

BAROSSA ASSESSMENT PANEL

Notice is hereby given that a meeting of the Barossa Assessment Panel will be held at the Council Offices, 43-51 Tanunda Road, Nuriootpa on

Tuesday, 6 June 2023, commencing at 5.00 pm

Aaron Curtis
Assessment Manager



AGENDA

Please note that due to federal copyright law restrictions, attachments associated with the proposed development are available on our website for viewing only and are locked for printing or copying

NOTE: Plans contained in this agenda are subject to Copyright Laws.

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1. WELCOME**2. ATTENDANCE****2.1 Present****2.2 Apologies****2.3 Absent****3. CONFIRMATION OF MINUTES****RECOMMENDATION**

That the minutes of the Barossa Assessment Panel meeting held on Tuesday 2 May 2023 be received and confirmed.

4. BUSINESS ARISING**5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL**

The Minister's Assessment Panel Members – Code of Conduct requires that a member of an assessment panel who has a direct or indirect personal or pecuniary interest in a matter before the assessment panel (other than an indirect interest that exists in common with a substantial class of persons):

- a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the assessment panel; and
- b. must not take part in any hearings conducted by the assessment panel, or in any deliberations or decision of the assessment panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

A member of an assessment panel will be taken to have an interest in a matter if an associate of the member (within the meaning of section 3(7) of the PDI Act) has an interest in the matter.

Any member that considers that they have an interest must notify the Presiding Member and have it recorded in the minutes as to the nature and extent of the interest.

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

Nil.

7. REPORTS – APPLICATION FOR DECISION (PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016)

7.1 23008199 - 17 Fairbrother Circuit Nuriootpa

APPLICATION DETAILS

PROPOSAL	Amendment to Development Application 21010952 for carport (Increase post height from 3.3 metres to 3.585 metres and enclose southern side of carport with aluminium slat panels and plastic pattern screens)
APPLICANT	BGI Building Group
OWNER	David Jones
APPLICATION NO	23008199
CERTIFICATE(S) OF TITLE	CT 6155/179
AREA	660 sqm
CURRENT USE	Residential
PLANNING AND DEVELOPMENT CODE VERSION	Version 2023.4
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Neighbourhood
OVERLAYS	Character Preservation District - Township
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified – Sign required
REFERRALS	Nil
PREVIOUS APPLICATIONS	DA 960/784/2014 - Dwelling DA 21010952 – Construction of a freestanding carport (measuring 18.2m x 3.78m x 3.3m roof height)
ASSESSING OFFICER	Hrvoje Videka
RECOMMENDATION	That Development Plan Consent be GRANTED subject to conditions

INTRODUCTION

The BGI Building Group on behalf of the owner, Mr David Jones, seeks development approval for an amendment to an existing approval to a domestic carport, to raise the height by 285 mm (max height 3.3 metres to 3.585 metres) and to install decorative privacy screen panels, as well as enclosing a portion of the structure with polycarbonate sheeting.

Previously, development approval was granted (DA 21010952) for a carport of a maximum height of 3.3 metres. The first application was subject to public notification with no representations being received. After construction, it was identified that the carport was built 285mm higher than approved and had been enclosed with polycarbonate sheeting to the sides of the structure, contrary to the development

approval. The applicant subsequently submitted this application seeking approval for the variation.

The site is located within the Neighbourhood Zone. The proposed development was subject to performance assessment and public notification. The application was notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and was subject to receipt of two representations, of which neither has requested to be heard.

This application has been referred to the Barossa Assessment Panel for a decision for the following reason:

- (1) *Where in the opinion of the Assessment Manager, it is appropriate to refer the application to the Barossa Assessment Panel.*

The proposal relates to a carport attached to the southern side of the existing dwelling, with dimensions of 18.2 metres long, 3.78 metres wide and 3.585 metres maximum height. The carport is of a skillion design, and the proposal includes the addition of decorative screens on the southern side of the structure, which is on the boundary between 17 and 19 Fairbrother Circuit.

The proposed carport exceeds several parameters of the Planning and Design Code, relating to the length-on-boundary, post height, and footprint. As the current application for variation does not deviate from the footprint and length-on-boundary of the previously approved structure, the following assessment will focus on the increased height, and addition of screening panels and polycarbonate sheeting enclosure.

The proposal has been recommended for Planning Consent, subject to conditions. While the proposal does result in visual impact to the neighbouring property and some overshadow at the Winter Solstice, the overall level of impact is considered to be acceptable.

SITE AND LOCALITY

The site is known as 17 Fairbrother Circuit Nuriootpa and has an area of 660 sqm. The locality is comprised of single storey detached dwellings, which were predominately constructed within the last 10 years. The characteristics of the allotments in the locality are very consistent, with majority of allotments in the order of about 600sqm and frontages of about 15-20m. The overall character of the locality is of a modern suburban development with well-presented contemporary homes. Nearby to the south is the Barossa Bushgardens which is located within the adjacent Recreation Zone.

Figure 1 below contains a Zone map and details of the location of the site.



Figure 1: Zone Map and Locality

An aerial view of the site is contained in **Figure 2**.

Site photos are provided in **Figure 3, 4 and 5**.



Figure 2: Aerial view of site



Figure 3: Looking east from Fairbrother Circuit



Figure 4: Looking east from Fairbrother Circuit



Figure 5. Looking north-east from side yard of 19 Fairbrother Circuit

PROPOSAL

The development application seeks retrospective approval for a carport that deviated from the original approval:

"Amendment to Development Authorisation 21010952 for carport (Increase post height from 3.3 metres to 3.585 metres and enclose southern side of carport with aluminium slat panels and plastic pattern screens)"

The carport is attached to the southern side of the existing dwelling, with dimensions of 18.2 metres long, 3.78 metres wide (68.8 sqm) and 3.585 metres maximum height. The carport is of a skillion design, and the proposal includes raising the height of the structure by 285mm and the addition of decorative screens on the southern side of the structure, which is on the boundary between 17 and 19 Fairbrother Circuit.

The carport is set back approximately 1 metre from the front building line of the dwelling (1.4 metres from front edge of roof) and is 5.495 metres from the rear boundary.

The structure is of a Stratco Sand Dune finish, with the decorative screens on the southern side being of a black and charcoal colour. The infill panel on the northern side of the structure (filling space between carport and roof of dwelling) is polycarbonate sheeting in an Opal colour. Part of the carport on the eastern side is clad in Ampelite Solasafe corrugated polycarbonate.

Attachment 1 contains a copy of the application and associated documentation.

APPLICATION TYPE

The site is located within the Neighbourhood Zone under the Planning and Design Code. The proposed development is neither assigned as a form of 'Deemed to Satisfy' development under Table 2 of the Zone, or as a 'Restricted' form of development under Table 4. Therefore, the application is subject to 'Performance Assessed' assessment pathway.

PUBLIC NOTIFICATION

The application was subject to public notification in accordance with Table 5 – Procedural Matters – Notification of the Neighbourhood Zone.

By virtue of Column B 2(a) and (b), the proposal requires public notification.

<i>Class of Development (Column A)</i>	<i>Exceptions (Column B)</i>
Any development involving any of the following (or of any combination of any of the following): ... (d) carport ...	Except development that: 1. exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: (a) the length of the proposed wall (or structure) exceeds 11.5 metres (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment); or, (b) the height of the proposed wall (or post height) exceeds 3.2 metres measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).

The table below provides details of the public notification process.

Representations:	Ms Wendy Trinne Mr Nathan Slater
Persons wishing to be heard:	No representors wish to be heard
Applicant	BGI Building Group

Time period for 31 March 2023 to 24 April 2023
Public Consultation

An aerial view showing the representors' properties is shown in **Figure 5**.



Figure 6: Aerial map of Representors' Properties (yellow: Ms Wendy Trinne, blue: Mr Nathan Slater)

The table below summarises the contents of the representations and the applicant's responses.

Summary of Representations

Applicant's Response

- | | |
|---|--|
| <ul style="list-style-type: none"> • Structure is of a size that is not suitable for a residential locality. | <ul style="list-style-type: none"> • The skillion design was proposed over a pitched design to reduce the overall height of the structure. |
| <ul style="list-style-type: none"> • The structure blocks direct sunlight to north-facing windows, particularly from April to October. Increased reliance on lighting and heating to compensate for the loss of direct sunlight. | <ul style="list-style-type: none"> • Light-permeable screens and the addition of polycarbonate roof sheets have been incorporated to allow more light to the neighbouring property. |
| <ul style="list-style-type: none"> • Lack of direct sunlight on northern side of property has resulted in the growth of mildew on outside paths. | <ul style="list-style-type: none"> • Screens have been selected to be aesthetically pleasing to the neighbouring property whilst maintaining privacy between the properties. |
| <ul style="list-style-type: none"> • Concerned that increasing the height of the existing structure will have a significant visual impact from the rear of their property. | <ul style="list-style-type: none"> • The application is to retrospectively seek approval; the structure will not be altered from the current form. |

A copy of the representations are contained in **Attachment 2** and the applicant's response is contained in **Attachment 3**.

REFERRALS

External

Pursuant to Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017* and Part 9 of the Planning and Design Code, the application was not subject to any referrals.

Internal

The application was not subject to any internal consultation with staff.

ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, 16 March 2023, Version 2023.4:

Planning and Design Code Extract Link	Relevant Code <u>Extract</u>
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Seriously at Variance

Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, it is recommended that the Panel determine that the proposed development is not Seriously at Variance with the relevant provisions of the Planning and Design Code.

The proposed form of development is anticipated in the Neighbourhood Zone, and the proposed design is reasonably expected of a carport with a Neighbourhood Zone. The proposed increase of height of 285 mm will not result in a significant change in visual impact, and the addition of decorative screening on the northern side adds to the aesthetics of the structure that compliments the residential nature of the property. In this context, the proposal is not considered to be Seriously at Variance with the Planning and Design Code.

Character Preservation (Barossa Valley) Act 2012

Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, having regard to the Objects of the Act, it is recommended that the Panel determine that the proposed development does not adversely impact the character values of the district.

The proposal is not visible from outside the township area and will not diminish the visual amenity of the rural and natural landscape, such that it will not detract from the objects or value of the district.

Further discussion is contained under the Assessment section below in relation to the Character Preservation District Overlay.

Assessment

Detailed assessment of the proposal has taken place against the relevant provisions of the Planning and Design Code as quoted above. Commentary is provided below under headings.

Land use

Neighbourhood Zone	
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 <i>Predominantly residential development with complementary non-residential uses that support an active, convenient and walkable neighbourhood.</i>	DPF 1.1 <i>Development comprises one or more of the following:</i> (d) Dwelling

The proposed development is residential in nature and is ancillary and incidental to an existing dwelling located on the site. Therefore, the proposed form of development is clearly acceptable.

Visual Impact

Neighbourhood Zone	
Desired Outcomes	
DO 1	<i>Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.</i>
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 3.1 <i>Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation</i>	DPF 3.1 <i>The development does not result in site coverage exceed 60% of the site area</i>
PO 10.1 <i>Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties</i>	DPF 10.1 <i>Ancillary buildings and structures:</i> (a) are ancillary to a dwelling erected on the site (b) have a floor area not exceeding: (i) 60 sqm on sites less than 800 sqm (ii) 80 sqm on sites 800 sqm or more (c) are not constructed, added to or altered so that any part is situated: (i) in front of any part of the building line of the dwelling to which it is ancillary (ii) within 5.5 metres from the boundary of the primary street (iii) within 900 mm of a boundary of the allotment with a secondary street (d) in the case of a garage or carport, do not exceed 7 metres or 50% of the site frontage (whichever is the lesser) when

	facing a primary street or secondary street (e) if situated on a boundary (not being a boundary with a primary street or secondary street) do not exceed 11 metres unless: (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street) all walls or structure on the boundary do not exceed 45% of the length of the boundary (g) will not be located within 3 metres of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure (h) have a wall height or post height not exceeding 3 metres above natural ground level (and not including a gable end) (i) have a roof height where no part of the roof is more than 5 metres above the natural ground level (j) if clad in sheet metal, are pre-colour treated or painted in a non-reflective colour (k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less: (i) >450 sqm → 25% the amount of soft landscaping prior to the development occurring
PO 10.2 Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements and do not result in over-development of the site	DPF 10.2 Ancillary buildings and structures do not result in: (a) less private open space than specified in Design Table 1 – Private Open Space (b) less car parking than specified in Transport, Access and Parking Table 1 – General Off-Street Car Parking Requirements or Table 2 – Off-Street Car Parking Requirements in Designated Areas to the nearest whole number

	(ii) <i>site coverage exceeding 60%</i>
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The proposed development does not result in total site coverage exceeding 60%. As such, the development satisfies DPF 3.1.

With respect to Performance Outcome 10.1, the design falls short of achieving all relevant criteria of the associated Designated Performance Feature (DPF) 10.1. In particular, the design does not satisfy items (f) and (h) in that the total length of structures on boundary exceeds 11 metres and the proposed post height exceeds 3 metres relative to natural ground level. It is however noted that the carport has been approved with a length of 18.2 metres and a height of 3.3 metres and these elements are not subject to new assessment.

With respect to height, the building is proposed with a post height of 3.585 metres (increase of 285 mm). The site is flat, and the height of the structure will not be exacerbated by sloping terrain. The height of the structure has the potential to result in a sense of enclosure of the neighbouring property to which it is on the boundary. When viewed from the southern side (19 Fairbrother Circuit), the structure is obscured by an existing fence up to 1.8 metres, with the remaining height of the structure infilled with decorative privacy screens. When compared to the visual impact of a 3 metre wall height outbuilding (DTS outcome) on-boundary, the proposed development provides a softer visual impact, and allows a significant amount of light to pass through the permeable side panels.

The overall increase in height of the structure by 285 mm is not considered to be so unreasonable as to be at variance with Performance Outcome 10.1. While taller, the increase of 285 mm is not excessive and still results in a structure of a reasonably domestic scale. While acknowledging there will be some impact, the articulated side panels, permeability within the panels and the contrast between the Colorbond fence and side panels results in an outcome that is acceptable. The height, while bordering on the limits of what is appropriate in a residential area, is on balance considered to be acceptable.

Overshadow Impact

There are limited provisions within the Planning and Design that relate to overshadow impact for a carport. The key provisions within the Planning and Design Code that relate to overshadow are contained within the "Interface between Land Uses" general section of the Code, specifically Performance Outcome 3.1 and 3.2, however, these provisions are not called up for this proposal under Table 3 of the Neighbourhood Zone.

The only provision that is relevant to this matter is that of Performance Outcome 3.1 which states:

PO 3.1 <i>Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.</i>	DTS/DPF 3.1 <i>The development does not result in site coverage exceeding 60% of the site area.</i>
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A comparison of the difference in visual impact of the proposed carport vs a DTS outbuilding (3 metre wall, 5 metre ridge) at 12.00 pm 22 June indicates that the proposed carport results in less overshadowing, and potentially a lesser visual impact than that of a DTS outcome. The impact of the proposed carport compared to an on-boundary DTS outbuilding can be seen in **Figure 6** and **Figure 7** respectively.

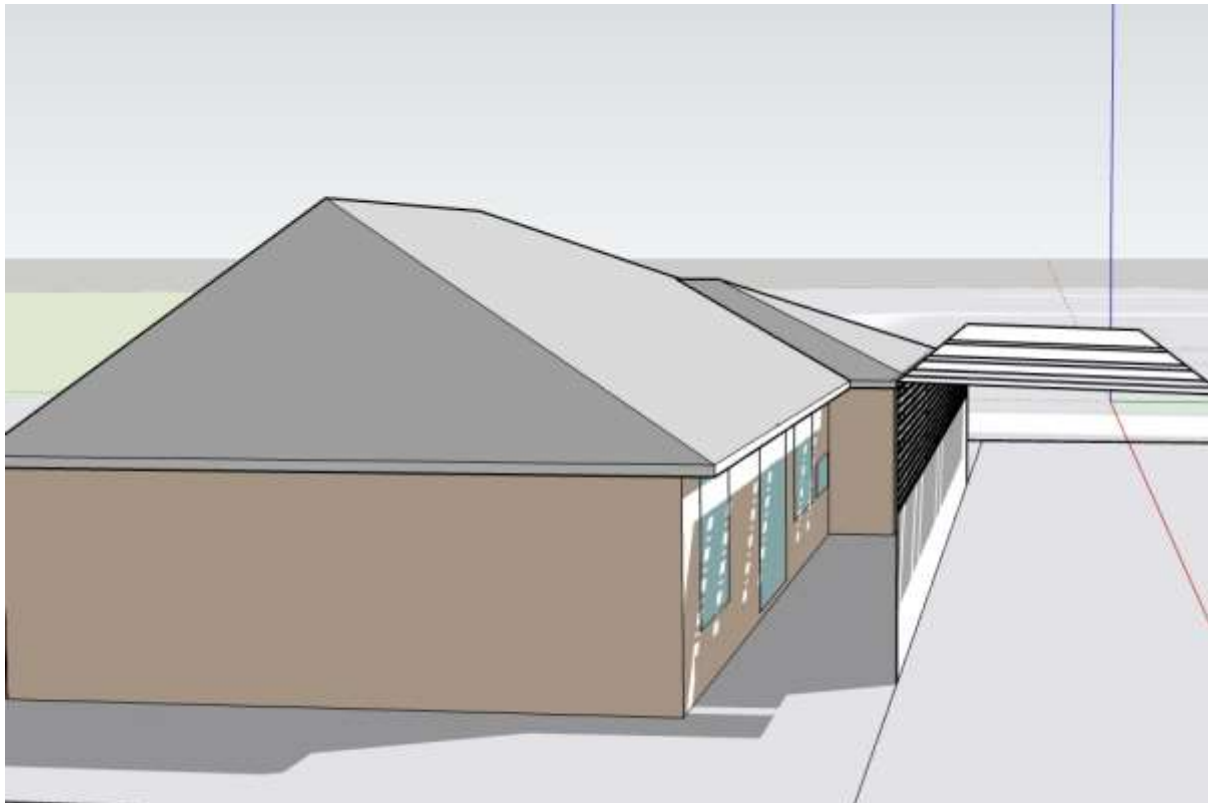


Figure 7: Carport 12.00 noon at 22 June (Winter Solstice)

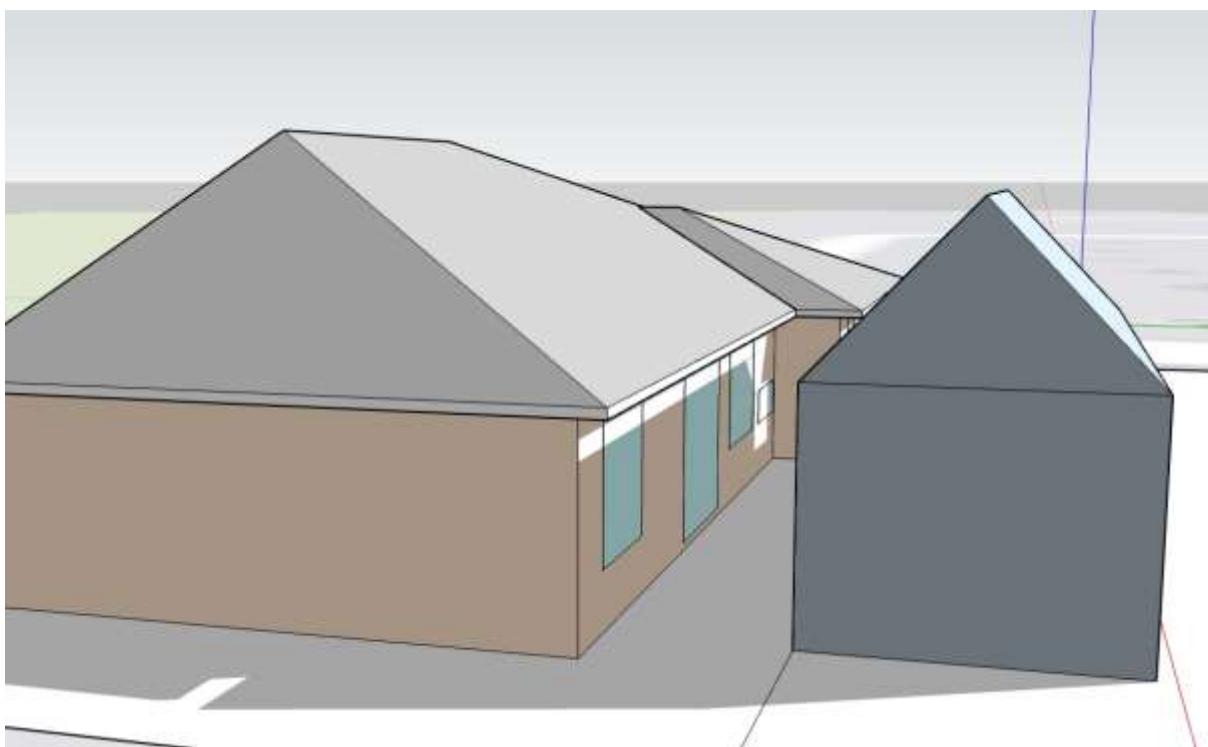


Figure 8: DTS outbuilding 12.00 noon at 22 June (Winter Solstice)

The carport is positioned behind the building line of the dwelling, and as such is set back further from the rear of the property than the dwelling, which results in the carport, whilst not insignificant in size, to be of a size that is proportional to the dwelling. DTS/DPF 10.1 allows for an ancillary structure to have a total height of 5 metres; the proposed carport has a total height 1.415 metres below the total allowable height within the Neighbourhood Zone.

In regard to the shadow impact of the proposal upon 19 Fairbrother Circuit, the distance of the living areas from the boundary has a significant bearing on the potential impact of a building on-boundary. The Planning and Design Code allows a dwelling to be within 900 mm of a side boundary. The existing dwelling at 19 Fairbrother Circuit is positioned 2.2 metres away from the side boundary (part of dwelling with living areas) which reduces the impact of a structure on-boundary, given that greater light is achievable to the north facing windows, than if the dwelling were built at 900mm from this boundary. The proposal also incorporates some polycarb sheeting to the roof which is designed to allow for some light through the roof of the structure to increase light access to the neighbouring property.

The side courtyard is shadowed at the Winter Solstice for a fair portion of the day but this courtyard is only 2.2m and therefore is not regarded as 'private open space' within the Planning and Design Code. The shadow diagrams indicate that the proposal would result in less than 3 hours of direct sunlight between 9:00am and 3:00pm on 21 June. The shadow diagrams suggest the north facing windows would achieve about 2 hours of sunlight, but it is noted that a DTS development outcome would result in a similar level of overshadow impact. Given that there are no clear policies that speak to shadow impact, that the proposal does allow for access to light and ventilation as desired by Performance Outcome 3.1 and that the proposal has a similar or lesser level of shadow impact to that of a DTS development outcome, this aspect of the development is considered to be acceptable.

Effluent Disposal

(i) On-site Waste Treatment Systems	
PO 12.2 <i>Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risk to human health and the environment.</i>	DPF 12.2 <i>Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system</i>

The subject site is serviced by the Community Wastewater Management Scheme with an on-site septic tank. No on-site effluent drainage areas exist.

The building herein is adequately setback from the existing septic tank which is positioned on the north-eastern portion of the site. This aspect of the development is acceptable.

Native Vegetation

Native Vegetation Overlay	
Desired Outcomes	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values
Relevant Performance Outcomes/Designated Performance Features	
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance	DPF 1.1 An application is accompanied by: (a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: (i) in connection with a relevant access point and/or driveway (ii) within 10 metres of a building (other than a residential building or tourist accommodation) (iii) within 20 metres of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50 metres of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area - or (b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categories as 'Level 1 clearance'.

The application has been submitted with a Native Vegetation Declaration in accordance with DPF 1.1(a). This aspect of the development is acceptable.

Character Preservation Overlay

Character Preservation District Overlay (Township)	
Desired Outcomes	
DO 1	Recognise, protect and enhance the special character of the Character Preservation Districts
DO 2	The long-term use of land outside of townships for primary production and associated value adding enterprises is assured and promoted
Relevant Performance Outcomes/Designated Performance Features	
Built Form and Character in the Rural Area	
PO 2.1 Development occurring at the edge of townships is sympathetic to the rural	DPF 2.1 None are applicable

<i>landscape and reinforces a clear transition between townships and rural landscape through measures including:</i> (a) <i>being of a low scale</i> (b) <i>orientating residential development towards at the rural area</i> (c) <i>ensuring visual separation from the rural area through landscaping and road reserves</i>	
PO 2.2 <i>Development contributes to and maintains the historic identity and character of townships through appropriate:</i> (a) <i>form</i> (b) <i>scale</i> (c) <i>siting</i> (d) <i>design</i> (e) <i>landscaping</i>	DPF 2.2 <i>None are applicable</i>

The development herein is consistent with the identity and character of the township in which it is situated.

The level of impact to the character and identity of the township by virtue of this development is reasonable.

Likewise, by virtue of its location within a designated township the structure herein will not be visible from any rural areas of the Character Preservation District.

Clearance from Overhead Powerlines

General Development Policies	
Clearance from Overhead Powerlines	
Desired Outcomes	
DO 1	<i>Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines</i>
Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 <i>Buildings are adequately separate from aboveground powerlines to minimise potential hazard to people and property</i>	DPF 1.1 <i>One of the following is satisfied:</i> (a) <i>a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996</i> (b) <i>there are no aboveground powerlines adjoining the site that are the subject of the proposed development</i>

The application has been submitted with an Electricity Declaration in accordance with DPF 1.1(a).

Other Overlays

The following Overlays have been considered in the assessment of the proposed development but are not applicable given that:

Hazards (Bushfire – Urban Interface) Overlay

The proposed Development does not affect any bushfire assessment criteria.

Prescribed Water Resources Area

The proposed Development does not seek to alter the flow of water on the site.

Water Protection Area

The proposed Development is not considered to impact the quality of water discharged from the site.

CONCLUSION

The proposal involves the construction of "*Amendment to Development Authorisation 21010952 for carport (Increase post height from 3.3 metres to 3.585 metres and enclose southern side of carport with aluminium slat panels and plastic pattern screens)*" at 17 Fairbrother Circuit Nuriootpa.

The application was subject to performance assessment and public notification. The application was notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and was subject to the receipt of two representations, of which neither wished to be heard.

This report has provided a detailed assessment of the proposal against the relevant provisions of the Planning and Design Code.

Relative to the subject site, the proposed development is of a form of development and design and use that would be reasonably expected of a carport with a Neighbourhood Zone. The proposed increase of height of 285 mm will not result in a significant change in visual impact, and the addition of decorative screening on the northern side adds to the aesthetics of the structure that compliments the residential nature of the property.

The proposal has been recommended for Planning Consent, subject to conditions. While the proposal does result in visual impact to the neighbouring property and some overshadow at the Winter Solstice, the overall level of impact is considered to be acceptable.

RECOMMENDATION 1

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.

RECOMMENDATION 2

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.

RECOMMENDATION 3

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. 23008199 by BGI Building Group to undertake "Amendment to Development Authorisation 21010952 for carport (Increase post height from 3.3 metres to 3.585 metres and enclose southern side of carport with aluminium slat panels and plastic pattern screens)" at 17 Fairbrother Circuit Nuriootpa subject to the following conditions and advisory notes:

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plan and documentation (as amended) accompanying Application No. 23008199 except where varied by any condition(s) listed below.

Plan Type	Prepared By	Drawing No.	Issue No. / Date
Site Plan	BGI BG	BG 10	Sep 22, Rev P2
Elevations	BGI BG	BG 20	Sep 22, Rev P2

- (2) Storm water disposal systems must be fully 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 satisfaction of the relevant authority.
- (3) The building herein approved shall not be used for human habitation or occupation, or industrial or commercial purposes, at any time.
- (4) Except where otherwise shown on the approved plans, the open side(s) of the structure authorised herein shall not be enclosed on any side with any solid material, roller door, or the like without the prior approval of relevant authority.

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.
- (7) Excavations on or near the boundary may require the giving of notification to the neighbour pursuant to section 139 of the *Planning, Development and Infrastructure Act 2016*. 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.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- | | |
|--------------|--|
| Attachment 1 | Application and Associated Documentation ↓  |
| Attachment 2 | Representations Received ↓  |
| Attachment 3 | Response to Representations ↓  |

Development Locations

Location 1

Location reference

17 FAIRBROTHER CCT NURIOOTPA SA 5355

Title Ref

CT 6155/179

Plan Parcel

D95866 AL265

Additional Location Information**Council**

THE BAROSSA COUNCIL

Zone Overlays

Zones

- Neighbourhood

Sub-zones

(None)

Overlays

- Character Preservation District
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Water Resources Area
- Water Protection Area

Variations

- Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 12m; row dwelling is 10m; group dwelling is 25m; residential flat building is 25m)
- Minimum Site Area (Minimum site area for a detached dwelling is 420 sqm; semi-detached dwelling is 350 sqm; row dwelling is 300 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm)
- Maximum Building Height (Levels) (Maximum building height is 1 level)

Application Contacts

Applicant(s)

Stakeholder info

BGi Building Group
21 TANUNDA ROAD
NURIOOTPA
SA
5355
Tel. 0885622799
info@bgibg.com.au

Contact

Stakeholder info

Mr Paul Brown
21 TANUNDA ROAD
NURIOOTPA

SA
5355
Tel. 0402 313 141
paul@bgibg.com.au

Invoice Contact

Stakeholder info
BGi Building Group
21 TANUNDA ROAD
NURIOOTPA
SA
5355
Tel. 0885622799
info@bgibg.com.au

Invoice sector type

Land owners

Stakeholder info
Mr David Jones



Nature Of Development

Nature of development
Carport

Development Details

Current Use
residential

Proposed Use
residential

Development Cost
\$11,203.00

Proposed Development Details
Carport

Element Details

You have selected the following elements

Carport or garage - \$0.00

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?
No

Certificate of Title information submitted by applicant

Does the Certificate of Title (CT) have one or more constraints registered over the property?

Unsure

Consent Details

Consent list:

- Planning Consent
- Building Consent

Have any of the required consents for this development already been granted using a different system?

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at The Barossa Council

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Applicant

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Native Vegetation Declaration

The proposed development will not or would not, involve the clearance of Native Vegetation under the Native Vegetation Act 1991, including any clearance that may occur in connection with a relevant access point and/or driveway, and/or within 10m of a building (other than a residential building or tourist accommodation), and/or within 20m of a dwelling or addition to an existing dwelling for fire prevention and control, and/or within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
23309_Jones_230301_Prelim.pdf	Planning Documents	22 Mar 2023 9:53 AM
23309NZ - Jones CT PlanImage.pdf	Certificate of Title	22 Mar 2023 9:53 AM
23309NZ - Jones CT.pdf	Certificate of Title	22 Mar 2023 9:53 AM
2023 - Resubmission Council .pdf	Planning Documents	22 Mar 2023 9:53 AM

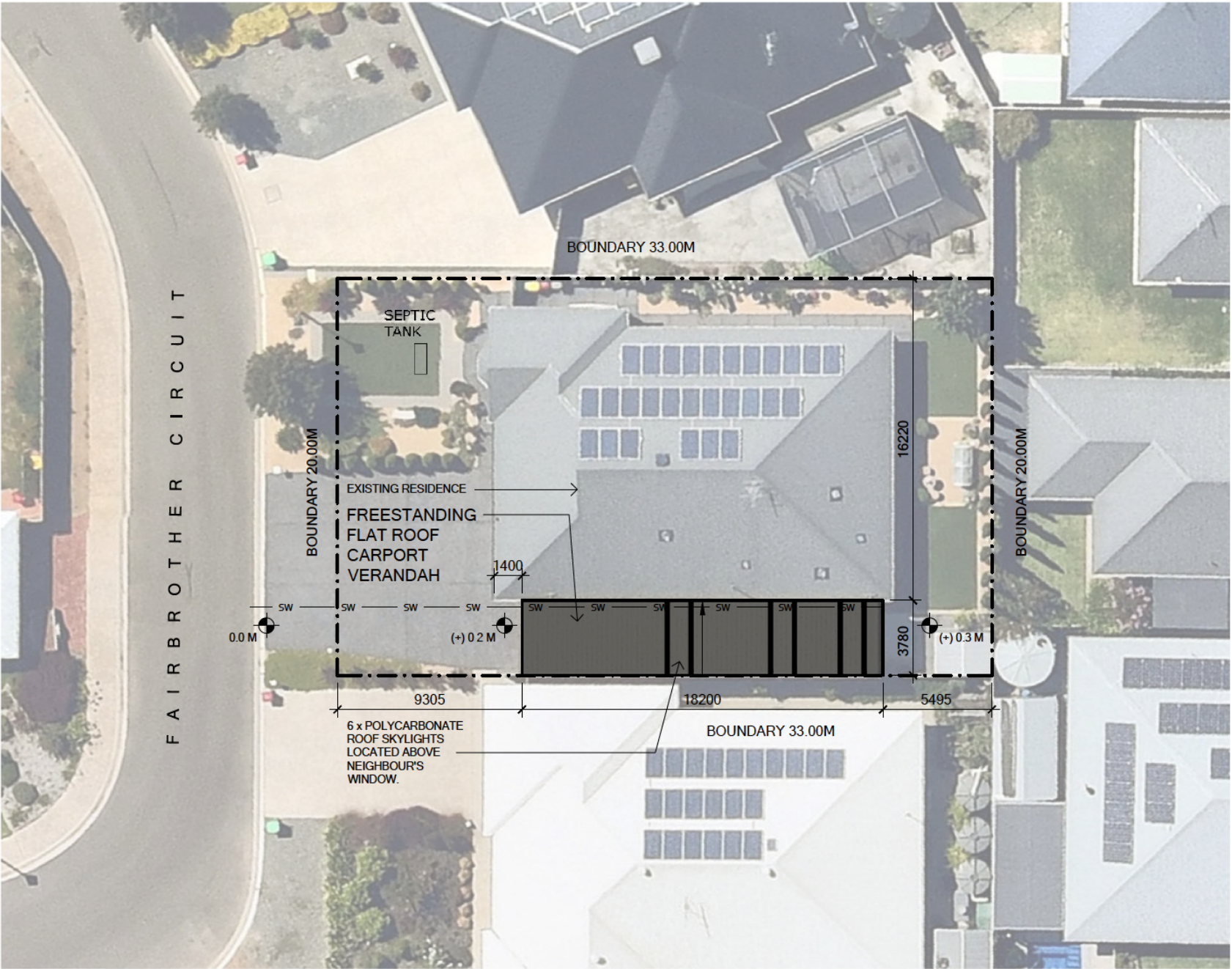
Application Created User and Date/Time

Created User

amanda.saunders

Created Date/Time

22 Mar 2023 9:53 AM



PROJECT AND SITE DETAILS

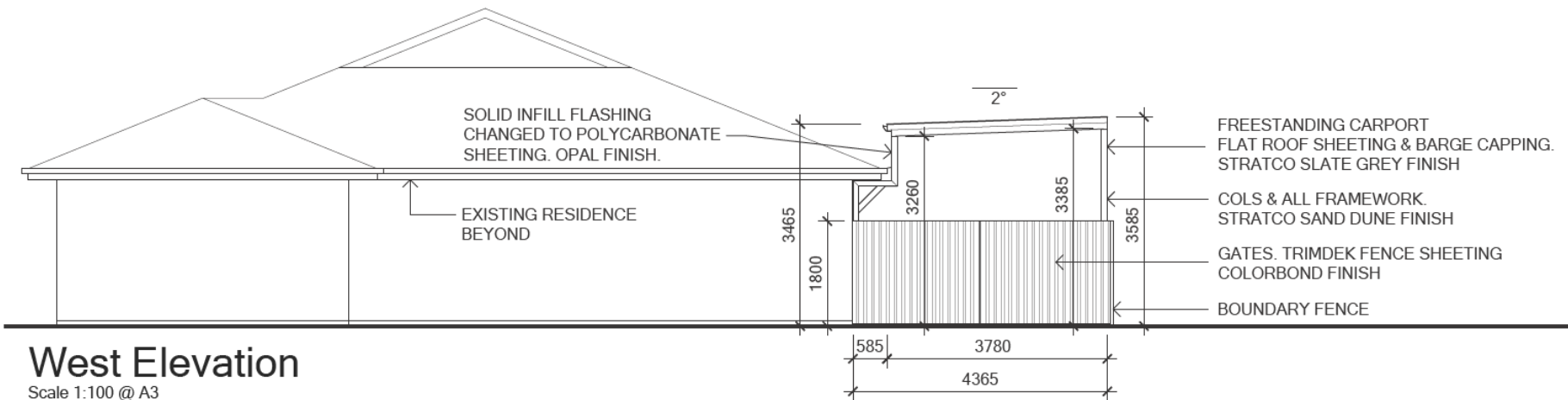
NATURE OF DEVELOPMENT: EXISTING FREESTANDING CARPORT
STREET ADDRESS: 17 FAIRBROTHER CIRCUIT, NURIOOTPA
CERTIFICATE OF TITLE REFERENCE: 6155 / 179
ZONE: NEIGHBOURHOOD
SITE AREA: 660M2
BUSH FIRE ZONE: URBAN INTERFACE

ROOF WATER:
STORM WATER FROM ROOF IS
DIRECTED INTO HOUSE PIPES,
OVERFLOW IS DIRECTED TO STREET
WATER TABLE.

Site Plan
Scale 1:250 @ A3

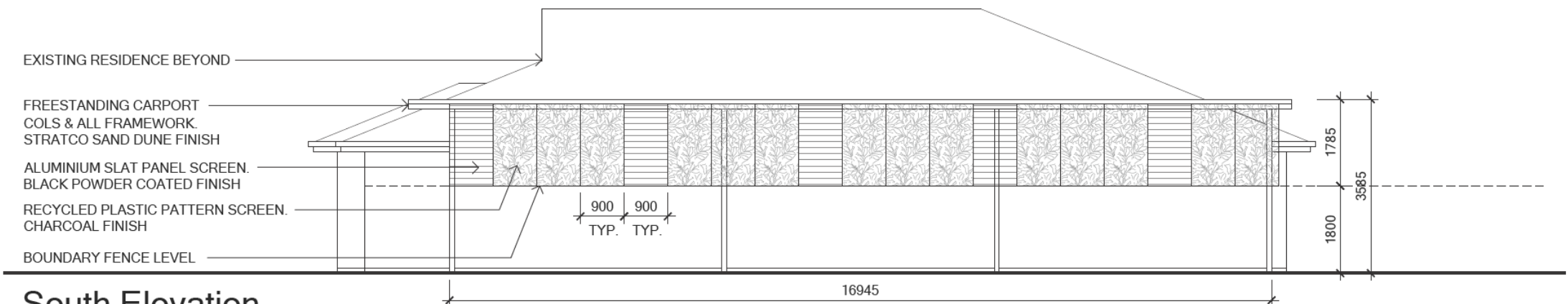
0 2500 5000 7500 10000 12500 25000mm
SCALE 1 : 250

	PROJECT No :-	23309	REV.	DESCRIPTION.	DATE.	REV.	DESCRIPTION.	DATE.	D. & I. JONES		DATE.
	SCALE :-		P1	PRELIMINARY	30.09.22				FREESTANDING CARPARK VERANDAH		SEPTEMBER 2022
	DRAWN :-	LG	P2	PRELIMINARY	01.03.23				17 FAIRBROTHER CIRCUIT, NURIOOTPA		DRAWING No
	CHECKED :-										REV.
	APPROVED:-								SITE PLAN		
BGI Building Group 21-23 Tanunda Road NURIOOTPA SA 5355 p. 08 8562 2799 e. info@bgibg.com.au w. bgibuildinggroup.com.au f. 08 8562 3107											
										BG_10	P2



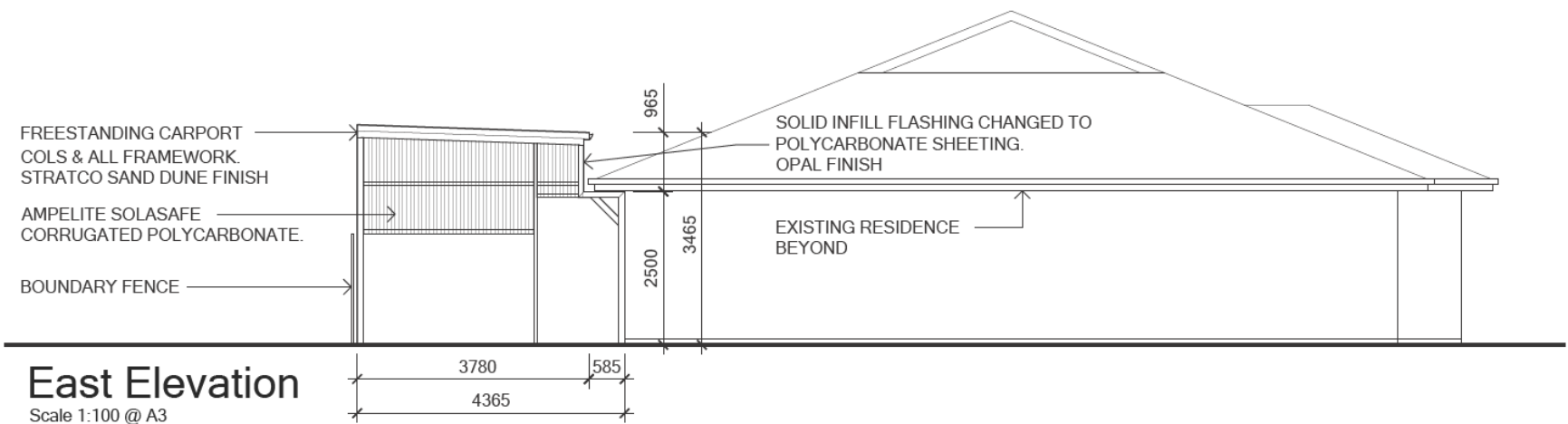
West Elevation

Scale 1:100 @ A3



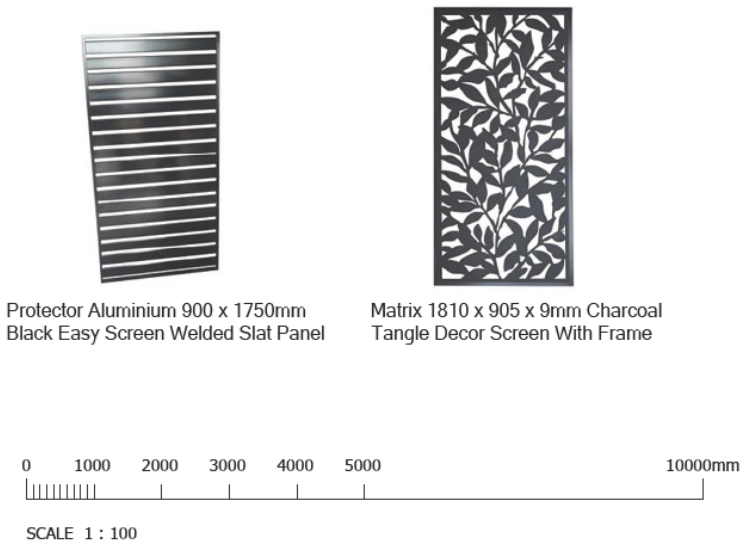
South Elevation

Scale 1:100 @ A3



East Elevation

Scale 1:100 @ A3



 BUILDING GROUP	PROJECT No :-	23309	REV.	DESCRIPTION.	DATE.	REV.	DESCRIPTION.	DATE.	D. & I. JONES	DATE.	SEPTEMBER 2022
	SCALE :-		P1	PRELIMINARY	30.09.22				FREESTANDING FLAT ROOF CARPARK VERANDAH		
	DRAWN :-	LG	P2	PRELIMINARY	01.03.23				17 FAIRBROTHER CIRCUIT, NURIOOTPA	DRAWING No	REV.
	CHECKED :-									BG_30	P2
	APPROVED:-										
	BGI Building Group 21-23 Tanunda Road NURIOOTPA SA 5355 p. 08 8562 2799 e. info@bgibg.com.au w. bgibuildinggroup.com.au f. 08 8562 3107									ELEVATIONS	

Details of Representations

Application Summary

Application ID	23008199
Proposal	Amendment to Development Authorisation 21010952 for carport (Increase post height from 3.3m to 3.585m and enclose southern side of carport with aluminium slat panels and plastic pattern screens)
Location	17 FAIRBROTHER CCT NURIOTPA SA 5355

Representations

Representor 1 - Nathan Slater

Name	Nathan Slater
Address	PO Box 178 NURIOTPA SA, 5355 Australia
Submission Date	22/04/2023 07:13 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons We are the owners of 12 Ludbrook Court, Nuriootpa. We do not support this application. We don't feel the current structure conformed with the current landscape of the area, increasing this will make this structure look out of place in the area. From the back of our property we had to increase our hedge to block out the one approved currently. We feel that viewing this eye sore from our back entertaining area will hinder the sale price of our property in the future.	

Attached Documents

Representations**Representor 2** - Wendy Trinne

Name	Wendy Trinne
Address	19 FAIRBROTHER CIRCUIT NURIOOTPA SA, 5355 Australia
Submission Date	26/04/2023 11:00 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns
Reasons	

Attached Documents

RepresentationToDevelopmentApplication23008199-5387256.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	BGi Building Group
Development Number:	23008199
Nature of Development:	Amendment to Development Authorisation 21010952 for carport(increase post height from 3.3m to 3.585m and enclose southern side of carport with aluminium slat panels and plastic pattern screens)
Zone/Sub-zone/Overlay:	Click here to enter text. [zone/sub-zone/overlay of subject land]
Subject Land:	17 Fairbrother Circuit Nuriootpa SA 5355
Contact Officer:	Barossa Council
Phone Number:	85638444
Close Date:	24/04/2023

Wendy Trinne	0434601151
19 Fairbrother Circuit Nuriootpa SA 5355	trinnes@internode.on.net

* Indicates mandatory information

My position is: ☐ I support the development with some concerns (detail below)



Government of South Australia

Department for Trade
and Investment

The specific concerns I have in regard to planning consent should be granted/refused are:

I believe this structure to be a very good example of what happens when builders and homeowners are granted permission for construction outside the parameters of the Design and Planning Code. In this instance not satisfied to contain the building within the approved specifications, the liberty of further ignoring the Code has been taken, resulting in an oversized, visually challenging and energy sapping structure which I believe has no place in a residential area such as Barossa Estate.

I have real concerns where developments such as this one are approved. This housing estate is in a country area, not an industrial site and structures approved should preserve that country feel. I did not choose to live in an industrial estate, and yet since December 2021 that is exactly how it feels for a large portion of each day when I look at the building on my northern boundary. What would this estate look like if the majority of homeowners were given permission to build a structure such as this ...I contend the pleasant street presence and country feel would soon vanish

We built in this estate after years of searching for a suitable allotment which allowed us a pleasant rural outlook. When we finally found one, we had the house custom designed to take best of advantage of the block overlooking Coulthard reserve and having large glass areas facing North to allow light and warmth into our home. It is extremely disappointing that a large portion of that has now changed due to this inconsiderate development.

This structure directly affects 6 glass windows/doors which previously enjoyed the northern sunlight, and now have vastly restricted access to that light. The increased need for artificial light and heating during daytime has reduced the energy rating of our home and increased our energy costs ...this will be ongoing and no doubt ever increasing.

The outside paths on northern side of our home develop mould/mildew due to lack of sunlight...last winter was the first time since we moved in in 2015 that this has occurred, and we now have to undertake additional cleaning of paths to remove this unsightly growth.

The structure creates an unpleasant wind tunnel effect on the northern side of our house.

The structure is fully 3.6 m high (fence height 1.8 and panel height 1.8) on our side of the fence and that I believe is 0.6m greater than the acceptable height for boundary constructions. Unfortunately the detrimental impact of that increase in height on that boundary is exacerbated because of the large shadow thrown against our house due to the structure directly blocking the sun. This is especially obvious April thru to October.....more than half the year with winter being the time impacted most. For example the shadow length of a 3m structure in June is 6.06m and that of a 3.6 m structure is 7.27m...that makes a very significant difference to the sun and light allowed into our home.

I acknowledge the builder has consulted and made some changes to the cladding of the structure which has resulted in the unpleasant visual impact being lessened. Unfortunately these changes do not alter the fact that passive warmth from the sun and natural light which we want and welcomed into our living area is still blocked.

This whole episode has been unwanted and extremely stressful. The negative impact this structure has had on our beautiful light filled home has been profound. We have endured builders entering our property to construct the building and more recently again to modify it. In order to partly mitigate the blocking of light into our home we have spent approximately \$10000 on various skylights, an additional expense which had not planned for, or expected when constructing our house.

My preferred outcome, and the best for our property and the estate would be to have this structure reconstructed to max height of 3m, as per planning and design code. However as permission was previously granted by Council for it to be outside that code, I recognise the likelihood of that occurring is remote.

So in the absence of any real improvement for our situation my question is what compensation is there for us in terms of this major capital outlay and what compensation for ongoing increased energy costs due to loss of light and warmth due to this construction?

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development].*

I:	☐ wish to be heard in support of my submission*
By:	☐ appearing personally

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature: **Wendy Trinne**

Date: 24/04/2023

Return Address: 19 Fairbrother Circuit Nuriootpa SA

Email: trinnes@internode.on.net.

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Response to Representation for 17 Fairbrother Circuit Nuriootpa***Representor 1 – Nathan Slater***

The respondent has misunderstood the revised application and the fact that we are not proposing any increase in the existing structure that has been erected. We feel that screen does not affect his property what so ever.

Representor 2 - Wendy Trinne**Screen Comments**

BGI acknowledge that we did install a screen to the nominated flat roof unit that was not shown or documented on the original approval drawings. We also acknowledge that the material used to erect this screen where not aesthetically pleasing or sensitive to the adjoining property at number 19 Fairbrother Circuit Nuriootpa.

We have since, in consultation, with the Trinnie's reworked the products used to provide an open and far more attractive screen to the southern side of the unit, along with allowing significantly more light to come through the northern side of the unit by replacing the solid flashing with transparent polycarbonate lighting and installing roof lights in the flat roof unit.

We believe that screen now installed is open and maximized the amount of light passing into the neighbors yard whilst providing both parties both privacy and weather protection.

Height Comments

BGI Building Group on the request of the client increased the nominated clearance height slightly during erection because when the caravan was backed into the area it kicks up due to the slope of the approaching driveway and hence would not have fitted under the front beam of the carport.

When the design was considered both BGI and the client were keen to go away from the possible installation of a 'complying' gable structure based on the fact that it would extremely 'bulky' from the front of the property and we feel it would have cut out additional light to the adjoining property. We were all keen to keep the unit as 'slimline' as possible, hence the flat roof lines. According to the overlays in this area we could have a gable with a peak of 5m and wall height of 3m which would have really been an eye sore and light blocking structure.

We believe that any 'complying' roof structure built to the boundary of the property would have the exact same effect on the adjoining neighbor's light and the additional height has not significantly effected the amount of light that hits number 19 windows.

We have also since installed 6 roof lights (place in line with the Trinnie's windows) to the structure to allow additional light 'through' the structure

We do not believe that the structure looks like it belongs in an industrial estate and it is in keeping with the street scape. As the council would be aware the challenges of neatly 'hiding' caravan from a street scape throughout the Barossa is an issue, we count at least 5 other property within this small area in which caravan are parked outside the front of properties for significant long periods of the year and would argue that this is significantly more unsightly than the clean lines of a caravan parked behind a gate and under a structure to protect the clients significant investment.

We believe that this structure is a good solution to solving our clients requirements of protecting his assets and not making the shelter a dominant structure.

Should you require any further information please do not hesitate to contact Paul Brown on
0402313141

7.2 22031513 - 11 Penrice Road Nuriootpa and 20 Prider Street Nuriootpa

Applicant: David Barone of Jensen Plus and Joanne Thomas of The Big Project on behalf of The Barossa Council

Representors: Peter Thomas of 22 Prider Street, Nuriootpa
Glenys and Grant Brooks of 18 Prider Street, Nuriootpa

APPLICATION DETAILS

PROPOSAL	Construction of a new club room and change room facilities in association with soccer pitch
APPLICANT	The Barossa Council
OWNER	The Barossa Council
APPLICATION NO	22031513
CERTIFICATE(S) OF TITLE	CT 5307/771
AREA	Whole Site – 13.7 ha
CURRENT USE	Recreational use, ancillary activities and vacant land
PLANNING AND DEVELOPMENT CODE VERSION	19 January 2023, 2023.1
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Recreation Zone
OVERLAYS	Character Preservation District (Township) Hazards (Flooding) Hazards (Flooding – Evidence Required) Native Vegetation Prescribed Water Resources Area Water Protection Area
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified with Signs on Property Boundary
REFERRALS	Nil
PREVIOUS APPLICATIONS	21007498 – Soccer pitches and lighting towers 22016912 – Security fence and privacy screens
ASSESSING OFFICER	Paul Vivian (Consultant Planner)
RECOMMENDATION	That Planning Consent be GRANTED subject to Reserved Matters and Conditions

INTRODUCTION

On 1 February 2023 a development application was lodged for the *Construction of a new club room and change room facilities in association with soccer pitch.*

The proposed development is the next stage in the master planned upgrade of Centennial Park following completion last year of a new full-sized synthetic soccer pitch, mini soccer pitch, fencing, car parking and lighting.

The proposal was determined to be Performance Assessed in nature and requiring public notification. The application was not subject to external referral.

Public Consultation commenced on 13 February 2023 and concluded on 3 March 2023, in which three representations were received.

This application is presented to the Barossa Assessment Panel for a decision for the following reasons:

- (1) Representations have been received as a result of public notification and the representors have indicated a desire to be heard in support of their representation;
- (2) The Barossa Council is the applicant and the development is not minor.

A key concern raised by representors was in respect to noise levels from the proposed facility. In response, an acoustic report was prepared which assessed the proposal against the EPA noise criteria and satisfactorily responded to other concerns raised by these neighbours. It is noted that the building has also been reduced in size and the roof form altered that was a concern for at least one representor.

Council's Works and Engineering Department have assessed access, car parking, wastewater and stormwater management and do not raise any significant concerns. Minor outstanding matters such as wastewater managements system and stormwater management are subject to final design and are proposed to be addressed by Reserved Matters.

This report has provided a detailed assessment of the proposal against the relevant provisions of the Planning and Design Code. Assessment has identified that the proposed development is consistent with the Desired Outcome and Performance Outcomes of the Recreation Zone and other relevant provisions of the Planning and Design Code.

BACKGROUND

The submission of this application is the culmination of many years of strategic planning, community engagement and detailed design by The Barossa Council and its project partner, the Barossa United Football Club.

The proposed development is part of The Big Project and represents the coordinated management of sporting and recreation facilities in the Barossa region. This project commenced with the preparation, public consultation and Council endorsement of the Nuriootpa Centennial Park and Coulthard Reserve Concept Plan and the subsequent soccer master plan (refer **Figure 1**). This Plan established key outcomes for the project including to:

- Establish Centennial Park as a regional sports facility with increased function and provision of high-quality facilities.
- Support the growth of soccer and women's sport in the region through additional facilities including new soccer club rooms, upgrade of soccer pitch and additional female change facilities.

The precinct has been delivered in the north end of Nuriootpa Centennial Park thanks to a \$1,034,462 grant from the Local Roads and Community Infrastructure Program

(LRCI) - phase 2, which was offered by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts. Council has contributed \$3,075,841 to the project resulting in \$4,110,303 worth of new infrastructure to support local sport. The new facilities are built to Football SA (FSA) and International Football Association Board (IFAB) Laws of the Game requirements.

The completed precinct will include:

- Full Size Equivalent (FSE) synthetic football pitch for all ages/user/gender training and competition (approved).
- Pitch lighting and fencing infrastructure (approved).
- Grass modified pitch (MODI) for training and local competition levels and maintains the existing (FSE) grass pitch (approved)
- 4 x all user Change room and Club room facilities (kitchen, canteen, storage, medical, user amenities) and referee facilities (this application).
- Associated internal road, car parking and service amenities and upgrades (approved).

Development Application 21007498 for the soccer pitches and lighting towers was subject to decision of the Barossa Assessment Panel at its meeting on 5 October 2021. Development Application 22016912 was granted Planning Consent by the Assessment Manager on 23 June 2022.

Most of these concept planning elements have been completed and are being used by the Barossa sporting community. The remaining works that are yet to be completed are the proposed clubrooms and privacy screens, tree planting adjacent to the residential properties in Prider Street and car park sealing and lighting.

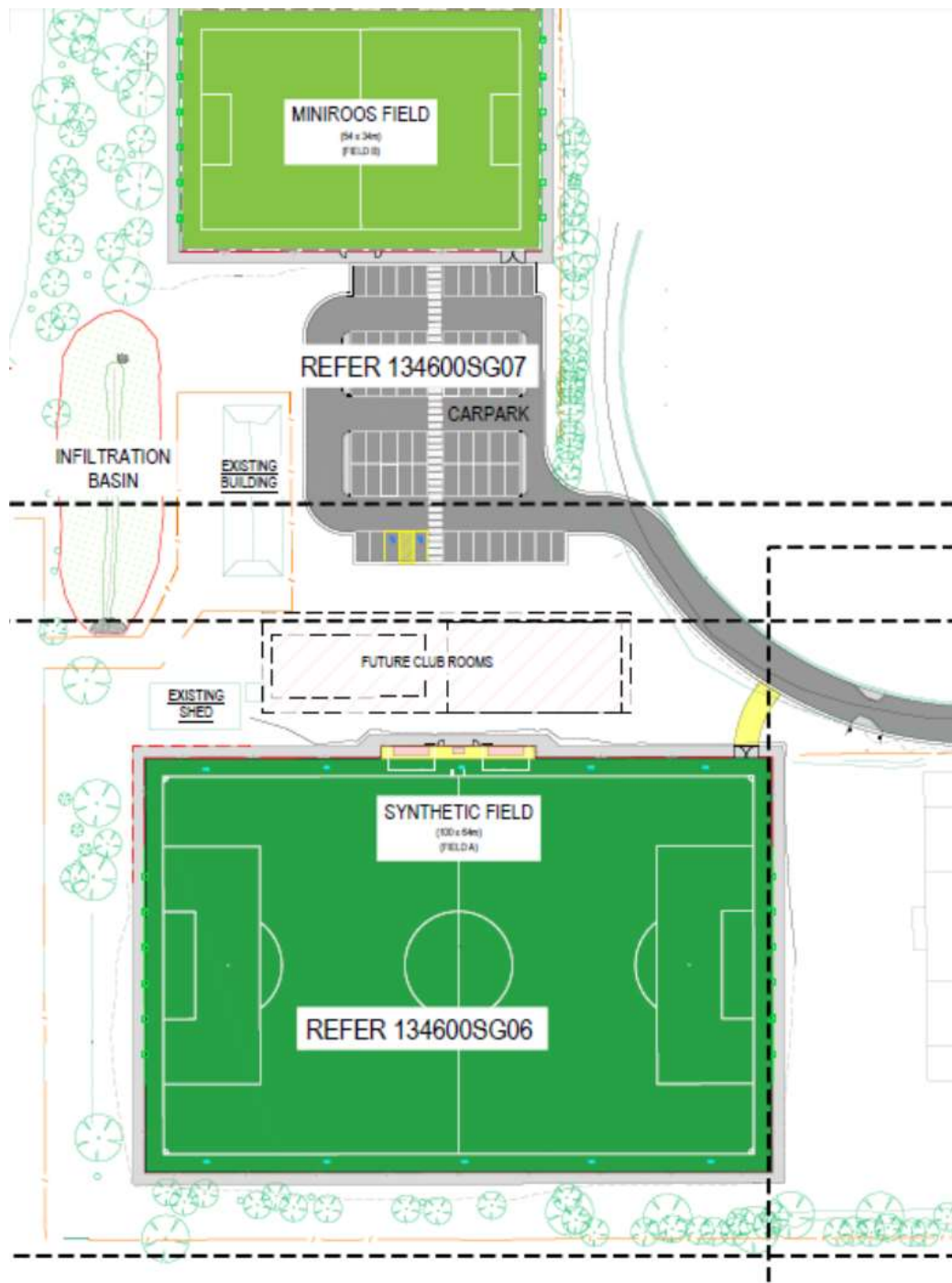


Figure 1: Image extract of Nuriootpa pitch design Layout Plan prepared by Football South Australia, The Barossa Council and Peak Urban (December 2020)

SITE AND LOCALITY

The full site comprising 11 Penrice Road, 13-15 Penrice Road and 20 Prider Street is a roughly rectangular shaped parcel of land with an approximate area of 13.8 hectares. The site has a main frontage to Penrice Road with vehicle access derived from an internal driveway. There is also an access handle connecting the northern section of the site to Prider Street. The site is located within the Recreation Zone other than the access handle to Prider Street which is in a Neighbourhood Zone.

The proposed club and change rooms building are located between the full-size synthetic soccer pitch and a newly approved car park within the northern part of the

full site. The club rooms are positioned across the internal site boundary of 11 Penrice Road and 20 Prider Street.

The full site comprises a sporting hub of regional significance and is currently used by the Barossa United Football Club and the Nuriootpa Football Club plus other sporting uses such as cricket, tennis and netball. There is also a Scout Hall on the site and some facilities are shared with the adjacent caravan park.

There is a mix of playing fields, courts, sporting facilities and associated storage sheds and other ancillary uses. The proposed siting of the club and change rooms has already been benched in readiness to construct subject to any approval granted. The new soccer pitch is framed by existing vegetation and relatively flat ground extending to site boundaries. There is an existing shed and a tourist accommodation building (used by the caravan park) located between the proposed building and the northern boundary.

Directly to the west, there is the large Nuriootpa High School site. The portion of the school closest to the proposed building site contains a patchwork of mature vegetation and cleared land with some vine plantings. To the north, there is a shared boundary with existing residential dwellings that face onto Prider Street and the rear fence of these properties borders the site.

To the south of the proposed building site is the balance of the large recreation hub with a caravan park positioned to the east and further east of that site is the Barossa Bushgardens.

Figure 2 below contains a Zone map which details the location of the site.

An aerial view of the site and locality are contained in **Figure 3, Figure 4 and Figure 5** and site photos are contained in **Figure 6 to Figure 9**.



Figure 2: Zone Map – Recreation Zone shown in Green, Neighbourhood Zone shown in Pink and Caravan and Tourist Park Zone Shown in Maroon



Figure 3: Aerial – site is shown in red



Figure 4: Aerial – site is shown in red



Figure 5: Aerial view – building location circled in red



Figure 6: Looking south toward pad for the new clubroom



Figure 7: Looking north within the site toward pad for the new clubroom



Figure 8: Looking south-west to chain mesh fence erected adjacent rear fences of residential properties fronting Prider Street



Figure 9: Looking south from Prider Street along driveway handle to the site

PROPOSAL

The application seeks approval for the construction of:

- An 838 square metre building comprising:
 - 4 x new changerooms (each to provide toilets/showers to meet sporting code standards), team facilities, medical and referee changerooms;
 - clubrooms with communal/function space, kitchen and bar facilities, storage and public access toilets;
 - equipment storage;
 - external paving providing a viewing area and access to the playing field.

The proposed size and design of the building was amended during the course of assessment. Notable changes include:

- Reduction in building footprint with total length changing from 58.575 metres to 58.514 metres and width decreasing from 15.688 metres to 14.331 metres. This has reduced overall building area from 918.92 sqm to 838.56 sqm (80.36 sqm less)
- Change to external cladding/construction materials. Now comprises dark grey and other compatible grey/black hues;
- Change in roof form from a skillion roof to a hipped roof with extended eave overhang.

The proposed building is located adjacent to a new car park that is intended to provide parking for the soccer pitches and the club rooms. This approved car park

can accommodate up to 63 vehicles and is accessed via an internal driveway from Penrice Road.

The applicant has advised that the proposed clubrooms will operate as follows:

- Weekdays 4.00 pm-9.00 pm;
- Saturdays 8.00 am- 12.00 am (note: pitch lighting is required to be turned off by 9.50 pm in accordance with Condition 7 of Development Approval ID21007498);
- Sundays: 8.00 am to 6.00 pm.

Attachment 1 contains a copy of the application and associated documentation, and **Attachment 2** contains a copy of the acoustic report.

APPLICATION TYPE

The site is located within the Recreation Zone under the Planning and Design Code.

The proposal comprises the construction of a club room and change room building. This form of development is anticipated in the Recreation Zone.

The proposal is not classified as Accepted, Deemed-to-Satisfy, Restricted or Impact Assessed development and is therefore "Code Assessed – Performance Assessed" in nature in accordance with Table 3 of the Recreation Zone, Planning and Design Code.

PUBLIC NOTIFICATION

Public notification is prescribed in accordance with Table 5 – Procedural Matters – Notification of the Community Facilities Zone as follows:

<i>Class of Development (Column A)</i>	<i>Exceptions (Column B)</i>
3. Any development involving any of the following (or of any combination of any of the following): 1. indoor recreation facility 2. market 3. showground 4. special event 5. sporting clubrooms 6. swimming pool 7. horse breeding, keeping, sales, training or stables ancillary to an existing racecourse	Except where the site of the development is adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.

Given that the site is adjacent land to a site used for residential purposes in a Neighbourhood Zone, public notification is applicable.

The table below provides details of the public notification process:

Representations

Mr Paul and Ms Patricia Farkas of 16 Prider Street, Nuriootpa
 Mr Peter Thomas of 22 Prider Street, Nuriootpa
 Ms Glenys and Mr Grant Brooks of 18 Prider Street, Nuriootpa

Person wishing to be heard: Mr Peter Thomas of 22 Prider Street, Nuriootpa
Ms Glenys and Mr Grant Brooks of 18 Prider Street, Nuriootpa

Applicant Mr David Barone of Jensen Plus and Ms Joanne Thomas of The Big Project on behalf of The Barossa Council

Time period for Public Consultation 13 February - 3 March 2023

The table below summaries the contents of the representations and the applicant's response:

Summary of Representations Representors	Applicant's response
<i>The development is far too close to residential properties and excessive noise levels likely to be generated from activity (including function use and potential disorderly behaviour) – note: opposition to the proposed development on siting and excessive noise levels repeated by all representors. One representor notes that noise from sporting fields is already bad and there is excessive light spill with recent activity until 3.00 am.</i>	<i>BESTEC have prepared an Environmental Noise Assessment Acoustic Services report.</i> <i>The environmental noise assessment found that the music noise to the nearest sensitive receiver will achieve the required noise criterion under the EPA Noise Policy. However, it is recommended that an automatic sound limiter is used to monitor and reduce sounds levels if maximum pressure level is exceeded (90dBA) and that glazing (ie, doors and windows) is closed during functions.</i> <i>BESTEC also found that car park and service vehicle activity noise generation satisfied EPA criteria.</i> <i>Overall, the report found that noise generated from the development's car park and potential service vehicles satisfy the night and day noise criterion.</i>
<i>Informed at earlier meetings there will be no liquor licence sought for the building. This would allow weddings, parties and other noisy activities to occur</i>	<i>The building is located in a Zone that is intended for recreational uses. The proposed building is intended to be used in a similar way as other sporting clubrooms in Council's management, in that it is to operate within set hours to primarily support the functions of the sporting club as well as allow third party hire as a venue on set days only, to minimise potential for disruption to adjoining residents.</i>

<i>Is the laneway between 18 and 22 Prider Street able to be used for public access into the site.</i>	<i>The proposal does not seek to alter access to the site via the laneway off Prider Street and access will remain closed as per Condition 12 of Development Approval ID 21700498. This also applies to construction traffic except for the upgrade of a capacity.</i>
<i>Uncertainty relating to hours of operation, whether the building will be able to be hired out for functions, and whether the building will have a liquor licence.</i>	<i>The building is located in a Zone that is intended for recreational uses. The proposed building is intended to be used in a similar way as other sporting clubrooms in Council's management, in that it is to operate within set hours to primarily support the functions of the sporting club as well as allow third party hire as a venue on set days only, to minimise potential for disruption to adjoining residents.</i>
<i>New wire fence not sufficient to block noise</i>	<i>Notes that a new 2.4 metre wire fence has been installed in accordance with Development Approval ID 22016912. In addition, 600 mm extensions to existing fencing will be completed by July 2023 for residents who seek it.</i>
<i>Existing club rooms could have been used rather than a new building that is closer to residential properties</i>	<i>This existing facility is a shed, it is not fit for purpose with no sanitary changing facilities or with capacity for the existing and ongoing needs of the club as the only regional soccer facility in the Council area.</i>
<i>Building does not resemble the proposed club rooms shown at earlier public consultations – would have objected to siting. Critical of lack of community consultation</i>	<i>No response to first point – considered not relevant to the planning assessment of this application.</i> <i>Residents adjacent the Barossa United facility have continued to be provided with project updates by the project team at Council from time to time since that application received Planning Consent in 2021.</i>
<i>Access to existing shed supposed to be used for storage for the surrounding park is now restricted by the proposed building and other infrastructure works</i>	<i>No response – considered not relevant to the planning assessment of this application.</i>
<i>Public access to proposed toilets is not certain nor enabled at all hours</i>	<i>No response – considered not relevant to the planning assessment of this application</i>

The proposed roof design will trap leaves and require maintenance.

No response – considered not relevant to the planning assessment of this application.

An aerial view showing the representors' properties is contained in **Figure 10** below.



Figure 10: Purple circles show location of Representors

A copy of the representations are contained in **Attachment 3** and the applicant's response is contained in **Attachment 4**.

REFERRALS

External

Pursuant to Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017* and Part 9 of the Planning and Design Code, the application was not subject to any referrals.

Internal

The following internal advice has been received from staff:

Engineering Services

No concerns with proposal and accept Reserved Matters for finalisation of stormwater design and installation of a noise limiter in relation to acoustic performance.

ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, dated 19 January 2023, Version 2023.1.

Planning and Design Code Extract Link	Relevant Code Extract
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Seriously at Variance

Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, it is recommended that the Panel determine that the proposed development is not seriously at variance with the relevant provisions of the Planning and Design Code.

The proposed development forms a culminating part of the Centennial Park Soccer Precinct project. This is a substantial \$4m upgrade of sports and amenity facilities in the park. It is intended to support the continued growth of soccer for all in the Barossa region. A concept plan was prepared in 2017/2018 with a more detailed Soccer Pitch Layout Plan prepared in 2020. The proposed siting generally accords with the envisaged outcome for the park. Centennial Park has a longstanding history of sporting use and this project is considered a complementary and desired form of activity within the Recreation Zone.

There is existing residential development in close proximity to the site. Based on expert advice, the amenity impacts from clubroom and change room use (including night time activity) is considered to achieve the *Environment Protection (Noise) Policy 2007* criteria.

The development forms part of The Big Project and there is good community awareness and overall support for this project. Three representations against the proposal were received. The applicant has engaged a planning consultant to respond to these concerns. There have been some amendments to the proposal including a reduction in floor area of the building and a change in the roof and external design. An acoustic assessment was also prepared, and recommendations made to address noise impact.

Given all of the above, the proposal is not considered to be seriously at variance with the relevant provisions of the Planning and Design Code.

Character Preservation (Barossa Valley) Act 2012

Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, having regard to the Objects of the Act, it is recommended that the Panel determine that the proposed development does not adversely impact the character values of the district.

- (a) *the rural and natural landscape and visual amenity of the district*
- (b) *the heritage attributes of the district*
- (c) *the built form of the townships as they relate to the district*
- (d) *the viticultural, agricultural, and associated industries of the district*
- (e) *the scenic and tourism attributes of the district.*

The character values are briefly addressed as follows:

(a) the rural and natural landscape and visual amenity of the district:

The proposal sits in the Nuriootpa township and is located within a large community and recreation hub. The proposed building is relatively low profile (maximum of 5 metres above natural ground level and single storey in nature) and is well setback from public roads. The proposal accords with the siting and layout plan prepared for the Soccer Pitch area between 2018 and 2020. In addition, site wide issues associated with car parking, vegetation loss and landscaping and wider visual impact have been addressed as part of previous approval including Application ID 21007498 (comprising "Installation of a soccer pitch and associated fencing; Installation of a mini soccer pitch with associated fencing; Extension of access road and installation of carpark; Installation of four lighting towers at 27.4 metres high; associated earthworks, stormwater, landscaping and screening").

Given its township setting and relatively small footprint (compared to the overall size of Centennial Park and other built form in the park), setbacks from public boundaries and proposed external darker colour palette, the proposed visual amenity impact on the district is considered to be low.

(b) the heritage attributes of the district

The heritage attributes of the district are associated primarily in the rural area comprising the planting of vines, construction of fencing, stone walls and farm buildings, the proposed development will not remove or obscure any of these attributes.

(c) the built form of the townships as they relate to the district

The proposed development sits in the Nuriootpa township within a designated recreation area. The proposed use and built form is consistent with that envisaged for the upgrade of the park and maintains an appropriate interface balance between town and rural development.

(d) the viticultural, agricultural and associated industries of the district

The proposed development will not result in the cessation or curbing of any existing viticultural, agricultural or associated industries of the district.

(e) the scenic and tourism attributes of the district

The proposed development is part of The Big Project and will have minimal impact on the recognised scenic qualities of the district.

Further discussion is contained under the Assessment section below in relation to the Character Preservation District Overlay.

Assessment

Detailed assessment of the proposal has taken place against the relevant provisions of the Planning and Design Code as quoted above. Commentary is provided below under headings:

Land Use

Recreation Zone	
Desired Outcomes	
DO 1	Provision of a range of accessible recreational facilities.
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 Development is associated with or ancillary to the primary purpose of structured, unstructured, active and/or passive recreational facilities.	DTS/DPF 1.1 Development comprises one or more of the following: (a) Car parking (b) Change rooms (c) Golf course (d) Indoor recreation facility (e) Lighting for night use of facilities (f) Market (g) Motorsport track and associated activities (h) Office ancillary to recreation facility (i) Open space (j) Outdoor sports courts (k) Playground (l) Racecourse and associated activities (m) Recreation area (n) Shop ancillary to recreation facility (o) Showground and associated activities (p) Special event (q) Spectator viewing structure (r) Sporting clubrooms (s) Sporting ovals and fields (t) Stadium (u) Swimming pool (v) Tourist accommodation ancillary to recreation facility
PO 1.2 Shops including restaurants are of a scale that is subordinate to the principal community use of land.	DTS/DPF 1.2 Shop gross leasable floor area does not exceed 250 sqm.
PO 1.3 Offices are of a scale that is subordinate to the principal community use of land.	DTS/DPF 1.3 Office gross leasable floor area does not exceed 250 sqm.

The proposed development comprises the construction of a new club and change rooms to provide an adaptable and flexible, competitive and community sporting facility for the township. Through extended community engagement and project development Council has identified demand for increased soccer facilities for the Barossa. It is considered that the proposal, comprising an ancillary club room use, helps support the desired outcome of the zone for a range of accessible recreational facilities. and complies with Performance Outcome 1.1.

Under DPF 1.1 a sporting clubroom and change rooms are listed as a form of development that is envisaged in the Recreation Zone.

The primary purpose of the proposal is for the continued delivery of infrastructure for a high-quality soccer club use, that is supported by contemporary facilities comprising

male/female changerooms, medical room, clubroom (that can serve food and drink) and adequate storage space for club equipment. There will also be a lease for the building that could additionally control timing and nature of activities. As sought by Performance Outcome 1.2, the clubroom (where food and drink can be served) is a subordinate element of the overall community use. A clubroom is a common element for sporting facilities and the nature of food and drink consumption differs from a typical café/restaurant (including third party events) and as part of a game day/club experience.

There is a small office floorspace within the proposed building which measures significantly less than 80 square metres, hence Performance Outcome 1.3 is considered to be met.

Overall, the proposed land use is anticipated within the Recreation Zone but must also satisfy a range of policies in respect to their design and function. These matters are expanded below under headings.

Built Form and Character

Building height and setbacks	
PO 2.1 <i>Development includes building, landscape and streetscape design elements to achieve high visual amenity particularly along public roads and open spaces</i>	DTS/DPF 2.1 <i>None are applicable</i>
PO 2.3 <i>Buildings are designed and sited to manage visual impacts.</i>	DTS/DPF 2.2 <i>Buildings are set back:</i> <i>1. no closer to a public road than an existing building on an adjoining allotment, or 8 metres where no building exists on an adjoining site</i> <i>2. 8 metres from the boundary of an allotment containing, or zoned to primarily accommodate, a sensitive receiver in other ownership.</i>

The proposed building is an elongated, rectangular building divided into two main elements - the clubrooms and the change rooms. The entire building sits under an extended hipped roof with a maximum height above finished ground level of 4.65 metres with a modest amount of fill (around 300 mm) above natural ground.

The building is proposed to be setback at least 40 metres from the rear boundaries with residential properties facing onto Prider Street and around 80 metres from the road itself (noting that any public view is only taken from the narrow access handle between 18 and 22 Prider Street. The proposed club rooms will be positioned close to an existing building on the subject land that is owned by The Barossa Council (and leased for tourist accommodation purposes). No adverse internal visual impact is anticipated.

The dark hue of the external colour palette and proposed design is typical of contemporary club rooms and is considered will blend in well with the varied materials and colours of other buildings within the site, noting that the building is not particularly

prominent due to being well setback from boundaries, not facing a public road and being single storey in height.

The proposal is not considered to be an 'outbuilding' therefore Performance Outcome 2.3 and DPF 2.3 do not apply.

The single storey building is considered to comply with Performance Outcome 2.1.

Interface Heights	
PO 3.1 Buildings mitigate the visual impacts of massing on residential development within a neighbourhood-type zone..	DTS/DPF 3.1 (a) Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3 metres above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary or where this boundary is the primary street boundary

There is a shared boundary with a Neighbourhood Zone along the northern interface of the site, in the form of the rear boundary fence of residential properties fronting Prider Street. Given the significant building setback of at least 40 metres and an overall building height above natural ground level of around 5 metres there is no conflict with the 45 degree angle of transgression as outlined in DPF 3.1. The building height is also reasonably compatible with the single storey built form of developments in this locality.

The proposal is considered to comply with Performance Outcome 3.1.

Open Space and Recreation

<i>Open Space and Recreation</i>	
General Development Policies	
Desired Outcomes	
DO 1	Pleasant, functional and accessible open space and recreation facilities are provided at State, regional, district, neighbourhood and local levels for active and passive recreation, biodiversity, community health, urban cooling, tree canopy cover, visual amenity, gathering spaces, wildlife and waterway corridors, and a range of other functions and at a range of sizes that reflect the purpose of that open space.
Relevant Performance Outcomes/Designated Performance Features	
All development	

Land Use and Intensity	
PO 1.1 <i>Recreation facilities are compatible with surrounding land uses and activities.</i>	DTS/DPF 1.1 <i>None are applicable.</i>
PO 1.2 <i>Open space areas include natural or landscaped areas using locally indigenous plant species and large trees.</i>	DTS/DPF 1.2 <i>None are applicable.</i>

The proposed club rooms sit adjacent a new soccer pitch residing within a larger regional level sporting facility. The clubrooms are intended to support the anticipated daily level of activity (ie the change rooms) plus the social gathering and function side of contemporary sporting clubs. The building is setback approximately 40 metres from residential properties but is compatible with existing activities and zoning intent within the Recreation Zone. The proposed development will not interfere with the ongoing use of adjoining properties for residential use.

The proposed building is conveniently located adjacent to sport fields and associated car parking. The building site has already been benched and does not result in loss of existing indigenous vegetation of natural landscaped areas. Screening planting between the soccer pitch and the adjoining residential properties was approved and conditioned as a component of an earlier approval. The screening planting is yet to be completed but is planned to occur adjacent the boundary of the residential properties fronting Prider Street.

The proposal accords with both Performance Outcomes 1.1 and 1.2.

Design and Siting	
PO 2.1 <i>Open space and recreation facilities address adjacent public roads to optimise pedestrian access and visibility.</i>	DTS/DPF 2.1 <i>None are applicable.</i>
PO 2.2 <i>Open space and recreation facilities incorporate park furniture, shaded areas and resting places.</i>	DTS/DPF 2.2 <i>None are applicable.</i>
PO 2.3 <i>Open space and recreation facilities link habitats, wildlife corridors and existing open spaces and recreation facilities.</i>	DTS/DPF 2.3 <i>None are applicable.</i>

The subject building has a relatively small footprint compared to the entirety of the Centennial Park site. The proposed siting next to newly constructed soccer pitches and car park ensures minimal impact on the function and use of balance of the site. The club rooms will be accessed using internal site movement networks approved under previous applications and established within the site.

The proposed layout has been carefully curated to address site conditions including links within Centennial Park, retention of existing native vegetation, proximity to the creek, minimising of cut and fill, safe access and egress and direct/safe road connections. The main entry point is from Penrice Road, in excess of 200 metres from the building to the south. The building will not directly face adjacent public roads, however, given the size of the site and existing location of the soccer pitches this is not an achievable aspiration.

All relevant Performance Outcomes are satisfactorily addressed.

Signage	
PO 6.1 <i>Signage is provided at entrances to and within the open space and recreation facilities to provide clear orientation to major points of interest such as the location of public toilets, telephones, safe routes, park activities and the like.</i>	DTS/DPF 6.1 <i>None are applicable.</i>

No signage is proposed as part of this application. If needed, entry or directional signage can be addressed at a later stage prior to completion of the development. This is not considered a risk as Council is the project manager and can address entry signage as required.

Buildings and Structures	
PO 7.1 <i>Buildings and car parking areas in open space areas are designed, located and of a scale to be unobtrusive.</i>	DTS/DPF 7.1 <i>None are applicable.</i>
PO 7.2 <i>Buildings and structures in open space areas are clustered where practical to ensure that the majority of the site remains open.</i>	DTS/DPF 7.2 <i>None are applicable.</i>
PO 7.3 <i>Development in open space is constructed to minimise the extent of impervious surfaces.</i>	DTS/DPF 7.3 <i>None are applicable.</i>

The proposed clubroom adopts a contemporary design pallet using a mix of materials (in darker hues) and a readily identifiable 'pavilion' design idiom representative of many sport/clubroom buildings. The single storey clubrooms is well setback from the closest road (Prider Street) and obscured from public view by existing built form and vegetation. The building is set perpendicular to the northern common boundary with sensitive receivers and is positioned to maximise views of the playing fields. There is a car park approved for the facility that has previously been assessed and approved by the Barossa Assessment Panel. The overall size of the building has been reduced by 80 square metres and given the scale of Centennial Park and its modest height it is considered to be a sufficiently unobtrusive addition to the existing visual framework. The development accords with Performance Outcome 7.1.

The building has been designed to incorporate the clubroom, change rooms, eating and drinking, spectator viewing, store and other amenities in a single building. This reduces the appearance of site clutter and minimises total building footprint as sought by Performance Outcome 7.2. The building is also clustered in proximity to an existing shed, which in part screens this building on the northern side, and the existing building on the subject land that is owned by The Barossa Council and leased for tourist accommodation purposes.

Other than the building footprint there is limited impervious surfacing proposed as part of this application. The applicant has reduced the floor area to further minimise ground size and the amended proposal is proportionally small to the site and in accordance with Performance Outcome 7.3.

Landscaping	
PO 8.1 <i>Open space and recreation facilities provide for the planting and retention of large trees and vegetation.</i>	DTS/DPF 8.1 <i>None are applicable</i>
PO 8.2 <i>Landscaping in open space and recreation facilities provides shade and windbreaks:</i> <i>(a) along cyclist and pedestrian routes;</i> <i>(b) around picnic and barbecue areas;</i> <i>(c) in car parking areas.</i>	DTS/DPF 8.2 <i>None are applicable..</i>

The proposal is confined to the construction of the club and change rooms only. Previous applications have addressed landscaping of the site. The siting of the new building does not adversely impact achievement of future landscaping plans and there is good level of estimated landscaping on the site and adjacent the perimeter.

Native Vegetation

Native Vegetation Overlay	
Desired Outcomes	
DO1	<i>Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.</i>
Relevant Performance Outcomes/Designated Performance Features	
Environmental Protection	
PO 1.1 <i>Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.</i>	DTS/DPF 1.1 <i>An application is accompanied by:</i> <i>(a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur:</i> <i>i. in connection with a relevant access point and / or driveway.</i> <i>ii. within 10 metres of a building (other than a residential building or tourist accommodation).</i> <i>iii. within 20 metres of a dwelling or addition to an existing dwelling for fire prevention and control.</i> <i>iv. within 50 metres of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area.</i> <i>or</i> <i>a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.</i>

PO 1.4 <i>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</i>	DTS/DPF 1.4 <i>None are applicable.</i>
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The site is cleared, and no native vegetation is required to be removed for construction to commence. As stated, landscaping (including the planting of indigenous species) has been addressed as part of previous applications on the site, with further landscaping planned to be completed adjacent to the fence line of residential properties fronting Prider Street.

Character Preservation Overlay

Character Preservation District Overlay (Not in township)	
Desired Outcomes	
DO1	<i>Recognise, protect and enhance the special character of Character Preservation Districts.</i>
DO2	<i>The long term use of land outside of townships for primary production and associated value adding enterprises is assured and promoted.</i>
Relevant Performance Outcomes/Designated Performance Features	
Built Form and Character in the Rural Area	
PO 3.1 <i>Preservation of existing natural features including topography, watercourses and mature trees.</i>	DTS/DPF 3.1 <i>None are applicable.</i>
PO 3.2 <i>Buildings and structures do not interrupt views of the skyline through measures including being sited below ridge lines.</i>	DTS/DPF 3.2 <i>None are applicable.</i>
PO 3.3 <i>Buildings and structures harmonise with the natural features of the landscape and reinforce the rural character through the use of muted, neutral, non-reflective landscape colours on external surfaces.</i>	DTS/DPF 3.3 <i>None are applicable.</i>
PO 3.4 <i>Large buildings and structures are sited and oriented to minimise their visual bulk, particularly if close to roads or in open settings where there are no other buildings or mature trees in close proximity.</i>	DTS/DPF 3.4 <i>None are applicable.</i>
PO 3.5 <i>Buildings and structures are grouped to create compact clusters well set back from public roads.</i>	DTS/DPF 3.5 <i>None are applicable.</i>
PO 3.6 <i>Development mitigates the need for long, steep access roads that require excessive grading or removal of vegetation.</i>	DTS/DPF 3.6 <i>None are applicable.</i>

Desired Outcomes for the Character Preservation District speak of protecting the special character of the area and ensuring long term use of rural land for primary production and value adding enterprises. The proposed development will not adversely affect the special character, nor impact upon primary production activity.

The proposed development satisfies Performance Outcomes 3.1 – 3.6 as follows:

- The building does not adversely affect existing natural features;
- Earthworks have been minimised and the siting of the building has been carefully selected to best utilise the existing shallow topography;
- The building is located close to two other structures in this part of the site. Given their setback from the road and limited height, scale or profile their visual impact is minimal and with other housing and recreation-based buildings as a backdrop from either road they will not dominate the viewshed.
- Proposed clubroom building utilises a grey/black palette that is non-reflective and helps embed the development in the immediate landscape.
- The driveway to the car park is approved and due to site topography does not require significant earthworks.

Interface between Land Uses

Interface between Land Uses	
Desired Outcomes	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.
Relevant Performance Outcomes/Designated Performance Features	
General Land Use Compatibility	
PO 1.1 Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.	DTS/DPF 1.2 None are applicable.
Hours of Operation	
PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to: (a) the nature of the development. (b) measures to mitigate off-site impacts. (c) the extent to which the development is desired in the zone. (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.	DTS/DPF 2.1 Development operating within the following hours: (Nil Applicable)
Activities Generating Noise or Vibration	
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.

PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers. (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers. (c) housing plant and equipment within an enclosed structure or acoustic enclosure. (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.				
PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.	DTS/DPF 4.4 Adjacent land is used for residential purposes.				
PO 4.5 Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.5 None are applicable.				
PO 4.6 Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.	DTS/DPF 4.6 Development incorporating music includes noise attenuation measures that will achieve the following noise levels: <table border="1" data-bbox="836 1682 1394 1917"> <thead> <tr> <th>Assessment location</th><th>Music noise level</th></tr> </thead> <tbody> <tr> <td>Externally at the nearest existing or envisaged noise sensitive location</td><td>Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)</td></tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)				
Light Spill					
PO 6.1 External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully	DTS/DPF 6.1 None are applicable.				

approved sensitive receivers).	
PO 6.2 External lighting is not hazardous to motorists and cyclists.	DTS/DPF 6.2 None are applicable.
Solar Reflectivity/Glare	
PO 7.1 Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.	DTS/DPF 7.1 None are applicable.

The proposed development has capacity to generate noise through approved sporting activities, future clubroom usage, vehicle/service vehicle generation and general visitor movement.

The applicant has advised that the proposed clubrooms will operate as follows:

- Weekdays 4.00 pm-9.00 pm
- Saturdays 8.00 am- 12.00 am (note: pitch lighting is required to be turned off by 9.50 pm in accordance with Condition 7 of Development Approval with application ID21007498)
- Sundays: 8.00 am to 6.00 pm

It is recommended that the proposed operating hours be reinforced as a condition of any approval.

The applicant engaged BESTEC to prepare an Environmental Noise Assessment Acoustic Services report (dated 25 May 2023), refer **Attachment 2**.

To inform this assessment, BESTEC performed a noise survey over a continuous seven-day period at the boundary of the nearest noise sensitive receiver (housing along Prider Street). The survey was conducted using an automatic noise logger Norsonic Nor139.

Noise impact was assessed against nominated environmental noise criteria including:

- Music noise resulting from functions taking place in the clubrooms – based on proposed operating hours;
- Patron noise – based on a typical function size of 226 guests (with around one quarter potentially being outside);
- Noise associated with the use of the carpark, deliveries, and rubbish collection (with deliveries etc accessing the site via Penrice Road).

Survey analysis identified that:

- The measured lowest background noise levels (LA90) during the proposed hours of operation is 36.9dBA
- The lowest ambient noise level (LAeq) measured during the proposed hours of operation is 42dBA.

BESTEC then assessed noise potential from the site taking into account a number of variables including intermittent noise, room acoustics and building materials, speech privacy, music sound levels and background noises (such as air conditioners). An assessment of the operational noise, music and patron noise resulting from a typical function taking place at proposed development was conducted against relevant environmental noise criteria derived in accordance with the SA Planning and Design Code and SA EPA *Environment Protection (Noise) Policy 2007*. The methodology is outlined in the BESTEC report.

The results of the BESTEC assessment revealed:

- The predicted music noise levels at the nearest noise sensitive receiver will achieve the selected criteria under worst case meteorological conditions provided the sound pressure levels from each speaker is limited to 90dBA at 1 metre based on 4 speakers being used.
- The continuous noise levels at the nearest noise sensitive boundary resulting from patrons outdoors and inside the clubrooms will achieve the selected continuous noise criteria under worst case meteorological conditions.

In order to meet noise criteria, BESTEC recommended installation of a sound limiter connected to the main amplifier. This limits amplification of music noise to a level that ensure compliance. In addition, BESTEC recommended all doors and windows be kept closed when music is playing, and that deliveries and rubbish collection take place during daytime, i.e., after 7:00 am and before 7:00 pm Monday to Friday and after 9:00 am on Saturday and Sunday (if applicable)

Council staff have considered potential for adverse noise impact and note that:

- Outdoor training is restricted to 8.30 pm on weekdays and daylight hours on weekends with the clubroom operational to 9.00 pm every night except Saturday (midnight). Other than Saturday night this allows players to exit the fields and change etc before leaving the premises.
- The proposed development forms part of a community hub with other noise generating activities including school, and a caravan park within close proximity.
- The site is at the interface with the Neighbourhood Zone.
- The closest sensitive receivers comprise dwellings fronting Prider Street that are located around 40 metres from the clubrooms.

Taking account of the acoustic report, the appropriate hours of operation proposed and that the clubroom is proposed in association with an approved sporting facility within a Recreation Zone, the proposal is considered to be acceptable from an interface perspective.

Cut and Fill

General Development Policies	
Design	
Earthworks and sloping land	
PO 8.1 <i>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</i>	DTS/DPF 8.1 <i>Development does not involve any of the following:</i>

	(a) excavation exceeding a vertical height of 1 metres. (b) filling exceeding a vertical height of 1 metre. (c) a total combined excavation and filling vertical height of 2 metres or more.
PO 8.2 Driveways and access tracks are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).	DTS/DPF 8.2 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b): (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway. (b) are constructed with an all-weather trafficable surface.

The site for the proposed building adjoins the newly constructed soccer pitch. This pitch has been designed and constructed to ensure ground slope accords with sporting code standards.

There is a modest slope increased between the pitch and the club rooms of less than 300 mm. Likewise, to the east there is limited change in ground level. The pad for the new building has not resulted in any appreciable site build-up.

An existing stormwater basin is located north of the proposed building. Stormwater management calculations are being finalised and there may be some modest removal of soil from the basin to accommodate future water flows.

The proposed development satisfies the relevant Performance Outcomes.

Flood Hazard

Hazards (Flooding – Evidence Required) Overlay	
Desired Outcomes	
DO1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.
Relevant Performance Outcomes/Designated Performance Features	
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300 mm above: (a) the highest point of top of kerb of the primary street or the highest point of natural ground level at the primary street boundary where there is no kerb.

The proposed clubroom is slightly elevated above adjacent ground level and water will drain into the adjacent pitch or car park. This building is not intended for habitable purposes.

The open nature of the proposed development and comparatively minimal building footprint limits the impact on any overland flood flows.

Council's Works and Engineering Department have reviewed the proposal and have not raised significant concerns.

A Reserved Matter is recommended to ensure finalisation of Council approval of a stormwater management plan that will involve discharge of stormwater into a stormwater basin located on the site.

Water Protection Area Overlay

Water Protection Area Overlay	
Desired Outcomes	
DO1	<i>Safeguard South Australia's public water supplies and ecologically significant areas by protecting regionally and locally significant surface and underground water resources in Water Protection Areas from pollution. This includes considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.</i>
Relevant Performance Outcomes/Designated Performance Features	
Groundwater	
PO 2.1 <i>Groundwater resources are protected from pollution by ensuring development does not:</i> <i>(a) generate or dispose of waste in a manner that would pollute water resources.</i> <i>(b) involve the storage or disposal of chemicals or hazardous substances in a manner that would pose a risk to water supplies.</i>	DTS/DPF 2.1 <i>None are applicable.</i>
PO 2.2 <i>Groundwater catchment and recharge characteristics are safeguarded by ensuring development:</i> <i>(a) retains and protects areas of native vegetation.</i> <i>(b) does not inhibit the potential of an aquifer to recharge.</i>	DTS/DPF 2.2 <i>None are applicable.</i>

The proposed stormwater management approach is intended to minimise adverse ground or surface water impact, alteration to external site flow rates and maximise retention and re-use of stormwater.

Further information is required to address this issue, however, Council's Works and Engineering Department have advised that this can be placed as a Reserved Matter.

Final details will ensure an appropriate engineered outcome in accordance with the Performance Outcomes for the Water Protection Area Overlay.

Car Parking

Transport, Access and Parking									
Desired Outcomes									
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.								
Relevant Performance Outcomes/Designated Performance Features									
Access for People with Disabilities									
PO 4.1 Development is sited and designed to provide safe, dignified and convenient access for people with a disability.	DTS/DPF 4.1 None are applicable.								
Vehicle Parking Rates									
PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: (a) availability of on-street car parking. (b) shared use of other parking areas. (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared. (d) the adaptive reuse of a State or Local Heritage Place.	DTS/DPF 5.1 Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant: (a) Transport, Access and Parking Table 1 - General Off-street Car Parking Requirements. (b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas. (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.								
Table 1 - General Off-Street Car Parking Requirements	<table> <tr> <th>Class of Development</th><th>Car Parking Rate</th></tr> <tr> <td>Tourist Accommodation</td><td>1 car parking space per accommodation unit / guest room.</td></tr> <tr> <td>Shop (in the form of a restaurant or involving a commercial kitchen)</td><td>Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat.</td></tr> <tr> <td>Hall / meeting hall</td><td>0.2 spaces per seat.</td></tr> </table>	Class of Development	Car Parking Rate	Tourist Accommodation	1 car parking space per accommodation unit / guest room.	Shop (in the form of a restaurant or involving a commercial kitchen)	Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat.	Hall / meeting hall	0.2 spaces per seat.
Class of Development	Car Parking Rate								
Tourist Accommodation	1 car parking space per accommodation unit / guest room.								
Shop (in the form of a restaurant or involving a commercial kitchen)	Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat.								
Hall / meeting hall	0.2 spaces per seat.								
Vehicle Parking Areas									
PO 6.1 Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.	DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.								

PO 6.2 <i>Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.</i>	DTS/DPF 6.2 <i>None are applicable.</i>
PO 6.4 <i>Pedestrian linkages between parking areas and the development are provided and are safe and convenient.</i>	DTS/DPF 6.4 <i>None are applicable.</i>
PO 6.5 <i>Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.</i>	DTS/DPF 6.5 <i>None are applicable.</i>
PO 6.6 <i>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</i>	DTS/DPF 6.6 <i>Loading areas and designated parking spaces are wholly located within the site.</i>
PO 6.7 <i>On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.</i>	DTS/DPF 6.7 <i>None are applicable.</i>

Patron and visitor parking is provided on the new car park adjacent the proposed building. This car park was approved as part of Development Application ID 21007498. In the officer's report to the Panel, it was noted that the car park:

- Shall be designed in accordance with AS/NZS2890.1:2004 and AS/NZS2890.6:2018.
- Has sufficient space for loading and waste collection to occur without adverse impact on site function or the road network.
- Was designed to ensure convenient access to those with disabilities.
- The location was selected to minimise impacts on surrounding area.
- Forms part of a larger network of car parks within Centennial Park and avoids need for additional entrance ways (such as using the Prider Street access handle).

The proposed car park has a capacity for 63 vehicles and is connected to the internal driveway from Penrice Road and enables forward entry and exit. The facility will hold a maximum capacity of 226 persons.

A car parking rate within the Planning and Design Code does not exist for a clubroom but if one applies the rate for a Community Facility of 10 spaces per 100 sqm of total floor area, then based on a building floor area of 838.56 sqm, 84 car parks should be provided. This represents a theoretical shortfall of 21 car parks.

However, if the car parking rate is applied based on the patron numbers, using the rate of 1 space per 3 attendees, then the proposal should be served by 75 car parks, which represents a reduced shortfall of 75 car parks.

The Big Project have advised that the car park has been sized to meet the needs of the users, but in event that the car park is at capacity, there are areas to the sides of the internal driveway where cars can park in a manner that is safe and convenient, due to the widening that has occurred within the internal road network.

On major event days, The Big Project have advised that permission has been negotiated with the adjacent Nuriootpa High School, to use part of this land for temporary car parking.

A possible concern for the residential properties is the potential for patrons to park in the adjacent residential area. While vehicle access exists via the driveway handle, this access is locked and no access is proposed. In addition, the park is fenced and pedestrians cannot gain access via the reserve at the rear of Prider Street.

In summary, the car parking provision has been approved as part of a previous development. The car park provision is on the lower side of what is desired for a facility of this size but noting the large area of the site and that there are shared access and car parking areas available, the spillover of vehicles parking on the public road network is not anticipated.

Site Contamination

General Development Policies	
Site Contamination	
Desired Outcomes	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.
Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 Ensure land is suitable for use when land use changes to a more sensitive use.	DTS/DPF 1.1 Development satisfies (a), (b), (c) or (d): (a) does not involve a change in the use of land. (b) involves a change in the use of land that does not constitute a change to a more sensitive use.

The site has been established for community and recreation uses and there is no proposed change to a more sensitive activity in accordance with Table 1 of Practice Direction 14 – Site Contamination Assessment.

On this basis, Council did not require a Statement of site suitability. The proposal satisfies DTS 1.1 and the related Performance Outcome 1.1 is achieved.

Clearance from Overhead Powerlines

General Development Policies	
Clearance from Overhead Powerlines	
Desired Outcomes	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.
Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

	(b) <i>there are no aboveground powerlines adjoining the site that are the subject of the proposed development.</i>
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DTS 1.1, clause (a) has been met and therefore the related Performance Outcome 1.1 will be achieved.

Other Overlays

The following Overlays have been considered in the assessment of the proposed development but are not addressed in further detail given that:

Prescribed Water Resources Area Overlay

The proposed development arguably does not involve any activities listed in PO 1.1.

CONCLUSION

The proposal comprises the construction of an 838 square metre building containing a clubroom, change rooms, toilet facilities, bar, kitchen, BBQ and storage areas.

The application seeks permission for this important sporting facility that has been developed through strategic recreation planning and significant partnership working between Council, the Barossa United Football Club, Football SA and the community. It forms part of the Big Project program. The development takes account of its interface position adjacent residential development and the preceding concept plans and detailed drawings worked through over the last five years. The building will form a 'home' for soccer and a valued element of the recreation and sporting offer for the Barossa region.

The application was subject to 'Performance Assessment' and public notification. The application was notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and received three representations. In response, the applicant has demonstrated compliance with the EPA Noise Policy 2007 and satisfactorily responded to other concerns raised by the representors. It is noted that the building has been reduced in size and the roof form altered that was a concern for at least one representor.

Similarly, Council's Works and Engineering Department have assessed access, car parking, wastewater and stormwater management and do not raise any significant concerns. Minor outstanding matters such as wastewater managements system and stormwater management are subject to final design, and are proposed to be addressed by Reserved Matters.

This report has provided a detailed assessment of the proposal against the relevant provisions of the Planning and Design Code. Assessment has identified that the proposed development is consistent with the Desired Outcome and Performance Outcomes of the Recreation Zone and other relevant provisions of the Planning and Design Code.

RECOMMENDATION 1

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.

RECOMMENDATION 2

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.

RECOMMENDATION 3

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. 22031513 by The Barossa Council for construction of a new club room and change room facilities in association with soccer pitch at 11 Penrice Road and 20 Prider Street Nuriootpa (CT CT 5307/771) 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 building 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*.

- (2) The stormwater drainage design must include a final Stormwater and Site Management Plan (or equivalent to the satisfaction of the Relevant Authority). The plan shall address the following outstanding matters:
 - A detailed drainage design is required for all of the proposed development and is to include a stormwater and site management plan with supporting computations compliant with the requirements listed below.
 - The plan shall include at least existing contours, features, existing stormwater infrastructure, proposed site works details, levels, grading, proposed stormwater drainage system including connection details to the external drainage system.

- 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.
- The controlled discharge from the site shall be connected safely to the existing drainage system and shall be consistent with the capacity of the system.
- No stormwater runoff from the development shall be permitted to discharge onto any adjacent property.
- The existing detention basin adjacent the proposed development shall be safely connected to the existing stormwater drainage system by a suitably sized concrete reinforced pipe (RCP) to function as a temporary off-line storage facility during times of high flows.

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 22031513 except where varied by any condition(s) listed below.

- Cover Sheet, prepared by DASH Architects, Project No DA203887, Drawing No WD01, Revision T2, dated 9 May 2023
- Notes, Legends & Finishes, prepared by DASH Architects, Project No DA203887, Drawing No WD02, Revision T2, dated 9 May 2023
- Site Plan, prepared by DASH Architects, Project No DA203887, Drawing No WD03, Revision T3, dated 9 May 2023
- Ground Floor Plan, prepared by DASH Architects, Project No DA203887, Drawing No WD04, Revision T3, dated 9 May 2023
- Reflected Ceiling Plan, prepared by DASH Architects, Project No DA203887, Drawing No WD05, Revision T2, dated 9 May 2023
- Roof Plan, prepared by DASH Architects, Project No DA203887, Drawing No WD06, Revision T1, dated 9 May 2023
- East & West Elevations, prepared by DASH Architects, Project No DA203887, Drawing No WD07, Revision T2, dated 9 May 2023
- North & South Elevations, prepared by DASH Architects, Project No DA203887, Drawing No WD08, Revision T2, dated 9 May 2023
- Sections, prepared by DASH Architects, Project No DA203887, Drawing No WD09, Revision T2, dated 9 May 2023
- Sections, prepared by DASH Architects, Project No DA203887, Drawing No WD10, Revision T2, dated 9 May 2023
- Wet Area Details 1, prepared by DASH Architects, Project No DA203887, Drawing No WD11, Revision T2, dated 9 May 2023
- Wet Area Details 2, prepared by DASH Architects, Project No DA203887, Drawing No WD12, Revision T1, dated 9 May 2023
- Wet Area Details 3, prepared by DASH Architects, Project No DA203887, Drawing No WD13, Revision T1, dated 9 May 2023
- Wet Area Details 4, prepared by DASH Architects, Project No DA203887, Drawing No WD14, Revision T2, dated 9 May 2023
- Room Details 1, prepared by DASH Architects, Project No DA203887, Drawing No WD15, Revision T2, dated 9 May 2023
- Room Details 2, prepared by DASH Architects, Project No DA203887, Drawing No WD16, Revision T1, dated 9 May 2023
- Stair/Ramp Detail, prepared by DASH Architects, Project No DA203887, Drawing No WD17, Revision T1, dated 9 May 2023

- Plan Details, prepared by DASH Architects, Project No DA203887, Drawing No WD18, Revision T1, dated 9 May 2023
 - Section Details 1, prepared by DASH Architects, Project No DA203887, Drawing No WD19, Revision T1, dated 9 May 2023
 - Section Details 2, prepared by DASH Architects, Project No DA203887, Drawing No WD20, Revision T1, dated 9 May 2023
 - Section Details 3, prepared by DASH Architects, Project No DA203887, Drawing No WD21, Revision T1, dated 9 May 2023
 - Door Schedule, prepared by DASH Architects, Project No DA203887, Drawing No WD22, Revision T1, dated 9 May 2023
 - Roller Door Schedule, prepared by DASH Architects, Project No DA203887, Drawing No WD23, Revision T1, dated 9 May 2023
 - Window Schedule, prepared by DASH Architects, Project No DA203887, Drawing No WD24, Revision T1, dated 9 May 2023
 - Finishes Schedule, prepared by DASH Architects, Project No DA203887, Revision T3, dated 9 May 2023
 - Environmental Noise Assessment, prepared by BESTEC, Ref 57535/6/1, Rev 02, dated 25 May 2023
 - Response to Representations, prepared by Jensen+, dated 9 May 2023
- (2) Prior to occupation, the building authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of the Relevant Authority.
- (3) 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.
- (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.
- (5) Stormwater disposal systems must be fully 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 satisfaction of the relevant authority.
- (6) Disturbed surfaces including any exposed batters as a result of excavation on the land shall be revegetated and stabilised within three months of the completion of the development, to the satisfaction of Council.
- (7) Dust emissions during construction on site shall be controlled by a dust suppressant or by watering regularly to avoid unreasonable impacts on adjacent land to the reasonable satisfaction of the relevant authority.
- (8) 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 and Engineering.
 - (iii) Any dirt or debris from the site deposited onto existing roadways by the applicant's contractors or sub-contractors shall be cleared immediately.
- (9) No access from Prider Street shall occur during the life of the development without the appropriate authorisation of the Relevant Authority.
- (10) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the Environment Protection (Noise) Policy 2007, and such that any resulting noise is not considered a nuisance, to the satisfaction of the Relevant Authority.
- (11) Operating hours shall not exceed the following times:
- Weekdays 4:00 pm-9:00 pm
 - Saturdays 8:00 am-12:00 am (note: pitch lighting is required to be turned off by 9.50 pm in accordance with Condition 7 of Development Approval ID21007498)
 - Sundays: 8:00 am to 6:00 pm
- (12) Music, whether live or pre-recorded shall only be played inside the clubrooms, and shall comply with the following:
- (a) When music is being played, all doors and windows shall remain closed; and
 - (b) An automatic sound limiter shall be used to monitor the sound pressure levels during functions; and
 - (c) The sound limiter shall be connected to the main amplifier power and set to cut the power if the maximum sound pressure level is exceeded; and
 - (d) External performers/DJ's shall use only the sound system and amplifier provided by the function centre; and
 - (e) The sound system shall be tuned and commissioned by an acoustic engineer once the function centre is completed, and the sound limiter is installed. The measured sound level at 1 metre from each speaker should not exceed the C-weighted sound pressure levels detailed in the Table below when pink noise is fed into the system; and
- | C-Weighted Sound Pressure Level (dB re 20µPa) from each Speaker at Octave Band Centre Frequency, Hz (measured at 1m) | | | | | | | | Overall, dBC |
|--|-----|-----|-----|------|------|------|------|--------------|
| 63 | 125 | 250 | 500 | 1000 | 2000 | 4000 | 8000 | |
| 93 | 96 | 93 | 92 | 93 | 86 | 85 | 81 | 100 |
- (f) The function area sound system will have four speakers and must be re-assessed if different number of speakers is proposed; and
 - (g) Once the system is tuned, the noise levels at the nearest residential receivers shall be measured and the sound system settings adjusted if

- required to ensure the noise levels at the residential properties is below the maximum allowable values for music noise; and
- (h) Once the nominated noise levels are achieved, the sound limiter and main amplifier should be locked by the system engineer to prevent the settings being adjusted by staff of performers.
- (13) Deliveries and rubbish collection shall only take place between 7:00 am and 7:00 pm Monday to Friday; between 8:00 am and 9:00 pm on Saturday and Sunday.
- (14) All external lighting must be in accordance with AS4282:2019 'Outdoor Lighting Obtrusive Effects' so as to prevent any adverse effect on adjoining sensitive receivers.

Advisory Notes

- (1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- (2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- (3) Any variation to this approved development and/or the conditions of consent will require a separate request and approval by the Relevant 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.
- (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 development shall comply with the Food Act 2001 and Food Safety Standard. For further information, please visit:

www.barossa.sa.gov.au/development-business/food-industries/food-health-and-safety

- (7) The sale and consumption of alcohol on the premises is subject to licence under the *Liquor Licensing Act 1997*. For further information, please visit:

www.sa.gov.au/topics/business-and-trade/liquor/apply/club

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- | | | |
|--------------|--|---|
| Attachment 1 | Application and Associated Documentation | ↓  |
| Attachment 2 | Acoustic Assessment Report | ↓  |
| Attachment 3 | Representations Received | ↓  |
| Attachment 4 | Applicants Response to Representations | ↓  |

Development Locations

Location 1

Location reference

20 Prider Street & 11 Penrice Road NURIOOTPA SA 5355

Title Ref**Plan Parcel****Additional Location Information**

Northern end of existing Barossa United Junior Soccer Club facility

Council

THE BAROSSA COUNCIL

Zone Overlays

Zones

(None)

Sub-zones

(None)

Overlays

(None)

Variations

(None)

Application Contacts

Applicant(s)

Stakeholder info

The Barossa Council
43-51 Tanunda Road
Nurioopta
SA
5355

Contact

Stakeholder info

Mr Matthew Bird

Invoice Contact

Stakeholder info

Dash Architects
149 IFOULD STREET
ADELAIDE
SA
5000

Invoice sector type**Land owners****Stakeholder info**

The Barossa Council
43-51 Tanunda Road
Nurioopta
SA
5355

Nature Of Development**Nature of development**

Addition of a new club room and change room facilities to the Barossa United Junior Soccer facilities, allowing for expansion and further development of club programs

Development Details**Current Use**

Land is currently undeveloped

Proposed Use

Expansion of Barossa United Junior Soccer facilities to include new club and changerooms

Development Cost

\$16,000,000.00

Proposed Development Details

Addition of a new club room and change room facilities to the Barossa United Junior Soccer facilities, allowing for expansion and further development of club programs

Element Details**You have selected the following elements****Other - Community - \$16,000,000.00**

- Sporting clubrooms

Change of use - \$0.00

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

No

Certificate of Title information submitted by applicant

Does the Certificate of Title (CT) have one or more constraints registered over the property?

No

Consent Details**Consent list:**

- Planning Consent

- Building Consent

Have any of the required consents for this development already been granted using a different system?

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at The Barossa Council

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Relevant Authority

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

Yes

Who should assess your building consent?

The Barossa Council

Has Construction Industry Training Fund Levy (CITB) been paid?

No

Has a builder been engaged for the proposed development?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent
2. Building Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Native Vegetation Declaration

No report or declaration supplied with this application.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
----------	---------------	--------------

Application Created User and Date/Time

Created User

matthew.bird

Created Date/Time

14 Sep 2022 10:47 AM

Received
01 February 2023

DEVELOPMENT APPLICATION – NATIVE VEGETATION DECLARATION

Date of application: 25/10/22		
Location of proposed development:		
House no.:	Lot no.: 20	Street: Prider Street
Town/Suburb: Nuriootpa, SA, 5355		
Section no.:	Hundred:	
Volume:	Folio:	

Nature of proposed development:

Addition of a new club room and change room facilities to the Barossa United Junior Soccer facilities, allowing for expansion and further development of club programs

I: Emily McKendrick

declare that:

- ☒ The proposed development will not or would not, involve the clearance of Native Vegetation under the *Native Vegetation Act 1991*, including any clearance that may occur in connection with a relevant access point and/or driveway, and/or within 10 metres of a building (other than a residential building or tourist accommodation), and/or within 20 metres of a dwelling or addition to an existing dwelling for fire prevention and control, and/or within 50 metres of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area.
- ☐ The application is supported by a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes clearance is categorised as 'Level 1 clearance' (for more information, please use the link below*). Please upload the report in relation to native vegetation on the next page.
- ☒ No report or declaration supplied with this application.

[*Regulation 18\(2\)\(a\) of the Native Vegetation Regulations 2017](#)

Signed: elmck

Date: 18/11/22

☒ If being lodged electronically please tick to indicate agreement to this declaration.

Published by the Chief Executive of the Department of Planning, Transport and Infrastructure on 31 July 2019



Government of South Australia
Department of Planning,
Transport and Infrastructure

PENRICE ROAD, NURIOOTPA, SA

SERVICES ENGINEERING
Lucid Consulting Engineers

#	Title	Size	Rev
WD01	COVER	A1	T2
WD02	NOTES, LEGENDS & FINISHES	A1	T2
WD03	SITE PLAN	A1	T3
WD04	GROUND FLOOR PLAN	A1	T3
WD05	REFLECTED CEILING PLAN	A1	T2
WD06	ROOF PLAN	A1	T1
WD07	EAST & WEST ELEVATIONS	A1	T2
WD08	NORTH & SOUTH ELEVATIONS	A1	T2
WD09	SECTIONS	A1	T2
WD10	SECTIONS	A1	T2
WD11	WET AREA DETAILS 1	A1	T2
WD12	WET AREA DETAILS 2	A1	T1
WD13	WET AREA DETAILS 3	A1	T1
WD14	WET AREA DETAILS 4	A1	T2
WD15	ROOM DETAILS 1	A1	T2
WD16	ROOM DETAILS 2	A1	T1
WD17	STAIR RAMP DETAIL	A1	T1
WD18	STAIR DETAILS	A1	T1
WD19	SECTION DETAILS 1	A1	T1
WD20	SECTION DETAILS 2	A1	T1
WD21	SECTION DETAILS 3	A1	T1
WD22	DOOR SCHEDULE	A1	T1
WD23	ROLLER DOOR SCHEDULE	A1	T1
WD24	WINDOW SCHEDULE	A1	T1



1 LOCATION PLAN
Scale 1:500

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AFN 00 000 000 000

Scale 1:500 at A1

No. in Set 25

Drawn	MB/EMCK		
Field	CD	WD01	T0

Reviewed	CD	WD01	12
Project No	DA203887	Drawing Number	Revision

Project Name: 21-100000	Drawing Number	Revision
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Amendments			☐ Information/Comment ☐ Approval ☒ Tender ☐ Construction
Issue	Date	Amendment	Check
01	14/03/2022		01
01	25/12/2022	Preliminary Issue	01
02	25/12/2022	Tender	01
T	12/12/2022	Tender Issue 01	01
T1	12/08/2021	Tender Issue Addendum	01
T2	05/02/2021	Building Rules Consent	02

Note to Contractors

Do not scale off drawings. Contractor is responsible for verifying all dimensions on site and must notify the Architect of discrepancies prior to commencing works. Figured dimensions take precedence. Drawings are to be read in conjunction with the specification and any other documents forming part of the contract. Modifications to electronic copies of documentation cannot be made without the

Client:
The Big Project

Project:	Barossa United Football Club
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Sheet:
COVER

Scale 1:500 at A1
No. in Set 25

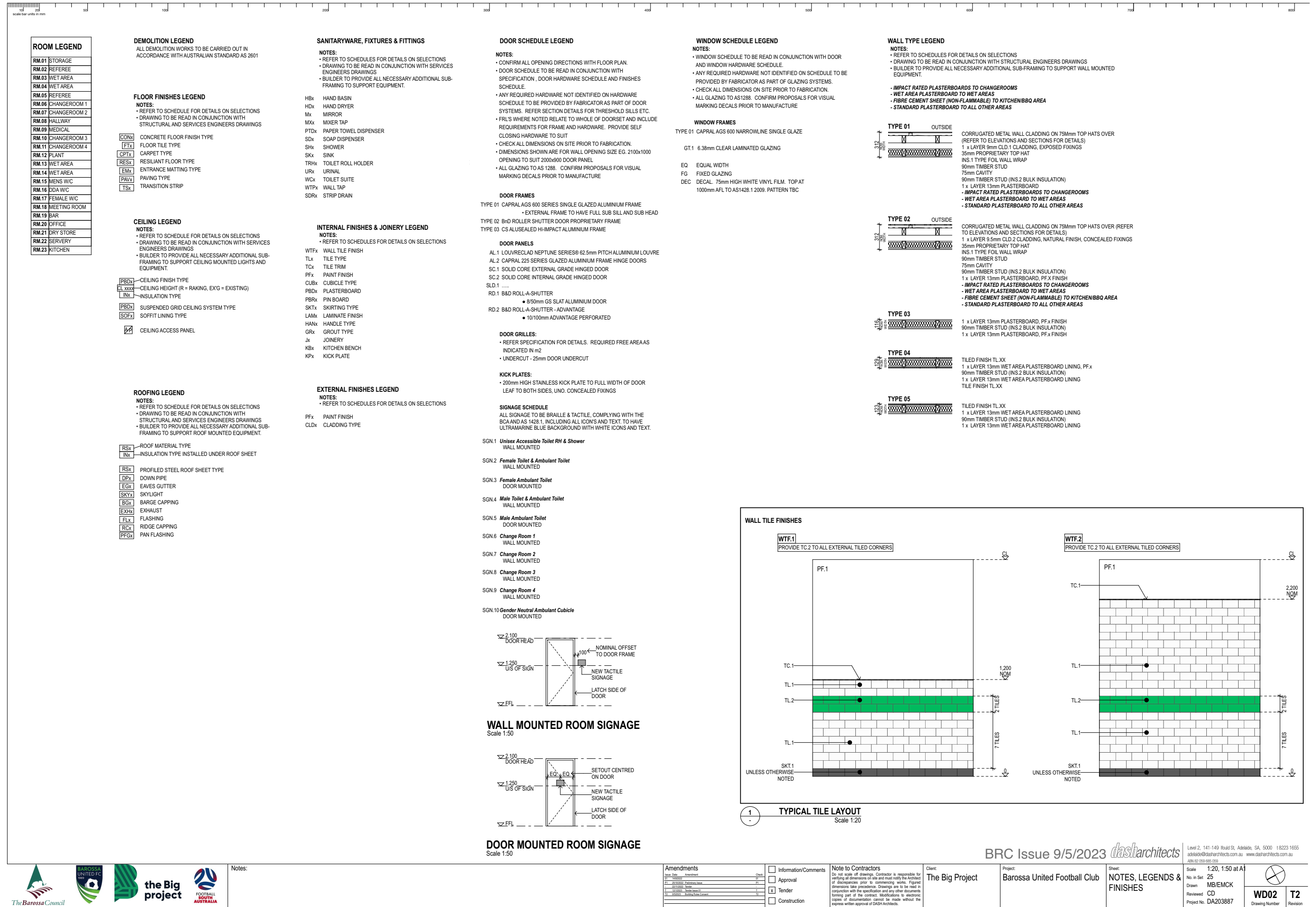
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Reviewed CD
Project No DA203887

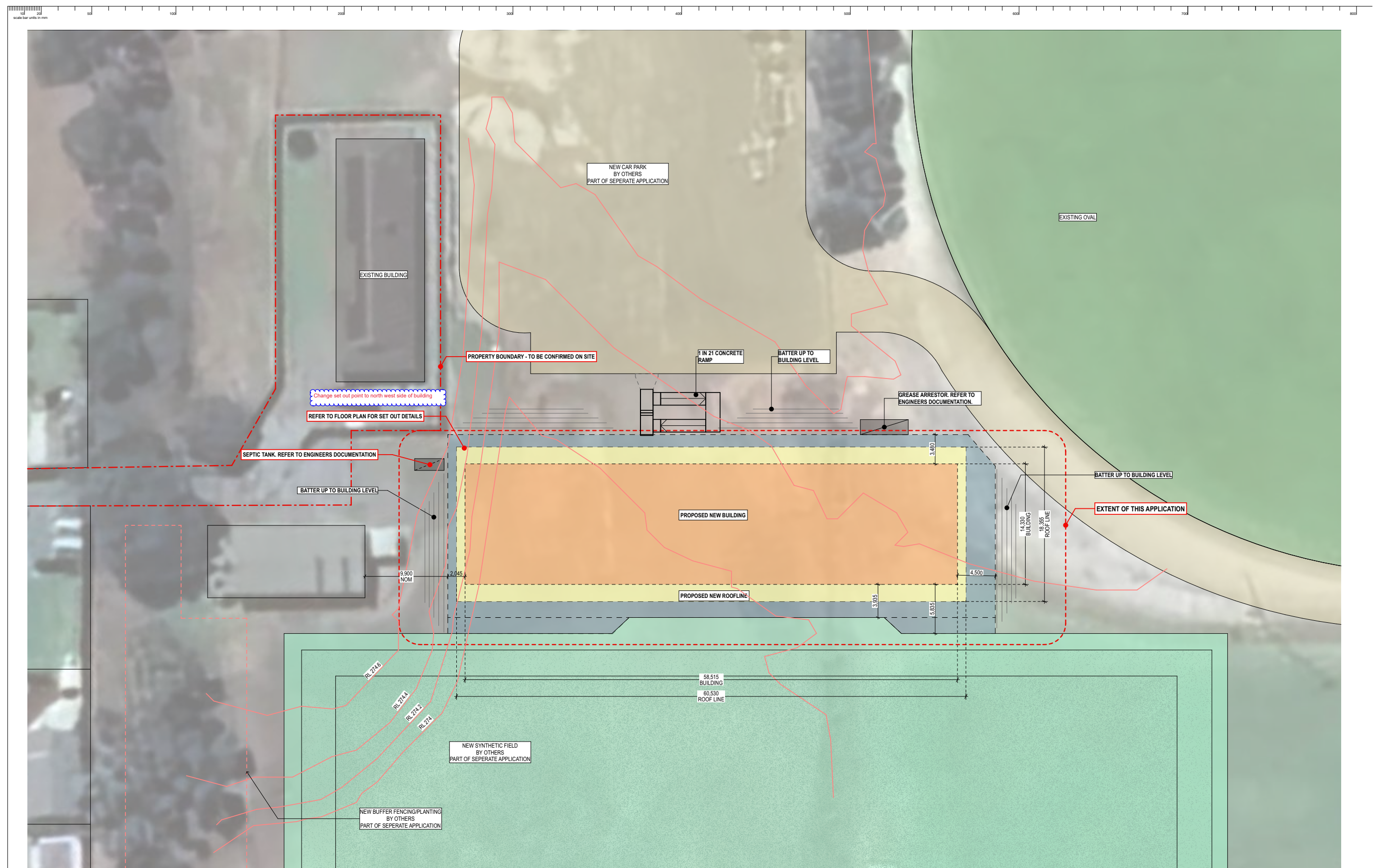
Potential for future research

ND01	T2
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Page Number | Revision

□





Site Plan

Scale 1:200

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NBN 00 000 000 000

Scale	1:200 at A1
No. in Set	25
Drawn	MB/EMCK
Reviewed	CD
Project No.	DA203887

WD03	T3
Drawing Number	Revision



Notes:

Amendments			
Issue	Date	Amendment	Check
D1	14/03/2022		☐ Information/Comment
P1	25/10/2022	Preliminary Issue	☐ Approval
T	29/11/2022	Tender	☒ Tender
T	12/12/22	Tender Issue 01	
T	1/03/2023	Tender Issue Addendum 1	
T2	14/03/2023	Tender Issue Addendum 02	
T3	05/02/23	Building Rules Consent	☐ Construction

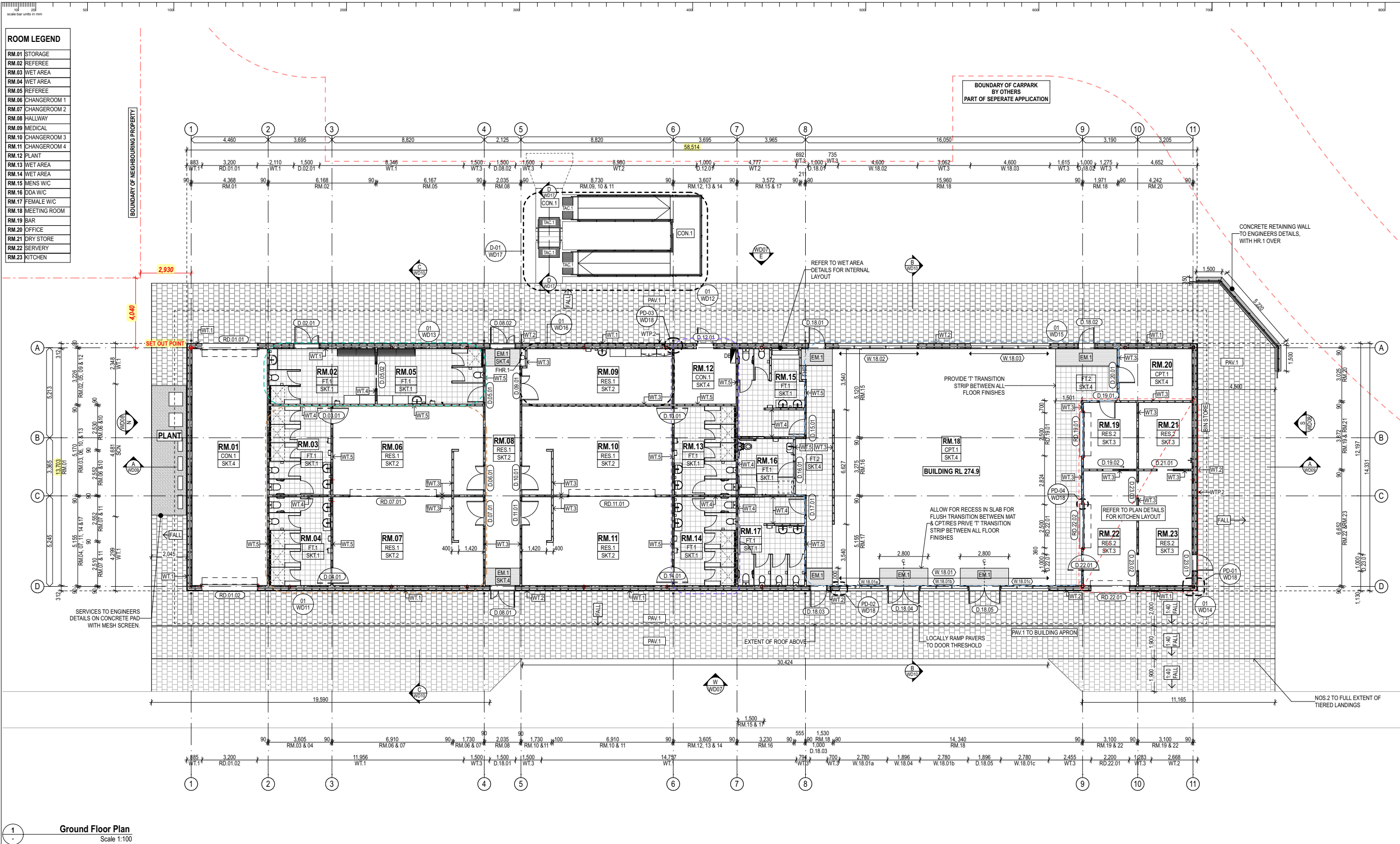
Note to Contractors

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Client:
The Big Project

Project: **Barossa United Football Club**

Sheet:
SITE PLAN



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Notes:

Amendments	Information/Comments
1. 20/02/2023 - Preliminary Design	☐ Approval
2. 20/02/2023 - Preliminary Design	☒ Tender
3. 20/02/2023 - Preliminary Design	☐ Construction

Note to Contractors
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Client:
The Big Project

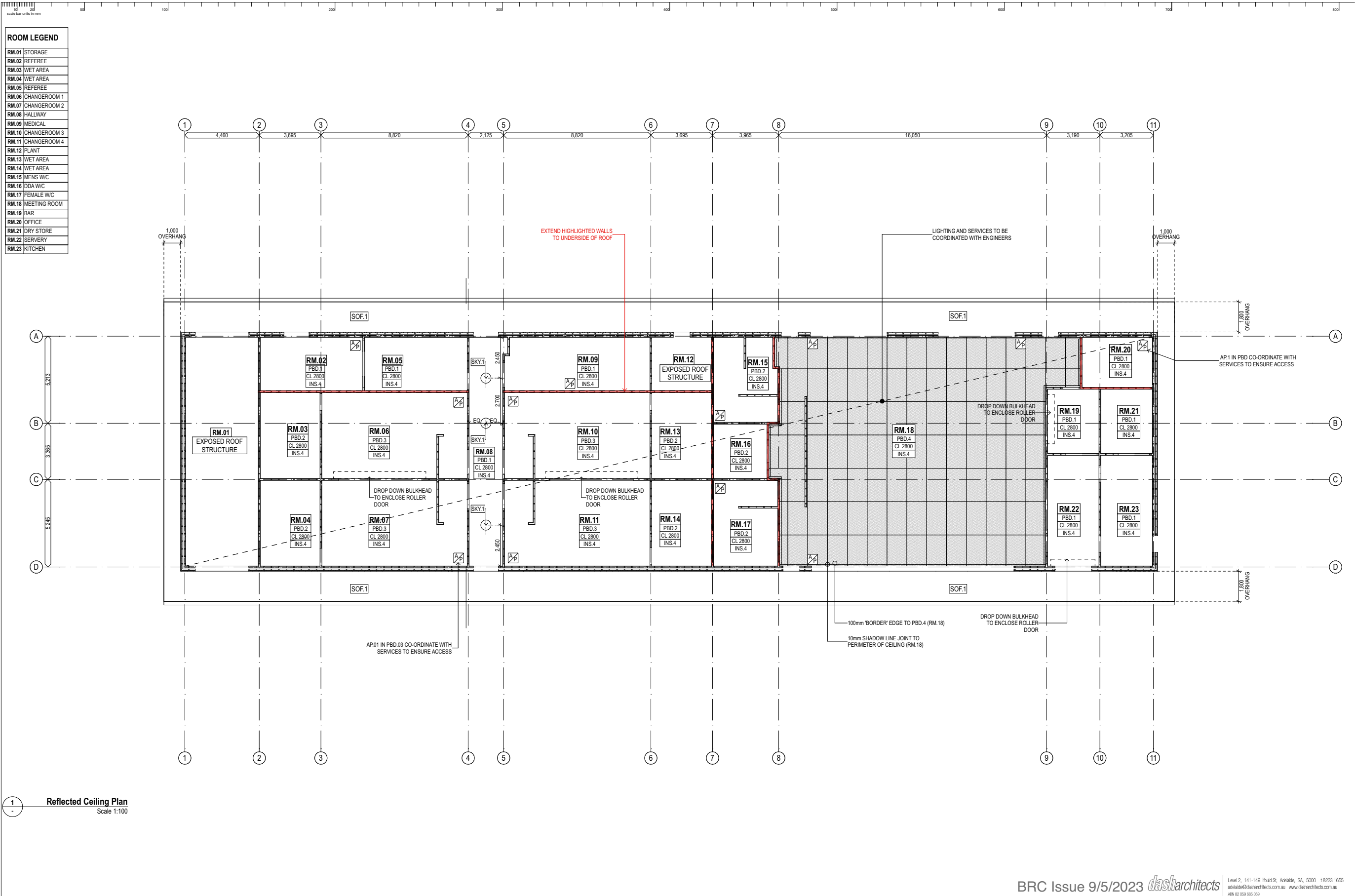
Project:
Barossa United Football Club

Sheet:
GROUND FLOOR PLAN

Scale: 1:100 at A1
No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD04
Drawing Number

T3
Revision



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ABN 82 029 685 059



Notes:

Amendments		Check
1	20/02/2023 - Preliminary Issue	OK
2	05/03/2023 - Issue	OK
3	05/03/2023 - Issue	OK
4	05/03/2023 - Issue	OK
5	05/03/2023 - Issue	OK

- ☐ Information/Comments
- ☐ Approval
- ☒ Tender
- ☐ Construction

Note to Contractors
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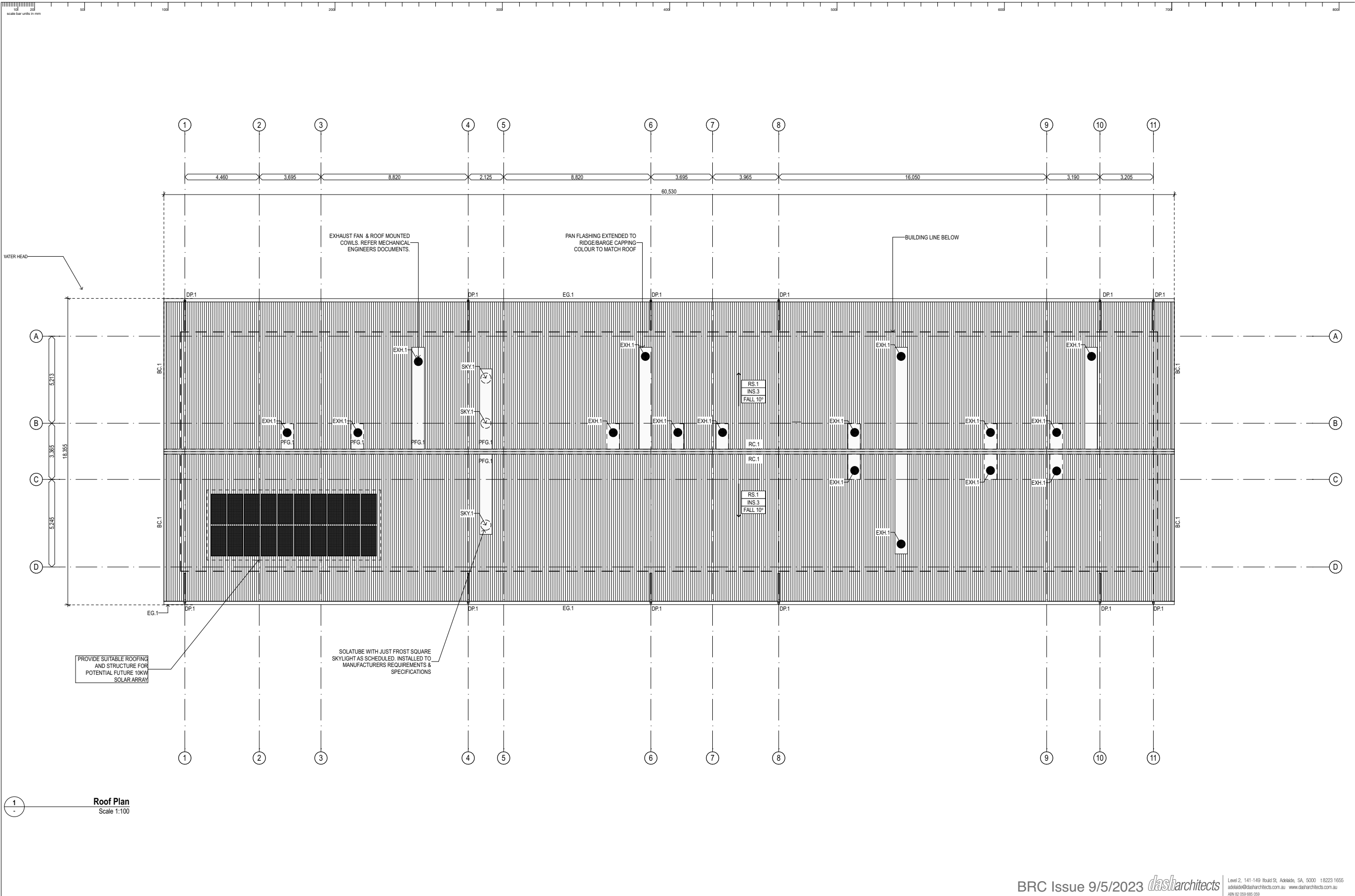
Client:
The Big Project

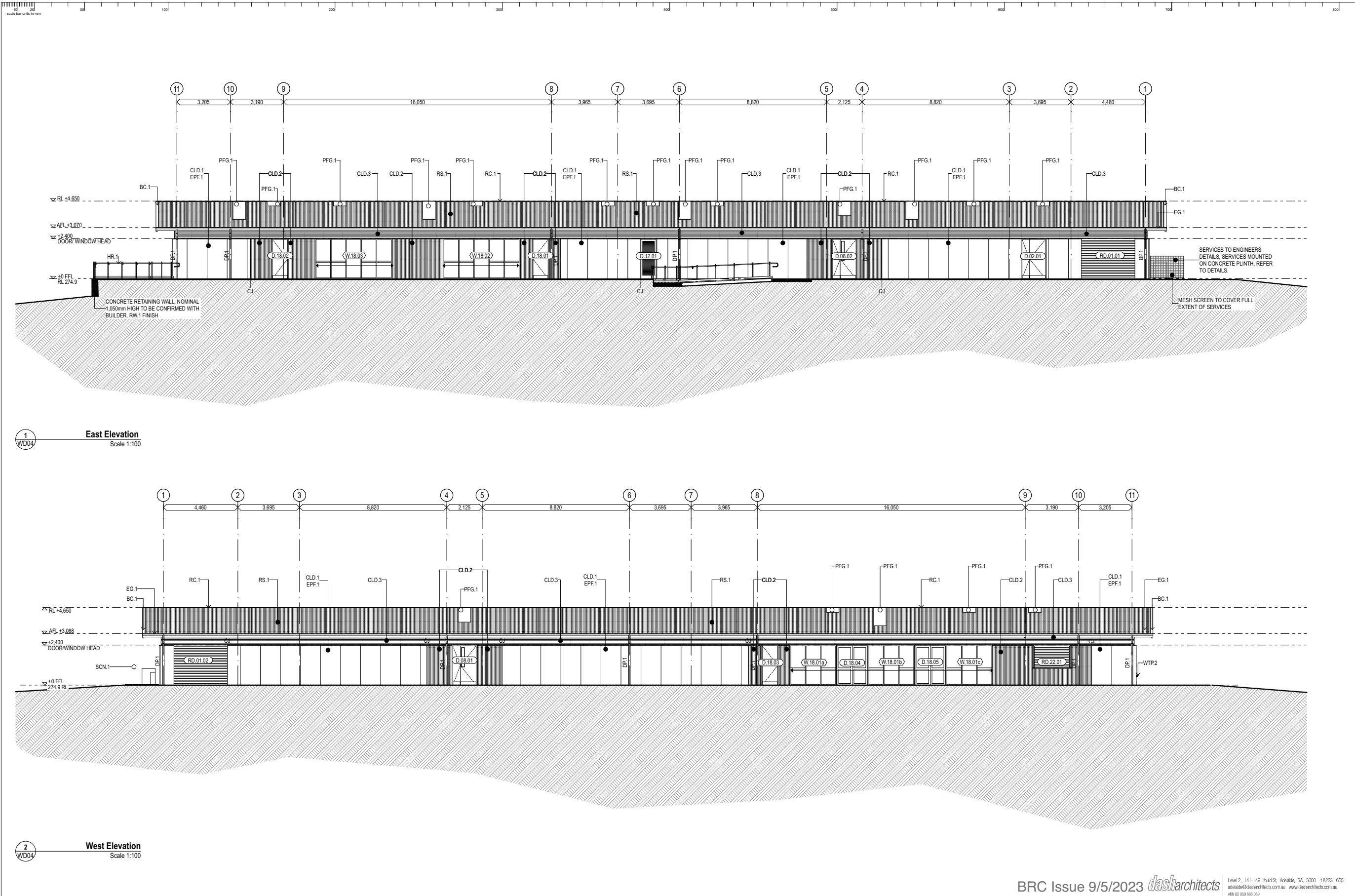
Project:
Barossa United Football Club

Sheet:
REFLECTED
CEILING PLAN

Scale: 1:100 at A1
No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD05 T2
Drawing Number Revision





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Notes:

Amendments	Information/Comments
1. 01/01/2023 - Initial Design	☐ Information/Comments
2. 01/01/2023 - Preliminary Design	☐ Approval
3. 01/01/2023 - Preliminary Design	☒ Tender
4. 01/01/2023 - Preliminary Design	☐ Construction

Note to Contractors
Do not scale off drawings. Contractor is responsible for verifying all dimensions on site and must notify the Architect of discrepancies prior to commencing works. Figure dimensions take precedence. Drawings are to be used in conjunction with the specification and any other documents forming part of the contract. Modifications to electronic copies of documentation cannot be made without the express written approval of DASH Architects.

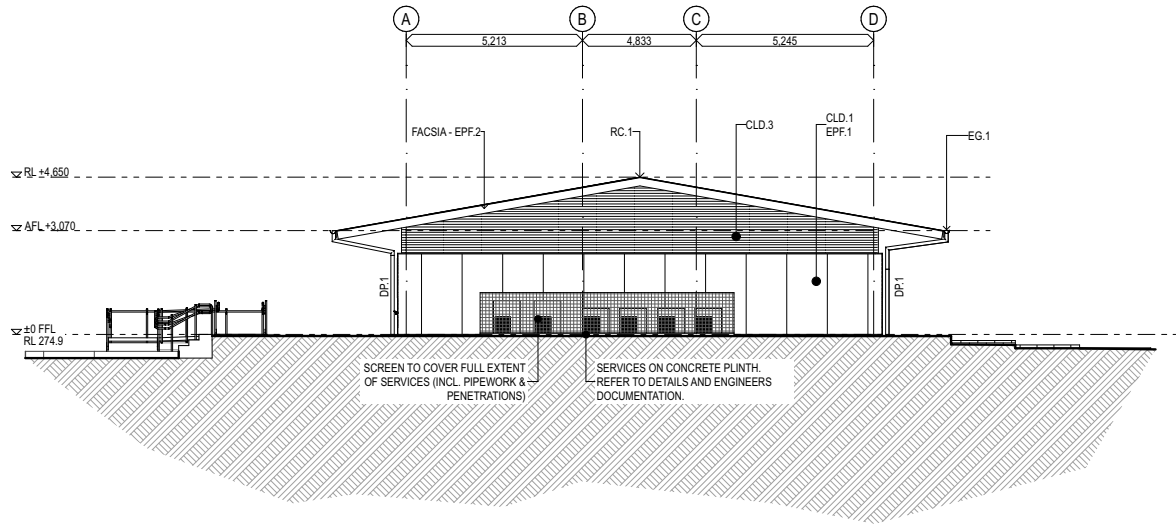
Client:
The Big Project

Project:
Barossa United Football Club

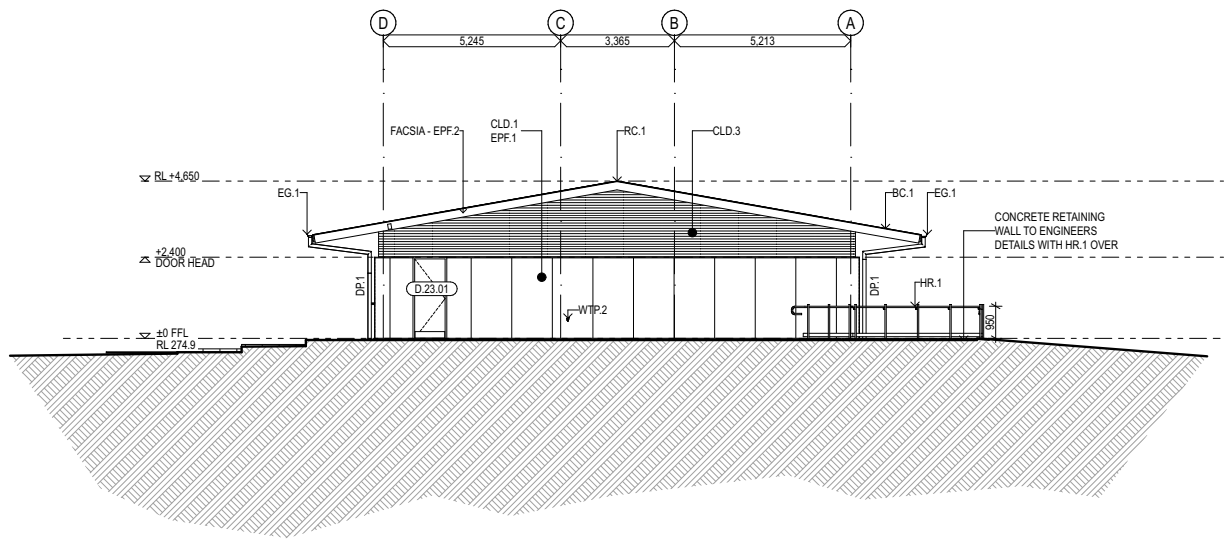
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EAST & WEST
ELEVATIONS

Scale: 1:100 at A1
No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

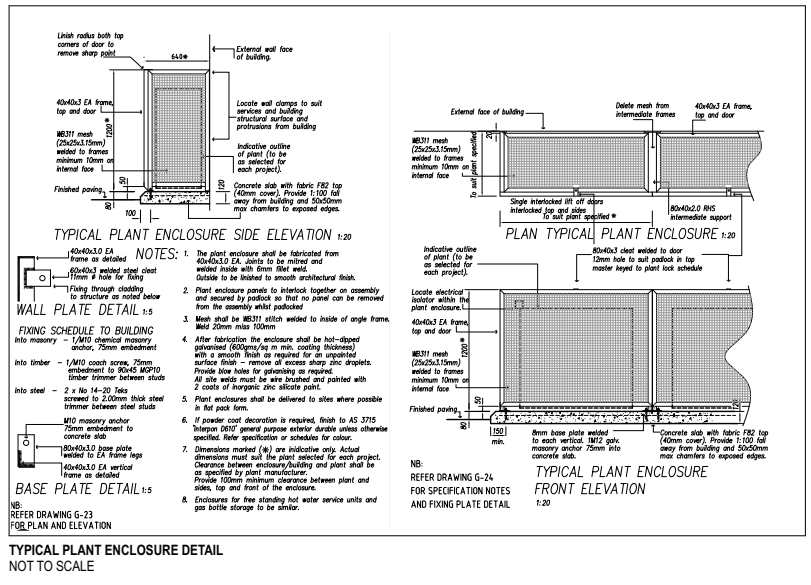
WD07
Drawing Number
T2
Revision



1 North Elevation
Scale 1:100



2 South Elevation
Scale 1:100



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Notes:

Amendments	Information/Comments
1. 01/01/2023 - Amendment	Check
2. 01/01/2023 - Amendment	Check
3. 01/01/2023 - Amendment	Check
4. 01/01/2023 - Amendment	Check
5. 01/01/2023 - Amendment	Check
6. 01/01/2023 - Amendment	Check
7. 01/01/2023 - Amendment	Check
8. 01/01/2023 - Amendment	Check
9. 01/01/2023 - Amendment	Check
10. 01/01/2023 - Amendment	Check

Note to Contractors
Do not scale off drawings. Contractor is responsible for verifying all dimensions of site and must notify the Architect of discrepancies prior to commencing works. If any dimensions take precedence, drawings are to be used in conjunction with the specification and any other documents forming part of the contract. Modifications to electronic copies of documentation cannot be made without the express written approval of DASH Architects.

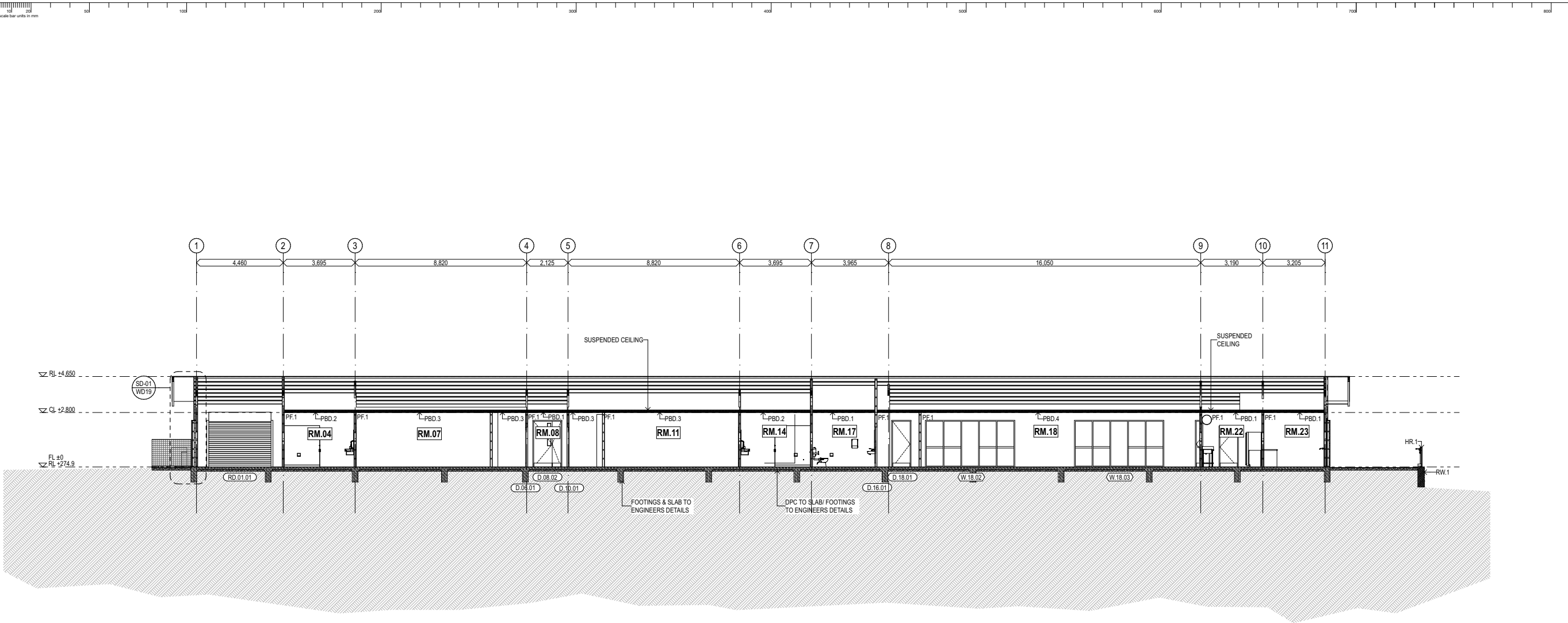
Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
NORTH & SOUTH ELEVATIONS

Scale:
1:100, 1:1.67 at A1
No. in Set:
25
Drawn:
MB/EMCK
Reviewed:
CD
Project No:
DA203887





1
WD04
Section A
Scale 1:100

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Notes:

Amendments	Check	Information/Comments
Draw Date: 25/05/2023	25	Approval
Drawn: MB/EMCK	25	Tender
Reviewed: CD	25	Construction
Project No: DA203887	25	

Note to Contractors
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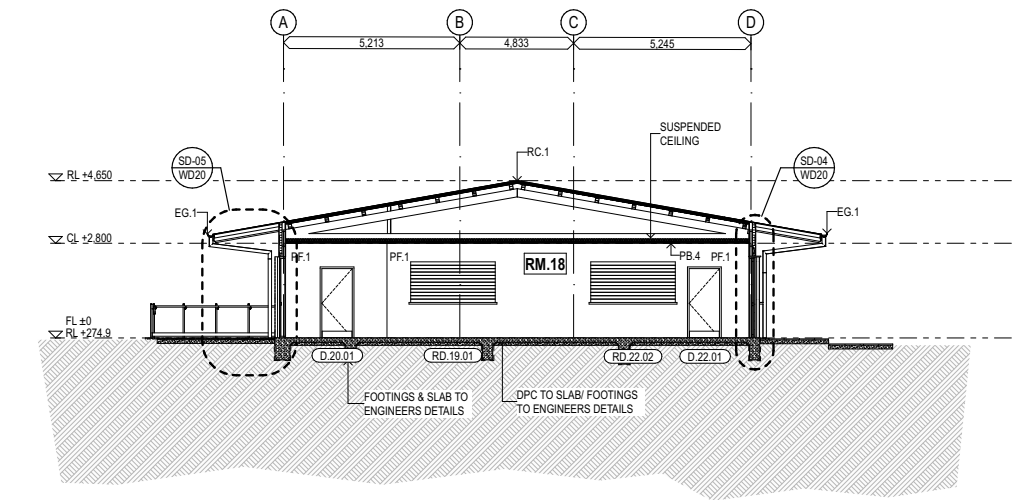
Client:
The Big Project

Project:
Barossa United Football Club

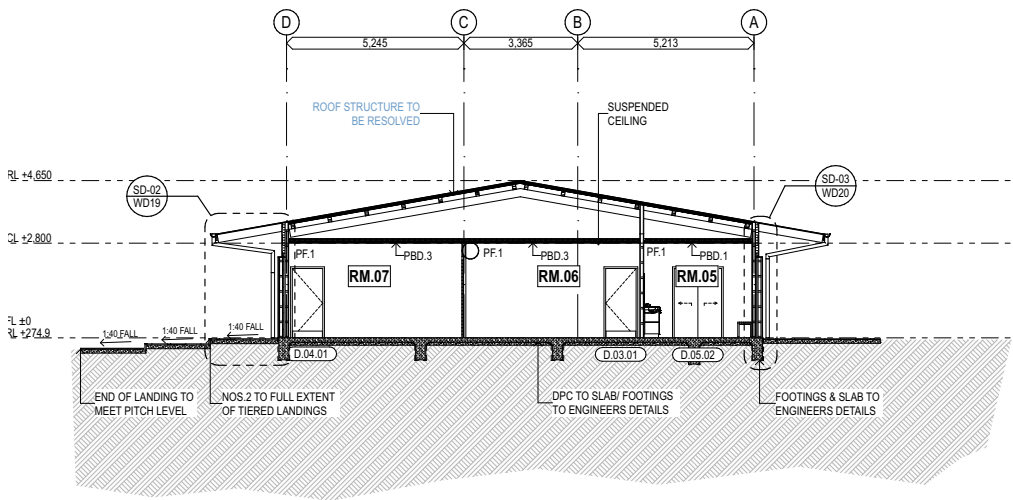
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SECTIONS

Scale: 1:100 at A1
No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD09 T2
Drawing Number Revision



1
WD04
Section B
Scale 1:100



2
WD04
Section C
Scale 1:100

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Notes:

Amendments			Information/Comments	
Date	Amendment	Check	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments
25/05/2023	Amendments	05	Information/Comments	Information/Comments

Note to Contractors
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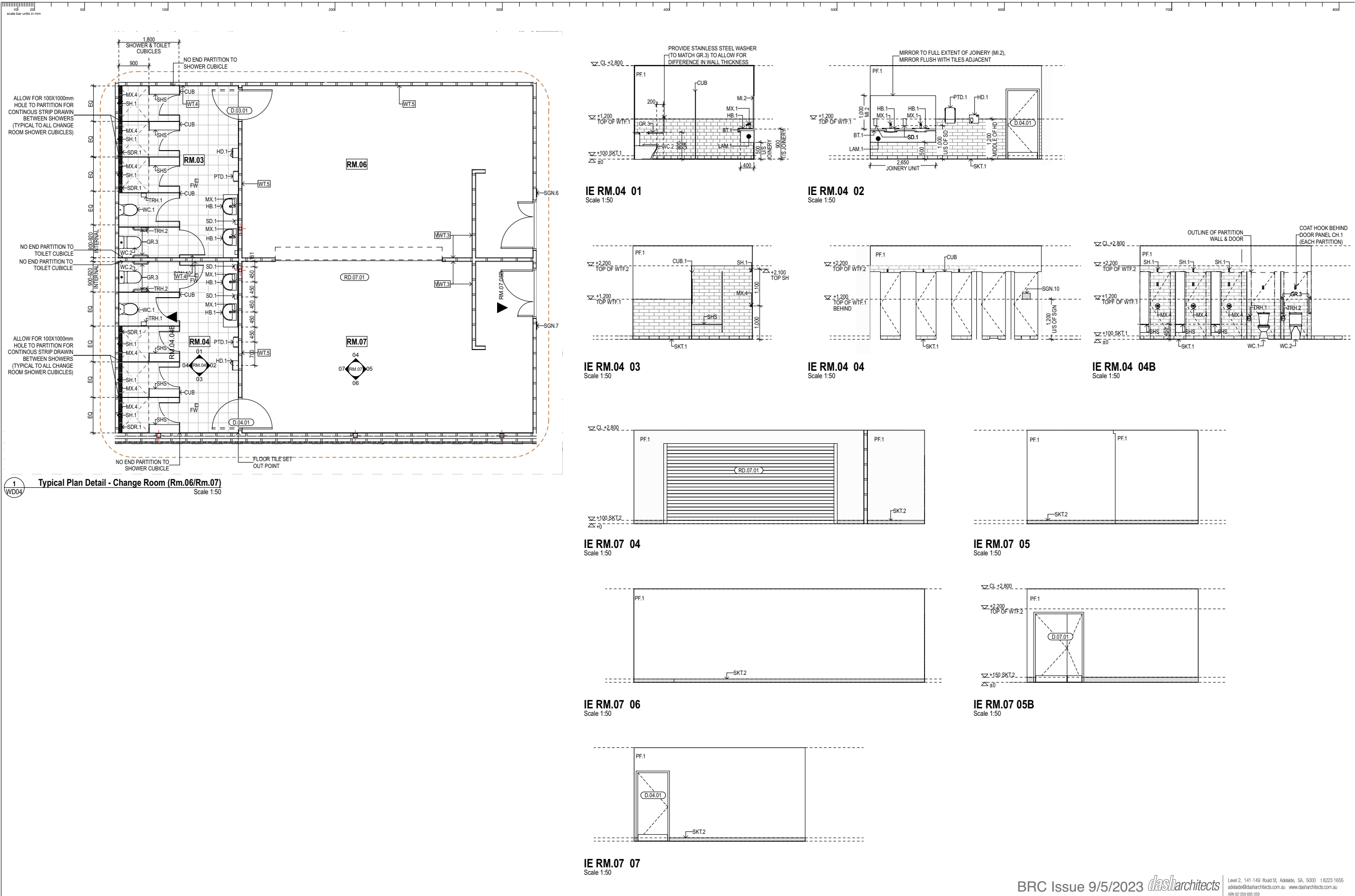
Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
SECTIONS

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No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD10	T2
Drawing Number	Revision



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Notes:

Amendments	Information/Comments
Draw Date: 20/05/2023 Drawn By: MB/EMCK Checked By: CD Drawn Date: 20/05/2023 Drawn By: MB/EMCK Checked By: CD	☐ Information/Comments ☐ Approval ☒ Tender ☐ Construction

Note to Contractors
Do not scale off drawings. Contractor is responsible for verifying all dimensions on site and must notify the Architect of discrepancies prior to commencing works. If agreed dimensions take precedence. Drawings are to be used in conjunction with the specification and any other documents forming part of the contract. Modifications to electronic copies of documentation cannot be made without the express written approval of DASH Architects.

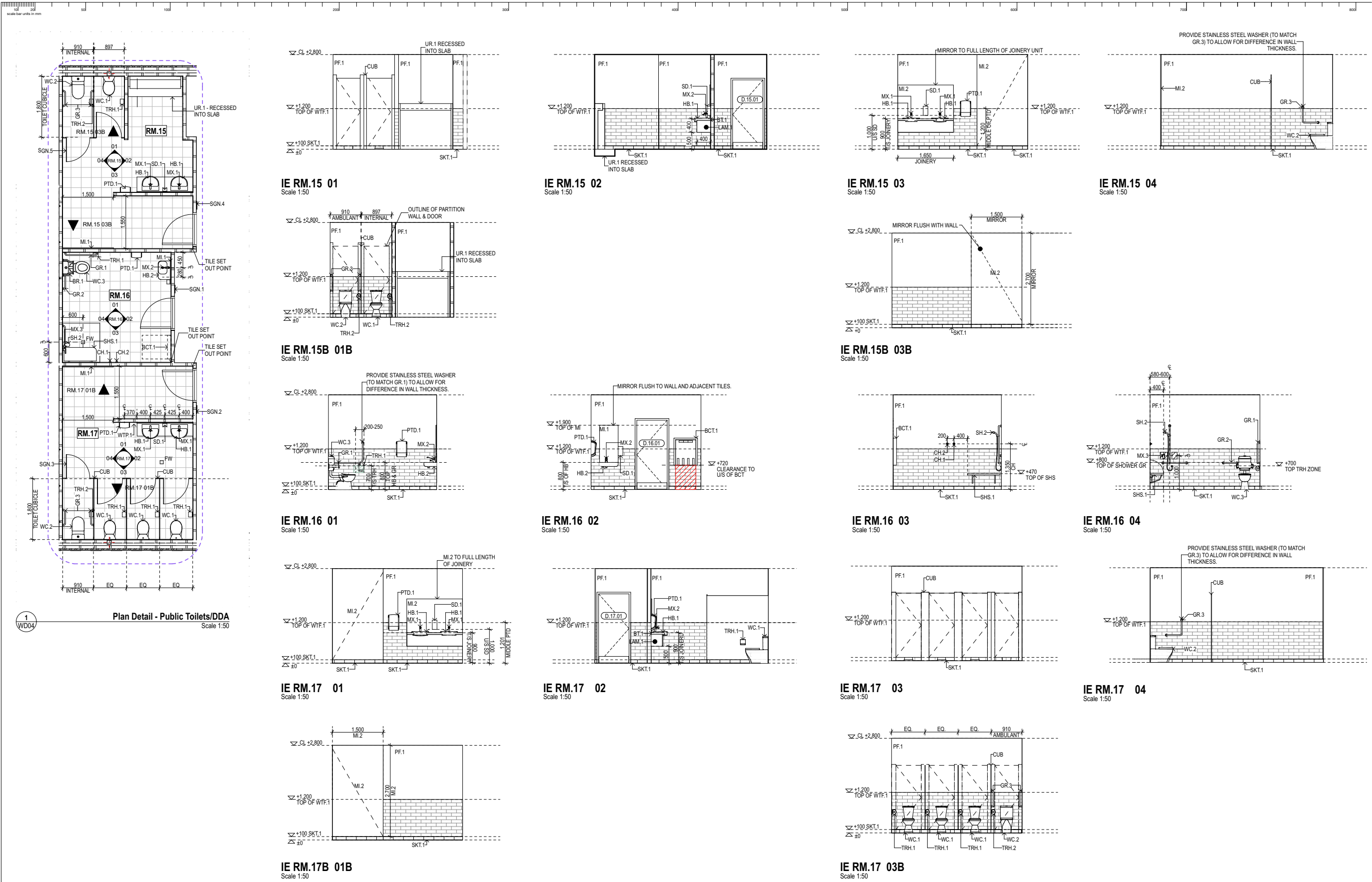
Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
WET AREA DETAILS
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No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD11	T2
Drawing Number	Revision



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Notes:

Amendments	
No.	Description
1	Revised drawing
2	Revised drawing
3	Revised drawing
4	Revised drawing
5	Revised drawing
6	Revised drawing
7	Revised drawing
8	Revised drawing
9	Revised drawing
10	Revised drawing
11	Revised drawing
12	Revised drawing

- ☐ Information/Comments
- ☐ Approval
- ☒ Tender
- ☐ Construction

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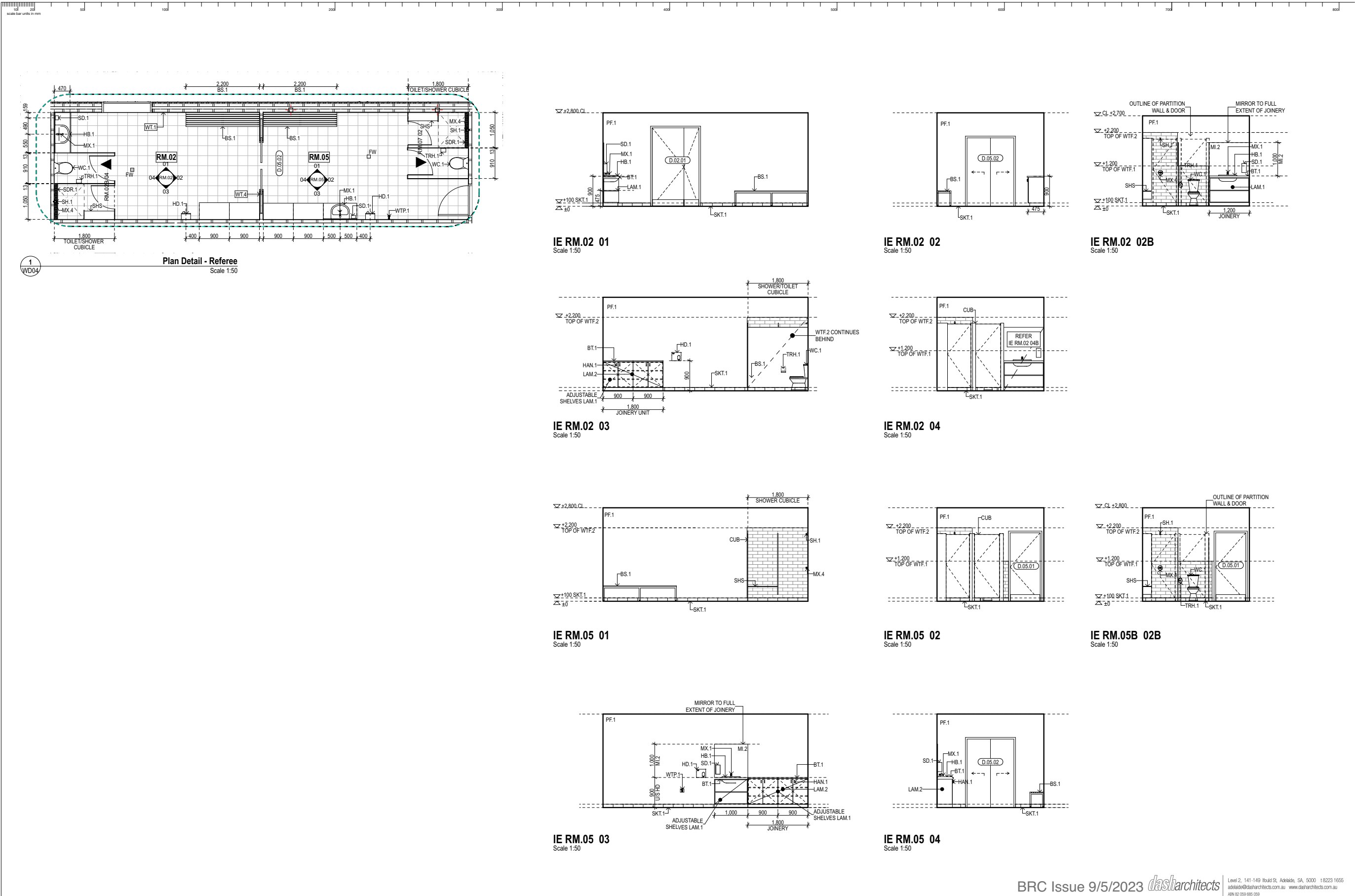
Client:
The Big Project

Project:
Barossa United Football Club

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WET AREA DETAILS
2

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No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD12
Drawing Number
T1
Revision



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Notes:

Amendments	Information/Comments
Rev No. Description	Check
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02 01/05/2023 Approved	
03 01/05/2023 Approved	
04 01/05/2023 Approved	
05 01/05/2023 Approved	
06 01/05/2023 Approved	
07 01/05/2023 Approved	
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99 01/05/2023 Approved	
100 01/05/2023 Approved	

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Client:
The Big Project

Project:
Barossa United Football Club

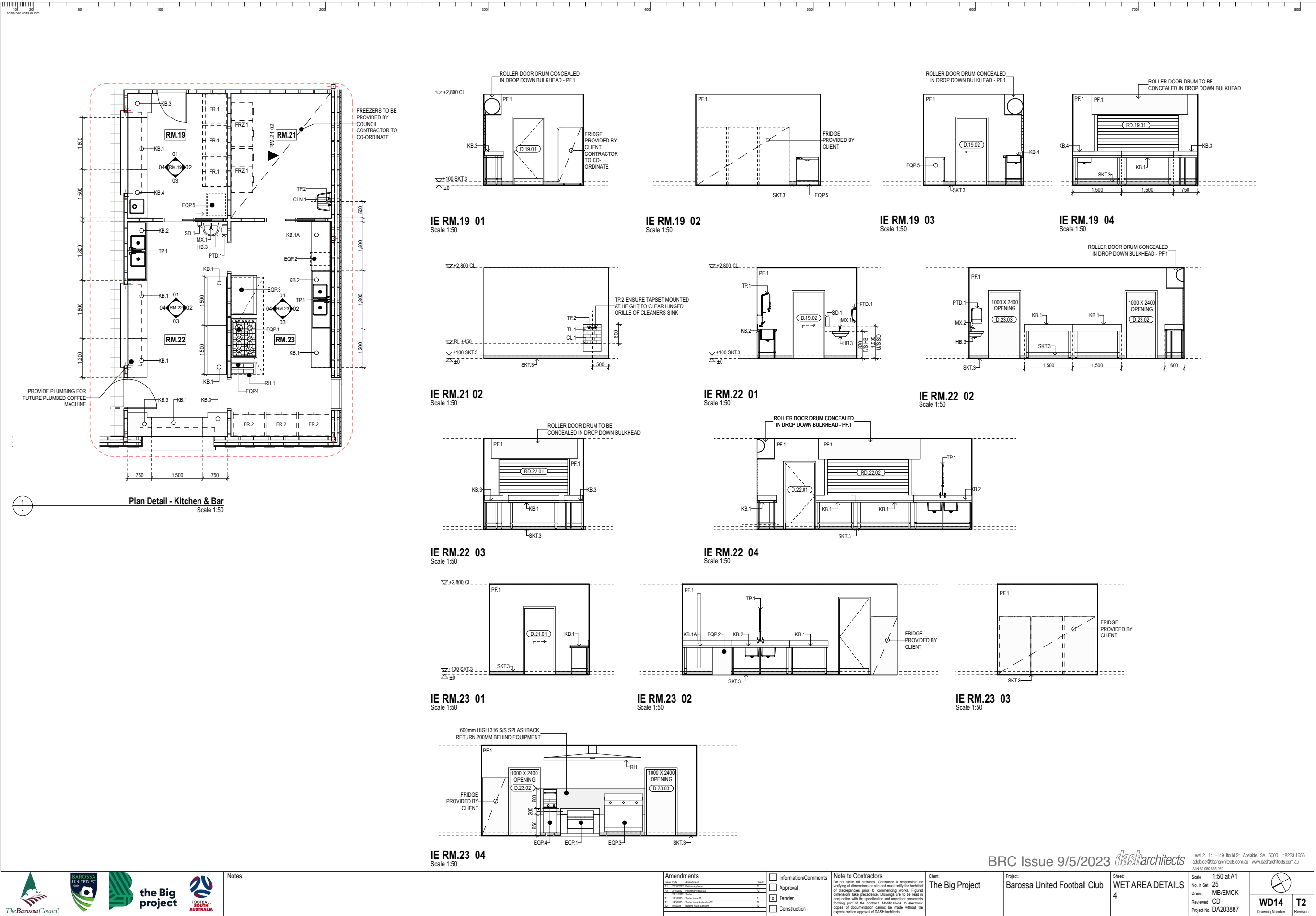
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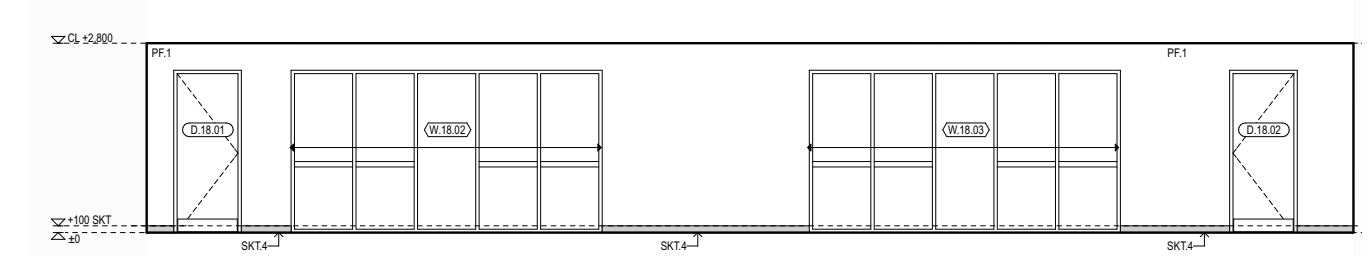
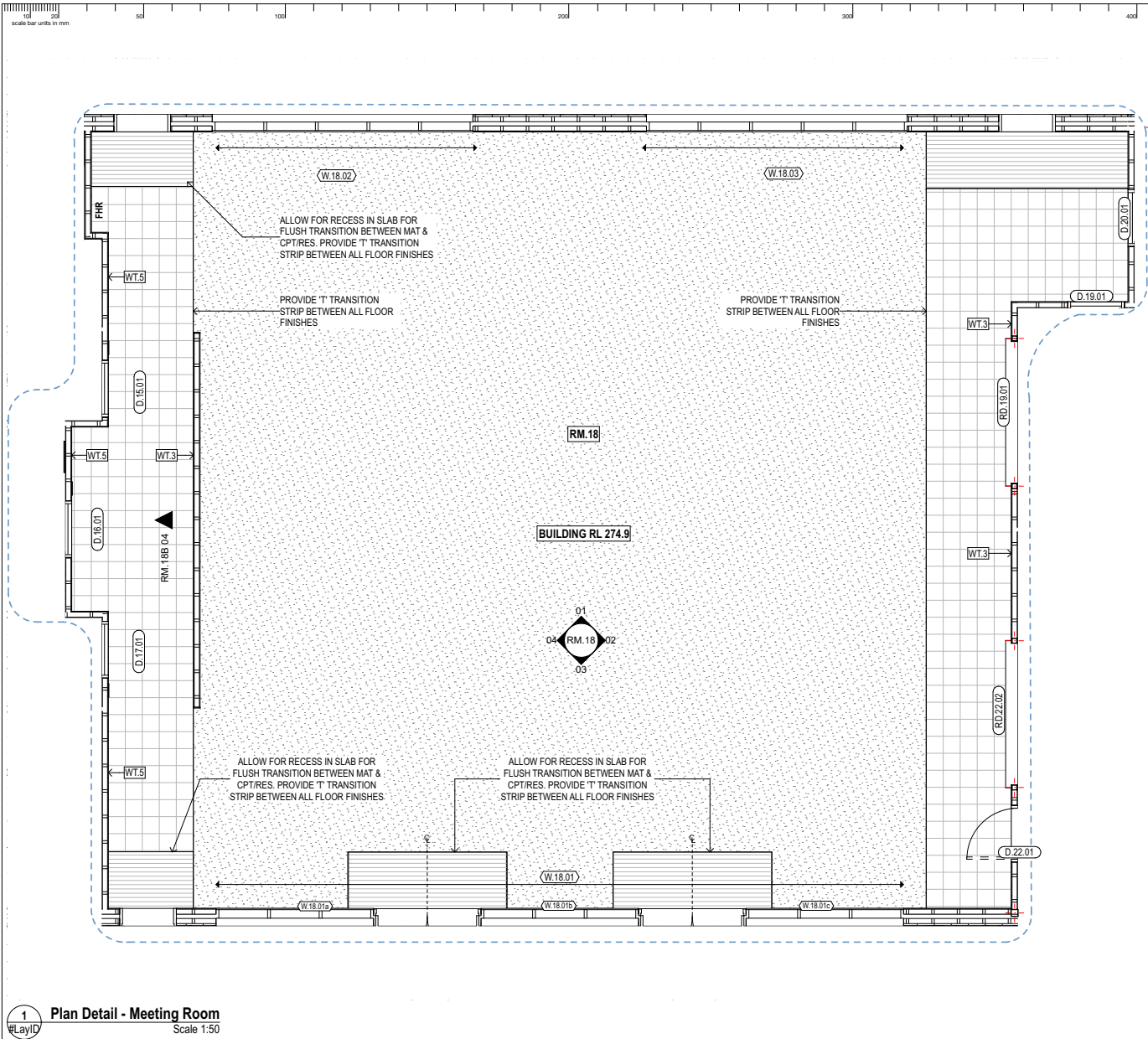
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3

No. in Set:
25
Drawn:
MB/EMCK
Reviewed:
CD
Project No:
DA203887

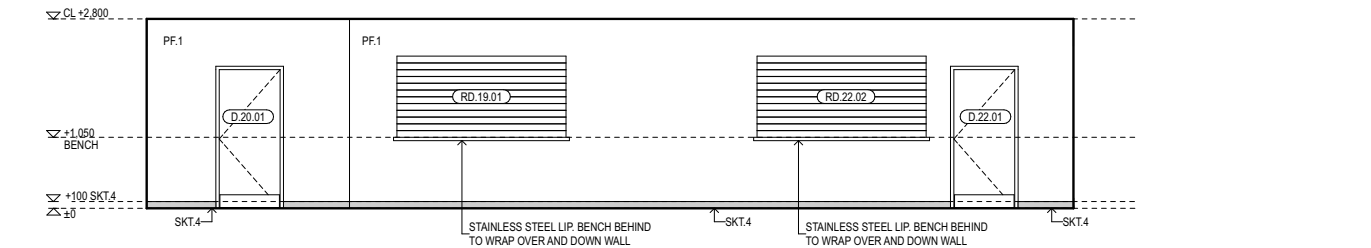
WD13
Drawing Number

T1
Revision

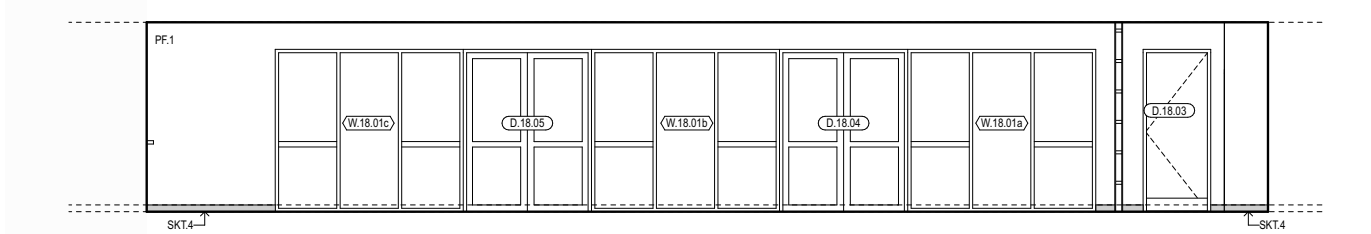




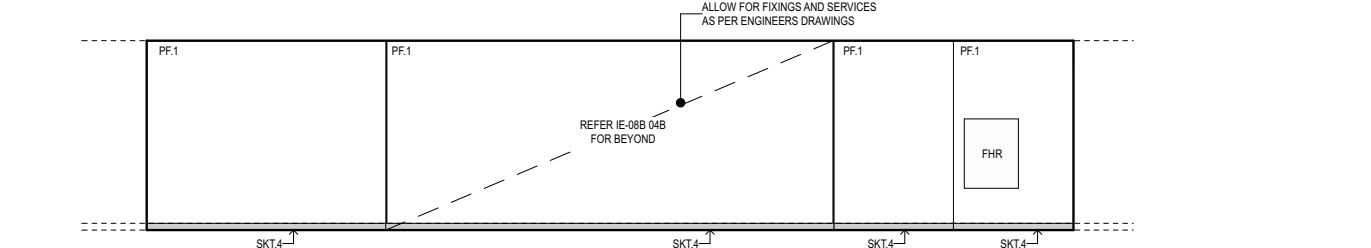
IE RM.18 01
Scale 1:50



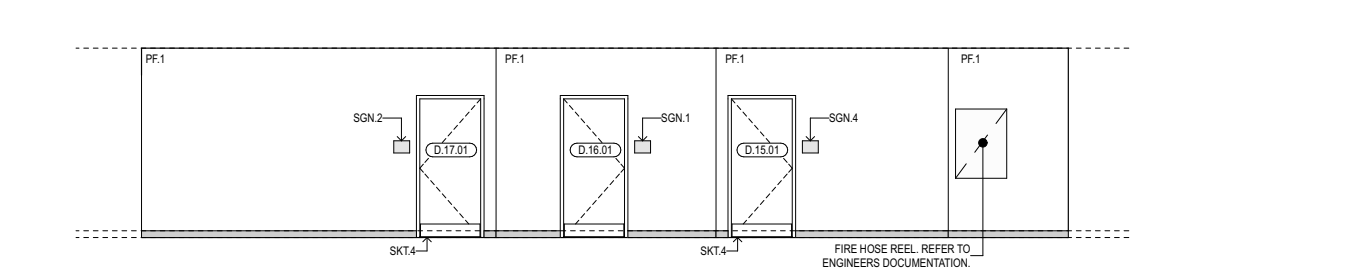
IE RM.18 02
Scale 1:50



IE RM.18 03
Scale 1:50



IE RM.18 04
Scale 1:50



IE RM.18B 04B
Scale 1:50

BRC Issue 9/5/2023 *dasharchitects*

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adelaide@dasharchitects.com.au www.dasharchitects.com.au
ABN 82 029 685 059

Amendments	Check
1. 20/02/2023 - Barossa Council	20
2. 20/02/2023 - Barossa Council	20
3. 20/02/2023 - Barossa Council	20
4. 20/02/2023 - Barossa Council	20
5. 20/02/2023 - Barossa Council	20
6. 20/02/2023 - Barossa Council	20
7. 20/02/2023 - Barossa Council	20
8. 20/02/2023 - Barossa Council	20
9. 20/02/2023 - Barossa Council	20
10. 20/02/2023 - Barossa Council	20

☐ Information/Comments
☐ Approval
☒ Tender
☐ Construction

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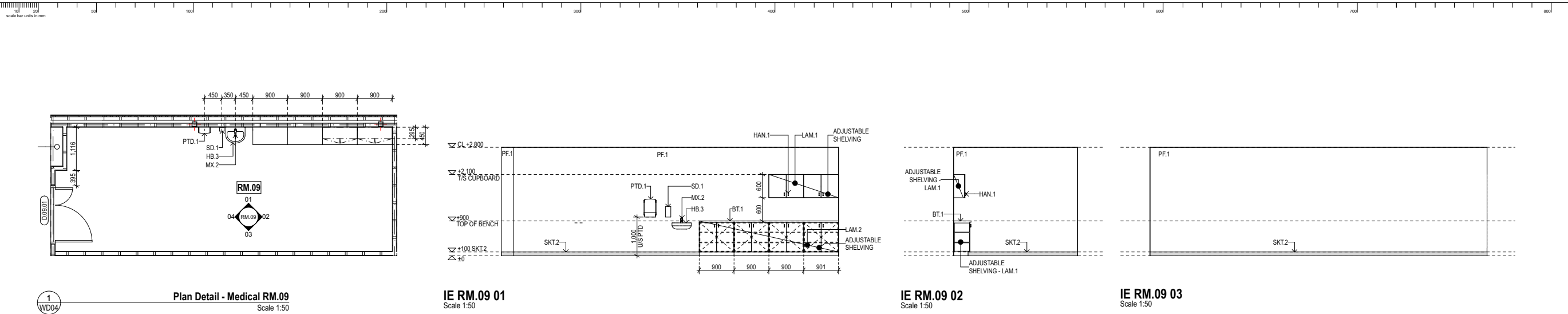
Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
ROOM DETAILS 1

Scale: 1:50 at A1
No. in Set: 25
Drawn: MB/EMCK
Reviewed: CD
Project No: DA203887

WD15
Drawing Number
T2
Revision

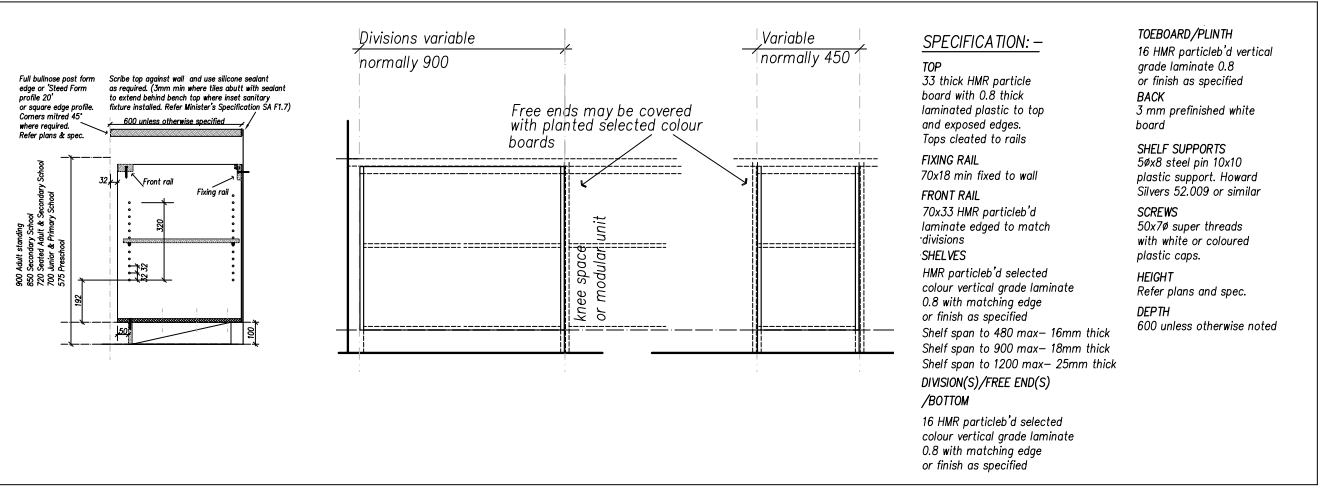


IE RM.09 01
Scale 1:50

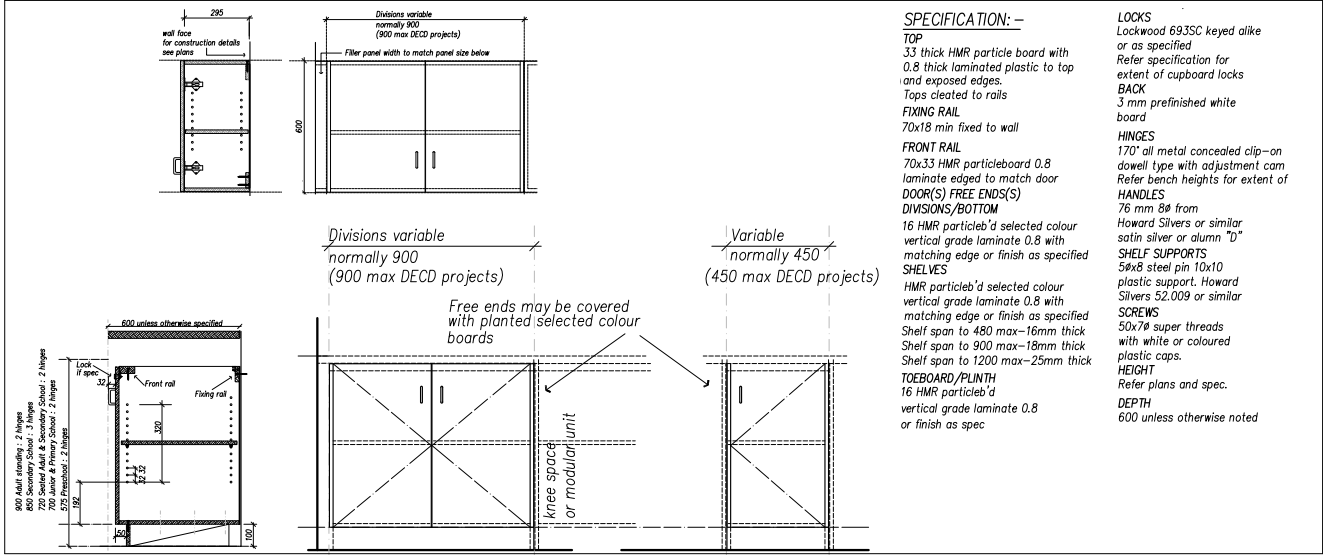
IE RM.09 02
Scale 1:50

IE RM.09 03
Scale 1:50

IE RM.09 04
Scale 1:50



TYPICAL JOINERY DETAIL
NOT TO SCALE



TYPICAL JOINERY DETAIL
NOT TO SCALE

BRC Issue 9/5/2023

dasharchitects

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ABN 82 029 685 059

Scale 1:50, 1:1.54, 1:1, 1:0.74

No. in Set 25

Drawn MB/EMCK

Reviewed CD

Project No. DA203887

WD16 T1

Drawing Number Revision

Amendments	Check
1. 20/05/2023 Approved	
2. 20/05/2023 Approved	
3. 20/05/2023 Approved	
4. 20/05/2023 Approved	
5. 20/05/2023 Approved	
6. 20/05/2023 Approved	
7. 20/05/2023 Approved	
8. 20/05/2023 Approved	
9. 20/05/2023 Approved	
10. 20/05/2023 Approved	
11. 20/05/2023 Approved	
12. 20/05/2023 Approved	
13. 20/05/2023 Approved	
14. 20/05/2023 Approved	
15. 20/05/2023 Approved	
16. 20/05/2023 Approved	
17. 20/05/2023 Approved	
18. 20/05/2023 Approved	
19. 20/05/2023 Approved	
20. 20/05/2023 Approved	
21. 20/05/2023 Approved	
22. 20/05/2023 Approved	
23. 20/05/2023 Approved	
24. 20/05/2023 Approved	
25. 20/05/2023 Approved	

☐ Information/Comments
☐ Approval
☒ Tender
☐ Construction

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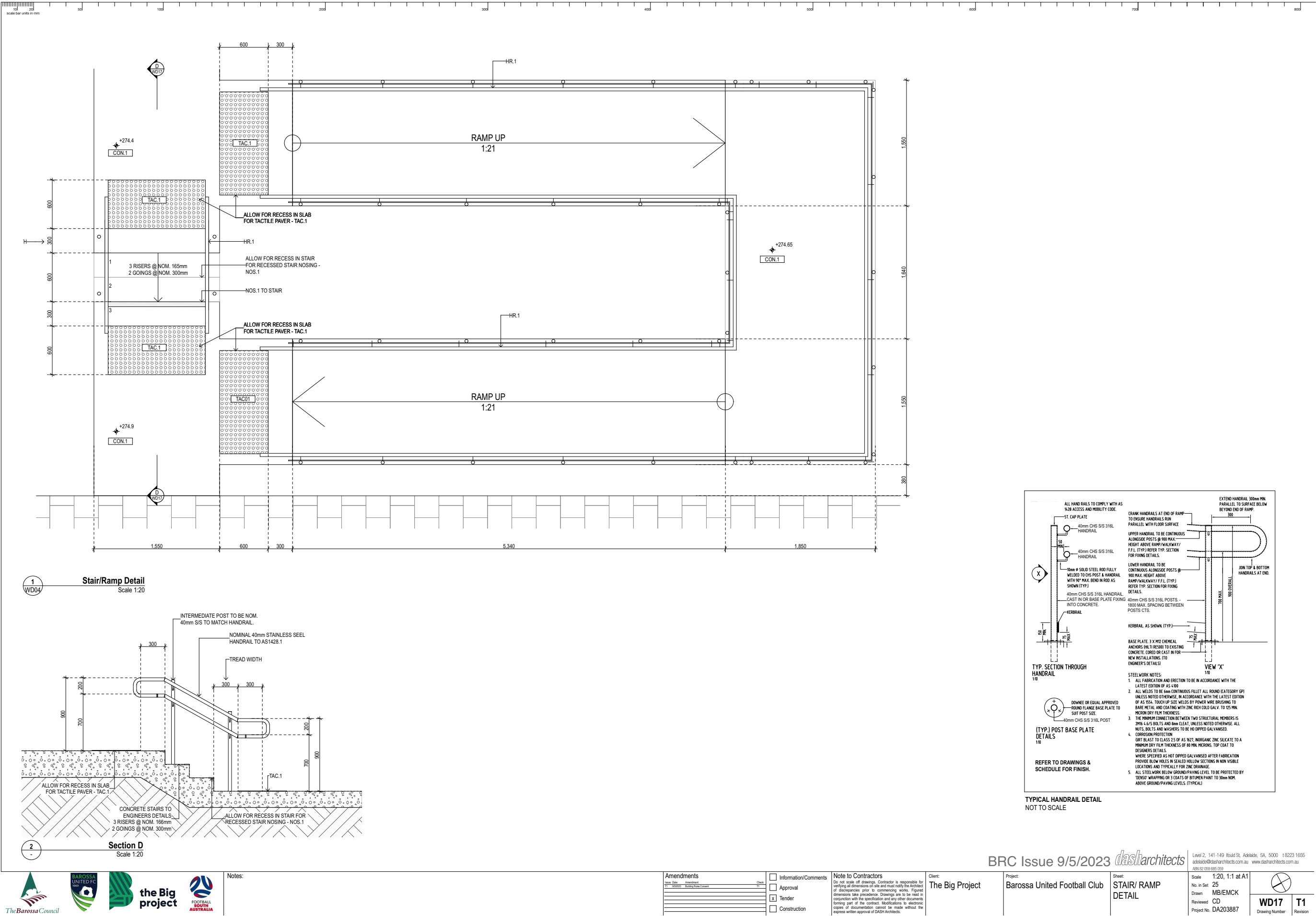
Client:
The Big Project

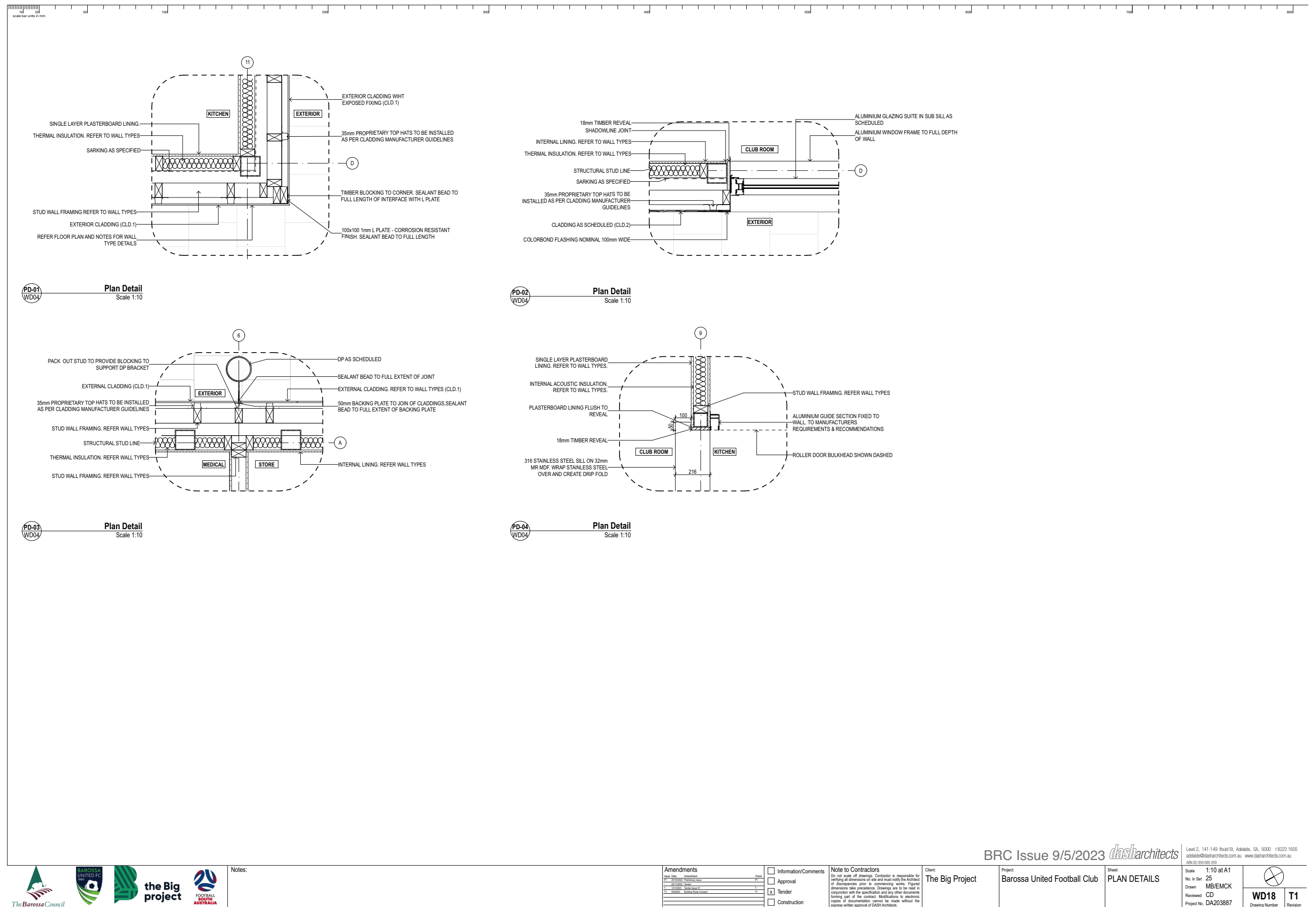
Project:
Barossa United Football Club

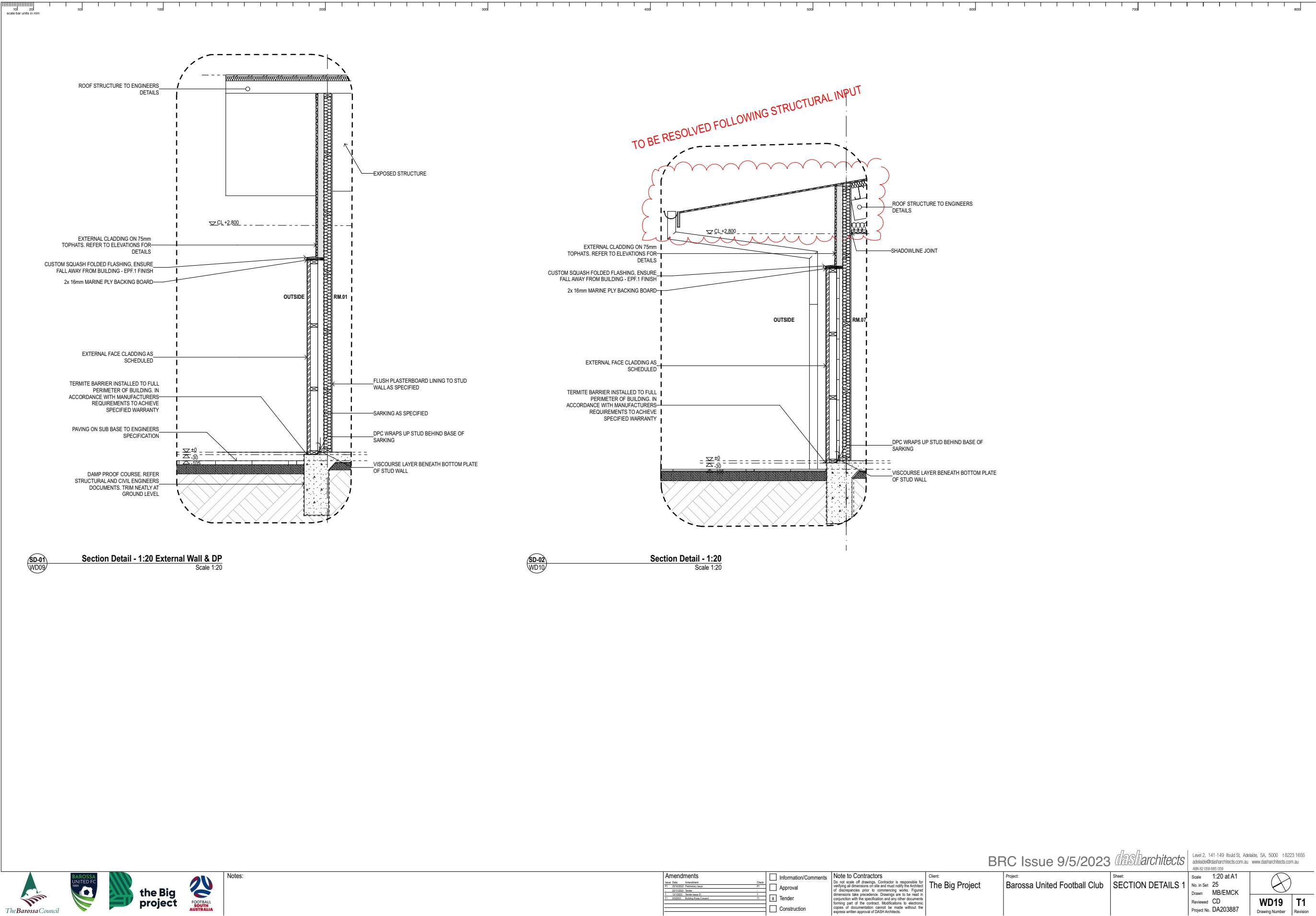
Sheet:
ROOM DETAILS 2

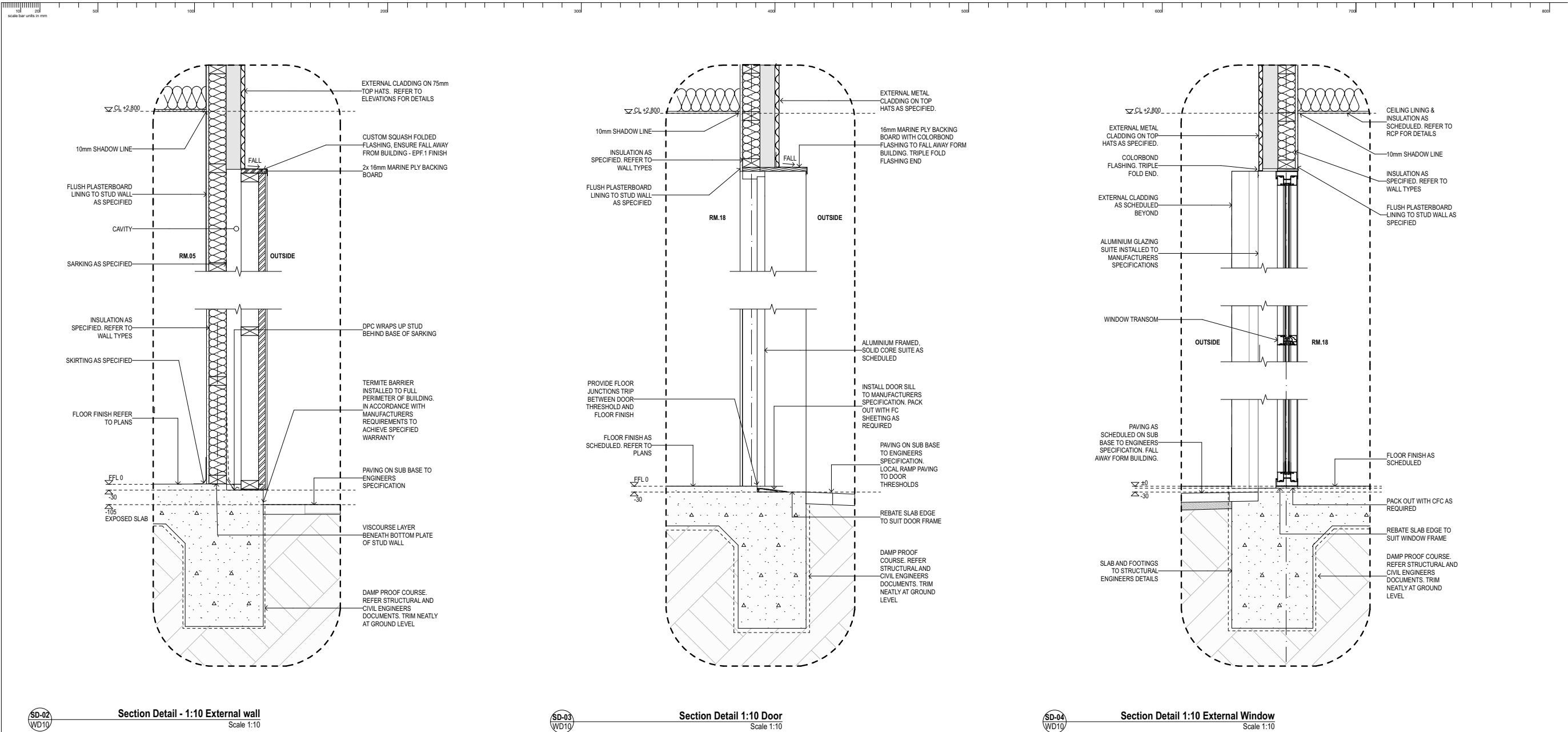


Notes:









BRC Issue 9/5/2023 *dasharchitects*

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ABN 82 029 685 059



Notes:

Amendments	Check	Information/Comments
Rev Date	Amendment	
01	01/05/2023	Initial Design
02	01/05/2023	Revised Design
03	01/05/2023	Final Design
04	01/05/2023	Final Design
05	01/05/2023	Final Design
06	01/05/2023	Final Design
07	01/05/2023	Final Design
08	01/05/2023	Final Design
09	01/05/2023	Final Design
10	01/05/2023	Final Design

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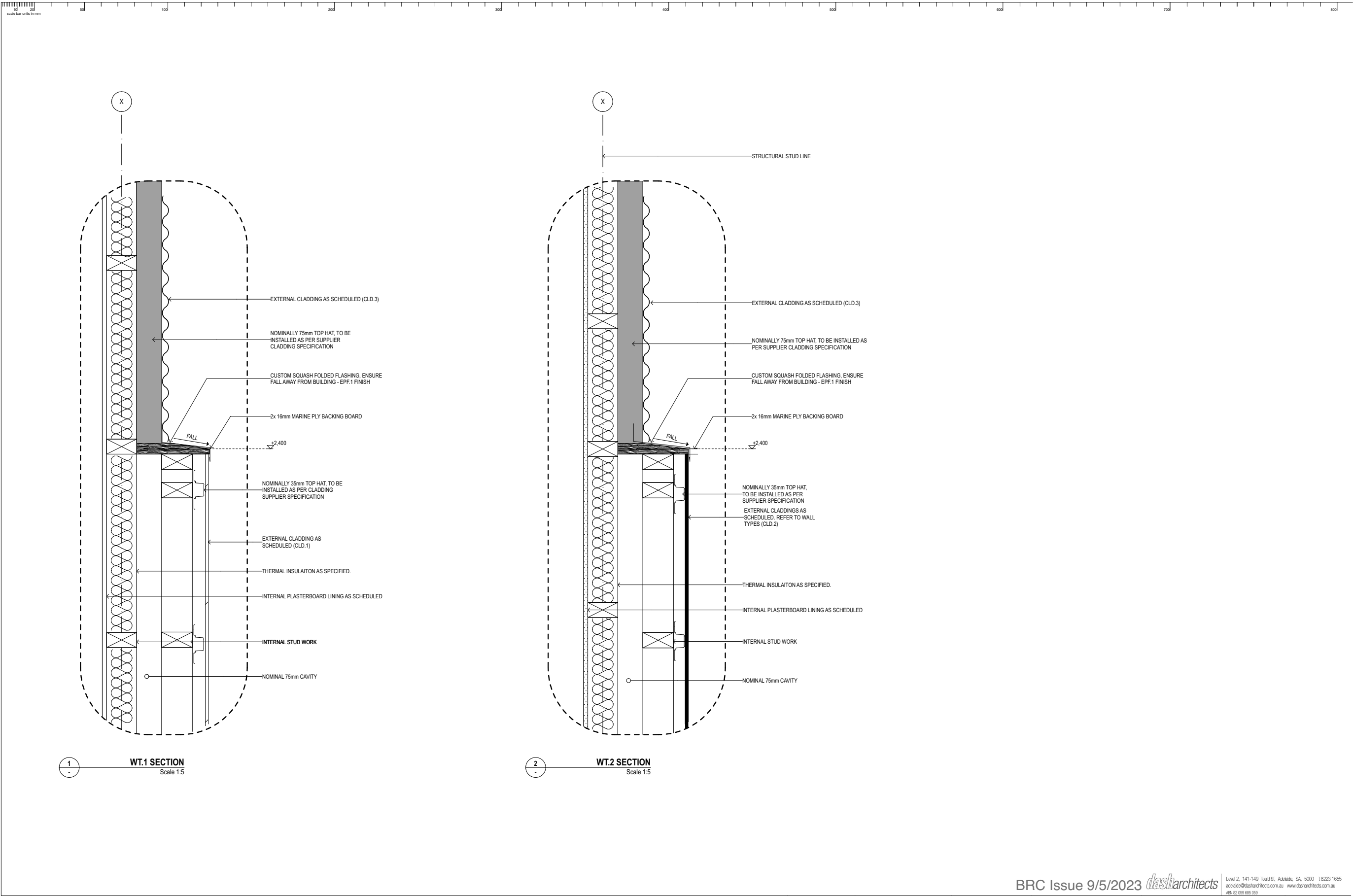
Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
SECTION DETAILS 2

Scale:
1:10 at A1
No. in Set:
25
Drawn:
MB/EMCK
Reviewed:
CD
Project No:
DA203887

WD20
Drawing Number
T1
Revision



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ABN 82 029 685 059



Notes:

Amendments	Check	Information/Comments
Rev No. Amendment		
1. 01/01/2023 Approved		
2. 01/01/2023 Approved		
3. 01/01/2023 Approved		
4. 01/01/2023 Approved		
5. 01/01/2023 Approved		
6. 01/01/2023 Approved		
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97. 01/01/2023 Approved		
98. 01/01/2023 Approved		
99. 01/01/2023 Approved		
100. 01/01/2023 Approved		

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Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
SECTION DETAILS 3

Scale:
1:5 at A1
No. in Set:
25
Drawn:
MB/EMCK
Reviewed:
CD
Project No:
DA203887

WD21
Drawing Number
T1
Revision

100

200

300

400

500

600

700

800

scale bar units in mm

DOOR SCHEDULE											
DOOR NUMBER	D.02.01	D.03.01	D.04.01	D.05.01	D.05.02	D.06.01	D.07.01	D.08.01	D.08.02	D.09.01	D.10.01
NOM. OPENING	HEIGHT mm 2,400	2,100	2,100	2,100	2,100	2,100	2,100	2,400	2,400	2,100	2,100
	WIDTH mm 1,500	1,000	1,000	1,000	1,500	1,500	1,500	1,500	1,500	1,500	1,500
DOOR FRAME	TYPE TYPE01	TYPE01	TYPE01	TYPE01	TYPE03	TYPE01	TYPE01	TYPE01	TYPE01	TYPE01	TYPE01
	FINISH PCF.1	PCF.3	PCF.3	PCF.3	PCF.3	PCF.3	PCF.3	PCF.1	PCF.1	PCF.3	PCF.3
DOOR PANEL	TYPE SC.1	SC.2	SC.2	SC.2	SLD.1	SC.2	SC.2	SC.1	SC.1	SC.2	SC.2
	FINISH EPF.1	PF.3	PF.3	PF.3	PF.3	PF.3	PF.3	EPF.1	EPF.1	PF.3	PF.3
GLAZING	N/A	N/A	N/A	N/A	N/A	N/A	N/A	FIXED GLAZING TO AS1288	FIXED GLAZING TO AS1288	N/A	N/A
KICK PLATE	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	N/A	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS
GRILLE	N/A	ALUMINIUM	ALUMINIUM	ALUMINIUM	N/A	STAINLESS STEEL	STAINLESS STEEL	N/A	N/A	ALUMINIUM	ALUMINIUM
HARDWARE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE
NOTES								COMMERCIAL GRADE DOORS TO ACCEPT DARKER FINISH	COMMERCIAL GRADE DOORS TO ACCEPT DARKER FINISH		
INDICATIVE ELEVATION											

DOOR SCHEDULE											
DOOR NUMBER	D.11.01	D.12.01	D.13.01	D.14.01	D.15.01	D.16.01	D.17.01	D.18.01	D.18.02	D.18.03	
NOM. OPENING	HEIGHT mm 2,100	2,400	2,100	2,100	2,100	2,100	2,100	2,400	2,400	2,400	
	WIDTH mm 1,500	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
DOOR FRAME	TYPE TYPE01	TYPE01	TYPE01	TYPE01	TYPE 01	TYPE01	TYPE 01	TYPE01	TYPE01	TYPE01	
	FINISH PCF.3	PCF.1	PCF.3	PCF.3	PCF.3	PCF.3	PCF.3	PCF.1	PCF.1	PCF.1	
DOOR PANEL	TYPE SC.2	AL.1	SC.2	SC.2	SC.2	SC.2	SC.2	SC.1	SC.1	SC.1	
	FINISH PF.3	PCF.2	PF.3	PF.3	PF.3	PF.3	PF.3	EPF.1	EPF.1	EPF.1	
GLAZING	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
KICK PLATE	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	N/A	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	
GRILLE	ALUMINIUM	N/A	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	ALUMINIUM	N/A	N/A	N/A	
HARDWARE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	
NOTES		PROPRIETARY DOOR SYSTEM. STAINLESS STEEL INSECT MESH INFILL TO INTERNAL SIDE OF DOOR LEAF LOURES. REFER TO ENGINEERS SPECIFICATION.						COMMERCIAL GRADE DOORS TO ACCEPT DARKER FINISH	COMMERCIAL GRADE DOORS TO ACCEPT DARKER FINISH	COMMERCIAL GRADE DOORS TO ACCEPT DARKER FINISH	
INDICATIVE ELEVATION											

DOOR SCHEDULE											
DOOR NUMBER	D.18.04	D.18.05	D.19.01	D.19.02	D.20.01	D.21.01	D.22.01	D.23.01	D.23.02	D.23.03	
NOM. OPENING	HEIGHT mm 2,400	2,400	2,100	2,100	2,100	2,100	2,100	2,400	2,100	2,100	
	WIDTH mm 1,896	1,896	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	
DOOR FRAME	TYPE TYPE01	TYPE01	TYPE01	TYPE03	TYPE01	TYPE03	TYPE01	TYPE01	TYPE01	TYPE01	
	FINISH PCF.1	PCF.1	PCF.3	PCF.3	PCF.3	PCF.3	PCF.3	PCF.1	PCF.3	PCF.3	
DOOR PANEL	TYPE AL.2	AL.2	SC.2	SLD.1	SC.2	SLD.1	SC.2	SC.1	N/A	N/A	
	FINISH PCF.2	PCF.2	PF.3	PF.3	PF.3	PF.3	PF.3	EPF.1	N/A	N/A	
GLAZING	FIXED GLAZING TO AS1288.	FIXED GLAZING TO AS1288.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
KICK PLATE	N/A	N/A	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	N/A	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	N/A	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	200mm HIGH STAINLESS STEEL KICK PLATE TO FULL WIDTH OF DOOR LEAF TO BOTH SIDES. CONCEALED FIXINGS	N/A	N/A	
GRILLE	N/A	N/A	N/A	N/A	ALUMINIUM	N/A	N/A	N/A	N/A	N/A	
HARDWARE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	REFER ARCHITECTURAL SPECIFICATION FOR HARDWARE SCHEDULE	N/A	N/A	
NOTES											
INDICATIVE ELEVATION											

100

200

300

400

500

600

700

800

scale bar units in mm

100

200

300

400

500

600

700

800

scale bar units in mm

100

200

300

400

500

600

700

800

scale bar units in mm

100

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scale bar units in mm

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scale bar units in mm

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scale bar units in mm

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scale bar units in mm

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scale bar units in mm

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500

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scale bar units in mm

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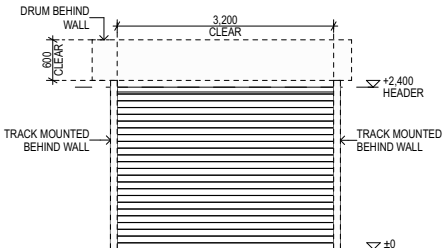
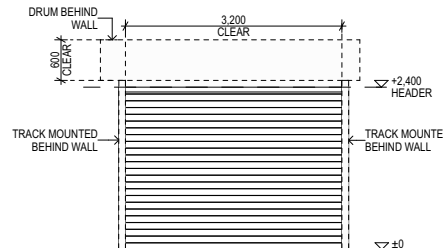
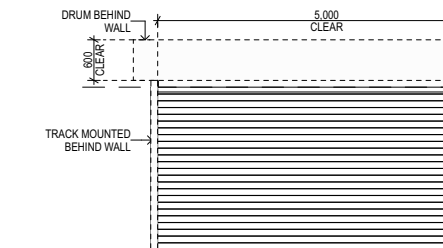
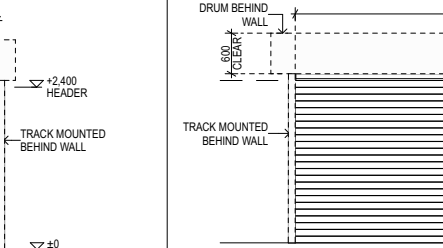
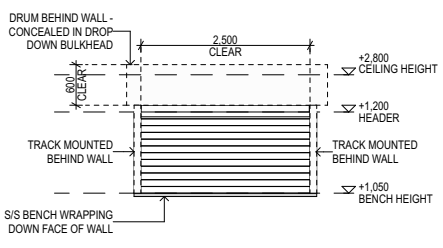
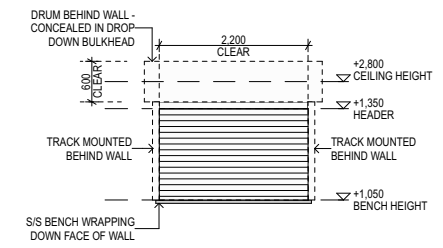
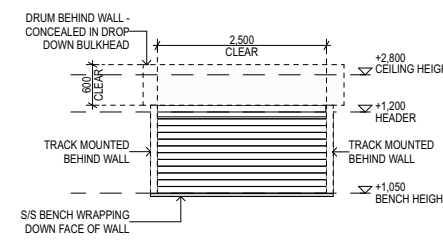
400

500

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1:10 scale: door units in mm									
ROLLER DOOR SCHEDULE									
DOOR NUMBER		RD.01.01		RD.01.02		RD.07.01		RD.11.01	
NOM. OPENING		HEIGHT mm 2,400		2,400		2,400		2,400	
		WIDTH mm 3,200		3,200		5,000		5,000	
DOOR FRAME		TYPE TYPE02		TYPE02		TYPE 02		TYPE 02	
		FINISH PCF.1		PCF.1		PCF.1		PCF.1	
DOOR PANEL		TYPE RD.1		RD.1		RD.1		RD.1	
		FINISH PCF.2		PCF.2		PCF.2		PCF.2	
GLAZING		N/A		N/A		N/A		N/A	
KICK PLATE		N/A		N/A		N/A		N/A	
GRILLE		N/A		N/A		N/A		N/A	
HARDWARE		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.	
NOTES		MANUAL OPERATION. ROLLER DOOR DRUM INTERIOR INSTALL. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.		MANUAL OPERATION. ROLLER DOOR DRUM INTERIOR INSTALL. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.		ELECTRIC OPERATION. ROLLER DOOR DRUM INTERIOR INSTALL. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.		ELECTRIC OPERATION. ROLLER DOOR DRUM INTERIOR INSTALL. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.	
INDICATIVE ELEVATION									
ROLLER DOOR SCHEDULE									
DOOR NUMBER		RD.19.01		RD.22.01		RD.22.02			
NOM. OPENING		HEIGHT mm 1,200		1,350		1,200			
		WIDTH mm 2,500		2,200		2,500			
DOOR FRAME		TYPE TYPE02		TYPE02		TYPE02			
		FINISH PCF.3		PCF.1		PCF.3			
DOOR PANEL		TYPE RD.2		RD.1		RD.2			
		FINISH PCF.3		PCF.2		PCF.3			
GLAZING		N/A		N/A		N/A			
KICK PLATE		N/A		N/A		N/A			
GRILLE		N/A		N/A		N/A			
HARDWARE		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.		REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS.			
NOTES		MANUAL OPERATION. ROLLER DOOR INTERNAL INSTALLATION. MANUAL OPERATION. BnD ROLLER DOOR DRUM CONCEALED IN DROP DOWN BULKHEAD. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.		MANUAL OPERATION. ROLLER DOOR INTERNAL INSTALLATION. MANUAL OPERATION. BnD ROLLER DOOR DRUM CONCEALED IN DROP DOWN BULKHEAD. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.		MANUAL OPERATION. ROLLER DOOR INTERNAL INSTALLATION. MANUAL OPERATION. BnD ROLLER DOOR DRUM CONCEALED IN DROP DOWN BULKHEAD. SLIDE BOLTS X2. STRUCTURAL WEATHERSEAL. REFER TO MANUFACTURERS RECOMMENDATIONS & SPECIFICATIONS. PADLOCKS ON MASTER KEY SYSTEM.			
INDICATIVE ELEVATION									
BRC Issue 9/5/2023									
dasharchitects									
Level 2, 141-149 Iloilo St, Adelaide, SA, 5000 18223 1655 adelaide@dasharchitects.com.au www.dasharchitects.com.au									
AEN 82 059 686 059									
Scale at A1									
No. in Set 25									
Drawn MB/EMCK									
Reviewed CD									
Project No. DA203887									
Client: The Big Project									
Project: Barossa United Football Club									
Sheet: ROLLER DOOR SCHEDULE									
Amendments									
1. 2023/05/05 - Initial Design									
2. 2023/05/05 - Revise									
3. 2023/05/05 - Revise									
4. 2023/05/05 - Revise									
5. 2023/05/05 - Revise									
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35. 2023/05/05 - Revise									
36. 2023/05/05 - Revise									
37. 2023/05/05 - Revise</									

100200100200300400500600700800

scale bar units in mm

WINDOW SCHEDULE						
WINDOW NUMBER		W.18.01a	W.18.01b	W.18.01c	W.18.02	W.18.03
NOM. OPENING	HEIGHT mm	2,400	2,400	2,400	2,400	2,400
	WIDTH mm	2,780	2,780	2,780	4,600	4,600
WINDOW FRAME	TYPE	TYPE01	TYPE01	TYPE01	TYPE01	TYPE01
	FINISH	PCF.2	PCF.2	PCF.2	PCF.2	PCF.2
GLAZING		GLAZING TO AS1288-2006 AND/OR 6.38mm MIN. THICK LAMINATED GLASS, WHICHEVER GREATER.	GLAZING TO AS1288-2006 AND/OR 6.38mm MIN. THICK LAMINATED GLASS, WHICHEVER GREATER.	GLAZING TO AS1288-2006 AND/OR 6.38mm MIN. THICK LAMINATED GLASS, WHICHEVER GREATER.	GLAZING TO AS1288-2006 AND/OR 6.38mm MIN. THICK LAMINATED GLASS, WHICHEVER GREATER.	GLAZING TO AS1288-2006 AND/OR 6.38mm MIN. THICK LAMINATED GLASS, WHICHEVER GREATER.
COMMENTS						
INDICATIVE ELEVATION						

Amendments

Date	Amendment	Check
20/03/2023	Amendment 01	MB
20/03/2023	Amendment 02	MB
20/03/2023	Amendment 03	MB
20/03/2023	Amendment 04	MB
20/03/2023	Amendment 05	MB

☐ Information/Comments

☐ Approval

☒ Tender

☐ Construction

Note to Contractors

Do not scale off drawings. Contractor is responsible for verifying all dimensions on site and must notify the Architect of discrepancies prior to commencing works. Figure dimensions take precedence. Drawings are to be used in conjunction with the specification and any other documents forming part of the contract. Modifications to electronic copies of documentation cannot be made without the express written approval of DASH Architects.

Client:
The Big Project

Project:
Barossa United Football Club

Sheet:
WINDOW SCHEDULE

Scale
1:1 at A1

No. in Set
25

Drawn
MB/EMCK

Reviewed
CD

Project No.
DA203887

WD24
Drawing Number

T1
Revision

Level 2, 141-149 Hould St, Adelaide, SA, 5000 18223 1655
adelaide@dasharchitects.com.au www.dasharchitects.com.au
ABN 82 029 685 059

Notes:



Project Name: **Barossa United Football Club, Nuriootpa**
Project Number: **DA203887**
Revision: **TENDER REV 3** Date: **9/5/2023**

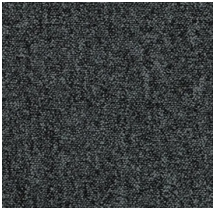
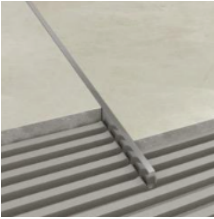
Colour Samples
All colour samples to approval of architect, where specified in the schedule, specification, or drawings.
Contractor to provide 3 insitu samples prepared on each substrate to be applied (in two locations approved by architect)
Contractor to provide minimum 3 revisions of each sample set
Minimum sample size to be 500 x 500, unless noted otherwise.

Additions & Alterations are shown in red italics, while deletions are shown in grey with a strike through eg. *Additions* ~~Deletions~~

CODE:	DESCRIPTION:	LOCATION:	PRODUCT INFORMATION:	COLOUR:	IMAGE:	COMMENT:
ROOF & ACCESSORIES:						
BC.1	Barge Capping		Revolution Roofing custom metal flashing, 0.8 BMT, to suit RS. Refer architectural drawings.	Colour to match RS		Installed to manufacturer's requirements & recommendations. Class 5 Screws
DP.1	Downpipe		PVC Circular downpipe - 100mm ø Provide maintenance I/O Provide PVC TEE with threaded cap. Refer detail. FOR EG.1	EPF.1		100mm (offset from wall) Powdercoated Ultra Steel stand stand-off bracket to suit. Colour to match DP. Refer civil documentation for stormwater connection requirements. Paint entire downpipe prior to installation.
EG.1	Eaves Gutter		Lysaght Commercial Half Round Gutter '250mm D', 0.55BMT, standard bead. GG.1 To be installed over eaves gutter	EPF.2		Installed with internal stainless steel 316 2B brackets (powder coated to match) (to max. Spacing as required and recommended by manufacturer) and stop ends.
GG.1	Gutter Guard		Gutter Guard Gutter Mesh Aluminium	Colour to Match RS		Installed to manufacturer's requirements and recommendations.
PFG.1	Pan Flashing		Lysaght (or equal approved) custom flashing, 0.48 BMT, to suit RS. Refer architectural drawings.	NextStar Colour to match RS.		Extend to ridge / barge capping as indicated. Installed to manufacturer's requirements & recommendations. Class 5 Screws
RC.1	Ridge Capping		Lysaght (or equal approved) Roofing custom flashing, 0.48 BMT, to suit RS. Refer architectural drawings.	NextStar Colour to match RS.		Installed to manufacturer's requirements & recommendations. Class 5 Screws
RS.1	Roof Sheeting		Lysaght – Colorbond Custom Orb – 16mm 0.42BMT	Shale Grey		Pierce fixed as per manufacturer's requirements & recommendations. Refer architectural drawings for pitch, insulation requirements and any additional information. All fixings to manufacturers specifications.
SKY.1	Tubular Skylight		Solatube Skylight – Solamaster 750DS	Colour to match RS		Installed to manufacturer's requirements & recommendations. Provide roof flashings. 'Classic Vusion' diffuser. Provide daylight dimmer to all skylights
CEILING:						
AP.1	Ceiling Access Panel		RONDO Panther Access Panel. MFAP60SB 600 x 600 with Set Bead.	To match ceiling finish.		Installed to manufacturers specifications. Panel to match ceiling type. Flush to ceiling
PBD.1	Plasterboard Ceiling Lining		10mm Suspended plasterboard ceiling, Rondo key-lock ceiling grid system	PF.2		P50 shadow line to edges. Installed to manufacturers requirements & recommendations. Refer RCPs for additional information

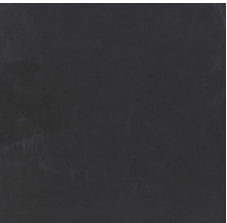
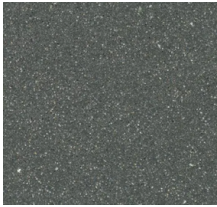
Project Name: **Barossa United Football Club, Nuriootpa**
Project Number: **DA203887**
Revision: **TENDER REV 3** Date: **9/5/2023**



CODE:	DESCRIPTION:	LOCATION:	PRODUCT INFORMATION:	COLOUR:	IMAGE:	COMMENT:
PBD.2	Plasterboard Ceiling Lining		1 x layer 10mm wet area plasterboard, flush finished Rondo 'key-lock' suspended ceiling grid system	PF.2		Pierce fixed as per manufacturer's requirements & recommendations. Refer architectural drawings for pitch, insulation requirements and any additional information.
PBD.3	Impact Plasterboard Ceiling Lining	Changerooms	1 x layer 10mm Impactcheck Wet area Plasterboard, flush finished Rondo 'key-lock' suspended ceiling grid system	PF.2		Rondo keylock ceiling. Installed to manufacturers requirements & recommendations. Refer RCPs for additional information.
PBD.4	Perforated Plasterboard Ceiling Lining	Club Room	1 x layer 12.5mm Perforated plasterboard ceiling Rigitone Matrix 8mm Square	F.2		P50 Shadowline at junction with wall lining, refer architectural details. 100mm Edge border (perforated plasterboard) to full extent of clubroom.
SOF.1	Soffit Lining		TBC – DEPENDANT ON ROOF STRUCTURE			Pierce fixed as per manufacturer's requirements & recommendations. P50 Shadowline at junction with wall cladding, refer architectural details. Refer architectural drawings for pitch, insulation requirements and any additional information.
FLOOR FINISHES:						
CON.1	Exposed Concrete Finish		Burnished Finish Slip Resistance: Minimum P4	Standard Grey Matt Finish		Refer to engineers documentation for minimum concrete requirements Provide sealer to concrete with additive to achieve slip rating if required
CPT.1	Carpet Tile	Clubroom	Forbo – Tessera, Create Space 1- 500mm x 500mm Tiles, 5.5mm Thickness	Hematite Code: 1815		Install to manufacturers requirements and recommendations. Co-ordinate slab set down and screed as required.
ES	Edging Strip		4mm Stainless Steel flat bar strip between floor finishes	Stainless Steel		Install Flush to both adjacent floor finishes.
EM.1	Entrance matting		Forbo – Coral Classic 9mm, R12 Slip Resistance	Anthracite Code: 4701		Installed to manufacturer's requirements and recommendations. Co-ordinate slab setdown and screed as required.
FT.1	Floor tile		Johnson Tiles – Waringa Vitrified Tiles 300 x 300 x 8mm Code: 711875	Tile: Black Micro Rock.		Where FT.1 is specified, SKT.1 to be installed. Unless otherwise noted.

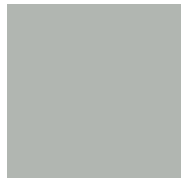
Project Name: **Barossa United Football Club, Nuriootpa**
Project Number: **DA203887**
Revision: **TENDER REV 3** Date: **9/5/2023**



CODE:	DESCRIPTION:	LOCATION:	PRODUCT INFORMATION:	COLOUR:	IMAGE:	COMMENT:
	Grout		ARDEX FS-DD	Grout: 387 Charred Ash		Installed to manufacturer's requirements and recommendations. Co-ordinate slab set down and screed as required. Grout colour to match. Contractor to provide 3 in-situ samples for superintendent's approval. Installed to manufacturer's specification
FT.2	Floor tile		Johnson Tiles – Waringa Vitrified Tiles 300 x 300 x 8mm Code: 771851	Tile: Black Micro Matt.		Where FT.2 is specified, SKT.3 to be installed. Unless otherwise noted. Installed to manufacturer's requirements and recommendations. Co-ordinate slab set down and screed as required. Grout colour to match. Contractor to provide 3 in-situ samples for superintendent's approval. Installed to manufacturer's specification
	Grout		ARDEX FS-DD	Grout: 387 Charred Ash		
PAV.1	Outdoor Paving		Australian Paving Centre – Concrete Patio Pavers 400 x 200 x 40mm	Charcoal		Installed to manufacturer's requirements and recommendations. Refer to engineers documentation for minimum concrete requirements and subbase
RES.1	Resilient Flooring		Regupol – Everroll Classic (Tone Range), 600 x 600mm Tiles, 8mm Thickness	Sydney - 3240		Regupol resilient two-part polyurethane for wet areas. Installed to manufacturer's requirements and recommendations. Co-ordinate slab set-down and screed as required. Where RES.1 Installed, install SKT.2.
RES.2	Resilient Flooring		Forbo – Safestep 2mm Thickness, R12 Slip Resistance	Lava Code: 175592		Installed to manufacturer's requirements and recommendations. Co-ordinate slab set-down and screed as required. Cove RES up 150mm to form skirting – 20x20mm Fillet
SKT.1	Cove Skirting Tile	Changerooms, Bathrooms, DDA	Johnson Tiles – Waringa Vitrified Cove Tiles 100 x 200 x 8mm Code: 711677	Black Micro Rock		
	Grout		ARDEX FS-DD	Grout: 387 Charred Ash		
SKT.2	Skirting		100mm High RES01 Skirting Strip Using 32mm Preform cove fillet (Regupol Detail)	Sydney - 3240		Installed to manufacturer's requirements and recommendations. Refer to Regupol skirting detail specification.

Project Name: **Barossa United Football Club, Nuriootpa**
Project Number: **DA203887**
Revision: **TENDER REV 3** Date: **9/5/2023**



CODE:	DESCRIPTION:	LOCATION:	PRODUCT INFORMATION:	COLOUR:	IMAGE:	COMMENT:
SKT.3	Coved Skirting		Forbo coved skirting, 100mm High. (To match RES) Continue RES up wall to form skirting Installed using 20mm x 20mm fillet	To Match RES		Installed to manufacturer's requirements and recommendations.
SKT.4	Vinyl Skirting		1.5mm Thick, 100mm High Featured Edge Vinyl Skirting	Vinyl-Black		Installed to manufacturer's requirements and recommendations.
WALL FINISHES:						
CLD.1	Wall Cladding		JamesHardie – Exotec Façade Panel & System 2,400mm x 1,200mm x 9mm Code: 402205	EPF.1		Installed to manufacturer's requirements and recommendations.
CLD.2	Wall Cladding		Lysaght – Colorbond Mini Orb 6mm Vertical install	Manor Red		Installed to manufacturer's requirements and recommendations.
CLD.3	Wall Sheeting		Lysaght – Wallclad – 16mm BMT 0.35mm Horizontal install	Shale Grey		Pierce fixed as per manufacturer's requirements & recommendations.
TC.1	Tile Trim		BAT Trims – Half Round – Tile Edge strip	Stainless Steel Code: SSHRT-6-25		Installed to manufacturer's requirements and recommendations.
TC.2	Tile Trim		BAT Trims – External Corner Aluminium	Stainless Steel Code: BEC-6-3-ALA		Installed to manufacturer's requirements and recommendations.
TL.1	Wall Tile	Changerooms, Bathrooms, DDA, Doctors	Johnson Tiles Spectrum 97 x 197 x 6.5mm	White Gloss Code: 615371		Horizontal running bond, white grout finish. All edges finished with square edge aluminium tile trim, Aluminium finish (EC)
	Grout		ARDEX FS-DD	Grout: 390 Ultra White		Contractor to provide samples of grout finish against tile to architect's satisfaction.

Project Name: **Barossa United Football Club, Nuriootpa**
Project Number: **DA203887**
Revision: **TENDER REV 3** Date: **9/5/2023**

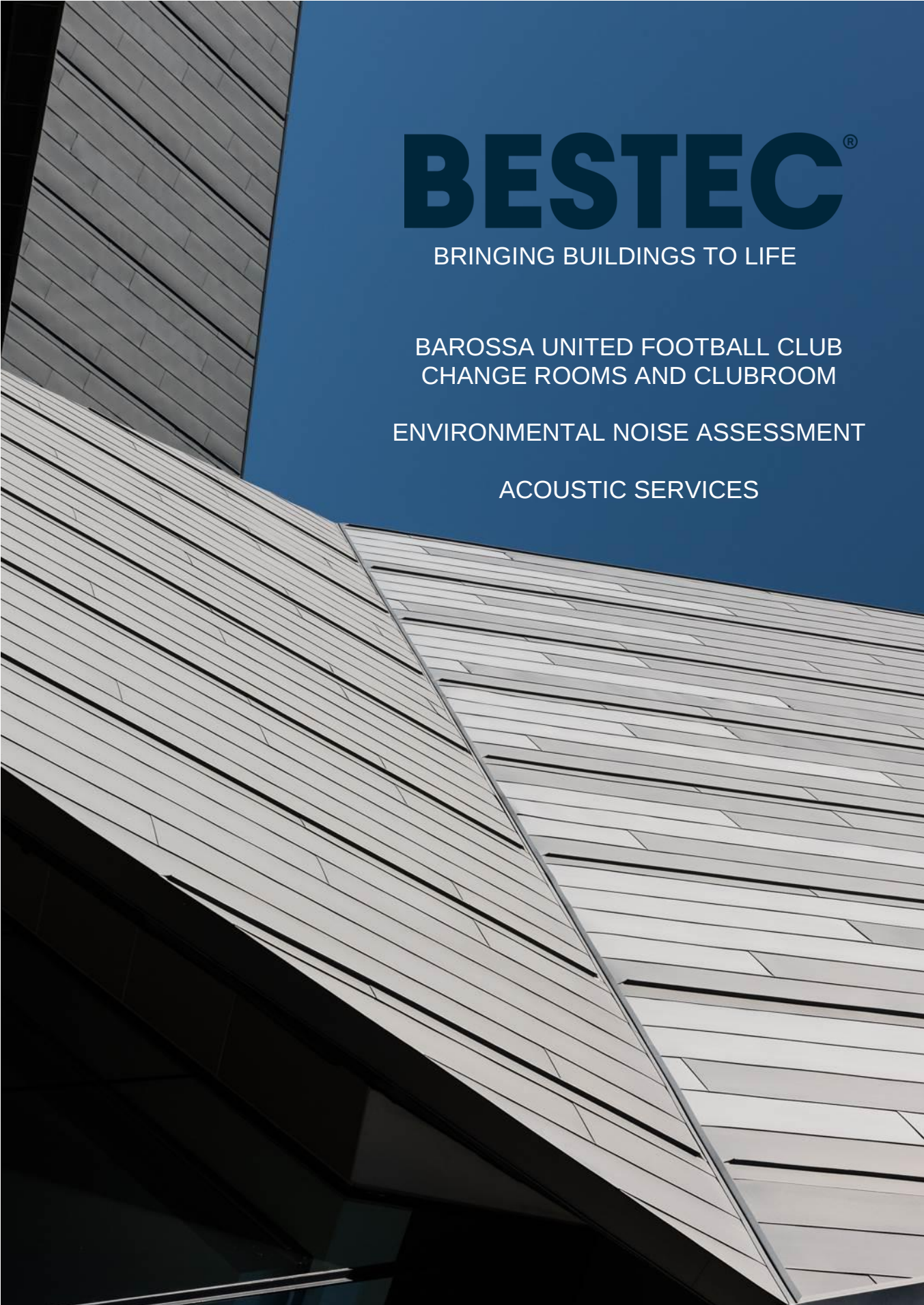


CODE:	DESCRIPTION:	LOCATION:	PRODUCT INFORMATION:	COLOUR:	IMAGE:	COMMENT:
TL.2	Wall Tile Grout	Changerooms, DDA,	Johnson Tiles Spectrum 97 x 197 x 6.5mm ARDEX FS-DD	Classic Green Gloss Code: 615777 Grout: 390 Ultra White		Horizontal running bond. All edges finished with square edge aluminium tile trim, Aluminium finish (EC) Contractor to provide samples of grout finish against tile to architect's satisfaction.
DOORS, WINDOWS, AND GLAZING						
GT.1	Single Glazing		6.38mm Clear Laminated Glass	N/A		Installed to manufacturer's requirements and recommendations.
	Door Grille		Door Grill, refer to drawings for dimensions and offsets.	Aluminium – powder coat finish		Refer to service engineer's drawings for minimum size. Concealed fixings
KP	Door Kickplate		200mm high, full width of door. Height to match adjacent skirtings.	Stainless Steel Finish		Concealed fixings
INSULATION:						
INS.1	Wall Wrap		Bradford 'Enviroseal RW' wall wrap	N/A		Installed to manufacturer's requirements and recommendations.
INS.2	Thermal Wall Insulation		Bradford Gold Hi-performance wall batts R2.7	N/A		Installed to manufacturer's requirements and recommendations.
INS.3	Under Roof Sheeting Thermal Insulation		Bradford Anticon R1.3 60mm	N/A		Installed to manufacturer's requirements and recommendations.
INS.4	Thermal Ceiling Insulation		Bradford Gold Ceiling Batts R2.5, 140mm	N/A		Installed to manufacturer's requirements and recommendations.
PAINT FINISHES:						
Contractor to submit all methodologies, paint systems, colours, samples, etc. prior to commencing works.						
EPF.1	External paint finish - general paint colour		Dulux	Dulux – 'Monument'		Refer Dulux specification for system and coating requirements and warranties.
EPF.2	External Paint Finish – General paint colour		Dulux	Dulux – 'Shale Grey'		
PCF.1	Paint Finish – External Door Frames		Dulux Duratec Zeus	Dulux 'Shale Grey' Satin 90Z7557S		Refer Dulux specification for system and coating requirements and warranties.
PCF.2	Paint Finish – External Windows/Door Panels		Dulux Duratec Zeus	Dulux 'Monument' Satin 90Z7307S		Refer Dulux specification for system and coating requirements and warranties.
PCF.3	Paint Finish – Internal Door Frame		Dulux Durraloy	Dulux Duralloy 'Charcoal' Satin 27288351		Refer Dulux specification for system and coating requirements and warranties.

Project Name: **Barossa United Football Club, Nuriootpa**
Project Number: **DA203887**
Revision: **TENDER REV 3** Date: **9/5/2023**



CODE:	DESCRIPTION:	LOCATION:	PRODUCT INFORMATION:	COLOUR:	IMAGE:	COMMENT:
PF.1	Paint Finish Internal – Walls		Dulux	Dulux ‘Natural White’		Refer Dulux specification for system and coating requirements and warranties.
PF.2	Paint Finish Internal – Ceiling		Dulux Flat	Dulux ‘Natural White’		Refer Dulux specification for system and coating requirements and warranties.
PF.3	Paint Finish Internal – Internal Door Panel		Dulux	Dulux ‘Charcoal’		Refer Dulux specification for system and coating requirements and warranties.
RW.1	Retaining Wall Finish		Dulux	Acratex		Refer Dulux specification for system and coating requirements and warranties.



BESTEC[®]

BRINGING BUILDINGS TO LIFE

BAROSSA UNITED FOOTBALL CLUB
CHANGE ROOMS AND CLUBROOM

ENVIRONMENTAL NOISE ASSESSMENT

ACOUSTIC SERVICES

NPK:NPK
57535/6/1
25 May 2023

The Barossa Council
The Big Project HQ
46 Murray Street
NURIOOTPA SA 5355

Attention: Ms R Tappert

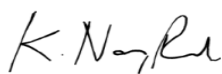
Dear Madam,

**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT
ACOUSTIC SERVICES**

As requested, we enclose a revised copy of the report on the Acoustic Services for the above project.

We trust that the enclosed report provides sufficient information for your immediate purpose and we would be most pleased to further discuss any aspects upon your request.

Yours faithfully
BESTEC PTY LTD



**NARAYANA PRASAD KUMAR
ACOUSTIC SERVICES ENGINEER**

Encl

BESTEC®

ABN 43 909 272 047

Building Engineering
Services Technologies
Consulting Engineers

A. 144 Gawler Place
Adelaide SA 5000

GPO Box 818
Adelaide SA 5000

T. (08) 8232 4442
F. (08) 8232 4244

E. consulting@bestec.com.au
W. bestec.com.au

REPORT ISSUE REGISTER

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01	15.05.2023	Revised Issue
02	25.05.2023	Revised Issue

**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT**

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**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT**

Introduction

BESTEC Pty Ltd has been engaged to assess the environmental noise impact to the nearest noise sensitive receivers resulting from operational activities, including functions in the proposed development at Barossa United Football Club, Hoffman Oval, Penrice Rd, Nuriootpa SA 5355.

This document presents a review of the proposed acoustic design criteria, the results of the conducted continuous environmental noise survey, calculated noise levels at the nearest noise sensitive receivers resulting from functions, using the venue and the results of our assessment.

Executive Summary

In summary:

- A continuous noise survey was conducted over 7-day period at the boundary of the nearest noise sensitive receiver. The survey results are presented in Appendix A.
- The architectural drawings of the proposed development have been reviewed.
- Appropriate acoustic design criteria were nominated.
- The noise impact to the nearest residential developments associated with the operation of the proposed development has been assessed against the nominated environmental noise criteria, including:
 - Music noise resulting from functions taking place in the clubrooms;
 - Patron noise;
 - Noise associated with the use of the carpark, deliveries and rubbish collection;
 - Acoustic design recommendations in order to comply with the selected acoustic design criteria and recommendations for construction of the building envelope were provided.

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References

The following documents have been referenced within the preparation of this report:

- [1] AS ISO 140.4–2006 “Acoustics – Measurement of sound insulation in buildings and of building elements. Part 4: Field measurements of airborne sound insulation between rooms”.
- [2] Australian/New Zealand Standard 2107:2016 “Acoustics – Recommended design sound levels and reverberation times for building interiors”.
- [3] Environment Protection (Noise) Policy 2007.
- [4] South Australian Property and Planning Atlas (SAPPA) report generated for Barossa United Football Club, Nuriootpa
- [5] World Health Organisation (1999) “Guidelines for Community Noise”.
- [6] Music Noise from Indoor Venues and the South Australian Planning System, EPA Guideline, July 2015
- [7] Architectural drawings provided by The Big Project, dated January 2023.
- [8] Pearsons, Bennett and Fidel “Speech levels in various noise environments” Report EPA-600/1-77-025, Washington, D.C.: U.S. Environmental Protection Agency, May 1977.
- [9] Architectural specifications and schedules provided by The Big Project, dated January 2023.

Proposed Development

A new clubroom is proposed at the Barossa United Football Club Oval and the proposed facility will include office, meeting rooms, change rooms, wet areas, bar, kitchen/servery, storage, plant room, referee, dry store and engineering services plant area.



Figure 1: Site Location

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Continuous Noise Survey

A continuous noise survey was conducted between 12 April and 19 April 2023 with an automatic noise logger located near the boundary between Barossa United Football Club Oval and the property where the nearest noise sensitive receiver is located (indicated with a star on Figure 1 in order to establish the existing ambient and background noise levels. The survey was conducted using an automatic noise logger Norsonic Nor139.

The logger was set to continuously measure and average A-weighted equivalent continuous noise levels over 15-minute intervals ($L_{Aeq,15min}$), A-weighted maximum noise levels (L_{Amax}) and statistical noise descriptors (L_{A10} , L_{A90}) using 1/3-octave bands (25Hz – 10,000Hz) using Fast time weighting.

The analysis of the collected data revealed:

- The measured lowest background noise levels (L_{A90}) during the proposed hours of operation is 36.9dBA
- The lowest ambient noise level (L_{Aeq}) measured during the proposed hours of operation is 42dBA.

The detailed survey results are presented in Appendix A.

Conditions

SA Planning and Design Code

The SA Planning and Design Code [4] sets the desired outcome for developments, which might the sensitive receiver in adjacent areas as follows:

DO 1 Development is located and designed to mitigate adverse effects on or from neighbouring and proximate uses.

The following requirements (performance outcomes) of the SA Planning and Design Code are relevant to the design and siting of the proposed developments (Section Interface Between Land Uses):

PO 1.1 Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.

PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts

PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved) sensitive receivers.

A non-residential development is deemed to satisfy the above requirement if the noise emissions that affect the noise sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria (DTS/DPF 4.1).

PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

- locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- housing plant and equipment within an enclosed structure or acoustic enclosure*
- providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.*

PO 4.5 Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).

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PO 4.6 Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.

Design Criteria

Environmental Noise

The SA Planning and Design Code refers to the Environment Protection (Noise) Policy 2007 in regards to environmental noise emissions from non-residential buildings and therefore, the criteria below are derived in accordance with the Policy.

Continuous Noise

This criterion will be relevant to noise emitted from the proposed development resulting from operational noise, including patron noise, mechanical plant, carpark movements, deliveries etc.

The Environment Protection (Noise) Policy 2007 (EPP 2007) [3] sets out the maximum allowable noise levels in terms of A-weighted Equivalent Continuous Noise Levels over 15-minute intervals ($L_{Aeq,15min}$) based on the time of day and land use, applicable at the most noise sensitive premises. Based on the site location and the land zoning stipulated in the South Australian Property and Planning Atlas [4], the proposed development site is located on land zoned Recreation (Rec), with the nearest noise sensitive receivers (Prider Street residents) located within the land zoned Neighbourhood (N). As essentially the Recreation (Rec) land zone do not have any noise indicative factors in accordance with the Environment Protection (Noise) Policy 2007. The most conservative case would be the same based on the indicative noise factors as Neighbourhood zone. The indicative noise factors based on time of day for the Residential land zoning as stipulated in Table 2 of the EPP 2007 [3] are summarised below:

- Residential zone:
 - Day-time (07:00 a.m. to 10:00 p.m.): 52 dBA
 - Night-time (10:00 p.m. to 07:00 a.m.): 45 dBA

We note that for planning purposes, the predicted noise level (continuous) for a new development (in this case the proposed development) should not exceed the relevant indicative noise level, minus 5dBA. Therefore, the environmental noise criteria for assessment of the noise impact from the proposed development become:

- Residential zone:
 - Day-time (07:00 a.m. to 10:00 p.m.): 47 dBA
 - Night-time (10:00 p.m. to 07:00 a.m.): 40 dBA

Note that if noise emitted by the proposed development contains any tones, modulation, impulsiveness or low frequency characteristics, the continuous noise level of the noise source must be adjusted as follows:

- Noise containing 1 characteristic - 5dBA penalty added to source continuous noise level;
- Noise containing 2 characteristics - 8dBA penalty added to source continuous noise level;
- Noise containing 3 or 4 characteristics - 10dBA penalty added to source continuous noise level

Intermittent Noise

This criterion will be relevant to noise emitted from the proposed development resulting from short term noise events – rubbish collection, car door slams, etc.

The criteria provided in the above sections relate to continuous noise sources, and do not cater for intermittent noise events, such as slamming of car doors, car horns sounding, etc. We recommend the use of the World Health Organisation (WHO) Guidelines [5], which recommends a maximum A-weighted noise level L_{Amax} , of 45dBA in a bedroom, which is equivalent to approximately 55dBA to 60dBA at the façade of the residential building with windows partially open.

In addition, the EPP 2007 provides assessment criterion of L_{Amax} of 60dBA for night-time for the proposed development (for application for development authorisation), which agrees with the criterion stipulated by the WHO [5].

Music Noise

This criterion will be relevant to music noise emitted from the proposed development resulting live or pre-recorded music being played inside the function area during functions.

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The clubrooms may be used to accommodate functions with pre-recorded music such as convention events, birthday parties etc. Therefore, an assessment against the EPA Guidelines for Music Noise [3] and SA Planning and Design Code [4] requirements is warranted.

EPA provides guidelines for assessment of music emissions from entertainment venues [3], which is used for acoustic assessment for development approval purposes as well as for acoustic design of residential developments in the vicinity of existing entertainment venues. The criterion is set as follows:

"The music noise ($L_{10,15min}$) from an entertainment venue when assessed externally at the nearest existing noise sensitive location should be:

- less than 8 dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum"*

In addition, SA Planning and Design Code Performance Outcome 4.6 (refer Section Proposed Development) which stipulates Designated Performance Feature 4.6 as follows

"Development incorporating music includes noise attenuation measures that will achieve the following noise levels:

- less than 8 dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum"*

Based on the above EPA Guidelines for music noise and SA Planning and Design Code, to control music noise emissions from the proposed clubrooms, we derived the music noise criteria based on the lowest background noise levels (L_{A90}) measured within the stipulated hours of operation during the continuous noise survey¹, presented in Table 1 below along with the calculated music noise criterion. Therefore, the calculated music noise criteria relevant to the neighbouring residential noise sensitive receivers will be as detailed below.

	Octave band sound pressure level dB re 20µPa							
	63	125	250	500	1000	2000	4000	8000
Background noise level $L_{90, 15min}$	43	36	28	27	28	30	30	25
Maximum allowable exceedance	8	8	8	8	8	8	8	8
Maximum allowable music noise level, $L_{10,15min}$ at the nearest noise sensitive boundary	51	44	36	35	36	38	38	33

Table 1: Criteria for music noise at the nearest sensitive receiver

Room Acoustics

AS 2107:2016 [2] sets out the design criteria for reverberation times within occupied spaces. The reverberation time defines the time taken for sound to decay within a space and thus the degree of intelligibility of both unassisted speech and sound reinforcement systems. The criterion for a given space depends on the volume of the space, criteria considered appropriate for the various spaces involved with the project scope are listed in

Reverberation Time (sec)			Subjective Rating
Small (100m ³)	Medium (1,000 m ³)	Large (10,000m ³)	
< 0.3	0.3 - 0.5	0.6 - 0.8	Dead
0.3 - 0.5	0.5 - 0.7	0.8 - 1.0	Medium dead
0.5 - 0.7	0.7 - 1.0	1.0 - 1.5	Average
0.7 - 1.0	1.0 - 1.5	1.5 - 2.5	Medium live
1.0 - 2.0	1.5 - 2.5	2.5 - 4.5	Live

Table 2: Subjective response to various reverberation times and room volumes

¹ The lowest background noise level was measured at 16:30 on 13 April 2023.
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Speech Privacy

For enclosed spaces, the noise from activities in the adjacent rooms transmitted through walls, floors, ceilings etc. increases the background noise level similarly to the noise intrusion from any outside sources. The level of noise transmitted from the adjacent rooms and the level of sound insulation/speech privacy is controlled by the design of building elements and providing adequate level of sound attenuation through specifying appropriate construction types for walls, floors, doors, ceilings etc.

There are no Australian or International Standards giving recommendations for sound insulation ratings for adjoining spaces. Instead, recommendations are based on experience from previous projects, with these recommendations reflecting user expectations. The privacy rating is dependent on the sound absorption and background noise level in the adjoining space as well as the area and acoustic performance of the dividing partition.

The proposed criteria for speech privacy between the spaces separated by partitions (extending either to the ceiling level or to the roof structure above) are presented in terms of Weighted Sound Level Difference (D_w) as defined by AS ISO 140.4–2006 [1], which is related to the sound level difference between two spaces. The criteria are based on our experience in the acoustic design of similar facilities. Table 3 details the subjective response of individuals to the proposed privacy ratings for interpretation of the recommendations.

D_w Rating	Subjective Rating
50 - 55	Confidential privacy
45 - 50	Very good privacy. Speech inaudible unless raised
40 - 45	Good privacy. Speech Audible but unintelligible
35 - 40	Normal privacy. Neighbouring conversations are audible and may be understood
< 35	Privacy not required

Table 3: Subjective perceptions for various privacy ratings

Background Noise

AS 2107-2016 [1] sets out the design criteria for steady state noise such as from air-conditioning systems and road traffic depending on the type/use of the different rooms. Recommendations for each space are provided in terms of A-weighted equivalent continuous sound pressure level (L_{Aeq}). Table 4 details the subjective response of individuals to the proposed sound levels for interpretation of the recommendations.

Average Sound Pressure Levels (dBA)	Subjective Rating
35 - 40	Audible but unobtrusive
40 - 45	Moderate but unobtrusive
45 - 50	Unobtrusive with low levels of surrounding activities
50 - 55	Unobtrusive with high levels of surrounding activities

Table 4: Subjective ratings for various average sound pressure levels.

Understanding and Assumptions

We have based our assessment on the following understanding and assumptions:

- Music sound levels in the clubrooms – the clubrooms may be used for parties, team events etc., which might include live or pre-recorded music. Based on that, the following reverberant sound levels was used (previously measured in a similar venue):

	Octave band sound pressure level dB re 20 μ Pa								Overall level, dBA
	63	125	250	500	1000	2000	4000	8000	
Expected reverberant sound pressure level for Pre-recorded music within the function space	86	86	87	86	87	79	77	72	90

Table 5: Sound Pressure Levels measured at 1m from the speakers (based on assumed 4 speakers in the function area)

- Proposed hours of operation:
 - Monday to Friday from 16:00 to 21:00

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- Saturday from 08:00 to 00:00 and Sunday from 08:00 to 18:00;
- Delivery and rubbish collection vehicles will be accessing the site via Penrice Rd;
- All deliveries and rubbish collection will be taking place during day time, i.e., after 7:00 and before 22:00.
- The functions/event taking place in the clubrooms will cease at 00:00
- Typical function with 226 guests in total.

Assessment and Recommendations

General Recommendations

Acoustic Sealants

We note that for the acoustic integrity of building elements to be maintained, all gaps and interfaces along the junctions and joints of linings must be sealed with an appropriate acoustic grade sealant. Penetrations for mechanical or electrical services must be properly caulked and sealed around the ductwork and cabling to ensure the intended acoustic rating of the partition is retained.

Appropriate acoustic caulking products include:

- Bostik Firemastic.
- Bostik Seal-n-flex 2637.
- Pyropanel Multiflex.
- Boral Fyreflex.
- Dow-Corning 790 Silicone.
- Dow-Corning 795 Silicone.
- Sika Sikaflex-11 FC.
- Fosroc Flamex 3.

Cavity Infill

Where a cavity infill is recommended, equivalent alternatives are:

- Fibreglass – 50mm, 12kg/m³.
- Rockwool – 50mm, 38kg/m³.
- Polyester – 900gsm.

Ceiling Overlay

Where a ceiling overlay is recommended, equivalent alternatives are:

- Glasswool – 100mm, 12kg/m³.
- Rockwool – 100mm, 38kg/m³.
- Polyester – 100mm, 32kg/m³.

Where higher durability and/or water resistance is required, 6mm compressed fibre cement sheeting could be used in lieu of the 13mm fire-rated plasterboard and 9mm compressed fibre cement in-lieu of 16mm fire-rated plasterboard.

Building Envelope

We calculated the music noise levels at the nearest noise sensitive receiver (approximately 40m from the proposed building) resulting from music being played in the clubrooms under the assumptions above and considering the distance. The constructions of the building envelope elements are indicated in the architectural drawings [7][9] and we make the following comments to achieve the selected music noise criterion:

- Solid façade:
 - WT.1 – 90mm concrete blockwork with corrugate cladding on 100mm top hats on the external side of 90mm timber studs offset by 100mm airgap and an internal lining of 1 layer of 13mm plasterboard with Bradford R2.7 wall batts in the cavity.

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- WT.2 – 9mm thick wall cladding (CLD.1) on 35mm top hats to external side of 90mm double timber studs with 100mm cavity between the studs and 1 layer of 13mm plasterboard to the internal side with Bradford R2.7 wall batts in the cavity.
- WT.3 – 9.5mm thick hardwood wall cladding (CLD.2) on 35mm top hats to external side of 90mm double timber studs with 100mm cavity between the studs and 1 layer of 13mm plasterboard to the internal side with Bradford R2.7 wall batts in the cavity.
- WT.4 – 1 layer of 13mm plasterboard to each side of 90mm timber studs with Bradford R2.7 wall batts in the cavity.
- WT.5 – 90mm thick concrete blockwork.

The nominated wall constructions are acceptable from acoustic point of view.

- Roof – revolution roofing (0.48mm BMT) over Anticon 60, R1.3 insulation blanket on minimum 150mm deep purlins with ceiling in suspension grid forming ceiling cavity with minimum depth of 300mm and overlaid with R2.5 Bradford gold ceiling batts.
- Glazing – minimum 6.38mm laminated glass or as required structurally.

Any operable glazing should be fitted with appropriate compressible acoustic seals (Raven or Schlegel ranges). Please note that the above glazing construction is sufficient from acoustic point of view, however it may be subject to change to satisfy structural and thermal requirements.

The noise impact to the nearest sensitive receivers associated with functions against the EPA guidelines [3] has been assessed taking into account the building envelope construction above and the distances between the proposed development and the noise sensitive receivers (approx. 40m measured from Google Earth) with the recommendations and comments regarding control of music noise and patron noise are outlined below.

Music Noise

The assessment revealed that the music noise at the nearest noise sensitive receivers will achieve the music noise criterion. However, we recommend an automatic sound limiter be used to monitor the sound pressure levels during functions. The sound limiter should be connected to the main amplifier power and set to cut the power if the maximum sound pressure level is exceeded. To facilitate this, the following is required:

- External performers/DJ's should use only the sound system and amplifier provided by the function centre;
- The sound system should be tuned and commissioned by an acoustic engineer once the function centre is completed, and the sound limiter is installed. The measured sound level at 1m from each speaker should not exceed the C-weighted sound pressure levels detailed in Table 6 below when pink noise is fed into the system.

C-Weighted Sound Pressure Level (dB re 20µPa) from each Speaker at Octave Band Centre Frequency, Hz (measured at 1m)								Overall, dBC
63	125	250	500	1000	2000	4000	8000	
93	96	93	92	93	86	85	81	100

Table 6: Sound Pressure Levels measured at 1m from the speakers (based on assumed 4 speakers in the function)

Please note that the above sound pressure levels are based on the assumption that the function area sound system will have four speakers and have to be re-assessed if different number of speakers is proposed.

- Once the system is tuned, the noise levels at the nearest residential receivers should be measured and the sound system settings adjusted if required to ensure the noise levels at the residential properties is below the maximum allowable values for music noise detailed in Table 1.
- Once the nominated noise levels are achieved, the sound limiter and main amplifier should be locked by the system engineer to prevent the settings being adjusted by staff of performers.

Please note that when the music is to be played in the function space, ensure that all the operable glazing is closed during the function.

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Patron Noise

We have assessed noise from a typical full capacity event of 226 people at the clubrooms with all operable glazing and doors open, 113 patrons outside and 113 patrons inside the functions space and no music being played.

We assumed 56 patrons talking outside and 56 patrons talking inside the function space as follows:

- Outdoor space - 15 male and 13 female patrons talking at a raised voice level and 15 male and 13 female patrons talking at a normal voice level [8]
- Function space - 15 male and 13 female patrons talking at a raised voice level and 15 male and 13 female patrons talking at a normal voice level [8]

Our assessment revealed that the combined noise levels at the noise sensitive receivers will achieve both day time and night time criterion.

Environmental Noise

Noise Associated with Mechanical Services Plant

The engineering services design is currently being developed and detailed recommendation will be provided when it is sufficiently developed, however, we note that airborne noise emissions from all plant and equipment will be assessed against the nominated environmental and internal noise criteria and engineering noise controls will be designed to ensure compliance. In order to limit vibration emissions and structure borne noise, vibrations will be designed for all plant units.

Noise Associated with Car Park

We have performed a noise impact assessment to the nearest residential receiver of the development associated with the use of the adjacent carpark, considering the following:

- Vehicle movement through car parking spaces
- Vehicle Ignition
- Vehicle door slamming
- Vehicle idle and take off from car parking and drop off zones

A time weighted averaged approach was implemented, based on the above breakdown of noise generating activities.

To calculate the noise levels from the carpark operation over a typical 15-minute period, we assumed 20 vehicles either entering or exiting the carpark during the period. Therefore, the noise level (LAeq,15min) used in this assessment was 68dBA at 1m. We note that the impact noise level at the nearest receiver is 38dBA which readily meets the day and night criteria for the development.

Noise Associated with Rubbish Collection

Currently no rubbish collection area is indicated on the concept architectural drawings and we assumed that the rubbish will be collected from the front space adjacent to the store (Rm.21). The waste collection vehicles will access and exit the refuse area via Penrice Road. Based on this, we assessed the noise impact on the surrounding noise sensitive receivers resulting from noise emissions from typical rubbish collection vehicle activities.

We calculated the A-weighted Equivalent Continuous Noise Level over a typical 15-minute interval (LAeq,15min) assuming the following activity durations and measured noise levels from similar activities on a previous project:

- Rubbish collection vehicle accessing the waste loading zone (including reverse alarm) – 30 seconds, 70dBA at 5m.
- Rubbish collection – 10 minutes, 65dBA at 5m.
- Rubbish collection vehicle departing – 30 seconds, 73dBA at 5m.
- The balance of a 15-minute interval – 4 minutes, 54dBA (ambient noise level).

The calculated A-weighted Equivalent Continuous Noise Level over a typical 15-minute interval (LAeq,15min) resulting from loading / unloading activities, which we used in the assessment was 65dBA at 5m.

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Based on the above, we predicted incident noise levels of 40dBA at the façade of the nearest residential noise sensitive receiver. Therefore, we note that this achieves the selected criteria for environmental noise (for criteria refer above).

Noise Associated with Delivery Trucks

We assumed that there would be a loading bay located next to the storage space or dry store of the clubrooms and calculated the A-weighted Equivalent Continuous Noise Level over a typical 15-minute interval (LAeq,15min) assuming the following activity durations and measured noise levels from similar activities on a previous project:

- Delivery vehicle accessing the loading dock (including reverse alarm) – 30 seconds, 70dBA at 5m.
- Loading/unloading activities including noise from refrigeration unit on the delivery vehicle – 10 minutes, 76dBA at 5m.
- Delivery vehicle departing – 30 seconds, 73dBA at 5m.
- The balance of a 15-minute interval – 4 minutes, 54dBA (ambient noise level).

The calculated A-weighted Equivalent Continuous Noise Level over a typical 15-minute interval (LAeq, 15min) resulting from delivery vehicle activities, which we used in the assessment was 70dBA at 5m.

Based on the above we predicted incident noise levels of 48dBA at the nearest residential noise sensitive receiver. We note that the noise emissions due to the delivery vehicle activities achieves the day-time environmental noise criteria and would not affect the amenity of the adjacent residential area. However, it is recommended that delivery be restricted to the EPA stipulated day time only (i.e., after 7:00 am and before 10:00pm) Monday to Friday and after 9:00 am on Saturday and Sunday (if applicable).

Conclusion

An assessment of the operational noise, music and patron noise resulting from a typical function taking place at proposed development was conducted against relevant environmental noise criteria derived in accordance with the SA Planning and Design Code and SA EPA Environment Protection (Noise) Policy 2007. The results of the assessment revealed:

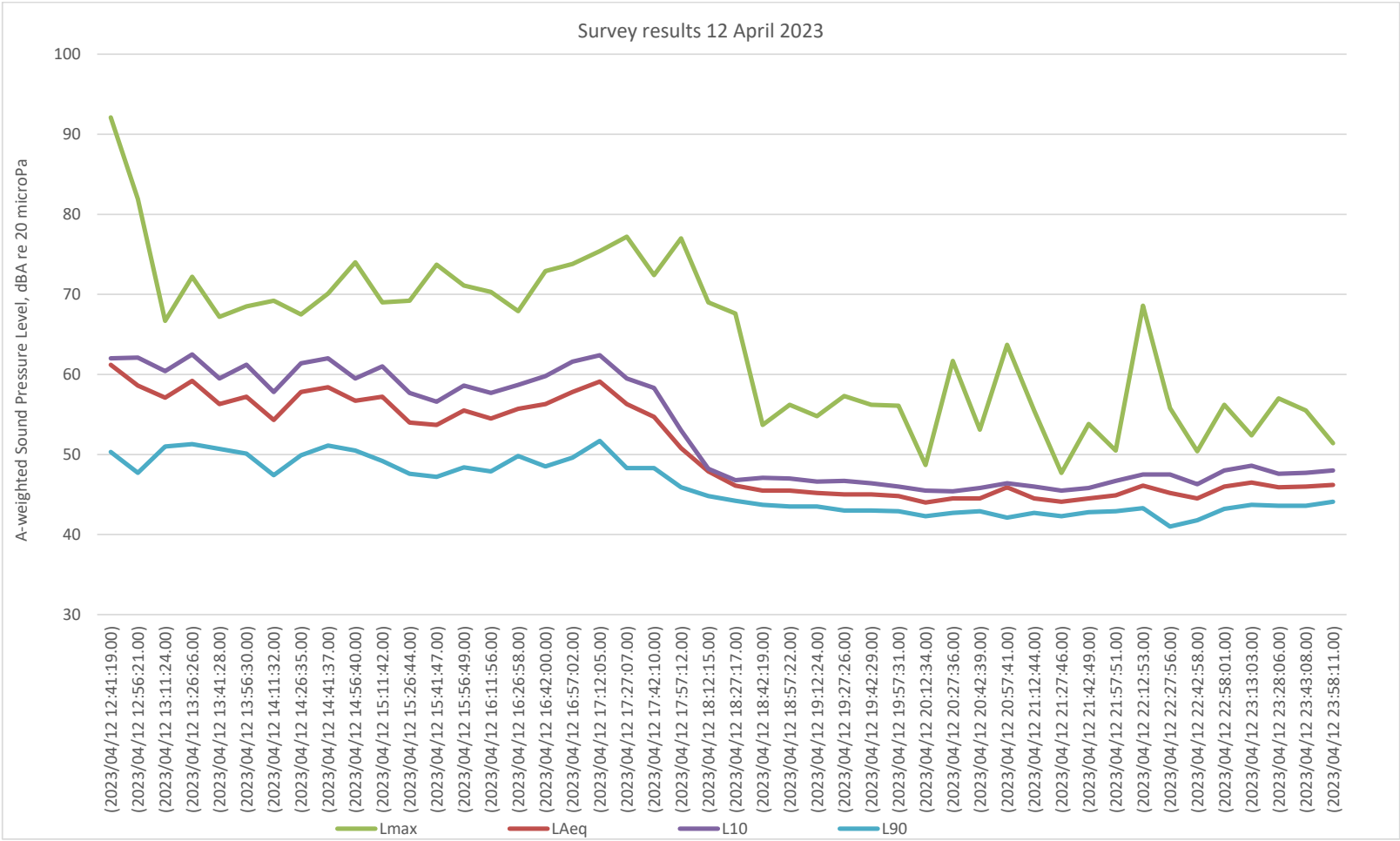
- The predicted music noise levels at the nearest noise sensitive receiver will achieve the selected criteria under worst case meteorological conditions provided the sound pressure levels from each speaker is limited to 90dBA at 1m based on 4 speakers being used.
- The continuous noise levels at the nearest noise sensitive boundary resulting from patrons outdoors and inside the clubrooms will achieve the selected continuous noise criteria under worst case meteorological conditions.

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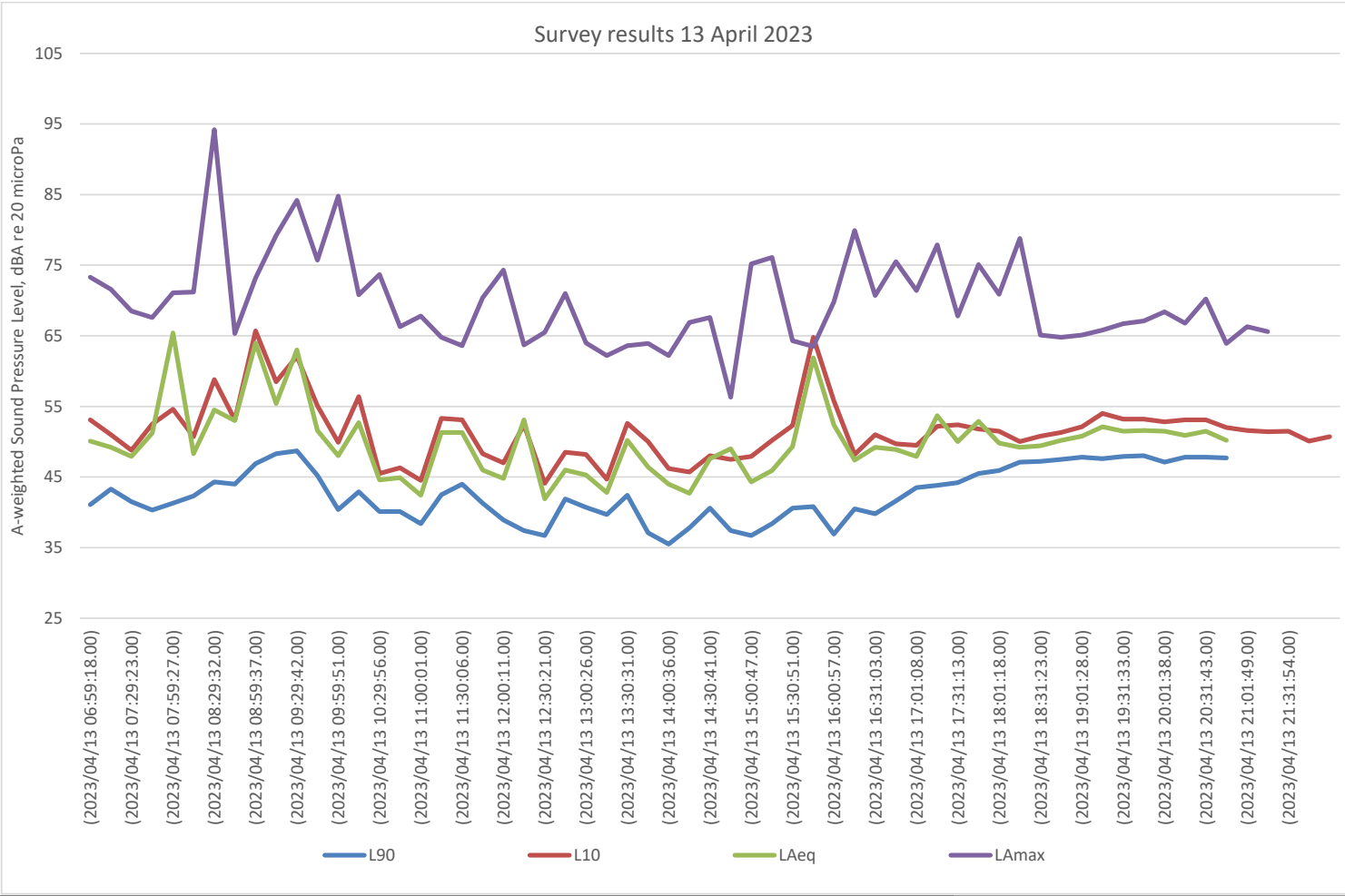
Appendix A
Environmental survey result

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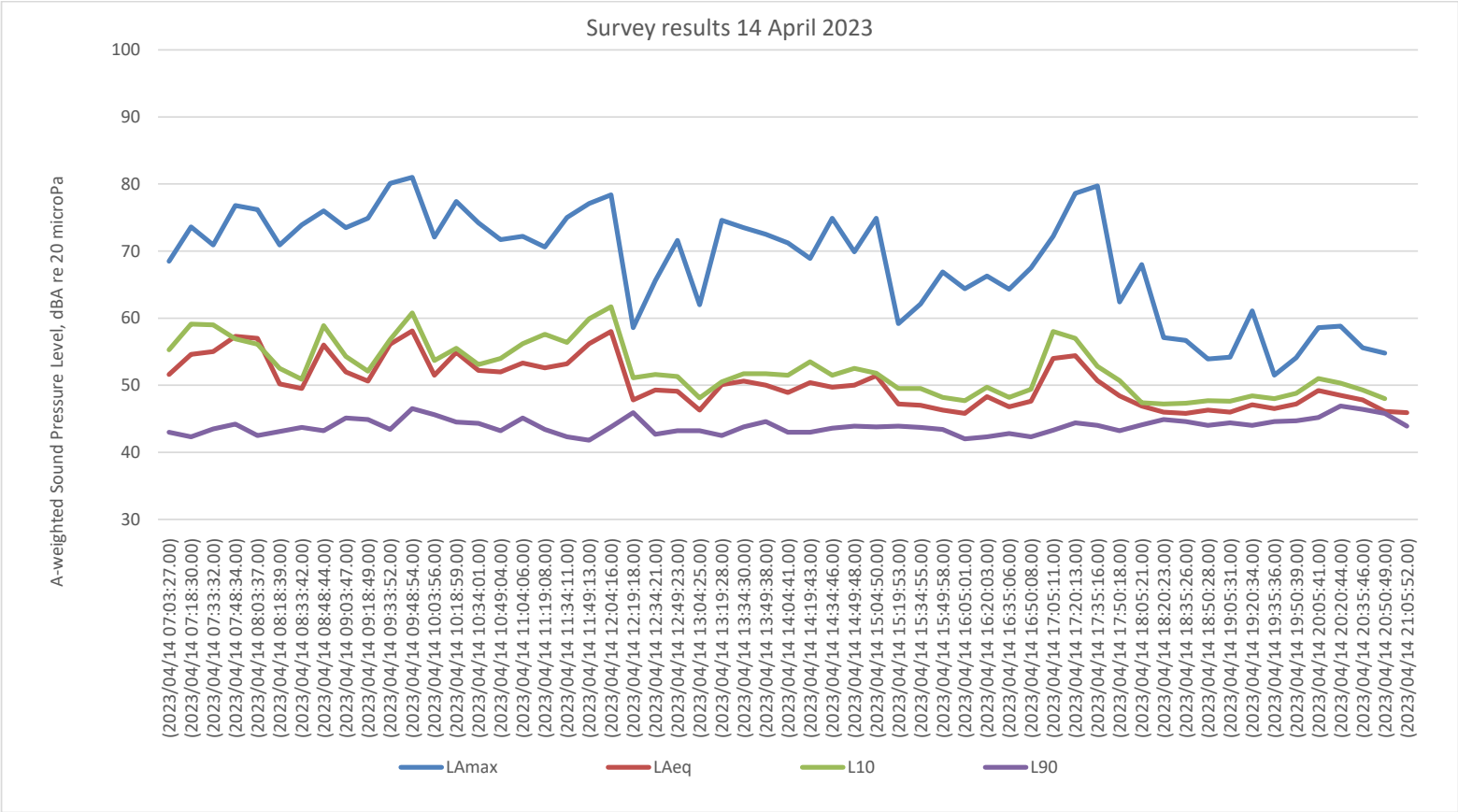
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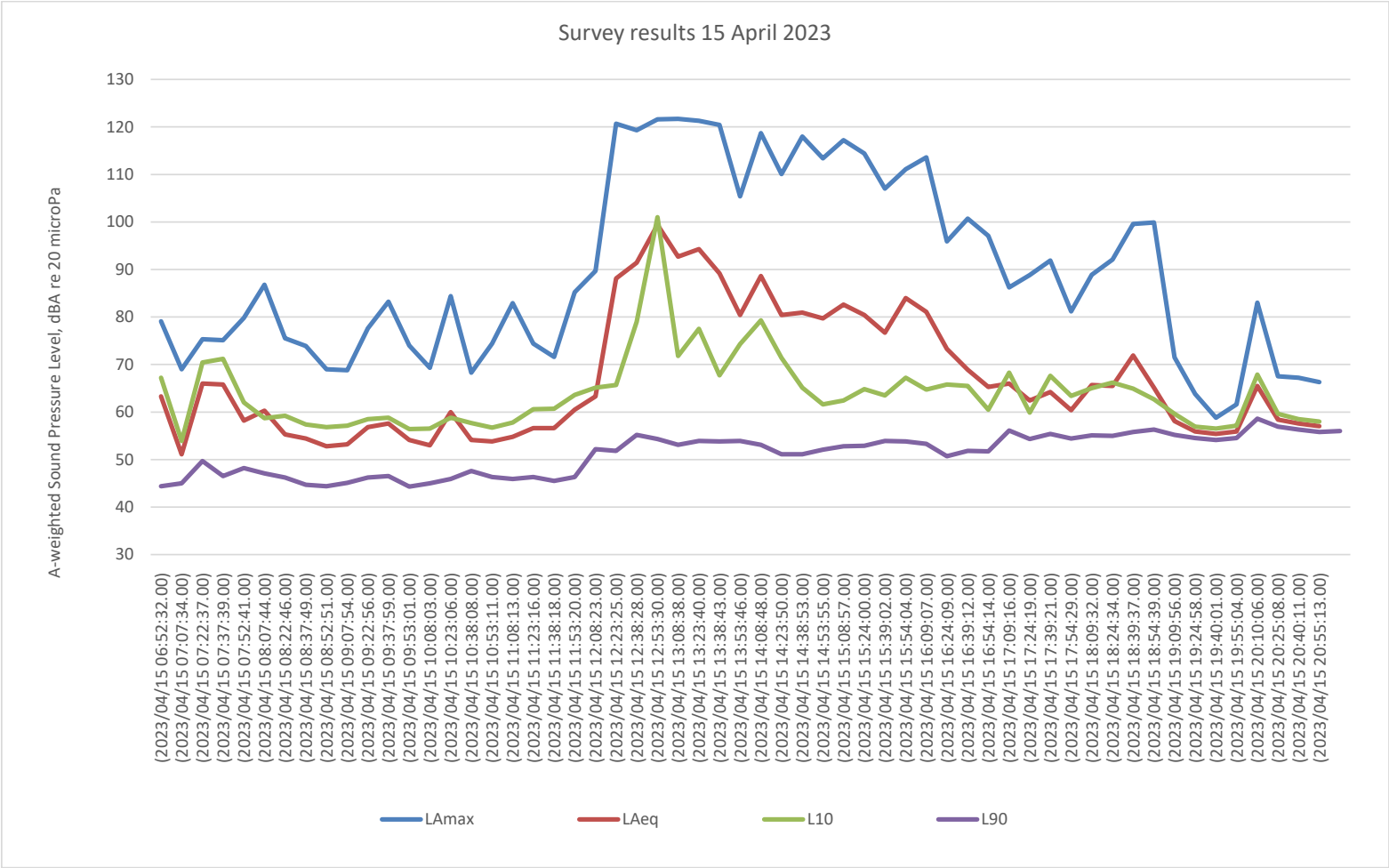


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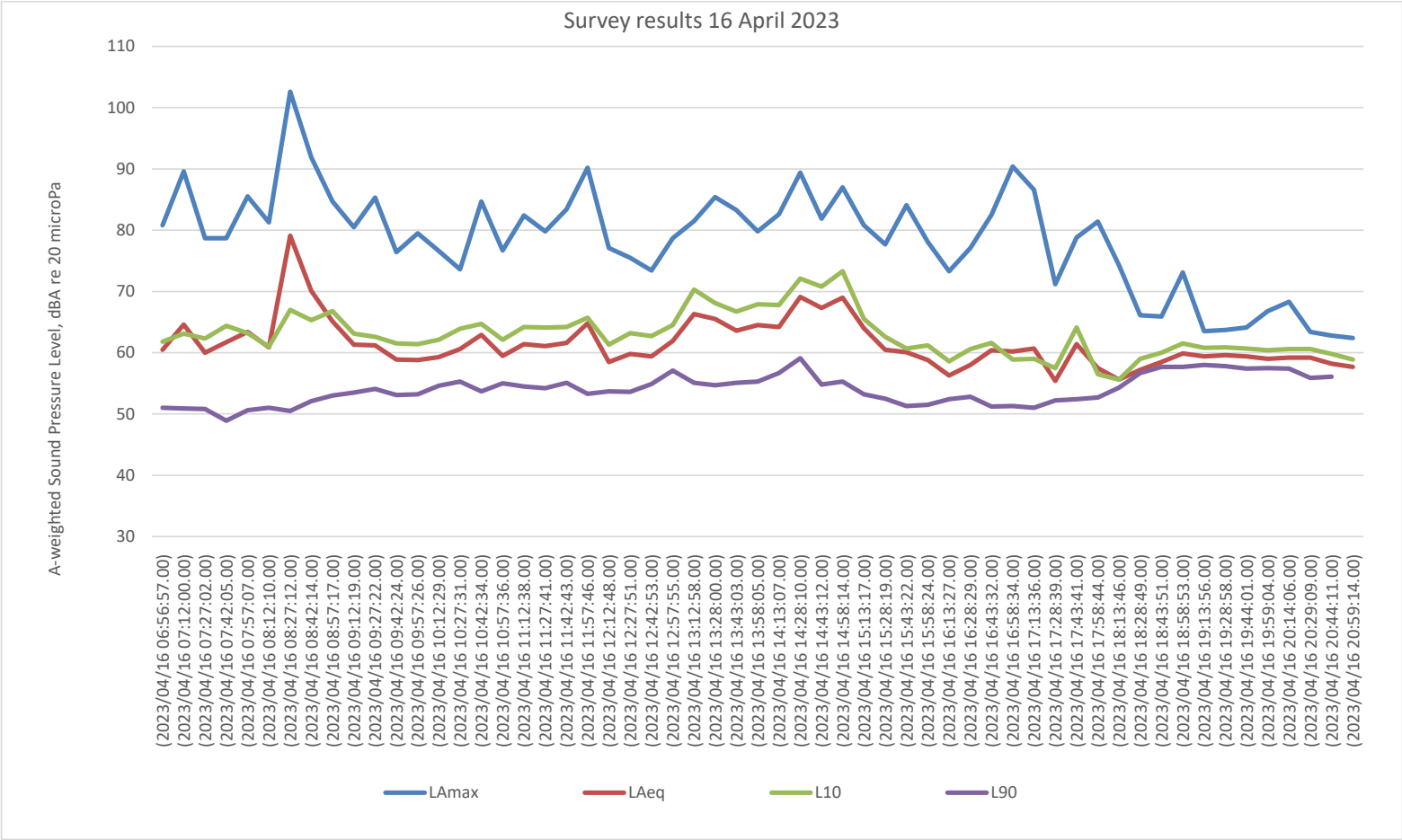


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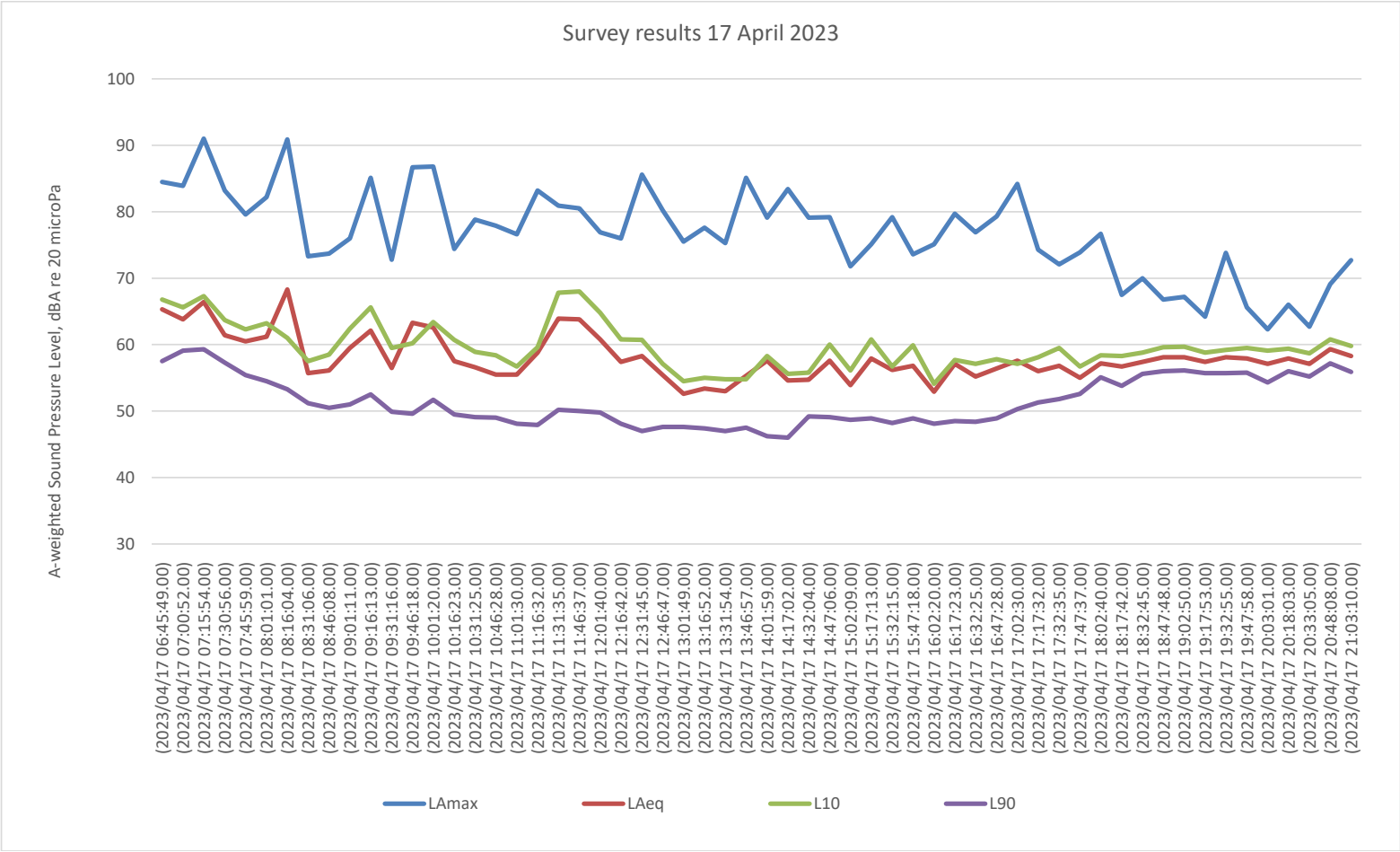
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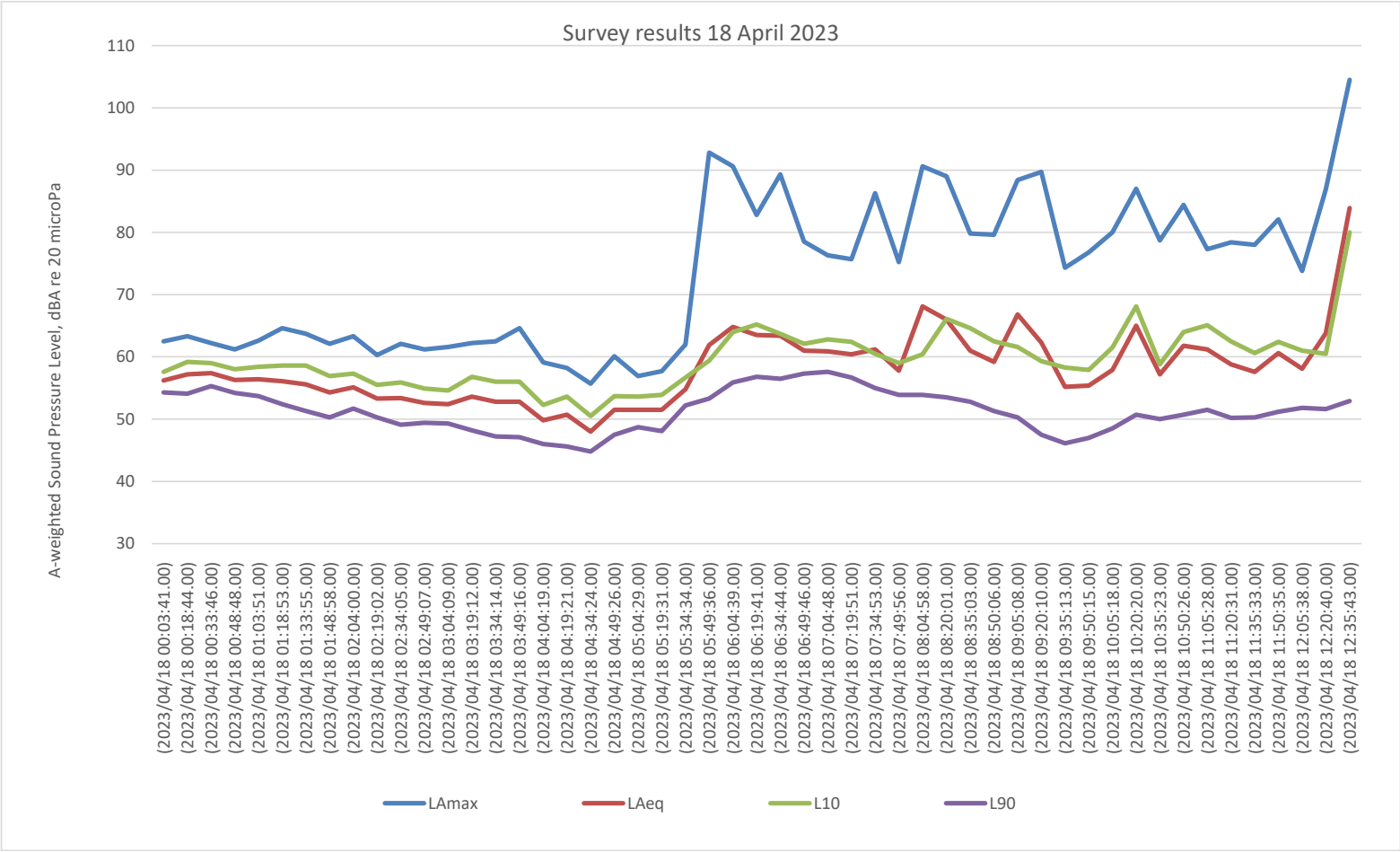
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May 2023
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**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT**



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BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
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**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT**

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Appendix B

Glossary of Acoustic Terminology

57535/6/1
May 2023
110483a

**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT**



dB(A) Also referred to as dBA. A unit of measurement, decibels (A), of sound pressure level which has its frequency characteristics modified by a filter ("A-weighted") so as to more closely approximate human ear response at a loudness level of 40 phons. The table below outlines the subjective rating of different sound pressure levels.

Noise Level (dBA)	Subjective Rating
25-30	Barely audible and very unobtrusive.
30-35	Audible but very unobtrusive.
35-40	Audible but unobtrusive.
40-45	Moderate but unobtrusive.
45-50	Unobtrusive with low levels of surrounding activity.
50-55	Unobtrusive with high levels of surrounding activity.

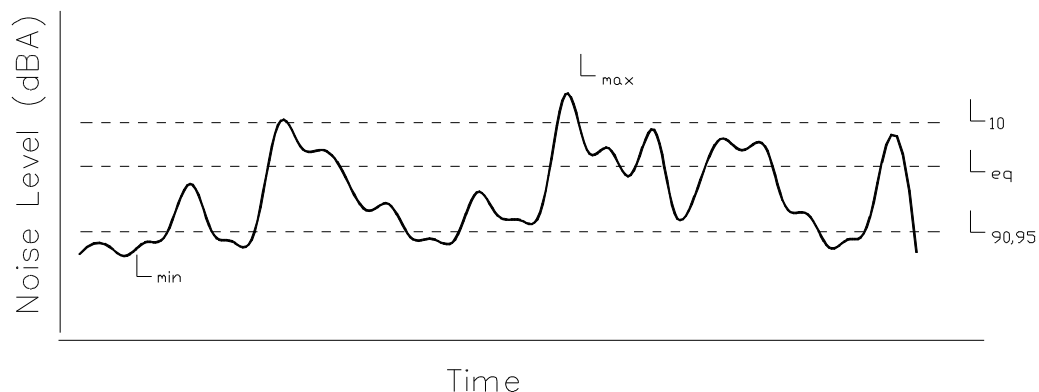
L₁ The noise level which is equalled or exceeded for 1% of the measurement period. L₁ is an indicator of the impulse noise level, and is used in Australia as the descriptor for intrusive noise (usually in dBA).

L₁₀ The noise level which is equalled or exceeded for 10% of the measurement period. L₁₀ is an indicator of the mean maximum noise level, and is used in Australia as the descriptor for intrusive noise (usually in dBA).

L₉₀, L₉₅ The noise level which is equalled or exceeded for 90% of the measurement period. L₉₀ or L₉₅ is an indicator of the mean minimum noise level, and is used in Australia as the descriptor for background or ambient noise (usually in dBA).

L_{eq} The equivalent continuous noise level for the measurement period. L_{eq} is an indicator of the average noise level (usually in dBA).

L_{max} The maximum noise level for the measurement period (usually in dBA).



Note: The subjective reaction or response to changes in noise levels can be summarised as follows: A 3dBA increase in sound pressure level is required for the average human ear to notice a change; a 5dBA increase is quite noticeable and a 10dBA increase is typically perceived as a doubling in loudness.

**BAROSSA UNITED FOOTBALL CLUB CHANGE ROOMS AND CLUBROOM
ENVIRONMENTAL NOISE ASSESSMENT**



STC/R_w

Sound Transmission Class or Weighted Sound Reduction Index. Provides a single number rating (from the sound transmission loss or sound reduction index for each frequency band) of the sound insulation performance of a partition. The higher the value, the better the performance of the partition. The subjective impression of different ratings is shown in the table below.

Type of noise source	STC/R _w Rating				
	40	45	50	55	60
Normal Speech	Audible	Just Audible	Not Audible		
Raised speech	Clearly Audible	Audible	Just Audible	Not Audible	
Shouting	Clearly Audible	Clearly Audible	Audible	Just Audible	Not Audible
Small television/small entertainment system	Clearly Audible	Clearly Audible	Audible	Just Audible	Not Audible
Large television/large hi-fi music system	Clearly Audible	Clearly Audible	Clearly Audible	Audible	Just Audible
DVD with surround sound	Clearly Audible	Clearly Audible	Clearly Audible	Audible	Audible
Digital television with surround sound	Clearly Audible	Clearly Audible	Clearly Audible	Audible	Audible

FSTC/R_w'

The equivalent of STC/R_w, unit for sound insulation performance of a building element measured in the field.

C_i, C_{tr}

The ratings (R_w, D_{nTW}, L_{nTW}) are weighted in accordance to a spectrum suited to speech. This term modifies the overall rating to account for noise with different spectra, such as traffic (C_{tr}) or footfalls (C_i). The ratings may be written as R_w+C_{tr}, or D_{nTW}/L_{nTW}+C_i.

NNIC/D_{nTW}

Normalised Noise Isolation Class, or Weighted Standardised Sound Level Difference. Provides a single number rating of the sound level difference between two spaces, and incorporates the effects of flanking noise between two spaces. This rating is generally accepted to be about 5 points less than the STC/R_w rating.

IIC/L_{nw}

Impact Insulation Class, or Weighted Normalised Impact Sound Level. L_{nw} = 110 - IIC. The higher the IIC rating, or the lower the L_{nw} rating the better the performance of the building element at insulating impact noise. The table below gives the subjective impression of different ratings:

IIC	L _{nw}	Subjective Rating
40	70	Clearly Audible
45	65	Clearly Audible
50	60	Audible
55	55	Audible
60	50	Just Audible
65	45	Inaudible

FIIC/L_{nTW}'

The equivalent of IIC/L_{nw}, but the performance is for the building element measured in the field.

Details of Representations

Application Summary

Application ID	22031513
Proposal	Construction of a new club room and change room facilities in association with soccer pitch
Location	11 PENRICE RD NURIOOTPA SA 5355, 20 PRIDER ST NURIOOTPA SA 5355

Representations

Representor 1 - Paul and Patricia Farkas

Name	Paul and Patricia Farkas
Address	16 Prider Street NURIOOTPA SA, 5355 Australia
Submission Date	13/02/2023 02:48 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

This development is far too close to residential properties (it backs onto the properties in Prider Street). There are concerns with noise levels from people attending matches and car park noise. Are there time restrictions in place and will the club rooms be let out for functions (is there a liquor license involved) as this also raises concerns for disorderly people loitering around the surrounding areas and making excessive noise or damage properties that these facilities back onto. There is a laneway between 18 and 22 Prider Street which we were assured the public will not have access to, is this still the case? The new fenced off area between the houses in Prider Street and the new pitch is only wire and does not block noise out and public have access to this area via a gate which raises concerns with people loitering or causing damage to properties. There are existing clubrooms that could have been utilized or upgraded which are next to the football clubrooms and are far enough away from residential houses.

Attached Documents

Representations

Representor 2 - Peter Thomas

Name	Peter Thomas
Address	22 Prider Street NURIOTPA SA, 5355 Australia
Submission Date	02/03/2023 03:50 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns

Reasons

The building does not resemble, in plan or in location, the proposed clubhouse we were shown plans of at the community consultation meeting held in the Sports and Function Centre when the redevelopment was introduced to the residents of Prider Street. If the plan for the clubhouse now being considered had been shown to us at that meeting I would have raised objections at that time. The residents who will be affected by this building have not been consulted at any time. The 960 sq mtr building is only some 20 mtrs from the nearest residence. It is some 60 mtrs from the next two nearest properties. Noise will be a real problem. The proposed building is immediately adjacent to an existing shed. We were advised by the Park Board Chairman that this building was to be used for the storage of park maintenance plant and equipment. The plan for the proposed building, and an on-site inspection, clearly shows that there is no vehicular access to the shed from the park. The carpark curbing prevents access from the carpark. A septic tank is shown to be constructed on the northern end of the building, another impediment to vehicular movement to the shed. Clearly there has been no consultation with Park management when planning the building and carpark in regard to vehicular access to the existing shed. The proposed building houses some 22 toilets and 16 showers. "Public use" toilets are accessed through the main room of the clubhouse. There is no provision for public toilets to be accessed from outside the building. Public toilet facilities are dependent on the Clubhouse keyholder being present and the building doors being opened. With the soccer pitches, main pitches and mini/mod pitches, being used for training at all hours on all days, it is questionable that the building will always be open and public toilets available. The next nearest public toilet is adjacent to the Sports Centre/ Football Clubrooms, many hundreds of metres south of the soccer carpark and pitches. I can't see little Johnny or Jenny walking all that way to use the toilet. At the one and only community meeting we were informed that the proposed clubhouse (the original planned building) would not be licenced. This assurance was given when a Prider Street resident asked the question. The proposed building has provision for a BAR with appropriate facilities. Why a BAR if the clubrooms is not to be licenced? Either the nearby residents or the architects have been misled. The roofline of this very large building is concerning. The box gutter in the middle of the two section roof will without doubt present problems. The building is situated to the east of the large bush reserve, part of the Nuriootpa High School. Westerly winds (the main weather quarter) will cover the roof with leaves and debris, and the box gutter will fill. Routine maintenance on public community buildings is notoriously poor or lacking. Why have a roofline which will eventually cause problems? I wonder if the architect had been on site, spoken to locals, and realized the potential problem. Whilst I realize that the clubroom project will go ahead as part of the BIG PROJECT creating yet another TAJ MAHAL, I am most critical of the lack of community consultation. The designers, architects and project managers have failed to make use of local knowledge. It is not too late to correct some of these very obvious shortfalls.

Attached Documents

Representations

Representor 3 - Glenys and Grant Brooks

Name	Glenys and Grant Brooks
Address	18 Prider Street NURIOOTPA SA, 5355 Australia
Submission Date	02/03/2023 05:33 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

The specific reasons we believe that planning consent should be granted/refused are: The noise coming from the sports field is bad enough but to have to endure ongoing increased noise from the clubrooms is going to be incredibly stressful. As the oval butts up against our back fence (and the proposed clubrooms very nearby) we never wanted the ovals there in the first place. Our backyard is lit up like a Christmas tree when the lights are on and floods into our home. Some training and a few games have already commenced and the noise when they all get together is extremely loud (even with all our doors & windows closed) let alone when they have a full on audience of spectators cheering them on. We could never truly fight the council on this as they would only permit Prider Street residents to have their say. So although we understand that the change rooms and toilet facilities are necessary we are pleading with you to not proceed with the consent for the bar and kitchen as this would allow for functions such as weddings and birthdays to take place and carry on at all hours the night. Yes, they do have a 10:00 PM curfew but just recently the music from the current football clubs was going on until 3:00 AM. so we don't hold much faith in that curfew being kept. At the original meeting we were informed that there would be no alcohol licence permitted at all. We are not naive enough to believe that no one can in the future obtain an alcohol licence but was assured that the clubrooms would not hold the facilities such as a function room, bar and kitchen that would enable those functions to be held. We purchased our home 20 years ago for the peace and quiet of the area and sadly that is about to be destroyed. Please, please do not make it unbearable for us by allowing the bar and kitchen area in the club rooms to proceed. If we had at any stage in our backyard, made 1/10th of the noise that is going to emanate from a fully packed soccer match then we would have the police on our doorstep immediately citing noise pollution/disturbing the peace. And that's what it comes down to, the peace we will be losing from our lifestyle and the stress and anxiety we will be gaining on top of the stress and anxiety we have already acquired from this project. Please put yourself in our position before you make your decision. Thank you.

Attached Documents



Level 1, 21 Roper Street
Adelaide 5000 South Australia
08 8338 5511
ABN 56 607 616 295
www.jensenplus.com.au

230509 P1423 Nuriootpa Soccer response to reps

9th May 2023

Janine Lennon
Senior Assessment Officer, Planning
The Barossa Council

Dear Janine,

Barossa United Football Club _ Application ID 22031513 _ Response to representations to proposed clubroom and change-room building.

The purpose of this letter is to provide a response to three representations which were received during the public notification period for the proposed clubroom and changeroom building at the Barossa United Football Club. This letter addresses the representations together with the architectural plans by Dash Architects dated 12/1/2023.

It is noted that this development is part of a larger project of which development applications have been approved in the past. Most relevant to this proposed building is Application ID 21007498 (for *"Installation of a soccer pitch and associated fencing; Installation of a mini soccer pitch with associated fencing; Extension of access road and installation of carpark; Installation of 4 lighting towers at 27.4m high; associated earthworks, stormwater, landscaping and screening"*) which received Development Approval on 5th April 2022. Consultation and engagement with residents in the Nuriootpa community, and subsequent design development, had been undertaken as part of the master planning process for this facility upgrade. A condition of that application (ID 21007498), stipulated buffer fencing and planting. The new 2.4m chainwire fencing has been installed on site, with planting of trees planned to go ahead in Autumn 2023. The 600mm fence extensions are outstanding but work is in progress with the residents that wish to proceed with them and targeted for completion by end July 2023.

Residents adjacent the Barossa United facility have continued to be provided with project updates by the project team at Council from time to time since that application received Planning Consent in 2021. It is noted that three of the six Prider Street properties directly to the rear (north) of the pitch/development have changed ownership within that period.

This subject application seeks approval for a clubroom building containing four change-rooms. The subject building is located south of residential properties on Prider Street and east of the playing field and west of the carpark (both of which received approval with ID 21007498). The proposal consists of one building containing four change rooms, a meeting room, bar and kitchen with associated office, storage and utility rooms associated with the sports facility.

The existing, large galvanised equipment shed will remain as is and in situ between the northern end of the proposed clubroom building and the residential properties (primarily no 18).

Hours of operation are proposed to be:

_ Weekdays 4pm-9.00pm



- Saturdays 8am- 12am (note: pitch lighting is required to be turned off by 9.50pm in accordance with Condition 7 of Development Approval with application ID21007498)
- Sundays: 8am to 6pm

The proposed building is intended to operate under a liquor license, which will be subject to a future application by Barossa United.

Three valid submissions were received. The details of these representations are detailed below. As some of the topics are shared by the representors, the topics of the representations are addressed individually.

Representation 1: G & G BROOKS, 18 Prider St, Nuriootpa _ in opposition.

This representation raises one topic which is summarised below:

1. *Noise concerns:*
 - a. *That a clubroom in close proximity to residential properties will increase the noise disruption experienced by residents, especially if the clubroom consists of a bar and kitchen.*
 - b. *A clubroom consisting of a bar and kitchen could be hired out as a venue to third parties, which will exacerbate the noise issue experienced by residents.*

2. *Building use (contributing to potential noise):*

- a. *Uncertainty relating to liquors license.*

(Note: this representation also identified noise disruption associated with the matches and training however, these elements are not part of the subject application and received Development Approval with application ID21007498.)

This representation also raised topics which are not considered to be related to the planning assessment of this development. They have been included below:

- *Light-spill associated with the oval and its use.*

Representation 2: P & P FARKAS, 16 Prider St, Nuriootpa _ in opposition

This representation raises two points which are summarised below:

1. *Building location: The development is located too close to residential properties (contributing to potential for noise impacts).*

(Note: this representation identified noise disruption associated with the matches and the car park, however, these elements are not part of the subject application and received Development Approval with application ID21007498.)

2. *Building use (contributing to potential noise): Uncertainty relating to hours of operation, whether the building will be able to be hired out for functions, and whether the building will have a liquor licence.*

This representation also raised topics which are not considered to be related to the planning assessment of this development. They have been included below:

- *Laneway access from Prider Street: does public access from this laneway remain closed? The new wire fence is not sufficient to block noise.*

(Note: The subject application does not require or plan to alter access to the site via the laneway off Prider Street and access will remain closed to the users of the facility, as per Condition 12 of Development Approval for ID 21700498. It is confirmed that this access was not used for site traffic at all during construction of the pitch with the only exception being installation of upgrades to the increased capacity transformer located in Prider Street by SAPN and associated contractors).

- *The existing clubrooms could have been utilised for this purpose with less impact on residential neighbours.*

(Note: the facility is a shed, not fit for purpose with no sanitary changing facilities or with capacity for the existing and ongoing needs of the club as the only regional soccer facility in the Council area).

Representation 3: P THOMAS, 22 Prider Street Nuriootpa _ in support with some concerns.

This representation raises two topics which are summarised below:

1. *Noise concerns: The building is located too close to residential properties.*
2. *Building use: uncertainty as to whether the building will have a liquor licence.*

This representation also raised topics which are not considered to be related to the planning assessment of this development. They have been included below:

- The proposed building does not reflect the plans originally presented to neighbours at community consultation,
- Access to a shed for the surrounding park is limited by the proposed building,
- Public access to proposed toilets is not certain nor enabled at all hours,
- The proposed roof design will trap leaves and require maintenance.

Response to topics raised in the representations:**Topic: Increased noise levels**

Response:

BESTEC have prepared an Environmental Noise Assessment Acoustic Services report (dated 4 May 2023) for the proposed facility. The report reviewed the proposed development's architectural drawings and performed a noise survey over a continuous 7-day period at the boundary of the nearest noise sensitive receiver. The report assessed a variety of the development's potential noise sources and their impacts on the nearest residential development. The noise sources included:

- _ Music noise resulting from functions taking place in the clubrooms;
- _ Patron noise;
- _ Noise associated with the use of the carpark, deliveries, and rubbish collection;
- _ Acoustic design recommendations in order to comply with the selected acoustic design criteria and recommendations for construction of the building envelope were provided.

Patron noise, which assumed 56 patrons (a quarter of the facilities full capacity) will talk outside, simultaneously with 56 patrons talking inside and found the combined noise levels at the nearest sensitive receiver will achieve both day and night criterion.

The assessment found that the music noise to the nearest sensitive receiver will achieve the required noise criterion. However, it is recommended that an automatic sound limiter is used to monitor and reduce sounds levels if maximum pressure level is exceeded (godBA) and that glazing (i.e., doors and windows) is closed during functions.

The report also found noise generated from the development's car park and potential service vehicles satisfy the night and day noise criterion.

At the time of the acoustic report, the proposed development's mechanical and plant were still being designed, therefore their noise impacts on surrounding sensitive receivers were not known. However, the report notes that these systems will need to be assessed against the nominated environmental and noise criteria.

BESTEC's report concluded that the noise generated by the proposed development is in accordance with the Planning and Design Code and SA EPA Environment Protection (Noise) Policy 2007.

1. Topic: Building use

Response:

The proposed use of the building is considered to be consistent and supportive of the established land use of the site as a sporting and recreational facility, with the site located in a Zone that is intended for



recreational uses. The proposed building is intended to be used in a similar way as other sporting clubrooms in Council's management, in that it is to operate within set hours to primarily support the functions of the sporting club as well as allow third party hire as a venue on set days only, to minimise potential for disruption to adjoining residents.

2. Topic: Building location

Response: The proposed building is adjacent sites which contain residential homes. The Planning and Design Code has policies relating to the interface between land uses. PO1.2 recommends that development adjacent to a site containing sensitive receivers (residential homes) or adjacent to a zone intended to accommodate sensitive receivers is designed to minimise adverse impacts.

Hours of operation, as per the BESTEC Acoustic report are:

- Weekdays 4pm-9.00pm
- Saturdays 8am- 12am (note: pitch lighting is required to be turned off by 9.50pm in accordance with Condition 7 of Development Approval with application ID21007498)
- Sundays: 8am to 6pm

Summary of key points:

1. BESTEC's Acoustic Report has found the proposed development satisfies appropriate noise criteria.
2. The land is zoned for recreational purposes consistent with the intended use of the facility.
3. The proposed use of the building is consistent with the established land use of the site.

I trust that this response adequately addresses the planning issues raised in the representations.

Please contact me on 8338 5511 if you wish to discuss any details of this response.

Yours faithfully



Daniel Marotti

Urban Planner

Jensen PLUS

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

Nil.

9. REPORTS – PANEL UPDATES

Nil.

10. REPORTS – OTHER BUSINESS

10.1 Review of The Barossa Assessment Panel Operating and Meeting Procedures

PURPOSE

To present a draft amendment to the Barossa Assessment Panel Operating Procedures based on previous feedback received from Panel Members.

BACKGROUND

Section 18 of the Planning, Development and Infrastructure (General) Regulations 2017 outlines that except insofar as a procedure is prescribed by the Act or these Regulations, the procedures of an Assessment Panel in relation to the conduct of its business will be as determined by the Assessment Panel.

The Operating Procedures were last amended by the Panel on 7 June 2022. A copy of the Operating Procedures is contained in **Attachment 1**. The changes that occurred in this iteration of the document were in nature of:

- a) New Section 18 regarding quarterly reporting of the development applications determined under delegated authority of the Barossa Assessment Panel and any development application delegated by the Panel where a deemed consent notice has been received;
- b) Amend Section 13 – *Information provided following preparation of the meeting agenda*, to provide greater clarity in relation to when circumstances of this kind shall apply and be dealt with.

The previous term of the Panel concluded on 31 December 2022. Prior to the conclusion of the previous term, the Panel were invited to provide feedback in relation to their experience working with the Operating and Meeting Procedures. A report was presented to the Panel for discussion at the meeting on 4 October 2022. A copy of the report is contained in **Attachment 2**.

At the Panel meeting on 7 February 2023, the Panel workshopped some matters contained within the Operating and Meeting Procedures and asked that staff come back with a report incorporating some recommended amendments to the Procedures. This report provides recommended changes and summarises the rationale for the changes.

DISCUSSION

A draft amended Operating and Meeting Procedures have been prepared and are contained in **Attachment 3**. The proposed changes are summarised under headings below:

Member must not abstain from voting

The Panel expressed feedback that the current Procedures do not make explicit whether a member can abstain from voting. A new clause 7.8 is recommended to make it explicit that a member or members cannot abstain from voting in relation to a matter arising for decision.

Hearing of representations

The Panel expressed feedback that it would like it made clear that a representor who desires to be heard will be afforded this opportunity to appear personally. It is noted that Clause 10.1 of the Procedures simply states the terms in Regulation 50(5) of the Planning, Development and Infrastructure (General) Regulations 2017 and it is suggested that this clause should not be amended.

A new clause 10.15 is proposed to make explicit that the discretion to determine whether a representor is allowed to appear personally will be delegated to the Assessment Manager, recognising that it is impractical for the Panel to decide each request before it, when the current practice provides that a representor will be given this right and that discretion rests with the Assessment Manager.

If the Panel would like this clause to appear as an entitlement, rather than as a discretion, then it could adopt such words, but it is not considered necessary as the Assessment Manager will afford this right to all representors that make such request.

Clause 10.7 is also proposed to be amended to make it clear that members of the Panel may question or seek clarification on a matter under consideration of the Panel. This addresses the Panel's concern that a representor or applicant could not provide a response to the Panel after the conclusion of the hearing of representations had occurred.

Hearing from applicant where there is no representation

The Panel expressed feedback that an applicant may not be afforded the opportunity to be heard where there are no representations. It is noted that Clause 10.10 does provide an applicant the opportunity to be heard, at the discretion of the Presiding Member, where their written response to representations requires explanation or where the Panel will otherwise benefit from hearing from them. It is suggested that the discretion to allow the applicant to speak is available and is presently effective to enable this outcome.

Deferral of applications

Clause 15.3 of the Operating Procedures presently precludes the Panel from deferring an application. While it is suggested that deferral is not the preferred outcome, it is suggested this clause be amended to enable circumstances where the Panel can defer an application. From time to time, it may be appropriate for the Panel to defer an application, with the consent of the applicant.

CONCLUSION

The Panel is invited to adopt the amended draft Operating and Meeting Procedures, which has been prepared based on feedback from the previous membership of the Panel and feedback received from the current Panel on 7 February 2023.

RECOMMENDATION

That the draft Operating and Meeting Procedures be endorsed.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Current Operating and Meeting Procedures [↓](#) 
- Attachment 2 Previous Panel report regarding Operating and Meeting Procedures presented to the 4 October 2022 Panel meeting [↓](#) 
- Attachment 3 Draft Barossa Assessment Panel Operating and Meeting Procedures [↓](#) 

BAROSSA ASSESSMENT PANEL OPERATING AND MEETING PROCEDURES



Document Owner:	The Barossa Council	Previous Approval	NEW
Document Control Officer:	DDES	Current Approval Date:	07/06/22
HPE Content Manager	20/71161	Next Review Date:	07/06/2024

1. APPLICATION

- 1.1 These Operating and Meeting Procedures apply to the Barossa Assessment Panel ("the Panel") established under section 83 of the *Planning, Development and Infrastructure Act 2016* ("the PDI Act") and having regard to the Terms of Reference for the Panel as adopted by the Council.
- 1.2 The Panel is a relevant authority pursuant to section 93 of the PDI Act.
- 1.3 The following principles should be applied with respect to the procedures to be observed at a Panel meeting:
 - 1.3.1 procedures should be fair and contribute to open, transparent and informed decision-making;
 - 1.3.2 procedures should encourage appropriate community participation as may be required under the PDI Act and the *Planning, Development and Infrastructure (General) Regulations 2017* ("the PDI Regulations");
 - 1.3.3 procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
 - 1.3.4 procedures should be sufficiently certain to give applicants, representors and the general community confidence in the deliberations at the meeting.
- 1.4 Interactions between Members of the Panel, the public, Council staff and elected Members of the Council are to be courteous and respectful.

2. MEETING NOTICE, TIMES AND VENUE

- 2.1 Scheduled meetings of the Panel will be held on the first Tuesday of each month (excluding the first Tuesday meeting in January) at 5pm, in person at the Council Offices, 43-51 Tanunda Road, Nuriootpa, or via online platform,

Barossa Assessment Panel Operating and Meeting Procedures7/6/2022

electronic or other means as determined by the Panel in consultation with the Assessment Manager unless there are no matters to be considered.

- 2.2 For the sake of clarity, if an in person meeting is convened, then individual Panel members may, with the prior permission of the Presiding Member, attend the meeting via online platform, electronic or other means.
- 2.3 Written notice of a meeting of the Panel must be given to each member of the Panel by the Assessment Manager at least three (3) business days before the date of the meeting.
- 2.4 The notice must set out the date, time and place of the meeting or, alternatively, long-in or other details for a meeting held via online platform, electronic or other means, and contain or be accompanied by the agenda for the meeting. The notice may be given to a Member of the Panel:
 - 2.4.1 personally; or
 - 2.4.2 by delivering the notice (whether by post or otherwise) to the usual place of residence of the Member or to another place authorised in writing by the Member; or
 - 2.4.3 by leaving the notice for the Member at an appropriate place at the principal office of the Council, if authorised in writing by the Member to do so; or
 - 2.4.4 by a means authorised in writing by the Member as being an available means of giving notice (e.g. email or facsimile transmission).
- 2.5 A notice that is not given in accordance with clause 2.4 of this document is taken to have been validly given if the Assessment Manager considers it impracticable to give the notice in accordance with that clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.
- 2.6 Special meetings (being additional meetings or alternative meetings) of the Panel may be required in special circumstances to expedite decisions on applications before the Panel, and will be called at the discretion of the Presiding Member in consultation with the Assessment Manager. Members of the Panel, applicants, representors and the public shall be given five (5) clear business days' notice of a special meeting of the Panel.
- 2.7 Public notice of a scheduled meeting will be provided at the Council office and on the Council's website.
- 2.8 A copy of the Agenda and reports from the Administration for every meeting of the Panel shall be available for viewing by the public at the Council office at least three (3) business days before the meeting.

Barossa Assessment Panel Operating and Meeting Procedures

7/6/2022

- 2.9 A copy of the Agenda and reports from the Administration for every meeting of the Panel shall be available for viewing on the Council's web site at least three (3) business days before the meeting.
- 2.10 A meeting of the Panel will commence as soon after the time specified in the notice of the meeting, as a quorum is present in accordance with clause 4.1 and 4.2 of these Operating and Meeting Procedures.
- 2.11 If a meeting is adjourned to another day, the Assessment Manager must:
 - 2.11.1 give notice of the adjourned meeting to each Member setting out the date, time and place of the meeting; and
 - 2.11.2 give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place/platform of the meeting together with access details (as relevant) to be placed on display at the principal office of the Council and/or the Council's website as determined by the Assessment Manager.
- 2.12 In the event the Presiding Member is not present, then the Panel shall appoint one of its members as the acting Presiding Member.

3. PUBLIC ACCESS TO MEETINGS

- 3.1 Members of the public are entitled to attend a meeting of the Panel other than as set out in sub-section 3.2 of these Operating and Meeting Procedures. Where a meeting is to occur in person, attendance may occur by attending the place of the meeting and observing the meeting from the public gallery. Where a meeting is to occur via online platform, electronic or other means, the meeting will be livestreamed or otherwise made accessible in a manner deemed appropriate by the Assessment Manager such that members of the public can hear and see the meeting as they would if located in the public gallery of an in person meeting.
- 3.2 The Panel may exclude the public from attendance at a meeting—
 - 3.2.1 during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:
 - (i) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
 - (ii) information the disclosure of which—
 - (A) could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and

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- (B) would, on balance, be contrary to the public interest;
 - (iii) information the disclosure of which would reveal a trade secret;
 - (iv) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (A) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (B) would, on balance, be contrary to the public interest;
 - (v) matters affecting the safety or security of any person or property;
 - (vi) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
 - (vii) matters that should be considered in confidence in order to ensure that the Panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
 - (viii) legal advice;
 - (ix) information relating to actual litigation, or litigation that the Panel believes on reasonable grounds will take place;
 - (x) information the disclosure of which—
 - (A) would divulge information provided on a confidential basis by or to a Minister of the Crown, the State Planning Commission, or another public authority or official; and
 - (B) would, on balance, be contrary to the public interest;
- 3.2.2 during so much of the meeting that consists of its discussion or determination of any application or other matter that falls to be determined by the Panel.
- 3.3 For the sake of clarity, where a meeting is convened via online platform, electronic or other means, and the Panel resolves to exclude the public from the meeting as per clause 3.2 above, exclusion of the public will occur, as relevant, through the livestream being paused, audio and video feeds being

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disabled or other means as determined by the Assessment Manager, for the duration of the confidential item.

- 3.4 The Panel is committed to transparency in decision making. Accordingly, the Panel's powers to enter into confidence as detailed at clause 3.2 above must be used sparingly and in extenuating circumstances and only in consultation with or on the advice of the Assessment Manager.

4. QUORUM

- 4.1 A quorum at a meeting of the Panel is a number obtained by dividing the total number of Members of the Panel for the time being in office by two (2), ignoring any fraction resulting from the division, and adding one (1).
- 4.2 The Panel comprises five (5) members and therefore a quorum at a meeting is three (3) members.
- 4.3 If the number of apologies received by the Presiding Member or the Council, indicate that a quorum will not be present at a meeting, the Presiding Member, may adjourn the meeting to a specified day and time.
- 4.4 Should a quorum not be reached within 30 minutes of the scheduled commencement time of the meeting and there is no apparent prospect of achieving a quorum within a reasonable time thereafter, the meeting will be cancelled and the business on the agenda will be considered at the next meeting of the Panel.
- 4.5 If a meeting is adjourned for want of a quorum, the Assessment Manager will record in the minutes the reason for the adjournment, the names of any Members present, and the date and time to which the meeting is adjourned.
- 4.6 In the event the Presiding Member is not present, then the Panel shall appoint one of its members as the acting Presiding Member.

5. DEPUTY MEMBERS

- 5.1 If a Member is, on reasonable grounds, unable to attend a meeting or part of a meeting, he or she must use his or her best endeavours to notify the Presiding Member or Assessment Manager at his or her earliest opportunity.
- 5.2 If notification pursuant to sub-section 5.1 is given, the Assessment Manager may request a Deputy Member attend the meeting in place of the Member for the meeting or part of the meeting.
- 5.3 Unless the context otherwise requires, a reference to a Member in these Operating and Meeting Procedures includes a Deputy Member.

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6. DEPUTY MEMBERS ATTENDING THE PANEL MEETING

- 6.1 If a Member provides sufficient notice, in advance of a meeting, that they are unavailable to attend a meeting, the relevant Deputy Member is to be notified by the Assessment Manager to attend and participate in that entire meeting.
- 6.2 If a Member has a conflict of interest in relation to an item on the meeting agenda and there is a risk that a quorum will not be achieved for that item, the Deputy Member is to be notified by the Assessment Manager to attend the meeting and participate for that item only.
- 6.3 The Assessment Manager will undertake all reasonable measures to ensure that Deputy Members are notified as required by clauses 6.1 and 6.2 above as soon as possible.
- 6.4 For clarity, if the Council Member appointed to the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member (Council member). If an independent Member of the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member (Independent Member), who is not an elected Member of the Council.

7. VOTING

- 7.1 Each Member of the Panel present at a meeting of the Panel is entitled to one (1) vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting is entitled to a second or casting vote.
- 7.2 Clause 7.1 does not apply to a person who is appointed as an 'additional member' of the Panel under Section 85 of the PDI Act.
- 7.3 All Members (other than additional members) of the Panel will participate in the decision of the Panel by a vote.
- 7.4 All decisions of the Panel shall be made on the basis of a majority consensus decision of the Members present. Where a meeting is held in-person, voting may occur by show of hands. In meeting is convened via online platform, electronic or other means, the Presiding Member will determine how voting should occur.
- 7.5 Minutes shall record the decision of the Panel on each development application and record a mover and seconder for items decided by vote.
- 7.6 A majority vote of the Panel shall be recorded in the minutes as the decision of the Panel and the vote or views of individual Members shall not be recorded in the minutes.

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- 7.7 Members of the Panel cannot submit any notice of motion to revoke or amend previous decisions of the Panel.

8. CONDUCT

- 8.1 Members of the Panel must act at all times in accordance Section 15(2) of the PDI Act and with the Assessment Panel Member - Code of Conduct ("the Code of Conduct") adopted by the Minister under Schedule 3 of the PDI Act.
- 8.2 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by a Member, an applicant, a representor or any person or persons present at the meeting of the Panel until such time as the disruption or disturbance ceases, or failing that, order a persons or persons to leave the meeting. Where a meeting is convened via online platform, electronic or other means, the Presiding Member may mute or disconnect a person from the meeting where they are causing disruption or disturbance.
- 8.3 As specified in the Assessment Panel Members – Code of Conduct, Members of the Panel must not initiate individual discussions with applicants, representors or government agencies regarding a matter that is or is likely to be before the panel for determination, and, if placed in a situation where such discussion is unavoidable, should not express an opinion that could be constructed as having made a decision in relation to the proposal before the panel has collectively assessed and determined the development application.
- 8.4 Members of the Panel must carefully consider all agenda reports and recommendations prior to and during meetings. If a Member of the Panel does not agree with a recommendation made, the Member must articulate their reasons. Where the Panel departs from a recommendation, it must provide sufficient reasons for its decisions to comply with the requirements of the Act and so that appropriate minutes can be recorded.
- 8.5 In circumstances where a Member of the Panel has a question arising from an agenda report, they should raise their question with the Assessment Manager no later than 24 hours prior to the meeting so that the Assessment Manager can thoroughly consider the question, communicate it to other Members of the Panel and prepare an appropriate response.

9. CONFLICT OF INTEREST

- 9.1 If a Member of the Panel is of the view that they have a conflict of interest in relation to a matter before the Panel, the Member must:
- 9.1.1 as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the Panel; and

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9.1.2 make a disclosure clearly stating the nature of that interest in writing to the Presiding Member, and then in the Panel meeting when the relevant agenda item is reached, make a verbal disclosure to the assessment Panel and remove themselves from the meeting in accordance with clause 7(b) of the Code of Conduct.

9.2 If an interest is declared by a Member at a Panel meeting the nature of the interest must be recorded in the minutes of that meeting.

10. HEARING OF REPRESENTATIONS

10.1 Pursuant to Regulation 50(5) of the PDI Regulations, where a person has:

10.1.1 made a written representation in accordance with Regulation 50(1) of the PDI Regulations; and

10.1.2 indicated an interest in appearing before the Panel,

the Panel may, if it considers that it would assist the Panel in making its decision on an application, allow a representor an opportunity to appear personally or by a representative before the Panel in support of their representation.

10.2 For the sake of clarity, appearance before the Panel includes appearance by online platform, electronic or other means where a meeting is not held in person.

10.3 Pursuant to Regulation 50(6) of the PDI Regulations, if the Panel determines to here representors in accordance with clause 10.1, it must:

10.3.1 give notice to the applicant of the place and time where the representor has been invited to appear; and

10.3.2 if the applicant appears, allow the applicant, either personally or by representative, a reasonable opportunity, on request, to respond to any relevant matter

10.4 Hearing of representations by the Panel will take place at the commencement of the consideration of the relevant agenda item.

10.5 Persons making representations will be allocated five (5) minutes to address the Panel, unless otherwise determined by the Presiding Member, acting reasonably. Additional time may be provided in accordance with clause 13.3.

10.6 The applicant is allocated ten (10) minutes to respond to the representations made to the Panel, unless otherwise determined by the Presiding Member, acting reasonably. Additional time may be provided in accordance with clause 13.3.

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- 10.7 Representors and applicants will not be allowed a further opportunity to address the Panel after the conclusion of the hearing of representations.
- 10.8 Only representors (or their representative) who have made representation in accordance with Regulation 50 of the PDI Regulations, and with the consent of the Panel, will be entitled to be heard by the Panel.
- 10.9 Representors must be personally present (or represented) at the meeting scheduled to hear their verbal representation. If a representor (or their representative) is not present at the relevant time, the opportunity to be heard in support of their representation is forfeited.
- 10.10 Where no representors appear at the hearing of representations an applicant may only be heard (at the discretion of the Presiding Member) where their written response to representations requires explanation or where the Panel will otherwise benefit from hearing from them.
- 10.11 Members of the Panel may question and seek clarification from representors and the applicant at the conclusion of their address to the Panel.
- 10.12 Where a meeting is to be held via online platform, electronic or other means, the hearing of representations and the application will occur in a manner which allows the representors and applicant to interact with the Panel as per clauses 10.1 – 10.11 above.
- 10.13 Pursuant to regulation 50(6) of the PDI Regulations, a representor must indicate on their written representation whether they wish to appear personally or by representative to be heard on their representation. Elected members of the Council may, in their personal capacity and not in their capacity as elected members, make representations on development applications or act as the representative of a representor and be heard at a meeting of the Panel. Where this occurs, elected members of the Council can be treated no differently to other representors or representatives of representors and the Panel must have regard to sections 93, 98 and 99 of the PDI Act and the capacity of the Panel as an independent relevant authority and that it does not act at the direction of the Council.
- 10.14 Individual elected members of The Barossa Council do not have a right to be heard by the Panel otherwise than in accordance with clause 10.13 above

11. MINUTES AND OTHER DOCUMENTS

- 11.1 The Panel must ensure that accurate minutes are kept of its proceedings.
- 11.2 The minutes of the proceedings of a meeting will record:
- 11.2.1 how the meeting was convened and when it commenced;

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- 11.2.2 the names of the members of the Panel present;
- 11.2.3 the name and time of Members of the Panel entering or leaving the meeting;
- 11.2.4 the name of a person who has made a verbal representation to the Panel at the meeting;
- 11.2.5 the name of a person who appears in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate);
- 11.2.6 the decision of the Panel;
- 11.2.7 the decision of the panel to exclude public attendance including reasons.
- 11.2.8 a disclosure by a member of the Panel of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development required under the PDI Act.

11.3 Members of the public are entitled to reasonable access to:

- 11.3.1 the agendas for meetings of the Panel; and
- 11.3.2 the minutes of meetings of the Panel.

11.4 The Panel may, before it releases a copy of any minutes under clause 11.3, exclude from the minutes information about any matter dealt with on a confidential basis by the Panel.

11.5 Minutes must be available under clause 11.3 within five (5) business days after their adoption by the Members of the Panel.

11.6 Minutes shall not be formal minutes until adopted by the Panel at the next meeting of the Panel. However, this does not preclude the issue of a Decision Notification advising of the determination of the Panel immediately after a meeting at which the Panel made its determination.

11.7 Upon adoption of the minutes, the Presiding Member shall authorise the minutes by signature and date of adoption on the last page of the minutes.

12. SITE INSPECTIONS AND LOCALITY VISITS

12.1 Formal site visits may be arranged on request from a Member of the Panel. A Member of the Panel may request attendance of a Council Officer to provide relevant information. The Panel will not hear deputations at a formal site visit.

12.2 Locality visits by one or more Members of the Panel must be undertaken in accordance with the Code of Conduct.

Barossa Assessment Panel Operating and Meeting Procedures7/6/2022**13. INFORMATION RECEIVED AFTER MEETING AGENDA IS FINALISED**

13.1 At the discretion of the Presiding Member (in consultation with Members of the Panel), any new or additional material submitted to the Panel by an applicant or representor, in accordance with clause 13.2 above may be:

13.1.1 accepted and considered; or

13.1.2 not accepted and not considered,

the Presiding Member's determination in this regard is final.

13.2 In determining whether to accept and consider the information pursuant to clause 13.4.1, the Presiding Member should consider the following:

a) The content of the information and whether it is relevant to the matter of whether Planning Consent should be granted

b) The time available for the information to be properly considered by the applicant, the representors (as relevant) and the Panel;

c) The reasons why the information was not provided within the application (or representation as relevant);

d) Prejudice that may be suffered on the other party (applicant or representor/s as relevant) by accepting or not accepting the information.

13.3 Whenever new or additional information or material provided by the applicant is accepted and considered by the Panel, representors may be provided with five additional minutes to their hearing time to address the Panel on the additional information. The applicant will be provided with five (5) additional minutes to respond to the representors' comments.

13.4 Whenever new or additional information or material provided by a representor is accepted and considered by the Panel, the representor who provided the information or material may be provided with five (5) additional minutes to their hearing time to address the Panel on the additional information. The applicant will be provided with five additional minutes to respond to the representor's comments

14. FORM OF DEBATE AND MOTIONS

14.1 In order to ensure informed decision making and to facilitate comprehensive consideration of issues, debate and discussion by the Panel of matters before it shall be, as far as practicable, informal within the bounds of professional meeting procedures and the principles of natural justice and procedural fairness.

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- 14.2 In the interests of informality, during hearings of representations the Presiding Member will be referred to as "Presiding Member", and Members of the Panel will be referred to by their first name (not by title or position). In subsequent discussion of items during in the meeting of the Members (including the Presiding Member) may refer to each other by their first names and address Council staff by their first names.
- 14.3 At the conclusion of debate and discussion of matters, the Presiding Member will call for a motion enabling the Panel to determine the matter.
- 14.4 A motion will lapse if it is not seconded at the appropriate time.
- 14.5 The Presiding Member, in the absence of comment/discussion in relation to the matter requiring determination, will either move a motion or will request a motion to be moved and seconded.
- 14.6 Voting in favour or against a motion, as requested by the Presiding Member, shall be by show of hand.
- 14.7 The Presiding Member will request each Member to vote on a motion and then declare the outcome.

15. DECISION MAKING

- 15.1 The Panel must have regard to the Planning and Design Code as the basis for its decisions along with any written and verbal representations.
- 15.2 The Panel will make decisions in accordance with the timeframes set out in section 125 of the PDI Act.
- 15.3 To ensure that timeframes are met for making decisions the Panel will make a decision to either grant or refuse Planning Consent, and will not defer applications for the purpose of requesting further information or amendments.
- 15.4 In making a decision, the Panel:
 - 15.4.1 must state whether the proposal is seriously at variance with the Planning and Design Code, in doing so must refuse to grant Planning Consent and provide reasons for the decision;
 - 15.4.2 if the proposal is not seriously at variance with the Planning and Design Code, the Panel must determine whether Planning Consent is granted or refused.
 - (a) Where Planning Consent is granted subject to conditions, reasons why the conditions have been imposed must be provided.

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- (b) Where Planning Consent is refused, the reason for refusal must be provided.

15.5 All agenda reports will contain a recommendation which accords with the assessing officer's assessment of the development application. In circumstances where the assessment of a development application is considered by administration to be finely balanced, an alternative recommendation may be provided. Alternative recommendations may require further detail to be inserted by the Panel. Members of the Panel are expected to thoroughly consider recommendations before they are adopted. If the Panel determines a development application contrary to a recommendation, the Panel must ensure that the decision is thorough and contains adequate, clear and understandable reasons. Where a Member of the Panel wishes to move a recommendation which differs from that made by administration, the Member should contact the Assessment Manager for advice on their recommendation at least twenty four (24) hours prior to the meeting.

16. ASSESSMENT PANEL REVIEW OF DECISIONS OF ASSESSMENT MANAGER

16.1 This clause applies to reviews commenced by applicants pursuant to section 203 of the PDI Act ("Application for Review"). For clarity, this process applies to applications assessed and determined by the Assessment Manager as the relevant authority pursuant to section 96 of the PDI Act. No representations are permitted for the original applications or the review process.

16.2 Applications for Review:

16.2.1 may, pursuant to section 201 of the PDI Act, relate to:

- (a) any assessment, request, decision, direction or act of the Assessment Manager that is relevant to any aspect of the determination of the relevant application;
- (b) a decision to grant or refuse a development authorisation; or
- (c) the imposition of conditions in relation to a development authorisation; or
- (d) subject to any exclusion prescribed by the PDI Regulations, any other assessment, request, decision, direction or act of a relevant authority under this Act in

16.2.2 must be submitted using the [Application to Assessment Panel for Assessment Manager's Decision Review](#) ("the Form");

16.2.3 lodged in a manner identified on the Form; and

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- 16.2.4 lodged within one month of the applicant receiving notice of the reviewed matter pursuant to clause 16.2.1 above, unless the Presiding Member in their discretion, grants an extension of time.
- 16.3 In determining whether to grant an extension of time, the Presiding Member may consider:
- 16.3.1 the reasons for the delay;
 - 16.3.2 the length of the delay;
 - 16.3.3 whether any rights or interests of other persons would be affected by allowing the review to be commenced out of time;
 - 16.3.4 the interests of justice;
 - 16.3.5 whether the applicant has, or is within time to, appeal the prescribed matter to the ERD Court;
 - 16.3.6 any other matters the Presiding Member considers relevant; and
 - 16.3.7 consultation with the Assessment Manager.
- 16.4 The Assessment Manager must ensure that the following documents are provided on the relevant Agenda for an Application for Review:
- 16.4.1 a report to the Panel containing all of the details of the relevant development application and the details of the reviewed decision;
 - 16.4.2 all materials which were before the Assessment Manager (or their delegate) at the time of the reviewed decision including (as relevant):
 - (a) application documents, reports, submissions, plans, specifications or other documents submitted by the applicant;
 - (b) internal and/or external referral responses; and
 - (c) any report from administration or an external planning consultant provided to the Assessment Manager (or their delegate);
 - 16.4.3 any assessment checklist used by the Assessment Manager (or their delegate) when making the reviewed decision;
 - 16.4.4 any other information requested by the Presiding Member.
- 16.5 The Assessment Manager must advise the applicant of the time and date of the Panel meeting at which the review application will be heard.

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- 16.6 The applicant will be provided with five (5) minutes to address the Panel on their review and why they believe the Panel should reach a different decision to that made by the Assessment Manager or their delegate.
- 16.7 On review, the Panel will consider the reviewed decision afresh on the information provided to it and on the submissions of the applicant.
- 16.7.1 Information, materials, plans, details, specifications and other documents which were not before the Assessment Manager at the time of the decision on the Prescribed Matter will not be considered by the Panel.
- 16.7.2 In addition to clause 16.6 above, the Presiding Member may permit Panel members to ask questions or seek clarification from the applicant and/or the Assessment Manager, in his or her discretion.
- 16.8 The Assessment Manager must be present at the Panel meeting to respond to any questions or requests for clarification from the Panel.
- 16.9 Where the decision was made by a delegate of the Assessment Manager, the delegate may appear in place of the Assessment Manager.
- 16.10 The Presiding Member will invite all Panel Members to speak on any matter relevant to the review.
- 16.11 The Panel may resolve to defer its decision if it considers it requires additional time or information to make its decision.
- 16.12 The Panel may, on a review:
- 16.12.1 affirm the Assessment Manager's decision on the Prescribed Matter;
- 16.12.2 vary the Assessment Manager's decision on the Prescribed Matter;
- or
- 16.12.3 set aside the Assessment Manager's decision on the Prescribed Matter and substitute its own decision.
- 16.13 The Assessment Manager will advise the applicant, in writing, of the Panel's decision within five (5) business days of the meeting or otherwise prescribed by the PDI Regulations.

17. PLANNING APPEALS

- 17.1 Should an appeal be lodged in relation to a decision of the Panel, the Panel will determine whether any "compromise proposal" is appropriate or the matter proceed to a hearing in the Environment, Resources and Development Court.

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- 17.2 Should the Panel not make a decision in respect of an application within the time prescribed in the PDI Act and the Panel receives a deemed consent notice from the applicant in accordance with section 125(2) of the PDI Act, the Panel to decide whether to apply to the Court to have deemed consent notice quashed.
- 17.3 The Assessment Manager/Director, Development and Environmental Services/CEO is authorised to make decisions as to the conduct of appeals (including Judicial Review) subject to consulting with the Presiding Member.
- 17.4 Any compromise arising from an appeal shall be presented to the Panel for a decision.
- 17.5 In the event of an urgent matter, that the Panel may determine by electronic meeting in accordance with its General Operating Procedures.

18. QUARTERLY REPORTING

- 18.1 The Assessment Manager will prepare:
 - 18.1.1 A quarterly report of the development applications determined under delegated authority of the Barossa Assessment Panel for the previous period;
 - 18.1.2 A report at the next meeting of the Panel for any development application delegated by the Panel where a deemed consent notice has been received.

19. VALIDITY OF PROCEEDINGS

- 19.1 A proceeding of the Panel (and any decision made by the Panel) is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

20. COMPLAINTS

- 20.1 A person may make a complaint to the State Planning Commission ("the Commission") if the person believes that a Member of the Panel has acted in contravention of the Code of Conduct.
- 20.2 A complaint must:
 - 20.2.1 be in writing; and
 - 20.2.2 contain particulars of the allegation on which the complaint is based; and
 - 20.2.3 be verified by statutory declaration.

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- 20.3 Except with the approval of the Commission, a complaint must not be lodged with the Commission more than six (6) months after the day on which the complainant first had notice of the matters alleged in the complaint.

21. MISCELLANEOUS MATTERS

- 21.1 An applicant may not defer matters from the meeting agenda after the agenda has been sent to Members of the Panel, unless agreed at the meeting or by the Presiding Member prior to the meeting. The applicant must make this request in writing to the Assessment Manager, including reason(s) for their request to defer.
- 21.2 Should a Member of the Panel receive by direct post, fax, e-mail or other means, information in relation to a development application being assessed by Council development assessment officers which may be referred for decision by the Panel at a future time, then the Member of the Panel should immediately forward the information received to the Assessment Manager. The Member of the Panel should not acknowledge receipt of the information nor enter into discussion with the sender in relation to any matters contained within the information received. If a Member of the Panel receives such information, he or she must disclose this fact at the relevant Panel meeting, and confirm that the information will not be taken into account for the purposes of making a decision on the relevant application.
- 21.3 Should a request be made for public comment on the operations or decisions made by the Panel then the matter should be referred to the Presiding Member. Comment may be made at the discretion of the Presiding Member.
- 21.4 A Member of the Panel at a meeting may request independent expert advice on any relevant matter before the Panel. Such requests are to be referred to the Assessment Manager for approving of and authorising the engagement of any independent experts. If the Assessment Manager decides not to engage such advice the Panel must be advised of the decision and the reason as soon as reasonably possible.
- 21.5 The role of the Panel is not one of mediator or arbitrator for parties expressing divergent views but as is a decision maker charged with the responsibility of assessing each development application against the Planning and Design Code. It is a role that is inquisitorial rather than adversarial. The Panel does not therefore have a role as a mediator or arbitrator at its meetings or otherwise between an applicant and representors.

22. OTHER MATTERS

- 22.1 Except insofar as a procedure is not prescribed by the PDI Act or PDI Regulations under the PDI Act, the procedures of the Panel in relation to the conduct of its business will be as determined by the Panel.

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22.2 The Panel will review these Operating and Meeting Procedures on an annual basis.

Signed **Dated:**
Presiding Member

11. REPORTS – OTHER BUSINESS

11.1 Barossa Assessment Panel Operating and Meeting Procedures - Discussion Paper for Feedback

PURPOSE

To seek feedback regarding the operation of the Barossa Assessment Panel Operating Procedures to inform future changes under subsequent report.

BACKGROUND

The current membership of the Barossa Assessment Panel was formed on the 15 June 2021, following implementation of the *Planning, Development and Infrastructure Act 2016 (PDI Act)*. Section 18 of the *Planning, Development and Infrastructure (General) Regulations 2017* outlines that except insofar as a procedure is prescribed by the Act or these Regulations, the procedures of an Assessment Panel in relation to the conduct of its business will be as determined by the Assessment Panel.

The Operating Procedures were last amended by the Panel at its meeting on 7 June 2022. A copy of the Operating Procedures is contained in **Attachment 1**. The recent changes were in respect to:

- a) New Section 18 regarding quarterly reporting of the development applications determined under delegated authority of the Barossa Assessment Panel and any development application delegated by the Panel where a deemed consent notice has been received;
- b) Amend Section 13 – *Information provided following preparation of the meeting agenda*, to provide greater clarity in relation to when circumstances of this kind shall apply and be dealt with.

As part of the PDI Act implementation, the Local Government Association in partnership with Norman Waterhouse lawyers developed Model Meeting Procedures to act as a template for Council Assessment Panels. The Model Procedures were last updated in July 2022 and the most recent changes reflect the adoption of Section 39 of the *Legislation Interpretation Act 2021* which allows for meetings to be conducted via audio visual or audio means. This change has meant that meetings of Assessment Panels can continue to be conducted via electronic means, despite the repeal of Section 17 of the *Covid-19 Emergency Response Act 2020*. A copy of the most recent version of the Model Procedures is contained in **Attachment 2**.

Recognising that the current term of the Panel will conclude on 31 December 2022, it is timely that the Panel is invited to provide feedback on the general performance and mechanics of the the Operating and Meeting Procedures, to inform future changes that may be presented to the Panel for consideration when the new Panel is formed on 1 January 2023.

DISCUSSION

The Operating and Meeting Procedures have not been modelled on the LGA's Model Meeting Procedures and therefore the contents of the Barossa Assessment Panel Operating and Meeting Procedures differ in certain respects although there are many common clauses within the document. The Model Procedures do provide a model structure and appropriate expression to guide the Panel's operations and may offer

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example of how certain clauses within the current Procedures might be amended, should there be desire to amend them.

The Panel is requested to offer feedback on the operations of the Procedures and this report provides some discussion in respect to some key elements of the Operating and Meeting Procedures, under headings below:

Clause 8.5 – Questions raised by Panel Members prior to meeting

8.5 *In circumstances where a Member of the Panel has a question arising from an agenda report, they should raise their question with the Assessment Manager no later than 24 hours prior to the meeting so that the Assessment Manager can thoroughly consider the question, communicate it to other Members of the Panel and prepare an appropriate response.*

This clause seeks to ensure that any questions posed by Panel members can be properly considered and a response provided to all Panel members, prior to the meeting. While this is appropriate, at times there may be instances where a late question is posed and the current construction of this clause may discourage Panel members from raising genuine issues at a late stage. There is benefit in any issues/questions being flagged with the Assessment Manager, even if a complete response is unable to be provided to all members prior to the meeting.

Clauses 10.1 and 10.3 – Hearing of Representations

10.1 *Pursuant to Regulation 50(5) of the PDI Regulations, where a person has:*

- 10.1.1 made a written representation in accordance with Regulation 50(1) of the PDI Regulations; and*
- 10.1.2 indicated an interest in appearing before the Panel,*

The Panel may, if it considers that it would assist the Panel in making its decision on an application, allow a representor an opportunity to appear personally or by a representative before the Panel in support of their representation.

10.3 *Pursuant to Regulation 50(6) of the PDI Regulations, if the Panel determines to hear representors in accordance with clause 10.1, it must:*

- 10.3.1 give notice to the applicant of the place and time where the representor has been invited to appear; and*
- 10.3.2 if the applicant appears, allow the applicant, either personally or by representative, a reasonable opportunity, on request, to respond to any relevant matter.*

Representors may request to be heard but Regulation 50(5) of the PDI Regulations gives discretion to the Panel to determine if a representor is afforded an opportunity to appear personally if it considers that it would assist the Panel in making its decision on an application. Unlike the previous Category 3 process under the *Development Act 1993*, representors are not given an automatic right to appear

Regulation 50(5) and (6) are constructed in a way that requires the discretion to be exercised prior to the meeting, however, the practice has been that representors are afforded this opportunity without a decision being made by the Panel (ie. for every

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time a representor requests to be heard), such that administration grant this right and inform the representors of the place and time the person will be invited to appear.

Given the practice that representors will generally be afforded an opportunity to be heard and that representors must be informed of their opportunity to speak, the place and time for the meeting, in advance of the meeting, Clause 10.1 could be amended to better reflect the current practice and to provide explicit delegation to the Assessment Manager to exercise this discretion, rather than the current construction of Clauses 10.1 and 10.3 which refers to the Panel.

Clauses 10.5 and 10.6 – Allocation of time for address to the Panel

10.5 *Persons making representations will be allocated five (5) minutes to address the Panel, unless otherwise determined by the Presiding Member, acting reasonably.*

10.6 *The applicant is allocated ten (10) minutes to respond to the representations made to the Panel, unless otherwise determined by the Presiding Member, acting reasonably.*

In the previous matter of the Nexus tourist development, presented to the Panel on 5 April 2022, a representor was nominated as the spokesperson on behalf of two other representor. After consideration, the Presiding Member afforded the representor fifteen minutes in which to address the Panel. This decision was made at discretion of the Presiding Member, recognising that under normal circumstances, each representor that had requested to be heard, would have been afforded their five minutes under Clause 10.5.

Upon reflection of this meeting, the Presiding Member acknowledged that it might be appropriate to allow a representor, who is speaking on behalf of another representor, to be afforded an additional five minutes in which to speak, or where the spokesperson is speaking on behalf of two or more persons, up to not more than fifteen minutes in which to address the Panel. Should such a clause be adopted, the applicant would need to be afforded the same additional period of time in which to respond to the representors.

Clause 15.3 – Panel will make a decision

15.3 *To ensure that timeframes are met for making decisions the Panel will make a decision to either grant or refuse Planning Consent and will not defer applications for the purpose of requesting further information or amendments.*

This clause differs from the clauses within the Model Procedures which do contemplate deferral as an appropriate course of action for the Panel to take in some circumstances. The current construction of clause 15.3 may place the Panel in an awkward situation in an instance where the Panel is uncomfortable to support an application but is not necessarily of a mind to refuse the application, where appropriate amendments may be possible for example to address deficiencies with an application, especially where the applicant is receptive to changes. In this instance, it is suggested the clause would be best modified to reflect that the Panel is not obligated to make a decision if it is not comfortable with what is presented to enable greater flexibility for deferral if needed.

Barossa Assessment Panel Meeting

4 October 2022

Appointment of a Deputy Presiding Member

The Operating and Meeting Procedures do not contemplate the appointment of a Deputy Presiding Member but it is open for the Procedures to contemplate the appointment of a Deputy Presiding Member to stand in for the Presiding Member in instance where the Presiding Member is absent.

Procedure should an electronic meeting be terminated

Given that electronic meetings are contemplated form of meeting within the Operating and Meeting Procedures, it may be appropriate for the Procedures to outline the procedure to be followed in scenario that the meeting is terminated unexpectedly due to an IT connection issue or power outage.

CONCLUSION

The Panel is invited to provide feedback on the performance and mechanics of the Operating and Meeting Procedures and this feedback will be taken into consideration when the Procedures are next reviewed, upon commencement of the new Panel from 1 January 2022.

RECOMMENDATION

That the report be received.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Operating and Meeting Procedures adopted at 7 June 2022 BAP meeting [!\[\]\(850c9f0a437d2bd9acf36c2dcf524bde_img.jpg\)](#) 
- Attachment 2 Local Government Association - Model Procedures [!\[\]\(4141db0c4faeb9ea87369b73cb6043c1_img.jpg\)](#) 

BAROSSA ASSESSMENT PANEL OPERATING AND MEETING PROCEDURES



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Officer:			
HPE Content Manager	20/71161	Next Review Date:	07/06/2024

1. APPLICATION

- 1.1 These Operating and Meeting Procedures apply to the Barossa Assessment Panel ("the Panel") established under section 83 of the *Planning, Development and Infrastructure Act 2016* ("the PDI Act") and having regard to the Terms of Reference for the Panel as adopted by the Council.
- 1.2 The Panel is a relevant authority pursuant to section 93 of the PDI Act.
- 1.3 The following principles should be applied with respect to the procedures to be observed at a Panel meeting:
 - 1.3.1 procedures should be fair and contribute to open, transparent and informed decision-making;
 - 1.3.2 procedures should encourage appropriate community participation as may be required under the PDI Act and the *Planning, Development and Infrastructure (General) Regulations 2017* ("the PDI Regulations");
 - 1.3.3 procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
 - 1.3.4 procedures should be sufficiently certain to give applicants, representors and the general community confidence in the deliberations at the meeting.
- 1.4 Interactions between Members of the Panel, the public, Council staff and elected Members of the Council are to be courteous and respectful.

2. MEETING NOTICE, TIMES AND VENUE

- 2.1 Scheduled meetings of the Panel will be held on the first Tuesday of each month (excluding the first Tuesday meeting in January) at 5pm, in person at the Council Offices, 43-51 Tanunda Road, Nuriootpa, or via online platform,

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electronic or other means as determined by the Panel in consultation with the Assessment Manager unless there are no matters to be considered.

- 2.2 For the sake of clarity, if an in person meeting is convened, then individual Panel members may, with the prior permission of the Presiding Member, attend the meeting via online platform, electronic or other means.
- 2.3 Written notice of a meeting of the Panel must be given to each member of the Panel by the Assessment Manager at least three (3) business days before the date of the meeting.
- 2.4 The notice must set out the date, time and place of the meeting or, alternatively, long-in or other details for a meeting held via online platform, electronic or other means, and contain or be accompanied by the agenda for the meeting. The notice may be given to a Member of the Panel:
 - 2.4.1 personally; or
 - 2.4.2 by delivering the notice (whether by post or otherwise) to the usual place of residence of the Member or to another place authorised in writing by the Member; or
 - 2.4.3 by leaving the notice for the Member at an appropriate place at the principal office of the Council, if authorised in writing by the Member to do so; or
 - 2.4.4 by a means authorised in writing by the Member as being an available means of giving notice (e.g. email or facsimile transmission).
- 2.5 A notice that is not given in accordance with clause 2.4 of this document is taken to have been validly given if the Assessment Manager considers it impracticable to give the notice in accordance with that clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.
- 2.6 Special meetings (being additional meetings or alternative meetings) of the Panel may be required in special circumstances to expedite decisions on applications before the Panel, and will be called at the discretion of the Presiding Member in consultation with the Assessment Manager. Members of the Panel, applicants, representors and the public shall be given five (5) clear business days' notice of a special meeting of the Panel.
- 2.7 Public notice of a scheduled meeting will be provided at the Council office and on the Council's website.
- 2.8 A copy of the Agenda and reports from the Administration for every meeting of the Panel shall be available for viewing by the public at the Council office at least three (3) business days before the meeting.

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- 2.9 A copy of the Agenda and reports from the Administration for every meeting of the Panel shall be available for viewing on the Council's web site at least three (3) business days before the meeting.
- 2.10 A meeting of the Panel will commence as soon after the time specified in the notice of the meeting, as a quorum is present in accordance with clause 4.1 and 4.2 of these Operating and Meeting Procedures.
- 2.11 If a meeting is adjourned to another day, the Assessment Manager must:
- 2.11.1 give notice of the adjourned meeting to each Member setting out the date, time and place of the meeting; and
- 2.11.2 give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place/platform of the meeting together with access details (as relevant) to be placed on display at the principal office of the Council and/or the Council's website as determined by the Assessment Manager.
- 2.12 In the event the Presiding Member is not present, then the Panel shall appoint one of its members as the acting Presiding Member.

3. PUBLIC ACCESS TO MEETINGS

- 3.1 Members of the public are entitled to attend a meeting of the Panel other than as set out in sub-section 3.2 of these Operating and Meeting Procedures. Where a meeting is to occur in person, attendance may occur by attending the place of the meeting and observing the meeting from the public gallery. Where a meeting is to occur via online platform, electronic or other means, the meeting will be livestreamed or otherwise made accessible in a manner deemed appropriate by the Assessment Manager such that members of the public can hear and see the meeting as they would if located in the public gallery of an in person meeting.
- 3.2 The Panel may exclude the public from attendance at a meeting—
- 3.2.1 during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:
- (i) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (ii) information the disclosure of which—
- (A) could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and

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- (B) would, on balance, be contrary to the public interest;
 - (iii) information the disclosure of which would reveal a trade secret;
 - (iv) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (A) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (B) would, on balance, be contrary to the public interest;
 - (v) matters affecting the safety or security of any person or property;
 - (vi) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
 - (vii) matters that should be considered in confidence in order to ensure that the Panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
 - (viii) legal advice;
 - (ix) information relating to actual litigation, or litigation that the Panel believes on reasonable grounds will take place;
 - (x) information the disclosure of which—
 - (A) would divulge information provided on a confidential basis by or to a Minister of the Crown, the State Planning Commission, or another public authority or official; and
 - (B) would, on balance, be contrary to the public interest;
- 3.2.2 during so much of the meeting that consists of its discussion or determination of any application or other matter that falls to be determined by the Panel.
- 3.3 For the sake of clarity, where a meeting is convened via online platform, electronic or other means, and the Panel resolves to exclude the public from the meeting as per clause 3.2 above, exclusion of the public will occur, as relevant, through the livestream being paused, audio and video feeds being

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disabled or other means as determined by the Assessment Manager, for the duration of the confidential item.

- 3.4 The Panel is committed to transparency in decision making. Accordingly, the Panel's powers to enter into confidence as detailed at clause 3.2 above must be used sparingly and in extenuating circumstances and only in consultation with or on the advice of the Assessment Manager.

4. **QUORUM**

- 4.1 A quorum at a meeting of the Panel is a number obtained by dividing the total number of Members of the Panel for the time being in office by two (2), ignoring any fraction resulting from the division, and adding one (1).
- 4.2 The Panel comprises five (5) members and therefore a quorum at a meeting is three (3) members.
- 4.3 If the number of apologies received by the Presiding Member or the Council, indicate that a quorum will not be present at a meeting, the Presiding Member, may adjourn the meeting to a specified day and time.
- 4.4 Should a quorum not be reached within 30 minutes of the scheduled commencement time of the meeting and there is no apparent prospect of achieving a quorum within a reasonable time thereafter, the meeting will be cancelled and the business on the agenda will be considered at the next meeting of the Panel.
- 4.5 If a meeting is adjourned for want of a quorum, the Assessment Manager will record in the minutes the reason for the adjournment, the names of any Members present, and the date and time to which the meeting is adjourned.
- 4.6 In the event the Presiding Member is not present, then the Panel shall appoint one of its members as the acting Presiding Member.

5. **DEPUTY MEMBERS**

- 5.1 If a Member is, on reasonable grounds, unable to attend a meeting or part of a meeting, he or she must use his or her best endeavours to notify the Presiding Member or Assessment Manager at his or her earliest opportunity.
- 5.2 If notification pursuant to sub-section 5.1 is given, the Assessment Manager may request a Deputy Member attend the meeting in place of the Member for the meeting or part of the meeting.
- 5.3 Unless the context otherwise requires, a reference to a Member in these Operating and Meeting Procedures includes a Deputy Member.

6. DEPUTY MEMBERS ATTENDING THE PANEL MEETING

- 6.1 If a Member provides sufficient notice, in advance of a meeting, that they are unavailable to attend a meeting, the relevant Deputy Member is to be notified by the Assessment Manager to attend and participate in that entire meeting.
- 6.2 If a Member has a conflict of interest in relation to an item on the meeting agenda and there is a risk that a quorum will not be achieved for that item, the Deputy Member is to be notified by the Assessment Manager to attend the meeting and participate for that item only.
- 6.3 The Assessment Manager will undertake all reasonable measures to ensure that Deputy Members are notified as required by clauses 6.1 and 6.2 above as soon as possible.
- 6.4 For clarity, if the Council Member appointed to the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member (Council member). If an independent Member of the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member (Independent Member), who is not an elected Member of the Council.

7. VOTING

- 7.1 Each Member of the Panel present at a meeting of the Panel is entitled to one (1) vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting is entitled to a second or casting vote.
- 7.2 Clause 7.1 does not apply to a person who is appointed as an 'additional member' of the Panel under Section 85 of the PDI Act.
- 7.3 All Members (other than additional members) of the Panel will participate in the decision of the Panel by a vote.
- 7.4 All decisions of the Panel shall be made on the basis of a majority consensus decision of the Members present. Where a meeting is held in-person, voting may occur by show of hands. In meeting is convened via online platform, electronic or other means, the Presiding Member will determine how voting should occur.
- 7.5 Minutes shall record the decision of the Panel on each development application and record a mover and seconder for items decided by vote.
- 7.6 A majority vote of the Panel shall be recorded in the minutes as the decision of the Panel and the vote or views of individual Members shall not be recorded in the minutes.

- 7.7 Members of the Panel cannot submit any notice of motion to revoke or amend previous decisions of the Panel.

8. **CONDUCT**

- 8.1 Members of the Panel must act at all times in accordance Section 15(2) of the PDI Act and with the Assessment Panel Member - Code of Conduct ("the Code of Conduct") adopted by the Minister under Schedule 3 of the PDI Act.
- 8.2 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by a Member, an applicant, a representor or any person or persons present at the meeting of the Panel until such time as the disruption or disturbance ceases, or failing that, order a persons or persons to leave the meeting. Where a meeting is convened via online platform, electronic or other means, the Presiding Member may mute or disconnect a person from the meeting where they are causing disruption or disturbance.
- 8.3 As specified in the Assessment Panel Members – Code of Conduct, Members of the Panel must not initiate individual discussions with applicants, representors or government agencies regarding a matter that is or is likely to be before the panel for determination, and, if placed in a situation where such discussion is unavoidable, should not express an opinion that could be constructed as having made a decision in relation to the proposal before the panel has collectively assessed and determined the development application.
- 8.4 Members of the Panel must carefully consider all agenda reports and recommendations prior to and during meetings. If a Member of the Panel does not agree with a recommendation made, the Member must articulate their reasons. Where the Panel departs from a recommendation, it must provide sufficient reasons for its decisions to comply with the requirements of the Act and so that appropriate minutes can be recorded.
- 8.5 In circumstances where a Member of the Panel has a question arising from an agenda report, they should raise their question with the Assessment Manager no later than 24 hours prior to the meeting so that the Assessment Manager can thoroughly consider the question, communicate it to other Members of the Panel and prepare an appropriate response.

9. **CONFLICT OF INTEREST**

- 9.1 If a Member of the Panel is of the view that they have a conflict of interest in relation to a matter before the Panel, the Member must:
- 9.1.1 as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the Panel; and

9.1.2 make a disclosure clearly stating the nature of that interest in writing to the Presiding Member, and then in the Panel meeting when the relevant agenda item is reached, make a verbal disclosure to the assessment Panel and remove themselves from the meeting in accordance with clause 7(b) of the Code of Conduct.

9.2 If an interest is declared by a Member at a Panel meeting the nature of the interest must be recorded in the minutes of that meeting.

10. HEARING OF REPRESENTATIONS

10.1 Pursuant to Regulation 50(5) of the PDI Regulations, where a person has:

10.1.1 made a written representation in accordance with Regulation 50(1) of the PDI Regulations; and

10.1.2 indicated an interest in appearing before the Panel,

the Panel may, if it considers that it would assist the Panel in making its decision on an application, allow a representor an opportunity to appear personally or by a representative before the Panel in support of their representation.

10.2 For the sake of clarity, appearance before the Panel includes appearance by online platform, electronic or other means where a meeting is not held in person.

10.3 Pursuant to Regulation 50(6) of the PDI Regulations, if the Panel determines to here representors in accordance with clause 10.1, it must:

10.3.1 give notice to the applicant of the place and time where the representor has been invited to appear; and

10.3.2 if the applicant appears, allow the applicant, either personally or by representative, a reasonable opportunity, on request, to respond to any relevant matter

10.4 Hearing of representations by the Panel will take place at the commencement of the consideration of the relevant agenda item.

10.5 Persons making representations will be allocated five (5) minutes to address the Panel, unless otherwise determined by the Presiding Member, acting reasonably. Additional time may be provided in accordance with clause 13.3.

10.6 The applicant is allocated ten (10) minutes to respond to the representations made to the Panel, unless otherwise determined by the Presiding Member, acting reasonably. Additional time may be provided in accordance with clause 13.3.

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- 10.7 Representors and applicants will not be allowed a further opportunity to address the Panel after the conclusion of the hearing of representations.
- 10.8 Only representors (or their representative) who have made representation in accordance with Regulation 50 of the PDI Regulations, and with the consent of the Panel, will be entitled to be heard by the Panel.
- 10.9 Representors must be personally present (or represented) at the meeting scheduled to hear their verbal representation. If a representor (or their representative) is not present at the relevant time, the opportunity to be heard in support of their representation is forfeited.
- 10.10 Where no representors appear at the hearing of representations an applicant may only be heard (at the discretion of the Presiding Member) where their written response to representations requires explanation or where the Panel will otherwise benefit from hearing from them.
- 10.11 Members of the Panel may question and seek clarification from representors and the applicant at the conclusion of their address to the Panel.
- 10.12 Where a meeting is to be held via online platform, electronic or other means, the hearing of representations and the application will occur in a manner which allows the representors and applicant to interact with the Panel as per clauses 10.1 – 10.11 above.
- 10.13 Pursuant to regulation 50(6) of the PDI Regulations, a representor must indicate on their written representation whether they wish to appear personally or by representative to be heard on their representation. Elected members of the Council may, in their personal capacity and not in their capacity as elected members, make representations on development applications or act as the representative of a representor and be heard at a meeting of the Panel. Where this occurs, elected members of the Council can be treated no differently to other representors or representatives of representors and the Panel must have regard to sections 93, 98 and 99 of the PDI Act and the capacity of the Panel as an independent relevant authority and that it does not act at the direction of the Council.
- 10.14 Individual elected members of The Barossa Council do not have a right to be heard by the Panel otherwise than in accordance with clause 10.13 above

11. MINUTES AND OTHER DOCUMENTS

- 11.1 The Panel must ensure that accurate minutes are kept of its proceedings.
- 11.2 The minutes of the proceedings of a meeting will record:
- 11.2.1 how the meeting was convened and when it commenced;

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- 11.2.2 the names of the members of the Panel present;
- 11.2.3 the name and time of Members of the Panel entering or leaving the meeting;
- 11.2.4 the name of a person who has made a verbal representation to the Panel at the meeting;
- 11.2.5 the name of a person who appears in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate);
- 11.2.6 the decision of the Panel;
- 11.2.7 the decision of the panel to exclude public attendance including reasons.
- 11.2.8 a disclosure by a member of the Panel of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development required under the PDI Act.
- 11.3 Members of the public are entitled to reasonable access to:
 - 11.3.1 the agendas for meetings of the Panel; and
 - 11.3.2 the minutes of meetings of the Panel.
- 11.4 The Panel may, before it releases a copy of any minutes under clause 11.3, exclude from the minutes information about any matter dealt with on a confidential basis by the Panel.
- 11.5 Minutes must be available under clause 11.3 within five (5) business days after their adoption by the Members of the Panel.
- 11.6 Minutes shall not be formal minutes until adopted by the Panel at the next meeting of the Panel. However, this does not preclude the issue of a Decision Notification advising of the determination of the Panel immediately after a meeting at which the Panel made its determination.
- 11.7 Upon adoption of the minutes, the Presiding Member shall authorise the minutes by signature and date of adoption on the last page of the minutes.
- 12. **SITE INSPECTIONS AND LOCALITY VISITS**
 - 12.1 Formal site visits may be arranged on request from a Member of the Panel. A Member of the Panel may request attendance of a Council Officer to provide relevant information. The Panel will not hear deputations at a formal site visit.
 - 12.2 Locality visits by one or more Members of the Panel must be undertaken in accordance with the Code of Conduct.

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13. INFORMATION RECEIVED AFTER MEETING AGENDA IS FINALISED

13.1 At the discretion of the Presiding Member (in consultation with Members of the Panel), any new or additional material submitted to the Panel by an applicant or representor, in accordance with clause 13.2 above may be:

13.1.1 accepted and considered; or

13.1.2 not accepted and not considered,

the Presiding Member's determination in this regard is final.

13.2 In determining whether to accept and consider the information pursuant to clause 13.4.1, the Presiding Member should consider the following:

a) The content of the information and whether it is relevant to the matter of whether Planning Consent should be granted

b) The time available for the information to be properly considered by the applicant, the representors (as relevant) and the Panel;

c) The reasons why the information was not provided within the application (or representation as relevant);

d) Prejudice that may be suffered on the other party (applicant or representor/s as relevant) by accepting or not accepting the information.

13.3 Whenever new or additional information or material provided by the applicant is accepted and considered by the Panel, representors may be provided with five additional minutes to their hearing time to address the Panel on the additional information. The applicant will be provided with five (5) additional minutes to respond to the representors' comments.

13.4 Whenever new or additional information or material provided by a representor is accepted and considered by the Panel, the representor who provided the information or material may be provided with five (5) additional minutes to their hearing time to address the Panel on the additional information. The applicant will be provided with five additional minutes to respond to the representor's comments

14. FORM OF DEBATE AND MOTIONS

14.1 In order to ensure informed decision making and to facilitate comprehensive consideration of issues, debate and discussion by the Panel of matters before it shall be, as far as practicable, informal within the bounds of professional meeting procedures and the principles of natural justice and procedural fairness.

- 14.2 In the interests of informality, during hearings of representations the Presiding Member will be referred to as "Presiding Member", and Members of the Panel will be referred to by their first name (not by title or position). In subsequent discussion of items during in the meeting of the Members (including the Presiding Member) may refer to each other by their first names and address Council staff by their first names.
- 14.3 At the conclusion of debate and discussion of matters, the Presiding Member will call for a motion enabling the Panel to determine the matter.
- 14.4 A motion will lapse if it is not seconded at the appropriate time.
- 14.5 The Presiding Member, in the absence of comment/discussion in relation to the matter requiring determination, will either move a motion or will request a motion to be moved and seconded.
- 14.6 Voting in favour or against a motion, as requested by the Presiding Member, shall be by show of hand.
- 14.7 The Presiding Member will request each Member to vote on a motion and then declare the outcome.

15. **DECISION MAKING**

- 15.1 The Panel must have regard to the Planning and Design Code as the basis for its decisions along with any written and verbal representations.
- 15.2 The Panel will make decisions in accordance with the timeframes set out in section 125 of the PDI Act.
- 15.3 To ensure that timeframes are met for making decisions the Panel will make a decision to either grant or refuse Planning Consent, and will not defer applications for the purpose of requesting further information or amendments.
- 15.4 In making a decision, the Panel:
- 15.4.1 must state whether the proposal is seriously at variance with the Planning and Design Code, in doing so must refuse to grant Planning Consent and provide reasons for the decision;
- 15.4.2 if the proposal is not seriously at variance with the Planning and Design Code, the Panel must determine whether Planning Consent is granted or refused.
- (a) Where Planning Consent is granted subject to conditions, reasons why the conditions have been imposed must be provided.

- (b) Where Planning Consent is refused, the reason for refusal must be provided.

15.5 All agenda reports will contain a recommendation which accords with the assessing officer's assessment of the development application. In circumstances where the assessment of a development application is considered by administration to be finely balanced, an alternative recommendation may be provided. Alternative recommendations may require further detail to be inserted by the Panel. Members of the Panel are expected to thoroughly consider recommendations before they are adopted. If the Panel determines a development application contrary to a recommendation, the Panel must ensure that the decision is thorough and contains adequate, clear and understandable reasons. Where a Member of the Panel wishes to move a recommendation which differs from that made by administration, the Member should contact the Assessment Manager for advice on their recommendation at least twenty four (24) hours prior to the meeting.

16. ASSESSMENT PANEL REVIEW OF DECISIONS OF ASSESSMENT MANAGER

16.1 This clause applies to reviews commenced by applicants pursuant to section 203 of the PDI Act ("Application for Review"). For clarity, this process applies to applications assessed and determined by the Assessment Manager as the relevant authority pursuant to section 96 of the PDI Act. No representations are permitted for the original applications or the review process.

16.2 Applications for Review:

16.2.1 may, pursuant to section 201 of the PDI Act, relate to:

- (a) any assessment, request, decision, direction or act of the Assessment Manager that is relevant to any aspect of the determination of the relevant application;
- (b) a decision to grant or refuse a development authorisation; or
- (c) the imposition of conditions in relation to a development authorisation; or
- (d) subject to any exclusion prescribed by the PDI Regulations, any other assessment, request, decision, direction or act of a relevant authority under this Act in

16.2.2 must be submitted using the [Application to Assessment Panel for Assessment Manager's Decision Review](#) ("the Form");

16.2.3 lodged in a manner identified on the Form; and

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- 16.2.4 lodged within one month of the applicant receiving notice of the reviewed matter pursuant to clause 16.2.1 above, unless the Presiding Member in their discretion, grants an extension of time.
- 16.3 In determining whether to grant an extension of time, the Presiding Member may consider:
- 16.3.1 the reasons for the delay;
 - 16.3.2 the length of the delay;
 - 16.3.3 whether any rights or interests of other persons would be affected by allowing the review to be commenced out of time;
 - 16.3.4 the interests of justice;
 - 16.3.5 whether the applicant has, or is within time to, appeal the prescribed matter to the ERD Court;
 - 16.3.6 any other matters the Presiding Member considers relevant; and
 - 16.3.7 consultation with the Assessment Manager.
- 16.4 The Assessment Manager must ensure that the following documents are provided on the relevant Agenda for an Application for Review:
- 16.4.1 a report to the Panel containing all of the details of the relevant development application and the details of the reviewed decision;
 - 16.4.2 all materials which were before the Assessment Manager (or their delegate) at the time of the reviewed decision including (as relevant):
 - (a) application documents, reports, submissions, plans, specifications or other documents submitted by the applicant;
 - (b) internal and/or external referral responses; and
 - (c) any report from administration or an external planning consultant provided to the Assessment Manager (or their delegate);
 - 16.4.3 any assessment checklist used by the Assessment Manager (or their delegate) when making the reviewed decision;
 - 16.4.4 any other information requested by the Presiding Member.
- 16.5 The Assessment Manager must advise the applicant of the time and date of the Panel meeting at which the review application will be heard.

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- 16.6 The applicant will be provided with five (5) minutes to address the Panel on their review and why they believe the Panel should reach a different decision to that made by the Assessment Manager or their delegate.
- 16.7 On review, the Panel will consider the reviewed decision afresh on the information provided to it and on the submissions of the applicant.
- 16.7.1 Information, materials, plans, details, specifications and other documents which were not before the Assessment Manager at the time of the decision on the Prescribed Matter will not be considered by the Panel.
- 16.7.2 In addition to clause 16.6 above, the Presiding Member may permit Panel members to ask questions or seek clarification from the applicant and/or the Assessment Manager, in his or her discretion.
- 16.8 The Assessment Manager must be present at the Panel meeting to respond to any questions or requests for clarification from the Panel.
- 16.9 Where the decision was made by a delegate of the Assessment Manager, the delegate may appear in place of the Assessment Manager.
- 16.10 The Presiding Member will invite all Panel Members to speak on any matter relevant to the review.
- 16.11 The Panel may resolve to defer its decision if it considers it requires additional time or information to make its decision.
- 16.12 The Panel may, on a review:
- 16.12.1 affirm the Assessment Manager's decision on the Prescribed Matter;
- 16.12.2 vary the Assessment Manager's decision on the Prescribed Matter;
- or
- 16.12.3 set aside the Assessment Manager's decision on the Prescribed Matter and substitute its own decision.
- 16.13 The Assessment Manager will advise the applicant, in writing, of the Panel's decision within five (5) business days of the meeting or otherwise prescribed by the PDI Regulations.

17. PLANNING APPEALS

- 17.1 Should an appeal be lodged in relation to a decision of the Panel, the Panel will determine whether any "compromise proposal" is appropriate or the matter proceed to a hearing in the Environment, Resources and Development Court.

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17.2 Should the Panel not make a decision in respect of an application within the time prescribed in the PDI Act and the Panel receives a deemed consent notice from the applicant in accordance with section 125(2) of the PDI Act, the Panel to decide whether to apply to the Court to have deemed consent notice quashed.

17.3 The Assessment Manager/Director, Development and Environmental Services/CEO is authorised to make decisions as to the conduct of appeals (including Judicial Review) subject to consulting with the Presiding Member.

17.4 Any compromise arising from an appeal shall be presented to the Panel for a decision.

17.5 In the event of an urgent matter, that the Panel may determine by electronic meeting in accordance with its General Operating Procedures.

18. QUARTERLY REPORTING

18.1 The Assessment Manager will prepare:

18.1.1 A quarterly report of the development applications determined under delegated authority of the Barossa Assessment Panel for the previous period;

18.1.2 A report at the next meeting of the Panel for any development application delegated by the Panel where a deemed consent notice has been received.

19. VALIDITY OF PROCEEDINGS

19.1 A proceeding of the Panel (and any decision made by the Panel) is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

20. COMPLAINTS

20.1 A person may make a complaint to the State Planning Commission ("the Commission") if the person believes that a Member of the Panel has acted in contravention of the Code of Conduct.

20.2 A complaint must:

20.2.1 be in writing; and

20.2.2 contain particulars of the allegation on which the complaint is based; and

20.2.3 be verified by statutory declaration.

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- 20.3 Except with the approval of the Commission, a complaint must not be lodged with the Commission more than six (6) months after the day on which the complainant first had notice of the matters alleged in the complaint.

21. MISCELLANEOUS MATTERS

- 21.1 An applicant may not defer matters from the meeting agenda after the agenda has been sent to Members of the Panel, unless agreed at the meeting or by the Presiding Member prior to the meeting. The applicant must make this request in writing to the Assessment Manager, including reason(s) for their request to defer.
- 21.2 Should a Member of the Panel receive by direct post, fax, e-mail or other means, information in relation to a development application being assessed by Council development assessment officers which may be referred for decision by the Panel at a future time, then the Member of the Panel should immediately forward the information received to the Assessment Manager. The Member of the Panel should not acknowledge receipt of the information nor enter into discussion with the sender in relation to any matters contained within the information received. If a Member of the Panel receives such information, he or she must disclose this fact at the relevant Panel meeting, and confirm that the information will not be taken into account for the purposes of making a decision on the relevant application.
- 21.3 Should a request be made for public comment on the operations or decisions made by the Panel then the matter should be referred to the Presiding Member. Comment may be made at the discretion of the Presiding Member.
- 21.4 A Member of the Panel at a meeting may request independent expert advice on any relevant matter before the Panel. Such requests are to be referred to the Assessment Manager for approving of and authorising the engagement of any independent experts. If the Assessment Manager decides not to engage such advice the Panel must be advised of the decision and the reason as soon as reasonably possible.
- 21.5 The role of the Panel is not one of mediator or arbitrator for parties expressing divergent views but as is a decision maker charged with the responsibility of assessing each development application against the Planning and Design Code. It is a role that is inquisitorial rather than adversarial. The Panel does not therefore have a role as a mediator or arbitrator at its meetings or otherwise between an applicant and representors.

22. OTHER MATTERS

- 22.1 Except insofar as a procedure is not prescribed by the PDI Act or PDI Regulations under the PDI Act, the procedures of the Panel in relation to the conduct of its business will be as determined by the Panel.

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Barossa Assessment Panel Operating and Meeting Procedures

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22.2 The Panel will review these Operating and Meeting Procedures on an annual basis.

Signed Dated:
Presiding Member



The voice of local government.

Council Assessment Panel

Model Meeting Procedures

[July 2022](#)~~18 February 2021~~

e Changed

d: English (United States), Do not check spelling or

d: English (United States), Do not check spelling or

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[COUNCIL] Council Assessment Panel

Meeting Procedures

Adopted by the CAP on **[insert date]**

These Meeting Procedures are to be read in conjunction with:

- the meeting procedures contained within the *Planning, Development and Infrastructure (General) Regulations 2017 (Regulations)*; and
- the CAP's Policy for Assessment Panel Review of Decision of Assessment Manager (**Assessment Manager Review Policy**).

1. CAP MEETINGS

Ordinary Meetings

- 1.1 Subject to clause ~~1.24-2~~, ordinary meetings of the **[COUNCIL]** Council Assessment Panel (**CAP**) will be held at such times and places as determined by the CAP.
- 1.2 The time and place of the first meeting of the CAP following its establishment will be determined by the Assessment Manager. The Assessment Manager must give notice of the first CAP meeting to the CAP and the public in accordance with clauses ~~1.41-4~~ and ~~1.61-6~~.
- 1.3 Notice of an ordinary meeting will be given to all CAP Members by the Assessment Manager not less than **[insert]** clear days prior to the holding of the meeting in accordance with clause ~~1.41-4~~.
- 1.4 Notice of a meeting of the CAP must:
 - 1.4.1 be in writing;
 - 1.4.2 set out the date, time and place of the meeting;
 - 1.4.3 be signed by the Assessment Manager;
 - 1.4.4 contain or be accompanied by the agenda and any documents and/or reports that are to be considered at the meeting (in so far as practicable); ~~and~~
 - 1.4.5 be given to a CAP Member personally, by post to a place authorised in writing by the Member or by other means authorised by the Member as being an available means of giving notice;
 - 1.4.6 where attendance at the meeting is able to occur by electronic means (in whole or in part), include details of how to connect to the meeting; and

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~~1.4.5~~1.4.7 where the meeting is to be live streamed for viewing by members of the public, include details of how to access and/or connect to the live stream.

- 1.5 A notice that is not given in accordance with clause ~~1.4.1.4~~ is taken to have been validly given if the Assessment Manger considers it impracticable to give the notice in accordance with that clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.
- 1.6 A copy of the agenda for all meetings of the CAP will be available for viewing by the public on the Council's website and at the Council's offices as soon as practicable after the time that notice of the meeting has been given to CAP Members.
- 1.7 The Assessment Manger may, with leave or at the request of the Presiding Member, include in the agenda an item to be considered at the meeting to which the agenda relates after notice of the meeting has been given to CAP Members. In such instance, the Assessment Manger shall provide an updated agenda and any documents and/or reports relating to that item to be considered at the meeting to Members as soon as practicable. The Assessment Manager will also make an updated agenda available to the public.
- 1.8 The Presiding Member may adjourn a CAP Meeting to a future date and time, unless the CAP resolves to continue the meeting.
- 1.9 A meeting will break for insert time period once every insert time period, or more or less often as determined by the Presiding Member.

Special Meetings

- 1.10 The Presiding Member, or two or more CAP Members, may by delivering a written request to the Assessment Manager require a special meeting of the CAP to be held. The written request must be accompanied by the agenda for the special meeting.
- 1.11 On receipt of a request pursuant to clause ~~1.10.1.10~~, the Assessment Manager must determine the date, time and place of the special meeting and give notice to all CAP Members at least 4 hours before the commencement of the special meeting.

2. DEPUTY MEMBERS

- 2.1 If a CAP Member is unable or unwilling to attend a meeting or part of a meeting, he or she must use his or her best endeavours to notify the Presiding Member or Assessment Manager at his or her earliest opportunity.
- 2.2 If notification pursuant to clause ~~2.12.1~~ is given, the Assessment Manager may request a Deputy Member attend the meeting in place of the CAP Member for the meeting or part of the meeting.

Commented [p1]: May be replaced with the Presiding Member

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2.3 Unless the context otherwise requires, a reference to a Member in these Meeting Procedures includes a Deputy Member.

2.2.1

3. **ADDITIONAL MEMBERS**

3.1 The CAP may appoint up to two Additional Members in accordance with Section 85 of the *Planning, Development and Infrastructure Act 2016 (Act)*.

3.2 Where the CAP has appointed Additional Member(s), the Presiding Member, in consultation with the Assessment Manager, may invite one or both Additional Members to attend any meeting (or part thereof) where he or she considers the Additional Member(s) will, by virtue of their qualifications, expertise or experience, assist the CAP in dealing with a matter that it must assess under the Act (or, during the transition to the Act, the *Development Act 1993 (D Act)*).

3.3 A request that an Additional Member attend a meeting must be made in writing and be accompanied by the notice for the meeting in accordance with clause 1.41-4, highlighting the item(s) the Additional Member is required to consider.

3.4 Unless the context otherwise requires, a reference to a Member in these Meeting Procedures includes an Additional Member, save that an Additional Member is not able to vote on any matter arising for determination by the CAP.

Commented [p2]: Clause 3 may be deleted if Additional Members are not appointed to the CAP.

4. **ELECTRONIC MEETINGS**

4.1 One or more CAP Members may attend a meeting via electronic means.

4.2 A CAP Member attending a meeting via electronic means is taken to be present at the meeting provided that the CAP Member:

4.2.1 can hear and, where possible, see all other CAP Members who are present at the meeting;

4.2.2 can hear and, where possible, see all representors (or their representatives) and applicants (or their representatives) who speak at the meeting;

4.2.3 can be heard and, where possible, seen by all other CAP Members present at the meeting; and

4.2.4 can be heard and, where possible, seen by the person recording the minutes of the meeting.

4.3 Where a meeting occurs via electronic means, it will (to the extent that the public is not able to physically attend the meeting) be live streamed.

Commented [NM3]: Section 39 of the Legislation Interpretation Act 2021 allows electronic meetings to occur via audio connection only. Panels may wish to encourage audio and visual connections, where possible. Where a Panel is satisfied with audio connection only, the text "where possible, see" may be deleted.

Commented [NM4]: As above.

Commented [NM5]: As above.

Commented [NM6]: As above.

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4.4 Where a meeting is being live streamed, the live stream must be disconnected only during those parts of the meeting during which the public has been excluded from attendance pursuant to Regulation 13(2) of the Regulations.

4.5 Where the public has been excluded from attendance pursuant to Regulation 13(2) of the Regulations, the Assessment Manager or a person nominated by the Assessment Manager must ensure that all parties except for the CAP Members disconnect from or are disconnected from the meeting.

4.5 COMMENCEMENT OF MEETINGS

4.15.1 Subject to a quorum being present, a meeting of the CAP will commence as soon as possible after the time specified in the notice of a meeting.

4.25.2 If the number of apologies received by the Assessment Manager or Presiding Member indicates that a quorum will not be present at a meeting, the Presiding Member may adjourn the meeting to a specified day and time.

4.35.3 If at the expiration of thirty minutes from the commencement time specified in the notice of the meeting a meeting a quorum is not present, the Presiding Member may adjourn the meeting to a specified date and time.

4.45.4 In the event that the Presiding Member is absent from a meeting, the Assessment Manager, or such other person as nominated by the Assessment Manager, will preside at the meeting until such time as the meeting appoints an Acting Presiding Member.

5.6 ASSESSMENT OF DEVELOPMENT APPLICATIONS

The procedures in Part 65 of these Meeting Procedures relate only to the CAP's assessment of development applications under Part 7 of the Act and Part 4 of the D Act. NB: The procedures for determining an application for review of an Assessment Manager's decision are contained in the Assessment Manager Review Policy.

5.16.1 The Assessment Manager may in his or her discretion exclude:

5.1.16.1.1 a representation or response to representation(s) which is received out of time;

5.1.26.1.2 a representation in relation to Category 2 development from a person who was not entitled to be given notice of the application; or

5.1.36.1.3 a representation or response to representation(s) which is otherwise invalid.

Commented [p7]: May be replaced with the Presiding Member

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5-26.2 The Assessment Manager may in his or her discretion accept and allow to be considered by the CAP any new or additional material submitted by a representor or applicant. The CAP may defer consideration of the application to enable full and proper assessment of the further information.

Commented [p8]: May be replaced with the Presiding Member

5-36.3 Any material to be considered by the CAP pursuant to clause **6-26.2** must be provided to the applicant and/or representor(s) (as the case may be) in a manner directed by the Assessment Manager and those parties be provided with an opportunity to respond, either in writing or verbally, at the discretion of the Assessment Manager.

Commented [jfc9]: May be replaced with the Presiding Member

Commented [p10]: May be replaced with the Presiding Member

5-46.4 In relation to each application it considers, the CAP must:

5-4-16.4.1 determine whether the proposal is seriously at variance with the Development Plan or the Planning Rules (as relevant) and provide reasons for its determination; and

5-4-26.4.2 provide reasons for granting or refusing development authorisation and for the imposition of any conditions.

5-56.5 If the CAP determines that a proposal is seriously at variance with the Development Plan or the Planning Rules (as relevant), it must refuse development authorisation to the application.

5-66.6 In relation to each application to be considered and determined by the CAP:

5-6-16.6.1 a person who has lodged a representation in relation to a Category 2 or 3 application under the D Act or an application for which notice must be given under the Act, which has not been excluded pursuant to clause **6-16.1** and who has indicated that they wish to be heard on their representation is entitled to appear before the CAP and be heard in support of their representation, in person or by an agent;

Commented [jfc11]: Delete "2 or" if the CAP does not wish to automatically permit Category 2 representors who wish to be heard to speak

Commented [jfc12]: Delete "or an application for which notice must be given under the Act" if the CAP does not wish to automatically permit PDI Act representors who wish to be heard to speak

5-6-26.6.2 a person who has lodged a representation in relation to either a Category 2 application under the D Act or an application for which notice must be given under the Act, which has not been excluded pursuant to clause **6-16.1** and who has indicated that they wish to be heard on their representation may, at the discretion of the Presiding Member, appear before the CAP and be heard in support of their representation, in person or by an agent;

Commented [jfc13]: This paragraph can be deleted in its entirety where a CAP permits all representors who wish to be heard to be heard

5-6-36.6.3 where one or more representors are heard by the CAP, the applicant is entitled to appear before the CAP to respond to any relevant matter raised by a representor, in person or by an agent;

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~~5.6.4~~6.6.4 where no representors appear at the meeting, the Presiding Member may, in his or her discretion, allow an applicant to be heard in support of his or her application, in person or by an agent;

~~5.6.5~~6.6.5 representors and applicants will be allowed five minutes each to address the CAP. The Presiding Member may allow a party additional time at his or her discretion;

~~5.6.6~~6.6.6 CAP members may question and seek clarification from a representor or applicant who has addressed the CAP at the conclusion of their address; and

6.6.7 following addresses from representors and the applicant, the Presiding Member will invite all Members to speak on any matter relevant to the application.

~~5.6.7~~6.6.8 Clauses 6.6.1 to 6.6.4 are satisfied if a representor or applicant (as the case may be) appears via electronic means. The Presiding Member may require that any such appearance be via electronic means.

6.7. **DECISION MAKING**

~~6.1~~7.1 Each Member present at a meeting of the CAP, including a Deputy Member who has been requested to attend the meeting or part of the meeting in place of a Member who is unable or unwilling to attend the meeting, is entitled to one vote on any matter arising for decision. If the votes are equal, the Presiding Member is entitled to a second or casting vote. Additional Members appointed to the CAP to provide expert advice and assistance are not entitled to vote.

~~6.2~~7.2 Matters arising for decision at a meeting of the CAP will be decided by a majority of the votes cast by Members present at the meeting and entitled to vote.

~~6.3~~7.3 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by any person (including a CAP Member, applicant, representor or other member of the public) to a specified date and time.

~~6.4~~7.4 The Presiding Member may ask a member of the public (including an applicant, representor or other member of the public) to leave or disconnect from a meeting where he or she is, in the opinion of the Presiding Member:

~~6.4.1~~7.4.1 behaving in a disorderly manner; or

~~6.4.2~~7.4.2 causing an interruption or disruption to the meeting.

~~6.5~~7.5 Where a person is entitled or has been requested to appear before the CAP in relation to an application for review of an Assessment Manager's

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decision (including the Assessment Manager or delegate), the person may appear via electronic means. The Presiding Member may require that any such appearance be via electronic means.

7.8 MINUTES AND REPORTING

7.18.1 The CAP must ensure that accurate minutes are kept of all meetings.

7.28.2 The Assessment Manager, or a person nominated by the Assessment Manager, will take minutes of all meetings.

7.38.3 The minutes will record:

7.3.18.3.1 the names of all Members present;

7.3.28.3.2 the names of all Members from whom apologies have been received;

7.3.38.3.3 the name and time that a Member enters or leaves the meeting;

7.3.48.3.4 the name of every person who makes or responds to a representation in relation to a development application;

7.3.58.3.5 methods of attendance by all Members present and by every person who makes or responds to a representation;

7.3.68.3.6 the name of every person who appears in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate);

7.3.78.3.7 in relation to each development application:

7.3.7.18.3.7.1 the determination of the CAP as to whether the proposal is seriously at variance with the Development Plan or Planning Rules (as relevant); and

7.3.7.28.3.7.2 the reasons for granting or refusing development authorisation and for the imposition of any conditions; and

7.3.88.3.8 in relation to each application for review of an Assessment Manager decision:

7.3.8.18.3.8.1 the determination of the CAP as to whether the proposal is seriously at variance with the Development Plan or Planning Rules (as relevant); and

7.3.8.28.3.8.2 the reasons for the CAP's decision under Section 203(4) of the Act, including the reasons for the imposition of any new or varied conditions; and

Commented [JC14]: Delete/amend if the CAP has chosen to conduct reviews of decisions of the Assessment Manager without hearing from the applicant for review and/or the Assessment Manager (or delegate)

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7.3.98.3.9 where a decision is by majority vote, the decision and its mover and seconder, but not each Members' vote;

7.3.108.3.10 if an application is not determined by the CAP, the deferral of the application and the reasons for the deferral;

7.3.118.3.11 a decision to exclude the public from attendance pursuant to the Regulations;

7.3.128.3.12 any disclosure of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development made by a Member in accordance with Section 83(1)(g) of the Act, and the nature of the interest;

7.3.138.3.13 any disclosure of a conflict of interest made by a Member pursuant to the Code of Conduct adopted by the Minister under Clause 1(1)(c) of Schedule 3 of the Act (**Code of Conduct**), and the nature of the interest; and

7.3.148.3.14 if a meeting is adjourned by the Presiding Member, the reason for the adjournment and the date and time to which the meeting is adjourned.

7.48.4 All minutes must be confirmed by the Assessment Manager in conjunction with the Presiding Member as being accurate prior to, or at the commencement of, the following CAP meeting.

8.9. ADDITIONAL PROCEDURES

8.19.1 Insofar as any procedure to be followed by the CAP is not prescribed by the Act and Regulations (and, during the transition to the Act and Regulations, the D Act and *Development Regulations 2008*), the CAP's Terms of Reference, the Code of Conduct, the Assessment Manager Review Policy, or these Meeting Procedures - the CAP may by resolution determine the procedure for itself. Any such determination may be added to these Meeting Procedures.

8.29.2 The CAP may call for and consider such professional assistance from the Assessment Manager and, in consultation with the Assessment Manager, other professional advisors as it deems necessary and appropriate from time to time.

10. DEFINITIONS

The following definitions apply in relation to these Meeting Procedures:

10.1 connect means able to hear and/or see the meeting by electronic means, including via a live stream;

10.2 disconnect means to remove the connection so as to be unable to hear and see the meeting;

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10.4 *live stream* means the transmission of audio and/or video from a meeting at the time the meeting is occurring.

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TEMPORARY ADDENDUM TO FACILITATE ELECTRONIC MEETINGS

On 9 April 2020, the *COVID-19 Emergency Response Act 2020 (COVID-Act)* commenced operation. The COVID-Act will expire on the earlier of 31 May 2021 or the day on which all relevant declarations relating to the outbreak of COVID-19 within South Australia have ceased (**Expiry Day**).

Section 17 of the COVID-Act provides (relevantly) that despite a provision of any other act, a requirement that a meeting occur that requires 2 or more persons to be physically present will be taken to be satisfied if the persons meet remotely using audio-visual or audio-only communication.

In reliance on Section 17 of the COVID-Act, on [insert date], the CAP adopts the following temporary amendments to the ordinary meeting procedures numbered 1 to 8 above (**Ordinary Meeting Procedures**). These amendments will operate until the Expiry Day of the COVID-Act.

9. DEFINITIONS

The following definitions apply in relation to these temporary amendments:

9.1 *connect* means able to hear and/or see the meeting by electronic means, including via a live stream

9.2 *disconnect* means to remove the connection so as to be unable to hear and see the meeting

9.3 *electronic means* includes a telephone, computer or other electronic device used for communication

9.4 *live stream* means the transmission of audio and/or video from a meeting at the time the meeting is occurring

10. AMENDMENTS TO CLAUSE 1

9.1 Sub-clause 1.4 of the Ordinary Meeting Procedures is supplemented with the inclusion of the following additional paragraphs:

1.4.6 *where attendance at the meeting is able to occur by electronic means (in whole or in part), include details of how to connect to the meeting; and*

1.4.7 *where the meeting is to be live streamed for viewing by members of the public, include details of how to access and/or connect to the live stream.* 9.2 Sub-clause 1.6 of the Ordinary Meeting Procedures is amended with the deletion of the words "*and at the Council's offices*".

11. ADDITIONAL CLAUSE 3A

A new clause 3A is inserted into the Ordinary Meeting Procedures as follows:

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- 3A.1 ~~One or more Panel members may attend a meeting via electronic means.~~
- 3A.2 ~~A Member attending a meeting by electronic means is taken to be present at the meeting provided that the Member:~~
- 3A.2.1 ~~can hear and, where possible, see all other Members who are present at the meeting;~~
- 3A.2.2 ~~can hear and, where possible, see all representors (or their representatives) and applicants (or their representatives) who speak at the meeting;~~
- 3A.2.3 ~~can be heard and, where possible, seen by all other Members present at the meeting; and~~
- 3A.2.4 ~~can be heard and, where possible, seen by the person recording the minutes of the meeting.~~
- 3A.3 ~~Where a meeting occurs via electronic means, it shall (to the extent that the public is not able to physically attend the meeting) be live streamed.~~
- 3A.4 ~~Where a meeting is being live streamed, the live stream shall be disconnected only during those parts of the meeting during which the public has been excluded from attendance pursuant to Regulation 13(2) of the Regulations.~~
- 3A.5 ~~Where the public has been excluded from attendance pursuant to Regulation 13(2) of the Regulations, the Assessment Manager or a person nominated by the Assessment Manager shall ensure that all parties except for CAP members disconnect from or are disconnected from the meeting.~~

12. ~~AMENDMENTS TO CLAUSE 5~~

- 12.1 ~~Sub-clause 5.6 of the Ordinary Meeting Procedures is supplemented with the inclusion of the following additional paragraph:~~
- 5.6.3 ~~Clauses 5.6.1 to 5.6.4 are satisfied if a representor or applicant (as the case may be) appears via electronic means. The Presiding Member may require that any such appearance be via electronic means.~~

13. ~~AMENDMENTS TO CLAUSE 6~~

- 13.1 ~~Sub-clause 6.4 of the Ordinary Meeting Procedures is amended with the inclusion of the words "or disconnect from" after the word "leave". As amended, sub-clause 6.4 is as follows:~~

Commented [jfc15]: Section 17 of the COVID Act permits audio attendance only. Panels may wish to encourage audio and visual connections, where possible. Where a Panel is satisfied with audio connection only, "Where possible, see" may be deleted.

Commented [jfc16]: As above, this may be deleted. It is sufficient for a representor or applicant to appear by audio link only

Commented [jfc17]: As above

Commented [jfc18]: As above

Commented [jfc19]: This will be 5.6.7 if the CAP has chosen to delete template clause 5.6.2 (i.e. for all CAPs which allow all Cat 2 representors to be heard as of right).

Commented [jfc20]: As per above comment, this will be 5.6.3 if the CAP has chosen to delete template clause 5.6.2 (i.e. for all CAPs which allow all Cat 2 representors to be heard as of right).

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6.4

The Presiding Member may ask a member of the public (including an applicant, representor or other member of the public) to leave or disconnect from a meeting where he or she is, in the opinion of the Presiding Member: "...".

13.2

Clause 6 of the Ordinary meeting Procedures is supplemented with the inclusion of the following additional paragraph:

6.5

Where a person is entitled or has been requested to appear before the CAP in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate), the person may appear via electronic means. The Presiding Member may require that any such appearance be via electronic means.

14.

AMENDMENTS TO CLAUSE 7

Sub-clause 7.3 of the Ordinary Meeting Procedures is supplemented with the inclusion of the following additional paragraph:

7.3.4A

methods of attendance by all Members present and by every person who makes or responds to a representation.

Commented [JC21]: If the CAP has chosen to not permit the applicant for review or the Assessment Manager to appear, these new clauses 6.5 and 6.6 can be deleted.

Commented [JC22]: If the CAP's review of decision of Assessment Manager provides the Assessment Manager a right to appear the words "or has been requested" may be deleted.

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Barossa Assessment Panel Meeting

4 October 2022

12. REPORTS – CONFIDENTIAL

Nil.

13. NEXT MEETING

Tuesday 1 November 2022 commencing at 5.00 pm

14. CLOSURE OF MEETING

The Presiding Member will declare the meeting closed.

BAROSSA ASSESSMENT PANEL

OPERATING AND MEETING PROCEDURES



Document Owner:	The Barossa Council	Previous Approval	NEW
Document Control Officer:	DDES	Current Approval Date:	07/06/22
HPE Content Manager	20/71161	Next Review Date:	

1. APPLICATION

- 1.1 These Operating and Meeting Procedures apply to the Barossa Assessment Panel ("the Panel") established under section 83 of the *Planning, Development and Infrastructure Act 2016* ("the PDI Act") and having regard to the Terms of Reference for the Panel as adopted by the Council.
- 1.2 The Panel is a relevant authority pursuant to section 93 of the PDI Act.
- 1.3 The following principles should be applied with respect to the procedures to be observed at a Panel meeting:
 - 1.3.1 procedures should be fair and contribute to open, transparent and informed decision-making;
 - 1.3.2 procedures should encourage appropriate community participation as may be required under the PDI Act and the *Planning, Development and Infrastructure (General) Regulations 2017* ("the PDI Regulations");
 - 1.3.3 procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
 - 1.3.4 procedures should be sufficiently certain to give applicants, representors and the general community confidence in the deliberations at the meeting.
- 1.4 Interactions between Members of the Panel, the public, Council staff and elected Members of the Council are to be courteous and respectful.

2. MEETING NOTICE, TIMES AND VENUE

- 2.1 Scheduled meetings of the Panel will be held on the first Tuesday of each month (excluding the first Tuesday meeting in January) at 5pm, in person at the Council Offices, 43-51 Tanunda Road, Nuriootpa, or via online platform,

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electronic or other means as determined by the Panel in consultation with the Assessment Manager unless there are no matters to be considered.

- 2.2 For the sake of clarity, if an in person meeting is convened, then individual Panel members may, with the prior permission of the Presiding Member, attend the meeting via online platform, electronic or other means.
- 2.3 Written notice of a meeting of the Panel must be given to each member of the Panel by the Assessment Manager at least three (3) business days before the date of the meeting.
- 2.4 The notice must set out the date, time and place of the meeting or, alternatively, long-in or other details for a meeting held via online platform, electronic or other means, and contain or be accompanied by the agenda for the meeting. The notice may be given to a Member of the Panel:
 - 2.4.1 personally; or
 - 2.4.2 by delivering the notice (whether by post or otherwise) to the usual place of residence of the Member or to another place authorised in writing by the Member; or
 - 2.4.3 by leaving the notice for the Member at an appropriate place at the principal office of the Council, if authorised in writing by the Member to do so; or
 - 2.4.4 by a means authorised in writing by the Member as being an available means of giving notice (e.g. email or facsimile transmission).
- 2.5 A notice that is not given in accordance with clause 2.4 of this document is taken to have been validly given if the Assessment Manager considers it impracticable to give the notice in accordance with that clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.
- 2.6 Special meetings (being additional meetings or alternative meetings) of the Panel may be required in special circumstances to expedite decisions on applications before the Panel, and will be called at the discretion of the Presiding Member in consultation with the Assessment Manager. Members of the Panel, applicants, representors and the public shall be given five (5) clear business days' notice of a special meeting of the Panel.
- 2.7 Public notice of a scheduled meeting will be provided at the Council office and on the Council's website.
- 2.8 A copy of the Agenda and reports from the Administration for every meeting of the Panel shall be available for viewing by the public at the Council office at least three (3) business days before the meeting.

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- 2.9 A copy of the Agenda and reports from the Administration for every meeting of the Panel shall be available for viewing on the Council's web site at least three (3) business days before the meeting.
- 2.10 A meeting of the Panel will commence as soon after the time specified in the notice of the meeting, as a quorum is present in accordance with clause 4.1 and 4.2 of these Operating and Meeting Procedures.
- 2.11 If a meeting is adjourned to another day, the Assessment Manager must:
 - 2.11.1 give notice of the adjourned meeting to each Member setting out the date, time and place of the meeting; and
 - 2.11.2 give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place/platform of the meeting together with access details (as relevant) to be placed on display at the principal office of the Council and/or the Council's website as determined by the Assessment Manager.
- 2.12 In the event the Presiding Member is not present, then the Panel shall appoint one of its members as the acting Presiding Member.

3. PUBLIC ACCESS TO MEETINGS

- 3.1 Members of the public are entitled to attend a meeting of the Panel other than as set out in sub-section 3.2 of these Operating and Meeting Procedures. Where a meeting is to occur in person, attendance may occur by attending the place of the meeting and observing the meeting from the public gallery. Where a meeting is to occur via online platform, electronic or other means, the meeting will be livestreamed or otherwise made accessible in a manner deemed appropriate by the Assessment Manager such that members of the public can hear and see the meeting as they would if located in the public gallery of an in person meeting.
- 3.2 The Panel may exclude the public from attendance at a meeting—
 - 3.2.1 during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:
 - (i) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
 - (ii) information the disclosure of which—
 - (A) could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and

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- (B) would, on balance, be contrary to the public interest;
 - (iii) information the disclosure of which would reveal a trade secret;
 - (iv) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (A) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (B) would, on balance, be contrary to the public interest;
 - (v) matters affecting the safety or security of any person or property;
 - (vi) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
 - (vii) matters that should be considered in confidence in order to ensure that the Panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
 - (viii) legal advice;
 - (ix) information relating to actual litigation, or litigation that the Panel believes on reasonable grounds will take place;
 - (x) information the disclosure of which—
 - (A) would divulge information provided on a confidential basis by or to a Minister of the Crown, the State Planning Commission, or another public authority or official; and
 - (B) would, on balance, be contrary to the public interest;
- 3.2.2 during so much of the meeting that consists of its discussion or determination of any application or other matter that falls to be determined by the Panel.
- 3.3 For the sake of clarity, where a meeting is convened via online platform, electronic or other means, and the Panel resolves to exclude the public from the meeting as per clause 3.2 above, exclusion of the public will occur, as relevant, through the livestream being paused, audio and video feeds being

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disabled or other means as determined by the Assessment Manager, for the duration of the confidential item.

- 3.4 The Panel is committed to transparency in decision making. Accordingly, the Panel's powers to enter into confidence as detailed at clause 3.2 above must be used sparingly and in extenuating circumstances and only in consultation with or on the advice of the Assessment Manager.

4. QUORUM

- 4.1 A quorum at a meeting of the Panel is a number obtained by dividing the total number of Members of the Panel for the time being in office by two (2), ignoring any fraction resulting from the division, and adding one (1).
- 4.2 The Panel comprises five (5) members and therefore a quorum at a meeting is three (3) members.
- 4.3 If the number of apologies received by the Presiding Member or the Council, indicate that a quorum will not be present at a meeting, the Presiding Member, may adjourn the meeting to a specified day and time.
- 4.4 Should a quorum not be reached within 30 minutes of the scheduled commencement time of the meeting and there is no apparent prospect of achieving a quorum within a reasonable time thereafter, the meeting will be cancelled and the business on the agenda will be considered at the next meeting of the Panel.
- 4.5 If a meeting is adjourned for want of a quorum, the Assessment Manager will record in the minutes the reason for the adjournment, the names of any Members present, and the date and time to which the meeting is adjourned.
- 4.6 In the event the Presiding Member is not present, then the Panel shall appoint one of its members as the acting Presiding Member.

5. DEPUTY MEMBERS

- 5.1 If a Member is, on reasonable grounds, unable to attend a meeting or part of a meeting, he or she must use his or her best endeavours to notify the Presiding Member or Assessment Manager at his or her earliest opportunity.
- 5.2 If notification pursuant to sub-section 5.1 is given, the Assessment Manager may request a Deputy Member attend the meeting in place of the Member for the meeting or part of the meeting.
- 5.3 Unless the context otherwise requires, a reference to a Member in these Operating and Meeting Procedures includes a Deputy Member.

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6. DEPUTY MEMBERS ATTENDING THE PANEL MEETING

- 6.1 If a Member provides sufficient notice, in advance of a meeting, that they are unavailable to attend a meeting, the relevant Deputy Member is to be notified by the Assessment Manager to attend and participate in that entire meeting.
- 6.2 If a Member has a conflict of interest in relation to an item on the meeting agenda and there is a risk that a quorum will not be achieved for that item, the Deputy Member is to be notified by the Assessment Manager to attend the meeting and participate for that item only.
- 6.3 The Assessment Manager will undertake all reasonable measures to ensure that Deputy Members are notified as required by clauses 6.1 and 6.2 above as soon as possible.
- 6.4 For clarity, if the Council Member appointed to the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member (Council member). If an independent Member of the Panel is unavailable to attend a meeting, the Deputy Member who will be notified to attend the meeting will be the Deputy Member (Independent Member), who is not an elected Member of the Council.

7. VOTING

- 7.1 Each Member of the Panel present at a meeting of the Panel is entitled to one (1) vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting is entitled to a second or casting vote.
- 7.2 Clause 7.1 does not apply to a person who is appointed as an 'additional member' of the Panel under Section 85 of the PDI Act.
- 7.3 All Members (other than additional members) of the Panel will participate in the decision of the Panel by a vote.
- 7.4 All decisions of the Panel shall be made on the basis of a majority consensus decision of the Members present. Where a meeting is held in-person, voting may occur by show of hands. In meeting is convened via online platform, electronic or other means, the Presiding Member will determine how voting should occur.
- 7.5 Minutes shall record the decision of the Panel on each development application and record a mover and seconder for items decided by vote.
- 7.6 A majority vote of the Panel shall be recorded in the minutes as the decision of the Panel and the vote or views of individual Members shall not be recorded in the minutes.

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7.7 Members of the Panel cannot submit any notice of motion to revoke or amend previous decisions of the Panel.

7.8 A member or members cannot abstain from voting in relation to a matter arising for decision.

8. CONDUCT

8.1 Members of the Panel must act at all times in accordance Section 15(2) of the PDI Act and with the Assessment Panel Member - Code of Conduct ("the Code of Conduct") adopted by the Minister under Schedule 3 of the PDI Act.

8.2 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by a Member, an applicant, a representor or any person or persons present at the meeting of the Panel until such time as the disruption or disturbance ceases, or failing that, order a persons or persons to leave the meeting. Where a meeting is convened via online platform, electronic or other means, the Presiding Member may mute or disconnect a person from the meeting where they are causing disruption or disturbance.

8.3 As specified in the Assessment Panel Members – Code of Conduct, Members of the Panel must not initiate individual discussions with applicants, representors or government agencies regarding a matter that is or is likely to be before the panel for determination, and, if placed in a situation where such discussion is unavoidable, should not express an opinion that could be constructed as having made a decision in relation to the proposal before the panel has collectively assessed and determined the development application.

8.4 Members of the Panel must carefully consider all agenda reports and recommendations prior to and during meetings. If a Member of the Panel does not agree with a recommendation made, the Member must articulate their reasons. Where the Panel departs from a recommendation, it must provide sufficient reasons for its decisions to comply with the requirements of the Act and so that appropriate minutes can be recorded.

8.5 In circumstances where a Member of the Panel has a question arising from an agenda report, they should raise their question with the Assessment Manager no later than 24 hours prior to the meeting so that the Assessment Manager can thoroughly consider the question, communicate it to other Members of the Panel and prepare an appropriate response.

9. CONFLICT OF INTEREST

9.1 If a Member of the Panel is of the view that they have a conflict of interest in relation to a matter before the Panel, the Member must:

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- 9.1.1 as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the Panel; and
- 9.1.2 make a disclosure clearly stating the nature of that interest in writing to the Presiding Member, and then in the Panel meeting when the relevant agenda item is reached, make a verbal disclosure to the assessment Panel and remove themselves from the meeting in accordance with clause 7(b) of the Code of Conduct.
- 9.2 If an interest is declared by a Member at a Panel meeting the nature of the interest must be recorded in the minutes of that meeting.

10. HEARING OF REPRESENTATIONS

- 10.1 Pursuant to Regulation 50(5) of the PDI Regulations, where a person has:
 - 10.1.1 made a written representation in accordance with Regulation 50(1) of the PDI Regulations; and
 - 10.1.2 indicated an interest in appearing before the Panel,the Panel may, if it considers that it would assist the Panel in making its decision on an application, allow a representor an opportunity to appear personally or by a representative before the Panel in support of their representation.
- 10.2 For the sake of clarity, appearance before the Panel includes appearance by online platform, electronic or other means where a meeting is not held in person.
- 10.3 Pursuant to Regulation 50(6) of the PDI Regulations, if the Panel determines to **hear** representors in accordance with clause 10.1, it must:
 - 10.3.1 give notice to the applicant of the place and time where the representor has been invited to appear; and
 - 10.3.2 if the applicant appears, allow the applicant, either personally or by representative, a reasonable opportunity, on request, to respond to any relevant matter
- 10.4 Hearing of representations by the Panel will take place at the commencement of the consideration of the relevant agenda item.
- 10.5 Persons making representations will be allocated five (5) minutes to address the Panel, unless otherwise determined by the Presiding Member, acting reasonably. Additional time may be provided in accordance with clause 13.3.
- 10.6 The applicant is allocated ten (10) minutes to respond to the representations made to the Panel, unless otherwise determined by the Presiding Member,

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acting reasonably. Additional time may be provided in accordance with clause 13.3.

- 10.7 Representors and applicants will not be allowed a further opportunity to address the Panel after the conclusion of the hearing of representations, **unless the members of the Panel wish to question or seek clarification on a matter under consideration of the Panel.**
- 10.8 Only representors (or their representative) who have made representation in accordance with Regulation 50 of the PDI Regulations, and with the consent of the Panel, will be entitled to be heard by the Panel.
- 10.9 Representors must be personally present (or represented) at the meeting scheduled to hear their verbal representation. If a representor (or their representative) is not present at the relevant time, the opportunity to be heard in support of their representation is forfeited.
- 10.10 Where no representors appear at the hearing of representations an applicant may only be heard (at the discretion of the Presiding Member) where their written response to representations requires explanation or where the Panel will otherwise benefit from hearing from them.
- 10.11 Members of the Panel may question and seek clarification from representors and the applicant at the conclusion of their address to the Panel.
- 10.12 Where a meeting is to be held via online platform, electronic or other means, the hearing of representations and the application will occur in a manner which allows the representors and applicant to interact with the Panel as per clauses 10.1 – 10.11 above.
- 10.13 Pursuant to regulation 50(6) of the PDI Regulations, a representor must indicate on their written representation whether they wish to appear personally or by representative to be heard on their representation. Elected members of the Council may, in their personal capacity and not in their capacity as elected members, make representations on development applications or act as the representative of a representor and be heard at a meeting of the Panel. Where this occurs, elected members of the Council can be treated no differently to other representors or representatives of representors and the Panel must have regard to sections 93, 98 and 99 of the PDI Act and the capacity of the Panel as an independent relevant authority and that it does not act at the direction of the Council.
- 10.14 Individual elected members of The Barossa Council do not have a right to be heard by the Panel otherwise than in accordance with clause 10.13 above.
- 10.15 **In determining to hear representors in accordance with clause 10.1, the Panel delegates the power to exercise discretion to the Assessment Manager.**

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11. MINUTES AND OTHER DOCUMENTS

- 11.1 The Panel must ensure that accurate minutes are kept of its proceedings.
- 11.2 The minutes of the proceedings of a meeting will record:
 - 11.2.1 how the meeting was convened and when it commenced;
 - 11.2.2 the names of the members of the Panel present;
 - 11.2.3 the name and time of Members of the Panel entering or leaving the meeting;
 - 11.2.4 the name of a person who has made a verbal representation to the Panel at the meeting;
 - 11.2.5 the name of a person who appears in relation to an application for review of an Assessment Manager decision (including the Assessment Manager or delegate);
 - 11.2.6 the decision of the Panel;
 - 11.2.7 the decision of the panel to exclude public attendance including reasons.
 - 11.2.8 a disclosure by a member of the Panel of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development required under the PDI Act.
- 11.3 Members of the public are entitled to reasonable access to:
 - 11.3.1 the agendas for meetings of the Panel; and
 - 11.3.2 the minutes of meetings of the Panel.
- 11.4 The Panel may, before it releases a copy of any minutes under clause 11.3, exclude from the minutes information about any matter dealt with on a confidential basis by the Panel.
- 11.5 Minutes must be available under clause 11.3 within five (5) business days after their adoption by the Members of the Panel.
- 11.6 Minutes shall not be formal minutes until adopted by the Panel at the next meeting of the Panel. However, this does not preclude the issue of a Decision Notification advising of the determination of the Panel immediately after a meeting at which the Panel made its determination.
- 11.7 Upon adoption of the minutes, the Presiding Member shall authorise the minutes by signature and date of adoption on the last page of the minutes.

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12. SITE INSPECTIONS AND LOCALITY VISITS

- 12.1 Formal site visits may be arranged on request from a Member of the Panel. A Member of the Panel may request attendance of a Council Officer to provide relevant information. The Panel will not hear deputations at a formal site visit.
- 12.2 Locality visits by one or more Members of the Panel must be undertaken in accordance with the Code of Conduct.

13. INFORMATION RECEIVED AFTER MEETING AGENDA IS FINALISED

- 13.1 At the discretion of the Presiding Member (in consultation with Members of the Panel), any new or additional material submitted to the Panel by an applicant or representor, in accordance with clause 13.2 above may be:
 - 13.1.1 accepted and considered; or
 - 13.1.2 not accepted and not considered,the Presiding Member's determination in this regard is final.
- 13.2 In determining whether to accept and consider the information pursuant to clause 13.4.1, the Presiding Member should consider the following:
 - a) The content of the information and whether it is relevant to the matter of whether Planning Consent should be granted;
 - b) The time available for the information to be properly considered by the applicant, the representors (as relevant) and the Panel;
 - c) The reasons why the information was not provided within the application (or representation as relevant);
 - d) Prejudice that may be suffered on the other party (applicant or representor/s as relevant) by accepting or not accepting the information.
- 13.3 Whenever new or additional information or material provided by the applicant is accepted and considered by the Panel, representors may be provided with five additional minutes to their hearing time to address the Panel on the additional information. The applicant will be provided with five (5) additional minutes to respond to the representors' comments.
- 13.4 Whenever new or additional information or material provided by a representor is accepted and considered by the Panel, the representor who provided the information or material may be provided with five (5) additional minutes to their hearing time to address the Panel on the additional information. The applicant will be provided with five additional minutes to respond to the representor's comments

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14. FORM OF DEBATE AND MOTIONS

- 14.1 In order to ensure informed decision making and to facilitate comprehensive consideration of issues, debate and discussion by the Panel of matters before it shall be, as far as practicable, informal within the bounds of professional meeting procedures and the principles of natural justice and procedural fairness.
- 14.2 In the interests of informality, during hearings of representations the Presiding Member will be referred to as "Presiding Member", and Members of the Panel will be referred to by their first name (not by title or position). In subsequent discussion of items during in the meeting of the Members (including the Presiding Member) may refer to each other by their first names and address Council staff by their first names.
- 14.3 At the conclusion of debate and discussion of matters, the Presiding Member will call for a motion enabling the Panel to determine the matter.
- 14.4 A motion will lapse if it is not seconded at the appropriate time.
- 14.5 The Presiding Member, in the absence of comment/discussion in relation to the matter requiring determination, will either move a motion or will request a motion to be moved and seconded.
- 14.6 Voting in favour or against a motion, as requested by the Presiding Member, shall be by show of hand.
- 14.7 The Presiding Member will request each Member to vote on a motion and then declare the outcome.

15. DECISION MAKING

- 15.1 The Panel must have regard to the Planning and Design Code as the basis for its decisions along with any written and verbal representations.
- 15.2 The Panel will make decisions in accordance with the timeframes set out in section 125 of the PDI Act.
- 15.3 To ensure that timeframes are met for making decisions the Panel will make a decision to either grant or refuse Planning Consent, and will **generally** not defer applications for the purpose of requesting further information or amendments, **unless the Panel determines that a deferral is the most appropriate resolution given the circumstances under consideration by the Panel as the case may be.**
- 15.4 In making a decision, the Panel:

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15.4.1 must state whether the proposal is seriously at variance with the Planning and Design Code, in doing so must refuse to grant Planning Consent and provide reasons for the decision;

15.4.2 if the proposal is not seriously at variance with the Planning and Design Code, the Panel must determine whether Planning Consent is granted or refused.

(a) Where Planning Consent is granted subject to conditions, reasons why the conditions have been imposed must be provided.

(b) Where Planning Consent is refused, the reason for refusal must be provided.

15.5 All agenda reports will contain a recommendation which accords with the assessing officer's assessment of the development application. In circumstances where the assessment of a development application is considered by administration to be finely balanced, an alternative recommendation may be provided. Alternative recommendations may require further detail to be inserted by the Panel. Members of the Panel are expected to thoroughly consider recommendations before they are adopted. If the Panel determines a development application contrary to a recommendation, the Panel must ensure that the decision is thorough and contains adequate, clear and understandable reasons. Where a Member of the Panel wishes to move a recommendation which differs from that made by administration, the Member should contact the Assessment Manager for advice on their recommendation at least twenty four (24) hours prior to the meeting.

16. ASSESSMENT PANEL REVIEW OF DECISIONS OF ASSESSMENT MANAGER

16.1 This clause applies to reviews commenced by applicants pursuant to section 203 of the PDI Act ("Application for Review"). For clarity, this process applies to applications assessed and determined by the Assessment Manager as the relevant authority pursuant to section 96 of the PDI Act. No representations are permitted for the original applications or the review process.

16.2 Applications for Review:

16.2.1 may, pursuant to section 201 of the PDI Act, relate to:

(a) any assessment, request, decision, direction or act of the Assessment Manager that is relevant to any aspect of the determination of the relevant application;

(b) a decision to grant or refuse a development authorisation; or

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- (c) the imposition of conditions in relation to a development authorisation; or
 - (d) subject to any exclusion prescribed by the PDI Regulations, any other assessment, request, decision, direction or act of a relevant authority under this Act in
- 16.2.2 must be submitted using the [Application to Assessment Panel for Assessment Manager's Decision Review](#) ("the Form");
- 16.2.3 lodged in a manner identified on the Form; and
- 16.2.4 lodged within one month of the applicant receiving notice of the reviewed matter pursuant to clause 16.2.1 above, unless the Presiding Member in their discretion, grants an extension of time.
- 16.3 In determining whether to grant an extension of time, the Presiding Member may consider:
 - 16.3.1 the reasons for the delay;
 - 16.3.2 the length of the delay;
 - 16.3.3 whether any rights or interests of other persons would be affected by allowing the review to be commenced out of time;
 - 16.3.4 the interests of justice;
 - 16.3.5 whether the applicant has, or is within time to, appeal the prescribed matter to the ERD Court;
 - 16.3.6 any other matters the Presiding Member considers relevant; and
 - 16.3.7 consultation with the Assessment Manager.
- 16.4 The Assessment Manager must ensure that the following documents are provided on the relevant Agenda for an Application for Review:
 - 16.4.1 a report to the Panel containing all of the details of the relevant development application and the details of the reviewed decision;
 - 16.4.2 all materials which were before the Assessment Manager (or their delegate) at the time of the reviewed decision including (as relevant):
 - (a) application documents, reports, submissions, plans, specifications or other documents submitted by the applicant;
 - (b) internal and/or external referral responses; and

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- (c) any report from administration or an external planning consultant provided to the Assessment Manager (or their delegate);
- 16.4.3 any assessment checklist used by the Assessment Manager (or their delegate) when making the reviewed decision;
- 16.4.4 any other information requested by the Presiding Member.
- 16.5 The Assessment Manager must advise the applicant of the time and date of the Panel meeting at which the review application will be heard.
- 16.6 The applicant will be provided with five (5) minutes to address the Panel on their review and why they believe the Panel should reach a different decision to that made by the Assessment Manager or their delegate.
- 16.7 On review, the Panel will consider the reviewed decision afresh on the information provided to it and on the submissions of the applicant.
 - 16.7.1 Information, materials, plans, details, specifications and other documents which were not before the Assessment Manager at the time of the decision on the Prescribed Matter will not be considered by the Panel.
 - 16.7.2 In addition to clause 16.6 above, the Presiding Member may permit Panel members to ask questions or seek clarification from the applicant and/or the Assessment Manager, in his or her discretion.
- 16.8 The Assessment Manager must be present at the Panel meeting to respond to any questions or requests for clarification from the Panel.
- 16.9 Where the decision was made by a delegate of the Assessment Manager, the delegate may appear in place of the Assessment Manager.
- 16.10 The Presiding Member will invite all Panel Members to speak on any matter relevant to the review.
- 16.11 The Panel may resolve to defer its decision if it considers it requires additional time or information to make its decision.
- 16.12 The Panel may, on a review:
 - 16.12.1 affirm the Assessment Manager's decision on the Prescribed Matter;
 - 16.12.2 vary the Assessment Manager's decision on the Prescribed Matter;
or
 - 16.12.3 set aside the Assessment Manager's decision on the Prescribed Matter and substitute its own decision.

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16.13 The Assessment Manager will advise the applicant, in writing, of the Panel's decision within five (5) business days of the meeting or otherwise prescribed by the PDI Regulations.

17. PLANNING APPEALS

17.1 Should an appeal be lodged in relation to a decision of the Panel, the Panel will determine whether any "compromise proposal" is appropriate or the matter proceed to a hearing in the Environment, Resources and Development Court.

17.2 Should the Panel not make a decision in respect of an application within the time prescribed in the PDI Act and the Panel receives a deemed consent notice from the applicant in accordance with section 125(2) of the PDI Act, the Panel to decide whether to apply to the Court to have deemed consent notice quashed.

17.3 The Assessment Manager/Director, Development and Environmental Services/CEO is authorised to make decisions as to the conduct of appeals (including Judicial Review) subject to consulting with the Presiding Member.

17.4 Any compromise arising from an appeal shall be presented to the Panel for a decision.

17.5 In the event of an urgent matter, that the Panel may determine by electronic meeting in accordance with its General Operating Procedures.

18. QUARTERLY REPORTING

18.1 The Assessment Manager will prepare:

18.1.1 A quarterly report of the development applications determined under delegated authority of the Barossa Assessment Panel for the previous period;

18.1.2 A report at the next meeting of the Panel for any development application delegated by the Panel where a deemed consent notice has been received.

19. VALIDITY OF PROCEEDINGS

19.1 A proceeding of the Panel (and any decision made by the Panel) is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

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20. COMPLAINTS

- 20.1 A person may make a complaint to the State Planning Commission ("the Commission") if the person believes that a Member of the Panel has acted in contravention of the Code of Conduct.
- 20.2 A complaint must:
 - 20.2.1 be in writing; and
 - 20.2.2 contain particulars of the allegation on which the complaint is based; and
 - 20.2.3 be verified by statutory declaration.
- 20.3 Except with the approval of the Commission, a complaint must not be lodged with the Commission more than six (6) months after the day on which the complainant first had notice of the matters alleged in the complaint.

21. MISCELLANEOUS MATTERS

- 21.1 An applicant may not defer matters from the meeting agenda after the agenda has been sent to Members of the Panel, unless agreed at the meeting or by the Presiding Member prior to the meeting. The applicant must make this request in writing to the Assessment Manager, including reason(s) for their request to defer.
- 21.2 Should a Member of the Panel receive by direct post, fax, e-mail or other means, information in relation to a development application being assessed by Council development assessment officers which may be referred for decision by the Panel at a future time, then the Member of the Panel should immediately forward the information received to the Assessment Manager. The Member of the Panel should not acknowledge receipt of the information nor enter into discussion with the sender in relation to any matters contained within the information received. If a Member of the Panel receives such information, he or she must disclose this fact at the relevant Panel meeting, and confirm that the information will not be taken into account for the purposes of making a decision on the relevant application.
- 21.3 Should a request be made for public comment on the operations or decisions made by the Panel then the matter should be referred to the Presiding Member. Comment may be made at the discretion of the Presiding Member.
- 21.4 A Member of the Panel at a meeting may request independent expert advice on any relevant matter before the Panel. Such requests are to be referred to the Assessment Manager for approving of and authorising the engagement of any independent experts. If the Assessment Manager decides not to

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engage such advice the Panel must be advised of the decision and the reason as soon as reasonably possible.

- 21.5 The role of the Panel is not one of mediator or arbitrator for parties expressing divergent views but as is a decision maker charged with the responsibility of assessing each development application against the Planning and Design Code. It is a role that is inquisitorial rather than adversarial. The Panel does not therefore have a role as a mediator or arbitrator at its meetings or otherwise between an applicant and representors.

22. OTHER MATTERS

- 22.1 Except insofar as a procedure is not prescribed by the PDI Act or PDI Regulations under the PDI Act, the procedures of the Panel in relation to the conduct of its business will be as determined by the Panel.

- 22.2 The Panel will review these Operating and Meeting Procedures on an annual basis.

Signed **Dated:**

Presiding Member

10.2 Assessment Manager Quarterly Reports - January 2023 to March 2023

INTRODUCTION

Clause 18 of the Barossa Assessment Panel Operating and Meeting Procedures requires the Assessment Manager to prepare a quarterly report of:

- The development applications determined under delegated authority of the Barossa Assessment Panel for the previous period.
- A report at the next meeting of the Panel for any development application delegated by the Panel where a deemed consent notice has been received.

This report provides a quarterly report for the period January to March 2023.

REPORT

The Panel is assigned as a relevant authority in its own right under the *Planning, Development and Infrastructure Act 2016*. In the exercise of its duties, the Panel delegated to the Assessment Manager specific duties and powers on its behalf. Delegations enhance decision making processes and allow nominated matters to be resolved efficiently and effectively without the need for the Panel's consideration.

The delegations provide for:

- Administrative matters to assist in the timely processing of applications such as verifying development applications, undertaking statutory referrals and public notification.
- Determining prescribed development applications.

The planning applications received by The Barossa Council for the period are summarised in the table below.

	Number
Planning Applications Lodged	146
Planning Applications determined (excluding Private Certification)	126
Notified Applications	14
Determined Planning Consents by Relevant Authority (excluding Private Certification):	
• BAP	4
• Assessment Manager (AM)	113
• AM for BAP	9

The number of development applications that were notified during this period was 14. 126 development applications were determined by the Assessment Manager. Four (4) development applications were determined by the Panel and ten (10) development applications were determined by the Assessment Manager under delegation of the Panel.

The number of planning applications that were lodged under the previous *Development Act 1993* (prior to 19 March 2021) that are still active at the end of this quarter is 1.

Development Applications Assessed under Delegated Authority of BAP by the Assessment Manager

The development applications considered by the Assessment Manager under Delegated Authority of the Panel are summarised below:

Development Application 22040648 - 22 Queen Street, Williamstown <i>Internal painting and on-going internal maintenance programme for State Heritage listed building</i> Representations – No public notification required Decision – Planning Consent granted 4 January 2023 subject to conditions
Development Application 22035655 - 119 Yaldara Drive, Lyndoch <i>Construction of a free-standing verandah (measuring 14.545m x 6.93m x 2.6m max roof height) for the purpose of undercover dining (no increase to patron numbers)</i> Representations – Nil representations received Decision – Planning Consent granted 11 January 2023 subject to conditions
Development Application 22030937 - 1 Howard Street, Angaston <i>Construction of a two-storey detached dwelling, including balcony & verandah under main roof; associated landscaping including retaining walls not exceeding 1m</i> Representations – One representation received, did not request to be heard Decision – Planning Consent granted 24 January 2023 subject to conditions
Development Application 22034821 - 15-17 Old Mill Road, Nuriootpa <i>Construction of an extension to an existing domestic outbuilding – garage (measuring 4.564m x 6.155m x 2.7m wall height, for a total floor area of 178sqm)</i> Representations – Nil representations received Decision – Planning Consent granted 25 January 2023 subject to conditions
Development Application 22038596 - 30 Hospital Road, Mount Pleasant <i>Change of use from emergency services depot, to gin distillery and dwelling</i> Representations – One representation received, did not request to be heard Decision – Planning Consent granted 10 February 2023 subject to Reserved Matter and conditions
Development Application 22040698 - 10 Kalimna Road, Nuriootpa <i>Retention of existing office as office, laboratory and staff amenities; change of use of existing shed from light industry to warehouse; construction of an addition to warehouse building</i> Representations – Nil representations received Decision – Planning Consent granted 24 February 2023 subject to conditions

Development Application 23000240 - 36 Fifth Street, Nuriootpa

Change of use to consulting room with associated waiting room (reception) and staff office, with one flat wall sign (including secondary sign on façade under verandah)

Representations – One representation received, did not request to be heard

Decision – Planning Consent granted 17 March 2023 subject to conditions

Development Application 22041995 - 171 Murray Street, Tanunda

Change of use of existing building from Service Trade Premises to Automotive Collision Repair; includes installation of a spray booth with associated flue and exhaust stacks

Representations – Nil representations received

Decision – Planning Consent granted 20 March 2023 subject to conditions

Development Application 22036978 - 331 Bethany Road, Bethany

Construction of bathroom facilities attached to an existing structure (as approved in 960/421/2020); Change of use from domestic outbuilding to wine storage, winemaking and associated cellar door sales, office and store with associated car parking, loading area and landscaping

Representations – Nil representations received

Decision – Planning Consent granted 30 March 2023 subject to Reserved Matter and conditions

Deemed Consents

No deemed consent notices have been received for this period.

CONCLUSION

The Assessment Manager's Quarterly Report for the period January to March 2023 be received and noted.

RECOMMENDATION

That the report be received.

11. REPORTS – CONFIDENTIAL

Nil.

12. NEXT MEETING

Tuesday 4 July 2023 commencing at 5.00 pm

13. CLOSURE OF MEETING

The Presiding Member will declare the meeting closed.