being mindful of other examples of supported accommodation being approved in the Rural Zone, each case is different and assessed on its own merits. Individual assessments are based on various considerations including the nature of the proposal, site, locality, Overlays and other Code provisions at the time of lodgement.

Tourist accommodation is defined to mean 'premises in which temporary or short-term accommodation is provided to travellers on a commercial basis'. It is anticipated in the Zone, subject to the following provisions:

PO 6.3 - Tourist accommodation is associated with the primary use of the land for primary production or primary production related value adding industry to enhance and provide authentic visitor experiences.

DPF 6.3 - Tourist accommodation:

- a) is ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry*
- b) in relation to the area used for accommodation:*
 - i. where in a new building, or buildings, does not exceed a cumulative total floor area of 100m²*
or
 - ii. where in an existing building, does not exceed a total floor area of 150m²*
- and*
- c) does not result in more than one tourist accommodation facility being located on the same allotment.*

PO 6.4 - Tourist accommodation proposed in a new building or buildings is sited, designed and of a scale that maintains a pleasant rural character and amenity.

DPF 6.4 - Tourist accommodation in new buildings:

- a) is set back from all allotment boundaries by at least 40m*
- b) has a building height that does not exceed 7m above natural ground level.*

Similar to the concern above comments on the change from the authorised dwelling use, the proposal is not considered to be akin to what would be an acceptable tourist accommodation use in this case. The supported accommodation use is not a temporary or short-term form of accommodation. It is also not associated with the primary use of the land for farming or related value adding industry.

While the building itself is approximately 47m from the eastern boundary, its curtilage including garden areas is up to the boundary. This guidance above suggests some risk of interface issues with the neighbouring land, as discussed further below.

It is also noted that supported accommodation is specifically envisaged in other zones, including various neighbourhood-type and activity centre zones in more urban areas. Such opportunities could be available within Mount Gambier, where other complementary services could be available as well.

Interface Between Land Uses

The General Development Policies include the following for Interface Between Land Uses:

PO 9.1 - Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.

PO 9.6 - Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.

Sensitive receivers are defined in the Code to mean:

- a) any use for residential purposes or land zoned primarily for residential purposes;
- b) child care facility;
- c) educational facility;
- d) hospital;
- e) supported accommodation;
- f) tourist accommodation

The authorised dwelling use is for residential purposes, although it is ancillary to the farming use, so is not considered to be as sensitive as this proposed supported accommodation use. Residents and staff in the supported accommodation are more likely to be sensitive to surrounding farming uses, than farming landowners residing in the dwelling as intended (to conduct and manage commercial scale primary production).

As above, the building itself is setback a little more than 40m from the eastern boundary, but the curtilage including garden areas is not. There are some trees to provide a degree of buffering, however they do not appear to be sufficient for a genuine buffer, particularly from the neighbouring farm to the east.

Traffic and Parking

Traffic and parking arrangements are considered to be acceptable. The low numbers of residents, staff and visitors will not have an appreciable change to the traffic and parking that could otherwise occur with the authorised dwelling use. It will not alter or change the nature of movement using the existing access to and from Princes Highway and the unmade road. Sufficient space exists around the building for the likely parking needs.

Signage

The proposed signage shown on Page 12 of the Planning Report shows a small freestanding sign and explains it is within the private land near the driveway/road intersection. If the panel determines that Planning Consent should be granted, a reserved matter could be added to require the exact dimensions and location of the sign to the satisfaction of the Assessment Manager.

CONCLUSION

The proposed change of use of the dwelling to supported accommodation is not seriously at variance with the Planning and Design Code. However, it is not considered to sufficiently satisfy the relevant provisions of the Code in relation to land use and interface. It is recommended that Planning Consent be refused.

INVITES

The Representor - Kristy O'Laughlin

The Representor – Nicky Hosking

The Representor – Ronald and Suzanne Kenny

The Representor – Roslyn Snaauw, Silver Fox Planning on behalf of Rebecca Hudson

The Representor – Kirby and Brad Turnbull

The Representor – Elliot Jones

The Representor – Jim and Julie Cope

The Applicant – Frank Brennan, Frank Brennan Consulting Services

The Applicant – Sibi Thompson, Serene Country Living

ATTACHMENTS

1. Application Summary [**6.1.1** - 4 pages]
2. Public Notification Document - 11426050 [**6.1.2** - 40 pages]
3. Public Notice 11167 Summary [**6.1.3** - 71 pages]
4. SCL Response Representations D A 25015714-130825-11993114 [**6.1.4** - 9 pages]

6.2 DA 25024396 – TO CONSTRUCT A CREMATORIUM WITH ASSOCIATED SECURITY FENCING AND LANDSCAPING – 7C CALULA DRIVE – REPORT NO.

Author: Bella Shaughnessy, Para Planner

Authoriser: Tracy Tzioutziouklaris, Assessment Manager

RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel report titled 'DA 25024396 – To construct a crematorium with associated security fencing and landscaping' as presented on 16 October 2025 be noted.
2. Pursuant to Section 108(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 warrants the granting of Planning Consent subject to the following conditions:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by the Council Assessment Panel and the Conditions of Approval.
 - (b) The car parking and driveway area and footpath crossover as shown on the plan and approved by Council shall be graded, paved and sealed with bitumen or other similar material.
 - (c) The carparking spaces shall be constructed in accordance with the relevant Australian Standard and shall be linemarked, with the accessible car parking space appropriately identified.
 - (d) The remainder of the yard areas shall be surfaced to ensure maximum dust suppression at all times.
 - (e) All loading and off-loading of vehicles associated with the use of the crematorium shall be conducted within the building.
 - (f) Stormwater shall be managed and appropriately disposed of on-site and shall not run onto the adjoining properties, with a stormwater treatment device installed to ensure that all surface run off, stormwater or other liquid, discharging from the site, is free of site contaminants prior to being discharged to the bore.
 - (g) All waste materials and refuse shall be contained within the proposed building or alternatively a screened holding place for waste materials and refuse containers shall be provided and maintained on site, with the waste and refuse being removed on a regular basis.
 - (h) The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
 - (i) The building and surroundings shall be maintained in a state of good, tidy and attractive repair and condition at all times.
 - (j) The use of the land shall not be used/occupied for the purposes approved by Council until conditions (b), (c) and (f) are completed.
 - (k) The exhaust stack must have unimpeded upward flow, so if a rain protector is installed it must be of the kind that allows an unimpeded upward flow.
 - (l) The cremation unit must be housed within a new shed building constructed from profiled sheet metal with a minimum sound reduction of Rw18.

- (m) Roller doors located along the northern and southern facades of the shed building must remain closed unless they are being used for entry/exit and must be closed immediately after use.

3. The following notes be attached to the approval:

- (a) 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.
- (b) 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 the information about the licensing application process and requirements.
- (c) A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.
- (d) More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au.

BACKGROUND

The subject site is regular in shape and has a street frontage of 28.57 metres, a depth of 60.68 metres, having a total area of approximately 1733 square metres.

The subject site is current vacant land, contains no native vegetation and is relatively flat.

PROPOSED DEVELOPMENT

The proposed development involves the construction of a crematorium with associated security fencing, carparking and landscaping.

The crematorium involves:

- The construction of a building with a 32.3 metre setback from the rear (southern boundary)
- 8.23 metre setback from the western (side) property boundary
- 8.53 metre setback from the eastern (side) property boundary
- 15.5 metre setback from the front boundary.

The building is to be 12.5 metres, by 12 metres, having a total floor area of 150 square metres. The building will have a wall height of 3.6 metres from the finished floor level to the fascia, with the total building height to the Apex being approximately 4.9 metres. The building is proposed to be constructed using zincalume sheet metal and colour coated metal and will have an industrial building like appearance.

Within the building will be:

- The cremator
- Cool room
- Airlock
- Office; and
- Singular disabled unisex toilet/shower facility

A sealed driveway will run along the eastern property boundary, which provides access to five car parking spaces, including an all accessible carparking space. Landscaping is to be planted along part of the northern and western property boundaries, and along the western and rear (southern)

side of the proposed building. A gas tank is to be located to the rear of the proposed building on a hardstand area.

The rear section of the property is currently being left vacant for future uses this section is approximately 709 square metres.

The proposed crematorium is to be used with the hours of operation being Monday to Sunday 7.00a.m. to 8.00p.m.

DEVELOPMENT PLAN PROVISIONS

As per the Planning and Design Code extract.

PLANNING ASSESSMENT

The Development Application was required to be publicly notified. At the conclusion of the public notification period five (5) representations were received. A summary of the issues raised include the following:

- Would deter customers and members of the public from nearby businesses
- The industrial area is not a reasonable area for such a business
- Impacts on air quality through emissions and the potential contamination of rainwater
- Impacts on local business staff and customers in relation to potential odours or fumes.
- Should not be located near residential areas

The Applicant has responded to the representations received with the following:

- The Crematorium is able to be operated without producing emissions (air and noise) that would detrimentally impact on the amenity of the locality
- The Cremator meets the Environment Protection Authority requirements and guidelines
- Is a performance assessed form of development within the Employment Zone
- The Crematorium is an appropriate form of land use within the Employment Zone

The conduct of a facility for cremation of human or animal remains by means of thermal oxidation using fuel burning equipment requires a referral to the Environment Protection Authority as part of the assessment process of the Development Application. The activity is also a licenced activity by the Environment Protection Authority.

The Environment Protection Authority (EPA) have advised:

- The EPA is satisfied, on air quality grounds, that the level of risk from the crematorium is acceptable.
- The EPA is satisfied that noise from the proposed activity is unlikely to unreasonably impact on the nearest sensitive noise receivers and achieve compliance with the Noise Policy.

The EPA have advised the proposed crematorium, if maintained and operated correctly, is unlikely to result in unacceptable impacts to the environment, in particular, with respect to local air quality and noise in the vicinity of the cremator and have directed three (3) conditions be attached to any approval.

A crematorium is not identified as an Accepted, Deemed to Satisfy or Restricted form of development within the Employment Zone. On this basis, the development defaults to a Performance Assessed pathway. As the Application was required to be notified and five representations were received the Council Assessment Panel is the relevant authority to make a determination on this application.

The Employment Zone is identified as accommodating a diverse range of low impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities. As identified within the EPA advice the proposed development will have acceptable air and noise impacts within the

subject locality. The development has also been designed with a similar appearance to other developments within the subject locality. The development achieves similar presentation to the streetscape and will not detract from the character and amenity of the subject locality. The subject site will be landscaped.

The building meets the setback criteria, including building heights. The building has been designed to mitigate risk posed by flooding, and there is no native vegetation located on the subject site.

An industry is required to provide carparking at a rate of 1.5 spaces per 100 square metres of total floor area. On the basis, 1.5 carparking spaces would be required to be provided on site. The proposed development makes provision for 5 car parking spaces to be identified on the subject site.

Developments such as crematoriums can generate high emotions within the public. It is noted emotional responses cannot be taken into consideration as part of the assessment of a Development Application. Similarly, the Planning and Design Code does not have policies relating to the potential impact on the value of adjoining properties of a proposed development.

CONCLUSION

The development as proposed meets the requirements of the Planning and Design Code and is considered an appropriate form of development within the Employment Zone. The character and amenity of the subject location is that of a Light Industrial/commercial area with a range of Light Industries/workshops and commercial type of activities within the locality.

As confirmed by the Environment Protection Authority, the development will not detrimentally impact upon the area through air or noise emissions.

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 warrants the granting of Planning Consent.

INVITES

Applicant – Mr Frank Brennan, Frank Brennan Consulting on behalf of the Applicant

ATTACHMENTS

1. Application Snapshot - Crematorium - 7C Calula Drive
2. Certificate of Title - Crematorium - 7C Calula Drive
3. Site Plan - Crematorium - 7C Calula Drive
4. Elevations - Crematorium - 7C Calula Drive
5. Floor Plan - Crematorium - 7C Calula Drive
6. Applicant EPA RFI Response - Crematorium - 7C Calula Drive
7. Air Quality Assessment - 7C Calula Drive
8. Environmental Noise Assessment - Crematorium - 7C Calula Drive
9. Crematorium Specifications - Crematorium - 7C Calula Drive
10. EPA Referral Response - Crematorium - 7C Calula Drive
11. Representations - Crematorium - 7C Calula Drive
12. Applicant response to representations - Crematorium - 7C Calula Drive
13. Planning and Design Code Extract - Crematorium - 7C Calula Drive

7 URGENT MOTIONS WITHOUT NOTICE

8 MEETING CLOSE