



DEVELOPMENT ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA COUNCIL DEVELOPMENT ASSESSMENT PANEL

Held on Tuesday, 4 July 2017 commencing at 5:00pm in
the Council Chambers, 43-51 Tanunda Road, Nuriootpa

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1. WELCOME

The Presiding Member welcomed everyone, and opened the meeting at 5:03pm.

2. ATTENDANCE

2.1 Present

Panel Members

Bruce Ballantyne (Presiding Member)

David Hughes

Grant Hewitt

Deidre Reiman

Scotty Milne

Council Staff

Gary Mavrinc (Director – Development and Environmental Services)

Louis Monteduro (Senior Manager – Planning Services)

Elinor Walker (Contract Planner)

Christine Kruger (Minute Secretary)

2.2 Apologies

R Miller.

T Hurn.

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

Moved: D Hughes

Seconded: G Hewitt

That the minutes of the Council Development Assessment Panel meeting held on 6 June 2017 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

7.5 ERD Court Appeal –
Development Application
960/390/2015 – PJ Seppelt –
Personal friend of the Applicant

David Hughes

6. REPORTS - APPLICATIONS FOR DECISION

6.1 960/742/2016 (128 Calton Road Kalbeeba)

Representors

Margaret Pearce addressed the Panel at 5:06pm.

Stephen Elliott addressed the Panel at 5:11pm, and answered questions from the Panel.

Applicant

John Stimson (Stimson Consulting, on behalf of John Day) addressed the Panel at 5:20pm, 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) That the proposed development is not seriously at variance with The Barossa Council Development Plan.
- (b) To REFUSE Development Plan Consent for Application No. 960/742/2016 by John Day c/o- Stimson Consulting to undertake Recreational vehicle and caravan parking facility with ancillary maintenance and washing (Light Industry) at 128 Calton Road Kalbeeba (CT-5753/94) for the following reasons:

The proposed development is contrary to:

- General Section (Industrial Development) Objective 1

Reason: The proposed use is not considered to be appropriately located and therefore does not comply with this objective.

- General Section (Industrial Development) Principle of Development Control 1

Reason: The land use is proposed in a zone that is not designated for industrial land uses of this scale.

- General Section (Interface between Land Uses) Objective 1

Reason: The proposed land use is likely to create a conflict with surrounding residential uses.

- General Section (Interface between Land Uses) Principle of Development Control 2

Reason: The land use is likely to prejudice the potential future residential land uses by allowing a large scale non-residential use on the subject land.

- General Section (Orderly and Sustainable Development) Objective 6

Reason: The proposed land use, which is a form of urban development, is not proposed to be located in a zone designated for such development.

- General Section (Orderly and Sustainable Development) Principle of Development Control 1

Reason: The proposed land use is considered to prejudice the development of the zone for its intended purpose as the large scale recreational vehicle parking facility is likely to create adverse visual and amenity impacts on the immediate locality.

- Rural Living Zone Objective 1

Reason: The proposed land use is considered to adversely affect the amenity of the area as heavily screening a development is not an appropriate design solution to an inappropriate development in the context of the zone.

- Rural Living Zone Objective 2

Reason: The proposal does not contribute to the desired character of the Rural Living Zone as the development is not complimentary to the semi-rural use of the land.

- Rural Living Zone Principle of Development Control 1

Reason: The development, at the proposed scale, is not consistent with the intent of the zone and is not within the reasonable scope of the type of land uses directly envisaged in a Rural Living Zone.

- Rural Living Zone Principles of Development Control 7

Reason: The proposed development does not achieve the requirements of this policy as the facility which is akin to a store is not carried within a building and includes the servicing of vehicles.

Panel Decision

Moved: S Milne

Seconded: D Reiman

That the recommendation be adopted.

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 960/126/2015 – Impact Church – Alteration of Existing Freestanding Advertisement from Externally Illuminated to Internally Illuminated by way of a Variable message Board.

Recommendation

That the 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 – Development Application 960/428/2016 – Frost Protection Australia – Horticultural Buildings (Six Frost Fans)

Recommendation

That the report be received.

Panel Decision

Moved: D Hughes

Seconded: G Hewitt

That the recommendation be adopted.

CARRIED

7.4 ERD Court Appeals and Enforcement Matters

ERD Court Appeal – Development Application 960/506/2016 – Andrew Plush - Hotel Additions and Alterations

Recommendation

That the report be received.

Panel Decision

Moved: D Reiman

Seconded: S Milne

That the recommendation be adopted.

CARRIED

7.5 ERD Court Appeals and Enforcement Matters

ERD Court Appeal – Development Application 960/390/2015 – PJ Seppelt – Extensions and Variations to Existing Restaurant and Function Centre

D Hughes left the meeting at 5:46pm due to a stated conflict of interest.

Recommendation

That the report be received.

Panel Decision

Moved: S Milne

Seconded: D Reiman

That the recommendation be adopted.

CARRIED

D Hughes returned to the meeting at 5:48pm.

8. REPORTS - OTHER BUSINESS

960/598/2016 – TELECOMMUNICATIONS TOWER (LOT 100 PENRICE ROAD ANGASTON).

S Milne requested an update on the progress of Development Application 960/598/2016 – Telecommunications Tower at Lot 100 Penrice Road Angaston, which was deferred from the June 2017 Panel Meeting. L Monteduro advised that the Applicant is still to respond to Council's formal request to investigate alternative sites for the proposal.

As requested by the Panel, Council will include updates on deferred applications as part of future Agendas.

APPOINTMENT OF ASSESSMENT PANEL

Upon a request from B Ballantyne, G Mavrinac provided an update on the status of the establishment of an Assessment Panel. Further information will be advised by the Public Officer as it becomes available prior to October 2017.

9. REPORTS – CONFIDENTIAL

Nil.

10. NEXT MEETING

Tuesday 1 August 2017 commencing at 5.00pm.

11. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 5:52pm.

Confirmed

Date: Chairman: