

# MINUTES

## MEETING BEING HELD

### THURSDAY 13<sup>th</sup> APRIL 2017 AT 8.30am

### BY TELEPHONE CONFERENCE

The teleconference was recorded for the sole purpose of the Minutes, and the recording was deleted upon completion of the Minutes.

#### 1. PRESENT:

*Members:*

Ms Shanti Ditter (Presiding Member);  
 Cr Frank Hardbottle;  
 Cr Garry Thompson and  
 Cr Vicki Morley

*In Attendance:*

Mr Peter McGuinness (Public Officer);  
 Ms Lynette Brandwood (Prime Planning);  
 Ms Wendy Brown (Applicant);  
 Ms Ruth Beach (Lawyer for Representors Mr and Mrs Crombie);  
 Mr Stephen Rufus (CEO, District Council of Orroroo Carrieton);  
 Ms Angie Finlay (The Flinders Ranges Council) and  
 Ms Sally Kent (Minute Secretary)

2. APOLOGIES: Cr Ralph Goehring NIL

3. DECLARATIONS OF INTEREST: NIL

#### 4. CONFIRMATION OF MINUTES:

##### 4.1 ORDINARY MEETING - Held 3<sup>rd</sup> November 2016

**Moved Cr G Thompson Seconded Cr F Hardbottle**

**That** the Minutes of the Ordinary Meeting of the Flinders Regional Development Assessment Panel held on 3<sup>rd</sup> November 2016 as circulated, be confirmed.

**CARRIED**

5. BUSINESS ARISING FROM MINUTES: NIL

## 6. APPLICATIONS FOR CONSIDERATION:

### 6.1 THE FLINDERS RANGES COUNCIL

#### 6.2.1 DA 740/0006/17 – ROWESA Pty Ltd – Amendment to DA 740/0020/15 – Alterations to boundary fence

Details of the application to amend the fence design, limited to the boundary between allotments 103 and 104 First Street, Quorn, as previously approved by DA 740/00020/2015 were included in the Agenda papers for the meeting.

Ms Ditter asked the Planning Consultant, Lynette Brandwood, if she could give a brief overview of the application.

Ms Brandwood gave a brief history and summary, including that the application had been before the Environment Resources and Development Court, with one of the conditions of consent being the fencing and that this application was seeking to amend the condition of approval. All details of this were included in the Agenda papers previously circulated before the meeting.

The application was for a conference and motel, which was approved by Council. The approval was taken to appeal by two of the neighbours. The fencing was not part of that appeal.

Ms Ditter clarified that the matter for consideration at this meeting was for the fence only, and not the previous application. Ms Brandwood confirmed it so.

Ms Brandwood then explained that two representations had been received, with their concerns including the impact on streetscape, amenity of locality, that it will affect traffic site lines and cause a negative impact on the environment and locality.

Ms Ditter asked Ms Brandwood if there was any other material the members needed to be aware of, to which Ms Brandwood said she had not received anything relevant to the matter.

Panel members did not have any questions for Ms Brandwood.

Ms Ditter then moved to the hearing of Representors. Ms Ruth Beach, the lawyer representing Mr and Mrs Crombie of 51 First Street, Quorn, was introduced to the meeting and the role of the panel, and asked for her representation.

Ms R Beach then declared that she had not seen the Agenda papers but after further investigation it was resolved that she had received the correct information, including the link to the website where the Agenda papers were available for downloading. Due to the oversight being hers, the panel members decided to continue the meeting with the matter for consideration.

Ms R Beach, explained that her clients felt that removing the grading of the fence to the boundary would cause surveillance issues, impact the site lines for traffic entering and leaving the development site and that it was seriously detrimental to the amenity of the area, all of which are contrary to the principles and objectives of the development control in the Development Plan, in particular the section which deals with fences and walls. The broader details, as highlighted by Ms Beach, were provided in the Agenda paper, and she asked that the proposed variation not be allowed.

There were no questions from the panel members.

Ms Ditter mentioned that she and other panel members had previously visited the site in question. A discussion was then held regarding the line of site from the front verandah of 51 First Street, with the developed property being set back from the boundary approximately 1m and the difference between a 1.5m and 2.1m fence for the average height person regarding this line of site.

The panel members had no other questions so Ms Ditter closed the hearing for the Representors.

Ms Ditter then welcomed the applicant Ms W Brown to the meeting and asked her if she would like to put her case before the panel, including any material that the panel should be aware of in considering this matter.

Ms Brown explained that the reason for the application was due to the fact that since the building had been erected, it was realised that one of the bedrooms in the motel looked directly over the verandah of 51 First Street and vice versa. She also explained that there is no vehicle access on that side of the property, and that they ultimately wish to make the property a gated secure site, and the amendment to the fence would assist this.

There were no questions from the panel members.

Ms Brown then clarified that a barred fence would hopefully be erected along the front of the property, but will be submitted separately in a further development application. Ms Ditter made clear that this was not part of the matter for consideration for this meeting, but for line of site understanding, with what is proposed and what the cumulative impact could be one application after the other. Ms Brandwood highlighted that the front fence was not part of the original application, the development itself goes to the boundary, and there was no front fencing on the drawings.

There were no further questions from the panel members or presiding member.

#### **Moved Cr F Hardbottle Seconded Cr G Thompson**

**That** Development Application 740/0006/17 to amend the fence design as previously approved by DA 740/0020/2015, limited to the boundary fence between allotments 103 and 104 First Street, Quorn, is sufficiently in accord and not seriously at variance with The Flinders Ranges Council's Development Plan, Consolidated 20<sup>th</sup> June 2013.

**That** Council **Grant** Development Plan Consent to the amendment of Development Application 740/0006/17 for the alteration to a fence at Allotment 103 First Street, Quorn SA 5433 subject to the following conditions:

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this Application except where varied by any condition(s) listed below.
2. All building work shall be constructed in accordance with the Building Code of Australia.  
*Reason: To ensure the development meets the Building Code of Australia*

**CARRIED**

**6.2 THE DISTRICT COUNCIL OF MOUNT REMARKABLE** **NIL**

**6.3 THE DISTRICT COUNCIL OF ORROROO CARRIETON** **NIL**

**6.4 THE DISTRICT COUNCIL OF PETERBOROUGH** **NIL**

**7. OTHER BUSINESS:**

**7.1 DISTRICT COUNCIL OF MOUNT REMARKABLE** **NIL**

**7.2 THE FLINDERS RANGES COUNCIL** **NIL**

**7.3 DISTRICT COUNCIL OF ORROROO CARRIETON** **NIL**

**7.4 DISTRICT COUNCIL OF PETERBOROUGH**

**UPDATE – HORSE YARDS, 113 VICTORIA STREET, PETERBOROUGH**

Panel Members carried a motion with conditions at the FRDAP meeting 11<sup>th</sup> April 2016 in regards to a horse yards on the corner of Victoria and Torr Street, Peterborough, for a temporary period of 12 months.

A Development Application has not been received from the owner as requested (one to two months before the expiry), and the Development and Regulatory Services Officer (DRSO) will be writing to the owner to remind him of his responsibility.

The DRSO has, however, been monitoring the property and reports the horse numbers have been kept to 9 and under as requested, and has complied with the majority of the conditions.

A follow up report will be submitted at the next FRDAP meeting as to whether the owner has submitted an application or not.

## 7.5 JOINT PLANNING ARRANGEMENTS – EXPRESSION OF INTEREST

A copy of an email, sent to Council CEOs, regarding Expressions of Interest re Joint Planning Arrangements introduced under the *Planning, Development and Infrastructure Act 2016* was included in the Agenda papers for the meeting, plus an information sheet and an Expression of Interest form.

The panel members firstly thought this arrangement more suitable to larger councils, but through discussion with the presiding member it was determined that the current format and set up of the Flinders Regional Development Assessment Panel comprising the four councils would prove to be a good model to submit for consideration to the Department of Planning, Transport and Infrastructure as a pilot scheme. By joining this scheme it would also allow councils the ability to give consideration for regional planning in particular, and therefore there was some merit in considering it with the current established format and whether this has been working for the communities or not.

It was suggested that some advice would be appreciated from the Local Government Association if available.

### **Moved Cr F Hardbottle Seconded Cr G Thompson**

It is recommended that each member council make a decision before 12<sup>th</sup> May 2017 to submit a proposal for the four Councils (Peterborough, Flinders Ranges, Orroroo Carrieton and Mount Remarkable) to pilot a model to establish a joint planning board and that an Expression of Interest be submitted to the Department of Planning, Transport and Infrastructure, with a request for funding to assist the Councils to establish a framework for consideration.

**CARRIED**

## 7.6 PUBLIC OFFICER

### **Moved Cr F Hardbottle Seconded Cr V Morley**

**That** pursuant to the provisions of Subsection 34 (18b) of the Development Act 1993, that Mr Stephen Rufus, Chief Executive Officer of the District Council of Orroroo Carrieton, be appointed as the Public Officer of the Flinders Regional Development Assessment Panel for a term concluding at the date of the next periodic Local Government election.

**CARRIED**

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

**10. CLOSURE:** 9.31am