

# MINUTES

## Limestone Coast Southern Regional Assessment Panel

Thursday 21 November 2024



**Minutes of Limestone Coast Southern Regional Assessment Panel held at:**

**Time:** 5:00 pm

**Date:** Thursday 21 November 2024

**Location:** 10 Watson Terrace, 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

**OFFICERS AS OBSERVERS:** **City of Mount Gambier:**  
Para Planner - Miss B Shaughnessy  
Planning Work Placement - Mr O Wong

### 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 17 October 2024 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 - 13-27 Fraser Court, Suttontown**

The Applicant - Frank Brennan, Frank Brennan Consulting Services spoke in relation to item 6.1 at 5:02 pm.

## 6 REPORTS

### 6.1 DA 24020843 - 13-27 FRASER COURT, SUTTONTOWN - TO CONSTRUCT AN INDUSTRIAL WORKSHOP

#### 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 24020843 - 13-27 Fraser Court, Suttontown - To Construct an Industrial Workshop' as presented on Thursday 21 November 2024 be noted.
2. When considering the application, all of the supporting documentation and the provisions of the Planning and Design Code, the development as proposed is considered an acceptable form of development on the subject site and will not detract from the character and amenity of the locality. The access onto Jubilee Highway will need to be addressed as a reserved matter until such a time all necessary approvals are obtained to cross the screening reserve from the relevant Council, being the City of Mount Gambier.
3. 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 and Planning Consent be granted subject to the following conditions and notes.*

#### CONDITIONS

##### Planning Consent

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

##### Condition 1

All access to/from the development shall be gained in accordance with the Site Plan produced by blackbird industries, Drawing No. 821, Sheet No. A-02.0, dated 08.07.2024.

##### Condition 2

The access point on Jubilee Highway shall be for exit movements of heavy vehicles only. The access points shall be signed and line-marked to reinforce the desired traffic flow.

##### Condition 3

All road works on Jubilee Highway required as a direct result of this development shall be designed and constructed to the satisfaction of the Department for Infrastructure and Transport and in accordance with Austroads Guidelines, Australian Standards and DIT's Master Specification. All costs (including design, construction, project management and any changes to pavement, guard rail, drainage, road lighting etc.) shall be borne by the applicant. All works shall be completed prior to the development becoming operational.

Note: Prior to undertaking detailed design, the applicant shall contact DIT's Asset Manager – South, Mr Victor Ling, on telephone 7133 1969, mobile 0467 784 657 or via email at [Victor.Ling@sa.gov.au](mailto:Victor.Ling@sa.gov.au), to discuss the proposed road works. Furthermore, the developer shall enter a 'Developer Agreement' to undertake the above works.

##### Condition 4

All off-street vehicle parking and manoeuvring areas shall be designed in accordance with *AS/NZS 2890.1:2004, AS/NZS 2890.6:2022 and AS 2890.2:2018*.

**Condition 5**

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

**Conditions imposed by the Limestone Coast Southern Regional Assessment Panel**

**RESERVED MATTER**

Pursuant to section 102(3) of the Planning, Development and Infrastructure Act 2016, the following matters are reserved for further assessment to the satisfaction of the Assessment Manager, prior to the granting of Development Approval:

1. Obtain the relevant approvals from the City of Mount Gambier and the Department of Infrastructure and Transport to be able to exit the subject site to Jubilee Highway West, Mount Gambier.

Note - Further conditions may be imposed on the Planning Consent in respect of the above matter.

**Condition 6**

The development shall be carried out in accordance with the Plans and supporting documentation as approved.

**Condition 7**

The carparking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length and shall be linemarked and maintained in a usable condition at all times.

**Condition 8**

Accessible carparking spaces shall be appropriately identified, linemarked and maintained in a useable condition at all times in accordance with the relevant requirements.

**Condition 9**

Direction signs for traffic shall be placed on the site of the development.

**Condition 10**

Access and egress to and from the subject site via the right of way over the adjoining property shall be restricted to passenger vehicles only.

**Condition 11**

All loading and unloading of motor vehicles shall be conducted on the subject land only.

**Condition 12**

The stormwater to be directed to Council's stormwater drainage system shall not exceed 20l/s unless otherwise agreed to with Council.

**Condition 13**

A stormwater treatment device shall be installed to ensure that all surface run off, stormwater, or other liquor discharging from the site, must be free from contaminants and pollutants. These contaminants/pollutants include, but are not limited to oils, grease, fuels, rubbish, litter or silt.

**Condition 14**



All commercial wastes and refuse shall be contained within the proposed building or alternatively a screened holding place for waste materials and refuse containers be provided and maintained with all waste and refuse being removed on a regular basis.

**Condition 15**

Any lights on the subject land must be directed and screened so that overspill of light into nearby premises or public spaces is avoided and drivers are not distracted.

**Condition 16**

The advertising signs shall be maintained in a state of good repair and tidy condition at all times.

**Condition 17**

Landscaping shall be established in accordance with the plan as approved by Council and incorporate the use of established trees and shrubs and shall be completed in the first planting season following the commencement of the use of this development. Should any tree, shrub, ground cover or other plant die, become diseased or otherwise fail to thrive at any time, it shall be forthwith replaced.

**Condition 18**

The buildings and surroundings shall be maintained in a state of good repair and tidy condition at all times.

**Condition 19**

The subject land shall not be used/occupied for the purposes approved by Council until the yard areas have been appropriately sealed as identified on the approved plan.

**ADVISORY NOTES**

**Planning Consent**

**B Double Gazettal - Fraser Court**

It has been identified within the Traffic Impact Analysis that B Double traffic movement on Fraser Court is supported. To facilitate this the City of Mount Gambier have identified the kerb on the O'Leary Road intersection will need to be widened.

This matter will need to be addressed as part of the process for the Gazettal of Fraser Court as a road suitable for B Double traffic movements. This is a separate process to the assessment of this Development Application.

All road works on O'Leary Road and Fraser Court as a direct result of this development shall be designed and constructed to the satisfaction of the City Infrastructure Department of the City of Mount Gambier and in accordance with Austroads Guidelines, Australian Standards and specifications of the City of Mount Gambier. All costs (including design, construction, project management and any changes to pavement, guard rail, drainage, road lighting etc.) shall be borne by the applicant.

Prior to undertaking detailed design, the applicant shall contact the City Infrastructure Department of the City of Mount Gambier by telephone 0887212555 or [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au), to discuss the proposed gazettal of Fraser Court for B Double Vehicles. Furthermore, the developer shall enter a 'Developer Agreement' to undertake the above works.

**General Notes**

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you

must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

**CARRIED**

## **6.2 DA 24018335 - 23 CALULA DRIVE, SUTTONTOWN - 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 24018335 - 23 Calula Drive, Suttontown - Change of Use' as presented on Thursday 21 November 2024 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.
  2. Development Application Number 24018335, by JD's Metal Fab Pty Ltd is granted Planning Consent subject to the following conditions and notes:
    - (a) The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.

- (b) All work including but not limited to metal fabrication shall be conducted within the building.
- (c) The carparking and driveway areas and footpath crossover as shown on the plan/s approved by Council, shall be graded, paved, and sealed with bitumen or other similar materials and linemarked and maintained in a useable condition at all times.
- (d) The remainder of the yard area shall be graded and surface to ensure maximum dust suppression at all times.
- (e) A stormwater treatment device shall be installed to ensure that all roof and surface run off stormwater, or other liquid, discharging from the site, must be free of contaminants. These contaminants include, but are not limited to oils, grease, fuels, rubbish, litter, or silt.
- (f) Landscaping shall also be planted adjacent to the western property boundary to the northern corner of the building and shall be undertaken and maintained at all times and shall incorporate the use of established and evergreen trees and shrubs.
- (g) The northern boundary fence shall be constructed to a height of not less than 1800mm of colour coated metal or similar material.
- (h) All other fences shall be constructed in accordance with the approved plans and maintained in a useable condition at all times.
- (i) 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 the site of the development at all times, with the waste and refuse being removed on a regular basis.
- (j) Any lights on the subject land must be directed and screened so that overspill of light into nearby premises is avoided.
- (k) The advertising signs shall be maintained in a state of good repair and tidy condition at all times.
- (l) The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
- (m) The subject land and all improvements thereon shall always be maintained in a state of good, tidy, and attractive repair and condition at all times.
- (n) The development shall be consistent with the relevant provisions identified within the current applicable Environment Protection (Noise) Policy as identified by the Environment Protection Authority.

#### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

2. Appeal rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

**CARRIED**

### **6.3 DA 24025931 - UNIT 6/2A COOLABAH STREET, MOUNT GAMBIER - 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 24025931 - Unit 6/2A Coolabah Street, Mount Gambier - Change of Use' as presented on Thursday 21 November 2024 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*.
  2. Development Application Number 24025931, by Jayne Bonney is granted Planning Consent subject to the following conditions and notes:
    - (a) The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
    - (b) The building/s and surroundings shall be maintained in a state of good repair and tidy condition at all times.



- (c) At all times whomsoever may be occupying the property, shall take all measures to ensure that the residential amenity of the immediate area is not affected by nuisance or disturbance associated with the operation of the 'Short Term Tourist Accommodation'.
- (d) All waste materials and refuse accumulated on the property shall be removed on a regular basis to ensure that the property is maintained in a clean and sanitary condition.
- (e) The maximum number of people to be accommodated within the Short Term Accommodation shall be four (4) people.
- (f) Identification signage shall be installed on the property to clearly identify the location of the accommodation.

#### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

**CARRIED**

## 7 URGENT MOTIONS WITHOUT NOTICE

Nil

**8 MEETING CLOSE**

The meeting closed at 5:25 pm.

The minutes of this meeting were confirmed at the Limestone Coast Southern Regional Assessment Panel held on 19 December 2024.

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**PRESIDING MEMBER**