

AGENDA

Limestone Coast Southern Regional Assessment Panel

Thursday 21 August 2025



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

Time: 5:00 pm
Date: Thursday 21 August 2025
Location: 10 Watson Terrace, Mount Gambier
Civic Centre, Level 1 Conference Room

Tracy Tzioutziouklaris
ASSESSMENT MANAGER
15 August 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 17 July 2025 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE

Nil

5 INVITEES

Invitees for Item 6.1 - 11 Herbert Street, Mount Gambier

The Representor - Tom Stokker

The Representor – Bianca Jones

The Applicant – Photi Kazis

The Applicant – Bishop Silouan of Sinope - Greek Orthodox Archdiocese of Australia Consolidated Trust – Co/Holy Diocese of Adelaide

Invitees for Item 6.2 - 8 Ramsay Avenue, Mount Gambier

The Applicant – Dylan Walsh

6 REPORTS

6.1 DA 25017805 - 11 HERBERT STREET, MOUNT GAMBIER - CHANGE LAND USE TO A PLACE OF WORSHIP

Author: Otis Wong, Planning Officer

Authoriser: Tracy Tzioutziouklaris, Assessment Manager

RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel report titled 'DA 25017805 - 11 Herbert Street, Mount Gambier - Change Land Use to a Place of Worship' as presented on Thursday 21 August 2025 be noted.
2. It is recommended that the Council Assessment Panel/SCAP resolve that:

- (a) 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.
- (b) Having regard to the character and amenity of the subject site and surrounding locality, as well as the relevant provisions of the Planning and Design Code, the proposal is considered appropriate and is not expected to detract from the character and amenity of the subject locality.
- (c) Development Application Number 25017805, by Greek Orthodox Archdiocese of Australia Consolidated Trust – co/ Holy Diocese of Adelaide is granted Planning Consent subject to the following conditions:
- (i) The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
- (ii) The building and surroundings shall be maintained in a state of good repair and tidy condition at all times.
- (iii) All waste materials and refuse accumulated on the allotment shall be removed on a regular basis to ensure that the property is maintained in a clean and sanitary condition.
- (iv) The operation of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
- (v) The hours of operation are limited to the following: • Saturday and Sunday: 8am to 2 pm • Holy Week (Monday to Friday): 8am to 9:30 pm • Holy Week (Saturday): 8am to 1:00am • Parish's Feast Day: 5pm to 7pm
- (vi) The development shall be consistent with the relevant provisions identified within the current Environment Protection (Commercial and Industrial Noise) Policy 2023 as identified by the Environment Protection Authority, specifically in the provision of sounds and/or others emitted from the subject church.

DEVELOPMENT NO.:	25017805
APPLICANT:	Greek Orthodox Archdiocese of Australia Consolidated Trust – co/ Holy Diocese of Adelaide
ADDRESS:	11 Herbert St Mount Gambier SA 5290
NATURE OF DEVELOPMENT:	To change land use to a place of worship
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Suburban Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing • Heritage Adjacency • Local Heritage Place • Native Vegetation • Prescribed Wells Area • Water Protection Area <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 8m)

	<ul style="list-style-type: none"> • Minimum Frontage (Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 9m; row dwelling is 7m; group dwelling is 20m; residential flat building is 20m) • Minimum Site Area (Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 350 sqm; group dwelling is 450 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	17 June 2025
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at 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:	Otis Wong Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

DETAILED DESCRIPTION OF PROPOSAL:

The subject land is rectangular in shape with a street frontage of 10.06 metres, a depth of 25.15 metres to Herbert Street, Mount Gambier having a total site area of approximately 253 square metres.

The proposed development involves the change of use to a place of worship, including an internal fitout. It will have a primary street boundary setback of 4.1 metres, a western side boundary setback of 1.61 metres, an eastern side boundary setback of 2.1 metres, and a rear boundary setback of approximately 0.9 metres. The existing building has a wall height of approximately 4.25 metres, a total height of 7.1 metres, and a total floor area of approximately 120 square metres.

The building is to be comprised of four (4) sections, a formal chapel, a utility room, a toilet with shower facility, and a mezzanine. The proposed chapel will be used for services, with the utility room for post service gatherings and committee meetings, fellowship and Bible Study.

The Applicant advises that the Mount Gambier Orthodox parish consists of 30 families with regular attendances of 20 people, with 5 to 10 people attending Bible Study and committee meetings. There will be up to 30 people in attendance to the annual pilgrimage. No off-street car parks are able to be provided on site. It will need to rely on on-street carparking.

The hours of operation are outlined as the following:

- Sunday
 - One to two services per month from 8:00 am to midday
 - Post service informal lunch/ coffee up to 2:00 pm

- Holy Week & Easter, once per year
 - Monday to Wednesday: 8:00 am to 10:00 am & 6:00 pm to 7:00 pm
 - Thursday: 8:00 am to 10:00 am & 6:00 pm to 9:30 pm
 - Friday: 8:00 am to 10:00 am & 6:00 pm to 9:00 pm
 - Saturday: 8:00 am to 10:00 am & 11:00 pm to 1:00 am
- Parish's Feast Day (to be determined)
 - 6:00 pm to 7:00 pm
- Funerals
 - Anticipated once or twice per year, will be carried out on a weekend
- Weddings
 - Anticipated once or twice per year, will be carried out on a Saturday

BACKGROUND:

The subject building is the former Rosaville Methodist Church, originally constructed in 1869, is identified as a Local Heritage Place.

The subject building was previously granted development approval to be used for short term tourist accommodation in 2024, but this development did not proceed. The existing building is considered suitable to be used for a place of worship as many essential elements that a place of worship should have are being remained. These includes a grand façade, character details, and lofty interior. The original land use of the subject land was as a place of worship.

SUBJECT LAND & LOCALITY:**Site Description:**

Location reference: 11 Herbert St Mount Gambier SA 5290

Title ref: CT 5739/425 **Plan Parcel:** F194504 AL702 **Council:** City of Mount Gambier

Locality

The subject land is located within the Suburban Neighbourhood Zone and Local Heritage Place Overlay, which is predominantly surrounded with residences, with a playground with open space adjacent to the subject land.

The land is relatively flat; no trees are contained within the subject allotment.

Surrounding land in this location is also located within the Business Neighbourhood Zone and Employment Zone, developments such as residential and medium to large-scale of commercial are located and expected to occur within these zones and the subject locality.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:**PER ELEMENT:**

Change of use: Code Assessed – Performance Assessed

Place of worship: Code Assessed - Performance Assessed

Internal fitout: Code Assessed - Performance Assessed

OVERALL APPLICATION CATEGORY:

Code Assessed - Performance Assessed

REASON

P&D Code; P & D Code – A place of worship is not identified as an Accepted, Deem to Satisfy or Restricted form of development within the Suburban Neighbourhood Zone, therefore the development will be assessed through the Performance Assessed pathway

PUBLIC NOTIFICATION

REASON

A place of worship is not exempt from public notification

SUMMARY

The application was publicly notified, and four (4) representations were received at the conclusion of the public notification period. Two (2) of the representors wish to be heard.

All representors objected to the development for the following reasons:

- Potential traffic and off-street carparking impact
- Potential noise impact
- Request for enforceable conditions around hours of operation, maximum capacity, and usage of the utility room
- Concern that the proposed application does not align with the performance outcome expected within a Suburban Neighbourhood Zone

The Applicant has responded to the representations received which is attached to this report for Members information and perusal. The Applicant has confirmed:

- There will be no amplified music or events as part of the use of the building
- There is no means to provide carparking on the subject site; and
- Services will commence to serve the local community.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

Nil

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 involves a change of use to a place of worship. It is located in the Suburban Neighbourhood Zone. Development of this nature is appropriate within the site, locality or in the subject Suburban Neighbourhood Zone for the following reasons.

- The proposed place of worship is a non-residential use of development that is envisaged or supported within a low-density residential character
- The proposed development is for community use

- The scale and type of development is small and not anticipated to detract from the character and amenity of the subject locality; and
- Development involves a change in the use of land that does not constitute a change to a more sensitive use

The proposed development involves a change in the use of an existing building, with no changes proposed to the external appearance of the existing building, apart from repairs and maintenance work.

The area that the proposed development does not meet the requirements of the Planning and Design is that there is no off-street car parking will be provided on site, and it will be solely rely on on-street parking.

This condition does not comply with the requirement of the Planning and Design Code, stating that the parking rate for a place for worship is to be one (1) space for every three (3) visitor seats. Therefore, seven (7) to ten (10) off-street carparking spaces are required to accommodate the attendance ranging from twenty (20) to thirty (30) people per service.

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*.

Land Use

The subject land is located within the Suburban Neighbourhood Zone, with a land use of residential according to Council's record.

According to the Planning and Design Code, the Desired Outcome of Suburban Neighbourhood Zone is for low-density housing, consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.

The proposed place of worship provides a way to reinforce in achieving the desired outcome of the Suburban Neighbourhood Zone, which is also an envisaged and supported development within this zone.

Heritage

The subject site has identified as a Local Heritage Place.

According to the Planning and Design Code, the Desired Outcome of Local Heritage Place Overlay is that development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

The proposed place of worship satisfies the objectives of the Desired Outcome through an adaptive reuse of the existing building by providing church services.

Traffic Impact, Access and Parking

Herbert Street is a street that connects to Sutton Avenue and Charles Street, which provide access to Commercial Street West. It is predominately used by the residents.

The proposed development is to be solely rely on on-street parking, an impact on street view/ street scape is anticipated to the adjacent neighbours and locality. This does not comply with the requirements of the Planning and Design Code, Table 1- General Off-Street Car Parking Requirements. As it states that a place of worship should provide one (1) space

of off-street parking for every three (3) visitor seats, that is, seven (7) to ten (10) off-street parking on the site would be required when considering the anticipated number of people attending the church at any one time.

The Applicant provided a supporting document outlining the potential for on-street parking along the subject street. The plan identifies 13 on-street parking spaces available within 40 metres of the church's centre, without obstructing any driveways of adjacent residences.

However, the supporting document adequately considered the needs and rights of adjacent residents who requires on-street parking. Considering most church services are expected to occur on Sundays, which is also a common day for social visits and gatherings in the neighbourhood. Therefore, the demand for on-street parking may significantly increase and potentially result in insufficient parking availability along Herbert Street.

Noise Emissions

The Applicant noted that the acoustic levels consist of Byzantine chanting and the priest usually amplified by a microphone to just above normal speaking level during church services. It does not require further amplification considering the subject building is small.

The building has a bell which will be used again with ringing times to be at the commencement of services for approximately 20 to 30 seconds.

Music will be played via a domestic playback device, which is not expected to generate more impact to those generated by an ordinary dwelling.

Note that the church is proposed to provide a service to 1am on the Saturday during the Holy Week.

Site Contamination

A site contamination report is not required, as it does not involve a change of use from a least sensitive site to a more sensitive site. The site contamination is expected to be minimal, as it was built as a church in the past.

CONCLUSION

There are two primary area where there is concern with the proposed development which is:

- No off-street parking will be provided and will rely on on-street parking
- Sound level emitted from the church might impact upon adjacent neighbours

When considering the desired outcome of Suburban Neighbourhood Zone, services and community facilities should not compromise the residential amenity and character in the local context.

The proposed development is expected to have seven (7) to ten (10) vehicles parked on the street per service. A minor disruption of street parking is anticipated, during church services on Sunday.

Having regard to all the relevant provisions of the Planning and Design Code, on balance the development is not seriously at variance to the Planning and Design Code and warrants the granting of Planning Consent subject to appropriate conditions.

INVITES

The Representer - Tom Stokker

The Representor – Bianca Jones

The Applicant – Photi Kazis

The Applicant – Bishop Silouan of Sinope c/o Holy Diocese of Adelaide

ATTACHMENTS

1. Application Snapshot [**6.1.1** - 4 pages]
2. Design Statement [**6.1.2** - 5 pages]
3. Combined Representations [**6.1.3** - 6 pages]
4. Response to Representation Plans [**6.1.4** - 4 pages]
5. Code Rules- Valuation 3857409001- Assessment Start [**6.1.5** - 122 pages]

6.2 DA 25018802 - 8 RAMSAY AVENUE, MOUNT GAMBIER - CHANGE THE HOURS OF OPERATION FOR AN EXISTING INDOOR RECREATION FACILITY (GYMNASIUM) - TO 24 HOURS 7 DAYS A WEEK

Author: Otis Wong, Planning Officer

Authoriser: Tracy Tzioutziouklaris, Assessment Manager

RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel report titled 'DA 25018802 - 8 Ramsay Avenue, Mount Gambier - Change the Hours of Operation for an Existing Indoor Recreation Facility (gymnasium) - to 24 hours 7 days a week' as presented on Thursday 21 August 2025 be noted.
2. It is recommended that the Council Assessment Panel/LCSRAP resolve that 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. Having regard to the character and amenity of the subject site and surrounding locality, as well as the relevant provisions of the Planning and Design Code, the proposal is considered appropriate and is not expected to detract from the local context. Development Application Number 25018802, by Dylan Walsh is granted Planning Consent subject to the following conditions:
4. The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
5. The building and surroundings shall be maintained in a state of good repair and tidy condition at all times
6. The hours of operation of the business and use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
7. The development shall be consistent with the relevant provisions identified within the current Environment Protection (Commercial and Industrial Noise) Policy 2023 as identified by the Environment Protection Authority, specifically in the provision of music and/or other noises emitted from the subject gymnasium.

DEVELOPMENT NO.:	25018802
APPLICANT:	Dylan Walsh
ADDRESS:	8 RAMSAY AV MOUNT GAMBIER SA 5290
NATURE OF DEVELOPMENT:	To change the hours of operation for an existing indoor recreation facility (gymnasium) - to 24 hours 7 days a week
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Employment Overlays: <ul style="list-style-type: none"> • Native Vegetation • Prescribed Wells Area

	• Water Protection Area
LODGEMENT DATE:	26 June 2025
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at Limestone Coast Southern Regional Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.11 19/06/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Otis Wong Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

DETAILED DESCRIPTION OF PROPOSAL:

The subject land is irregular in shape with a street frontage of 42.81 metre, a depth of 63.54 metres to Ramsay Avenue having a total site area of approximately 2120 square metres.

The proposed development involves an extension of the of the hours of operation for an existing indoor recreation facility (gymnasium) to 24 hours 7 days a week. The proposed development will be utilised the front section of the building for a 24-hour access gymnasium. The hours of operation of the rear building will be remained changed as it is.

The subject portion of the building comprises of a main gym area, a creche area, and a toilet. This portion of the building can be accessed through the front door and will be contained and limited to cable machines, cardio machines, dumbbells and barbells. A limited number of 150 members will be able to access the proposed 24-hour access gymnasium.

The subject site has an on-site off-street carpark, which can accommodate up to 15 vehicles. Note that there is a council public car park which is located right at the northern side of the subject site, which can accommodate up to 15 vehicles.

BACKGROUND:

The subject building was granted a development approval for the change of use to a gymnasium with associated car parking on land in 2020. The subject gymnasium has approximately 100 members at the moment.

SUBJECT LAND & LOCALITY

Site Description:

Location reference: 8 RAMSAY AV MOUNT GAMBIER SA 5290

Title ref.: CT 5495/576 **Plan Parcel:** F8693 AL103 **Council:** CITY OF MOUNT GAMBIER

Locality

Ramsay Avenue connects to North Terrace and Jubilee Highway East, where Jubilee Highway East is a road under the care and control of the Commissioner of Highway.

The land is relatively flat, with an existing car park on site. Buffer land with trees can be found at the north.

The subject land is located within the Employment Zone. Surrounding land in the subject site is located within the Employment Zone and Suburban Neighbourhood Zone. Buildings for commercial purposes are located within the Employment Zone at the south. Numerous residential and a childcare centre are located within the adjacent Suburban Neighbourhood Zone at the north.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:**PER ELEMENT:**

Indoor recreation facility: Code Assessed - Performance Assessed

OVERALL APPLICATION CATEGORY:

Code Assessed - Performance Assessed

REASON

P&D Code; P & D Code – Performance Assessed is the only assessment pathway for an indoor recreation facility within the Employment Zone.

PUBLIC NOTIFICATION**REASON**

An indoor recreation facility is not exempt from public notification within the Employment Zone. Plus, it is adjacent to the Suburban Neighbourhood Zone. Hence, it needs to be publicly notified.

SUMMARY

At the conclusion of the public notification process three representations were received. One (1) representor supported the development with no comment given. Two (2) representors opposed the development with the following concerns as summarized as follows:

- Loud music and wight dropping noise already appeared in the early morning and at night
- Who would be responsible for regulating and addressing this matter if it occurred at midnight
- Potential to negatively affect the value of adjacent residential properties

The Applicant has responded to the representations with the following:

- The gym has been operating for just under three years with no complaints received from residents
- The gym currently operates within sound limits
- There will be no music played for night time access; and
- Traffic noise is not anticipated to increase from increased hours of operation of the gym.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

Nil

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 the change of hours of operation to an existing indoor recreation facility to 24 hours 7 days a week.

The proposed change of operating hours is considered acceptable, as the proposed site will only involve in personal training for members without any classes involved. In addition, the site provides adequate car parking spaces for members that minimise the traffic and parking issues to the adjacent allotments.

As the Planning and Design Code does not contain requirements regarding the noise level for an indoor recreational facility, this assessment will be referenced based on the requirements from the Environmental Protection (Commercial and Industrial Noise) Policy 2023.

Noise Emissions

According to the Environmental Protection (Commercial and Industrial Noise) Policy 2023, the indicative noise factor dB(A) for a residential type of land use is 52 dB(A) and 45 dB(A) during the day and at night respectively.

Note that according to the definition of the Environmental Protection (Commercial and Industrial Noise) Policy 2023, *day* means between 7am and 10pm on the same day, and *night* means between 10pm on one day and 7am on the following day.

The Applicant submitted an acoustic report when he applied for the change of use for the subject building dated on 8th September 2020. Measurements were taken at 37 Tweed Crescent and 13 Ramsay Avenue, which are approximately 55 metres and 90 metres away from the subject site respectively.

The previous acoustic report demonstrated that the noise emissions from the subject building comply with the requirements stated in the Environmental Protection (Commercial and Industrial Noise) Policy 2023, both during the day or at night. Noise levels measured at 37 Tweed Crescent ranged from 35 to 41 dB, while noise levels measured at 13 Ramsay Avenue ranged from 28 to 36 dB.

The Applicant has also advised that no music will be played through any device after 7pm, and all members will be required to use headphones if they wish to listen to music.

CONCLUSION

The proposed change to operating hours does not involve any training classes conducted at night and is solely intended to provide access for self-training facilities for a limited number of members. Adequate car parking is available on site and on adjacent land.

While the previous acoustic report was prepared in reference to the Environmental Protection (Noise) Policy 2007, the results indicate that the building's noise insulation continues to comply with the requirements of the Environmental Protection (Commercial and Industrial Noise) Policy 2023.

Having regard to the character and amenity of the subject site and surrounding locality, along with the relevant requirements of the Planning and Design Code and Environmental Protection (Commercial and Industrial Noise) Policy 2023, the proposal is considered appropriate and is not expected to detract from the local context.

INVITES

The Applicant - Dylan Walsh

ATTACHMENTS

1. Application Snapshot [6.2.1 - 4 pages]
2. Design Statement [6.2.2 - 1 page]
3. Combined Representation [6.2.3 - 3 pages]
4. Response to Representations 8 Ramsay [6.2.4 - 1 page]
5. Previous Acoustic Report [6.2.5 - 13 pages]
6. Code Rules- Valuation 3851162204- Assessment Start [6.2.6 - 111 pages]

7 URGENT MOTIONS WITHOUT NOTICE

8 MEETING CLOSE