

MINUTES
MEETING BEING HELD
MONDAY 19th JUNE 2017 AT 10.45am
IN THE MEETING ROOM, STEAMTOWN HERITAGE RAIL CENTRE,
TELFORD AVENUE, PETERBOROUGH, SA 5422

The meeting 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) – by telephone;
Cr Frank Hardbottle;
Cr Garry Thompson;
Cr Vicki Morley and
Cr Ralph Goehring – by telephone

In Attendance: Mr Peter McGuinness (Acting Public Officer);
Mr Tung Pham (DCOC Development Officer) – by telephone and
Ms Sally Kent (Minute Secretary)

2. APOLOGIES: Mr Stephen Rufus (CEO, District Council of Orroroo Carrieton) and
Ms Ann Frick (District Council of Orroroo Carrieton)

3. DECLARATIONS OF INTEREST: **NIL**

4. CONFIRMATION OF MINUTES:


4.1 ORDINARY MEETING - Held 13th April 2017

Moved Cr F Hardbottle Seconded Cr G Thompson

That the Minutes of the Ordinary Meeting of the Flinders Regional Development Assessment Panel held on 13th April 2017 as circulated, be confirmed.

CARRIED

5. BUSINESS ARISING FROM MINUTES: **NIL**

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6. APPLICATIONS FOR CONSIDERATION:

6.1 THE FLINDERS RANGES COUNCIL

6.1.1 DA 740/0013/2017 – NBN Co Limited – Telecommunications Facility (Fixed Wireless Facility) – Sect 129 Hd Pichi Richi, 95 Finlay Road, Quorn

Details of the application by NBN Co. Ltd. for a Telecommunications Facility (Fixed Wireless Facility) at Section 129 Hundred of Pichi Richi, CT 5426/563 – 95 Finlay Road, Quorn SA 5433 were included in the Agenda papers for the meeting.

A site inspection was not undertaken.

Ms Ditter asked the Planning Consultant, Mr Tung Pham, to give a brief overview of the application and asked if there was anything further to add to the report.

Mr Pham as requested described the application and the report recommendations and that no representations had been received.

The panel members queried the height of the tower, in relation to the Telstra tower which is also on the specified land, both being 30m in height, and were informed that it is 15m to 20m from the proposed tower. It was queried whether the Telstra tower could have been used for NBN; it could not. Vegetation is not required to be removed for the tower.

It was noted that there were not any supporting plans included in the Agenda, but Mr Pham explained that these were submitted with the report.

Cr G Thompson then described the area to the other panel members, including that it is away from the town and that the Telstra tower has been there for some time and is an ideal spot.


There were no further questions from the panel members.

Moved Cr F Hardbottle Seconded Cr V Morley

That the Flinders Regional Development Assessment Panel, following consideration and having regard to all relevant matters regarding the proposal by NBN Co. Ltd. (application number 740/0013/2017) for a Telecommunications Facility (Fixed Wireless Facility) at Section 129 Hundred of Pichi Richi, CT 5426/563 – 95 Finlay Road, Quorn SA 5433 be **granted** Development Plan Consent, subject to the following conditions being imposed:-

1. All work shall be carried out in accordance with the details and plans within the Planning Report – Proposed Fixed Wireless Facility submitted with the application and in accordance with any specifications prepared in accordance with the conditions contained herein and subject to any minor variations to the satisfaction of the Council.
2. It is the requirement of this approval that a suitable bin/bins, or access to bins, be provided. These bins must be of closable type to avoid item blowing out, and upon completion of work on site, be removed and correctly disposed of.
3. The development shall be maintained in a state of good condition to the satisfaction of Council at all times to preserve the amenity of the area.

CARRIED

 <p>DISTRICT COUNCIL OF ORROROO/CARRIETON Southern Flinders Ranges • Established 1997</p>	<p>FLINDERS REGIONAL DEVELOPMENT ASSESSMENT PANEL</p> <p>MINUTES</p>	<p>Version Number Issued : Next Review GDS</p>	<p>1 13 Apr 2017 9.14.1 Page 3 of 6</p>
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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

6.4.1 DA 504/009/16 – Neil Hucks – Variation to conditions pertaining to an approved motor vehicle wrecking yard

Details of the application by Mr N Hucks for a variation to conditions pertaining to an approved motor vehicle wrecking yard (change to the areas of the wrecking yard to reduce its area, approval for a shed structure and to provide landscaping in lieu of fencing as a screen to the development) at 4 Cotton Road, Peterborough were included in the Agenda papers for the meeting.

A site inspection was undertaken, after Mr David Hutchison, the Planning Consultant, asked Mr Hucks for permission to enter the site.

Ms Ditter asked Mr Hutchison to give an overview of the application and asked if there was anything further to add to the report.

Mr Hutchison gave a lengthy explanation that there was a long history of communications and applications with the owners of the property since the 1990s, with lots of proceedings over that time. Including some compliance followed by actions of non-compliance, and now was the time to bring this to a conclusion.

Panel members discussed what had been seen on the property during their visit and the history of applications and non-applications over the years and the state of the property.

The current rudimentary irrigation system around the property was also discussed with a recommendation that an additional condition be added below.

Moved Cr G Thompson Seconded Cr V Morley


That Development Application 504/009/16 for a variation to conditions pertaining to an approved motor vehicle wrecking yard (change to the areas of the wrecking yard to reduce its area, approval for a shed structure and to provide landscaping in lieu of fencing as a screen to the development) at 4 Cotton Road, Peterborough is not seriously at variance with the provisions of the District Council of Peterborough's Development Plan, Consolidated 10th October 2013.

That Council Grant Development Plan Consent to Development Application 504/009/16 for a variation to an approved wreckers yard at 4 Cotton Road, Peterborough, subject to the following conditions:

1. The development herein approved shall be carried out in strict accordance with the plans, including the site plan identified as 'Cotton Road Plans' prepared by Corporate Creative Services and accompanying appendices A and B through F version 1.4, appendix G, Cotton Road shed dimension plan Reference no 2.1 and the document entitled "Annexure to Development Application Re 4 Cotton Road Peterborough SA"; except as varied below.
2. The applicant shall, within 6 months of the date of this consent, replace the fence along the western boundary with the neighbouring property at 7 Badger Street North, extending from the alignment of Badger Street North to the shed (a distance of approximately 70m), with a minimum 1.8m high fence.

- 3 The applicant shall, within 6 months of the date of this consent erect a minimum 1.8m high fence, with access gates of a similar height as required, along the rear of the vehicle wrecking yard boundary.
- 4 The applicant shall, within 6 months of the date of this consent erect a minimum 1.8m high fence, with access gates of a similar height as required to the eastern and western return boundary of the vehicle wrecking yard boundary, in lieu of the 1.52m high fence otherwise shown on the site plan.
- 5 All wrecking yard activity, including the scrap metal transition area, the storage of vehicle parts, vehicle bodies and all unregistered vehicles shall be confined to the vehicle wrecking yard boundary (area) nominated on the site plan.
- 6 In the event the landscaping to the vehicle wrecking yard boundary is not kept to an appropriate standard to Council's satisfaction in order to maintain a visual barrier to the development from Cotton Road and/or Victoria Street; or is catastrophically damaged, it shall be replaced as necessary by a minimum 1.8m high fence to be located on the property boundary to ensure an appropriate screen is maintained at all times from these vantage points.
- 7 All fencing shall be constructed using new material and shall be constructed in a workmanlike manner to industry specification.
- 8 Within 6 months of this consent all unapproved structures erected since commencement of the land use in 1987 shall be removed.
- 9 A professionally designed irrigation system to be installed that will provide for the automatic irrigation of the plants on a regular basis to ensure that they are maintained in a healthy condition at all times.

CARRIED

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7. OTHER BUSINESS:

7.1 DISTRICT COUNCIL OF MOUNT REMARKABLE NIL

7.2 THE FLINDERS RANGES COUNCIL NIL

7.3 DISTRICT COUNCIL OF PETERBOROUGH

UPDATE – HORSE YARDS, 113 VICTORIA STREET, PETERBOROUGH

A report was included in the Agenda papers for the meeting submitted by Mr Lawrence Heath, Development Officer, regarding a site inspection undertaken on 8th June 2017. This site inspection followed 2 letters sent to the applicant reminding him of his responsibility set under the conditions of 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 11th April 2016.

Mr Heath did not receive a written response from the applicant by 5pm 5th June 2017, a deadline set by him, but Mr Woods the applicant, did telephone Mr Heath at 4pm on that day (5th June 2017).

No written communication or further application was received.

An exterior site inspection was undertaken by the panel members from the surrounds of the property; they did not enter the property.

Mr Hutchison, the Planning Consultant, explained to Ms Ditter of what was seen during the site visit and that they found only a couple of attempts had been made to adhere to the 20 conditions previously set.

Ms Ditter asked what the next course of action was to be, and Mr Hutchison explained that Council will write to the applicant explaining their consent has expired and that they are in breach of the Development Act and have no legal right to use the property for horse keeping and unless they rectify this immediately they will be served with Section 84 proceedings. It was queried whether to serve an expiation notice as well.

Moved Cr V Morley seconded Cr R Goehring

Recommendation from the Flinders Regional Development Assessment Panel **that** the District Council of Peterborough proceed with a letter advising the applicant that the consent has lapsed and that they have no legal right to use the property to keep horses and need to rectify this immediately. If this is not adhered to then the District Council of Peterborough council will take action under section 84 and 85 of the Development Act.

CARRIED

7.4 REGIONAL DEVELOPMENT ASSESSMENT PANELS

Cr F Hardbottle, informed the panel that following a telephone discussion he had had with the Planning Department that morning, he recommended that the Flinders Regional Development Assessment Panel write to the Minister for Planning requesting that the Panel continue in its current form.

Ms Ditter agreed a letter should be sent to the Minister explaining that the FRDAP has successfully been in operation since 2009.

Moved Cr F Hardbottle seconded Cr G Thompson

Mr Stephen Rufus, Public Officer of the Panel, is to write to the Minister for Planning asking that the current arrangements of the Flinders Regional Development Assessment Panel be retained post 1st October 2017, and that this is in full consultation and agreement with the other three Council CEOs. **CARRIED**

7.5 DISTRICT COUNCIL OF OROROO CARRIETON

UPDATE – NBN TOWER, ORROROO

Mr Hutchison advised the Panel that he expects the NBNco to cancel their current application for a tower in Ororoo and submit a new application, locating the tower on the land owned by Viterra. They had originally appealed to the Environmental Court, which he now expects will be put on hold. There had been a conference, which has now been adjourned to allow NBNco to pursue the new site.

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

9. CLOSURE: 11.40am