



## **DEVELOPMENT ASSESSMENT PANEL**

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

Held on Tuesday, 5 July 2016 commencing at 5:00pm in  
the Council Chambers, 43-51 Tanunda Road, Nuriootpa

## Index

<b>1.</b>	<b>Welcome</b>	Page 3
<b>2.</b>	<b>Attendance</b>	Page 3
<b>3.</b>	<b>Confirmation of Minutes</b>	Page 3
<b>4.</b>	<b>Business Arising</b>	Page 3
<b>5.</b>	<b>Declaration of Interest by Members of the Panel</b>	Page 4
<b>6.</b>	<b>Reports - Applications for Decision</b>	Page 4
6.1	960/109/2016 (Allotment 10, 129 Williamstown Road Sandy Creek)	Page 4
<b>7.</b>	<b>Reports - Panel Updates</b>	
7.1	DAC Concurrence Matters	Page 7
7.2	ERD Court Appeal – Update – Development Application 960/396/2013 – Hebron Christadelphian Bible Camp	Page 8
7.3	ERD Court Appeal – Update – Development Application 960/391/2015 – Peter Seppelt	Page 8
7.4	ERD Court Appeal – Update – Development Application 960/126/2015 – Impact Church	Page 8
<b>8.</b>	<b>Reports - Other Business</b>	Page 9
<b>9.</b>	<b>Reports - Confidential</b>	Page 9
<b>10.</b>	<b>Next Meeting</b>	Page 9
<b>11.</b>	<b>Closure of Meeting</b>	Page 9

## **1. WELCOME**

The Presiding Member welcomed everyone, and opened the meeting at 5:00pm.

## **2. ATTENDANCE**

### **2.1 Present**

Panel Members

Bruce Ballantyne (Presiding Member)

David Hughes

Deidre Reiman

Scotty Milne

Council Staff

Gary Mavrinac (Director – Development and Environmental Services)

Louis Monteduro (Senior Manager – Planning Services)

Brian Irvine (Senior Planner)

Phil Harnett (Planner)

Christine Kruger (Minute Secretary)

### **2.2 Apologies**

R Miller

T Hurn

### **2.3 Absent**

Nil.

## **3. CONFIRMATION OF MINUTES**

Moved: D Reiman

Seconded: D Hughes

That the minutes of the Council Development Assessment Panel meeting held on 7 June 2016 be received and confirmed.

**CARRIED**

## **4. BUSINESS ARISING**

Nil.

## 5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

The following disclosures have been made in relation to:

Item	Panel Member
7.3 Verbal Report ERD Court Appeal – Update – Development Application 960/391/2015 – Peter Seppelt Personal friendship with the Applicant.	David Hughes

## 6. REPORTS - APPLICATIONS FOR DECISION

### 6.1 960/109/2016 (Allotment 10, 129 Williamstown Road, Sandy Creek)

Representors

Shane Southern addressed the Panel at 5:03pm, and answered questions from the Panel.

Applicant

Adam Pfitzner (Aurecon Group) addressed the Panel at 5:09pm, and answered questions from the Panel.

### Recommendation

The Panel, having considered the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves:

- (a) Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, the Development Assessment Panel has had regard to the objects of that Act and, in determining this application, seeks to further the objects of that Act.
- (b) That the proposed development is not seriously at variance with The Barossa Council Development Plan.
- (c) To GRANT Development Plan Consent for Application No. 960/109/2016 by NBN Co Limited to undertake development at Allotment 10, 129 Williamstown Road, Sandy Creek (CT 6099/179) subject to the following conditions and advisory notes:

#### Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/109/2016 except where varied by any condition(s) listed below.

Reason: To ensure that the proposal is constructed in accordance with the plans stamped as approved by the Planning Authority.

- (2) Any lighting shall be directed and shaded in such a manner so as to cause no light spill nuisance to any person living in the vicinity of the subject land or to nearby vehicular traffic.

Reason: To maintain the amenity of nearby properties.

- (3) The external materials and finishes, to all structures, shall be non-reflective.

Reason: To ensure the proposal is subdued and does not impact upon the amenity of the locality by way of glare.

### Notes

- (a) Note: Where possible, native vegetation should be retained to maintain the amenity of the locality. The removal of native vegetation may require a permit from the Native Vegetation Council. Enquiries can be directed to (08) 8303 9777.

- (b) Note: Should the transportation of components to/from the subject site impact the traffic flows on Williamstown Road, a Traffic Management Plan should be prepared and submitted to The Department of Transport, Energy and Infrastructure as well as The Barossa Council.

- (i) Contractor/s are required to notify DPTI at least five working days prior to the commencement of works and is to complete a 'Notification of Works' form which is available via the following link:

[http://www.dpti.sa.gov.au/contractor\\_documents/works\\_on\\_roads\\_by\\_other\\_organisations](http://www.dpti.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations)

- (ii) In the event that traffic is restricted by the works, a Traffic Management Plan showing the location of all traffic control devices and proposed times of traffic restrictions shall be provided.

- (iii) The applicant shall notify DPTI's Traffic Management Centre on 1800018313 prior to undertaking any construction and maintenance activities at the site.

- (c) Note: Over dimensional or over mass transportation requirements shall obtain the necessary approvals. Further information can be obtained via the following website:

<http://www.sa.gov.au/topics/transport-travel-and-motoring/heavy-vehicles/operating-a-heavy-vehicle/heavy-vehicle-permits/oversize-and-overmass-permits>

Or, calling 1300 882 248 (Mon-Fri, 9am-5pm).

## Panel Decision

Moved: S Milne

Seconded: D Hughes

The Panel, having considered the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves:

- (a) Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, the Development Assessment Panel has had regard to the objects of that Act and, in determining this application, seeks to further the objects of that Act.
- (b) That the proposed development is not seriously at variance with The Barossa Council Development Plan.
- (c) To GRANT Development Plan Consent for Application No. 960/109/2016 by NBN Co Limited to undertake development at Allotment 10, 129 Williamstown Road, Sandy Creek (CT 6099/179) subject to the following conditions and advisory notes:

### Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/109/2016 except where varied by any condition(s) listed below.

Reason: To ensure that the proposal is constructed in accordance with the plans stamped as approved by the Planning Authority.

- (2) Any lighting shall be directed and shaded in such a manner so as to cause no light spill nuisance to any person living in the vicinity of the subject land or to nearby vehicular traffic.

Reason: To maintain the amenity of nearby properties.

- (3) The external materials and finishes, to all structures, shall be non-reflective.

Reason: To ensure the proposal is subdued and does not impact upon the amenity of the locality by way of glare.

- (4) The applicant shall submit a landscaping plan to minimise visual impact to the satisfaction of Council.

Reason: To maintain the amenity of the locality.

### Notes

- (a) Note: Where possible, native vegetation should be retained to

maintain the amenity of the locality. The removal of native vegetation may require a permit from the Native Vegetation Council. Enquiries can be directed to (08) 8303 9777.

(b) Note: Should the transportation of components to/from the subject site impact the traffic flows on Williamstown Road, a Traffic Management Plan should be prepared and submitted to The Department of Transport, Energy and Infrastructure as well as The Barossa Council.

(i) Contractor/s are required to notify DPTI at least five working days prior to the commencement of works and is to complete a 'Notification of Works' form which is available via the following link:

[http://www.dpti.sa.gov.au/contractor\\_documents/works\\_on\\_roads\\_by\\_other\\_organisations](http://www.dpti.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations)

(ii) In the event that traffic is restricted by the works, a Traffic Management Plan showing the location of all traffic control devices and proposed times of traffic restrictions shall be provided.

(iii) The applicant shall notify DPTI's Traffic Management Centre on 1800018313 prior to undertaking any construction and maintenance activities at the site.

(c) Note: Over dimensional or over mass transportation requirements shall obtain the necessary approvals. Further information can be obtained via the following website:

<http://www.sa.gov.au/topics/transport-travel-and-motoring/heavy-vehicles/operating-a-heavy-vehicle/heavy-vehicle-permits/oversize-and-overmass-permits>

Or, calling 1300 882 248 (Mon-Fri, 9am-5pm).

**CARRIED**

## **7. REPORTS - PANEL UPDATES**

### **7.1 DAC Concurrence Matter**

Development Assessment Commission Concurrence Applications

#### **Recommendation**

That the report be received.

### **Panel Decision**

Moved: D Hughes

Seconded: D Reiman

That the recommendation be adopted.

**CARRIED**

## **7.2 ERD Court Appeals and Enforcement Matters**

ERD Court Appeal – Update – Development Application 960/396/2013 –  
Hebron Christadelphian Bible Camp

### **Recommendation**

That the verbal report be received.

### **Panel Decision**

Moved: S Milne

Seconded: D Reiman

That the recommendation be adopted.

**CARRIED**

## **7.3 ERD Court Appeals and Enforcement Matters**

ERD Court Appeal – Update – Development Application 960/391/2015 –  
Peter Seppelt

D Hughes left the meeting at 5:28pm due to a stated conflict of interest.

### **Recommendation**

That the verbal report be received.

### **Panel Decision**

As Council's Development Assessment Panel Terms of Reference stipulate that a quorum for a meeting shall be the total number of members of the Panel in office, divided by two (2) (ignoring any fraction) and adding one (1), a quorum was lost due to the absence of one Member who had left the meeting due to a stated conflict of interest. Accordingly, the Panel could not enact the recommendation.

D Hughes returned to the meeting at 5:37pm.

## **7.4 ERD Court Appeals and Enforcement Matters**



**Recommendation**

That the verbal report be received.

**Panel Decision**

Moved: D Hughes

Seconded: D Reiman

That the recommendation be adopted.

**CARRIED**

**8. REPORTS - OTHER BUSINESS**

B Ballantyne advised that Panel members will need to submit their annual Schedule 27 – Register of Interest, Ordinary Return by no later than 29 August 2016.

**9. REPORTS – CONFIDENTIAL**

Nil.

**10. NEXT MEETING**

Tuesday 2 August 2016 commencing at 5.00pm.

**11. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 5:40pm.

Confirmed

Date: ..... Chairman: .....