

BAROSSA ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA ASSESSMENT PANEL
held on

Tuesday, 4 July 2023, commencing at 5.00 pm

in the Council Offices, 43-51 Tanunda Road, Nuriootpa



The Barossa Council

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1. WELCOME

The Presiding Member welcomed everyone, and opened the meeting at 5:02pm.

2. ATTENDANCE

2.1 Present

Panel Members

Michael Wohlstadt	Presiding Member
Grant Hewitt	Independent Member
Jane Evans	Council Member
Graham Burns	Independent Member

Aaron Curtis	Assessment Manager
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Council Staff

Janine Lennon	Senior Assessment Officer, Planning
Chris Kruger	Minute Secretary

2.2 Apologies

Jake McVicar
Susan Giles

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

PANEL DECISION

Moved: G Hewitt

Seconded: J Evans

That the minutes of the Barossa Assessment Panel meeting held on Tuesday 6 June 2023 be received and confirmed.

CARRIED

4. BUSINESS ARISING

Nil.

5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

Nil.

6. REPORTS – APPLICATION FOR DECISION (PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016)

6.1 22034751 - 261 Rifle Range Road Bethany

Additional information provided by Urban Living Consultants was tabled at the meeting, following acceptance of the information by the Presiding Member prior to the meeting, pursuant to Clause 13.1 of the Barossa Assessment Panel Operating and Meeting Procedures.

Representors

Danette Mifflin provided a submission but did not attend to address the Panel.

Applicant

Nicholas Timotheau of Urban Living Consultants on behalf of the applicant
Xun Li answered questions from the Panel at 5:05pm

PANEL DECISION

Moved: G Hewitt

Seconded: G Burns

Not Seriously at Variance

The Barossa Assessment Panel, having considered the application, resolves that the development proposal has sufficient merit, and is not Seriously at Variance with the Planning and Design Code.

CARRIED

PANEL DECISION

Moved: J Evans

Seconded: M Wohlstadt

Character Preservation

Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, the Barossa Assessment Panel has had regard to the objects of that Act and, in

determining this application, has resolved that the development proposal does not recognise, protect and enhance (and detracts) from the special character of the district, in particular

- The rural landscape values of the district (a)
- The scenic and tourism attributes of the district (e).

Therefore the application does not further the objects of the Character Preservation Act (Section 6 (2)) in that it will entrench a tourist facility in a rural area and of a design which will adversely impact on the special character and character values of the district.

The Presiding Member called for a vote and the vote was tied 2 for and 2 against. The Presiding Member cast a second vote and the motion was carried.

CARRIED

PANEL DECISION

Moved: J Evans

Seconded: M Wohlstadt

Refuse Planning Consent

The Barossa Assessment Panel, having considered the application for consent to carry out development of land and pursuant to the provisions of the *Planning, Development and Infrastructure Act 2016* resolves to REFUSE Planning Consent for Application No. 22034751 by Urban Living Consultants on behalf of Xun Li to undertake the construction of eight buildings for the purposes of short-term tourist accommodation at 261 Rifle Range Road (CT 6117/263) for the following reasons:

The proposed development is contrary to:

- *Desired Outcomes 1 and 2 and Performance Outcomes 3.1 and 3.3 of the Character Preservation District Overlay;*
- *Performance Outcome 6.3 and 6.4 of the Rural Zone;*
- *Desired Outcome 1 of the Design Module, General Section;*
- *Performance Outcome 1.1 of the Tourism Development Module, General Section.*

In that:

- *The development does not recognise, protect and enhance the special character of the Preservation District, in particular,*
 - *The rural landscape values of the district;*
 - *The scenic and tourism attributes of the district;*
- *The development is not associated with the primary use of the land for primary production.*
- *The development is not contextual and does not consider, recognise and carefully respond to its natural surroundings and does not positively contribute to the character of the immediate area;*

- The development does not complement and contribute to local, natural, cultural or historical context in that it does not showcase South Australia's landscapes or produce.

The Presiding Member called for a vote and the vote was tied 2 for and 2 against. The Presiding Member cast a second vote and the motion was carried.

CARRIED

7. REPORTS – REVIEW OF ASSESSMENT MANAGER DECISIONS (PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016)

Nil.

8. REPORTS – PANEL UPDATES

Nil.

9. REPORTS – OTHER BUSINESS

Meeting apologies

The following meeting apologies have been tabled:

Michael Wohlstadt – 5 September 2023

Graham Burns – 5 September 2023

10. REPORTS – CONFIDENTIAL

Nil.

11. NEXT MEETING

Tuesday 1 August 2023 commencing at 5.00pm

12. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:10pm.

Confirmed

Date:..... Chairman: