

DIT:Planning Reform Submissions

From: Paul Mickan <[REDACTED]>
Sent: Friday, 18 December 2020 11:03 AM
To: DIT:Planning Reform Submissions
Subject: Revised Phase 3 Code Amendment - submission regarding dwellings in the Barossa region

Categories: leah

Summary

I am concerned that the Code Amendment will undo planning policy relating to dwellings in certain parts of the Barossa which has been in place for 25-30 years. These changes are being made without proper justification or evaluation of their impacts and appear to be contrary to the stated intent of the Code transitions being 'like-for-like'.

Minimum lot sizes for dwellings in the Barossa region

Existing policies

The Barossa Council Development Plan and Light Regional Council Development Plan currently contain policies designed to restrict construction of dwellings on existing allotments in primary production zones. The policies were introduced in the mid-1990s and generally only allow the construction of one dwelling per rural allotment, but significantly in several zones, policy areas or precincts the policies require the subject allotment to be of a minimum size in order for a dwelling to be an on-merit form of development as opposed to non-complying.

In The Barossa Council area the current dwelling policies vary with different minimum allotments sizes applying, and in some areas no non-complying minimum lot size is listed – e.g. in the Primary Production (Barossa Valley Region) Zone the required lot size for a dwelling to be a merit development is 25 ha, in the Barossa Range Precinct in the Primary Production Zone it is 60 ha; in the Rural Landscape Protection Zone it is 100 ha – whereas in the Watershed Protection (Mount Lofty Ranges) Zone there is no minimum specified where a dwelling on an allotment of any size is assessed on its merits (subject to meeting other requirements such as wastewater disposal).

The Barossa Council reviewed these policies in detail in 2014 through the *Rural Areas and Character Review* with the study recommending some minor tweaking to recognise that a number of very small allotments exist in the affected areas which are too small for primary production but which might be able to accommodate a dwelling. To date no changes have been made to the policies.

Draft and Revised Phase 3 Code amendments

Neither the draft Code Amendment or the Revised Phase 3 Code Amendment transition across the various minimum lot sizes for dwellings. The result is that approx. **1000** rural allotments in The Barossa Council would consequently be 'opened up' for a dwelling – in other words, whereas a dwelling on those 1000 or so allotments is currently non-complying under the exhibited Code Amendment it would be Performance Assessed Development. Despite there being reference to a desired allotment size via a Minimum Dwelling Lot Size TNV, an application for a dwelling on a smaller allotment would remain Performance Assessed. This scenario would also apply in the neighbouring Light Regional Council. My concern is that moving from the current

non-complying approach to the less onerous and easier performance assessed approach will open the proverbial floodgates for applications for dwellings. In my opinion this sudden and wholesale will lead to more land being converted from viticulture and agriculture to 'lifestyle' properties.

Disclaimer

My comments are as a practitioner and do not necessarily reflect the views of my current employer, The Barossa Council. Note: I am retiring from council in February 2021.

Regards

Paul Mickan



PROSPECT SA 5082