

MINUTES

MEETING BEING HELD

MONDAY 11TH APRIL 2016 AT 11.40AM

IN THE MEETING ROOM, TOWN HALL,

108 MAIN STREET, PETERBOROUGH, SA 5422

1. PRESENT:

Members:

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

In Attendance:

Mr Peter McGuiness (Public Officer);
 Mr David Hutchison (Planning Consultant, Access Planning);
 Mr Lawrence Heath (Dev & Reg Services Officer, DCP);
 Ms Sally Kent (Minute Secretary)

Members of the Public:

Mr Graeme Woods (Applicant – G Woods)
 Mr Conor Evans (Applicant – C Evans)

2. APOLOGIES:

NIL

Presiding Member, Ms Ditter explained to the gallery that the Panel Members had undergone a site visit in respect of the Peterborough application prior to the meeting, and apologised for the late start of the meeting.

3. DECLARATIONS OF INTEREST:

NIL

4. CONFIRMATION OF MINUTES:

4.1 ORDINARY MEETING - Held 23rd November 2015

Moved Cr G Thompson Seconded Cr F Hardbottle

That the Minutes of the Ordinary Meeting of the Flinders Regional Development Assessment Panel held on 23rd November 2015 as circulated, be confirmed.

CARRIED

5. BUSINESS ARISING FROM MINUTES:

NIL

6. APPLICATIONS FOR CONSIDERATION:

6.1 THE DISTRICT COUNCIL OF MOUNT REMARKABLE

6.1.1 DA 830/106/15 – Conor Evans – Bicarbonate Sodium Blasting

Details of the application for an industrial development (Bicarbonate Sodium blasting) at 555 (Lot 750) Forest Road, Wirrabara were included in the Agenda papers for the meeting.

Ms Ditter asked the Planning Consultant, David Hutchison, if he would like to add anything further to the proposal.

Mr Hutchison explained that the application was straight forward and everything had been dealt with in the report with nothing to add.

Panel Members had no questions for the Planning Consultant or Applicant.

Ms Ditter asked the Applicant if he was confident in meeting the conditions of the report, to which he replied he was and would be taking the suggestions on board. He has a good relationship with his neighbours and was not aware of any concerns or objections.

The Applicant added that he is a qualified paint sprayer, but was not planning on offering any other services at present, only what the development application was relating to.

Moved Cr F Hardbottle Seconded Cr C Nottle

That Development Application 830/106/15 for an industrial development (Bicarbonate Sodium blasting) at 555 (Lot 750) Forest Road, Wirrabara is not seriously at variance with the District Council of Mount Remarkable's Development Plan, Consolidated 5th September 2013.

and

That Council **Grant** Development Plan Consent to Development Application 830/106/15 for an industrial development (Bicarbonate Sodium blasting) at 555 (Lot 750) Forest Road, Wirrabara subject to the following conditions:

1. That except where minor amendments may be required by other relevant Acts, or by the conditions imposed on this consent, the development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 830/106/15.
2. A landscaping plan shall be submitted to Council which provides screening around the building to the satisfaction of Council.
3. Amended plans shall be provided which indicate materials of the rear wall and doors of the blasting booth and location of air/dust extraction unit.
4. The building, including shipping containers, shall be painted or otherwise finished in dull or natural muted colour (such as pale green, brown or grey) to satisfaction of Council.
5. All construction work is to be carried out to the satisfaction of Council at all times.

EPA Directed Conditions

6. All abrasive blasting must be carried out within the confines of the abrasive blasting booth.
7. Spray painting must not occur onsite, any primer/base coat must be applied by brush or roller prior to a fresh development application is submitted for a spray booth.
8. Lead based, mercurious or anti-fouling coatings must not be abrasive blasted on-site unless appropriate test kits, hepafilter (and other specialised equipment) and a waste segregation system has been authorised by a future EPA licence.
9. Air extraction systems for the abrasive blasting booth must be capable of limiting particulate emissions from the booth to less than 250mg/Nm³.
10. Exhaust air from the abrasive blasting booth extraction system must be directed to a flue terminating not less than three metres above the highest structure within a 30-metre radius.
11. Discharge from the abrasive blasting booth must be vertical and unimpeded by any conical type rain protector. Exhaust velocities must be greater than ten metres per second.

The following notes provide important information for the benefit of the applicant and are requested to be included in the approval:

- The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

CARRIED

6.1.2 DA 830/086/15 – Aurecon Australia Pty Ltd – NBN telecommunication facility

Details of the application for a telecommunications facility comprising a 25 metre high monopole with a circular headframe, antennas and associated infrastructure and fencing at Lot 3 Government Road, Port Germein were included in the Agenda papers for the meeting.

Ms Ditter asked the Planning Consultant, David Hutchison, if he would like to add anything further to the report.

Mr Hutchison explained that the application was straight forward; the only area of concern during the submission was the soil at the site, and the longevity and strength of the concrete for the structure which had been addressed, so there was nothing to add.

Panel Members had no questions for the Planning Consultant.

Moved Cr G Thompson Seconded Cr C Nottle

That Development Application 830/086/15 for a telecommunications facility comprising a 25 metre high monopole with a circular headframe, antennas and associated infrastructure and fencing at Lot 3 Government Road, Port Germein SA 5495 is not seriously at variance with the provisions of the District Council of Mount Remarkable's Development Plan, Consolidated 5th September 2013.

That Council **Grant** Development Plan Consent to Development Application 830/086/15 for a telecommunications facility comprising a 25 metre high monopole with a circular headframe, antennas and associated infrastructure and fencing at Lot 3 Government Road, Port Germein SA 5495 subject to the following conditions:

1. 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 submitted with and forming part of Development Application No. 830/086/15.
2. The antennas affixed to the monopole shall be painted or otherwise finished in a dull, flat grey colour such as cadet grey or similar.
3. All construction work is to be carried out to the satisfaction of Council at all times.

CARRIED

6.2 DISTRICT COUNCIL OF PETERBOROUGH

6.2.1 DA 504/015/15 – Graeme Woods – Horse Keeping

Details of the application for the keeping of up to 9 horses on land comprising sections 392 and 395, number 113 Victoria Street, Peterborough were included in the Agenda papers for the meeting.

An inspection of the area was undertaken by Panel Members prior to the meeting at 11.10am.

Planning Consultant, David Hutchison of Access Planning was on-site to provide advice on the proposal to Members, along with Mr Graeme Woods the Applicant.

Mr Woods explained the background to the purchase of the property by his wife in the 1990s and the operation they have been running as a Quarter Horse Stud between 113 Victoria Street, acreage out of town, and other properties in the area. He explained that the mares were brought to the site for foaling, and are then taken back out to their rural site after a couple of days once the foals have been monitored. They are then brought back at a later date when the foal needs to be weaned from its mother. They have between 2 and 3 stallions usually on site.

The Applicant explained that they also run live stock, and heifers can be brought to the site if they need assistance with calving.

Discussions were then had in relation to grass and pasture cover, along with vermin control and storage of feed.

When asked about the number of horses on site, and whether the foals were included in the count, the Applicant was unsure of the ruling of this, and would like clarification. It was also added that the Applicant's daughter is interested in the field of 'breaking-in' horses, and has her own 'riding' horses, which are kept on site or at their rural property.

The Applicant was asked why they had applied to keep 9 horses on site, especially as they usually have and want more than that, and he explained that he was told this was the limit set in the 1990s when there had been issues with neighbours, but this was when there were other animals on the property including free-range chickens and sheep. He understood that this was the figure which needed to be worked with, but obviously would like more if possible.

The site visit concluded at 11.30am and discussions resumed during the meeting.

Ms Ditter explained to the Applicant that the Planning Consultant, David Hutchison, had prepared a report for the Members, and thanked him for showing the Panel around the property.

Ms Ditter then asked the Members for their comments.

Cr G Thompson mentioned that a lot of work needed to be done to meet the numerous conditions and asked if the Applicant had seen the list of conditions, which he had not, so was handed a copy at that point.

Ms Ditter asked the District Council of Peterborough CEO how confident he was of policing and enforcing the conditions, due to the number of them, and mentioned that they are enforceable with penalties applicable if not complied with. Council replied they are capable of enforcing the conditions, and the Applicant added that they will endeavour to meet the conditions.

Cr F Hardbottle asked whether having a cow on site was included in the conditions and whether it should be there.

Further discussions were also had in regard to adhering to the rules and regulations and keeping to the conditions, the number of horses kept on site including the foals, the management of the paddocks including coverage, and the proximity to neighbouring dwellings.

Councillors G Thompson and C Nottle both acknowledged that Peterborough is a rural town, and the property is on the edge of town, and that it would be a shame to discourage horse keeping in such an area, especially as the horses seen today appeared to be well fed and cared for. However, they did have concern for the management of the paddocks with very little rainfall in Peterborough.

The Planning Consultant, David Hutchison, then made a suggestion of giving consent for a period of 12 months to see if the conditions were manageable.

The Applicant was then asked if he had had a chance to read the conditions of the report, which he replied only briefly, so the Presiding Member Ms Ditter suggested moving to the next item of the Agenda in order to give the Applicant 10 minutes to do so.

Confirmed

6.3 DISTRICT COUNCIL OF ORROROO CARRIETON

6.3.1 DA 502/019/15 – NBN Co Pty Ltd – NBN fixed wireless telecommunications facility

An inspection of the area at lot 4 FP160952 Orroroo – 24 Fourth Street was undertaken by Panel Members prior to the previous FRDAP meeting on 23rd November 2015, in addition to three different vantage points, where Planning Consultant, Mr David Hutchison of Access Planning was on-site to provide advice on the proposal to Members.

The Planning Consultant's report from the previous meeting for the application a fixed wireless telecommunications facility comprising a 40 metre high monopole, antennas and associated infrastructure at lot 4 FP160952 Orroroo – 24 Fourth Street were included in the Agenda papers for the meeting.

A copy of the Applicant's response to the deferred decision and Mr Hutchison's subsequent report were also included in the Agenda papers for the meeting.

Ms Ditter informed the Panel that the Applicant Adam Pfitzner was unfortunately not able to attend due to late notice and prior-scheduled commitments.

Planning Consultant David Hutchison informed the Panel that the Applicant had been in contact with the land owners at the Viterra site since the previous FRDAP meeting and they were in negotiations about a lease.

Ms Ditter explained to the Panel that they had deferred their decision previously in order to await additional information on the impact of the Orroroo Airport on the siting of the tower, which had not been forthcoming, and that they need to advise Council if they are going to withdraw their current application and submit a new one for the Viterra site.

Ms Ditter went on to clarify with the Panel that they could not review their previous decision, or indeed conduct a straw poll, as the Applicant had not supplied the information which was requested.

Moved Cr F Hardbottle Seconded Cr G Thompson

That the Panel send a letter to NBN Co explaining the Panel's position on their current site application and advise that they have no particular preference for the type of structure necessary to support the NBN facility if one were to be erected on the Viterra land at Orroroo.

CARRIED

6.2.1 DA 504/015/15 – Graeme Woods – Horse Keeping

Continued ...

The Presiding Member Ms Ditter asked the Applicant if he had had a chance to read the conditions and what his thoughts were regarding them.

The Applicant said that he believed most of them were reasonably achievable except for points 3, 4 and 5, which were in relation to the pasture vegetation, and because the property is north of Goyder's Line it would be very difficult and largely dependent on the seasons.

Regarding points 17 and 18, he was not sure that a wash-down area was required, as it would be very rarely used.

Ms Ditter asked the Applicant that if the Panel were to give consent for a period of 12 months, would he be willing to work towards this, to which the Applicant replied yes because it would give them the opportunity to work to these conditions.

It was then explained to the Applicant that it would be his responsibility to seek consent for his application, at the end of the 12 months, but that this would need to be done at least one to two months prior to the finish date, to enable the Panel time to meet.

Moved Cr G Thompson Seconded Cr R Goehring

That Council Grant Development Planning Consent to Development Application 504/015/15 for the keeping of up to 9 horses on land comprising sections 392 and 395, number 113 Victoria Street, Peterborough, for a temporary period of 12 months from the date of the consent, subject to the following conditions:

1. Except as varied by these conditions, the development shall be undertaken in accord with the information contained in the application documents.
2. The subject land and all improvements and fixtures thereon shall be maintained in a good, orderly and serviceable condition at all times to the reasonable satisfaction of the Council.
3. Each year prior to winter the paddocks marked 1, 2, 3 and 5 on the approved plan shall be contour ploughed and, as required, be over sown with suitable winter grass to maintain pasture cover and minimise water runoff.
4. Pasture cover shall be maintained by resting paddocks, through weed control, the irrigation and fertilisation of pasture as required.
5. Paddocks shall be rested when the pasture gets down to 4cm in height, or when pasture cover is below 70%.
6. Horse shelters shall be provided to each paddock in accordance with the approved plans, such shelters to be constructed within 6 months of the date of the consent hereby granted.
7. Landscaping shall be established in accordance with the approved plans utilising Atriplex nummularia (Old Man Saltbush) as the principal species, but shall be interspersed with suitable native shade trees endemic to the locality at regular intervals.
8. Landscaping as required in condition 7 above and as depicted in the approved plans shall be fully established within 12 months of the consent being granted.
9. The landscaping referred to in condition 8 hereof shall be maintained in good heart and condition at all times, with dead, diseased or dying plants being replaced as necessary, to the reasonable satisfaction of Council.

10. The street boundary to yards 9 and 10 shall be fenced with appropriate solid sheet metal or timber fencing to a height of at least 1.5m, such work to be undertaken within 6 months of the date of this consent.
11. Stables and horse yards less than 100m² in area shall have a base of 10cm of compacted rubble or dolomite topped with 15cm of sand, shell grit or sand woodchip mix.
12. Litter from the floor of stables and yards shall be collected regularly as required but will be undertaken at least weekly and the material disposed of along with manure.
13. All horse feed and/or fodder shall be stored in vermin proof containers.
14. Manure and soiled litter shall be collected daily and stored in sealed containers with a fly proof lid which shall be kept closed at all times except when manure is being deposited or removed from the manure bin, or for the purposes of cleaning the manure bin.
15. Manure and litter shall be removed from the land every 2 to 3 days or more regularly as required.
16. Manure bins shall be washed out once week.
17. The proposed wash-down area shall be established with 3 months of the date of this consent.
18. The wash-down area shall be drained to a soakage pit, which shall be cleaned from time to time as required to maintain appropriate soakage and to minimise fly and vermin breeding
19. No water from the stables, runs or paddocks shall be allowed to discharge to the street water table unless all litter material has been removed from that water by way of a suitable stormwater treatment such as a filtration trench which if required shall maintained to the reasonable satisfaction of the Council.
20. Driveways and vehicular trafficable areas shall be paved with quarry rubble or compacted crusher dust, such works to be completed prior to Council's satisfaction prior to winter 2016.

Reason for conditions is ensure compliance with the relevant Development Plan provisions, to maintain the amenity of the locality and to ensure that the property is properly managed to avoid dust, vermin and odour impacts.

CARRIED

6.4 THE FLINDERS RANGES COUNCIL

NIL

7. OTHER BUSINESS:

7.1 THE FLINDERS RANGES COUNCIL

NIL

7.2 DISTRICT COUNCIL OF MOUNT REMARKABLE

NIL

7.3 DISTRICT COUNCIL OF ORROROO CARRIETON

NIL

7.4 DISTRICT COUNCIL OF PETERBOROUGH

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

9. CLOSURE: 12.45pm