

BAROSSA ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE SPECIAL BAROSSA ASSESSMENT PANEL
held on

Tuesday, 26 March 2024, commencing at 5.00 pm

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



The Barossa Council

MINUTES

I N D E X

1. Welcome	3
2. Attendance	3
3. Business Arising from Minutes	3
4. Declaration of Interest by Members of the Panel	3
5. Reports – Application for Decision (Planning, Development and Infrastructure Act 2016)	4
5.1 24004484 - 2 Barossa Valley Way Lyndoch, 1312 Barossa Valley Way Lyndoch and Lot 304 Bevilaqua Terrace Lyndoch	4
6. Next Meeting	12
7. Closure of Meeting	13

1. WELCOME

The Presiding Member welcomed everyone, and opened the meeting at 5:00pm.

2. ATTENDANCE

2.1 Present

Panel Members

Michael Wohlstadt	Presiding Member
Susan Giles	Member
Grant Hewitt	Member
Graham Burns	Deputy Member
Aaron Curtis	Assessment Manager

Council Staff

Jake McVicar	Director, Development and Community Services
Steve Kaesler	Manager, Engineering Services
Chris Kruger	Minute Secretary

2.2 Apologies

Jane Evans.

2.3 Absent

Nil.

3. BUSINESS ARISING

Nil.

4. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

Nil.

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

5.1 24004484 - 2 Barossa Valley Way Lyndoch, 1312 Barossa Valley Way Lyndoch and Lot 304 Bevilacqua Terrace Lyndoch

Greg Vincent (Masterplan) and Ben Clark (Director, Infrastructure and Environmental Services) answered questions from the Panel at 5:07pm.

PANEL DECISION

Moved: G Hewitt

Seconded: G Burns

Seriously at Variance

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

CARRIED

PANEL DECISION

Moved: G Hewitt

Seconded: G Burns

Character Preservation

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

CARRIED

PANEL DECISION

Moved: G Burns

Seconded: G Hewitt

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. 24004484 by The Barossa Council to undertake a Recreational Facility comprising the refurbishment of the existing oval (including a new clubroom, lighting and a viewing pavilion) and the construction of a new multi-use sports and athletics oval, netball courts and a

playground, together with associated car parking and ancillary buildings and structures at 2 Barossa Valley Way Lyndoch, 1312 Barossa Valley Way Lyndoch and Lot 304 Bevilacqua Terrace Lyndoch (CT 5677/209, CT 6101/50 and T 5438/11) 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 following matters shall be reserved for further assessment prior to the granting of Development Approval and to the satisfaction of the Assessment Manager:

- (1) The relevant toilet facilities as shown within the approved buildings shall be granted authorisation to connect to the Lyndoch CWMS pursuant to the *South Australian Public Health Act 2011* and South Australian Public Health (Wastewater) Regulations 2013.
- (2) The applicant shall submit a final working Landscape Plan for approval, that includes all of the following:
 - a) Final location for all proposed landscaping, comprising trees, shrubs and groundcovers;
 - b) Final nominated species to be used, noting species shall be suited to the local conditions;
 - c) Planting types and locations to be considerate of site features including batters and stormwater basins;
 - d) Landscaping to stabilise batters and prevent overland flow of stormwater management;
 - e) Pot sizes;
 - f) Irrigation and maintenance methods, including protection of plantings from vehicles and pedestrians;
 - g) Retention of existing vegetation as marked on the approved plans.
- (3) Final stormwater management plan and stormwater calculations which shall include all of the following:
 - a) Stormwater shall limit the 1% AEP post development runoff from the site to the 1% AEP pre-development runoff from the site;
 - b) Final detention volume and design.
- (4) Final civil and siteworks plan, prepared by a qualified and experienced stormwater engineer, for all civil and stormwater works, which shall include all of the following:
 - a) Finished floor level for all buildings and hardstand surfaces;
 - b) Cut/fill details;
 - c) Retaining walls, kerbing and ramps, designs and grades;

- d) Car parking dimensions, aisle widths, circulation movements and associated parking markings and signage;
 - e) Stormwater management arrangements including pipes, sumps, drains, swales and basins, sizes and grades;
 - f) Water sensitive design measures;
 - g) Surface water treatment to ensure water quality objectives are met.
- (5) All recommended acoustic treatments identified by Resonate within the Approved acoustic report shall be subject to final review as part of detailed design, so as to ensure that the desired noise attenuation levels are achieved, pursuant to the Environment Protection (Noise) Policy 2007 (or later policy as amended from time to time).
- (6) Arrangements in relation to the provision of overflow car parking to address periods of peak times of use and for major events such as use of the Lyndoch Village Green car park, shall be established.

Council Conditions

- (1) The development shall be undertaken in accordance with the following endorsed plans and documentation accompanying the application except where varied by the conditions listed below:
- Planning Report, Masterplan, February 2024
 - Architectural Plans, Dash Architects:
 - Cover Sheet, SK00 Rev D
 - Location Plan, SK01 Rev D
 - Site Plan – Existing, SK02 Rev D
 - Site Plan – Demolition, SK03, Rev D
 - Site Plan – Proposed, SK04, Rev D
 - Site Plan – Proposed Building Setout, SK04.1, Rev B
 - Site Plan – Proposed Lighting, SK04.2, Rev B
 - Site Plan – Proposed Fencing, SK04.3, Rev B
 - Ground Floor Plan – Proposed, SK05, Rev D
 - First Floor Plan – Proposed, SK06, Rev D
 - Roof Plan – Proposed, SK07, Rev D
 - Elevation – Proposed, SK08, Rev D
 - Renders 1, SK09, Rev D
 - Renders 2, SK10, Rev D
 - Renders 3, SK11, Rev D
 - LBW Co, Preliminary Site Investigation – Site History Lyndoch Recreation Park, 23.01.24, 241507 R01
 - Site Infrastructure Review, Lucid Consulting Australia, 16 February 2024, LCE101210-002a
 - Combined Services Concepts, Lucid Consulting Australia, 19 February 2024, LCE101210, Sheets 1 and 2
 - Obtrusive Lighting Assessment, Lucid Consulting Australia, 16 February 2024, LCE101210-005

- Lighting Concept Rev 1, Lucid Consulting Australia, 16 February 2024, Page 1, 2, 3 and 4 of 4
 - Jupiter Exeloo Specification
 - Native Vegetation Clearance Lyndoch Recreation Park Data Report, JS Ayre & Associates, 5 February 2024
 - Traffic Impact Assessment, WGA, WGA212616-RP-CV-0002_C, 28 February 2024
 - Stormwater Management Plan, WGA, Stormwater Management Plan, WGA232616-RP-CV-0001_B, 23 February 2024
 - Bulk Earthworks Plan, Site Overview, WGA, WGA232616-SK-CV-0001, Rev A
 - Bulk Earthworks Plan, Plan and Sections, Main Oval, WGA, WGA232616-SK-CV-0002 Rev A
 - Bulk Earthworks, Plan and Sections, Second Oval, WGA, WGA232616-SK-CV-0003 Rev A
 - Bulk Earthworks, Plan and Sections, Netball Courts, WGA, WGA232616-SK-CV-0004 Rev A
 - Environmental Noise Assessment, Resonate, A240080RP1, Revision 0, 6 March 2024
- (2) Prior to occupation, the buildings authorised herein shall be connected and remain connected to the Lyndoch CWMS to the reasonable satisfaction of Council.
- (3) Operating hours of the clubrooms shall not exceed the following times:
- Monday to Thursday 4:00 pm – 10:00 pm
 - Friday 4:00 pm – Midnight
 - Saturday 7:00 am – Midnight
 - Sunday 7:00 am – 10:00 pm
- (4) The external building materials of all approved buildings 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.
- (5) 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 Council.
- (6) All external lighting shall be in accordance with AS4282:2019 'Outdoor Lighting Obtrusive Effects' so as to prevent any adverse effect on adjoining sensitive receivers.

- (7) The lighting towers shall maintain a lux level of no greater than that approved under the Lucid Obtrusive Lighting Assessment, dated 16 February 2023.
- (8) The lighting towers shall be turned off by no later than 10:00 pm on any day.
- (9) All waste material shall be stored in covered containers screened from view and shall be regularly removed from the site.
- (10) All stormwater management from the site shall be in accordance with the final Stormwater Management Plan, authorised pursuant to the Reserved Matter.
- (11) Stormwater disposal systems shall be fully installed at the completion of the construction of the buildings and adequate measures shall be deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of Council.
- (12) All landscaping shown on the landscaping plan, authorised pursuant to the Reserved Matter, shall be established in accordance with the landscaping plan, prior to commencement of use and shall be maintained and nurtured at all times thereafter, with any diseased or dying plants replaced in a timely manner.
- (13) The detailed design of all footpaths, access roads, open spaces and other publicly accessible areas must comply with the requirements of the *Disability Discrimination Act 1992*.
- (14) Except where otherwise shown on the Approved Plans, the driveway access, car parking and vehicle manoeuvring areas shall be constructed with sealed pavement and comply with the requirements of AS 2890.1 Parking facilities – Part 1: Off-street car parking and AS 2890.6 Parking facilities – Part 6: Off-street parking for people with disabilities. The driveway access, internal roadways, car parking and manoeuvring areas shall be constructed prior to commencement of use and shall maintained in good condition at all times thereafter.
- (15) All acoustic treatments outlined within the final acoustic report authorised pursuant to the Reserved Matter shall be implemented.

Commissioner of Highways

- (16) Access to the development shall be located in accordance with the Dash Architects Site Plan SK04.1, Project No. DA234510, Revision B, Dated 19/02/2024. The internal roadway between the two access points shall be two-way and the internal junctions shall be designed to minimise impacts on the adjacent access points. Line marking and delineation shall be provided at the access points and internal junctions adjacent to the access points to minimise the potential for vehicular conflict adjacent Barossa Valley Way.
- (17) As a minimum, the main access and secondary access shall be provided with BAR and BAL treatments (ideally the main access should be provided with a CHR(s) treatment to improve road safety. All treatments shall be of full depth pavement.
- (18) Pedestrian refuges shall be provided on Barossa Valley Way to enable the safe crossing of pedestrians.
- (19) All required road works on Barossa Valley Way shall be designed and constructed in accordance with Austroads Guides/Australian Standards and to the satisfaction of DIT. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. All works shall be completed prior to operation of the development.

Note: Prior to undertaking detailed design, the applicant shall contact Mr Victor Ling, Senior Asset Manager, Regional South Zone 2 on telephone (08) 7133 1969, mobile 0467 784 657 or via email: victor.ling@sa.gov.au to progress this. The applicant will be required to enter into a Developer Agreement with DIT to undertake and complete this work.

- (20) All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004 shall be provided at the property line adjacent to the access points to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
- (21) Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
- (22) A traffic management plan for event traffic management shall be submitted to the satisfaction of Council and the Department of Infrastructure and Transport prior to any large event being held on-site. This plan shall:

- a) Provide details of all parking (including overflow parking) and traffic flow through the site;
- b) Identify any passenger set down areas, including any buses accessing the site;
- c) Identify any pedestrian management measures required;
- d) Identify all traffic restrictions and traffic control devices required to facilitate the traffic movements;

All access and traffic management for the event shall be in accordance with this plan.

- (23) Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Native Vegetation Council

- (24) Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the *Native Vegetation Act 1991* have been satisfied.

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) This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the Relevant Authority.
- (3) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- (4) Any variation of 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.

- (5) The adjoining owner(s) should be advised of any proposed work on a 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 neighbouring land.
- (6) 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*.
- (7) 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.
- (8) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (9) Construction shall not take place on any Sunday or Public Holiday or after 7:00pm or before 7:00am on any other day, and all practicable steps must be taken during construction to minimise the impact of noise emissions on neighbouring properties.
- (10) The applicant is advised that this consent does not permit anyone to clear, remove limbs or trim native vegetation. 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. The applicant is advised that any proposal to clear, remove limbs or trim native vegetation should be undertaken after first notifying the Native Vegetation Council of intended works.
- (11) 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 Council, including any existing infrastructure.
- (12) 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.

- (13) 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.

Commissioner of Highways

- (14) Approval for temporary traffic control for each event will need to be obtained from DIT – Roadworks. The Traffic Management Centre Roadworks team can be contacted on 1800 434 058 or email dit.roadworks@sa.gov.au. The event traffic management will need to be developed in accordance with: [https://dit.sa.gov.au/data/assets/pdf_file/0020/121/394/DOCS_AND_FILES-8197504-v5-Guidelines for Events on SA Roads.pdf](https://dit.sa.gov.au/data/assets/pdf_file/0020/121/394/DOCS_AND_FILES-8197504-v5-Guidelines_for_Events_on_SA_Roads.pdf)
- (15) Should traffic flows on Barossa Valley Way be affected during the construction phase the applicant shall contact DIT for any necessary traffic control. Approval for temporary traffic control will need to be obtained from DIT's Traffic Management Centre (TMC). The company engaged for traffic control will need to provide the TMC with a copy of the traffic management plan and seek approval for any temporary traffic control/signage. The Traffic Management Centre Roadworks team can be contacted on 1800 434 058 or email dit.roadworks@sa.gov.au.

Native Vegetation Council

- (16) The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the *Native Vegetation Act 1991* as set out in Decision Notification 2024/3069/960.

CARRIED

6. NEXT MEETING

Tuesday 2 April 2024 commencing at 5.00 pm

7. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 5:28pm.

Confirmed

Date:..... Chairman: