



STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE

**Notice of The Barossa Council Strategic Planning and Development Policy
Committee meeting to be held at the Council Offices, 43-51 Tanunda Road,
Nuriootpa on**

Tuesday, 24 June 2014, commencing at 9.30am

Martin McCarthy
CHIEF EXECUTIVE OFFICER
THE BAROSSA COUNCIL

A G E N D A

1. WELCOME

2. ATTENDANCE RECORD

2.1 Present

2.2 Apologies

2.3 Not Present/Leave of Absence

3. MINUTES

3.1 Confirmation of Minutes from the 18 March 2014 meetings.

3.2 Business Arising from Minutes

4. DECLARATION OF INTEREST

5. MATTERS LYING ON THE TABLE/DEFERRED

6. QUESTIONS ON NOTICE

7. MOTIONS ON NOTICE

8. DEPUTATIONS AND VISITORS TO THE MEETING

Nil.

9. ITEMS FOR DECISION

Nil

10. ITEMS FOR INFORMATION

10.1 Rural Areas and Character Review – Working Group

11. CONFIDENTIAL ITEMS

Nil.

12. OTHER BUSINESS

Nil.

13. NEXT MEETING

Monday, 8 September 2014 commencing at 5.30pm.

14. CLOSE OF MEETING



The Barossa Council

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

Held on Tuesday, 18 March 2014, commencing at 9.33am in
the Council Chambers, 43-51 Tanunda Road, Nuriootpa

1 WELCOME

Mayor Hurn declared the meeting open at 10.44am.

2.1 MEMBERS PRESENT

Mayor Brian Hurn, Crs John Angas, Susie Roehr, Dave De Vries, Bob Sloane, Richard Miller, Bridgette Kies, Michael Seager and Scotty Milne.

Mr Martin McCarthy (Chief Executive Officer), Mr Ian Baldwin (Director – Development & Environmental Services), Mr Peter Bice (Director – Works & Engineering), Mrs Maz McGann (Acting Director – Corporate & Community Services), Mr Louis Monteduro (Senior Manager, Planning Services), Mr Paul Mickan (Principal Planner), and Mrs Marie Thom (Minute Secretary).

2.2 APOLOGIES

Cr Margaret Harris

MOVED Cr de Vries that the apology received from Cr Margaret Harris be noted.

Seconded Cr Sloane

CARRIED

2.3 LEAVE OF ABSENCE

Cr David Lykke

3.1 MINUTES OF PREVIOUS MEETING

MOVED Cr Milne that the minutes of the Strategic Planning and Development Policy Committee held on Tuesday 17 September 2013 as circulated, be confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Sloane

CARRIED

MOVED Cr Sloane that the minutes of the Strategic Planning and Development Policy Committee held on Tuesday 17 December 2013 as circulated, be confirmed as a true and correct record of the proceedings of that meeting, with the removal of the wording “no financial relationship” to read “no personal financial relationship” under the Declaration of Interest heading.

Seconded Cr Seager

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 STRATEGIC DIRECTIONS REPORT IMPLEMENTATION (B2141)

MOVED Cr Milne

That the report be received and the prioritisation of projects outlined in the report be endorsed.

Seconded Cr Roehr

CARRIED

INTRODUCTION

This report provides an update on the Strategic Directions Report and associated work program arising from the document.

COMMENT

Background

At its meeting on 19 November 2013 Council endorsed its Strategic Directions Report (SDR), authorising the Senior Manager, Planning Services to make any necessary minor amendments to the draft document such as formatting and presentation, or as directed by Department of Planning, Transport and Infrastructure (DPTI) staff or the Minister for Planning, prior to lodging the document with the Minister (refer Agenda Item 7.5.2.1).

The Strategic Directions Report was finalised in consultation with DPTI staff and lodged with the Minister on 16 January 2014 for his agreement. A copy of the lodged Strategic Directions Report is included in Attachment 1.

One change to the final document to note is that at the request of DPTI various "Strategic Investigations" were listed in the SDR; the intent of these high level investigations being to further investigate previously identified issues and explore policy options to be progressed via a DPA.

High Priority Projects and Other Actions

The SDR identified eight DPAs to be undertaken over the next three to four years with several DPAs requiring preliminary strategic investigations to be undertaken to inform the proposed DPA direction and policies.

The high priority strategic investigations and DPAs which will be commenced in 2014 are:

- Rural Areas and Character Review and subsequent Rural Areas DPA and Character DPA
- Spatial/concept planning and Townships Review and subsequent Townships DPA
- Kalbeeba Infill Investigations and subsequent DPA
- Miscellaneous DPA

DPTI has also indicated that it will commence structure planning for the Concordia area in 2014; however Council staff are still awaiting confirmation of the nature and extent of the intended structure planning – ie whether it includes Gawler and Roseworthy and whether it is intended to produce high level spatial planning or detailed precinct planning. A further report will be presented to Council when more detail is known.

Other Projects and Other Actions

Other actions to be undertaken in 2014 are:

- Request State Government to remove our Council and the Barossa Valley character preservation district from the Residential Development Code provisions contained within the Development Regulations 2008.
- Request State Government to refine and adopt the land use definitions contained in the National Tourism Planning Guide and that these definitions are inserted into the Development Regulations to guide tourism development across the State

- Request State government to amend regulations and/or legislation to better define renewable energy facilities and to introduce appropriate public notification criteria. In collaboration with relevant State government agencies investigate potential revised policies for renewable energy facilities including policies that distinguish between rural and urban environments.
- Prepare guidelines regarding privacy, amenity and parking for 'shop top' housing
- Investigate potential for "Design Charter" or "Code" to guide good development outcomes, in particular, within sensitive and valued landscapes. The suggested approach would also involve establishing a Design Advisory Group and/or Design Advisor to have early input into preparation of design based planning policy (.i.e. as part of Development Plan Amendments,) and potential early input into development proposals. Investigations will include exploration of other successful implementation models taking into account costs, efficiency and demand. Potential to incorporate policies into the Development Plan will also be explored.
- Consider costs and benefits associated with establishing a car-park fund, including a review of the supply and demand of car-parking within the townships to determine whether or not a car-park fund may be justified.

Strategic investigations and DPAs to be commenced in 2015 or 2016 are:

- Tourism strategic investigations and subsequent DPA
- Hazard review and subsequent DPA
- Heritage review and subsequent DPA

Rural Areas and Character Review

The review of rural policies is a priority. The submitted SDR indicates that a "Rural Areas and Character Review" be undertaken to inform the proposed "Rural Areas DPA" and "Character DPA". Combining the two rural and character investigations recognises there is overlap between various issues where a single policy change may be justified – eg the SDR indicates that the Rural Areas DPA will investigate diversity, sustainability and value-adding associated with primary production while the Character DPA would review the potential to extend siting and design criteria to all rural buildings (currently they only apply to dwellings) and development on ridgelines and exposed areas. This work will also confirm whether any amendments should be made to the Development Plan, on account of the amended planning strategy or on account of any other provisions that are relevant to the operation and effect of the *Character Preservation (Barossa Valley) Act 2012* (refer separate report) – Note: Council is required by legislation to undertake this review within the next six months, and while the SDR identified various gaps based on the draft planning strategy amendments, much work remains to be done.

Staff are currently exploring the best approach to undertake the review and DPAs within a limited timeframe while still ensuring appropriate community and stakeholder engagement.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

LEGISLATION

Character Preservation (Barossa Valley) Act 2012

Development Act 1993

Development Regulations 2008

The Barossa Council Development Plan

South Australian Planning Strategy, 30-Year Plan for Greater Adelaide Chapter

STRATEGIC PLAN

3.1 Character & Heritage

3.5 Planning & Building

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The intent is to use in-house resources as much as possible; however it will be necessary to engage consultants at various stages where the skill and experience is not available in-house, to supplement in-house resources or in order to expedite a project. The Rural Areas and Character Review and associated DPAs and the spatial/concept planning projects in particular will require significant consultant input to supplement in-house resources. In this context a one-off increase in funds will be sought in the 2014/15 Budget to enable all high priority projects arising from Strategic Directions Report to be undertaken in a timely manner.

COMMUNITY CONSULTATION

Formal and informal community and stakeholder consultation will take place at various stages during each strategic investigation and DPA project.

9.2 AMENDMENT TO PLANNING STRATEGY – GAZETAL OF CHARACTER PRESERVATION AMENDMENTS (B1864)

MOVED Cr Milne

That the report be received.

Seconded Cr Miller

CARRIED

INTRODUCTION

This report provides an update on the amendments to the Planning Strategy relating to character preservation.

COMMENT

At its meeting on 17 September 2013 the Committee received a report on proposed amendments to the state Planning Strategy which we required by legislation to create strategy and policy protecting the special character of the Barossa 'Valley' and McLaren Vale districts.

A submission was subsequently made to the Department of Planning, Transport and Infrastructure in respect to:

- “(1) *Naming of the Barossa 'Valley' revised and agreed to adequately reflect the extent of the district by using the term Barossa Region.*
- “(2) *Mapping for the Barossa being of improved clarity and size to ensure boundaries and sub-regions are more distinguishable to public users.*”

The Minister for Planning has finalised the amendments in the form of an Addendum to the Planning Strategy which was gazetted on 13 February 2014. A copy of the Addendum is included in *Attachment 1*. It is noted that despite our request no change was made to the name and only minor changes made to the mapping which could still result in confusion to readers.

Each council affected by the amendments is now required to review their Development Plan within six months to determine whether any amendments should be made to the Development Plan on account of the amended planning strategy or on account of any other provisions that are relevant to the operation and effect of the *Character Preservation (Barossa Valley) Act 2012*. Council is already well advanced with this review process with its recently submitted Strategic Directions Report partly based on the draft amendments to the planning strategy. However, it is now necessary to confirm what policy gaps and deficiencies exist within our existing development policies. This will be achieved through prioritising the proposed Rural Areas and Character Review with any necessary policy changes to be introduced via a subsequent Character DPA.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

LEGISLATION

Character Preservation (Barossa Valley) Act 2012

Development Act 1993

Development Regulations 2008

The Barossa Council Development Plan

South Australian Planning Strategy, 30-Year Plan for Greater Adelaide Chapter

STRATEGIC PLAN

3.1 Character & Heritage

3.5 Planning & Building

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The Rural Areas and Character Review and Character DPA will require significant consultant input to supplement in-house resources and to enable the project to be undertaken in a timely manner. These resource demands will be addressed in the 2014/15 Budget process.

COMMUNITY CONSULTATION

The Rural Areas and Character Review will include community and stakeholder consultation. Formal consultation will also occur as part of the Character DPA.

10 ITEMS FOR INFORMATION

Nil.

11 CONFIDENTIAL ITEMS

Nil.

12 OTHER BUSINESS

Nil.

13 NEXT MEETING

Tuesday 24 June 2014 commencing at 9.30am.

14 CLOSURE OF MEETING

Mayor Hurn closed the meeting at 10.58am.

Confirmed at Strategic Planning & Development Policy Committee 24 June 2014

Date: Chairman:

THE BAROSSA COUNCIL

STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE

24 JUNE 2014

10. ITEMS FOR INFORMATION

10.1 RURAL AREAS AND CHARACTER REVIEW – WORKING GROUP (B2383)

INTRODUCTION

This report provides an update on the working group's progress relating to its review of character preservation and rural areas issues.

RECOMMENDATION

That the report be received.

COMMENT

The Minister for Planning finalised the amendments in the form of an Addendum to the Planning Strategy which was gazetted on 13 February 2014. Each council affected by the amendments is required to review their Development Plan within six months to determine whether any amendments should be made to the Development Plan on account of the amended planning strategy or on account of any other provisions that are relevant to the operation and effect of the *Character Preservation (Barossa Valley) Act 2012*.

Council advanced with this review process through its Strategic Directions Report process and, among other projects, prioritised a Rural Areas and Character Review to examine necessary policy changes in response to rural areas issues together with the required character review.

A project plan prepared by Council staff included establishment of a working group to identify and review issues on a preliminary basis prior to council preparing informal documentation for public consultation. The working group comprises a broad range of key stakeholder members and these are listed in Attachment 1 together with their background experience.

Two meetings have been held to date and, in brief, the following matters have been discussed by the working group:

- New dwellings in rural areas
- Land division - additional allotments / boundary realignment
- Interface and buffer management
- Wineries and ancillary development
- Primary production and value adding
- Building siting and design
- Landscape character and appearance of land

Attachment 1 also contains a more detailed summary of these issues together with a copy of the agenda for the first meeting held on 4 June 2014.

Attachment 2 contains a copy of the agenda for the second meeting held on 11 June together with a summary of options discussed.

A third working group meeting has been scheduled for 18 June to refine the policy options considered by stakeholders. As the outcome of this will occur after this report is prepared, an update will be provided verbally to council at its meeting.

LEGISLATION/POLICY/COUNCIL STRATEGIC PLAN

LEGISLATION

Character Preservation (Barossa Valley) Act 2012

Development Act 1993

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The Barossa Council Development Plan

South Australian Planning Strategy, 30-Year Plan for Greater Adelaide Chapter

STRATEGIC PLAN

3.1 Character & Heritage

3.5 Planning & Building

FINANCIAL AND RISK MANAGEMENT CONSIDERATIONS

The Rural Areas and Character Review (and subsequent Development Plan Amendments) requires significant consultant input to supplement in-house resources and was budgeted for accordingly. To enable the project to be undertaken in a timely manner two consultant groups were appointed; URS who assisted council with the character values and strategic directions work, and URPS who have wide ranging experience with rural areas studies.

COMMUNITY CONSULTATION

The process for the Rural Areas and Character Review working group is outlined in *Attachment 3* and includes further informal (preliminary) stakeholder and community-wide consultation.

Future formal consultation will also occur as part of (statutory) requirements for the Development Plan Amendment process after the Statement of Intent is endorsed by council and approved by the Minister for Planning.

Rural Areas and Character Review

Working Group membership

Name	Community or Industry Sector
Fiona Koch	Moculta, wine making, mixed farming, tourism
Margaret Lehman	Heritage conservation, design quality, value adding, food and wine.
Michael Wohlstadt	Mixed farming, design quality
Jan Angas	Eden Valley, value adding, food and wine
Tony Walker	Eden Valley, mixed farming, Chair of Eastern Mount Lofty Landscape Guardians
Peter Grocke	Gomersal, Broadacre farming
Peter Conrick	Concordia, Farming
Charles Teusner	Concordia, Farming
Kirstin Teusner	Concordia, Farming
Matthew Schiller	Grape Grower
Trevor Anderson	Mt Pleasant, Real Estate
Michael (Bim) Lange	Economic development, sustainability, local government
Craig Grocke	Rural sector business, design and heritage, tourism Regional Development Australia, Barossa
James March (or delegate)	Wine industry Barossa Wine and Grape Association

The Barossa Council

Barossa Rural Areas and Character Review

Working Group Session 1

Wednesday 4 June 2014 The Barossa Council Chambers 12:30pm – 3:30pm

Agenda

Timing	Item	Presenter
12:30pm	Arrival and lunch	
12:40pm	Welcome and introductions	Louis Monteduro Mayor Brian Hurn Working Group
1:10pm	Overview of Rural Areas and Character Review - how it will be used by Council	Louis Monteduro Melissa Bailey (URS)
1:20pm	Role of Working Group	Victoria Haupt (URPS)
	Timing of Working Group sessions and key decisions	Victoria Haupt
1:30pm	Overview of key rural and character issues for group discussion: <ul style="list-style-type: none">• New dwellings in rural areas• Land division - create additional allotments / boundary realignment• Interface and buffer management• Wineries and ancillary development• Primary production and value adding• Building siting and design• Landscape and character	Grazio Maiorano(URPS) Victoria Haupt Paul Vivian (URS)
3:20pm	Next steps	Melissa Bailey

The Barossa Council
Rural Areas and Character Review
Summary of Issues and Questions

New dwellings in rural areas

Current situation:

The Development Plan currently seeks to preserve the viability of primary production land and the rural qualities of the landscape by restricting the construction of new dwellings in rural areas. Council policies relating to construction of new dwellings and replacement of existing dwellings vary across the four rural zones for example, new dwellings can be constructed in some areas, so long as they are on an allotment that is greater than a certain size (which varies across the council area) and providing that there are no other existing habitable dwellings on the site, whereas in other zones no minimum lot size applies.

Issue:

Some land owners seek an opportunity to be able to build new dwellings on their sites which, at present, may be restricted by planning controls which do not currently appear to be consistent.

Questions that have been asked:

- Should there be a minimum allotment size required to construct a new dwelling in rural areas?
- What should a minimum allotment size be how should it be determined?
- Should a second dwelling be allowed on an allotment to accommodate family members or workers to that site?
- Should there be a consistent approach to replacement dwellings?
- If minimum allotment sizes apply could allotments be amalgamated based on area rather than number of allotments as at present?
- Should landowners be able to transfer their right to develop a dwelling on one allotment to another allotment in a different area?
- Should the infill dwelling list remain in the Development Plan?

Land division, creation of new allotments and boundary alignment

Current Situation:

The Development Plan currently aims to preserve the viability of primary production land by restricting the division of land and fragmentation of current land holdings. Land division which creates an additional allotment is restricted across all zones with the exception of the Concordia precinct where additional allotments are possible provided they are at least 40 hectares in area.

Issue:

Minor boundary realignment to address anomalies and to improve primary production is possible, but this discourages major reshaping to create smaller rural living scale lots with larger balance primary production allotments. Existing policies also discourage creation of new allotments for smaller scale primary production (including mixed use farming), tourism activities and dividing off existing dwellings.

Questions that have been asked:

- Should current restrictions on the division or realignment of land be changed?
- Could areas of lower primary production significance be sub-divided to allow for more intensive uses, such as intensive animal keeping or hydroponic enterprises, in order to enhance the viability for primary production use?
- Could the creation of smaller allotments for primary production support the development of the food industry in the region through accompanying policy that would allow farmers flexibility to produce a range of food products?
- Could additional allotments containing existing or former dwellings which contribute to local character be permitted in order to encourage their retention?

Interface and buffer management

Current situation:

The Development Plan refers to the use of buffers and separation distances along property boundaries. These are used to manage the interface between sensitive adjoining land uses between different primary production activities as well as primary production uses and non-primary production uses e.g. such as residential areas.

The State Government recommends a 40 metre buffer area should be the default position, but consideration could be given to allowing lesser buffer distances if a reduction can be justified.

Issue:

Buffer requirements only currently exist in the form of guidelines and there are competing demands between activities in the rural area. Targets are in place in the *South Australian Strategic Plan* and

supported by the *South Australian Food Strategy* to grow food, wine and fibre production and export. There is also an increasing desire to balance the traditional primary production priorities that have historically defined rural areas with the needs and aspirations of businesses, residents, and tourists.

Council is being asked to consider the right balance between the activities of primary producers and other interests including buffers and management techniques.

Questions that have been asked:

Buffer Distances:

- Should the Government's 40 metre separation buffer policy be adopted?
- If the 40 metre buffer is to be applied, what form should it take (e.g. vegetated buffer or non-vegetated buffer)?
- What are the criteria for applicants to adopt a lesser separation distance if required? Should a greater buffer apply in specific situations?
- Should other approaches be considered which would apply to new development applications or in situations where no development approval is required?
- Is the existing 200 metre open space or rural buffer area required at the interface of the Barossa and Gawler Council boundary still relevant?

How can competing land uses be prioritised?

- Within primary production areas, where should the emphasis be placed when considering new developments, for example, should Development Plan policy:
 - Be weighted to promote productive commercial agricultural land uses over existing residential and other sensitive land uses; or
 - Should a proposed new land use (that requires a development application) have to show that it will minimise impacts? If the impact cannot be minimised, should the development application be refused?
 - How should the interface between towns and rural areas be managed to limit potential conflicts between these two areas?

Wineries and ancillary development

Current situation:

The Development Plan may not have a consistent approach to assessing activities associated with wineries such as restaurants, function centres and tourist accommodation. There may also be limited specific policies to guide assessment of these types of development and wine production in terms of scale, form or impact.

Issue:

There is demand from wineries to expand the range of activities associated with cellar doors. Such development could have a visual impact, has the potential to displace primary production land, and create a disturbance to neighbours.

Questions that have been asked:

- Should Council relax policies on wineries and ancillary development such as cellar doors for example by removing the requirement for a cellar door on the valley floor to be associated with a winery?
- Are restaurants, function centres and tourist accommodation ancillary to wineries acceptable forms of development in rural areas?
- What limitations might be required in terms of their location, scale and impact (visual, traffic, noise, loss and impact on productive land etc.)?
- ?
- What is an appropriate scale for wineries and ancillary developments within the rural zones? Should there be limits to the extent of expansion of commercial and industrial components versus the requirement for viticulture production?

Primary production - diversity and value adding

Current situation:

The primary production zones currently restrict the development of buildings that are not associated with farming and primary production to preserve the rural landscape character of the area. This means that value-adding and diversification of primary activities are restricted.

Issue:

There is demand from primary producers to diversify and add value to their products. Examples of mixed land use practices including animal keeping and greenhouses. Other examples include the development of managers' residences or staff quarters, packing sheds, processing facilities, and sales outlets.

Intensified development in primary production areas can impact upon character, landscape, and amenity that is valued by residents and visitors. It can also impact on other primary production operations – while displacing valuable agricultural land.

Development Plan policies have a role in supporting a balance of protecting the productive value of arable land, while not unduly limiting opportunities for development in primary production areas that supports diversification, value adding, and increased efficiency.

Questions that have been asked:

Should the types of development that constitute acceptable 'rural activities' be broadened? For example:

- *As family farms move into corporate ownership, should use of an existing farm complex as an office require a separate planning approval?*
- To what extent should rural zones accommodate a farm manager's residences and short term accommodation for seasonal viticulture and horticulture workers?
- What scale of processing, packaging, or other value adding activities is appropriate in rural zones? What belongs in an industry zone?
- How might the potential impacts of processing, packaging, or other value adding activities (intensification of land use) be addressed through the Development Plan?
- Is diversification of primary production activities on a single site supported? In addition:
 - a. Does the scale of operations matter?
 - b. Are there exceptions to the above?
 - c. How should flexibility of primary production activities be addressed through the planning system?
 - d. Should development approval be required to change between grazing, horticulture and viticulture?
- Is there a basis for listing certain areas as unsuitable for horticultural or intensive animal keeping development and if so, why?
- If there is no basis for listing certain areas as unsuitable for horticultural or intensive animal keeping, what should be the criteria for permitting a horticultural or intensive animal keeping development?
- Is it appropriate to allow landowners to keep a horse in the Rural Living Zone? If so, what criteria, such as stock rates, need to be incorporated into the Development Plan?

Building siting and design

Current situation:

The Barossa Valley is highly valued for its aesthetic qualities and the design and appearance of its buildings forms a key element of this character. The Development Plan is the primary assessment tool for dwellings, extensions, sheds and other structures.

Issue:

The Development Plan policies are subject to interpretation and may appear inconsistent or provide insufficient guidance to properly manage the siting and design of dwellings, outbuildings, and farm buildings within a rural or 'character' setting. Inconsistent policies have the potential to lead to poor visual outcomes and insufficient policies may lead to limited design controls.

Questions that have been asked:

- How can the Development Plan assist in guiding scale, bulk, setback and screening of new development in prominent locations and better address issues such as 'sky-lining' and poor visual impact on surrounding environments?
- Are additional controls required for development on sloping land such as finished floor levels, extent of land cut and fill, depth of excavation and height of retaining walls?
- Does the Development Plan achieve quality farm buildings across the rural parts of the Council? Should the same design standards for dwellings apply to farm buildings?
- How can Development Plan policy be more consistently interpreted, given the subjective nature of design and appearance?

Landscape Character

Current situation:

Landscape character varies across the Council. A 2005 review identified differences in landscape quality across parts of the Council. The recent amendment to the *30 Year Plan for Greater Adelaide* divides the Council into separately identifiable character areas.

Issue:

The Council must respond to the State Government's recent amendment to the Planning Strategy to protect the character of the Barossa Valley. The Development Plan contains policies to control scenic qualities however these may not be sufficient to protect or enhance valued areas of the landscape.

Questions that have been asked:

- How/to what extent should council protect areas of high scenic value in the Development Plan?
- Should these areas be mapped and integrated into the Development Plan along with criteria to enhance or protect them?
- How can policies encourage more indigenous or native landscaping within new development to complement landscape quality?

The Barossa Council
Rural Areas and Character Review
Notes of Working Group Session 1

5 June 2014 12.30pm – 3.30pm The Barossa Council Chambers

Attendance

The session was attended by the following Working Group Members:

- Fiona Koch
- Margaret Lehmann
- Jan Angas
- Tony Walker
- Jim Mitchell
- Peter Grocke
- Peter Conrick
- Charles Teusner
- Kirstin Teusner
- Matthew Schiller
- Trevor Anderson
- Michael (Bim) Lange
- Craig Grocke
- James March
- Michael Wohlstadt

General comments on the Review

- What is the purpose of planning in rural areas? What are we trying to achieve? This sets the scene for detailed issues
 - Historically planning has dealt with a range of natural resources management issues. Should the Development Plan be dealing with all of these if dealt with elsewhere?
 - Development Plan should be enabling, spatial, ask the important questions, including of design. Good design starts with detailed analysis, realised through very specific guidelines planners can use. A lot of “technical junk” can be removed from the Plan.
 - The role of the character preservation legislation is to protect landscape and agricultural productivity. Planning should enable agricultural activities and the right to farm through flexibility in the Development Plan.
- Does the timeframe allow for sufficient research and analysis? Research informs the scale of the issues (e.g. number and distribution of allotments).
- Possible role for a design advisory committee in dealing with these issues.
- About how you make good neighbour policies work. Though urban values should not apply in a rural environment.
- Changes should plan for now - current survival - as well as for the future.
- Learn from 50 years ago - policies in place then gave us what we have today.
- Answers to key questions are different in different locations.

New Dwellings in Rural Areas/Land Division

- In Moculta farmers are happy with the minimum lot size, farmers leaving the land can lease their properties and it's viable.
- What is the problem with dwellings? They can be well sited to avoid impacts, can facilitate families staying together in the area and enable employees to live on site and support production.
 - Issue of encroachment on rural land is a titling issue, not a problem with dwellings per se.
 - Risk of market forces - increased demand for residential use.
 - The Development Plan is a "blunt tool", and doesn't address issues with community understanding/expectations of the rural lifestyle.
 - Big issue is houses vs. separate title that can be split off.
- Policies in the Barroosa Valley Review area were based on viability. Restricting minimum lots here has worked on the valley floor - there is no "spine" of housing.
- Land division is not necessary to enable mixed farming. Keep land sizes larger for future viability.
- Most farm businesses within 2 hours of the CBD make money from capital growth, not profit and loss
 - Restrictions have taken away the last 10 years of work (land value) rather than the intended purpose to protect farmers.
 - "1990" provisions in the current Development Plan penalise those who have done the right thing.
- Global markets and climate change also impact on farm viability (but this is not a reason to allow "cashing in").
- Farming now is in peri-urban context, there are restricted choices to value add under current planning policy
- GMO may be an alternative for viability.
- Is there any hope for the policies under discussion if the Planning Strategy says no more dwellings or land division [the Strategy contemplates if related to primary production].
- Workers' accommodation is a valid part of primary production.
- Support second dwelling to support enterprise and if contiguous with existing built form (clustering, reuse), but no new titles.
- A dwelling is a small proportion of a 32ha lot. Agricultural production can be viable on this size allotment - greater numbers of smaller farms are seeing more units through the saleyard, technology and productivity improvements play a role.
- There will be different solutions for different areas
- Succession planning, generational farming - superannuation is tied up in land, need scope to bring the new generation in.

- Want future flexibility to put a dwelling on small vineyard lot adjacent a township in the future.

Buffers

- Need provision for planners to seek advice on appropriate buffers for the interface between agricultural uses.
- Impacts are different - noise vs. spray
- Neighbours on both sides have responsibilities.
- For some sprays 150-250 meter buffer is not enough.
- Also depends what's in the buffer zone e.g. landscaping.
- The interface between agricultural uses is a different issue - drift can be kilometres.
- Urban/rural interface - consider land use, whether it is interim, it will probably move/change.
- Sheep farming requires pasture management with chemicals.
 - Currently restricted by adjacent vineyard as to what spray can be used, this impacts on the period for which pasture can't be used, and the period of effectiveness of spray.
- Seek for new uses to have responsibility for buffers, and for buffers to be fully established prior to land use commencing.
 - Implementing this would require change of use application from broad acre farming to vines or horticulture.
- How do you allow for the fact that buffer distances will differ between locations (geography, topography).
- Buffer width required depends on chemicals used, attitude of the person farming land.
- In most cases organic and non-organic neighbours can negotiate - e.g. larger droplets, pumps, windsock.
- Right to farm applies to organic and non-organic farmers.
- There is a responsibility for everyone to contain impacts to their property boundaries.
- Noise and light are different issues to chemicals and comparatively minor.
- Environment Protection Act requires a duty of care to not pollute. Spatial buffers have problems:
 - Loss of productive land (i.e. 40 metre buffers on 30ha site).
 - Can only be implemented at development application stage.
 - Does not accommodate the fact that "cropping" can incorporate many uses with different impacts.
- "Edge treatment" between urban and agricultural uses is ok.
- Small vineyard holdings (10 acres) adjacent township of Light Pass - 40m buffer means there's nothing left.

- Should a new house have a 40m buffer? Yes if owners are concerned.
- A solid fence will often solve the problem, also consider temporary fences, shadecloth.
- Spray smell a separate issue - 100m is an appropriate buffer.
- Need to spray in accordance with the label under Commonwealth legislation - in some locations can't spray if there are sensitive uses on all sides.
- Have large blocks (rural living) on urban/rural fringe to assist with buffering.

Wineries and Ancillary Development, Primary Production and Value Adding

- Example of a large greenhouse for horticulture - refused in the Barossa.
 - Visual impact - design criteria needs to be met.
 - Industry (not primary production)?
 - Does not need good soil.
 - Considered by some a loss to the Barossa.
- Value adding - how to encourage growth but address impact - "tucked away".
- Proactive design assistance vital.
- Principles for value adding
 - Scale and volume need to be considered.
 - If moving beyond produce on site then effectively moving to an "industrial process".
 - Design and land use needs to be considered.
 - Where is the line - buying in produce for processing? How much? Are you still a primary producer?
 - Distance to neighbours needs to be considered.
- Siting and visual impact is important.
- Current cellar door restrictions are a barrier to market access for small winemakers who may source from multiple vineyards.
- In Concordia no value adding has been allowed for 30 years, it's too late now.
- Barossa has created its own definitions in the Development Plan, i.e. for cellar door.

Building Siting and Design, Landscape and Character

- Not all farm land is good quality (rock, sand) - best place for sheds is generally on ridges, valleys are poor locations for sheds, access to infrastructure is an issue.

- “Design” has a broader meaning than often used in planning.
- Three houses were recently built on hills, reflective - code not working.
- Need to break “design” down into different layers, elements:
 - Consideration of landscape should be part of the design process in key locations.
 - Not every shed needs design treatment, but sheds can have significant visual impact - often it’s a matter of knowledge.
- Relocation of titles impacts on landscape.
- Sheds are often close to the road, colour choice is poor - consider support for proponents at application stage in considering visual impact.
- Sheds need a minimum level of design, especially when visible from public road.
- Who are we catering for in these provisions? Increased costs in site preparation, design options. Farmers are competing with others in other locations without these restrictions.
- Consider a shed design (standard) tailored to the Barossa - affordable and quality options.
- Might not need “design’ of sheds, but need best option for character and farmer.
- Sub-regional characteristics are different and important in applying different requirements in different locations.
- Remove design policies in the current Development Plan - too generic and not applied appropriately.
- Create a Design Review Panel and give it space and time to create a design guide/manual.
- Contrast financial impact on farmers of complying with design standards with the financial benefit of the landscape.
- Council needs control to look at the region and its different characters.
- More on merit, less non-complying - could use a merit points system and applicant self assessment (limit assessment timeframes).
- Have planners refer to a design manual and have delegated authority for decisions.
- Opportunities to reuse heritage buildings (cost perhaps more prohibitive than planning).

The Barossa Council

Barossa Rural Areas and Character Review

Working Group Session 2

Wednesday 11 June 2014
The Barossa Council Chambers
12:30pm – 3:30pm

Agenda

Timing	Item	Presenter
12:30pm	Arrival and lunch	
12:40pm	Welcome	Louis Monteduro
12:45pm	Recap and feedback from last week	Louis Monteduro/ Melissa Bailey (URS)
1:00pm	Discussion of Options <ul style="list-style-type: none">• Landscape• Design of new dwellings and farm buildings• Primary production and value adding activities• Wineries and ancillary development• Interface and buffer management in rural areas• Dwellings in rural areas• Land division (boundary realignment, additional lots)	Grazio Maiorano(URPS) Paul Mickan (TBC) Victoria Haupt (URPS) Paul Vivian (URS)

For each option:

- What are the pros and cons?
- Should this apply in some geographic areas but not others?
- Are there other options we should consider?

3:20pm Next steps Melissa Bailey

The Barossa Council

Rural Areas and Character Review

Summary of Issues, Questions and Initial Policy Options

New dwellings in rural areas

Current situation:

The Development Plan currently seeks to preserve the viability of primary production land and the rural qualities of the landscape by restricting the construction of new dwellings in rural areas. Council policies relating to construction of new dwellings and replacement of existing dwellings vary across the four rural zones, for example new dwellings can be constructed in some areas, so long as they are on an allotment that is greater than a certain size (which varies across the council area) and providing that there are no other existing habitable dwellings on the site, whereas in other zones no minimum lot size applies.

Issue:

Some land owners seek an opportunity to be able to build new dwellings on their sites which, at present, may be restricted by planning controls which do not currently appear to be consistent.

Questions that have been asked:

- Should there be a minimum allotment size required to construct a new dwelling in rural areas?
- What should a minimum allotment size be how should it be determined?
- Should a second dwelling be allowed on an allotment to accommodate family members or workers to that site?
- Should there be a consistent approach to replacement dwellings?
- If minimum allotment sizes apply could allotments be amalgamated based on area rather than number of allotments as at present?
- Should landowners be able to transfer their right to develop a dwelling on one allotment to another allotment in a different area?
- Should the infill dwelling list remain in the Development Plan?

Possible policy options

- 1 Removal of minimum allotment criteria across all four rural zones
2. Retention of minimum allotment criteria with following sub options:
 - 1.1 Primary Production Zone
 - a. Reduction in minimum allotment areas for Precinct 4 Barossa Range; Precinct 5 Concordia; Precinct 6 Moculta; Precinct 7 Paper Town
 - b. Composite of retained existing allotment criteria and reduced areas within the four precincts
 - c. Retention of 'no minimum' allotment areas in balance of Primary Production Zone
 - 1.2 Primary Production Zone (Barossa Valley Floor)
 - a. Retention of minimum allotment area
 - b. Reduction of minimum allotment area
 - c. Introduction of precincts within the Zone/Area with different minimum areas
 - 1.3 Rural Landscape Protection Zone
 - a. Retention of minimum allotment area
 - b. Reduction of minimum allotment area
 - c. Introduction of precincts within the Zone/Area with different minimum areas

Any changes to minimum areas would be reflected in the non-complying list for each zone

- 2 Retain and expand the Infill Dwelling Sites list in the Development Plan to include additional selected small lots across all four rural zones - this would allow identified smaller existing lots to contain a dwelling, if proposed
4. Agree in principle to review the current Development Plan policy provision that allows amalgamation of three lots or more (subject to size criteria) for a future dwelling. Options include:
 - a. Reduce 3 to 2 - Amalgamation of two lots for a dwelling, where the combined total equals half the minimum allotment area requirements (for example; 30ha in Moculta where current minimum is 60ha)
 - b. Reduce 3 to 2 - Amalgamation of two lots for a dwelling, where the combined total equals two thirds the minimum allotment area requirements (for example; 45ha in Moculta where current minimum is 60ha)
5. Allow for more than one dwelling (e.g. workers residence, ageing-in-place dwelling, extended family accommodation) on an existing allotment within the rural zones. Thoughts to consider:
 - Should there be a house size limitation
 - Should they be close together
 - An additional dwelling should be non-complying
 - Areas where this may be limited

Land division, creation of new allotments and boundary alignment

Current Situation:

The Development Plan currently aims to preserve the viability of primary production land by restricting the division of land and fragmentation of current land holdings. Land division which creates an additional allotment is restricted across all zones with the exception of the Concordia precinct where additional allotments are possible provided they are at least 40 hectares in area.

Issue:

Minor boundary realignment to address anomalies and to improve primary production is possible, but this discourages major reshaping to create smaller rural living scale lots with larger balance primary production allotments. Existing policies also discourage creation of new allotments for smaller scale primary production (including mixed use farming), tourism activities and dividing off existing dwellings.

Questions that have been asked:

- Should current restrictions on the division or realignment of land be changed?
- Could areas of lower primary production significance be sub-divided to allow for more intensive uses, such as intensive animal keeping or hydroponic enterprises, in order to enhance the viability for primary production use?
- Could the creation of smaller allotments for primary production support the development of the food industry in the region through accompanying policy that would allow farmers flexibility to produce a range of food products?
- Could additional allotments containing existing or former dwellings which contribute to local character be permitted in order to encourage their retention?

Possible policy option

1. Retain current restrictions on creation of new allotments within the rural zones. This includes retention of non-complying listings for land division
 - 1a As a sub option, remove the policy provision that allows additional allotments of 40ha or greater in the Concordia precinct
2. Identify any areas within the rural zones where additional allotments could be supported to encourage non-residential activity
3. Allow major boundary realignments (not creating additional allotments) for a greater diversity of allotments to be created. For example, this may allow a 4 ha allotment and a 62ha allotment to be formed from two existing allotments of 33 ha. Issues to be considered include
 - Can these be viable for primary production or allied uses (or tourism)

- Preference for clustering
- Interface with rural land

3a A sub option may include an allowance to move or transfer allotments to another locality (i.e to the edge of a township)

4 Allow for an existing or heritage or former dwelling to be excised from a larger allotment

4a As a sub option, adopt this policy approach for heritage or former dwellings only

Interface and buffer management

Current Situation:

The Development Plan refers to the use of buffers and separation distances along property boundaries. These are used to manage the interface between sensitive adjoining land uses between primary production activities and non-primary production uses such as residential areas.

The State Government recommends a 40 metre buffer area should be the default position, but consideration could be given to allowing lesser buffer distances if a reduction can be justified.

Issue:

Buffer requirements only currently exist in the form of guidelines and there are competing demands between activities in the rural area. Ambitious targets are in place in the *South Australian Strategic Plan* and supported by the *South Australian Food Strategy* to grow food, wine and fibre production and export. There is also an increasing desire to balance the traditional primary production priorities that have historically defined rural areas with the needs and aspirations of businesses, residents, and tourists.

Council is being asked to consider the right balance between the activities of primary producers and other interests including buffers and management techniques.

Questions that have been asked:

Buffer Distances:

- Should the Government's 40 metre separation buffer policy be adopted?
- If the 40 metre buffer is to be applied, what form should it take (e.g. vegetated buffer or non-vegetated buffer)?
- What are the criteria for applicants to adopt a lesser separation distance if required? Should a greater buffer apply in specific situations?
- Should other approaches be considered which would apply to new development applications or in situations where no development approval is required?
- Is the existing 200 metre open space or rural buffer area required at the interface of the Barossa and Gawler Council boundary still relevant?

How can competing land uses be prioritised?

- Within primary production areas, where should the emphasis be placed when considering new developments, for example, should Development Plan policy:
 - Be weighted to promote productive commercial agricultural land uses over existing residential and other sensitive land uses; or
 - Should a proposed new land use (that requires a development application) have to show that it will minimise impacts? If the impact cannot be minimised, should the development application be refused?

- How should the interface between towns and rural areas be managed to limit potential conflicts between these two areas?

Possible Policy options

RURAL / RURAL ISSUES

1: Agree in principle that rural / rural buffer areas are not a Development Plan Issue and thereby rely on external regulations, codes of practice etc to govern spray drift, odour and noise (ie no planning intervention)

2: Agree in principle that rural / rural buffer areas are a Development Plan Issue

2a: If rural / rural buffer areas are a Development Plan Issue, what is the buffer distance required and what form should the buffer take (eg landscaped mound)

RURAL / RESIDENTIAL - RURAL LIVING ZONE

3: Agree in principle that rural / residential – rural living zone buffer areas are a Development Plan Issue

3a: If rural /residential – rural living zone buffer areas are a Development Plan Issue, what is the buffer distance required and what form should the buffer take (eg landscaped mound)

RURAL / RESIDENTIAL – RURAL LIVING DWELLING IN RURAL ZONE

4: Agree in principle that rural / residential - rural living dwelling buffer area is not a Development Plan issue and thereby rely on external regulations, codes of practice etc to govern spray drift, odour and noise (ie no planning intervention)

5: Agree in principle that rural / residential – rural living dwelling buffer areas is a Development Plan Issue

5a: If rural / residential – rural living dwelling buffer areas are a Development Plan issue, what is the buffer distance required and what form should the buffer take (eg landscaped mound)

Wineries and ancillary development

Current Situation:

The Development Plan does not have a consistent approach to assessing activities associated with wineries such as restaurants, function centres and tourist accommodation. Limited policies exist to guide assessment of these types of development and wine production in terms of scale, form or impact.

Issue:

There is demand from wineries to expand the range of activities associated with cellar doors. Such development could have a visual impact, has the potential to displace primary production land, and create a disturbance to neighbours.

Questions that have been asked:

- Should Council relax policies on wineries and ancillary development such as cellar doors for example by removing the requirement for a cellar door on the valley floor to be associated with a winery?
- Are restaurants, function centres and tourist accommodation ancillary to wineries acceptable forms of development in rural areas?
- What limitations might be required in terms of their location, scale and impact (visual, traffic, noise, loss and impact on productive land etc.)?
- What is an appropriate scale for wineries and ancillary developments within the rural zones? Should there be limits to the extent of expansion of commercial and industrial components versus the requirement for viticulture production?

Possible policy options

1. In all rural zones, enable cellar doors not in association with a winery up to a maximum size (this would bring other zones in line with current policy in the Watershed Protection (Mount Lofty Ranges) Zone)
2. As per option 1, but require the cellar door to be on a vineyard lot
3. Amend policies to support cellar doors serving meals
4. Amend policies to support for function centres (subject to scale siting and design)

Primary production - diversity and value adding

Current Situation:

The primary production zones currently restrict the development of buildings that are not associated with farming and primary production to preserve the rural landscape character of the area. This means that value-adding and diversification of primary activities are restricted.

Issue:

There is demand from primary producers to diversify and add value to their products. Examples of mixed land use practices including animal keeping and greenhouses. Other examples include the development of managers' residences or staff quarters, packing sheds, processing facilities, and sales outlets.

Intensified development in primary production areas can impact upon character, landscape, and amenity that is valued by residents and visitors. It can also impact on other primary production operations – while displacing valuable agricultural land.

Development Plan policies have a role in supporting a balance of protecting the productive value of arable land, while not unduly limiting opportunities for development in primary production areas that supports diversification, value adding, and increased efficiency.

Questions that have been asked:

- Should the types of development that constitute acceptable 'rural activities' be broadened? For example:

As family farms move into corporate ownership, should use of an existing farm complex as an office require a separate planning approval?

- To what extent should rural zones accommodate a farm manager's residences and short term accommodation for seasonal viticulture and horticulture workers?
- What scale of processing, packaging, or other value adding activities is appropriate in rural zones? What belongs in an industry zone?
- How might the potential impacts of processing, packaging, or other value adding activities (intensification of land use) be addressed through the Development Plan?
- Is diversification of primary production activities on a single site supported? In addition:
 - a. Does the scale of operations matter?
 - b. Are there exceptions to the above?
 - c. How should flexibility of primary production activities be addressed through the planning system?

- d. Should development approval be required to change between grazing, horticulture and viticulture?
- Is there a basis for listing certain areas as unsuitable for horticultural or intensive animal keeping development and if so, why?
 - If there is no basis for listing certain areas as unsuitable for horticultural or intensive animal keeping, what should be the criteria for permitting a horticultural or intensive animal keeping development?
 - Is it appropriate to allow landowners to keep a horse in the Rural Living Zone? If so, what criteria, such as stock rates, need to be incorporated into the Development Plan?

Possible policy options

1. Across rural zones provide for small scale processing, packing, storage and sales of primary produce sourced from the same site (assess on merit, include as an envisaged land use)
2. As per option 1 but enable produce to be sourced from beyond the site
3. Enable new small scale tourism facilities to be established within new buildings in rural zones – exclude from non-complying lists
4. Remove restrictions on intensive animal keeping and horticulture in the Concordia precinct
5. Enable small or medium scale short term workers accommodation in the Primary Production Zone and Primary Production (Barossa Valley Region) Zones – exclude from non-complying lists and include in envisaged uses
6. Restrict undercover or enclosed primary production in the Primary Production (Barossa Valley Region) Zone and Rural Landscape Protection Zone

Building siting and design

Current Situation:

The Barossa Valley is highly valued for its aesthetic qualities and the design and appearance of its buildings forms a key element of this character. The Development Plan is the primary assessment tool for dwellings, extensions, sheds and other structures.

Issue:

The Development Plan policies are subject to interpretation and may appear inconsistent or provide insufficient guidance to properly manage the siting and design of dwellings, outbuildings, and farm buildings within a rural or 'character' setting. Inconsistent policies have the potential to lead to poor visual outcomes and insufficient policies may lead to limited design controls.

Questions that have been asked:

- How can the Development Plan assist in guiding scale, bulk, setback and screening of new development in prominent locations and better address issues such as 'sky-lining' and poor visual impact on surrounding environments?
- Are additional controls required for development on sloping land such as finished floor levels, extent of land cut and fill, depth of excavation and height of retaining walls?
- Does the Development Plan achieve quality farm buildings across the rural parts of the Council? Should the same design standards for dwellings apply to farm buildings?
- How can Development Plan policy be more consistently interpreted, given the subjective nature of design and appearance?

Possible policy options

1. Agree in principle that the current policy provisions are not consistent for dwellings, farm and outbuildings across the rural zones and should be amended
2. Review the suitability of existing dwelling siting and design criteria and ensure that consistent policies are applied across all rural zones
3. Are policies too mechanistic? Should the non-complying criteria in the Primary Production Zone be removed and replaced with a more qualitative approach (.i.e. design outcome driven)
4. Introduce new siting and design criteria for farm and horticultural buildings across all four zones.
- 4a. As a sub option, apply different policies within each zone or area, for different land uses or within a prescribed distance of a public road
5. Prepare a set of external design guidelines to guide the assessment of applications for new dwellings or farm buildings. Can this work in current planning system
6. Adopt a local vernacular of design and incorporate in the Development Plan. If achieved, enable greater flexibility in siting of a building
7. Introduce new siting and design criteria such as more prescriptive controls for building siting. For example, requiring new dwellings to be located within a building envelope that is positioned a corner of a property, a minimum buffer distance away from site boundaries and close to road / front of property

Landscape Character

Current Situation:

Landscape character varies across the Council. A 2005 review identified differences in landscape quality across parts of the Council. The recent amendment to the *30 Year Plan for Greater Adelaide* divides the Council into separately identifiable character areas.

Issue:

The Council must respond to the State Government's recent amendment to the Planning Strategy to protect the character of the Barossa Valley. The Development Plan contains policies to control scenic qualities however these may not be sufficient to protect or enhance valued areas of the landscape.

Questions that have been asked:

- Should council protect areas of high scenic value in the Development Plan?
- Should these areas be mapped and integrated into the Development Plan along with criteria to enhance or protect them?
- How can policies encourage more indigenous or native landscaping within new development to complement landscape quality?

Possible policy options

- 1 Agree in principle that areas of differing scenic value are evident within the rural zones
- 2 Incorporate these mapped areas into the Development Plan. Update character statements and planning policy to ensure strong and clear direction to protect and enhance these scenic areas. Issues to consider:
 - Visual impact of buildings and structures (including industrial like structures such as tank farms)
 - Landscaping
 - Protection of views and vistas
 - Design based vs prohibitive policies
3. Add new policies to encourage greater planting of indigenous species
4. Re-introduce policies contained in former drafts of the Character Preservation District planning policy modules prepared by the State Government

The Barossa Council
Rural Areas and Character Review
Notes of Working Group Session 2

11 June 2014 12.30pm – 3.30pm The Barossa Council Chambers

Attendance

The session was attended by the following Working Group Members:

- Fiona Koch
- Margaret Lehmann
- Jan Angas
- Tony Walker
- Jim Mitchell
- Peter Grocke
- Charles Teusner
- Kirstin Teusner
- Matthew Schiller
- Trevor Anderson
- Michael (Bim) Lange
- Craig Grocke
- Michael Wohlstadt
- Sam Holmes

Apologies were received from Peter Conrick and James March.

Landscape

- “Remoteness”, small back roads no tourists will ever go - why restrict landowners?
 - But character may be more important to residents of the back roads than to tourists.
- Trees can be used to screen sheds - but potential fire risk.
- Lothian landscape assessment based on natural form - but character can include built form. Doesn't mean you can't have sheds. Need to consider economic value as part of landscape character.
- Barossa Valley way - can see the 'spine', buildings in winter (set back) - about sight lines, structures not “in your face”. Siting is very important.
- Hills Face - can see a whole block from valley floor, landowners trying to run a viable business.
- Landscape is subjective, changes with seasons.
- Need to be strategic and high level in considering landscape - effects on individual interests should be assessed against a broader vision.
- Different areas have unique characters - too hard to put on a map?

Building Siting and Design

- Farms require buildings. Additional costs for design and siting should be borne by community not business owner.
- Need a consistent approach, but not “cookie cutter” all the same. Council shouldn’t need to look at every application in detail.
- Corrugated iron is part of Australian farming character (is zincalume different? Yes/No).
- Footprint and scale - under a certain size ok.
- About triggers in policy for an additional level of assessment - scale, bulk, setback, visibility.
- A 9 acre tomato shed is different to family farm shed - doesn’t need to be non-complying, but should jump through more hoops.
- Sheds should be able to be built on non-economic farm land.
- Who would assess design? Specialists? (Planners can if policy is there. Possible optional design review process).
- Recognise areas’ character - take design hints from existing buildings.
- Triggers are to be determined. Maybe a combination of triggers.
- How to use landscape character units?
 - Precincts that indicate landscape sensitivity.
 - E.g. Barossa Winemakers Design Charter of 2000.
- The South Australian Planning Policy Library is a problem - too clunky, no finesse.

Diversity and Value Adding

- Would depend on what producer is currently growing
 - Example of apricot grower processing and selling on site.
 - Wheat producer - grinding and milling - ok at small scale.
- More flexibility would increase viability
 - 20/30 years ago on site value adding was very common when fruit growing was more common - does it matter if the product is packed in cellophane or a timber box?
 - Requirement to source from the same site could be limiting for farmers who work together
- Should it include slaughter yards?
 - Only one abattoir in the Barossa.
 - EPA issues to address - not an easy start-up.
 - The restriction should be an environmental question not a planning question.

- Option 1 (small scale processing on production site) is too cautious
 - Should consider more options e.g. value adding in an existing building should be complying, a new building for value adding in an existing cluster should be complying.
- Hay processing
 - Schuster's - is it industry?
 - Trigger option - if not growing then a purely a processor not primary producer.
- What is small scale? Range of options to be investigated - output, footprint.
- Would Council want a Business Plan?
- Do we hold back small scale activity due to fear they could grow -no. But would need to address impacts.
- Tourism
 - Skirmish activity - is it value adding?
 - For broad acre farmers - need buffers and off street parking (no road blocks).
- B&B
 - Need to be careful about turning into dwellings by stealth.
 - Does it matter? Yes makes a mockery of the rules.
- 30 year plan and changes since 1985 make it difficult for Concordia, should restrictions be removed? Concordia restricted to keep residential viable for residential in the future.
 - Separation restrictions, lack of flat areas make it difficult.
- Some areas where horticulture was undertaken - now non-complying e.g. Krondorf.
- As raised previously 50% of land uses are non-complying in rural zones - should all be reviewed.
- Should 'free up' the Development Plan to not address matters now covered in other legislation.
- Worker's accommodation - consider assessing on merit, should not be complying.
- Not opposed to more flexibility but scale and design still an issue.
- If can't subdivide then ok.

Wineries and Ancillary Development

- Cellar door should be connected to a vineyard or winery- what happens if it goes broke? Becomes a vacant shop.
- There is maintenance involved in a vineyard established just to enable a cellar door.
- Issues created when it starts to impact on character, locality - variety of impacts to be assessed.
- Should be merit as a minimum.

- What is difference between cellar door and value adding (e.g. apricots)?
- Big difference between function centres and cellar doors:
 - In favour of separation of vineyards and cellar door.
 - Should consolidate processing in industry areas where vehicle routes are good.
 - Centralised cellar door opportunities along key routes rather than spreading throughout rural areas.
- Should consider options that may centralise processing, and keep tank farms out of rural areas.

Buffers

- Farmers wanted minimum 100m buffer and vegetation to lessen impact of urban/rural interface (odour issues).
- In some instances 40m will be ok, in others there will be conflict.
- Applicant demonstrated buffers - when properties change hands the community information/education gets lost.
- 40m vegetated buffer should be adequate for most uses. Trees with needles rather than leaves are most effective. Who manages the buffer?
- Buffers should be required to new dwellings in rural areas.
- Best farm management practices should be allowed unconstrained.
- Planning has role in rural/rural buffers. Need to understand different requirements of agriculture/bio-security issue.
- Planning should decide buffer, not developer.
- Need better weather information.
- Why can't you contain spray to your farm? Right to farm is not right to spray.

New Dwellings

- Minimum areas for dwellings in rural areas are unfair to farmers.
- There is no implied right to build on an allotment - planning system took this 50 years ago.
- Eden Valley transformation from agricultural to residential - why is this not being considered - need restriction.
- There are economic consequences for the community of extensive residential development.
- Potential efficiencies of residential development? E.g. rubbish collection.
- Don't want to open floodgates, but there could be more even distribution of new dwellings across the Council area.

- Moculta power supply won't accommodate residential development - would drive farmers out, don't want to lose land.
- 100ha minimum applies for most sensitive areas - landscape value, difficulties with servicing.
- The currently unrestricted section is a hangover from Council amalgamations.
- There are significant implications for realising current dwelling potential in Eden Valley - threatens farmers' livelihood.
- Question of character - what are we trying to preserve? At Bethany the allotment pattern is the character.
- Unrestricted dwellings would make the Barossa a rural living area.
- Closeness to primary production of dwelling creates conflicts, restricts primary production.
- Allotments need to be viable - more housing erodes viability.
- Primary consideration is making farming workable.
- Option 4 - supported.
- Landowners shouldn't be 'rewarded' with dwelling for amalgamating lots.
- "Fiddling around" with restrictions changes the platform of a regional approach - arbitrary changes undermine a regional approach.

Land Division

- Land division may recoup farmers' financial loss.
- There are other options for superannuation for farmers than land value.
- Sometimes titles are used as "financial leverage" in other ways.
- Road test new rules - free up for farmers and test if "fears" are realised.
- Look at current farm management practices - do current rules accommodate these?
- Option 4 - same problems - who buys it?
- Barossa's "premium" value is a combined effort. What about the next generation? Long term impacts of some decisions.
- Previous restrictions have worked, but there's more to it than restricting dwellings.
- Dwelling restrictions have worked in Moculta.

The Barossa Council - Rural Areas & Character Review

Informal Consultation & Decision Making Process

11 July – 1 August Community-wide engagement - 21 days

- Informal consultation period including drop-in session. Collate submissions and summarise prior to preparing council report

