



MINUTES
MEETING BEING HELD
WEDNESDAY 23RD SEPTEMBER 2015 AT 12.00PM
IN THE COUNCIL CHAMBERS OF
THE FLINDERS RANGES COUNCIL, 1 SEVENTH STREET, QUORN

1. PRESENT:*Members:*

Ms Shanti Ditter (Presiding Member);
Cr Garry Thompson;
Cr Frank Hardbottle &
Cr Colin Nottle

In Attendance:

Mr Peter McGuiness (Public Officer);
Mr Colin Davies (CEO The Flinders Ranges Council);
Mr Tom Hateley (Planning Consultant, Access Planning);
Ms Lynette Brandwood (Planning Consultant, Prime Planning);
Mr Tung Pham (Development Officer, The Flinders Ranges Council);
Ms Sally Kent (Minute Secretary)

Members of the Public:

Mr Robert & Ms Wendy Brown (Applicant – RoweSA)
Ms Sarah Cassells (Representor – RoweSA)
Mr Dwayne & Ms Toni Crombie (Representor – RoweSA)

2. APOLOGIES:

Cr Ralph Goehring

3. DECLARATIONS OF INTEREST:

NIL

4. CONFIRMATION OF MINUTES:**4.1 ORDINARY MEETING - Held 3rd November 2014****Moved Cr F Hardbottle, Seconded Cr G Thompson**

That the Minutes of the Ordinary Meeting of the Flinders Regional Development Assessment Panel held on 3rd November 2014 as circulated, be confirmed.

CARRIED

5. BUSINESS ARISING FROM MINUTES:

NIL

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6. APPLICATIONS FOR CONSIDERATION:

6.1 THE DISTRICT COUNCIL OF MOUNT REMARKABLE

6.1.1 DA 830/017/15 – Chris Phillips, Pepper Planes Co Pty Ltd – Aeroplane Landing Area

An inspection of the area was undertaken by Panel Members prior to the meeting.

The Applicant, Mr Chris Phillips, along with Mr Tom Hateley, of Access Planning were on-site to provide advice on the proposal to Members.

Details of the application for an airstrip and associated taxiways at Sections 364-369, 372-376 and 378 Hundred of Willochra were included in the Agenda papers for the meeting.

Panel Members were able to ask the Applicant questions in relation to the application, in addition to Mr Phillips explaining the idea and reasons behind the proposal.

Moved Cr C Nottle, Seconded Cr G Thompson

That Development Application 830/017/15 for an airstrip and associated taxiways at Sections 364-369, 372-376 and 378 Hundred of Willochra is **not** seriously at variance with the District Council of Mount Remarkable's Development Plan, Consolidated 5th September 2013.

and

That Development Plan Consent be **granted** to Development Application 830/017/15 for an airstrip and associated taxiways at Sections 364-369, 372-376 and 378 Hundred of Willochra, subject to the following conditions:

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 830/017/15.
2. The boundaries of the airstrip and taxiways shall be fenced. Fencing shall consist of post and wire and constructed to a minimum height of 1.2 metres. All fencing shall be completed prior to the use of the airstrip and taxiways.

CARRIED



6.2 THE FLINDERS RANGES COUNCIL (FRC)

6.2.1 DA 740020/15 – ROWESA Pty Ltd – Motel and Conference Centre

Details of the application to construct a motel and conference centre (comprised of 4 two storey buildings and 2 split level buildings, associated driveways and car parking, fencing, landscaping and signage) at Lots 101, 102, 103 & 114 First & Seventh Streets, Quorn were included in the Agenda papers to the meeting. Details of Representors' concerns were also included in the Agenda Report.

An inspection of the site and surrounding area was undertaken by Panel Members prior to the meeting, along with Planning Consultant Ms Lynette Brandwood of Prime Planning and Mr Tung Pham, FRC Development Officer, who were able to answer questions raised by Panel Members.

Ms Brandwood explained the layout of the site and the amendments that have been made to the application in relation to privacy of the neighbouring properties, ie fencing, landscaping and screening since it was originally submitted to Council for consideration. Ms Brandwood also explained the connection between Emily's Bistro and the proposal, and clarified for Members that Emily's Bistro, which is a licensed premises, would be the suppliers of food and drink for the patrons using the motel and conference facilities.

The Panel Members also viewed the area where bus and coaches would be parked.

Ms Ditter introduced the item to the meeting by explaining that Members of the panel had visited the site, and had read the Agenda Report that had been prepared by Council's staff. She then advised the gallery that there were Representors who had indicated their desire to be heard at the meeting. Representors were advised that they had five (5) minutes to make their representation which could be followed by questions of clarification by Panel Members. The applicant was advised that following the hearing of representors, they too would be allowed five (5) minutes to speak in support of their application.

Ms Ditter then invited Mr Dwyane Crombie to speak.

12.07pm – Mr Dwayne Crombie, Representor was permitted to address the Panel

Mr Crombie, outlined his concerns with the proposal, being the owners of 51 First Street, Quorn, on an adjoining boundary of the development:

- The zoning of Lot 103 was enquired about with The Flinders Ranges Council when purchasing their house in 2009, and were informed that it would only be used as a residential dwelling.
- Would not have bought their house knowing a high density development could be approved, as it has a significant impact on their home, and felt they followed the correct procedures before buying.
- Appreciate the changes made by the Applicant to their Representation, and are not wholly against the development.
- Would like the boundary fence to be built first before construction begins to shelter them from the construction site.
- High vegetation and landscaping is a concern, especially leaf drop on their side of the fence and in particular in to their gutters, which are difficult to access.
- Object to 2 fences along the boundary as this would be a litter catchment area, plus would encourage vermin and snakes.
- Plans provided to them for viewing regarding the development were limited.
- They will be obtaining an Engineer's Report on their home prior to the commencement of the development.
- Would like to be reassured that the facility will not be used for any other type of accommodation.

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- Would like the development scaled down.
- Sympathetic to development in the town, but are concerned about the design undermining the 19th Century streetscape and town's character.

Ms Ditter sought clarification from Mr Crombie regarding the double fence, to which Mr Crombie advised that there would be two fences constructed abutting one another.

Following no further questions, Ms Ditter invited Ms Sarah Cassells to speak.

12.15pm – Ms Sarah Cassells, Representor was permitted to address the Panel

Ms Cassells outlined her concerns with the proposal, being the owner of 6 Seventh Street, Quorn, on an adjoining boundary of the development:

- Zoning and the impact of the development upon existing land users, including privacy issues.
- Noise associated with the development, especially being linked to Emily's Bistro which has a license until midnight, and returning patrons to the motel at that time, compared to the quiet and uneventful evenings at present.
- Vehicle fumes, light spill and cigarette smells.
- Driveway on Seventh Street is too narrow, and 4WD will need to make a wide turn which will cause vehicle headlights to shine in the bedroom window at the front of their property.
- Potential damage to neighbouring properties during construction, especially whilst excavating.
- Existing drinking water storage is along the boundary fence and may become contaminated.
- Doors and windows will need to be kept closed on their property, along with usage of their garden and verandah being affected.
- Amendments presently made to the application are not sufficient to meet their grievances.

Following no further questions, Ms Ditter invited Ms Wendy Brown (the Applicant) to speak.

12.23pm – Ms Wendy Brown, Applicant was permitted to address the Representors' concerns and explain why the application should be approved

Ms Brown advised the following:

- Amendments have been made to the application in response to the representations.
- The development is proposed in the main and busiest street and commercial hub of Quorn.
- 3 architects have been used to keep the development in line with the town's heritage, and are considering the neighbours at all times.
- The conference centre has been located in the middle of the development to reduce the disruption as much as possible.
- The Art Gallery and Mens' Shed have signage in residential areas.
- The Lot is presently derelict.
- Groups, including film crews have indicated that there is currently not enough accommodation in town.
- Noise levels at Emily's Bistro have been maintained at all times, and there have been no issues to date. No changes proposed to hours.
- Minimum 31 rooms are needed to attract bus companies, and so the application can't be reduced in size.
- The development will be appropriately fenced and is a non-smoking environment.
- They would like to remove the neighbour's boundary fence, and erect one fence which will be of a height so that people cannot look over.
- It is an opportunity to bring employment and revenue to the town and is an opportunity for the community.



Panel Members engaged in discussion with the Applicant and Representatives:

- Issue of 2 fences on the boundary with 51 First Street. Applicant to communicate with the Representatives to address this issue, and remove the Representative's fence.
- Noise relating to Emily's Bistro, the function centre and motel residents.
- Height of vegetation.
- Building rules consent.

The Presiding Member noted that condition number 7 of the recommendation addressed the issue of landscaping, and condition number 10 addressed the noise issue.

It was recommended to the Applicant to seize the opportunity to address some of these issues and communicate with the neighbouring occupants, especially in regards to landscaping, fencing and noise control.

Moved Cr F Hardbottle, Seconded Cr G Thompson

That Development Application 7400080/15 that seeks to construct a motel and conference centre (comprised of 4 two storey buildings and 2 split level buildings, associated driveways and car parking, fencing, landscaping and signage) at Lots 101, 102, 103 & 114 First & Seventh Streets, Quorn is sufficiently in accord and **not** seriously at variance with The Flinders Ranges Council's Development Plan, Consolidated 20th June 2013.

and

That Development Plan Consent be **granted** to Development Application 7400020/15 by ROWESA Pty Ltd for the construction of a conference centre, motel and associated car parking at Allotments 101, 102, 103 First Street and Allotment 114 Seventh Street, Quorn SA 5433, subject to the following conditions:

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in development application number 740/0020/15.
2. All car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked. All construction work shall be completed prior to occupation or use of the development herein approved to the reasonable satisfaction of Council.
3. The final parking layout, manoeuvring and access areas, vehicular entry points and accessible car parking spaces shall be designed and constructed in accordance with Australian/New Zealand Standards 2890.1:2004 and 2890.6:2009.
4. The carpark shall be designed in accordance with the requirements of the *Disability Discrimination Act (DDA) 1992* and AS1428
5. Vehicle crossovers shall be designed, located and constructed to Council's reasonable requirements at the applicant's expense. All construction work shall be completed prior to occupation or use of the development herein approved to the reasonable satisfaction of Council.
6. The privacy screening identified in the amended plans will be designed to prevent views below horizontal. The screening will be permanently fixed louvered privacy screening to a height of no less than 1.6 metres from finished floor level. All construction/installation work shall be completed prior to occupation or use of the development herein approved to the reasonable satisfaction of Council.



7. A detailed landscaping plan specifying the species and location of plantings on the site shall be provided for the approval of Council prior to final Development Approval. The establishment of all landscaping shall be undertaken within 3 months of the completion of the building / development works and thereafter shall be maintained in good health and condition to the satisfaction of Council. Any dead or diseased plants or trees should be replaced to the reasonable satisfaction of Council.

8. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.

9. All waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.

10. Prior to the issue of Development Plan Consent, a report shall be prepared and submitted by a suitably qualified acoustic engineer, which shall demonstrate to the satisfaction of Council that noise emissions, including but not limited to noise from mechanical plant and equipment and noise generated by service vehicles will comply with the relevant environmental noise legislation.

11. Air-conditioning plant and equipment shall be noise attenuated in accordance with the *Environment Protection (Noise) Policy 2007*.

12. Lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.

13. Ancillary activities such as deliveries, collection, movement of private waste bins / goods / bottles and the like shall not occur:

13.1 Between 8.00pm – 8.00am Monday to Saturday and

13.2 Between 8.00pm – 10.00am on a Sunday and public holiday

14. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road, to the satisfaction of Council. All construction work shall be completed prior to occupation or use of the development herein approved to the reasonable satisfaction of Council.

15. The development shall be provided a wastewater control system to the satisfaction of Council's Environmental Health Officer, in accordance with the *SA Public Health (Wastewater) Regulations 2013*, prior to commencement of construction. All construction work shall be completed prior to occupation or use of the development herein approved to the reasonable satisfaction of Council

16. That an appropriate Construction Environment Management Plan (CEMP) which addresses the mitigation or minimisation of impacts (especially from noise and dust) during the construction phase shall be prepared and implemented. Dust generated by machinery and vehicular movement during site works, and any open stockpiling of soil or building materials at the site, must be suppressed to ensure that dust generation does not become a nuisance off-site. Site development machinery should generally not be operated outside the hours of 7.00am to 6.00pm daily.

17. The final selection of colours and materials shall be provided to the satisfaction of Council in consultation with the Department of Environment, Water & Natural Resources.

CARRIED

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6.3 DISTRICT COUNCIL OF PETERBOROUGH **NIL**

6.4 DISTRICT COUNCIL OF ORROROO CARRIETON **NIL**

7. ANNUAL REPORT:

7.1 2014-2015 Annual Report

The 2014-2015 Annual Report was circulated with the Agenda Report.

Moved Cr C Nottle, Seconded Cr G Thompson

That the Flinders Regional Development Assessment Panel Annual Report for 2014-2015 be received. **CARRIED**

8. OTHER BUSINESS:

8.1 THE FLINDERS RANGES COUNCIL **NIL**

8.2 DISTRICT COUNCIL OF MOUNT REMARKABLE **NIL**

8.3 DISTRICT COUNCIL OF ORROROO CARRIETON **NIL**

8.4 DISTRICT COUNCIL OF PETERBOROUGH **NIL**

Peter McGuinness advised that an application is near to obtaining all the necessary information for an application to be considered before the Flinders Regional Development Assessment Panel at a future meeting but was unable to confirm a timeframe.

8.5 REVIEW OF DELEGATED POWER & FUNCTION

As per Clause 13 of the Terms of Reference for the Flinders Regional Development Assessment Panel, *the constituent councils must review annually the delegated powers and function of the Panel.*

Each Council was requested to send a copy of their Council Minutes to the Public Officer showing that the delegations had been reviewed. **NOTED**

8.6 REGISTER OF INTERESTS

Ordinary and Primary Returns pursuant to the Development Regulations 2008 (Section 116) are required from all panel members. If Members have not already lodged their return with the Public Officer they will need to do so as soon as possible. **NOTED**

8.7 The Flinders Ranges Council CEO, Colin Davies, advised Panel Members that the Flinders Regional Assessment Panel Annual Report is to be included in their own Council's Annual Report.

8.8 The Public Officer advised the Panel that the Presiding Member position is due for reappointment.

9. NEXT MEETING: No date was set for the next meeting of the Panel.

10. CLOSURE: 12.42pm