



MINUTES OF THE MEETING OF THE BAROSSA COUNCIL STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE

Held on Tuesday, 18 December 2018, commencing at 10.02am
in the Council Chambers, 43-51 Tanunda Road, Nuriootpa

1 WELCOME

Mayor Bim Lange declared the meeting open at 10.02am.

2.1 MEMBERS PRESENT

Presiding Member Mayor Bim Lange, Cr John Angas, David de Vries, Richard Miller, Tony Hurn, Leonie Boothby, Cathy Troup, Katheryn Schilling, Carla Wiese-Smith, David Haebich, Russell Johnstone, Don Barrett

Mr Martin McCarthy (Chief Executive Officer), Mr Gary Mavrincac (Director – Development & Environmental Services), Joanne Thomas (Director – Corporate & Community Services), Mr Matt Elding (Director – Works & Engineering), Mr Paul Mickan (Acting Manager, Development Services) and Mrs Marie Thom (Minute Secretary).

2.2 APOLOGIES

Nil

2.3 LEAVE OF ABSENCE

Nil

3.1 MINUTES OF PREVIOUS MEETING

MOVED Cr Miller

That the Minutes of the Strategic Planning and Development Policy Committee held on Tuesday 20 June 2017, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr de Vries

CARRIED

3.2 BUSINESS ARISING FROM MINUTES

Nil.

4 DECLARATION OF INTEREST

Nil.

5 MATTERS LYING ON THE TABLE/DEFERRED

Nil.

6 QUESTIONS ON NOTICE

Nil.

7 MOTIONS ON NOTICE

Nil.

8 DEPUTATIONS AND VISITORS TO THE MEETING

Nil.

9 ITEMS FOR DECISION

9.1 APPOINTMENT OF DEPUTY PRESIDING MEMBER (B1577)

MOVED Cr Miller

That Cr John Angas be appointed as Deputy Presiding Member of the Strategic Planning and Development Policy Committee

Seconded Cr Hurn

CARRIED

PURPOSE

To appoint a Deputy Presiding Member for the Committee.

REPORT

The Terms of Reference for the Committee provide that the Mayor is the Presiding Member but that the Committee shall appoint a Deputy Presiding Member.

The Deputy Presiding Member will act as Presiding Member at any time the Presiding Member is absent from the meeting or for whatever reason.

Given that the Committee will not continue after the planning reforms are fully implemented it is recommended that the term of the appointment of Deputy Presiding Member be until the Committee is dissolved.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



How We Work – Good Governance

Corporate Plan

6.2 Ensure that Council's policy and process frameworks are based on principles of sound governance and meet legislative requirements.

Legislative Requirements

Development Act 1993

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

There are no financial, resource or risk aspects.

9.2 NURIOOTPA (STURT HIGHWAY SERVICE CENTRE) DEVELOPMENT PLAN AMENDMENT – ADVICE OF CONSULTATION ARRANGEMENTS AND APPOINTMENT OF COMMITTEE TO CONSIDER SUBMISSIONS (B6245)

MOVED Cr de Vries

That;

- (1) The report be received.
- (2) Pursuant to Section 25(11)(c) of the *Development Act 1993* the Committee appoint a committee comprising the Mayor and all elected members (to be referred to as the *Nuriootpa (Sturt Highway Service Centre) DPA Committee*) to consider any representations (submissions) received on the *Nuriootpa (Sturt Highway Service Centre) Development Plan Amendment* and to provide advice to the Strategic Planning and Development Committee or Council as the case may be in relation to those representations (submissions).

Seconded Cr Hurn

CARRIED

PURPOSE

To advise of consultation arrangements for the Development Plan Amendment (DPA) and to appoint a committee to consider submissions.

REPORT

Consultation commences

At its meeting on 21 August 2018 Council endorsed the Nuriootpa (Sturt Highway Service Centre) DPA for public and agency consultation. It also resolved that consultation be undertaken following induction of the new Council and receipt of a briefing on the DPA with the Chief Executive Officer being authorised to set the commencement date of consultation. (Refer Council Agenda Item 7.5.1.1, Resolution 2014-18/1511).

Subsequently a legal review of the proposed development policies was undertaken, changes negotiated with the proponent, and a briefing provided to the new Council. On this basis consultation could commence and the Chief Executive Officer subsequently set the consultation period as 13 December 2018 to 21 February 2019. This represents a 10 week consultation period rather than the statutory minimum eight weeks to take into account the Christmas/New Year period. Consultation includes notices in the Herald and Leader newspapers and Government Gazette, letters to adjacent owners and a media release.

Following consultation a further report will be presented to either the Strategic Planning and Development Policy Committee (SPDPC) or Council to respond to any submissions received and to decide the next steps regarding the DPA.

Committee to consider submissions

The *Development Act 1993* requires Council to appoint a committee to consider any representations (submissions) received during consultation and to provide advice to the council on those representations (Section 25(11)(c)). Council has

delegated its various powers and functions relating to DPAs to the SPDPC including the duty to appoint the committee referred to above. Although an intent of Council's delegation was for the SPDPC to consider submissions and respond accordingly, in technical terms it is still necessary for a separate committee to be appointed to perform these duties.

The appropriate course would be for the Mayor and all elected members to comprise a "Nuriootpa (Sturt Highway Service Centre) DPA Committee" with the committee meeting as required to consider submissions and to provide advice on the submissions. As with previous DPAs, committee members would receive reports and recommendations from staff on each submission and then provide advice on each submission. Depending on timing, this advice will be provided to a routine SPDPC meeting or to a Council meeting.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Nil.

COMMUNITY PLAN / CORPORATE PLAN / LEGISLATIVE REQUIREMENTS

Community Plan



Natural Environment and Built Heritage

Corporate Plan

1.11 Provide transparent, efficient and effective development assessment processes and regulatory activities.

Legislative Requirements

Development Act 1993

Planning, Development and Infrastructure Act 2016

Development Regulations 2008

The Barossa Council Development Plan

South Australian Planning Strategy: 30-year Plan for Greater Adelaide chapter, 2017 Update

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

There are no financial, resource or risk aspects.

COMMUNITY CONSULTATION

Community consultation is being undertaken in accordance with legislative requirements.

10 ITEMS FOR INFORMATION

Nil.

11 CONFIDENTIAL ITEMS

Nil.

12 OTHER BUSINESS

Nil.

13 NEXT MEETING

Tuesday, 19 March 2019 commencing at 9.30am.

14 CLOSURE OF MEETING

Presiding Member Mayor Lange closed the meeting at 10.07 am.

Confirmed at Strategic Planning & Development Policy Committee -
19 March 2019

Date: Chairman: