

BAROSSA ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA ASSESSMENT PANEL
held on

Tuesday, 7 February 2023, commencing at 5.00 pm

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



The Barossa Council

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1. WELCOME

The Presiding Member welcomed everyone, acknowledging the traditional lands of the Ngadjuri, Peramangk and Kurna people and respect for their spiritual relations with Country, and opened the meeting at 5:00pm.

2. ATTENDANCE

2.1 Present

Panel Members

Michael Wohlstadt	Presiding Member
Grant Hewitt	Member
Jake McVicar	Member
Susan Giles	Member
Jane Evans	Member

Aaron Curtis	Assessment Manager
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Council Staff

Gary Mavrinac	Director, Development and Environmental Services
Steve Kaesler	Manager, Engineering Services
Chris Kruger	Minute Secretary

2.2 Apologies

Nil.

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

PANEL DECISION

Moved: G Hewitt

Seconded: S Giles

That the minutes of the Barossa Assessment Panel meeting held on Wednesday 25 January 2023 be received and confirmed.

CARRIED**4. BUSINESS ARISING**

Nil.

5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

Nil.

6. REPORTS – APPLICATIONS FOR DECISION (DEVELOPMENT ACT 1993)

Nil.

7. REPORTS – DEFERRED APPLICATIONS FOR DECISION (DEVELOPMENT ACT 1993)

Nil.

8. REPORTS – APPLICATION FOR DECISION (PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016)**8.1 22012365 - 6-8 Buna Terrace, 10 Buna Terrace and 7A-7B Kokoda Road Nuriootpa**

Representors

ARRIED

Catherine O'Brien of 1/8 Buna Terrace Nuriootpa addressed the Panel at 5:07pm, and answered questions from the Panel.

Nick Anderson of 5 Kokoda Road Nuriootpa addressed the Panel at 5:17pm, and answered questions from the Panel.

David Blake of 2/8 Buna Terrace Nuriootpa addressed the Panel at 5:23pm, and answered questions from the Panel.

Applicant

ESD Planning and Design addressed the Panel at 5:28pm, and answered questions from the Panel.

Steve Kaesler (Manager, Engineering Services) answered questions from the Panel at 5:36pm.

PANEL DECISION

Moved: G Hewitt

Seconded: S Giles

Not Seriously at Variance

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

CARRIED

PANEL DECISION

Moved: G Hewitt

Seconded: S Giles

Character Preservation

Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, the Barossa Assessment Panel has had regard to the objects of that Act and, in determining this application, has resolved that there are no significant impacts on the character values of the district.

CARRIED

PANEL DECISION

Moved: G Hewitt

Seconded: S Giles

Granting of Planning Consent

The Barossa Assessment Panel, having considered the application for consent to carry out development of land and pursuant to the provisions of the *Planning, Development and Infrastructure Act 2016* resolves to GRANT Planning Consent for Application No. 22012365 by ESD Planning and Design for the retention of two existing dwellings and construction of a new Retirement Facility comprising construction of five single storey units, combined retaining walls and fencing exceeding 2.1 metres, together with associated internal driveway, shared visitor parking and landscaping (CT 5710/150, CT 5705/711 and CT 5568/567) subject to the following reserved matters, conditions and advisory notes:

Reserved Matters

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016*, the Relevant Authority reserves its decision in relation to the following matters:

- (1) The applicant shall submit a final working Landscape Plan for approval, that includes all of the following:
 - a) Final location for all proposed landscaping comprising trees, shrubs and groundcovers
 - b) Final nominated species to be used

- c) Pot sizes, noting advanced growth trees shall be used
- d) Irrigation and maintenance methods;
- e) Provision for a 1 metre landscaping strip along the southern side of the driveway of unit 1, adjacent to 9 Kokoda Road, the driveway width at the property boundary shall not exceed 3.2 metres.

- (2) The buildings shall be connected to a wastewater system approved under the *South Australian Public Health Act 2011*.

NOTE: Prior to building work commencing 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*.

- (3) The stormwater drainage design must include a final Stormwater Management Plan, Stormwater Calculations and Civil Siteworks Plan. The plan shall address the following additional matters:

- (a) Final design for management of roof water from the units including provision of the rainwater tanks and their integration with the overflow stormwater system, together with impervious surfaces to reflect the system as required to be amended by clauses below.
- (b) The stormwater drainage system shall be designed in accordance with the current edition of 'Australian Rainfall and Runoff' (IEA), AS3500.3 *Plumbing and Drainage – Part 3: Stormwater drainage and Council's requirements*.
- (c) Location of all drains, sumps and grates, their sizes and grades, to achieve safe and controlled discharge to Council's stormwater drainage system.
- (d) All stormwater discharge from the site being directed to Buna Terrace.
- (e) The maximum point of discharge to kerb and gutter for up to the 10% Average Exceedance Probability (AEP) event shall be 12l/sec.
- (f) Identification of the existing CWMS drain traversing the site and its proximity to the proposed building works. All proposed works, including footings and stormwater drainage shall not be permitted to conflict with the existing pipework and appropriate service relocation works may be required.
- (g) A maximum pump rate of 7.76l/s (allowing for undetained flows of 4.24l/s) will be required for all storm events. Amended stormwater calculations, including revised storage volumes, are required to be provided as follows:
 - i) The controlled discharge from the site shall be connected safely to Council's stormwater drainage system via a fully galvanised 150 x 100 (nominal) box drain secured neatly in the existing upright kerb and gutter in Buna Terrace. The finished surface shall be free of trip hazards.
 - ii) The maximum point of discharge to kerb and gutter for all storm events shall be 12l/sec.
- (h) Detail required on the civil drawings regarding the fitting of a 35 mm orifice at the bottom of each rainwater tank servicing the units (allowing 1.395 metres of head (water depth)).
- (i) The car parking spaces adjacent the internal driveway next to proposed unit 1 shall be tapered so as to provide safe and convenient vehicle access to these spaces.

- (j) Minimum 2 metre clearance achieved of the driveways to any street tree.
- (4) The applicant shall amalgamate the allotments and provide evidence of the amalgamated land parcel, in accordance with the letter from ESD, response to representations.
- (5) A 3 metre easement in favour of Council (or lesser width as agreed with Council) shall be registered on the Certificate of Title for the land in respect to all CWMS communal drains traversing the site, in accordance with the letter from ESD, response to representations.
- (6) The applicant shall submit a final version of the unit floor plans and elevation plans for the five units, such that they accord with the amended proposal as outlined within the plan version set, A000-A011, JBG Architects, 23 January 2023.
- (7) An engineering assessment from a qualified and experienced structural engineer, that building works in proximity to the septic tanks located in rear yards of 6-8 Buna Terrace, Nuriootpa, do not compromise the structural integrity of the septic tanks.

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 22012365 except where varied by any condition(s) listed below.

Plan Type	Prepared By	Drawing No.	Issue No. / Date
Planning Report	ESD	N/A	28.06.22
Response to Representations	ESD	N/A	Not Dated
Coversheet/Perspective	JBG Architects	A000 Issue P.07	23.01.23
Block Plan	JBG Architects	A001 Issue P.07	23.01.23
Site Roof Plans	JBG Architects	A002 Issue P.07	23.01.23
Site Floor Plans	JBG Architects	A003 Issue P.07	23.01.23
Existing & Demolition Site Plan	JBG Architects	A004 Issue P.07	23.01.23
Site Notes	JBG Architects	A005 Issue P.07	23.01.23
Survey	JBG Architects	A006 Issue P.07	23.01.23
Site Boundaries	JBG Architects	A007 Issue P.07	23.01.23
Site Landscape Plan	JBG Architects	A008 Issue P.07	23.01.23
Site Landscape Plan Notes	JBG Architects	A009 Issue P.07	23.01.23
Street Perspective	JBG Architects	A010 Issue P.07	23.01.23
Street Perspective	JBG Architects	A011 Issue P.07	23.01.23
Engineering Calculations	SBEC	2104-26	25.01.23
Drawing List & Locality Plan	SBEC	Sheet 1.0 Issue B	25.01.23
General Notes	SBEC	Sheet 1.1 Issue B	25.01.23
Civil Plan – Index	SBEC	Sheet 2.0 Issue B	25.01.23
Civil Plan – Sheet 1	SBEC	Sheet 2.1 Issue B	25.01.23
Civil Plan – Sheet 2	SBEC	Sheet 2.2 Issue B	25.01.23
Survey – Index	SBEC	Sheet 3.0 Issue B	25.01.23
Survey – Sheet 1	SBEC	Sheet 3.1 Issue B	25.01.23

Survey – Sheet 2	SBEC	Sheet 3.2 Issue B	25.01.23
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- (2) Prior to occupation, the development authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of the relevant authority.
- (3) An augmentation fee is applicable to account for the increase in loads on the Nuriootpa CWMS, pursuant to the Council's rates and charges, as levied under the Water Industry Act.

Note: The actual augmentation fee to be charged will be calculated and advised at time of Wastewater Application assessment.

- (4) The open side(s) of the alfresco areas and verandahs authorised herein shall not be enclosed on any side with any solid material, roller door or the like without the prior approval of the relevant authority.
- (5) Storm water disposal systems must be fully installed at the completion of the construction of the buildings, in accordance with the Approved Stormwater Management Plan pursuant to Reserved Matter 3 of this Planning Consent, with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties.
- (6) The external building materials shall:
 - a) Be of new non-reflective materials; and
 - b) Be in accordance with the approved plans; and
 - c) Be maintained in good condition at all times.
- (7) Prior to occupation of the development, the landscaping works shown on the Approved Landscaping Plan, pursuant to Reserved Matter 1, must be carried out, completed and maintained to the satisfaction of Council. Any dead or diseased plantings shall be replaced.
- (8) Boundary retaining walls and fencing shall be established, prior to occupation of the development, in accordance with the Approved Plans.
- (9) All car parking, driveways and vehicle manoeuvring areas shall be constructed and finished in sealed surface such as bitumen, concrete or pavers in accordance with the approved plans and shall be completed prior to the occupation or use of the development, to the reasonable satisfaction of the relevant authority.
- (10) The car park and manoeuvring areas shall be kept clear and unobstructed of buildings and structures, so as to enable continual and ongoing use of the car parking spaces at all times.
- (11) All car parking, driveways and vehicle manoeuvring areas shall comply with the requirements of Australian Standard 2890. The car parking spaces shall be demarcated in appropriate manner, consistent with the Australian Standard.
- (12) The following signage shall be established within the common driveway to facilitate safe and convenient traffic movement:

- a) Appropriate traffic control signage to facilitate the one-way traffic flow, in accordance with AS1742 Manual of uniform traffic control devices.
- b) Speed signs to reflect the low speed environment within the common driveway area.

Advisory Notes

- (1) 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.
- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) The adjoining owner should be advised of the proposed work on the boundary and issues such as access to perform work, removal of fences, finished levels and retaining walls should be resolved before building work commences. This approval does not create an automatic right to access neighboring land. Fencing work is subject to the provisions of the *Fences Act 1975*.
- (7) Excavations on or near the boundary may require the giving of notification to the neighbour pursuant to regulation 75 of the Development Regulations. It is recommended that where mechanical equipment is proposed to be used to construct retaining walls, and where the dwelling may impede access for that equipment, the retaining walls be constructed prior to preparing the footings.

CARRIED

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

Nil.

10. REPORTS – PANEL UPDATES

Nil.

11. REPORTS – OTHER BUSINESS

Agenda Item 8.1 – 22012365 - 6-8 Buna Terrace, 10 Buna Terrace and 7A-7B Kokoda Road Nuriootpa

Panel notes the absence of pedestrian mobility infrastructure in the Penrice Road/Park Avenue locality and the apparent intent and need of Barossa Village to continue to develop retirement village housing in this locality.

This provides a basis for possibility of joint funding of infrastructure which would be beneficial for inclusive community.

12. REPORTS – CONFIDENTIAL

Nil.

13. NEXT MEETING

Tuesday 22 February 2023 commencing at 5.00 pm

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:30pm.

Confirmed

Date:..... Chairman: