



DEVELOPMENT ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA COUNCIL DEVELOPMENT ASSESSMENT PANEL

Held on Tuesday, 2 August 2016 commencing at 5:04pm in
the Council Chambers, 43-51 Tanunda Road, Nuriootpa

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1. WELCOME

The Presiding Member welcomed everyone, and opened the meeting at 5:04pm.

2. ATTENDANCE

2.1 Present

Panel Members

Bruce Ballantyne (Presiding Member)

David Hughes

Deidre Reiman

Scotty Milne

Tony Hurn

Council Staff

Gary Mavrinac (Director – Development and Environmental Services)

Paul Mickan (Principal Planner)

Brian Irvine (Senior Planner)

Maxine Lovett (Planner)

Matt Elding (Director, Works and Engineering)

Steve Kaesler (Manager, Engineering Services)

Christine Kruger (Minute Secretary)

2.2 Apologies

Richard Miller.

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

Moved: T Hurn

Seconded: D Reiman

That the minutes of the Council Development Assessment Panel meeting held on 5 July 2016 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
7.3 Verbal Report ERD Court Appeal – Update – Development Application 960/391/2015 – Peter Seppelt Personal friendship with the Applicant.	David Hughes
8.1 Deferred Matter – Development Application 960/391/2015 – Peter Seppelt Personal friendship with the Applicant.	David Hughes
7.3 Verbal Report ERD Court Appeal – Update – Development Application 960/391/2015 – Peter Seppelt Indirect pecuniary interest.	Tony Hurn
8.1 Deferred Matter – Development Application 960/391/2015 – Peter Seppelt Indirect pecuniary interest.	Tony Hurn

6. REPORTS - APPLICATIONS FOR DECISION

6.1 960/154/2016 (Allotment 2001 Wilberth Street Tanunda)

Applicant

Mr Graham Burns (Masterplan) addressed the Panel at 5:09pm, in response to questions from the Panel.

Mr Rob Brooks (Actium Developments) addressed the Panel at 5:25pm, in response to questions from the Panel.

Recommendation

The 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 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) To GRANT Development Plan Consent for Application No. 960/154/2016 (960/D007/16) by Actium Developments to undertake land division at Lot 2001 in 960/302/2015 (960/D017/15), Wilberth Street, Tanunda (CT 5463/525 and part CT 6151/496) 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. 960/154/2016 (960/D007/16) except where varied by any condition(s) listed below.

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

- (2) The applicant shall construct all necessary services and infrastructure to service each allotment, including:

- roads,
- water supply,
- storm water drainage,
- waste disposal (CWMS),
- electricity, public lighting and communications

to the reasonable satisfaction of Council.

(Note Only: This may include constructing drains outside of the site, where existing drains are inadequate to accept additional water or sewerage.)

Reason: To ensure that the proposed allotments are adequately serviced and suitable for their intended use.

- (3) Each allotment shall have a minimum area of 500sqm.

Reason: To conform with minimum allotment areas and widths.

- (4) The pavement of the proposed roads shall be extended to and join the existing pavements of adjoining streets and roads.

Reason: To ensure roads are adequately connected to the existing road network.

- (5) Stormwater discharge from the land division shall be piped to the stormwater detention basin constructed in application 960/302/2015 (960/D017/15) in accordance with a construction

design and specifications satisfactory to Council prior to the issue of the Certificate of Approval.

An easement to Council, with a minimum width of 3 metres, shall be provided over the stormwater pipe between the boundary of the land division and the above mentioned stormwater detention basin prior to the issue of the Certificate of Approval.

Reason: To ensure that stormwater is adequately disposed of from the site.

- (6) The CWMS drainage system shall be connected to the CWMS pump station constructed in application 960/302/2015 (960/D017/15) in accordance with a construction design and specifications satisfactory to Council prior to the issue of the Certificate of Approval.

An easement to Council, with a minimum width of 3 metres (or 4 metres if shared with another service), shall be provided over the CWMS pipe between the boundary of the land division and the abovementioned CWMS pump station prior to the issue of the Certificate of Approval.

A new raising main shall be installed between the above mentioned CWMS pump station and an existing CWMS drain of sufficient capacity within the existing Tanunda CWMS drainage system nominated by the Council's CWMS Co-ordinator prior to the issue of the Certificate of Approval.

An easement to Council, with a minimum width of 3 metres shall be provided over the CWMS raising main prior to the issue of the Certificate of Approval.

Reason: To ensure that stormwater is adequately disposed of from the site.

- (7) The payment of the CWMS augmentation charge required pursuant to Section 188 of the Local Government Act be made to Council prior to the issuing of the Certificate of Approval. The charge payable is the charge current at the time of payment. (see note below).

NOTE ONLY

- Pursuant to Section 188 of the Local Government Act, the Council requires an augmentation charge to be paid for each additional allotment connected to the CWMS system. At the time of approval the current charge is \$4500 per allotment. Based upon the current charge a payment of \$198,000 is required for 44 allotments (44 additional allotments requiring new connections @ \$4500/allotment). This charge is reviewed periodically, and the augmentation charge to be paid is the charge applicable at the time the payment is

made. Please enquire with the Council office prior to making payment for the current charge.

Reason: To ensure that effluent can be satisfactorily disposed of from the proposed allotments and that the allotments are suitable for their intended use.

- (8) During construction of infrastructure temporary debris and sediment control measures shall be installed to prevent debris and sediment from leaving the site during all construction stages. Control measures shall be in accordance with a soil erosion and drainage management plan, which shall provide such pollution prevention measures as required to comply with the "Environmental Protection Authority's Stormwater Pollution Prevention Codes of Practice":

- For the Community
- For Local, State, and Federal Government
- For the Building and Construction Industry

Temporary debris and sediment control measures shall be in place prior to construction commencing and shall be maintained at all times during construction. Prior to construction, a copy of the soil erosion and drainage management plan shall be provided to Council for approval.

Reason: To ensure that pollution to the waterway is minimised during construction.

- (d) To GRANT Land Division Consent for Application No. 960/154/2016 (960/D007/16) by Actium Developments to undertake land division at Lot 2001 in 960/302/2015 (960/D017/15), Wilberth Street, Tanunda (CT 5463/525 and part CT 6151/496) subject to the following conditions and advisory notes:

- (1) Drainage easements be provided wherever necessary to provide for drainage of the allotments and roads, and for any CWMS infrastructure. Drainage easements shall have a minimum width of 3 metres for a single service and 4 metres where two services are provided.

Easements be provided wherever necessary for electrical purposes.

Reason: To ensure that adequate provision is made for the creation of appropriate easements for the purposes of drainage, electricity supply and sewerage services.

- (2) Roads shall have a minimum width of 14 metres.

Reason: To ensure that adequate provision is made for roads in

accordance with Council's requirements.

- (3) Corner cut-offs measuring a minimum of 4.5 metres in each direction be provided at the intersection of all roads.

Reason: To ensure that adequate provision is made for roads in accordance with Council's requirements.

- (4) All roads and civil works shall be constructed in accordance with drawings and specifications designed by a professional engineer, submitted to and approved by Council before construction commences. The design shall generally be in accordance with the appropriate Australian Standards, technical codes of practice and Council's standard land division requirements. In particular:

(a) All site construction work shall be carried out under the supervision of a Professional Engineer in accordance with plans and specifications approved by Council. Council shall be notified prior to each stage inspection (24 hours or one full working day in advance) for attendance. All test results shall be provided to Council and accepted prior to a Certificate of Practical Completion being issued.

(b) All earthworks associated with the development shall be stabilised in accordance with certified engineering design and practices against erosion and failure. Earthworks must not encroach across neighbouring property boundaries. When fill or cut at the property boundary exceeds 200mm, a retaining wall with existing ground and proposed wall levels shall be specified.

(c) Defects Liability Period for the development shall be 12 months from the Council's written acceptance of Practical Completion.

(d) Minimum road grades shall be 0.5% and maximum road grades shall be 15% unless otherwise approved.

(e) All roads shall be provided with a verge with a minimum width of 3.5 metres. All verges shall have a maximum cross fall grade of 2.5%, graded towards the road top of kerb and be graded uniformly to be suitable for pedestrian traffic. Batters into allotments are to be no steeper than 1 in 6.

(f) The road pavements shall have a minimum width of 7 metres (measured between kerb faces).

'Bulbing' shall be provided on bends to assist traffic movements.

(g) The intersection of the Wilberth Street and Kennedy Street extensions shall be designed to delineate Kennedy Street turning north as the main thoroughfare and Wilberth Street

terminating at the intersection.

A safe and convenient transition shall be provided between the pavements of the proposed and existing portions of Wilberth Street.

- (h) All roads shall be sealed with an AC10, 30mm thick Bituminous Hot mix wearing course. Pavements are to be designed based on Austroads "Guide to Pavement Technology Part 2: Pavement Structural Design", Pavement Design for Light Traffic: A Supplement to Austroads Pavement Design Guide" and "Guide to Asset Management Part 5: Pavement Performance" using 95 percentile confidence limits for the ultimate traffic loading and a 20 year design life.
- (i) The pavement of the proposed roads shall be extended to and join the existing pavements of adjoining streets and roads.
- (j) All necessary signs (including street signs), traffic control devices and pavement markings shall be provided in accordance with AS1742.
- (k) Adequate measures shall be implemented to suppress dust generated during site works to ensure that dust generation does not become a nuisance off-site. Site development machinery should not generally be operated outside the hours of 7.00am to 7.00pm daily.
- (l) All roads shall be provided with kerb and gutter to the reasonable satisfaction of the Council. Semi-mountable or 150mm high upright kerb shall be provided adjacent to residential properties. Vehicle entrance laybacks shall be provided to each allotment wherever upright kerbing is used. 200mm high upright kerb shall be provided adjacent to reserves.
- (m) Kerb openings for the disposal of stormwater shall be provided for each allotment that drains to the road.
- (n) Street name signs shall be supplied and installed as part of the development.
- (o) "As Constructed" drawings shall be provided to Council in hardcopy and electronically in "dwg" or "dxf" format.

Reason: To ensure that adequate provision is made for roads and kerb in accordance with Council's requirements.

- (5) Concrete block paved footpaths of 1.5 metre width shall be provided on one side of the road, adjacent to the roadway in accordance with plans and specifications approved by Council. The footpath cross fall shall not exceed 2.0%. Pedestrian pram

ramp accesses, including tactile ground surface indicators, are to be provided in accordance with Australian Standards AS1428.

Reason: To ensure that adequate provision is made for footpaths in accordance with Council's requirements.

(6) A stormwater drainage system shall be constructed and installed in accordance with a Stormwater Management Plan supplied to and approved by Council prior to the commencement of work to ensure that all allotments and roads are adequately drained. The Stormwater Management Plan shall be prepared in accordance with the 1987 edition of "Australian Rainfall and Runoff", Australian Standard 3500.3:2003 and to the satisfaction of the Council as follows:

- (a) Detailed stormwater design calculations justifying the Stormwater Management Plan shall be provided.
- (b) The Stormwater Management Plan shall consider ultimate development of all catchment areas contributing to runoff over or through the land division, and ensure that natural run-off from neighbouring land and/or roads is not interrupted.
- (c) Stormwater detention systems shall be incorporated into the stormwater drainage system to ensure that the peak flow discharging from the whole development site (and wider catchment) post development from a 100 year ARI storm does not exceed that from the pre development site (and catchment) from a 20 year ARI storm. The post development analysis is required to demonstrate that critical storm duration is clearly identified. The outlet restriction system details and hydraulic design computations are required.

Any stormwater discharged from the basin shall be conveyed to the creek in Bridge Street. Details of the discharge arrangements shall be provided.

The maximum gradient of any embankment associated with a stormwater retention basin shall be 1 in 6. Any detention basin shall be seeded and landscaped to Council's satisfaction.

Any stormwater detention basin shall have a flat verge with a minimum width of 3 metres around the edge of the basin to facilitate access of maintenance equipment.

(NOTE:- The stormwater detention system can be provided off-site, either partially or wholly, subject to Council's acceptance and compliance with the above design criteria and other relevant conditions.)

(d) Stormwater runoff from the site shall not be discharged

from the site other than via a pipe placed in an easement or land under the care and control of Council and in accordance with a design approved by Council.

- (e) Where a lot grades away from a roadway, back of allotment drainage shall be provided.
- (f) Pollution control devices shall be incorporated within the development to provide for the removal of stormwater borne pollutants, consistent with current best practice and EPA requirements.
- (g) The Stormwater Management Plan shall include existing contours, features, existing stormwater infrastructure, proposed site works details, levels and grading, proposed stormwater system details, retention/detention system volumes and discharge controls, proposed building floor levels, proposed paving and connection details to and any upgrading if required of the existing external drainage systems.
- (h) The drainage system shall be designed making provision for future development (buildings and paved areas) covering up to 75% of allotment areas.
- (i) The pipe system shall provide for runoff generated by a minimum 10 year Average Recurrence Interval (ARI) storm event with overflow paths provided for a 100 year ARI storm event that will prevent stormwater runoff inundating properties.
- (j) Minor drainage systems shall be provided to limit gutter flow widths to a maximum of 1.5m for a 10 year ARI storm. Where overflow path discontinuity occurs and property flooding may occur a minimum of 100 year standard is required.
- (k) Minimum pipe size for road drainage shall be 375mm and pipes shall be rubber ring jointed.
- (l) "As Constructed" drawings shall be provided to Council in hardcopy and electronically in "dwg" or "dxf" format.

Reason: To ensure that adequate provision is made for drainage of stormwater in accordance with Council's requirements.

- (7) Any stormwater detention basin proposed on a reserve allotment shall either be designed (to the reasonable satisfaction of Council) to be usable public open space, or alternatively, the land shall be designated as drainage reserve vested to the Council.

Reason: To ensure that adequate provision is made for drainage of stormwater in accordance with Council's requirements.

- (8) Underground electrical power be provided to each allotment in accordance with a design approved by SA Power Networks and Council. Where appropriate, services should be provided in a common service trench located in accordance with the publication titled "Services in Streets – A Code for the Placement of Infrastructure Services in New and Existing Streets".

Reason: To ensure that adequate provision is made for electrical services in accordance with Council's requirements.

- (9) Street Lighting be provided in accordance with a design and specifications conforming to Australian Standard 1158.1 and approved by SA Power Networks and Council. 42 Watt CF lamps are to be provided in residential streets. Lighting columns shall be standard SA Power Networks design approved by Council.

Reason: To ensure that adequate provision is made for the lighting of roads in accordance with Council's requirements.

- (10) Each allotment be provided with a connection point to the Community Wastewater Management Scheme at the boundary of the allotment, in accordance with a technical design and specifications approved by Council, prior to the commencement of work.

The design shall be prepared by a professional engineer and show the new drains and connection points locations, flushing points, inspection points, depths, gradients etc.

The specifications should provide for:

- Council inspections prior to backfilling of trenches
- The provision of test results to Council
- Provision of "As constructed" drawings to Council in hardcopy and electronically in "dwg" or "dxf" format

Reason: To ensure that adequate provision is made for drainage and disposal of effluent in accordance with Council's requirements.

- (11) A monetary open space contribution calculated in accordance with Section 50(7) of the Development Act shall be paid to Council.

Reason: To ensure that adequate provision is made for open space in accordance with the requirements of the Development Act.

SA Water Condition

- (12) The financial requirements of SA Water shall be met for the provision of water supply. (SA Water 90035/16)

The augmentation requirements of the SA Water shall be met.

The necessary easements shall be vested to SA Water.

Reason: To ensure that adequate provision is made for the provision of a water supply in accordance with requirements of a water industry entity.

Development Assessment Commission Condition

- (13) A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

Reason: To ensure that the requirements of the Development Assessment Commission are met.

Advisory Notes

- (i) The applicant is reminded of its general environmental duty, as per Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that its activities on the whole site, including construction, do not pollute the environment in any way which causes or has the potential to cause environmental harm.
- (ii) Suggested street names should be submitted to Council for consideration prior to submitting the final plan. Street names are considered at a Council meeting and names suggested by the applicant may not always be adopted. It is recommended that any suggested names be submitted at least eight weeks prior to lodging the final plan to avoid delays.
- (iii) The applicant is advised to contact the Council when all Council conditions have been complied with and request Council's release for the issue of the Certificate of Approval. Any bonding arrangements should be in place prior to seeking the issue of the Certificate of Approval.
- (iv) For further information regarding this approval and the conditions of approval please contact the relevant officer:

Brian Irvine	Planning Officer	Ph	8563 8486
Richard Crocker	Civil Engineer	Ph	8563 8496
Michael Clark	CWMS Co-ordinator	Ph	8563 8479

Panel Decision

Moved: T Hurn

Seconded:

The 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 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) To GRANT Development Plan Consent for Application No. 960/154/2016 (960/D007/16) by Actium Developments to undertake land division at Lot 2001 in 960/302/2015 (960/D017/15), Wilberth Street, Tanunda (CT 5463/525 and part CT 6151/496) subject to the following conditions and advisory notes:

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

- (2) The applicant shall construct all necessary services and infrastructure to service each allotment, including:

- roads,
- water supply,
- storm water drainage,
- waste disposal (CWMS),
- electricity, public lighting and communications

to the reasonable satisfaction of Council.

(Note Only: This may include constructing drains outside of the site, where existing drains are inadequate to accept additional water or sewerage.)

Reason: To ensure that the proposed allotments are adequately

serviced and suitable for their intended use.

- (3) The pavement of the proposed roads shall be extended to and join the existing pavements of adjoining streets and roads.

Reason: To ensure roads are adequately connected to the existing road network.

- (4) Stormwater discharge from the land division shall be piped to the stormwater detention basin constructed in application 960/302/2015 (960/D017/15) in accordance with a construction design and specifications satisfactory to Council prior to the issue of the Certificate of Approval.

An easement to Council, with a minimum width of 3 metres, shall be provided over the stormwater pipe between the boundary of the land division and the above mentioned stormwater detention basin prior to the issue of the Certificate of Approval.

Reason: To ensure that stormwater is adequately disposed of from the site.

- (5) The CWMS drainage system shall be connected to the CWMS pump station constructed in application 960/302/2015 (960/D017/15) in accordance with a construction design and specifications satisfactory to Council prior to the issue of the Certificate of Approval.

An easement to Council, with a minimum width of 3 metres (or 4 metres if shared with another service), shall be provided over the CWMS pipe between the boundary of the land division and the abovementioned CWMS pump station prior to the issue of the Certificate of Approval.

A new raising main shall be installed between the above mentioned CWMS pump station and an existing CWMS drain of sufficient capacity within the existing Tanunda CWMS drainage system nominated by the Council's CWMS Co-ordinator prior to the issue of the Certificate of Approval.

An easement to Council, with a minimum width of 3 metres shall be provided over the CWMS raising main prior to the issue of the Certificate of Approval.

Reason: To ensure that stormwater is adequately disposed of from the site.

- (6) The payment of the CWMS augmentation charge required pursuant to Section 188 of the Local Government Act be made to Council prior to the issuing of the Certificate of Approval. The charge payable is the charge current at the time of payment. (see note below).

NOTE ONLY

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Reason: To ensure that effluent can be satisfactorily disposed of from the proposed allotments and that the allotments are suitable for their intended use.

- (7) During construction of infrastructure temporary debris and sediment control measures shall be installed to prevent debris and sediment from leaving the site during all construction stages. Control measures shall be in accordance with a soil erosion and drainage management plan, which shall provide such pollution prevention measures as required to comply with the "Environmental Protection Authority's Stormwater Pollution Prevention Codes of Practice":

- For the Community
- For Local, State, and Federal Government
- For the Building and Construction Industry

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Reason: To ensure that pollution to the waterway is minimised during construction.

- (d) To GRANT Land Division Consent for Application No. 960/154/2016 (960/D007/16) by Actium Developments to undertake land division at Lot 2001 in 960/302/2015 (960/D017/15), Wilberth Street, Tanunda (CT 5463/525 and part CT 6151/496) subject to the following conditions and advisory notes:

- (1) Drainage easements be provided wherever necessary to provide for drainage of the allotments and roads, and for any CWMS infrastructure. Drainage easements shall have a minimum width of 3 metres for a single service and 4 metres where two services are provided.

Easements be provided wherever necessary for electrical purposes.

Reason: To ensure that adequate provision is made for the creation of appropriate easements for the purposes of drainage, electricity supply and sewerage services.

- (2) Roads shall have a minimum width of 14 metres.

Reason: To ensure that adequate provision is made for roads in accordance with Council's requirements.

- (3) Corner cut-offs measuring a minimum of 4.5 metres in each direction be provided at the intersection of all roads.

Reason: To ensure that adequate provision is made for roads in accordance with Council's requirements.

- (4) All roads and civil works shall be constructed in accordance with drawings and specifications designed by a professional engineer, submitted to and approved by Council before construction commences. The design shall generally be in accordance with the appropriate Australian Standards, technical codes of practice and Council's standard land division requirements. In particular:

(a) All site construction work shall be carried out under the supervision of a Professional Engineer in accordance with plans and specifications approved by Council. Council shall be notified prior to each stage inspection (24 hours or one full working day in advance) for attendance. All test results shall be provided to Council and accepted prior to a Certificate of Practical Completion being issued.

(b) All earthworks associated with the development shall be stabilised in accordance with certified engineering design and practices against erosion and failure. Earthworks must not encroach across neighbouring property boundaries. When fill or cut at the property boundary exceeds 200mm, a retaining wall with existing ground and proposed wall levels shall be specified.

(c) Defects Liability Period for the development shall be 12 months from the Council's written acceptance of Practical Completion.

(d) Minimum road grades shall be 0.5% and maximum road grades shall be 15% unless otherwise approved.

(e) All roads shall be provided with a verge with a minimum width of 3.5 metres. All verges shall have a maximum cross fall grade of 2.5%, graded towards the road top of kerb and be graded uniformly to be suitable for pedestrian traffic. Batters into allotments are to be no steeper than 1 in 6.

- (f) The road pavements shall have a minimum width of 7 metres (measured between kerb faces).
- 'Bulbing' shall be provided on bends to assist traffic movements.
- (g) The intersection of the Wilberth Street and Kennedy Street extensions shall be designed to delineate Kennedy Street turning north as the main thoroughfare and Wilberth Street terminating at the intersection.
- A safe and convenient transition shall be provided between the pavements of the proposed and existing portions of Wilberth Street.
- (h) All roads shall be sealed with an AC10, 30mm thick Bituminous Hot mix wearing course. Pavements are to be designed based on Austroads "Guide to Pavement Technology Part 2: Pavement Structural Design", Pavement Design for Light Traffic: A Supplement to Austroads Pavement Design Guide" and "Guide to Asset Management Part 5: Pavement Performance" using 95 percentile confidence limits for the ultimate traffic loading and a 20 year design life.
- (i) The pavement of the proposed roads shall be extended to and join the existing pavements of adjoining streets and roads.
- (j) All necessary signs (including street signs), traffic control devices and pavement markings shall be provided in accordance with AS1742.
- (k) Adequate measures shall be implemented to suppress dust generated during site works to ensure that dust generation does not become a nuisance off-site. Site development machinery should not generally be operated outside the hours of 7.00am to 7.00pm daily.
- (l) All roads shall be provided with kerb and gutter to the reasonable satisfaction of the Council. Semi-mountable or 150mm high upright kerb shall be provided adjacent to residential properties. Vehicle entrance laybacks shall be provided to each allotment wherever upright kerbing is used. 200mm high upright kerb shall be provided adjacent to reserves.
- (m) Kerb openings for the disposal of stormwater shall be provided for each allotment that drains to the road.
- (n) Street name signs shall be supplied and installed as part of the development.

- (o) "As Constructed" drawings shall be provided to Council in hardcopy and electronically in "dwg" or "dxf" format.

Reason: To ensure that adequate provision is made for roads and kerb in accordance with Council's requirements.

- (5) Concrete block paved footpaths of 1.5 metre width shall be provided on one side of the road, adjacent to the roadway in accordance with plans and specifications approved by Council. The footpath cross fall shall not exceed 2.0%. Pedestrian pram ramp accesses, including tactile ground surface indicators, are to be provided in accordance with Australian Standards AS1428.

Reason: To ensure that adequate provision is made for footpaths in accordance with Council's requirements.

- (6) A stormwater drainage system shall be constructed and installed in accordance with a Stormwater Management Plan supplied to and approved by Council prior to the commencement of work to ensure that all allotments and roads are adequately drained. The Stormwater Management Plan shall be prepared in accordance with the 1987 edition of "Australian Rainfall and Runoff", Australian Standard 3500.3:2003 and to the satisfaction of the Council as follows:

- (a) Detailed stormwater design calculations justifying the Stormwater Management Plan shall be provided.
- (b) The Stormwater Management Plan shall consider ultimate development of all catchment areas contributing to runoff over or through the land division, and ensure that natural run-off from neighbouring land and/or roads is not interrupted.
- (c) Stormwater detention systems shall be incorporated into the stormwater drainage system to ensure that the peak flow discharging from the whole development site (and wider catchment) post development from a 100 year ARI storm does not exceed that from the pre development site (and catchment) from a 20 year ARI storm. The post development analysis is required to demonstrate that critical storm duration is clearly identified. The outlet restriction system details and hydraulic design computations are required.

Any stormwater discharged from the basin shall be conveyed to the creek in Bridge Street. Details of the discharge arrangements shall be provided.

The maximum gradient of any embankment associated with a stormwater retention basin shall be 1 in 6. Any detention basin shall be seeded and landscaped to Council's satisfaction.

Any stormwater detention basin shall have a flat verge with a minimum width of 3 metres around the edge of the basin to facilitate access of maintenance equipment.

(NOTE:- The stormwater detention system can be provided off-site, either partially or wholly, subject to Council's acceptance and compliance with the above design criteria and other relevant conditions.)

- (d) Stormwater runoff from the site shall not be discharged from the site other than via a pipe placed in an easement or land under the care and control of Council and in accordance with a design approved by Council.
- (e) Where a lot grades away from a roadway, back of allotment drainage shall be provided.
- (f) Pollution control devices shall be incorporated within the development to provide for the removal of stormwater borne pollutants, consistent with current best practice and EPA requirements.
- (g) The Stormwater Management Plan shall include existing contours, features, existing stormwater infrastructure, proposed site works details, levels and grading, proposed stormwater system details, retention/detention system volumes and discharge controls, proposed building floor levels, proposed paving and connection details to and any upgrading if required of the existing external drainage systems.
- (h) The drainage system shall be designed making provision for future development (buildings and paved areas) covering up to 75% of allotment areas.
- (i) The pipe system shall provide for runoff generated by a minimum 10 year Average Recurrence Interval (ARI) storm event with overflow paths provided for a 100 year ARI storm event that will prevent stormwater runoff inundating properties.
- (j) Minor drainage systems shall be provided to limit gutter flow widths to a maximum of 1.5m for a 10 year ARI storm. Where overflow path discontinuity occurs and property flooding may occur a minimum of 100 year standard is required.
- (k) Minimum pipe size for road drainage shall be 375mm and pipes shall be rubber ring jointed.
- (l) "As Constructed" drawings shall be provided to Council in hardcopy and electronically in "dwg" or "dxf" format.

Reason: To ensure that adequate provision is made for drainage

of stormwater in accordance with Council's requirements.

- (7) Any stormwater detention basin proposed on a reserve allotment shall either be designed (to the reasonable satisfaction of Council) to be usable public open space, or alternatively, the land shall be designated as drainage reserve vested to the Council.

Reason: To ensure that adequate provision is made for drainage of stormwater in accordance with Council's requirements.

- (8) Underground electrical power be provided to each allotment in accordance with a design approved by SA Power Networks and Council. Where appropriate, services should be provided in a common service trench located in accordance with the publication titled "Services in Streets – A Code for the Placement of Infrastructure Services in New and Existing Streets".

Reason: To ensure that adequate provision is made for electrical services in accordance with Council's requirements.

- (9) Street Lighting be provided in accordance with a design and specifications conforming to Australian Standard 1158.1 and approved by SA Power Networks and Council. 42 Watt CF lamps are to be provided in residential streets. Lighting columns shall be standard SA Power Networks design approved by Council.

Reason: To ensure that adequate provision is made for the lighting of roads in accordance with Council's requirements.

- (10) Each allotment be provided with a connection point to the Community Wastewater Management Scheme at the boundary of the allotment, in accordance with a technical design and specifications approved by Council, prior to the commencement of work.

The design shall be prepared by a professional engineer and show the new drains and connection points locations, flushing points, inspection points, depths, gradients etc.

The specifications should provide for:

- Council inspections prior to backfilling of trenches
- The provision of test results to Council
- Provision of "As constructed" drawings to Council in hardcopy and electronically in "dwg" or "dxf" format

Reason: To ensure that adequate provision is made for drainage and disposal of effluent in accordance with Council's requirements.

- (11) A monetary open space contribution calculated in accordance with Section 50(7) of the Development Act shall be paid to Council.

Reason: To ensure that adequate provision is made for open space in accordance with the requirements of the Development Act.

SA Water Condition

- (12) The financial requirements of SA Water shall be met for the provision of water supply. (SA Water 90035/16)

The augmentation requirements of the SA Water shall be met.

The necessary easements shall be vested to SA Water.

Reason: To ensure that adequate provision is made for the provision of a water supply in accordance with requirements of a water industry entity.

Development Assessment Commission Condition

- (13) A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

Reason: To ensure that the requirements of the Development Assessment Commission are met.

Advisory Notes

- (i) The applicant is reminded of its general environmental duty, as per Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that its activities on the whole site, including construction, do not pollute the environment in any way which causes or has the potential to cause environmental harm.
- (ii) Suggested street names should be submitted to Council for consideration prior to submitting the final plan. Street names are considered at a Council meeting and names suggested by the applicant may not always be adopted. It is recommended that any suggested names be submitted at least eight weeks prior to lodging the final plan to avoid delays.
- (iii) The applicant is advised to contact the Council when all Council conditions have been complied with and request Council's release for the issue of the Certificate of Approval. Any bonding arrangements should be in place prior to seeking the issue of the Certificate of Approval.
- (iv) For further information regarding this approval and the conditions of approval please contact the relevant officer:

Brian Irvine	Planning Officer	Ph	8563 8486
Richard Crocker	Civil Engineer	Ph	8563 8496
Michael Clark	CWMS Co-ordinator	Ph	8563 8479

The Motion lapsed due to the want of a Seconder.

Panel Decision

Moved: D Reiman

Seconded: S Milne

That the recommendation be adopted

CARRIED

6.2 960/310/2016 (Allotment 900 Menge Road Bethany)

Applicant

Maddie Dobbin (URPS) addressed the Panel at 5:42pm, in response to questions from the Panel.

Recommendation

The Panel, having considered the application, resolves that the development proposal is REFUSED without proceeding to make an assessment of the application pursuant to Section 39(4)(d) of the Development Act for the following reasons:

- (a) The proposed use is not consistent with the desired character of the Primary Production (Barossa Valley Region) Zone.
- (b) The proposed use does not meet the criteria for short term workers accommodation.
- (c) The proposed use fails to preserve rural land for maximum horticultural and viticultural productivity.
- (d) The proposed use does not satisfy the minimum allotment size of 25 hectares for a detached dwelling.

Panel Decision

Moved: D Reiman

Seconded: S Milne

That the recommendation be adopted.

CARRIED

7. REPORTS - PANEL UPDATES

7.1 DAC Concurrence Matter

Development Assessment Commission Concurrence Applications

Recommendation

That the report be received.

Panel Decision

Moved: S Milne

Seconded: D Reiman

That the recommendation be adopted.

CARRIED

7.2 DAC Concurrence Matter

ERD Court Appeal – Update – Development Application 960/396/2013 – Hebron Christadelphian Bible Camp – verbal report

Recommendation

That the verbal report be received.

Panel Decision

Moved: S Milne

Seconded: T Hurn

That the recommendation be adopted.

CARRIED

7.3 DAC Concurrence Matter

ERD Court Appeal – Update – Development Application 960/391/2015 – Peter Seppelt – verbal report

D Hughes and T Hurn left the meeting at 5:55pm due to a stated conflict of interest.

Recommendation

That the verbal report be received.

Panel Decision

As Council's Development Assessment Panel Terms of Reference stipulate that a quorum for a meeting shall be the total number of members of the Panel in office, divided by two (2) (ignoring any fraction) and adding one (1), a quorum was lost due to the absence of two Members who had left the meeting due to a stated conflict of interest. Accordingly, the Panel could not enact the recommendation.

D Hughes and T Hurn returned to the meeting at 5:56pm.

8. REPORTS - OTHER BUSINESS

8.1 Deferred Matter – Development Application 960/390/2015 – Peter Seppelt

D Hughes and T Hurn left the meeting at 5:57pm due to a stated conflict of interest.

Recommendation

The 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 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) To GRANT Development Plan Consent for Application No. 960/390/2015 by Peter Seppelt to establish a function centre and undertake extension and variations to existing restaurant at 274 Laubes Road Springton (CT 5647/373) subject to the following reserved matter and conditions and advisory notes:

Reserved Matter

- (1) Information on the type of proposed noise limiting device to be fitted to music equipment in the restaurant (together with the proposed method of calibration) and associated sensors and monitoring equipment shall be submitted to Council for approval before installation.
- (2) Further noise sampling be undertaken at the noise affect premises to determine background noise levels at those noise affected premises, and that the revised background noise levels be submitted for approval of Council.

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 960/390/2015 except where varied by any condition(s) listed below.

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

Planning Authority.

- (2) Not more than 40 functions shall be held in any one calendar year and not more than one function shall be held per week.

The operating hours of the function activities shall be:

- Friday 12 midday to 12 midnight
- Saturday 10.00am to 12 midnight
- Sundays 10.00am to 5.00pm

For the purposes of these conditions a function shall mean:

- (a) A group booking for up to 120 people which reserves the whole of the premises exclusively, or
- (b) The use of the building depicted on the site plan as the 290sqm winery building, by guests or patrons to the premises, or
- (c) Circumstances where more than 75 guests or patrons are present in the premises, or
- (d) Circumstances where guests or patrons are served outside of the approved restaurant hours.

Reason: To clarify the operating constraints of the function centre and to minimise potential adverse consequences associated with the proposal.

- (3) Not more than 75 guests or patrons associated with the combined activities of cellar door and restaurant shall be present on the site at any one time.

The operating hours of the restaurant activity shall be:

- Monday to Friday 10am to 10pm
- Saturday 10.00am to 12 midnight
- Sunday 10.00am to 5.00pm

but shall not be used more than 4 times in any one week.

Reason: To clarify the operating constraints of the restaurant and to minimise potential adverse consequences associated with the proposal.

- (4) Not more than 40 guests or patrons shall be present on the site at any one time when the cellar door only is open (ie when the restaurant and function centre is not open or operating).

The operating hours of the cellar door shall be:

- 10.00am to 5.00pm, seven days a week

Reason: To clarify the operating constraints of the cellar door function centre and to minimise potential adverse consequences associated with the proposal.

- (5) Service shall not be provided to guests or patrons outside of the approved operating hours.

Service shall not be provided to guests and patrons outside of buildings after 9.30pm on any day.

Reason: To minimise potential adverse consequences associated with the proposal.

- (6) A noise limiting device referred to the Reserved Matter above and subsequently approved shall be installed to all electronic equipment used to amplify music in the restaurant and function centre building prior to the commencement of the utilisation of this consent.

Entertainment shall not be provided outside of the approved operating hours.

Entertainment of any type or form shall not be provided outside of any building before midday or after 6.00pm on any day.

Music noise levels measured at any noise affected premises shall not exceed the background noise level (as approved in accordance with the Reserved Matter prior to the commencement of the utilisation of this consent) plus 8dB(A).

Source noise level (continuous) from the car park, when measured at a noise affected premises, shall not exceed 50 dB(A).

Reason: To minimise potential adverse consequences associated with the proposal.

- (7) The areas depicted as "lawn and gardens", generally between the complex of buildings and the dam shall not be used for function activities after 6.00pm on any day.

Reason: To minimise potential adverse consequences associated with the proposal.

- (8) The existing car park south of the building depicted as "cellar door" on the site plan shall be expanded and established to accommodate a minimum of 45 cars, prior to the commencement of utilisation of this consent.

Reason: To ensure that adequate number of car parking spaces are provided.

- (9) A disabled car park shall be provided which conforms with the relevant Australian Standard and is sealed. A sealed pathway shall be provided between the disabled car park and the entrance of the building depicted as "cellar door" on the site plan.

Reason: To ensure that car parking is provided for disabled people.

- (10) The northern access point to the car park (adjacent to the cellar door building) shall be signposted and used as the entrance only, and the southern access point shall be signposted and used as the exit only.

Reason: To minimise potential adverse consequences associated with the proposal by minimising the number of traffic movements on Laubes Road adjacent to tourist accommodation facility.

- (11) The staff car parking area shall be established prior to the commencement of the utilisation of this consent.

Reason: To ensure that adequate number of car parking spaces are provided.

- (12) External spot lights, flood lights and similar lights shall be positioned and directed to avoid light spill into neighbouring properties.

Reason: To minimise potential adverse consequences associated with the proposal.

Advisory Notes

- (i) Building Rules Consent is also required before Development Approval can be issued. The proposed use of the building and variations should not commence until Development Approval is issued.
- (ii) Please be advised that where a Private Certifier is appointed to undertake the building assessment, Council does not provide a service of advising the Private Certifier of site conditions or any matters relevant to the building assessment. It is recommended that a Private Certifier undertakes his or her own investigations and inspection of the site to become acquainted with site conditions and any other relevant matter.

Panel Decision

As Council's Development Assessment Panel Terms of Reference stipulate that a quorum for a meeting shall be the total number of members of the Panel in office, divided by two (2) (ignoring any fraction) and adding one (1), a quorum was lost due to the absence of two Members who had left the meeting due to a stated conflict of interest. Accordingly, the Panel could not enact the recommendation.

D Hughes and T Hurn returned to the meeting at 5:59pm.

9. REPORTS – CONFIDENTIAL

Nil

10. OTHER BUSINESS

S Milne advised the Panel that he will be an apology for the October 2016 Panel Meeting.

11. NEXT MEETING

Tuesday 6 September 2016 commencing at 5.00pm.

12. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:00pm.

Confirmed

Date: Chairman: