



The Barossa Council

**MINUTES OF THE MEETING OF THE BAROSSA COUNCIL
DEVELOPMENT ASSESSMENT PANEL**

Held on Tuesday, 2 April 2013 commencing at 5:00pm in
the Council Chambers, 43-51 Tanunda Road, Nuriootpa

WELCOME

Mr Bruce Ballantyne welcomed everyone and opened the meeting.

PRESENT

Mr Bruce Ballantyne (Presiding Member), Mr David Hughes, Mr Craig Grocke,
Mr Kelvin Goldstone, and Mr Scotty Milne – Panel Members.

Mr Ian Baldwin (Director – Development & Environmental Services), Mr Louis
Monteduro (Senior Manager, Planning Services), Ms Maxine Lovett (Planner) and
Mrs Christine Kruger (Minute Secretary) – Council Staff.

APOLOGIES

Ms Susie Reichstein.

LEAVE OF ABSENCE

Mr Richard Miller.

MINUTES OF PREVIOUS MEETING

MOVED Mr Milne that the Minutes of the Development Assessment Panel meeting
held on Tuesday, 5 February 2013 as circulated, be confirmed as a true and
correct record of the proceedings of that meeting.

Seconded Mr Hughes

CARRIED

BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

DECLARATION OF INTEREST BY MEMBERS OF PANEL

Nil.

APPLICATIONS FOR DECISION**DEBATE AGENDA****DA/DAP/R1****D204/13 (110154)****RD & HD COLLINS – OUTBUILDING AND RETAINING WALL**

MOVED Mr Hughes that the Development Assessment Panel, having considered all relevant assessment matters and the Officer's report in relation to Development Application 960/204/2013, resolves as follows:

- (A) The proposal is at variance with the relevant provisions of the Barossa Council Development Plan consolidated on 10 November 2011.
- (B) That the development application be refused Development Plan Consent for the following reasons:
- The proposal is at variance with the Desired Character for the Watershed Protection (Mount Lofty Ranges)
 - The proposal is at variance with the Council Wide Siting and Design Objectives 1 and 2 and Principles of Development Control 2, 3, 4 and 5 and Council Wide Sloping Land Objective 1 and Principle of Development 1 and 2.

Seconded Mr Grocke**CARRIED**

DEVELOPMENT APPLICATION NO:	960/204/2013 (Prop ID 110154)
APPLICANT:	RD & HD Collins
OWNER:	RD & HD Collins
SUBJECT LAND:	Lot 2 Springton Road, Mount Pleasant CT Volume 5762 Folio 42
PROPOSAL:	Outbuilding and Retaining Wall
SIZE:	The building is 20 metres x 15 metres totaling 300 square metres in floor area, a wall height of 5.0 metres with a 7.5 degree roof pitch
ZONE/POLICY AREA:	Watershed Protection (Mount Lofty Ranges) Zone
REFERRALS:	Not Applicable
PUBLIC NOTICE:	Merit – Category 1
KEY ISSUES:	Size of building, highly visible along main scenic route
DEVELOPMENT PLAN PROVISIONS: CONSOLIDATION DATE:	Council Wide Siting and Visibility Objectives 1 & 2. Principle of Development Control 1, 2, 3(b), (c)4, 5(a), 6 & 10. Sloping Land Objectives 1. Principles of Development Control 1, 2(a)(b)(c)(d)(e) & 8.

	Watershed Protection (Mount Lofty Ranges) Zone Objectives 1, 3 & 8. Principle of Development Control 1, 2, 12 & 13. Consolidated 10 November 2011
RECOMMENDATION:	Refusal
OFFICER:	Maxine Lovett

SUBJECT LAND AND LOCALITY

The subject land is a corner allotment and has a primary frontage of 45.50 metres onto Springton Road with a secondary frontage of 74.26 metres onto Marley Road, totaling an area of 3378 square metres. The site is clear of any significant vegetation and contains a small open ended storage shed. The subject site adjoins Lot 3 Springton Road, Mount Pleasant which contains a detached dwelling occupied by the owners of both allotments. The site has a gradient of 1:9 and slopes east west towards Springton Road, with the rear of the allotment elevated and visible from Springton Road. The site is not associated with a farming use.

The locality consists of large rural allotments primarily for farming purposes. The immediate locality contains a cluster of dwellings and farm buildings with access onto Springton Road. The existing dwelling on nearby allotments is well screened with mature vegetation with mature Eucalypt located on Council land fronting the subject site.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development consists of an outbuilding 20 metres x 15 metres with a total floor area of 300 square metres, a wall height of 5.0 metres and a roof pitch of 7.5 degrees. The overall height of the outbuilding is 5.987 metres. The proposed outbuilding is to be located 62.5 metres from the front (Springton Road) boundary, 2 metres from the rear boundary and 24 metres from the Marley Road boundary. A retaining wall is also proposed to retain a 3 metre cut located 600mm from the rear boundary of the subject site. The cut will be retained by stones and details of the retaining wall will be provided when building rules consent is sought subject to planning consent.

Three access doors are proposed on the outbuilding with vehicle access to each door via a constructed driveway consisting of a compacted rubble surface. The proposed access to the allotment is via Marley Road.

The proposed outbuilding is to be clad in Colorbond, the walls being a beige colour, with a dark grey/charcoal roof to match the colour scheme of the existing dwelling on the adjoining allotment. However, the owners have agreed to amend to a lighter grey, "Windspray" to blend with the older galvanized sheds characteristic to the locality.

The proposal includes a landscape plan that includes indigenous understory plants to be planted along the front boundary of the site.

The proposed use of the outbuilding is for the storage of domestic vehicles and items such as trailers, cars, boat, catamaran, caravan, garden tractor, tip truck, mulching equipment, work benches, household furniture and various other items. It is located a considerable distance from the existing dwelling.

The application detail including site and elevation plans were included with the Agenda.

A document provided by Greg Tucker Planning in support of the current proposal, was included with the Agenda.

PROVISIONS OF THE DEVELOPMENT PLAN

The subject land is located in the Watershed Protection (Mount Lofty Ranges) Zone of the authorized Development Plan, consolidated on 10 November 2011 and the Ministerial Development Plan Amendment (DPA) effective from the 28 September 2011.

The proposed development is for an Outbuilding and Retaining Wall and is a Category 1 Merit form development in the Watershed Protection Zone.

WATERSHED PROTECTION ZONE

OBJECTIVES

Objective 8: Development that contributes to the desired character of the zone.

Desired Character

The watershed area is of critical importance to South Australia as it provides on average 60 per cent of Adelaide's water supply. The zone contains catchment areas for existing as well as proposed reservoirs serving metropolitan Adelaide and the surrounding areas.

It is anticipated that development will maintain the open rural character derived from open or wooded pasture land, stands of native vegetation, commercial forests and reservoirs. Development involving new buildings will complement the existing scattered farm buildings and will be unobtrusively located and designed to blend in with the surrounding landscape through careful siting and landscaping.

ZONING PRINCIPLES OF DEVELOPMENT CONTROL

Form and Character

11. Development should not be undertaken unless it is consistent with the desired character for the zone.

COUNCIL WIDE - SITING AND VISIBILITY

OBJECTIVES

Objective 1: Protection of scenically attractive areas, particularly natural and rural landscapes.

Objective 2: The protection and enhancement of the area's visual amenity and landscape quality, including land visible from tourist routes.

PRINCIPLES OF DEVELOPMENT CONTROL

2. Development should be sited and designed to minimise its visual impact on:

- (a) the natural, rural or heritage character of the area;*
- (b) areas of high visual or scenic value, particularly rural areas;*
- (c) views from public reserves, tourist routes and walking trails.*

3. Buildings should be sited in unobtrusive locations and, in particular, should:

- (a) be grouped together;*
- (b) where possible be located in such a way as to be screened by existing vegetation when viewed from public roads;*
- (c) on allotments which abut any tourist route, railway or scenic road, be set back at least 100 metres from the tourist route, railway or scenic road.*

4. Buildings outside of urban areas and in undulating landscapes should be sited in unobtrusive locations and in particular should be:

- (a) sited below the ridgeline;*
- (b) sited within valleys or behind spurs;*
- (c) sited in such a way as to not be visible against the skyline when viewed from public roads, and especially from the Mount Lofty Ranges Scenic Road as shown on Overlay Maps – Transport;*
- (d) set well back from public roads, particularly when the allotment is on the high side of the road;*

(e) be located in a setting where landscape features such as trees, vegetation and landforms provide an enclosing space, setting or screen.

5. Buildings and structures should be designed to minimise their visual impact in the landscape, in particular:

(a) the profile of buildings should be low and the rooflines should complement the natural form of the land;

(b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land.

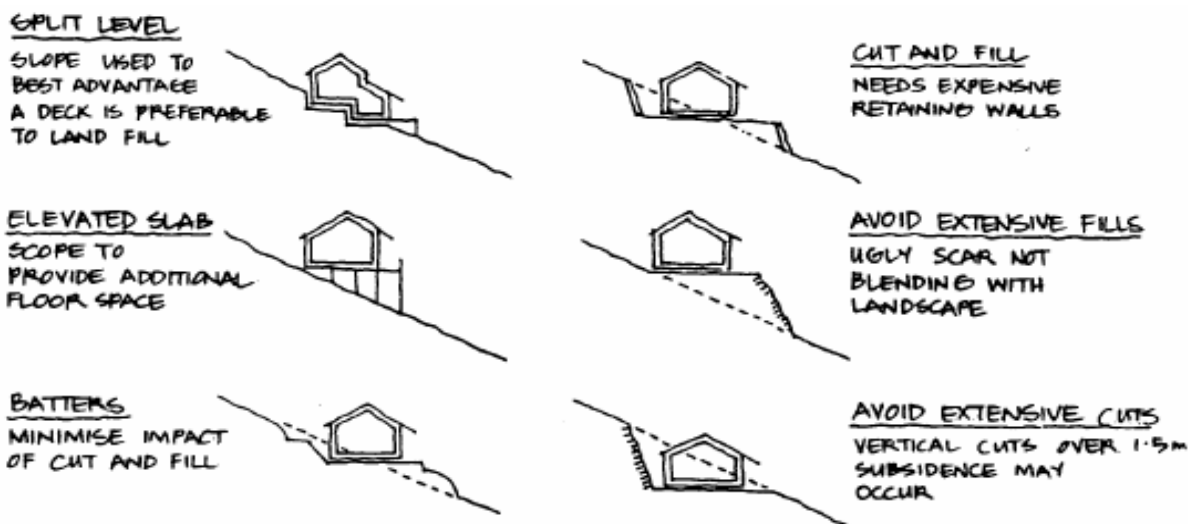
COUNCIL WIDE - SLOPING LAND

OBJECTIVES

Objective 1: Development on sloping land designed to minimise environmental and visual impacts and protect soil stability and water quality.

PRINCIPLES OF DEVELOPMENT CONTROL

1. Development and associated driveways and access tracks should be sited and designed to integrate with the natural topography of the land and minimise the need for earthworks.



2. Development and associated driveways and access tracks, including related earthworks, should be sited, designed and undertaken in a manner that:

- (a) minimises their visual impact;
- (b) reduces the bulk of the buildings and structures;
- (c) minimises the extent of cut and/or fill;
- (d) minimises the need for, and the height of, retaining walls;
- (e) does not cause or contribute to instability of any embankment or cutting;

PLANNING ASSESSMENT

The proposed outbuilding is to be located on a vacant allotment and is intended to be ancillary to the adjoining allotment that is occupied by the applicants of the subject proposal. The proposal has been determined as an outbuilding assuming that it will be ancillary to the dwelling located on the adjoining allotment. To ensure this, the applicants have agreed to amalgamate the allotments resulting in one allotment containing both the existing dwelling and proposed outbuilding. At this stage the applicants do not wish to pursue the allotment amalgamation until planning consent for the outbuilding has been granted. If planning consent is granted, a condition of consent will require the allotments to be amalgamated prior to full development approval.

The proposed outbuilding is intended for the storage of various domestic items and is not intended as a farm building or industrial use. The height and span of the outbuilding is proportionately large for the location, the site is elevated and fronts onto a main tourist route.

The proposed set back of the outbuilding from the front boundary is 62.5 metres which does not meet the desired minimum of 100 metres as stated in the Development Plan. The proposed development is to be located on a sloping site and requires significant excavation, resulting in 3 metres of cut at the rear of the proposed outbuilding, with approximately 200mm of fill at the north eastern corner. An access driveway via Marley Road is to be cut into the site, providing three internal access points to the proposed outbuilding. The driveway is being constructed of compacted rubble.

Built Form and Character of the Proposed Development

The proposed wall height is 5 metres with a span, running parallel to the main road, of 20 metres. These proportions would constitute a large prominent structure when viewed from Springton Road, dominating the landscape and giving the appearance of an industrial building. The shed is enclosed and accessed via roller doors facing Springton Road. The design of the shed does not emanate the form of buildings characteristic of the locality. The locality is characterised by dwellings and farm buildings, smaller in comparison to the subject proposal, with the buildings of varying appearance (stone, galvanized) grouped together providing visual interest. The subject proposal is dominant in comparison, and has an industrial presence, appearing to be an entity of its own without a link to a farming use. The desired character of the Watershed Protection Zone refers to scattered farm buildings unobtrusively located and designed to blend in with the surrounding landscape through careful siting and landscaping.

The proposed development is not supported based on Objectives 1 and 2 and Principles of Development Control 1, 2 and 3 of the Council Wide *Siting and Visibility* Provisions.

The proposal includes 3 metres of cut at the rear of the outbuilding with the intention of setting down the building to reduce the height. The cut will be retained with stones. The retaining wall will be mainly obscured by the shed, however, with addition to the earthworks proposed for the levelling for the driveways the visual impact would be apparent. The proposed development is not supported based on Objective 1 and Principle of the Development Control 1 and 2 of the Council Wide, *Sloping Land* Provisions.

Landscaping

The existing landscape along the front boundary of the subject land consists of mature Eucalypts with sparse canopies. They provide limited screening from Springton Road. The proposal includes a landscape plan to incorporate infill plantings of understory plants with dense foliage to provide screening. Once established the plants will provide some screening but will not significantly obscure the outbuilding given the size and elevation.

CONCLUSION

The proposal consists of a large outbuilding with significant site works that will be highly visible from a tourist route. The proposal is not in keeping with existing development within the locality and is not supported by Council Wide Objectives and Principles of Development Control in relation to Siting and Design and Sloping land. The proposal is also at variance with the Desired Character of the Watershed (Mount Lofty Ranges) Protection Zone.

OTHER BUSINESS**DEVELOPMENT ASSESSMENT COMMISSION CONCURRENCE APPLICATIONS**

MOVED Mr Milne that the report be received.

Seconded Mr Goldstone

CARRIED

The Development Assessment Panel requested details of responses received from the Development Assessment Commission, relating to applications referred for concurrence.

To date the following non-complying applications, in which the Panel were the decision authority, have been received from the Commission as follows:

DA NUMBER	APPLICANT	ADDRESS	NATURE OF DEVELOPMENT	DAC DECISION
960/159/12	S & M Mahoney	Lot 9 Springton Road, Mount Crawford	Detached Dwelling and Rain Water Tank	Concurrence Granted 12/3/2013 (5/2/13 panel meeting)

APPLICATION REFUSAL RESPONSE IN RELATION TO APPLICATION FOR D & L PITT, MOTEL (HOSTED ACCOMMODATION) APPLICATION 960/560/2012

It is understood that Panel members have received correspondence from David and Lindy Pitt in relation to the refusal of their application.

The application cannot be reviewed or the decision altered but the panel may wish to discuss the correspondence.

For discussion and consideration.

Mr Baldwin confirmed that a letter had been sent to Panel Members by the Applicant. A "Letter to The Editor" had also been published in The Leader. To date, Council has not received any comment in relation to the letter, either forwarded to an Elected Member or staff member.

Mr Baldwin confirmed that Council is considering a response but may seek legal advice before proceeding.

Mr Milne requested that an update be provided to the Panel, should a response be forwarded.

COUNCIL'S DEVELOPMENT ASSESSMENT PANEL ANNUAL REPORT - 2012

Mr Ballantyne advised Panel Members that preparation of the 2012 Annual Report is underway, and it is envisaged that the Draft will be presented to the May Panel Meeting for approval.

Panel Members are encouraged to forward any policy matters for consideration, for inclusion in the Annual Report.

LEAVE OF ABSENCE

Mr Milne advised the Panel that he will be seeking a Leave of Absence for the June Panel Meeting.

NEXT MEETING

Tuesday, 7 May 2013 commencing at 5.00pm.

CLOSURE OF MEETING

Mr Ballantyne declared the meeting closed at 5.21pm.

Confirmed

Date: Chairman: