

BAROSSA ASSESSMENT PANEL

MINUTES OF THE THIRTY SECOND MEETING OF THE BAROSSA ASSESSMENT PANEL held
on

Tuesday, 2 February commencing at 5:00pm

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



The Barossa Council

MINUTES

Index

1.	Welcome	Page 4
2.	Attendance	Page 4
3.	Confirmation of Minutes	Page 4
4.	Business Arising	Page 5
5.	Declaration of Interest by Members of the Panel	Page 5
6.	Reports – Applications for Decision	
	6.1 960/704/2020 (30 Tanunda Road Nuriootpa)	Page 5
7.	Reports – Applications to Proceed/Not to Proceed to Assessment	Page 6
8.	Reports – Deferred Applications for Decision	
	8.1 Updates on Deferred Applications for Decision	Page 6
9.	Reports – Panel Updates	
	9.1 SCAP Concurrence Matters	Page 6
	9.2 ERD Court Appeal Updates	Page 6
10.	Reports – Other Business	
	10.1 Planning Reform Updates	Page 7
	10.2 Accredited Professionals Notification Policy and Accredited Professionals Notification Process	Page 7
	10.3 Planning Development and Infrastructure Act delegations by the Barossa Assessment Panel	Page 7
11.	Reports – Confidential	Page 9
12.	Reports – Next Meeting	Page 9
13.	Closure of Meeting	Page 9

1. WELCOME

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

2. ATTENDANCE

2.1 Present

Panel Members

Bruce Ballantyne	Presiding Member
Rob Veitch	Member
Grant Hewitt	Member
Jane Evans	Member
Richard Miller	Member

Council Staff

Gary Mavrincac	Director, Development and Environmental Services
Janine Lennon	Senior Assessment Officer, Planning
Rugiyya Martin	Governance Advisor
Chris Kruger	Minute Secretary

2.2 Apologies

Nil.

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

Moved: G Hewitt

Seconded: R Miller

That the minutes of the Barossa Assessment Panel meeting held on 1 December 2020 be received and confirmed.

CARRIED

4. BUSINESS ARISING

Nil.

5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

Nil.

6. REPORTS - APPLICATIONS FOR DECISION

6.1 960/704/2020 (30 Tanunda Road Nuriootpa)

Recommendation

The Barossa Assessment 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 Barossa 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. 960/704/2020 by Tarac Properties Pty Ltd to undertake Change of use of Tenancy from Office to Consulting Rooms (Non-Complying) at 30 Tanunda Road, NURIOOTPA (CT-6190/859) subject to the following conditions and advisory notes:

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed and listed plans and documentation (as amended) accompanying Application No. 960/704/2020 except where varied by any condition(s) listed below:
 - Statement of Effect, prepared by Stimson Consulting, dated 1 December 2020;
 - Chateau GF4 tenancy plan, dated 10 November 2020

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

Panel Decision

Moved: R Miller

Seconded: R Veitch

That the recommendation be adopted.

CARRIED

7. REPORTS – APPLICATIONS TO PROCEED/NOT TO PROCEED TO ASSESSMENT

Nil.

8. REPORTS – DEFERRED APPLICATIONS FOR DECISION

8.1 Updates on Deferred applications for decision

Recommendation

That the report be received.

Panel Decision

Moved: G Hewitt

Seconded: R Miller

That the recommendation be adopted.

CARRIED

9. REPORTS – PANEL UPDATES

9.1 State Planning Commission Concurrence Matters

Recommendation

That the report be received.

Panel Decision

Moved: R Veitch

Seconded: G Hewitt

That the recommendation be adopted.

CARRIED

9.2 Environment Resources and Development Court Appeal Updates

Recommendation

That the report be received.

Panel Decision

Moved: G Hewitt

Seconded: R Miller

That the recommendation be adopted.

CARRIED

10. REPORTS - OTHER BUSINESS

10.1 Planning Reform Updates

G Mavrinc advised that the Minister has confirmed the 'go live' date of 19 March 2021 for Phase Three councils. Council is working towards business readiness by 19 February 2021, with work nearing completion on checklists and minor processes.

The Minister has advised that no further enhancements will be made to the system after the last week in February, to enable to smooth transition on 19 March 2021. Any further enhancements will be made post the 'go live' date.

Panel members are encouraged to partake in any accreditation training as it becomes available.

10.2 Accredited Professionals Notification Policy and Accredited Professionals Notification Process

Recommendation

That the Barossa Assessment Panel receive and endorse the Accredited Professionals Notification Policy and Accredited Professionals Notification Process.

Panel Decision

Moved: G Hewitt

Seconded: R Miller

That the recommendation be adopted.

CARRIED

10.3 Planning Development and Infrastructure Act Delegations by the Barossa Assessment Panel

Recommendation 1

That the Barossa Assessment Panel:

- (1) In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016*, the Barossa Assessment Panel hereby delegates to the person occupying or acting in the office of the Assessment Manager the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation, subject to the conditions and/or limitations, if any, specified in the proposed Instrument of Delegation.
- (2) Such powers and functions may be further delegated by Assessment Manager in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the Assessment Manager

sees fit, unless otherwise indicated in the proposed Instrument of Delegation.

Panel Decision

Moved: G Hewitt

Seconded: R Veitch

That the recommendation be adopted.

CARRIED

RECOMMENDATION 2

That the Barossa Assessment Panel:

- (1) Act under Section 99(1)(b) of the *Planning, Development and Infrastructure Act 2016* (the PDI Act) in relation to all development applications received by it that involve the performance of building work.
- (2) Pursuant to Section 99(1)(c) of the *Planning, Development and Infrastructure Act 2016*, where the Panel has determined to act under Section 99(1)(b) of the *Planning, Development and Infrastructure Act 2016*, that the Barossa Assessment Panel refers the assessment of the development in respect of the Building Rules to The Barossa Council.
- (3) That the Panel note that, prior to publication, the standing referral contained in Instrument C - Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016* – Powers of the Barossa Assessment Panel will be updated by officers in accordance with the Panel's resolution.

Panel Decision

Moved: R Miller

Seconded: G Hewitt

That the recommendation be adopted.

CARRIED

RECOMMENDATION 3

That the Barossa Assessment Panel receive and note the following proposed Instruments of Delegation under the *Planning, Development and Infrastructure Act 2016*, noting that the powers and functions contained in these instruments are subject to delegation by Council and the Assessment Manager, respectively:

- Instrument A – Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016* – power of Council as a Council, Designated Authority and Designated Entity.
- Instrument B – Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016* – power of Council as a Relevant Authority.
- Instrument D – Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016* – power of the Assessment Manager as a Relevant Authority.

Panel Decision

Moved: G Hewitt

Seconded: R Miller

That the recommendation be adopted.

CARRIED

11. REPORTS – CONFIDENTIAL

Nil.

12. NEXT MEETING

Tuesday 2 March 2021 commencing at 5.00pm.

13. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 5:29pm.

Confirmed

Date: Chairman: