

# BAROSSA ASSESSMENT PANEL

MINUTES OF THE TWENTY FOURTH MEETING OF THE BAROSSA ASSESSMENT PANEL  
held on

**Tuesday, 3 March 2020 commencing at 5:00pm**

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



*The Barossa Council*

# MINUTES



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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

|                  |                  |
|------------------|------------------|
| Bruce Ballantyne | Presiding Member |
| Rob Veitch       | Member           |
| Grant Hewitt     | Member           |
| Deirdre Reiman   | Member           |
| Richard Miller   | Member           |

|                 |                    |
|-----------------|--------------------|
| Louis Monteduro | Assessment Manager |
|-----------------|--------------------|

#### Council Staff

|                  |  |
|------------------|--|
| Gary Mavrinnac   | Director, Development and Environmental Services |
| Janine Lennon    | Senior Assessment Officer, Planning              |
| Ashleigh Gade    | Assessment Officer, Planning                     |
| Christine Kruger | Minute Secretary                                 |

### 2.2 Apologies

Nil.

### 2.3 Absent

Nil.

## 3. CONFIRMATION OF MINUTES

Moved: D Reiman

Seconded: G Hewitt

That the minutes of the Barossa Assessment Panel meeting held on 4 February 2020 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 |
|---|--------------|
| 6.1<br>960/587/2019<br>Allotment 1 Rhine Park Road Eden<br>Valley<br>D Reiman has a professional<br>relationship with an Applicant. | D Reiman     |

## 6. REPORTS - APPLICATIONS FOR DECISION

### 6.1 960/587/2019 (Allotment 1 Rhine Park Road Eden Valley)

D Reiman left the meeting at 5:03pm due to a stated conflict of interest.

Representors

Wayne and Deb Judd provided a submission but did not attend to address the Panel.

Henri Mueller (Regional Planning Directions) addressed the Panel at 5:05pm on behalf of Phillip and Louise Osborne, and answered questions from the Panel.

Applicant

Gregg Jenkins (Heynen Planning Consultants on behalf of Longridge Group Pty Ltd) addressed the Panel at 5:11pm, and answered questions from the Panel.

### 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 development proposal is not seriously at variance to The Barossa Council Development Plan.
- (c) To GRANT Development Plan Consent for Application No. 960/587/2019 by Longridge Group Pty Ltd to undertake Construction of a single-storey detached dwelling with deck and verandah under main roof and associated ground-mounted photovoltaic solar panels, 1 x 50000L

rainwater tank, 2 x 22500L rainwater tanks and landscaping (Stages 1 & 2)  
– Stage 1: Ground-mounted photovoltaic solar panels, 1 x 50000L rainwater tank, 2 x 22500L rainwater tanks and landscaping – Stage 2: Detached dwelling, deck and verandah at Allotment 1 Rhine Park Road, Eden Valley (CT 5486/81) subject to the concurrence of the State Planning Commission, and subject to the following conditions and advisory notes:

### **Council conditions**

(1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/587/2019 except where varied by any condition(s) listed below.

- Overall Site Plan prepared by Longridge Group Pty Ltd, received 13 February 2020
- Site Plan prepared by Longridge Group Pty Ltd, received 13 February 2020
- Floor Plan prepared by Longridge Group Pty Ltd, received 13 February 2020
- Elevation Plan prepared by Longridge Group Pty Ltd, received 13 February 2020
- External Colours and Selections prepared by Longridge Group Pty Ltd, received 6 December 2019
- Landscape Plan, received 13 February 2020
- PV-ezRack SolarTerrace III-A Installation Guide prepared by Clenergy, received 6 December 2019
- Honey Black Layout Module prepared by Trinasolar, received 6 December 2019
- Statement of Effect prepared by Heynen Planning Consultants, received 6 December 2019

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

(2) All roof water shall be disposed of to rainwater tanks in accordance with the Site Plan prepared by Longridge Group Pty Ltd and received 13 February 2020. The overflow shall be safely managed on site and shall be fitted with adequate scour protection. No stormwater shall enter into any building, affect the stability of any building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

All stormwater systems must be fully installed at the completion of the construction of the building, with adequate measures employed during construction to ensure disposal of surface or roof water does not affect neighbouring properties.

Reason: To ensure stormwater is appropriately managed on the subject site.

(3) The subject land is located within a Medium Bushfire Risk area. A dedicated and independent water supply shall be available at all times for firefighting purposes which;

- (a) Is located adjacent to the building or in another convenient location on the allotment accessible to firefighting vehicles (safe and convenient access shall be provided); and
- (b) Comprises a minimum of 2000 litres of water where the property is connected to mains water, or 5000 litres in any other case. (Any rainwater tank used for this purpose shall be of non-combustible materials).

The provision of the dedicated water supply for firefighting purposes shall comply with the Ministers Specification SA 78 'Bushfire fighting equipment and water supply requirements in designated bushfire prone areas'.

Reason: To ensure the site continues to meet the requirements for dwellings in Medium Bushfire Risk areas.

- (4) The landscaping as detailed in the application for development shall be established prior to the occupation of the associated dwelling and shall be maintained in good health and condition at all times. Any vegetation that dies or becomes seriously diseased shall be replaced with others of the same, or similar varieties, to the reasonable satisfaction of Council.

Reason: To ensure that the proposal is established and maintained as approved by the planning authority, and to protect the amenity of the locality.

- (5) During construction or installation of all works associated with the development and proposed roads and utility services:
  - i. Dust generated at the site shall be reasonably controlled at all times to prevent nuisance to occupants of adjoining land.
  - ii. Noise generated at the site shall be kept to the minimum level that is reasonably practicable.
  - iii. Appropriate erosion control
  - iv. Any dirt or debris from the site deposited onto existing roadways by the applicant's contractors or sub-contractors shall be cleared immediately.

Reason: To ensure that there is no adverse amenity impacts to the locality during construction.

- (6) Construction shall not take place on any Sunday or Public Holiday or after 7:00 pm or before 7:00 am on any other day, and all practicable steps must be taken during construction to minimise the impact of noise emissions on neighbouring properties.

Reason: To ensure that there is no adverse amenity impacts to the locality during construction.

## Advisory Notes

- (a) Any variation of this approved development and/or the conditions of consent will require a separate request and approval by Council or other relevant planning authority. Approval of this application does not necessarily imply that future requests for variations would be approved. Any future request will be assessed by having regard to the relevant rules and requirements in force at the time any request is lodged.
- (b) Any portion of Council's infrastructure damaged as a result of work undertaken within the development site or associated with the development shall be repaired/reinstated to Council's satisfaction at the developer's expense.
- (c) The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (d) Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the *Native Vegetation Act 1991*: <https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide>. Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

## Panel Decision

Moved: R Veitch

Seconded: G Hewitt

That the recommendation be adopted.

**CARRIED**

D Reiman returned to the meeting at 5:26pm.

## 6.2 960/466/2019 (75 Murray Street Angaston)

### 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 development proposal is not seriously at variance to The Barossa Council Development Plan.
- (c) To GRANT Development Plan Consent for Application No. 960/466/2019 by Marx Real Estate to undertake the Change of Use from dwelling to office including building alterations, additions and partial replacement of existing verandah at 75 Murray Street, Angaston (CT 5321/496) subject to the concurrence of the State Planning Commission, and subject to the following conditions and advisory notes:

### **Council conditions**

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying the application, unless varied by the following conditions.
- Site Plan drawn by Brooksby Design & Drafting dated 21 January 2020;
  - Demolition and Remedial Works Plan drawn by Brooksby Design & Drafting dated 21 January 2020
  - Proposed Floor Plan drawn by Brooksby Design & Drafting dated 21 January 2020
  - Elevation Plans drawn by Brooksby Design & Drafting dated 21 January 2020
  - Colour Elevation by ESD Planning & Design received 22 November 2019
  - Statement of Effect prepared by ESD Planning & Design dated October 2019

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

- (2) The premises shall not operate outside the hours of 8:00 am to 6:00 pm Monday to Saturday.

Reason: To ensure that the development does not detrimentally impact upon the locality.

- (3) All stormwater shall be managed in accordance with the Site Plan by Brooksby Design & Drafting dated 21 January 2020. No stormwater shall enter into any building, affect the stability of any building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

All stormwater disposal systems must be fully installed at the completion of the construction of the building, with adequate measures employed during construction to ensure disposal of surface or roof water does not affect neighbouring properties.

Reason: To ensure the proposal is established and maintained as approved by the planning authority.

- (4) Before the use commences on the subject site, the area(s) identified for parking and manoeuvrability of vehicles as shown on the endorsed plans shall be:
- (a) Constructed and properly formed to such levels that they can be used in accordance with the plans.
  - (b) Appropriately surfaced with an all-weather material.
  - (c) Clearly line marked to indicate each car space and all disabled/shared spaces.

All car parking spaces, manoeuvring areas and driveways shall comply with AD 2890.1 Parking facilities – Part 1: Off-street car parking and shall be maintained for these purposes at all times, to the reasonable satisfaction of Council.

Reason: To ensure that the proposal is established, used and maintained as approved by the planning authority.

- (5) During construction or installation of all works associated with the development and proposed roads and utility services:
- i. Dust generated at the site shall be reasonably controlled at all times to prevent nuisance to occupants of adjoining land.
  - ii. Noise generated at the site shall be kept to the minimum level that is reasonably practicable.
  - iii. Appropriate erosion control measures shall be employed to prevent soil removal from the site by stormwater runoff, and to prevent siltation of watercourses, to the reasonable satisfaction of Council's Director – Works & Engineering.
  - iv. Any dirt or debris from the site deposited onto existing roadways by the applicant's contractors or sub-contractors shall be cleared immediately.

Reason: To ensure that there is no adverse amenity impacts to the locality during construction.

- (6) Construction shall not take place on any Sunday or Public Holiday or after 7.00 pm or before 7.00 am on any other day, and all practicable steps must be taken during construction to minimise the impact of noise emissions on neighbouring properties.

Reason: To ensure that there is no adverse amenity impacts to the locality during construction.

### **Advisory Notes**

- (a) Any variation of this approved development and/or the conditions of consent will require a separate request and approval by Council or other relevant planning authority. Approval of this application does not necessarily imply that future requests for variations would be approved. Any future request will be assessed by having regard to the relevant rules and requirements in force at the time any request is lodged.

- (b) Any works associated with the development, such as tree planting, tree removal, footpath renewal or construction of new vehicle entrances proposed to be undertaken within the road reserve (ie the carriageway, verge or footpath area) requires an independent approval from Council, or the Department of Planning, Transport and Infrastructure. Further enquiries should be directed to Council's Works & Engineering Team on 8563 8444.
- (c) Any portion of Council's infrastructure damaged as a result of work undertaken within the development site or associated with the development shall be repaired/reinstated to Council's satisfaction at the developer's expense.
- (d) The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (e) Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the *Native Vegetation Act 1991*: <https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide>. Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

### Panel Decision

Moved: R Veitch

Seconded: D Reiman

That the recommendation be adopted.

**CARRIED**

## 6.3 960/552/2019 (92 Research 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 development proposal is not seriously at variance to The Barossa Council Development Plan.
- (c) To GRANT Development Plan Consent for Application No. 960/552/2019 by Selecta Homes and Building Company Pty Ltd to undertake Construction of an additional single-storey dwelling for the purpose of dependant accommodation at 92 Research Road, TANUNDA (CT 5879/215) subject to the concurrence of the State Planning Commission, and subject to the following conditions and advisory notes:

### **Council conditions**

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/552/2019 and listed below except where varied by any following conditions.
- Site Layout, (Sheet no 1 of 8) Drawn by Selecta Homes, dated 3 September 2019
  - Floor Plan, (Sheet no 2 of 8) Drawn by Selecta Homes, dated 3 September 2019
  - Elevations, (Sheet no 3 of 8) Drawn by Selecta Homes, dated 3 September 2019
  - Statement of Effect, written by SA Urban & Regional Planning, dated 6 January 2020

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

- (2) Prior to Development Approval being issued the applicant shall lodge and have approved by Council an application to install a wastewater system pursuant to the provisions of the *South Australian Public Health Act 2011* and South Australian Public Health (Wastewater) Regulations 2013.

Reason: To ensure that the proposal is constructed in accordance with the requirements of the *South Australian Public Health Act 2011*.

- (3) The subject land is located within a Medium Bushfire Risk area. A dedicated and independent water supply shall be available at all times for fire fighting purposes which;
- a. Is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles (safe and convenient access shall be provided), and
  - b. Comprises a minimum of 2000 litres of water where the property is connected to mains water, or 5000 litres in any other case. (Any rainwater tank used for this purpose should be dedicated entirely for fire fighting and shall be of non combustible materials).

The provision of the dedicated water supply for fire fighting purposes shall comply with the Ministers Specification SA 78 'Bushfire fighting equipment and water supply requirements in designated bushfire prone areas'.

Reason: To ensure that landscaping is undertaken in accordance with the Minister's Code: Undertaking development in Bushfire Protection Areas.

- (4) All stormwater from buildings, paving and from areas that immediately surround the perimeter of the building shall be disposed of in a manner that does not result in entry of water into the building, or affect the stability of the building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

Reason: To ensure that the proposal is used, run and maintained as approved by the Relevant Authority.

- (5) Storm water disposal systems must be completed by the completion of the construction of the building. During construction, adequate measures must be taken to ensure the temporary disposal of surface or roof water and does not affect neighbouring properties.

Reason: To ensure that the proposal is used, run and maintained as approved by the Relevant Authority.

- (6) Disturbed surfaces including any exposed batters as a result of excavation on the land shall be revegetated with indigenous species and stabilised within three months of the completion of the development, to the satisfaction of Council.

Reason: To ensure that landscaping is installed and maintained in accordance with the Objectives and Principles of the Development Plan.

- (7) Any rainwater tank shall be of a material/colour that matches or blends with that of the dwelling authorised herein, to the reasonable satisfaction of Council.

Reason: To ensure that landscaping is installed and maintained in accordance with the Objectives and Principles of the Development Plan.

- (8) The additional single-storey dwelling approved herein shall only be used for the purpose of dependant accommodation and shall not be used independently of the main dwelling.

Reason: To ensure that the proposal is used, run and maintained as approved by the Relevant 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

### 7.1 960/62/2018/C (Allotment 241 Research Road Nuriootpa)

#### Recommendation

The Barossa Assessment Panel, having considered the application for consent to carry out a Non Complying development of land and pursuant to the provisions of the *Development Act 1993* resolves that the development proposal has sufficient merit to proceed to make an assessment of the Application No. 960/62/2018/C by Vinpac International Pty Ltd and Master Plan SA Pty Ltd to undertake Construction of a Winery Wastewater Treatment Facility (8.7ML storage and aeration dam) and Irrigation Water Re-use (inflow up to 61.5ML/year); AMENDMENT - Construction of two additional dams for aeration (6ML and 9ML), 8.7ML dam to be used as storage, alteration to irrigation system and planting scheme, installation of pipework to and from VINPAC; STAGE 1 - Construction of pipeline from Dorrien Estate to site, installation of irrigation system, planting of all vegetation and landscaping; STAGE 2 - Construction of wastewater treatment plant and aeration & storage dam at Allot 241 Research Road, NURIOOTPA (CT 5886/228).

- (a) Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, the Development 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) That the Panel resolves to proceed to assessment of a non-complying development proposal.

#### Panel Decision

Moved: G Hewitt

Seconded: D Reiman

That the recommendation be adopted.

**CARRIED**

## 8. REPORTS – DEFERRED APPLICATIONS FOR DECISION

### 8.1 960/171/2019 (268 Williamstown Road Cockatoo Valley)

#### 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. 960/171/2019 by Planwright BDDS to undertake Demolition of existing outbuildings totalling 210 square metres in floor area and construction of a domestic outbuilding – shed (measuring 17.5m x 12m x 3.6m wall height) at 268 Williamstown Road, Cockatoo Valley (CT 6190/173) subject to the following conditions and advisory notes:

#### Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/171/2019 except where varied by the following conditions.
  - i. Block Plan drafted by Planwright Building Design & Drafting Service, dated 5 February 2020.
  - ii. Floor Plan drafted by Planwright Building Design & Drafting Service, dated 5 February 2020.
  - iii. Elevation Plan drafted by Planwright Building Design & Drafting Service, dated 5 February 2020

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

- (2) All stormwater shall be managed in accordance with the Block Plan drafted by Planwright Building Design & Drafting Service dated 5 February 2020. No stormwater shall enter into any building, or affect the stability of the building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

The stormwater disposal systems shall be installed at the completion of the construction of the building with adequate

measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the reasonable satisfaction of Council.

Reason: To ensure that stormwater is adequately managed on the site.

- (3) The domestic outbuilding (shed) herein approved shall be used for domestic storage purposes and shall not be used for human habitation or occupation, or industrial or commercial use, at any time.

Reason: To ensure the building is not used for purposes other than for which it is authorised.

- (4) The landscaping as detailed in the application shall be established within 3 months of substantial completion of the building and shall be maintained in good health and condition. Any vegetation that dies or becomes seriously diseased shall be replaced with others of the same or similar varieties, to the reasonable satisfaction of Council.

Reason: To ensure that the proposal is established and maintained as approved by the Planning Authority.

- (5) The existing perimeter landscaping shall be retained and maintained in good health to screen the development, and shall be replaced with a plant species of the same expected mature height if they die or becomes seriously diseased, to the reasonable satisfaction of Council.

Reason: To ensure that the proposal is maintained as approved by the Planning Authority.

- (6) During construction or installation of all works associated with the development and proposed roads and utility services:

- i. Dust generated at the site shall be reasonably controlled at all times to prevent nuisance to occupants of adjoining land.
- ii. Noise generated at the site shall be kept to the minimum level that is reasonably practicable.
- iii. Appropriate erosion control measures shall be employed to prevent soil removal from the site by stormwater run-off, and to prevent siltation of watercourses, to the reasonable satisfaction of Council's Director – Works & Engineering.
- iv. Any dirt or debris from the site deposited onto existing roadways by the applicant's contractors or sub-contractors shall be cleared immediately.

Reason: To ensure that there is no adverse amenity impacts to the locality during construction.

- (7) Construction shall not take place on Sunday or Public Holidays or after 7:00 pm or before 7:00 am on any other day, and all practicable steps must be taken during construction to minimise the impact of noise emissions on neighbouring properties.

Reason: To ensure that there is no adverse amenity impacts to the locality during construction.

### Advisory Notes

- (a) Any variation of this approved development and/or the conditions of consent will require a separate request and approval by Council or other relevant planning authority. Approval of this application does not necessarily imply that future requests for variations would be approved. Any future request will be assessed by having regard to the relevant rules and requirements in force at the time any request is lodged.
- (b) Any portion of Council's infrastructure damaged as a result of work undertaken within the development site or associated with the development shall be repaired/reinstated to Council's satisfaction at the developer's expense.
- (c) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (d) Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the *Native Vegetation Act 1991*: <https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide>. Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

### Panel Decision

Moved: R Veitch

Seconded: G Hewitt

That the recommendation be adopted.

**CARRIED**

### **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. 960/449/2018 by Aspire Homes (SA) Pty Ltd to undertake Construction of a split-level Detached Dwelling with double Garage and alfresco under main roof and associated earthworks including Retaining Walls up to 1.5m high at 7B North Street, ANGASTON (CT 6197/213) subject to the following conditions and advisory notes:

### **Council Conditions**

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/449/2018 and listed below except where varied by any following conditions.
  - Site Plan, (Sheet no 1 of 3) Drawn by Aspire Homes, dated 21 November 2019
  - Floor Plan, (Sheet no 1 of 1) Drawn by Aspire Homes, dated 21 November 2019
  - Elevation, (Sheet no 5 of 7) Drawn by Aspire Homes, dated 11 May 2018, amended 24 July 2019
  - Elevation, (Sheet no 4 of 7) Drawn by Aspire Homes, dated 21 November 2019
  - Landscaping Design, (Sheet no 1 of 3) Drawn by Aspire Homes, dated 21 November 2019
  - Civil Plan, (Sheet no 1 of 1) Drawn by FMG Engineering, Drawing No S35639-261396 Rev B, dated 13 July 2018

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

- (2) Prior to Development Approval being issued the applicant shall lodge and have approved by Council an application to install a wastewater system pursuant to the provisions of the *South Australian Public Health Act 2011* and *South Australian Public Health (Wastewater) Regulations 2013*.

Reason: To ensure that the proposal is constructed in accordance with the requirements of the *South Australian Public Health Act 2011*.

- (3) Unless with the prior written consent of Council, the landscaping works shown on the endorsed plans must be carried out within 12 months of completion of the development and maintained to the satisfaction of Council.

Reason: To ensure that landscaping is installed and maintained in accordance with the Objectives and Principles of the Development Plan.

- (4) All stormwater from buildings, paving and from areas that immediately surround the perimeter of the building shall be disposed of in a manner that does not result in entry of water into the building, or affect the stability of the building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

Reason: To ensure that the proposal is used, run and maintained as approved by the Relevant Authority.

- (5) Storm water disposal systems must be completed by the completion of the construction of the building. During construction, adequate measures must be taken to ensure the temporary disposal of surface or roof water does not affect neighbouring properties.

Reason: To ensure that the proposal is used, run and maintained as approved by the Relevant Authority.

- (6) Prior to Development Approval being issued the applicant shall submit an updated stormwater plan and associated engineering that details the following:

- (a) Bunding is required to be installed at each discharge location to provide sufficient detention volume to store the 5%AEP ( $\approx$  20yr ARI) post-development peak discharge generated from the site. The post development analysis is required to demonstrate that critical storm duration has been identified.
- (b) Bunds shall be provided with a (nominal) 3m wide 'spillway' to facilitate sheet flow during large storm events.

Reason: To ensure that the proposal is used, run and maintained as approved by the Relevant Authority.

- (7) Disturbed surfaces including any exposed batters as a result of excavation on the land shall be revegetated with indigenous species and stabilised within three months of the completion of the development, to the satisfaction of Council.

Reason: To ensure that landscaping is installed and maintained in accordance with the Objectives and Principles of the Development Plan.

- (8) Any rainwater tank shall be of a material/colour that matches or blends with that of the dwelling authorised herein, to the reasonable satisfaction of Council.

Reason: To ensure that landscaping is installed and maintained in accordance with the Objectives and Principles of the Development Plan.

### **Panel Decision**

Moved: R Miller

Seconded: D Reiman

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: D Reiman

Seconded: G Hewitt

That the recommendation be adopted.

**CARRIED**

## **10. REPORTS - OTHER BUSINESS**

ERD Court Appeal Update – Development Application 960/279/2017 – JBG Architects (M and K Fitzpatrick) – Lot 897 N Herbig Road Springton

L Monteduro advised that the matter has now been settled and Development Plan Consent has been granted.

#### **Recommendation**

That the verbal report be received.

**Panel Decision**

Moved: R Miller

Seconded: D Reiman

That the recommendation be adopted.

**CARRIED**

Meeting Apology – R Miller

R Miller tendered an apology for the Barossa Assessment Panel meeting scheduled for 7 April 2020.

**11. REPORTS – CONFIDENTIAL**

Nil.

**12. NEXT MEETING**

Tuesday 7 April 2020 commencing at 5.00pm.

**13. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 5:48pm.

Confirmed

Date: .....

Chairman: .....