

MINUTES

Limestone Coast Southern Regional Assessment Panel

Thursday 20 March 2025



Minutes of Limestone Coast Southern Regional Assessment Panel held at:

Time: 5:00 pm

Date: Thursday 20 March 2025

Location: 324 Commercial Street West, Mount Gambier

PRESENT: Mark Teakle (Presiding Member)
Carlin McNeil
Cheryle Pedler (Virtual)
Ian Von Stanke
Lamorna Alexander

OFFICERS IN ATTENDANCE: Assessment Manager - Mrs T Tzioutziouklaris
Executive Administrator - Mrs A Pasquazzi
Executive Administrator - Mrs S Spears

OFFICERS AS OBSERVERS: **District Council of Grant:**
Planning Officer - Mrs T Glynn
Planning Cadet - Miss E Pollock

City of Mount Gambier:
Para Planner - Miss B Shaughnessy

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

LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION

The Limestone Coast Southern Regional Assessment Panel moved:

That the minutes of the Limestone Coast Southern Regional Assessment Panel Meeting held on 20 February 2025 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 INVITEES**Invitees for Item 6.1 - 85 Tarrant Road, Moorak**

The Representor - Alan Leibhardt spoke in relation to item 6.1 at 5:03pm.

The Applicant - Frank Brennan Consulting Services on behalf of Ryan Durcan spoke in relation to item 6.1 at 5:13pm.

Invitees for Item 6.2 - 6 Gully Court, Mil-Lel

The Representor - Robert McLean spoke in relation to item 6.2 at 5:31pm.

The Representor - Debra Sharam spoke in relation to item 6.2 at 5:35pm.

The Applicant - Frank Brennan Consulting Services on behalf of Blackbird Industries spoke in relation to item 6.2 at 5:38 pm.

6 REPORTS

6.1 DA 24038774 - 85 TARRANT ROAD, MOORAK - CHANGE OF USE

LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION

The Limestone Coast Southern Regional Assessment Panel moved:

1. That Limestone Coast Southern Regional Assessment Panel report titled 'DA 24038774 - 85 Tarrant Road, Moorak - Change of Use' as presented on Thursday 20 March 2025 be noted.
2. It is recommended that the Limestone Coast Southern Regional Assessment Panel resolve that:
 1. 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* for the following reason:
 - (a) The proposed land use is not prejudicial to the Desired Outcome of the Rural Horticulture Zone.

The proposed development does not represent a grave departure from the Planning and Design Code zone for the purpose of the Seriously at Variance assessment under Section 107(2)(c) of the Act, given that the Rural Horticulture Zone, contemplates other land uses that may have an interface conflict with horticulture and other land uses that can be managed.

2. Development Application Number 24038774, by Ryan Durcan is granted Planning Consent subject to the following conditions:
 1. The development must be undertaken in accordance with the plans and associated documentation comprising Development Application 24038774, except where varied by the following conditions.
 2. This consent applies only to the parking of 1 x heavy combination rigid truck and trailer as outlined in the application documents.
 3. The Applicant shall ensure, as far as practicable, the truck movements do not occur before 7am, or after 9pm on any day.
 4. No truck re-fuelling, truck servicing or trailer washdowns are to take place on the subject land.
 5. Before the occupation of the land for truck parking the driveway area, manoeuvring area (turning pad) and driveway crossover from the edge of Tarrant Road to the property boundary shall be constructed to the reasonable satisfaction of Council's Director of Works and Infrastructure or their delegate.
 6. All of the driveway and yard areas shall be appropriately graded and surfaced at all times to the reasonable satisfaction of Council, so as to ensure maximum dust suppression and to avoid dust and mud being carried out by vehicles onto public roads.

7. The driveway crossover from road edge to property boundary must be constructed from 300mm compacted road base with 2x coat seal, to be completed by a capable contractor to the reasonable satisfaction of Council's Director of Works and Infrastructure.
8. The truck and trailer herein approved shall enter the site left turn only and exit the site right turn only.
9. Any road surface damage caused by the truck & trailer entry/exit to the property must be repaired/maintained by the applicant
10. Noise levels are not to exceed those specified by the Environment Protection Authority in the 'Environment Protection (Commercial and Industrial Noise) Policy 2023'.
11. Levels of dust and other airborne particulate matter are not to exceed those specified by the Environment Protection Authority.
12. Security lights and floodlights associated with the development shall be shielded and/or adjusted, so as not to create nuisance to adjacent owners and occupiers or to road users.
13. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times to the reasonable satisfaction of Council.
14. A stormwater management plan, identifying the proposed method of stormwater management from the proposed pad and associated driveway, and a detailed design of the proposed driveway crossover shall be submitted to the satisfaction of the Assessment Manager, prior to the granting of Development Approval.

ADVISORY NOTES

1. The Planning Consent granted does not imply, allow or consider that any approval has been granted by any other authority. The applicant/owner shall consider if any other approval is required in relation to an encumbrance or easement over the land (if any) and where required obtain the relevant approval from the other authority.

You can confirm if there are any encumbrances or easements affecting the land by obtaining a copy of the Certificate of Title here:

<https://sailis.lssa.com.au/products/titleSearch/titleDetailsSearch?form>

CARRIED

6.2 DA 24026658 - 6 GULLY COURT MIL-LEL - DETACHED BUILDING OUTBUILDING**LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION**

The Limestone Coast Southern Regional Assessment Panel moved:

1. That Limestone Coast Southern Regional Assessment Panel report titled 'DA 24026658 - 6 Gully Court, Mil-Lel – Detached Building Outbuilding' as presented on Thursday 20 March 2025 be noted.
 1. 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.
 2. The proposed development is not seriously at variance with the Planning and Design Code; however it is still at variance to the Planning and Design Code with regards to the character and amenity of the locality and the outbuilding exceeding the total combined floor area of 200 square metres and 5.0 metre total height for an outbuilding.

CARRIED

LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION

The Limestone Coast Southern Regional Assessment Panel moved:

1. Development Application Number 24026658, by Blackbird Industries is granted Planning Consent subject to the following conditions:
 1. The development must be undertaken in accordance with the plans and associated documentation comprising Development Application 24026658, except where varied by the following conditions.
 2. This consent applies to a Detached Dwelling and 20m x 16m x 4m (6m) Outbuilding to *store and park a 19-metre Truck & Trailer (Car Hauler/Motor Home), 2 x Race Cars, 1 Pit Car*; and domestic storage vehicles/items and a home gym as outlined in the application documents.
 3. All vehicles shall enter/exit the property in a forward direction only.
 4. The Applicant shall ensure, as far as practicable, that the truck and trailer (car hauler/motor home) movements do not occur before 7am, or after 9pm on any day.
 5. No truck and trailer (car hauler/motor home) / race car / pit car re-fuelling, servicing, repairs or maintenance, or washdowns are to take place on the subject land.
 6. Before the occupation of the land for truck and trailer (car hauler/motor home) parking, the driveway/manoeuvring area shall be constructed and surfaced to the reasonable satisfaction of Council.

7. The driveway/manoeuvring area shall be appropriately surfaced/sealed and maintained to a suitable standard to withstand the weight of the truck and trailer (car hauler/motor home) and minimise dust at all times to the reasonable satisfaction of Council.
8. Movement of the truck and trailer (car hauler/motor home) to and from the property shall not result in nuisance to neighbouring properties as a result of noise, dust, fumes or vibration.
9. Any road surface damage caused by the truck & trailer (car hauler/motor home) entrance/exit to the property must be repaired/maintained by the applicant.
10. Noise levels are not to exceed those specified by the Environment Protection Authority in the '*Environment Protection (Commercial and Industrial Noise) Policy 2023*'.
11. Levels of dust and other airborne particulate matter are not to exceed those specified by the Environment Protection Authority.
12. Any security lights or floodlights associated with the development shall be shielded and/or adjusted, so as not to create nuisance to adjacent owners and occupiers or to road users.
13. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times to the reasonable satisfaction of Council.

ADVISORY NOTES

1. You are reminded that this property is subject to an Encumbrance, whereby you may be required to seek other approvals or to meet other requirements. You should check your obligations under this Encumbrance prior to commencing work.
2. The Planning Consent granted does not imply, allow or consider that any approval has been granted by any other authority. The applicant/owner shall consider if any other approval is required in relation to an encumbrance or easement over the land and where required obtain the relevant approval from the other authority.

You can confirm if there are any encumbrances or easements affecting the land by obtaining a copy of the Certificate of Title here:

<https://sailis.lssa.com.au/products/titleSearch/titleDetailsSearch?form>

3. Final Development Approval may not be granted unless application is made for an acceptable Onsite Wastewater disposal system for the development proposal herein approved.

An Onsite Wastewater application should be submitted to Council (not uploaded to the Development Application Portal (DAP)) seeking approval.

A registered plumber can assist you with this process.

CARRIED

6.3 CHANGE OF MEETING DATE - APRIL 2025

LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL RESOLUTION

The Limestone Coast Southern Regional Assessment Panel moved:

1. That Council report titled 'Change of Meeting Date - April 2025' as presented on Thursday 20 March 2025 be noted.
2. Due to the timing of both Easter and Anzac Day, the April meeting of the RAP be rescheduled for Thursday 10 April 2025.

CARRIED

7 URGENT MOTIONS WITHOUT NOTICE

Nil

8 MEETING CLOSE

The meeting closed at 6:35pm.

The minutes of this meeting were confirmed at the Limestone Coast Southern Regional Assessment Panel held on 10 April 2025.

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PRESIDING MEMBER