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, 1 October 2024, commencing at 5.00 pm

Aaron Curtis
Assessment Manager

The Barossa Council

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

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3. CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Barossa Assessment Panel meeting held on Tuesday 3 September 2024 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 – APPLICATION FOR DECISION (PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016)

6.1 24016872 - 1916 Barossa Valley Way Rowland Flat

APPLICANT:	Charlie Dubois from MasterPlan SA Pty Ltd on behalf of the Applicant Pernod Ricard Winemakers Pty Ltd
REPRESENTORS TO BE HEARD:	Anne Graves

APPLICATION DETAILS

PROPOSAL	Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall
APPLICANT	Pernod Ricard Winemakers Pty Ltd
OWNER	Pernod Ricard Winemakers Pty Ltd
APPLICATION NO	24016872
CERTIFICATE(S) OF TITLE	CT 6076/18 CT 6287/246
AREA	Approximately 35.9 hectares
CURRENT USE	Winery
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.11, 20 June 2024
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Rural Zone
OVERLAYS	Water Protection Area Water Resources Character Preservation District (Not In Township) Hazards (Bushfire - Medium Risk) (Medium) Heritage Adjacency Hazards (Flooding - Evidence Required) Limited Land Division Major Urban Transport Routes Native Vegetation Prescribed Water Resources Area State Heritage Place (17031) Traffic Generating Development
APPLICATION TYPE	Code Assessed – Performance Assessed
PUBLIC NOTIFICATION	Notified – No Sign Required
REFERRALS	Heritage SA Environment Protection Authority

PREVIOUS APPLICATIONS	***Attachment 1*** refers to Previous Applications on the site
ASSESSING OFFICER	Paul Vivian (Planning Consultant)
RECOMMENDATION	That Planning Consent be GRANTED subject to Conditions

INTRODUCTION

The Applicant seeks Development Authorisation for "*Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall.*"

The application was subject to public notification and two representations were received with one in objection and one in support with concerns. One representor has requested to be heard.

This application is subject to decision of the Barossa Assessment Panel for the following reason:

(1) Representations have been received as a result of public notification and a representor has indicated a desire to be heard in support of their representation.

The proposal is to consolidate red and white winemaking activities, along with associated new buildings and infrastructure on the subject land. The application has been subjected to detailed assessment with referral input from Heritage SA and the Environment Protection Authority. The assessment concludes that key considerations—such as building design and scale, impact on a State Heritage site, noise and odour management, wastewater and stormwater management, and earthworks—are acceptable. There are no major assessment concerns and overall, the proposal is considered to align with the provisions of the Planning and Design Code. As such, it is recommended that Planning Consent be granted, subject to Conditions of Consent.

SITE AND LOCALITY

The subject land comprises two parcels of land separated by Barossa Valley Way, namely:

- Parcel 200 contains the existing Rowland Flat winery which comprises a large facility containing multiple tank farms, processing buildings, storage facilities and vineyard. The original winery buildings including the chimney are located nearer to the road. This site is located on the eastern side of Barossa Valley Way.
- Parcel 201 contains a wastewater treatment plant for the winery and associated staff car park. The site has cyclone mesh boundary fencing and contains a large number of mature trees. This site is located on the western side of Barossa Valley Way.

Parcel 200 has a frontage to Barossa Valley Way of approximately 79 metres with the balance of the site sitting behind a row of former dwellings that are now utilised as part of the winery business which front Barossa Valley Way. These retained buildings and the large number of trees and vegetation contribute to a high local amenity. The majority of the winery buildings are not directly visible from Barossa Valley Way.

The site is registered as a State Heritage Place. It was the former Orlando winery complex and contains a number of original buildings including the still house and adjacent chimney.

The site operations and associated wastewater treatment plant are managed under an existing EPA License No. 1966 pursuant to the *Environment Protection Act 1993.*

Directly north of the winery site there is a large warehouse building also owned by Pernod Ricard. This large building is partially obscured from public view by mature landscaping.

The general topography rises from Barossa Valley Way to the east and declines to the west. There are long vistas available to the west of vineyards and undulating rural land. To the east, the visual impact of the large facility is moderated by changes in topography, mature vegetation and existing dwellings and wineries (eg Lou Miranda Estate.

Figure 1 below provides a Zone map and details of the locality of the site.

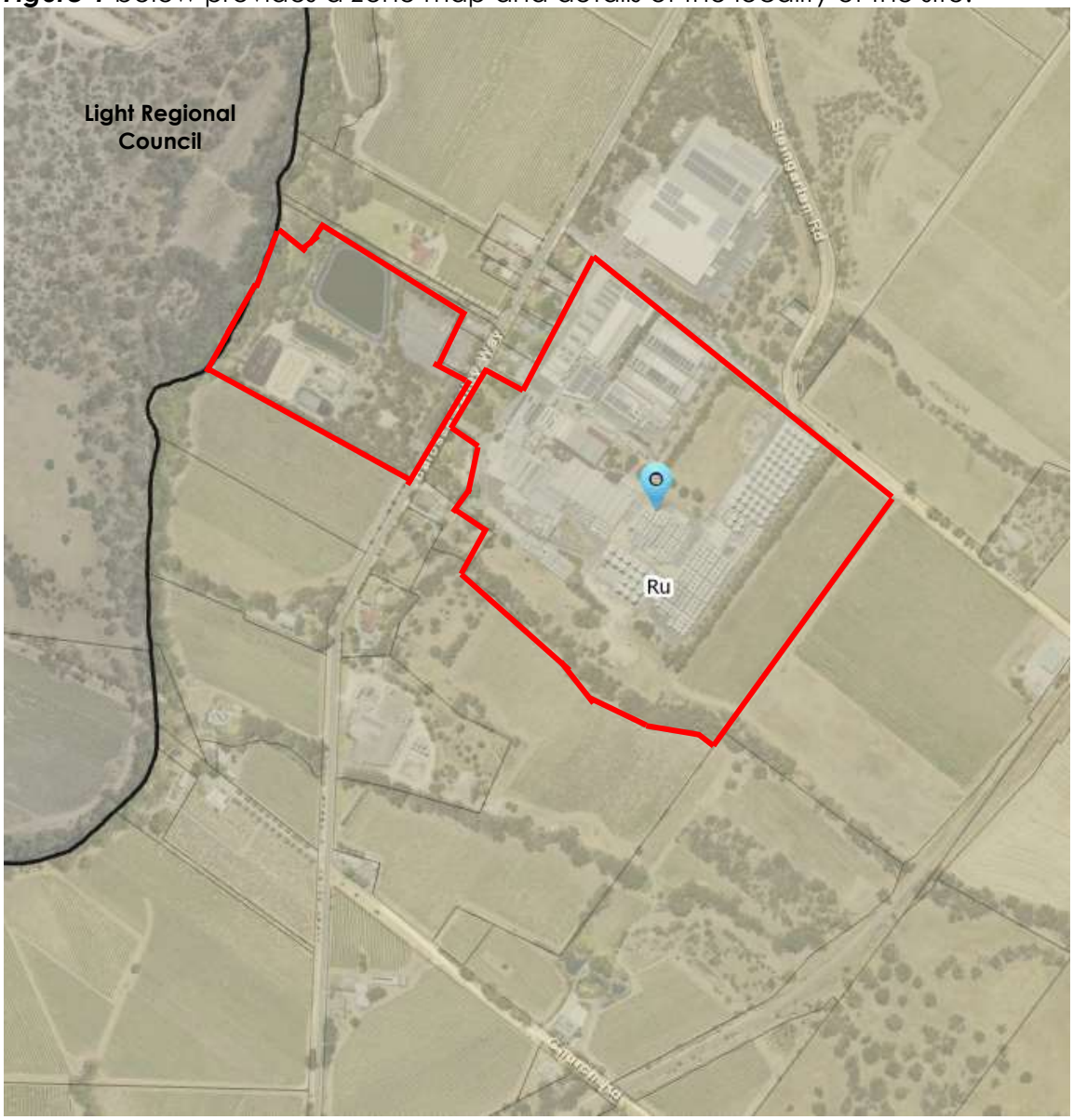


Figure 1: *Zone Map*

An aerial view of the site and locality are contained in ***Figure 2*** and ***Figure 3***.

Site photos are provided in ***Figure 4*** to ***Figure 9.***

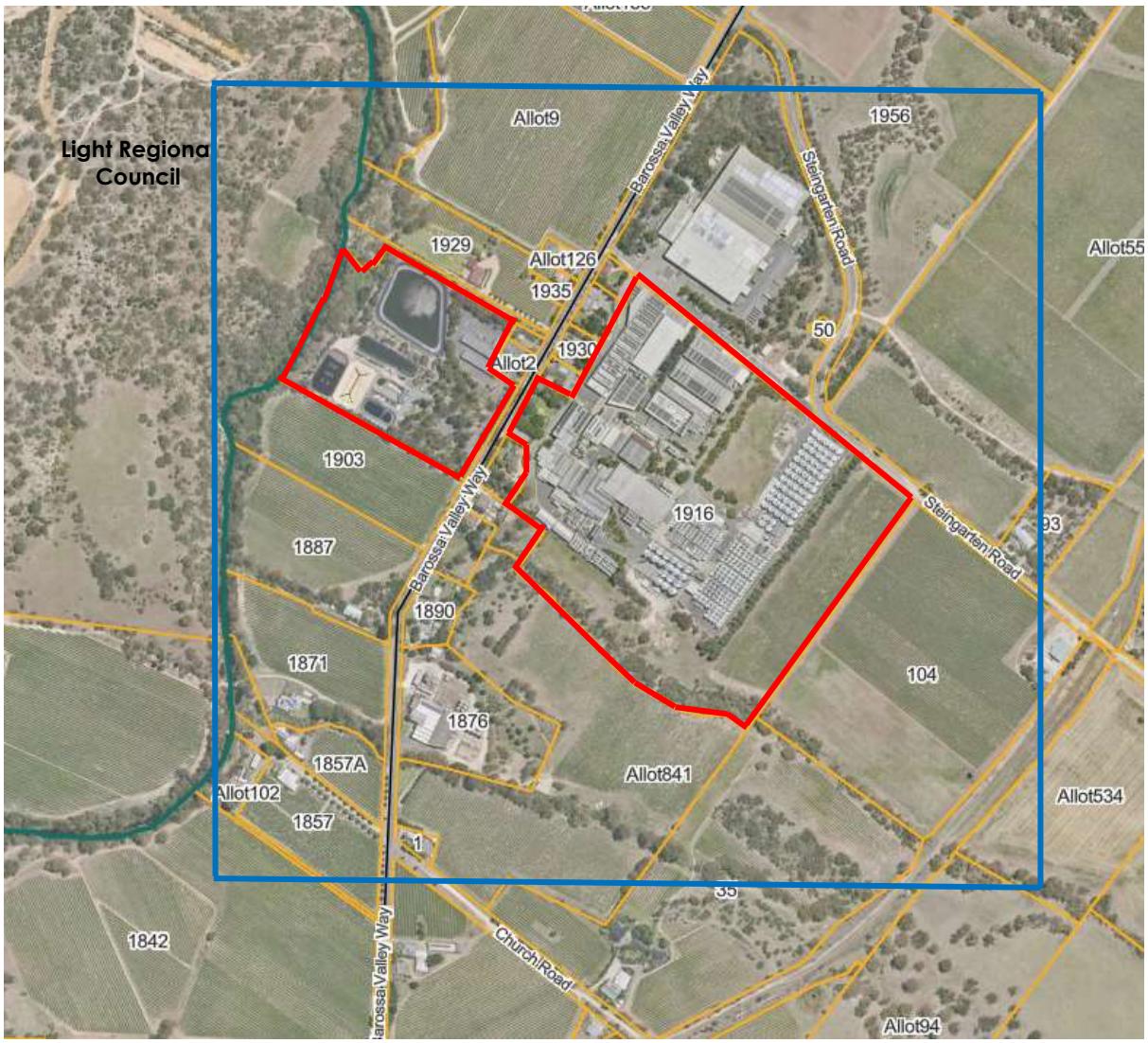


Figure 2 : *Aerial – Locality*

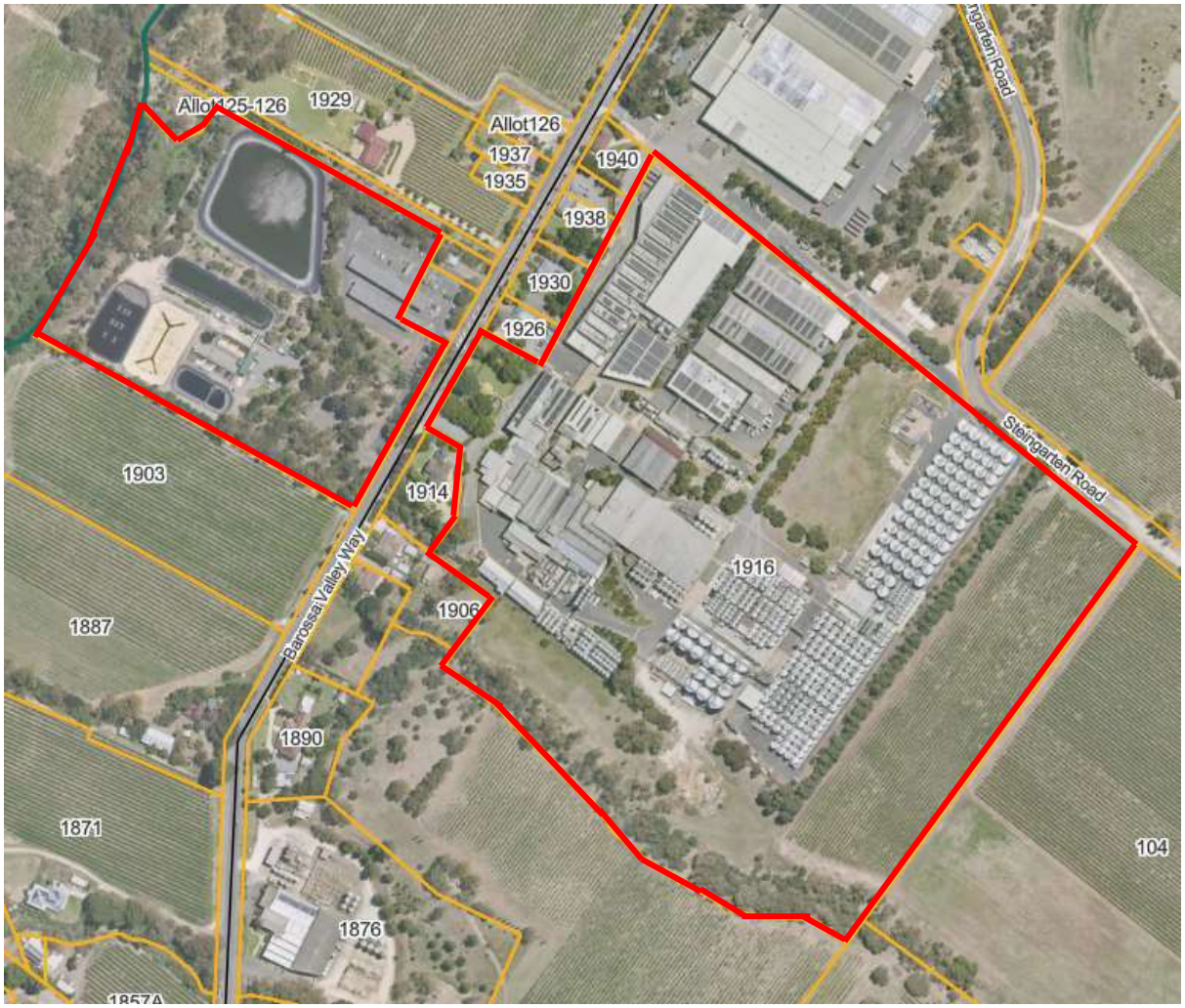


Figure 3: *Aerial – Site*

Figure 4: *Site Photo – drone shot looking south-east*

Figure 5: *Site Photo – drone shot looking south-east*

Figure 6: *Site Photo – drone shot looking toward the location of the development*

Figure 7: *Site Photo – drone shot looking north-west*

Figure 8: *Site Photo – Looking north-west toward former winery building (now demolished)*

Figure 9: *Site Photo – Looking west toward former winery building (now demolished)*

PROPOSAL

The applicant seeks to consolidate their Barossa Valley operations by bringing both red and white wine production to the subject site. Currently, the site only processes white wine, with red wine handled at Richmond Grove in Tanunda. If completed, annual site crush capacity will increase by 6,000 tonnes to a total of 26,000 tonnes per year.

The proposed site operations comprise:

- Continuation of white wine production at the subject site. There are no major changes to processing and operations for white wine production activities.
- Red wine will be received in the newly proposed area, where the grapes will be crushed, fermented, and pressed. The remaining juice will be stored in tanks on-site before bottling.
- The facility will maintain its 24 hour, seven days a week operations with peak activity occurring during the vintage season from February to April.

The proposed built form changes include:

- Cellar 13, a 4,285 square metre building, is currently in process of being demolished, pursuant to Development Application 24006197 which authorised for demolition of cellar 13.
- Construction of a new 569 square metre processing building with a multipurpose work area, control room, and dry storage. The building will have a roof height of 8.45 metres and be clad in a white Colorbond material.
- A canopy, 660 square metres in size, will cover the receival area, crusher, bin staging, and yeast storage.

- Additional tanks and equipment will be installed, including presses with a capacity of 276 hectolitres and fermentation tanks capable of holding 2,200 tonnes.
- New and some relocated tanks (from the Richmond Grove winery) will be primarily located on the western end of the proposed works and will have a total storage capacity of 2,520 kilolitres.
- A series of internalised concrete retaining walls associated with the new buildings varying in height to maximum of 3.5 metres above natural ground level. The retaining walls are located well inside site boundaries and are intended to create level construction surface levels and appropriately graded driveway areas.

Having regard to staffing needs for the site and the minor net increase of 34 semi-trailer on/off site annual vehicle movements (0.1 movements per day), no additional car parking is proposed.

Wastewater management for the development has been reviewed, with an additional 7.2 megalitres expected during the vintage season. This wastewater will be treated using the existing on-site treatment plant, though an additional 5.3 megalitres of storage is proposed to manage the increased volume. This storage will be provided by repurposed wine tanks located within the site. Solid waste will continue to be handled by EPA licensed contractors.

Stormwater from the new processing building and canopy will be directed to a combination of rainwater and detention tanks. Roof stormwater will be reused on-site for irrigation, with any overflow managed through existing drainage systems. Additionally, bunding will be used to manage stormwater and spills around the tank farms, designed to accommodate significant rainfall events. This stormwater will be treated as part of the wastewater streams.

Attachment 2 contains a copy of the application and associated documentation.

APPLICATION TYPE
The site is located within the Rural Zone under the Planning and Design Code.

The proposed development comprises the following elements, all of which were categorised as "Code Assessed – Performance Assessed" in nature in accordance with the Rural Zone, Planning and Design Code:

- Winery
- Retaining wall

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

Class of Development (Column A)	*Exceptions (Column B)*
Any development involving any of the following (or of any combination of any of the following): (a) *industry* (b) *store* (c) *warehouse.*	*Except development that exceeds the total floor area limit expressed in Rural Zone DTS/DPF 4.1(c) or does not satisfy Rural Zone DTS/DPF 4.3.*

The proposal exceeds the 500 square metre threshold in DPF 4.1 (c) and is therefore subject to public notification.

Performance Outcome	*DTS/DPF*
PO 4.1 *Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.*	*DTS/DPF 4.1* *Industries, storage, warehousing, produce grading and packing and transport distribution activities and similar activities (or any combination thereof):* (a) *are directly related and ancillary to a primary production use on the same or adjoining allotment* (b) *are located on an allotment not less than 20 hectares in area* (c) *have a total floor area not exceeding 500 sqm*
PO 4.3 *Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural character and function and respects landscape amenity.*	*(a) DTS/DPF 4.3* *(b) Buildings and associated activities:* *(c)* (d) *are set back at least 100 metres from all road and allotment boundaries* (e) *are not sited within 200 metres of a sensitive receiver in other ownership* (f) *have a building height not greater than 10 metres above natural ground level* (g) *incorporate the loading and unloading of vehicles within the confines of the allotment.*

The table below provides details of the public notification process.

with one in objection and one in support with concerns.

Representations:	Two representations were received with one in objection and one in support with concerns as follows: • Anne Graves • Llewlleyn Wyeth
Person wishing to be heard:	Of the two representations received, one wishes to be heard as follows: • Anne Graves No late representations were received.
Applicant	Charlie Dubois from MasterPlan SA Pty Ltd on behalf of the Applicant, Pernod Ricard Winemakers Pty Ltd, wishes to appear to respond to the representations.
Time period for Public Consultation	14 August 2024 to 3 September 2024

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

Summary of Representations Representor/s	**Applicant's Response**
• *Proposed development will significantly increase noise issues at the property. Existing house was constructed of stone in 1939.*	• *It is noted at the outset that a winery has existed on the subject site for over 100 years and is a land use that is expected and envisaged within the Rural Zone.*
• *No real world noise assessment has been taken at my property.* • *During vintage season experience low frequency noise that travels through ground and resembles constant rumble of trucks.*	• *Whilst measurements have not been taken from the representors property, alterations to existing development requires noise goals to be adopted that are 5 dB(A) lower than new development would otherwise be subject to.* • *Sonus have advised that in ground vibrations are a phenomenon that would be unlikely to be perceptible at the distance between the site and the representors dwelling (approximately 250 metres).*

• *Concern that increase noise will be audible in the dwelling at 1935 Barossa Valley Way.*
• *Requests installation of a 2.5 metre high solid fence adjacent Barossa Valley Way to the rear of heritage buildings on the subject land (plan provided).*
	• *Sonus have reviewed this suggestion and advise that:*
	  • *Proposed location of the barrier would provide little benefit in relation to the reduction of noise emissions from the development.*
	  • *An acoustic fence in this location may reflect noise back towards sensitive receivers, rather than prevent it from leaving the site.*
	  • *There may be less vehicles using this part of the site due to the proposed development.*
	  • *The majority of noise within the locality is generated by truck movements on Barossa Valley Way.*
	• *It is also noted that Environment Protection (Commercial and Industrial) Noise Policy 2023 is achieved without an acoustic fence being necessary.*

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 subject to the following referrals:

Heritage SA	*Heritage SA advise that the proposed development is considered to be acceptable in relation to the State Heritage Place for the following reasons:* • *Significant buildings associated with the heritage place are physically unaffected by the proposal.* • *Views of the heritage place from the public realm are not further compromised, as new equipment and tanks are similar in appearance to tanks already established on the site. Views of the site are primarily unchanged.* *Proposed shedding is compatible in form and material to existing structures on the site and therefore will not be visually dominant.*
Environment Protection Authority	*The EPA identify that their assessment includes consideration of the location with respect to existing land uses and is aimed at protecting the environment and avoiding potential adverse impacts upon the locality.* *In summary the EPA outline that:* • *Proposed development does not alter existing separation distances between the winery activity and nearby sensitive receivers.* • *Odour is the main air quality risk for wineries, with the collection, storage and treatment of wastewater generally the main source.* • *Odour generation from the remainder of winery operations, eg. unloading, loading, crushing and storage, are considered low risk.*

	• *The proposal is not expected to significantly alter odour impacts at sensitive receptors.* • *It is unlikely that the proposed expansion would significantly change the noise experienced in the area by surrounding receivers.* • *The existing wastewater treatment plant with its associated dams, updated trade waste drainage network and stormwater management system have adequate capacity within the system to capture wastewater, contaminated stormwater and any major spills anticipated from the existing and proposed tank farms.* • *No change to the existing EPA licence is required.* • *Overall, the potential for adverse environmental impacts is expected to be minimal, subject to compliance with application material.* *The EPA direct four conditions and four notes be included on any Planning Consent, if granted.*

A copy of the relevant referral responses are contained in ***Attachment 5***.

Internal
The following internal advice has been received from staff:

Works and Engineering	*Works and Engineering Services are satisfied with the proposed stormwater drainage design.*

ASSESSMENT
Please refer to the following link, the Planning and Design Code extract for this proposal, Version 2024.1, 20 June 2024.

Planning and Design Code Extract Link	*Relevant Code Extract*

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 subject site is located in the Rural Zone where the production, processing, storage and distribution of primary produce is a desired outcome. The zone envisages winemaking as a form of industry subject to siting, design and environmental outcomes. The facility is a longstanding land use activity in the Barossa Valley and

has an established layout, site access, built form and with wastewater and stormwater management measures in operation. The proposed development replaces an existing larger building and has been designed to integrate into the existing winery site. Large facilities can generate noise, dust, odour in a way that may impact local sensitive receivers. The site operates under an existing EPA licence and based on expert advice and the EPA referral response the impact of noise and odour is considered to be acceptable.

Therefore, having regard to the winery which is already approved and operating on the site and the relative scale of the proposal and the differences in visual impact, site layout, amenity impacts and context of the overall development, 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.

(1) The objects of this Act are-

(a) to recognise, protect and enhance the special character of the district while at the same time providing for the economic, social and physical well-being of the community; and
(b) to ensure that activities that are unacceptable in view of their adverse effects on the special character of the district are prevented from proceeding; and
(c) to ensure that future development does not detract from the special character of the district; and
(d) otherwise to ensure the preservation of the special character of the district.

This conclusion is made having regard to the proposed siting of the development within an existing, large scale winery and design of the buildings which do not affect a nearby State Heritage Place or the existing character of the locality. The nature of use is envisaged within the Rural Zone and consolidates ongoing economic activity in the district.

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

Assessment

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

Land Use

Rural Zone	
Desired Outcomes	
DO1	*A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.*

DO2	*A zone supporting diversification of existing businesses that promote value adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation*

Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 *The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.*	*DTS/DPF 1.1* *Development comprises one or more of the following:* *(b) agricultural building* *(d) carport* *(z) Winery*
Rural Industry	
PO 4.1 *Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.*	*DTS/DPF 4.1* *Industries, storage, warehousing, produce grading and packing and transport distribution activities and similar activities (or any combination thereof):* *(a) are directly related and ancillary to a primary production use on the same or adjoining allotment* *(b) are located on an allotment not less than 20 hectares in area* *(c) have a total floor area not exceeding 500 sqm.*
PO 4.2 *Expansion of established small-scale or new large scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities:* (a) *are commensurate with the allotment on which it is situated to mitigate adverse impacts on the amenity of land in other ownership and the character of the locality* (b) *realise efficiencies in primary production related storage, sorting, packaging, manufacturing and the like* (c) *primarily involve primary production commodities sourced from the same allotment and /or surrounding rural areas.*	*DTS/DPF 4.3* *Buildings and associated activities:* *(a) are set back at least 100 metres from all road and allotment boundaries.* *(b) are not sited within 200 metres of a sensitive receiver in other ownership.* *(c) have a building height not greater than 10 metres above natural ground level.* *(d) incorporate the loading and unloading of vehicles within the confines of the allotment.*
PO 4.3 *Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural character and function and respects landscape amenity.*	*DTS/DPF 4.3* *Buildings and associated activities:* *(a) are set back at least 100 metres from all road and allotment boundaries* *(b) are not sited within 200 metres of a sensitive receiver in other ownership* *(c) have a building height not greater than 10 metres above natural ground level incorporate* *(d) the loading and unloading of vehicles within the confines of the allotment.*

Pursuant to Desired Outcomes (DO) 1, 2, and Performance Outcome (PO) 1.1 of the Rural Zone, the establishment or continuation of processing and distribution facilities tied to primary production, such as wineries is envisaged form of development (that is listed as a land use in DPF 1.1).

The proposed development will not alter the nature of land use but aims to enhance efficiencies in production-related activities by consolidating the applicant's operations into a single location. This pursuit of efficiency, coupled with the close relationship between land use and primary production, aligns with the Dos of the Zone and satisfies PO 1.1.

PO 4.2 and PO 4.3 both envision facilities for the processing, production, storage and packaging of wine related products. The subject land has been utilised as a winery for more than 100 years and has developed into a significant facility with a high annual output. On site infrastructure is substantial and the proposed development seeks to interweave new buildings into the established fabric of the site.

DPF 4.2 and 4.3 provide a series of quantitative guidelines for development. The proposed development satisfies all DPF provisions except for 4.3(a) and 4.3(c) in that a small portion of the receival canopy at its highest point will exceed 10 metres and that there are minor incursions into the 100 metre setback to allotment boundaries. These departures are considered acceptable as the proposed development sits within the existing winery footprint and does not notably encroach outside of the existing siting or established building height parameters on the site. Stepping and terracing of the floor levels is proposed to set the building levels in tune with the rising slope. The proposed development also replaces the large Cellar 13 building which had a similar (or likely lesser) visual impact on the immediate locality.

Built Form and Character

Rural Zone	
Built Form and Character	
PO 10.1 *Large buildings are designed and sited to reduce impacts on scenic and rural vistas by:* *(a) having substantial setbacks from boundaries and adjacent public roads.* *(b) using low-reflective materials and finishes that blend with the surrounding landscape.* *(c) being located below ridgelines.*	*DTS/DPF 10.1* *None are applicable.*

The proposal involves the replacement of an existing winery building (referred to as Cellar 13) with a new receival/processing/fermenting building(s) and an associated tank farm in roughly the same position.

The proposed development satisfies PO 10.1 in that:

- The new development is well setback from all boundaries (behind the existing winery footprint) and is screened from Barossa Valley Way by vegetation, changes in topography and existing built form including a number of large winery related buildings and a mix of tank farms and other on-site infrastructure. Glimpses of the site are visible from the local road to the side of the site (Steingarten Road) but any

changes in public views from this minor road of the proposed development will not be significant as it is clustered amongst other winery buildings from all view angles.
- The building is to be clad in Colorbond 'Whitehaven'. The applicant suggests this is a non-reflective 'cool' white colour. It is noted that a number of other buildings on the site are white in colour and do not cause known glare or reflection issues. The use of a white clad building on this site is acceptable and unlikely to result in glare impacts on adjoining land, given the current use of this colour within the site and taking into account screening provided by established buildings.
- The building is not silhouetted against or located on any ridgelines on the subject land.

The existing winery contains a high density of large scale buildings and structures and the proposed development blends into the existing industrial context thus minimising its impact on scenic and rural vistas. This satisfies PO 10.1.

Earthworks

Rural Zone	
Siting and Design	
PO 2.2 *Buildings are generally located on flat land to minimise cut and fill and the associated visual impacts.*	*DTS/DPF 2.2* *Buildings:* *(a) are located on sites with a slope not greater than 10% (1-in-10)* *(b) do not result in excavation and/or filling of land greater than 1.5 metres from natural ground level.*

The subject land has a steady incline from Barossa Valley Way to the eastern rear boundary of the site.

The proposed development includes construction of new retaining walls up to 3.45 metres in height (or 4.1 metres incorporating a section of the Stalks Collection Bay wall).

A retaining wall is located under the receival area canopy and is primarily intended to create a level working surface on this undulating part of the site. This retaining wall will be screened by the receival area building and existing and proposed tanks and buildings. The extent of earthworks has been minimised as far as practical to ensure vehicles can enter and exit the receival area at an appropriate gradient.

In addition, the other main retaining wall is located in the north-western corner of the development area and comprises a concrete retaining wall measuring between 3.5 metres and 0.9 metres high. This wall will be built at the western perimeter of the proposed development site but will be screened by existing buildings on the land.

While higher than envisaged in policy, the proposed retaining walls on this working site are setback a significant distance from side boundaries, are screened by existing buildings, do not increase potential for overlooking, will not be visible from the public realm and are integrated into the proposed design and layout of the buildings. They are necessary to address localised topography constraints and are not anticipated to create adverse visual impact on the district.

On balance, the proposed height of the retaining walls will not result in adverse visual impacts outside the site and satisfy PO 2.2.

Character Preservation Overlay

Character Preservation District Overlay (Not in township)	
Desired Outcomes	
DO1	*Recognise, protect and enhance the special character of Character Preservation Districts.*
DO2	*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 3.1 *Preservation of existing natural features including topography, watercourses and mature trees.*	*DTS/DPF 3.1* *None are applicable.*
PO 3.2 *Buildings and structures do not interrupt views of the skyline through measures including being sited below ridge lines.*	*DTS/DPF 3.2* *None are applicable.*
PO 3.3 *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.*	*DTS/DPF 3.3* *None are applicable.*
PO 3.4 *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.*	*DTS/DPF 3.4* *None are applicable.*
PO 3.5 *Buildings and structures are grouped to create compact clusters well set back from public roads.*	*DTS/DPF 3.5* *None are applicable.*
Earthworks	
PO 4.1 *Excavation and filling of land is limited to that associated with:* *(a) minimising the visual impact of buildings or structures* *or* *(b) construction of water storage facilities.*	*DTS/DPF 4.1* *Excavation and/or filling of land is:* *(a) no greater than 1.5 metres from natural ground level* *(b) only undertaken in order to reduce the visual impact of buildings or structures or to construct water storage facilities.*

The proposed development has a scale, design and functional layout that is compatible with existing buildings on the subject site. The demolition of an older winery building and its replacement with the proposed building and structures generally accords with Overlay provisions given that:

- The development does not adversely affect existing natural features and its footprint is confined to previously developed and modified land set well within the site boundaries. The proposed earthworks will not alter natural topography outside the site. This complies with PO 3.1.

- The height of proposed buildings does not markedly differ from existing built form on the site and the building is not sited above any ridgelines. This complies with PO 3.2.
- The proposed development is located within a large, developed winery and the proposed design, external material selection and colours will not alter the existing visual appearance and landscape impact of the site. This does not offend PO 3.3.
- The proposed buildings are sited within the subject land surrounded by existing buildings and will have minimal visual impact outside of their immediate context. This complies with PO 3.4.
- The building replaces existing Cellar 13 and maintains the clustering of development within the large site. This complies with PO 3.5.
- The proposed earthworks are designed to create a sufficiently level surface for construction of the winery buildings. This is required to ensure safe and efficient processing and wine production activities. Taking into account the location of the proposed development within the footprint of the winery site, large side setbacks and design and appearance of the industrial buildings, non-compliance with DPF 4.1 is considered acceptable.

Heritage

Heritage Adjacency Overlay	
Desired Outcomes	
DO1	*Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places*
Relevant Performance Outcomes/Designated Performance Features	
Built Form	
PO 1.1 *Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.*	*DTS/DPF 1.1* *None are applicable.*

The proposed siting, design and appearance of the development is not considered to have an adverse impact of the setting of nearby Heritage Places including dwellings (or former dwellings) fronting Barossa Valley Way. The proposed location within the existing winery footprint and comparable scale to surrounding winery buildings meets PO 1.1.

State Heritage Place Overlay	
Desired Outcomes	
DO1	*Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.*
Relevant Performance Outcomes/Designated Performance Features	
Built Form	
PO 1.1 *The form of new buildings and structures maintains the heritage values of the State Heritage Place.*	*DTS/DPF 1.1* *None are applicable.*
PO 1.2 *Massing, scale and siting of development maintains the heritage values of the State Heritage Place.*	*DTS/DPF 1.1* *None are applicable.*

PO 1.3 *Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the State Heritage Place.*	*DTS/DPF 1.1* *None are applicable.*
PO 1.4 *Development is consistent with boundary setbacks and setting.*	*DTS/DPF 1.1* *None are applicable.*
PO 1.5 *Materials and colours are either consistent with or complement the heritage values of the State Heritage Place.*	*DTS/DPF 1.1* *None are applicable.*
PO 1.6 *New buildings and structures are not placed or erected between the primary and secondary street boundaries and the façade of a State Heritage Place.*	
PO 1.7 *Development of a State Heritage Place retains elements contributing to its heritage value.*	

The subject site is listed on the SA Heritage Places database (No. 17031). The site was listed in 1994 as the former Orlando Winery Complex - School, Dwelling, Boiler House, Distillery and Stores.

There is an existing brick chimney that forms a notable landmark in the locality. The proposed siting and height of the new buildings do not affect its setting.

Heritage SA has responded to the referral and advised that the proposed development is considered to be acceptable in relation to the State Heritage Place for the following reasons:

- *"Significant buildings associated with the heritage place – boiler house, distillery, chimney and bond/spirit stores – are physically unaffected by the proposal.*
- *Views of the heritage place from the public realm are not further compromised, as new equipment and tanks are similar in appearance to tanks already established on the site. Views of the site are primarily unchanged.*
- *Proposed shedding is compatible in form and material to existing structures on the site and therefore will not be visually dominant.*

The proposed development does not remove any elements contributing to the site's heritage value as sought by PO 1.7. Based on Heritage SA advice it is considered that the proposal satisfies the State Heritage Place Overlay policies.

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 workspaces (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*	*DTS/DPF 4.2* *None are applicable.*

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.*	

The existing winery can operate on a 24 hour basis and has a longstanding history of night time operation particularly during the vintage period. There is an existing EPA licence in place pursuant to the *Environment Protection Act 1993.*

An Environmental Noise Assessment has been prepared by Sonus. This assessment has considered the following noise sources:

- Process floor equipment including centrifuge, air compressors and a dryer.
- Pneumatic bag presses.
- Truck movements and idling components.
- Gas powered forklifts.

Sonus took measurements of existing noise conditions on the 9 May and 29 May 2024.

Nearby there are five sensitive receivers identified within the noise assessment. For the Sonus assessment these do not include the existing properties fronting Barossa Valley Way (directly in front of the site) which are identified as being owned by Pernod Ricard and used for non-residential purposes. It is noted that the EPA still considers these properties that are under separate title, as being sensitive receivers but are satisfied that the change in noise experienced by these non-assessed properties will not significantly alter.

The Sonus assessment identified that without acoustic treatment mitigation measures, that predicted nose levels may exceed the *Environment Protection (Commercial and Industrial Noise) Policy* criteria of 52 dB(A) and 45 dB(A) day and night-time respectively.

This is primarily due to noise emitted by the bag presses to be installed in the proposed development. Sonus identified that in order to achieve the noise criterion at sensitive receivers, it will be necessary to reduce the total noise level of each bag press such that the sound power level is no higher than 90 dB(A) each.

Sonus therefore investigated a number of options to reduce noise generation. Sonus recommended Option A that comprises the installation of acoustic absorption material on the inside of the press equipment cabinets, particularly the compressor and vacuum pump units. This is likely to be Glass wool or Rockwool insulation that is at least 50 mm thick and with a minimum density of 32 kg/m^3.

Based on inclusion of Option A (or the other solutions), Sonus confirm the predicted noise levels at sensitive receivers will achieve the requirements of the *Environment Protection (Commercial and Industrial Noise) Policy 2023*. The Environmental Noise Assessment has been reviewed by the EPA which considers the proposal acceptable from a noise perspective, subject to directed conditions. On this basis, PO 4.1 is met.

The proposed building is located within the large site with potential noise buffering from other built form closer to side boundaries. The proposed building is a purpose designed structure with a mix of closed and open areas. Where practical, building openings are not directly aligned to the orientation of the majority of sensitive receivers. In general, the proposed development addresses PO 4.2.

Light Spill	
PO 6.1 *External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).*	*DTS/DPF 6.1* *None are applicable.*
PO 6.2 *External lighting is not hazardous to motorists and cyclists.*	*DTS/DPF 6.2* *None are applicable.*

An assessment of light spill has not been undertaken. However, as outlined above the proposal is for a replacement building located within the existing winery complex. The change in external light spill is considered to be minor. A standard light spill condition is recommended for inclusion in a Planning Consent, if granted. On this basis, PO's 6.1 and 6.2 are considered to be met.

General Development Policies	
Design	
All Development	
External Appearance	
PO 1.4 *Plant, exhaust and intake vents and other technical equipment is integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:* *(a) positioning plant and equipment in unobtrusive locations viewed from public roads and spaces.* *(b) screening rooftop plant and equipment from view.* *(c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.*	*DTS/DPF 1.4* *Development does not incorporate any structures that protrude beyond the roofline.*
PO 1.5 *The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.*	*DTS/DPF 1.5* *None are applicable.*

The proposed built form is generally consistent with existing winery buildings and is positioned within the footprint of the winery. It has a visual appearance, material and

colour selection comparable with development within the site. Heritage SA confirm no change in visual impact is anticipated.

The tank farms are a minor addition to the existing collection of storage capacity on the site and are sufficiently screened from public view along Barossa Valley Way. The proposal therefore accords with POs 1.4 and 1.5.

Native Vegetation

Native Vegetation Overlay		
Desired Outcomes		
DO1	*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.*		*DTS/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 categorised as 'Level 1 clearance'.*
PO 1.2 *Native vegetation clearance in association with development avoids the following:* *(a) significant wildlife habitat and movement corridors.* *(b) rare, vulnerable or endangered plants species.* *(c) native vegetation that is significant because it is located in an area which has been extensively cleared.* *(d) native vegetation that is growing in, or in association with, a wetland environment.*		*DTS/DPF 1.2* *None are applicable.*

PO 1.4 *Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.*	*DTS/DPF 1.4* *None are applicable.*

No native vegetation is proposed to be removed. As such, this aspect of the proposal satisfies DO 1 of the Native Vegetation Overlay.

Bushfire Hazard

Hazards (Bushfire - Medium Risk) Overlay	
Desired Outcomes	
DO1	*Development, including land division responds to the medium level of bushfire risk and potential for ember attack and radiant heat by siting and designing buildings in a manner that mitigates the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change.*
DO2	*To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.*
Relevant Performance Outcomes/Designated Performance Features	
Siting	
PO 1.1 *Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.*	*DTS/DPF 1.1* *None are applicable.*
Built Form	
PO 2.1 *Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.*	*DTS/DPF 2.1* *None are applicable*
PO 2.2 *Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and Workers' accommodation) in the event of bushfire.*	*DTS/DPF 2.2* *Outbuildings and other ancillary structures are sited no closer than 6 metres from the habitable building.*

The location and design of the proposed development does not pose any new bushfire risks or increase the threat of fire spread. The land is already developed, with the new building replacing an existing large structure. Part of the redevelopment site has a moderate slope, which will be managed with retaining walls, and the nearest significant vegetation is over 50 metres away.

As a result, the provisions of the Hazards (Bushfire – Medium Risk) Overlay are considered to be met.

Vehicular Access

Rural Zone	
Siting and Design	
PO 2.1 *Development is provided with suitable vehicle access.*	*DTS/DPF 2.1* *Development is serviced by an all-weather trafficable public road.*

The existing winery is accessed from the Barossa Valley Way with multiple entry points. This is a State Maintained Road that forms part of South Australia's arterial road network. It is bituminised road with line marking and a single lane in either direction.

The proposed development will utilise the existing access point on the southern boundary of 1956 Barossa Valley Way, with internal vehicle circulation via existing sealed surface roads. A submitted Vehicle Circulation Plan shows that vehicles can enter and exit the site via existing access points in a forward direction.

The proposed development is considered to comply with PO 2.1.

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 onsite 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 onsite 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 onsite 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.*
Vehicle Parking Areas	
PO 6.6 *Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.*	*DTS/DPF 6.6* *Loading areas and designated parking spaces are wholly located within the site.*

The applicant outlines that the proposed development will result in a negligible net increase of 34 truck movements per annum (0.1% per day) and no change in staffing levels. As a result, there are no proposed any changes to car parking or access points.

A Vehicle Circulation Plan demonstrates that semi-trailer vehicles can enter and exit the site and access the receival canopy in a forward direction.

Given the above, the proposal is considered to be acceptable and does not conflict with the relevant car parking, access and internal movement provisions in the Planning and Design Code.

Beverage Production in Rural Areas

General Section Development Policies	
Beverage Production in Rural Areas	
Desired Outcomes	
DO1	*Mitigation of potential amenity and environmental impacts of value-adding beverage production facilities such as wineries, distilleries, cideries and breweries.*
Relevant Performance Outcomes/Designated Performance Features	
Siting	
PO 1.1 *Beverage production activities are designed and sited to minimise odour impacts on rural amenity.*	*DTS/DPF 1.1* *None are applicable.*
PO 1.2 *Beverage production activities are designed and sited to minimise noise impacts on sensitive receivers.*	
PO 1.3 *Fermentation, distillation, manufacturing, storage, packaging and bottling activities occur within enclosed buildings to improve the visual appearance within a locality and manage noise associated with these activities.*	
PO 1.5 *Beverage production solid wastes are stored in a manner minimises odour impacts on sensitive receivers in other ownership.*	
Water Quality	
PO 2.1 *Soil, groundwater and surface water are protected from contamination from waste treatment and management facilities through measures such as:* *(a) containing potential groundwater and surface water.* *(b) contaminants within waste operations areas.* *(c) diverting clean stormwater away from waste operations areas and potentially contaminated areas.* *(d) providing a leachate barrier between waste operations areas and underlying soil and groundwater.*	*DTS/DPF 2.1* *None are applicable.*

(d) PO 2.2 *Wastewater lagoons are set back from watercourses to minimise environmental harm and adverse effects on water resources.*	*DTS/DPF 2.2* *Wastewater lagoons are set back 50 metres or more from watercourse banks.*
PO 2.3 *Wastewater lagoons are designed and sited to:* *(a) avoid intersecting underground waters;* *(b) avoid inundation by flood waters;* *(c) ensure lagoon contents do not overflow;* *(d) include a liner designed to prevent leakage.*	*DTS/DPF 2.3* *None are applicable.*
Amenity	
PO 3.1 *Waste treatment and management facilities are screened, located and designed to minimise adverse visual impacts on amenity.*	*DTS/DPF 3.1* *None are applicable.*
PO 3.2 *Access routes to waste treatment and management facilities via residential streets is avoided.*	*DTS/DPF 3.2* *None are applicable.*

The proposed development will increase capacity to process approximately 6,000 tonne of premium red grapes into wine on the Rowland Flat winery site.

The existing winery operates under an EPA licence and to ensure sufficient compliance with both Planning and Design Code policies and EPA requirements the applicant engaged a specialist consultant to:

- Review the proposed changes to the winemaking processes on site and estimate the impact on wastewater volume and load.
- Assess the capacity of the existing wastewater treatment lant (WWTP) to manage those changes.
- Propose any changes to the WWTP required to meet the incremental volume and load.

The applicant's consultant also responded to EPA queries during the assessment process.

In summary, the proposed development generates an additional 7.2 ML of wastewater that will be managed by:

- Continued use of the existing wastewater system which transfer wastewater underneath Barossa Valley Way to the WWTP on the other side of this arterial road. Treated wastewater is ultimately decanted and stored before it is pumped to the Tanunda Pines Golf Course.
- Provision of additional 5.3 ML of storage capacity (within tanks that are no longer used) that will hold wastewater until it is ready to enter the wastewater treatment system).
- Solid waste will continue to be managed by EPA licensed contractors.

The EPA have reviewed the proposed wastewater management approach and confirm they are satisfied with the recommended changes. The EPA further states that the proposal is not expected to significantly alter odour impacts at sensitive

receptors. The additional processing is unlikely to result in a noticeable increase in odour, and management of the additional wastewater produced also poses a low risk of increasing impacts.

The existing wastewater system can be altered to handle the additional wastewater flow. The existing system is operating under EPA licence and the implications of additional wastewater production have been assessed by expert advice and agreed by the EPA. As physical changes are minor and irrigation will continue to be handled at a nearby golf course it is considered the POs 1.1 to 1.5, PO 2.1 and PO 3. to 3.3 are satisfied.

Roof runoff from the proposed development will be directed into a sealed drainage system and stored in 10 kilolitre and 170 kilolitre tanks for on-site detention and reuse. In contrast, stormwater from tank farms and bunded areas related to wine production will be routed through a separate trade waste system, which connects to the existing South Drain and the WWTP. This continued separation of stormwater streams accords with PO 2.3 and 2.4.

Flood Impact

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 300mm above:* *(a) the highest point of top of kerb of the primary street* *or* *(b) the highest point of natural ground level at the primary street boundary where there is no kerb*
PO 2.1 *Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.*	*DTS/DPF 2.1* *Development does not involve the storage of hazardous materials.*

The development site is positioned a minimum of 300 mm above top of kerb level on Barossa Valley Way (albeit located a significant distance from the road). The proposed development replaces an existing building and incorporates retaining walls to manage undulating site conditions.

The building work is considered to satisfy PO 1.1.

The proposal incorporates the bunding of tank farms and other spill mitigation measures to the satisfaction of the EPA. The storage of hazardous materials will be

undertaken in accordance with the EPA's Bunding and Spill Management Guidelines 2016. On this basis, PO 2.1 is considered to be met.

Water Protection Area Overlay

Water Protection Area Overlay	
Desired Outcomes	
DO1	*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.*
Relevant Performance Outcomes/Designated Performance Features	
Groundwater	
PO 2.1 *Groundwater resources are protected from pollution by ensuring development does not:* *(a) generate or dispose of waste in a manner that would pollute water resources.* *(b) involve the storage or disposal of chemicals or hazardous substances in a manner that would pose a risk to water supplies.*	*DTS/DPF 2.1* *None are applicable*
PO 2.2 *Groundwater catchment and recharge characteristics are safeguarded by ensuring development:* *(a) retains and protects areas of native vegetation.* *(b) does not inhibit the potential of an aquifer to recharge.*	*DTS/DPF 2.2* *None are applicable.*
Wastewater	
PO 5.1 *Wastewater generating development utilises existing communal wastewater management infrastructure to avoid on-site disposal.*	*DTS/DPF 5.1* *Development (including land division) that generates wastewater is connected to sewerage or community wastewater management systems with sufficient hydraulic capacity to accept the inflow.*
PO 5.2 *Development that generates wastewater which cannot be disposed of via sewerage or community wastewater management systems, is designed and of a scale that will enable on-site wastewater treatment and disposal in accordance with relevant health and environmental requirements.*	*DTS/DPF 5.2* *On-site wastewater treatment systems comply with:* *(a) the 'On-site Wastewater Systems Code' or* *(b) AS/NZS 1547: On-site domestic wastewater management and the South Australian amendments to AS/NSZ 1547 as outlined in section 9.2 of the 'On-site Wastewater Systems Code'.*
General Development Policies	
Design	
Water Sensitive Design	
PO 31.1 *Development likely to result in significant risk of export of litter, oil or grease includes stormwater management systems designed*	*DTS/DPF 31.1* *None are applicable.*

to minimise pollutants entering stormwater.	
PO 31.2 *Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.*	*DTS/DPF 31.2* *None are applicable.*

An onsite wastewater capacity review has been prepared identifying measures required to increase production capacity from 20,000 litres to 26,000 litres per annum and satisfy EPA licencing and wastewater discharge requirements. It is proposed to augment the existing wastewater management system with additional tank storage and temporary solid waste product storage (which is taken daily by EPA licenced operators).

The old Cellar 13 building at Rowland Flat had a roof area of 4015 sqm. This building had an internal trade waste system with roof stormwater directed to a detention tank.

Post-development stormwater flows will be managed to include:

- 1,190 sqm of replacement roof area for stormwater detention and rainwater collection.
- 2,825 sqm for a bunded tank farm that is discharged into the trade waste system.

The bunded tank farm meets EPA South Australia's Bunding and Spill Management Guidelines (2016). The proposed measures allow for controlled manual release of trade waste and stormwater into the existing separate systems.

The EPA is satisfied with the proposed wastewater management approach plus spill prevention measures, stormwater management from roofs and bunded areas and continued use of the Tanunda Pines Golf Course for irrigation.

Given the above, the proposal is consistent with the provisions of the Water Protection Area Overlay.

Water Resources Overlay

Water Resources Overlay		
Desired Outcomes		
DO1.	*Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.*	
DO2	*Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.*	
Relevant Performance Outcomes/Designated Performance Features		
Water Catchment		
PO 1.1 *Watercourses and their beds, banks, wetlands and floodplains (1% AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.*		*DTS/DPF 1.1* *None are applicable.*
PO 1.2 *Development avoids interfering with the existing hydrology or water regime of swamps*		*DTS/DPF 1.2* *None are applicable.*

and wetlands other than to improve the existing conditions to enhance environmental values.	
PO 1.7 *Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.*	*DTS/DPF 1.7* *None are applicable.*
PO 1.8 *Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.*	*DTS/DPF 1.8* *None are applicable.*
PO 1.9 *Dams, water tanks and diversion drains are located and constructed to maintain the quality and quantity of flows required to meet environmental and downstream needs.*	*DTS/DPF 1.9* *None are applicable.*

Stormwater from the roof runoff of the process building and receival canopies will be directed to a system of detention and rainwater tanks. A 10 kilolitre rainwater tank, equipped with a pump for collection, will be installed next to the receiving canopy. Water from these tanks will then flow into the drainage system connected to the nearby processing building and eventually into a detention tank. The stored water will be reused on-site for irrigating landscaped areas, with any excess directed to the trade waste drainage system.

The combination of the detention system and bunding will maintain stormwater flows at pre-development levels. Similarly, stormwater within the tank farms will be managed through the bunding of the concrete plinths supporting the tanks. This bunding serves a dual purpose, managing both stormwater and potential spills. It has been designed to handle an ARI 20 year event and can be drained in a controlled manner through two separate valve pits when necessary.

The EPA confirms that the existing WWTP with its associated dams, updated trade waste drainage network and stormwater management system have adequate capacity within the system to capture wastewater, contaminated stormwater and any major spills anticipated from the existing and proposed tank farms.

The North Para River flows alongside the WWTP on the western side of Barossa Valley Way. According to the Wastewater Capacity Review, the facility is adequately equipped to handle increased development flow from the increased crush capacity. There is no direct physical connection between the proposed new buildings and the North Para River, as they are separated by an arterial road and a distance of at least 200 metres. Given the EPA's approval of the proposed wastewater and stormwater management measures, the development is not anticipated to affect the area's existing hydrology. This meets the Overlay policies.

Clearance from Overhead Powerlines

General Development Policies	
Clearance from Overhead Powerlines	
Desired Outcomes	
DO1	*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) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.*

DPF 1.1 has been met and therefore PO 1.1 is satisfied.

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

- Limited Land Division – no division of land proposed as part of this application.

- Major Urban Transport Routes – the proposed development will result in an increase in semi-trailer vehicle movements through the existing access point to Barossa Valley Way (a State Maintained Road) of 34 semi-trailer movements annually (0.1 movements per day). This is considered to be minor in nature and unlikely to impact on the operation or safety of Barossa Valley Way.

- Traffic Generating Development – see above response.

CONCLUSION
The proposal is for: "*Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall.*"

The proposal was determined to be Performance Assessed in nature and requiring public notification. Two representations were received with one wishing to be heard.

The application was subject to referral to Heritage SA and the Environment Protection Authority, both of which have expressed no objections to the proposal. Notably, the EPA has assessed the potential impacts related to noise, water, odour, and wastewater as minor, with all concerns adequately addressed by current and proposed management measures.

In conclusion, a detailed assessment of this proposal which consolidates red and white winemaking activities, along with the associated infrastructure, supported by input from Heritage SA and the Environment Protection Authority, has found the key factors,

including building design, heritage impact, environmental management, and earthworks, to be satisfactory. With no significant concerns raised and considerable alignment with the Planning and Design Code, the proposal is recommended for Planning Consent, subject to Conditions of Consent.

RECOMMENDATION 1

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. 24016872 by Pernod Ricard Winemakers Pty Ltd to undertake Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall at 1916 Barossa Valley Way, Rowland Flat (CT 6076/18 and CT 6287/246) subject to the following Conditions and advisory notes:

Council Conditions

(1) The development shall be undertaken in accordance with the following endorsed plans and documentation accompanying Application No. 24016872 except where varied by any condition(s) as listed below:

- Planning Report, Masterplan, 7 June 2024, 53765REP01
- Site Plan, Masterplan
- Proposed Demolition Site Plan, Linney Engineering Services, 22.02.24, DWG No. 2328-D0001, Rev A
- Proposed Demolition Local Plan, Linney Engineering Services, 29.05.24, DWG No. 2328-D0002, Rev B
- Proposed Site Plan, Linney Engineering Services, 24.05.24, DWG No. 2328-D0003, Rev A
- Proposed General Arrangement Plan, Linney Engineering Services, DWG No. 2328-D0004, 29.05.24, Rev B
- Proposed Sections & Elevations, Linney Engineering Services, DWG No. 2328-D0005, 29.05.24, Rev B
- Additional Wastewater Storage Tanks, Pernod Ricard, Issue A6, 29.11.23
- Stormwater & Spill Management Plan, Linney Engineering Services, May 2024, Job No. 2328, Rev A Final

- Stormwater & Spill Management Catchment Plan, Linney Engineering Services, DWG No. 2328-D0013, 27.05.24, Rev A
- Stormwater Calculations, Linney Engineering Services, Drainage Calculations, 240523
- Stormwater & Spill Management Bunding Plan, Linney Engineering Services, DWG No. 2328-D0014, 27.05.24, Rev A
- Stormwater & Spill Management Drainage Plan, Linney Engineering Services, DWG No. 2328-D0015, 27.05.24, Rev A
- Pipeline Calculations, Linney Engineering Services, Drainage Calculations, 240523
- Tradewaste Drainage Schematic, Linney Engineering Services, DWG No. 2328-D0011, 27.05.24, Rev A
- Wastewater Treatment Capacity Review, JJC Operations Pty Ltd, 25.05.24
- Vehicle Circulation Plan, Masterplan, June 2024, 53765, C1-3A
- Letter to The Barossa Council, Masterplan, 06.08.24
- Environmental Noise Assessment, Sonus, S8186C2, August 2024
- Letter in response to EPA Information Request, Masterplan, 05.08.24
- Rowland Flat Environmental Plan, Pernod Ricard, 17 May 2018
- Letter in response to EPA Information Request, Masterplan, 23.08.24
- Site Plan – Ownership, Masterplan, August 2024, 53765, S2-3A
- Response to Representations, Masterplan, 13.08.24

(2) The external surfaces of the authorised buildings and structures shall:

a) Be of new materials;
b) Be maintained in good condition at all times.

(3) 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. Stormwater disposal systems must be fully installed at the completion of the construction of the buildings 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.

(4) 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.

(5) All solid waste produced during the wine making process will be collected in suitable sealed bins and removed from site for disposal at an appropriately licensed premises, in order to avoid amenity and environmental impacts arising from odour and leachate.

(6) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the *Environment Protection (Commercial and Industrial Noise) Policy 2023*, such that any resulting noise is not considered a nuisance, to the satisfaction of the Relevant Authority.

(7) Except where otherwise approved, the freestanding and open sides of the canopies shall remain open and unobstructed, pursuant to the Approved Plans, at all times.

Environment Protection Authority Conditions

(8) Prior to operation of the proposed infrastructure, the noise mitigation 'Option A', as presented in the SONUS Environmental Noise Assessment S8186C2, dated August 2024, must be implemented.

(9) The sound power level of the bag press installed must not exceed 90 dB(A).

(10) All wastewater (including contaminated stormwater) from the existing and new tank farm areas, external processing and pavement areas that are immediately adjacent buildings, must be directed to the existing trade waste drainage system, that connects to the wastewater treatment plant.

(11) Clean roof runoff (clean stormwater) is to be kept separate (ie. collected via a sealed drainage system) and reused on-site. Where overflow occurs, the water can be directed to the trade waste drainage network.

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 two 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 two years from the operative date of approval. the approval will then lapse three 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) 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.

(6) 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.

(7) 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.

(8) 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.

(9) 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.

(10) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the *Environment Protection (Commercial and Industrial Noise) Policy 2023*, and such that any resulting noise is not considered a nuisance, to the satisfaction of Council, including any existing infrastructure.

(11) The approval herein does not include advertising signage, any proposed signage shall be the subject of a separate approval.

(12) Any portion of Council's infrastructure damaged as a result of work undertaken, on or associated with the development shall be repaired/reinstated at the developers/expense.

(13) The following stormwater and wastewater advisory notes are provided:

(a) The stormwater design for the development does not permit stormwater discharge onto any adjacent property, the footpath verge or Council's stormwater drainage system.
(b) There is no existing Council CWMS infrastructure in the vicinity of the site.
(c) The wastewater design for the site only permits management of wastewater and trade waste within the site.

Heritage SA Advisory Notes

(14) Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for

example (a) an application to vary the Planning Consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.

(15) Please note the following requirements of the *Heritage Places Act 1993*:

(a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.
(b) Where it is known in advance (or if there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

(16) Please note the following requirements of the *Aboriginal Heritage Act 1988*:

(a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

Environment Protection Authority Advisory Notes

(17) The applicant/owner/operator is reminded of the general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

(18) The EPA recommends that the health of the woodlot be maintained if it is to be used as a contingency for irrigation of wastewater in the future.

(19) More information about the EPA licensing requirements can be found by contacting the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au.

(20) More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au.

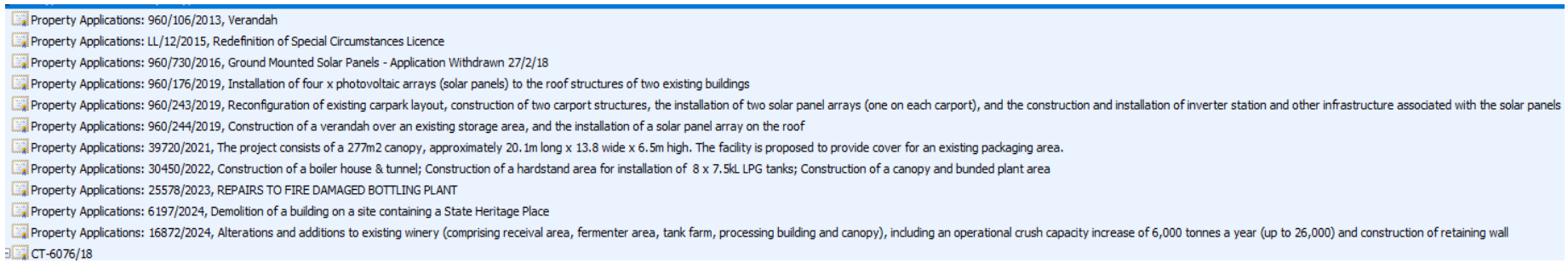
ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Previous Applications on the Site - Pernod Ricard - 1916 Barossa Valley Way Rowland Flat ⇩
Attachment 2 Applicaton and Associated Documentation ⇩
Attachment 3 Representations Received ⇩
Attachment 4 Applicants Response to Representations ⇩
Attachment 5 External Referral Responses - Heritage SA and Environment Protection Authority ⇩

Pernod Ricard - 1916 Barossa Valley Way Rowland Flat - Previous Applications Approved on the Site

Property Applications: 821/1999/DA, Tank Farm Accessways/Stairways
Property Applications: 944/2000/DA, Tank Farm Facility
Property Applications: WWS/71/1998/OTHER, Septic Installation
Property Applications: 960/1017/2006, Canopy
Property Applications: 960/1057/2006, Additional Pressure Tank
Property Applications: 960/94/2007, Canopy Extension
Property Applications: 114/2001/D1, Change Of Use Of Existing Maturation Cellar To Bottling Hall And Extension
Property Applications: 116/2003/D1, Demolition Of Cellar Buildings
Property Applications: 960/383/2007, Canopy (Associated with Winery)
Property Applications: 217/2001/D1, Office Extensions
Property Applications: 960/980/2007, Minor Storage Building for existing winery
Property Applications: 960/111/2008, Winery Extension (Canopy)
Property Applications: 384/2001/D1, Bottling Tank Farm
Property Applications: 960/267/2009, Verandah
Property Applications: 433/2001/D1, Bottling Plant Room
Property Applications: 960/328/2009, Staff Shelter
Property Applications: 960/684/2009, Winery Alterations (Stage 3 - Employee Facilities- Office Renovations)
Property Applications: WWS/245/2009/CWMS, Septic System - Septic Tank Install (CWMS)
Property Applications: 960/835/2009, Winery Alterations (Carpark Extension)
Property Applications: 613/2002/D1, Canopy
Property Applications: 960/356/2011, Optus Telecommunications Facility (25 m monopole with 3 panels 600mm parabolic antennae equipment shelter and fence) - Non-Complying
Property Applications: 759/2001/D1, 8 X 227kl 25 X 113kl And 12 X 70kl Tanks (Class 7)
Property Applications: 760/2001/D1, 2 X 70kl Pressure Tanks
Property Applications: 960/689/2011, Extension to Tank Farm
Property Applications: 960/824/2011, Winery Alterations (Office Renovations)
Property Applications: 788/2001/D1, Demolition (Shop & Barn)
Property Applications: 960/888/2011, Demolition of Shed and Extension of Winery (Additional Tanks)
Property Applications: 1055/2004/D1, Wine Storage Tanks
Property Applications: 1084/2004/D1, Renovation Of State Heritage Item (Chimney)
Property Applications: 15/2000/DA, Canopy Addition To Winery Cell Ar Building (Amended Plans)
Property Applications: 120/1999/DA, Change Of Use
Property Applications: 178/2000/DA, Canopy
Property Applications: 189/1998/DA, Tank Farm Extension Additional Tanks
Property Applications: 236/2000/DA, Maturation Warehouse
Property Applications: 350/1998/DA, Warehouse
Property Applications: 360/1998/DA, Tank Farm
Property Applications: 404/1998/DA, Canopy
Property Applications: 490/2000/DA, Warehouse Construction And Loading Canopy
Property Applications: 511/1999/DA, 8 Storage Tanks

Property Applications: 533/1999/DA, Offic Accommodation
Property Applications: 624/2000/DA, 2 X Pressure Tanks
Property Applications: 812/2000/DA, Additions And Alterations To T Ank Farm 52 X 680l Tanks
Property Applications: 960/496/2012, Winery (extension to tank farm - pressure tanks)
Property Applications: 960/497/2012, Winery (extension to tank farm)
Property Applications: 960/657/2012, Winery Additions (Loading Facility - Canopy and Catwalks)
Property Applications: 960/721/2012, Demolition
Property Applications: 960/143/2015, Container Loading Facility including Canopy and Catwalks in association with existing Winery
Property Applications: 960/104/2018, Solar Panels on Warehouses - STAGE 1


Property Applications: 960/106/2013, Verandah
Property Applications: LL/12/2015, Redefinition of Special Circumstances Licence
Property Applications: 960/730/2016, Ground Mounted Solar Panels - Application Withdrawn 27/2/18
Property Applications: 960/176/2019, Installation of four x photovoltaic arrays (solar panels) to the roof structures of two existing buildings
Property Applications: 960/243/2019, Reconfiguration of existing carpark layout, construction of two carport structures, the installation of two solar panel arrays (one on each carport), and the construction and installation of inverter station and other infrastructure associated with the solar panels
Property Applications: 960/244/2019, Construction of a verandah over an existing storage area, and the installation of a solar panel array on the roof
Property Applications: 39720/2021, The project consists of a 277m2 canopy, approximately 20.1m long x 13.8 wide x 6.5m high. The facility is proposed to provide cover for an existing packaging area.
Property Applications: 30450/2022, Construction of a boiler house & tunnel; Construction of a hardstand area for installation of 8 x 7.5kL LPG tanks; Construction of a canopy and bunded plant area
Property Applications: 25578/2023, REPAIRS TO FIRE DAMAGED BOTTLING PLANT
Property Applications: 6197/2024, Demolition of a building on a site containing a State Heritage Place
Property Applications: 16872/2024, Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall
CT-6076/18

Development Locations

Location 1

Location reference
1916 BAROSSA VALLEY WAY ROWLAND FLAT SA 5352

Title Ref
CT 6076/18

Plan Parcel
D64629 QP200

Additional Location Information

Council
THE BAROSSA COUNCIL

Location 2

Location reference
1916 BAROSSA VALLEY WAY ROWLAND FLAT SA 5352

Title Ref
CT 6076/18

Plan Parcel
D64629 QP201

Additional Location Information

Council
THE BAROSSA COUNCIL

Location 3

Location reference
1956 BAROSSA VALLEY WAY ROWLAND FLAT SA 5352

Title Ref
CT 6287/246

Plan Parcel
D60049 QP51

Additional Location Information

Council
THE BAROSSA COUNCIL

Zone Overlays

Zones
- Rural

Sub-zones
(None)

Overlays
- Water Protection Area
- Water Resources

- Character Preservation District
- Hazards (Bushfire - Medium Risk)
- Heritage Adjacency
- Hazards (Flooding - Evidence Required)
- Limited Land Division
- Major Urban Transport Routes
- Native Vegetation
- Prescribed Water Resources Area
- State Heritage Place
- Traffic Generating Development

Variations
- Minimum Site Area (Minimum site area is 25 ha)
- Minimum Dwelling Allotment Size (Minimum dwelling allotment size is 25 ha)

Application Contacts

Applicant(s)

Stakeholder info
Pernod Ricard Winemakers Pty Ltd
1914 BAROSSA VALLEY WAY
ROWLAND FLAT
SA
5352
[redacted]

Contact

Stakeholder info
Mr Charlie Dubois
[redacted]

Invoice Contact

Stakeholder info
Pernod Ricard Winemakers Pty Ltd
1914 BAROSSA VALLEY WAY
ROWLAND FLAT
SA
5352
[redacted]

Land owners

Stakeholder info
Pernod Ricard Winemakers Pty Ltd
1914 BAROSSA VALLEY WAY
ROWLAND FLAT
SA
5352
[redacted]

Nature Of Development

Nature of development
Alterations and additions to existing winery, including an operational crush capacity increase of 6,000 tonnes a year

Development Details

Current Use
Winery

Proposed Use
Winery

Development Cost
$7,200,000.00

Proposed Development Details
Alterations and additions to existing winery, including an operational crush capacity increase of 6,000 tonnes a year

Element Details

You have selected the following elements

Winery - $0.00

Fences and walls - $0.00
- Retaining wall

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?
Yes

Selected Constraints
Easement or rights of way; Land Management Agreement

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?
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.

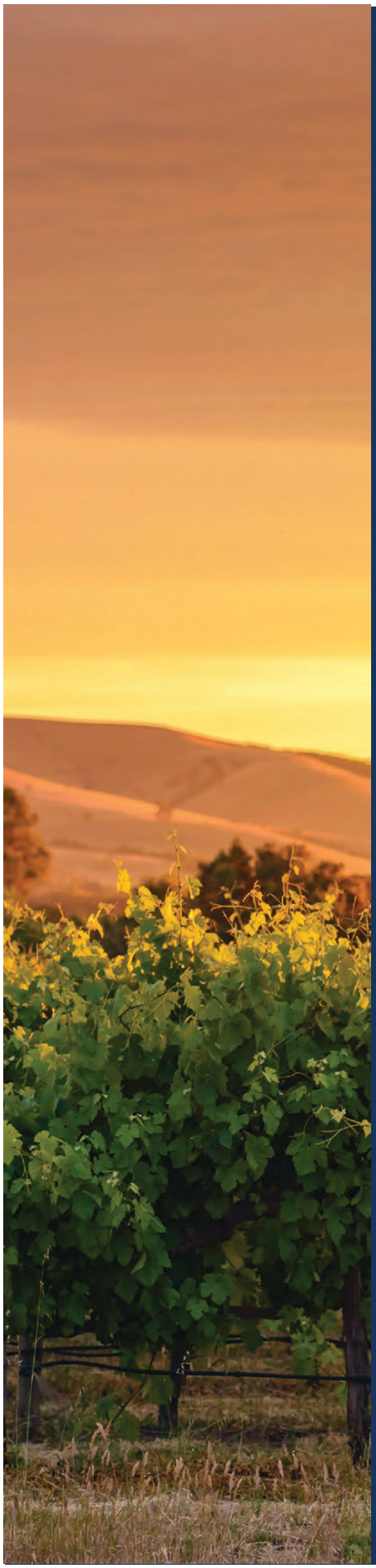
Documents

Document	Document Type	Date Created
53765REP01 (1).pdf	All application documentation	7 Jun 2024 5:25 PM

Application Created User and Date/Time

Created User
epn.duboisca@sa.gov.au

Created Date/Time
7 Jun 2024 5:25 PM



Planning Report

Alterations and Additions to Winery

1916 Barossa Valley Way,
Rowland Flat SA 5352
for Pernod Ricard Winemakers

June 2024

Planning Report

Alterations and Additions to Winery

1916 Barossa Valley Way,
Rowland Flat SA 5352
for Pernod Ricard Winemakers

June 2024

MasterPlan SA Pty Ltd
ABN 30 007 755 277

33 Carrington Street
Adelaide SA 5000
Australia

(08) 8193 5600

www.masterplan.com.au

Version	Date	Detail	Prepared	Review
Draft 1	5 June 2024	53765REP01	CD	SAH
Final	7 June 2024	53765REP01	CD	

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1 Introduction

MasterPlan has been engaged by Pernod Ricard Winemakers ('our client') to assist with the preparation of a development application for alterations and additions to an existing winery at 1916 Barossa Valley Way, Rowland Flat.

The development results from our client's decision to consolidate their Barossa Valley operations to a single site, resulting in the decommissioning of their Richmond Grove site in Tanunda. The consolidation to the Rowland Flat site will increase production capacity by 6,000 tonnes a year and requires the construction of a processing building with associated tank farms, receival areas and a canopy.

This Planning Report provides a description of the subject allotment, subject site and locality, a description of the proposed development and an assessment of the proposal against the most relevant provision of the Planning and Design Code.

The information contained in this report is informed by, and should be read in conjunction with the following **enclosed** documentation:

Attachment A Certificate of Title Register Searches.

Attachment B Plan Set, prepared by Linney Engineering.

Attachment C Stormwater and Spill Management Plan, prepared by Linney Engineering.

Attachment D Wastewater Treatment Capacity Review, prepared by JJC Operations Pty Ltd.

Attachment E Vehicle Circulation Plan, prepared by MasterPlan SA Pty Ltd.

2 Subject Site

The subject site is identified within the **enclosed** site plan, with **Table 1** below providing a summary description of the whole land.

Table 1 Subject Site

Project Site	
Address	1916 Barossa Valley Way, Rowland Flat
Local Government Area	The Barossa Council
Certificate of Title or Land Parcels	Piece 200 and 201 Deposited Plan 64629 Certificate of Title Volume 6076 Folio 18
Easements	Land marked 'A' and 'D' on Piece 201 hold Rights of Way over Land marked 'B' (CT 6148/850) and 'C' (CT 5589/943) Easement over Land marked 'E', 'F' (Piece 200), 'G' and 'H' (Piece 200 and Piece 201) to Distribution Lessor Corporation Easement over Land marked 'L' and 'M' on Piece 200 and 201
Encumbrances	Land Management Agreement affecting vineyard adjacent eastern boundary of Piece 200
Site Dimensions and Area	Barossa Valley Way Frontage: 235.2 metres (Combined) Steingarten Road Frontage: 170.3 metres Site Area: 25.1 hectares
Exiting Use/Built Form	Piece 200 comprises existing Rowland Flat winery, with tank farms, processing buildings, storage facilities and vineyard. Piece 201 comprises wastewater treatment plant for winery and associated staff car park

The subject site comprises a single allotment in two (2) pieces located on the eastern and western sides of Barossa Valley Way, Rowland Flat. The site incorporates an existing winery that is owned and operated by Pernod Ricard Winemakers. Piece 200 (eastern piece) features the winery with associated processing, storage and fermentation facilities. Piece 201, located between Barossa Valley Way and the North Para River, features a staff car park and wastewater treatment plant. Both Piece 200 and Piece 201 are screened from view via existing vegetation adjacent Barossa Valley Way.

The site also incorporates a small portion of 1956 Barossa Valley Way, Rowland Flat, over which Piece 200 takes access.

The winery currently has an operational crush capacity of between 15,000 and 20,000 tonnes a year. The operations and associated wastewater treatment plant are enforced via EPA Licence No. 1966. A copy is **enclosed** for reference.

Of note, Piece 200 supports part of State Heritage Item 17031, which incorporates the Registered name of '*Orlando Winery Complex – school, dwelling, boiler house, distillery and stores*'. The still house and adjacent chimney are located within the south-western corner of Piece 200 and are depicted in the photograph **below**:

Photograph 1 Views of the still house and adjacent chimney.

The site is affected by a number of easements, which are exhibited within the **enclosed** Certificate of Title Register Search. The easements, marked as E, F G and H, correspond to locations of existing sealed driveways on both Piece 200 and Piece 201. Easements E and F are in favour of the Distribution Lessor Corporation, whilst G and H are not allocated.

Furthermore, land marked A and D on Piece 201 have Rights of Way over land labelled B and C, which are on separate allotments to the immediate north.

A Land Management Agreement (LMA) is also registered on the Certificate of Title and affects the vineyard located adjacent the western boundary of Piece 200, to the immediate south of Steingarten Road. The LMA provides a right for the owner of the land described within Certificate of Title Volume 5909 Folio to dispose of their wastewater via irrigation on the affected vineyard. It is understood that since the LMA was entered into in 2002, boundary realignments and ownership changes have occurred. However, the LMA remains current and in effect, albeit with no impact on operations.

Notwithstanding, the site of the development is located centrally on Piece 200 of the subject site and is unaffected by the easements and encumbrances described above.

3 Locality

The subject site is a prominent feature of the locality in regard to both activity and visual impact. Outside of these operations, the locality is characterised by flat and open expanses of vineyards on large allotments with associated wineries and cellar doors. Smaller allotments featuring dwellings and tourist accommodation (sensitive receivers) are located directly along Barossa Valley Way both directly adjacent the site and 500 metres to the north.

The vegetation lining Barossa Valley Way adjacent the subject site, and the horticultural land uses beyond contribute to an open and natural character within the locality.

The locality lies within a relatively flat area adjacent the North Para River. The topography rises steeply to the north and east by up to 40 metres, whilst rising more gradually to the south.

4 Proposed Development

4.1 Land Use

The proposed development is being undertaken as a result of our client's decision to consolidate their existing Barossa Valley operations to a single site. Presently, the subject site processes white wine, whilst the Richmond Grove site in Tanunda processes red wine. The development will result in both white and red wine being processed at the Rowland Flat site, increasing the annual processing capacity by 6,000 tonnes to 26,000 tonnes a year.

White wine will continue to be produced via existing operations on the site, with material to be delivered via semi-trailer to the area adjacent 'Gramp's Café' as shown in the plans. Red wine will be dealt with separately and delivered in the proposed receival area. Once received, the grapes are crushed before fermentation in tanks and then pressed, with the stalks and marc (solid remains of grapes) being separated from the juice. The juice is then fermented again within tanks, before being stored within the tank farms on-site prior to bottling.

The site is currently operated 24 hours a day, seven days a week and no alterations to this arrangement are proposed. Consistent with existing operations, a peak in intensity will occur on the site during vintage, which occurs between 1 February and 30 April annually. Due to efficiencies being gained through the consolidation of the site, no extra staff are anticipated to be required.

4.2 Built Form

An existing building with a floor area of 4285 square metres on the site of the proposed development, referred to as Cellar 13, is to be demolished to accommodate the proposed development. The demolition of Cellar 13 was recently granted Development Approval in Development Application 24006197.

A 569 square metre processing building will be constructed on the subject site in place of Cellar 13, featuring a covered multipurpose work area, control room and dry storage area. The building is to have a maximum roof height of 8.45 metres and skillion roof with a 5-degree pitch. The building is to be clad in Colorbond 'Whitehaven', a non-reflective 'cool' white colour.

A canopy is also to be constructed over the receival area with a roof height of 8.24 metres. The roof of the canopy is to be Colorbond with steel posts. The canopy, with a total area of 660 square metres, will cover the area used for loading and unloading, as well as a crusher/de-stemmer, a bin staging area and a yeast storage area. A service bridge is to be constructed adjacent the eastern side of the canopy and extend over the internal road.

A range of plant and equipment will also be installed on the site to facilitate the operations of the winery.

A series of tanks, ranging in size from 5 kilolitres to 56 kilolitres will be installed on the subject site for the storage of wine at various stages of the winemaking process. The tanks are to be predominantly located in a tank farm on the western edge of the site, with the balance centrally located between fermentation areas. The total storage capacity of the tanks is to be 2,520 kilolitres. A proportion of the tanks will be relocated from the Richmond Grove site, whilst the balance is to be new. All tanks are finished in non-reflective materials.

Seven (7) presses will be installed adjacent the receival area with a total capacity of 276 hectolitres. Fermentation tanks, with a total capacity of 2,200 tonnes are also to be installed.

All plant and equipment will be lower in height than the proposed canopy and process building.

Concrete retaining walls are proposed on the northern extent of the proposed development. The retaining walls range in height from 0.9 metres to 3.5 metres above ground level and are therefore considered to be development in accordance with Schedule 4 (4) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

All details of the proposed built form are exhibited within the **enclosed** Plan Set prepared by Linney Engineering.

4.2.1 Wastewater Treatment

A detailed examination of the volumes of winery wastewater expected to be generated and the method of treating and disposing of that wastewater is contained within the **enclosed** Wastewater Treatment Capacity Review prepared by JJC Operations Pty Ltd.

In summary, an additional 7.2 megalitres of wastewater is expected to be generated from the proposed development throughout the vintage period, which will be collected and treated via existing infrastructure on the subject site. The winery on Piece 200 features both a North and South drain, which feed via gravity mains under Barossa Valley Way to the wastewater treatment plant (WWTP) located on Piece 201.

The WWTP screens wastewater before it is transferred through a series of sumps for settlement prior to being stored within either a Surge Dam or Feed Dam before treatment within the Sequencing Batch Reactor (SBR) via aeration. Treated water is then decanted and stored before pumping to the Tanunda Pines Golf Course. Both woodlot and vineyard irrigation operate as contingencies where pumping to Tanunda Pines is unable to be undertaken.

The review found that the additional 7.2 megalitres generated throughout the vintage is able to be accommodated within the existing WWTP capacity, provided that an additional 5.3 megalitres of storage capacity is provided. The additional storage is required prior to wastewater entering the SBR, which has fixed throughput capacity. The additional storage prior to this stage will allow for the treatment of the additional wastewater to be undertaken after vintage has concluded, when capacity is available within the SBR. It is proposed that the additional 5.3 megalitres of storage is to be accommodated within repurposed wine tanks, to are located adjacent the proposed development site. The location of these tanks is exhibited within the **enclosed** Site Plan.

Solid waste resulting from the operations will continue to be collected and disposed of by EPA licensed contractors.

4.2.2 Odour and Acoustic Management

Odour resulting from the WWTP and operations of the winery will continue to be monitored and managed in accordance with existing standards and procedures, including the EPA License.

An acoustic report detailing the proposed developments conformance with the *Environment Protection (Commercial and Industrial Noise) Policy 2023* is to be provided under a separate cover.

4.2.3 Transport, Access and Parking

The development will utilise the existing access point on the southern boundary of 1956 Barossa Valley Way, with internal vehicle circulation to continue via existing sealed surface roads.

Data provided by our client, which has been collected over the previous year across both the Richmond Grove and Rowland Flat sites indicates that an additional 197 semi-trailer movements will occur as a result of the proposed development. This figure is based on the proposed capacity of semi-trailers and the additional capacity of the winery. However, under existing conditions, transport between the Rowland Flat and Richmond Grove wineries is required, which results in 163 semi-trailer movements that will no longer be required. Therefore, the net increase in semi-trailer movements is expected to be 34 per year, or 0.1 per day.

Similarly, as the total number of staff on-site is not expected to increase as a result of the development, no additional car parking areas are proposed. Staff will continue to utilise the existing car park located on Piece 201 of the site.

Vehicles enter the subject site via the internal road on the boundary of 1916 and 1956 Barossa Valley Way, Rowland Flat. Vehicles then enter the site of development via a secondary internal road, before travelling south and looping around the proposed receival canopy and processing buildings. Vehicles then travel north before rejoining the main internal road via left hand turn and exit to Barossa Valley Way. The circulation paths are to be unchanged and are detailed within the **enclosed** Vehicle Circulation Plan.

4.2.4 Stormwater and Spill Management

Stormwater generated from roof run-off of the process building and receival canopies will be directed to a combination of detention and rainwater tanks. A 10-kilolitre rainwater tank will be installed adjacent the receiving canopy, with a pump for harvesting. The tanks then drains to a system connected to the drainage for the adjacent processing building, before ending in a 170-kilolitre detention tank. Water from the detention tank is to be reused on-site to irrigate landscaped areas, with overflow directed to the trade waste drainage system.

The combined effect of the detention and bunding is to limit flows to a pre-development level.

Similarly, stormwater accumulated within the tank farms will be managed via bunding of the concrete plinths upon which the tanks are located. The bunding serves a dual purpose, by managing both stormwater and spill events. The bunding requirements have been designed to accommodate an ARI 20 event. Where required, the bunded area is able to be drained in a controlled manner via two (2) separate valve pits.

5 Planning and Design Code

The Planning and Design Code identifies and applies policies for the assessment of development relative to each zone.

For each zone, policies and rules are identified and applied to classes of development within the zone, including by the application of policies within subzones and overlays that apply only in the area affected by the subzone/overlay, together with the relevant general development policies.

Table 2 below, provides a summary of the applicable zone, subzone, overlays and general development policy sections that have been identified as applying to the subject land.

Table 2 Planning and Design Code Summary

Planning and Design Code Summary	
Version and Date	2024.9 (23 May 2024)
Zone	Rural Zone
Subzone	Not Applicable
Overlays	Character Preservation District (Not in Township) Hazards (Bushfire – Medium Risk) Heritage Adjacency Hazards (Flooding – Evidence Required) Limited Land Division Major Urban Transport Routes Native Vegetation Prescribed Water Resources Area State Heritage Place – 17031 Traffic Generating Development Water Resources
Relevant General Sections	Beverage Production in Rural Areas Design Interface between Land Uses Transport, Access and Parking Waste Treatment and Management Facilities
Concept Plans	N/A

5.1 Procedural Matters

The zones, subzones, overlays, and general development policies that apply may contain sections headed 'Procedural Matters', including the requirement to notify certain applications for planning consent, and referrals to prescribed bodies.

Table 3 below, provides a summary of the procedural matters associated with the identified assessment pathway.

Table 3 Procedural Matter Summary

Procedural Matters Summary	
Relevant Authority	The Barossa Council Assessment Manager
Assessment Pathway	Code Assessed – Performance Assessed.
Statutory Referrals	Minister responsible for the administration of the Heritage Places Act 1993 Environment Protection Authority
Public Notification	Not excluded.

The relevant procedural matters involved in the identified assessment pathway are discussed below.

5.2 Nature of Development

Winery is not a defined land use within the Planning and Design Code. However, wineries are considered to fall within the definition of industry, which is defined within Part 7 of the Planning and Design Code as meaning:

> *'.....the carrying on, in the course of a trade or business, of any process (other than the generation of electricity using a renewable energy source or a process in the course of farming or mining) for, or incidental to:*
>
> *a) the making of any article, ship or vessel, or of part of any article, ship or vessel; or*
>
> *b) the altering, repairing, ornamenting, finishing, assembling, cleaning, washing, packing, bottling, canning or adapting for sale, or the breaking up or demolition, of any article, ship or vessel; or*
>
> *c) the getting, dressing or treating of materials.'*

The land use involves the making of an article, being wine and therefore is industry. The Planning and Design Code also provides definitions of Light Industry, General Industry and Special Industry. The existing and proposed development are considered to be defined as General Industry, as while the processes cause or create 'dust, fumes, vapours, smells or gases', at a scale that may impact the locality, these impacts do not produce conditions that are, or may become, '*offensive or repugnant to the occupiers or users of land in the locality of or within the vicinity of the locality'*, as is relevant to Special Industry.

The nature of development is therefore described as '*Alterations and additions to existing winery (general industry) with associated retaining walls*'.

5.3 Assessment Pathway

Wineries and retaining walls are listed within Table 3 of the Rural Zone. Therefore, the development is subject to a Code Assessed – Performance Assessed pathway.

5.4 Statutory Referrals

The Overlays of the Planning and Design Code include Procedural Matters (PM) sections which mandate when applications require statutory referral to prescribed bodies prior to decisions being made on a development application.

Character Preservation District (Not in Township)

The Overlay does not prescribe any referral bodies within its Procedural Matters (PM) – Referrals Table. Therefore, no referral is required.

Hazards (Bushfire – Medium Risk)

The Overlay does not prescribe any referral bodies within its Procedural Matters (PM) – Referrals Table. Therefore, no referral is required.

Hazards (Flooding – Evidence Required)

The Overlay does not prescribe any referral bodies within its Procedural Matters (PM) – Referrals Table. Therefore, no referral is required.

Heritage Adjacency

The proposed development results in built form that impacts upon the setting of a State Heritage Place. Therefore, a referral to the Minister responsible for the administration of the *Heritage Places Act 1993* is required.

Limited Land Division

The Overlay does not prescribe any referral bodies within its Procedural Matters (PM) – Referrals Table. Therefore, no referral is required.

Major Urban Transport Routes

The proposed development will result in a marginal increase in semi-trailer vehicle movements through the existing access point to Barossa Valley Way, which is a State Maintained Road. The additional 34 semi-trailer movements annually (0.1 movements per day), is considered to be minor in nature and unlikely to impact on the operation or safety of Barossa Valley Way. Therefore, it is able to be determined that a referral to the Commissioner of Highways is not required.

Native Vegetation

No native vegetation is to be cleared in association with the proposed development. Therefore, no referral is required.

Prescribed Water Resources Area

The development does not involve the taking of water or result in any impact on a watercourse. Therefore, it is not of a nature that requires a referral.

State Heritage Place – 17031

The proposed development results in built form that impacts upon the setting of a State Heritage Place. Therefore, a referral to Minister responsible for the administration of the *Heritage Places Act 1993* is required.

Traffic Generating Development

The proposed development will utilise the existing access point to Barossa Valley Way, which is a State Maintained Road. The subject site presently features greater than 20,000 square metres of industrial floor area, and the proposed development will replace an existing building utilised for this purpose. Therefore, no referral is required as all deemed-to-satisfy criteria have been satisfied.

Water Resources

The Overlay does not prescribe any referral bodies within its Procedural Matters (PM) – Referrals Table. Therefore, no referral is required.

Part 9 of the Planning and Design Code

Part 9.1 of the Planning and Design Code outlines developments that are of a nature and sale that require a referral to the Environment Protection Authority (EPA).

Wineries that process greater than 50 tonnes of grapes or other produce require a referral to the EPA. As the proposed development seeks to increase processing capacity by 6,000 tonnes, a referral is required.

It is not considered that any of the other referral triggers within Part 9 are relevant to the proposed development.

5.5 Public Notification

Within Table 5 of the Rural Zone, industry is excluded from public notification except where it exceeds 500 square metres in total floor area. The proposed development exceeds this and therefore, public notification is required.

6 Planning Assessment

6.1 Land Use and Intensity

Relevant Land Use and Intensity Policies	
Rural Zone	
DO 1	A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.
DO 2	A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.
Land Use and Intensity	
PO 1.1	The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.
Rural Industry	
PO 4.2	Expansion of established small-scale or new large scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities: (a) are commensurate with the allotment on which it is situated to mitigate adverse impacts on the amenity of land in other ownership and the character of the locality (b) realise efficiencies in primary production related storage, sorting, packaging, manufacturing and the like (c) primarily involve primary production commodities sourced from the same allotment and /or surrounding rural areas.
PO 4.3	Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural character and function and respects landscape amenity.
General Development Policies - Beverage Production in Rural Areas	
DO 1	Mitigation of potential amenity and environmental impacts of value-adding beverage production facilities such as wineries, distilleries, cideries and breweries.
Odour and Noise	
PO 1.1	Beverage production activities are designed and sited to minimise odour impacts on rural amenity.
PO 1.2	Beverage production activities are designed and sited to minimise noise impacts on sensitive receivers.
PO 1.3	Fermentation, distillation, manufacturing, storage, packaging and bottling activities occur within enclosed buildings to improve the visual appearance within a locality and manage noise associated with these activities.
PO 1.5	Beverage production solid wastes are stored in a manner that minimises odour impacts on sensitive receivers in other ownership.
General Development Policies - Interface between Land Uses	
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).

Relevant Land Use and Intensity Policies	
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.
Air Quality	
PO 5.1	Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.

The Rural Zone, through DO 1, DO 2 and PO 1.1 envisages processing and distribution facilities that are associated with primary production, such as wineries.

The nature of the land use will not be affected by the proposed development and represents a desire to realise efficiencies in primary production related manufacturing through the consolidation of our clients Barossa Valley operations to a single site. These efficiencies, and the inherent link between the land use and primary production are clearly consistent with the Desired Outcomes of the Zone and PO 1.1.

Whilst it is noted that PO 4.2 and PO 4.3 of the Zone envisage facilities at a smaller scale than both currently exists and is proposed, the development involves the modest expansion of an existing use. The scale of the development and intensity of the land use are able to be accommodated within the site, which is large within the context of the locality and able to absorb the impacts created. The location of the development centrally within the site also limits the impacts on adjacent and adjoining allotments to an extent that PO 4.2 and 4.3 are satisfied.

The interface between the winery land use and the surrounding areas has been managed over many years through stringent operational controls that are enforced through an EPA Licence. Whilst the production of wine does create both noise and odour effects, the proposed development retains these existing practices in order to mitigate adverse impacts on sensitive receivers. These measures include:

- Fitting of white noise beepers on forklifts
- Fitting of noise mitigation hoods to aeration dam blowers
- Siting of activities away from direct interface with sensitive receivers
- Monitoring of meteorological conditions to adequately prepare for events that may cause overflow of wastewater treatment plant
- Notification of neighbours and the EPA when solids removal from wastewater treatment plant is required

The combined effect of the measures listed above, in conjunction with the 250-metre separation between the site of the development and the nearest sensitive receiver (with the separation to the WWTP being unchanged) significantly diminishes any potential adverse impacts. The proposed development is therefore considered to satisfy the relevant provisions of the Beverage Production in Rural Areas module.

Similarly, the relevant provisions of the Interface between Land Uses module, being PO 4.1, PO 4.2 and PO 5.1 are adequately addressed as the proposed development does not significantly increase the amount of noise, either via production or vehicle movements, nor create any significant air pollution in the immediate vicinity of sensitive receivers.

6.2 Built Form and Design

6.2.1 Built Form

Relevant Built Form and Design Policies	
Rural Zone	
Built Form and Character	
PO 10.1	Large buildings are designed and sited to reduce impacts on scenic and rural vistas by: (a) having substantial setbacks from boundaries and adjacent public roads (b) using low-reflective materials and finishes that blend with the surrounding landscape (c) being located below ridgelines.
Character Preservation District Overlay	
DO 1	Recognise, protect and enhance the special character of 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.
Built Form and Character in the Rural Area	
PO 3.1	Preservation of existing natural features including topography, watercourses and mature trees.
PO 3.2	Buildings and structures do not interrupt views of the skyline through measures including being sited below ridge lines.
PO 3.3	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.
PO 3.4	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.
PO 3.5	Buildings and structures are grouped to create compact clusters well set back from public roads.
General Development Policies - Design	
All development - External Appearance	
PO 1.5	The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.

The visual impacts of the proposed development are considered minor within the context of the existing winery operations on the land. The existing buildings located between the development and Barossa Valley Way, as well as the tank farms to the east provide significant screening. Further to this, the buildings and tanks are to be finished in non-reflective materials.

Similarly, the Character Preservation District Overlay seeks to maintain the existing natural rural features of the locality. Existing natural features, such as topography, watercourses and mature trees are unimpacted by the proposed development, which is sited unobtrusively on the subject land. Visual impact is further diminished via the limited height of the buildings and the agglomeration of built form on the site, preserving the character of surrounding sites.

The combined effect of these measures directly responds to the intent of PO 10.1 of the Rural Zone and the relevant policies of the Character Preservation District Overlay, by minimising visual impact on the rural locality.

All loading areas associated with the proposed development are screened from view from public roads via both existing and proposed structures, mitigating potentially negative visual impacts to the satisfaction of PO 1.5 of Design.

6.2.2 Heritage Impacts

Heritage Impacts	
Heritage Adjacency Overlay	
DO 1	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.
Built Form	
PO 1.1	Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.
State Heritage Place Overlay	
DO 1	Development maintains the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse consistent with Statements of Significance and other relevant documents prepared and published by the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the *Heritage Places Act 1993*.
Built Form	
PO 1.1	The form of new buildings and structures maintains the heritage values of the State Heritage Place.
PO 1.2	Massing, scale and siting of development maintains the heritage values of the State Heritage Place.
PO 1.3	Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the State Heritage Place.
PO 1.4	Development is consistent with boundary setbacks and setting.
PO 1.5	Materials and colours are either consistent with or complement the heritage values of the State Heritage Place.
PO 1.6	New buildings and structures are not placed or erected between the primary and secondary street boundaries and the façade of a State Heritage Place.

The proposed development is consistent in nature, scale and form with the existing winery buildings on the subject site that presently surround the State Heritage Place. Therefore, while the massing and detailing of the development is not consistent with the State Heritage Place, it reflects the existing conditions of the land which presently do not diminish its heritage value, which largely derive from its height and visual prominence.

The maximum height of the proposed structures sits well below that of the chimney, which will continue to be seen from public vantage points. The setting of State Heritage Place is therefore maintained, reinforcing its heritage values in accordance with the relevant policies of the Overlay.

6.3 Wastewater Treatment

Relevant Wastewater Treatment Policies	
General Development Policies - Beverage Production in Rural Areas	
Water Quality	
PO 2.1	Beverage production wastewater management systems (including wastewater irrigation) are set back from watercourses to minimise adverse impacts on water resources.
PO 2.2	The storage or disposal of chemicals or hazardous substances is undertaken in a manner to prevent pollution of water resources.
PO 2.3	Stormwater runoff from areas that may cause contamination due to beverage production activities (including vehicle movements and machinery operations) is drained to an onsite stormwater treatment system to manage potential environmental impacts.
PO 2.4	Stormwater runoff from areas unlikely to cause contamination by beverage production and associated activities (such as roof catchments and clean hard-paved surfaces) is diverted away from beverage production areas and wastewater management systems.
Wastewater Irrigation	
PO 3.1	Beverage production wastewater irrigation systems are designed and located to not contaminate soil and surface and ground water resources or damage crops.
PO 3.2	Beverage production wastewater irrigation systems are designed and located to minimise impact on amenity and avoid spray drift onto adjoining land.
PO 3.3	Beverage production wastewater is not irrigated onto areas that pose an undue risk to the environment or amenity such as: (a) waterlogged areas (b) land within 50m of a creek, swamp or domestic or stock water bore (c) land subject to flooding (d) steeply sloping land (e) rocky or highly permeable soil overlaying an unconfined aquifer.
General Development Policies - Infrastructure and Renewable Energy Facilities	
Wastewater Services	
PO 12.1	Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following: (a) it is wholly located and contained within the allotment of the development it will service

Relevant Wastewater Treatment Policies	
	(b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm.
PO 12.2	Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.

The proposed development seeks to utilise the existing wastewater treatment methods and facilities on the subject site that cater to the winery. Whilst the WWTP is located in close proximity to the North Para River (approximately 32 metres from the eastern bank) no upgrades or augmentation is proposed. Existing means of management, treatment and disposal are adequate for the proposal, with only minor alterations to storage volumes and sequencing required to accommodate the 7.3 megalitre increase in wastewater generation. The additional storage is also to be located away from the North Para River on the opposite side of Barossa Valley Way. Therefore, on balance, considering the existing nature of the system and the limited alterations proposed, the potential impacts on watercourses are minor and in accordance with PO 2.1 of the Beverage Production in Rural Areas module.

Solid waste and potentially hazardous chemicals or substances resulting from the operations will continue to be collected and disposed of by EPA licensed contractors, to the satisfaction of PO 2.2 of the module.

PO 2.3 and PO 2.4 of the module seek that potentially contaminated and non-contaminated stormwater are dealt with via separate systems. Roof run-off from the proposed development is to be collected via a sealed drainage system and collected in a 10-kilolitre and 170-kilolitre tank for detention and reuse on-site. Conversely, stormwater collected from tank farms and bunded areas associated with wine production will be captured via a separate trade waste system that then connects to the existing South Drain and the WWTP located on Piece 201, enabling wastewater drainage in the southern area.

The existing irrigation methods, which predominantly involve the pumping of treated wastewater to the Tanunda Pines Golf Club, are to be unchanged as a result of the development. Current contingencies plans, such as the use of woodlot and vineyard irrigation are able to deal with wastewater when it is unable to be used at the Golf Club. It is considered that the continued use of these existing and approved measures adequately minimises environmental risk and satisfies PO 3.1, PO 3.2 and PO 3.3 of the module.

The WWTP is captured as part of the EPA License and is routinely monitored and maintained in accordance with a series of conditions. These procedures, including the continuous monitoring of pH levels, the monitoring of annual biosolids generation, and the annual calibration of meters and sensors ensures that the system operates effectively an minimises risks to human health and the environment.

6.4 Transport, Access and Parking

Relevant Transport, Access and Parking Policies	
Major Urban Transport Routes Overlay	
DO 1	Safe and efficient operation of Major Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from Major Urban Transport Routes.
Access - Safe Entry and Exit (Traffic Flow)	
PO 1.1	Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State Maintained Roads.
Access – Location (Spacing) - Existing Access Points	
PO 3.1	Existing access points designed to accommodate the type and volume of traffic likely to be generated by the development.
Traffic Generating Development Overlay	
Traffic Generating Development	
PO 1.1	Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.
PO 1.2	Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.
PO 1.3	Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.
General Development Policies - Transport, Access and Parking	
Movement Systems	
PO 1.4	Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.
Vehicle Access	
PO 3.1	Safe and convenient access minimises impact or interruption on the operation of public roads.
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.

PO 1.1 and PO 3.1 of the Major Urban Transport Routes Overlay seek that access points to State maintained roads are able to readily accommodate expected vehicle movements without interfering with the road network.

The proposed development will have a largely neutral impact on the number of vehicle movements on Barossa Valley Way, with any increase largely offset by the closure of the associated Richmond Grove site. The nature of vehicle movements, being predominately heavy vehicles with a sharp increase in intensity during vintage periods will also remain unchanged. Therefore, existing access points to Barossa Valley Way are considered to satisfy the relevant policies of the Overlay.

Similarly, where a development is of a significant scale and intensity, such as the existing and proposed development, PO 1.1, PO 1.2 and PO 1.3 of the Traffic Generating Development Overlay seek that access is afforded exclusively via State Maintained Roads. As detailed above, existing access arrangements to Barossa Valley Way will be maintained, with no additional access points proposed. Therefore, the provisions are satisfied.

Vehicle circulation on site, as well as the loading and unloading of vehicles to the receival canopy also has no impact upon the public road network, as exhibited within the **enclosed** Vehicle Circulation plan. All movements are accommodated within land owned and operated by the applicant.

The amount of on-site car parking provided on-site is unchanged as a result of the development, with staff parking located predominantly on Piece 201 on the western side of Barossa Valley Way. The proposed development replaces the 4,285 square metres of floor area within Cellar 13, with a floor area that generally corresponds with the receival canopy, processing building and tank farms. The applicant has also undertaken projections as part of their business planning for the consolidation of the winery sites and has determined that no additional staff are required. It is considered that as a result, no additional on-site parking is required in support of the proposed development.

6.5 Environment and Hazards

Relevant Environment and Hazards Policies	
Hazards (Bushfire – Medium Risk) Overlay	
Siting	
PO 1.1	Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.
Built Form	
PO 2.1	Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.
Vehicle Access - Roads, Driveways and Fire Tracks	
PO 5.1	Roads are designed and constructed to facilitate the safe and effective: (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel (b) evacuation of residents, occupants and visitors.

Relevant Environment and Hazards Policies	
Hazards (Flooding – Evidence Required) Overlay	
Environmental Protection	
PO 2.1	Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.
Native Vegetation Overlay	
Environmental Protection	
DTS/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 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) 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 or (b) 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'.

The siting and design of the proposed development do not create any additional bushfire hazards. The area of the site to be utilised has a moderate slope that will be managed via retaining, with the nearest concentration of vegetation being over 50 metres away. Therefore, the relevant policies of the Hazards (Bushfire – Medium Risk) Overlay are satisfied.

Spills of wine stored in large volumes within tanks on site are managed via the bunding of tank farms and connection to a trade waste system. The combination of these measures allows any spills to be captured and disposed of in a controlled manner. All other materials that may cause hazards will be stored internally to buildings in accordance with the EPA's Bunding and Spill Management Guidelines 2016.

No native vegetation is to be cleared as a result of the proposed development and a declaration to this effect has been provided with the lodgement of the development application. Therefore, DPF 1.1 of the Native Vegetation Overlay is satisfied.

7 Conclusion

The proposed development comprising the expansion of an existing winery at 1916 Barossa Valley Way, Rowland Flat is considered to be appropriate development within the locality.

The proposed development is within the bounds of what is clearly envisaged in the Zone and relevant Overlays of the Planning and Design Code and is a reasonable expansion of an existing and well managed land use.

Furthermore, the proposal:

- Appropriately manages interface with State Heritage Places.
- Consolidates the impacts of two sites within the region into a single operation.
- Does not require a significant upgrade to existing wastewater infrastructure.
- Should not have an unreasonable impact on the amenity or character of the locality.

Having regard to the proposal, the nature of the development, the site and locality and the relevant provisions of the Planning and Design Code, it is considered that the proposed development warrants Planning Consent in accordance with Section 102 (1) (a) of the *Planning, Development and Infrastructure Act 2016*.

Charlie Dubois MPIA
B/A in Planning

MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977

Attachment A
Certificate of Title

MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977

LAND SERVICES SA

Product	Register Search (CT 6076/18)
Date/Time	20/05/2024 02:12PM
Customer Reference	53765
Order ID	20240520006674

REAL PROPERTY ACT, 1886 South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

REGISTRAR - GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 6076 Folio 18

Parent Title(s) CT 5944/257

Creating Dealing(s) SC 11538172

Title Issued 20/04/2011 **Edition** 9 **Edition Issued** 09/10/2023

Estate Type

FEE SIMPLE

Registered Proprietor

PERNOD RICARD WINEMAKERS PTY. LTD. (ACN: 007 870 046)
OF L 3 167 FULLARTON ROAD DULWICH SA 5065

Description of Land

ALLOTMENT COMPRISING PIECES 200 AND 201 DEPOSITED PLAN 64629
IN THE AREA NAMED ROWLAND FLAT
HUNDRED OF BAROSSA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED E AND F TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (TG 7665692)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED G AND H TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (TG 8142709)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED L AND M (TG 10186654)

TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B AND C APPURTENANT ONLY TO THE LAND MARKED D (GRO NO.405 BOOK 13)

TOGETHER WITH RIGHT(S) OF WAY OVER THE LAND MARKED B AND C APPURTENANT ONLY TO THE LAND MARKED A (GRO NO.402 BOOK 13)

Schedule of Dealings

Dealing Number	Description
9370117	AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(2) OVER PORTION
11624794	LEASE TO AUSTRALIA TOWER NETWORK PTY. LTD. (ACN: 643 875 165) COMMENCING ON 20/12/2020 AND EXPIRING ON 19/12/2025 OF PORTION (AREA A IN F54781)
11624795	LEASE TO AUSTRALIA TOWER NETWORK PTY. LTD. (ACN: 643 875 165) COMMENCING ON 20/12/2025 AND EXPIRING ON 19/12/2030 OF PORTION (AREA A IN F54781)
13066781	LEASE TO TELSTRA LTD. (ACN: 086 174 781) COMMENCING ON 01/01/2018 AND EXPIRING ON 31/12/2027 OF PORTION (AREA C & AREA D IN FX254188)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

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Product	Register Search (CT 6076/18)
Date/Time	20/05/2024 02:12PM
Customer Reference	53765
Order ID	20240520006674

Notations on Plan NIL

Registrar-General's Notes

TEXTUAL AMENDMENT VIDE 12385633
APPROVED FILED PLAN FOR LEASE PURPOSES FX254188
APPROVED FILED PLAN FOR LEASE PURPOSES FX54781

Administrative Interests

CONFIRMED IN SA HERITAGE REGISTER 23/06/1994

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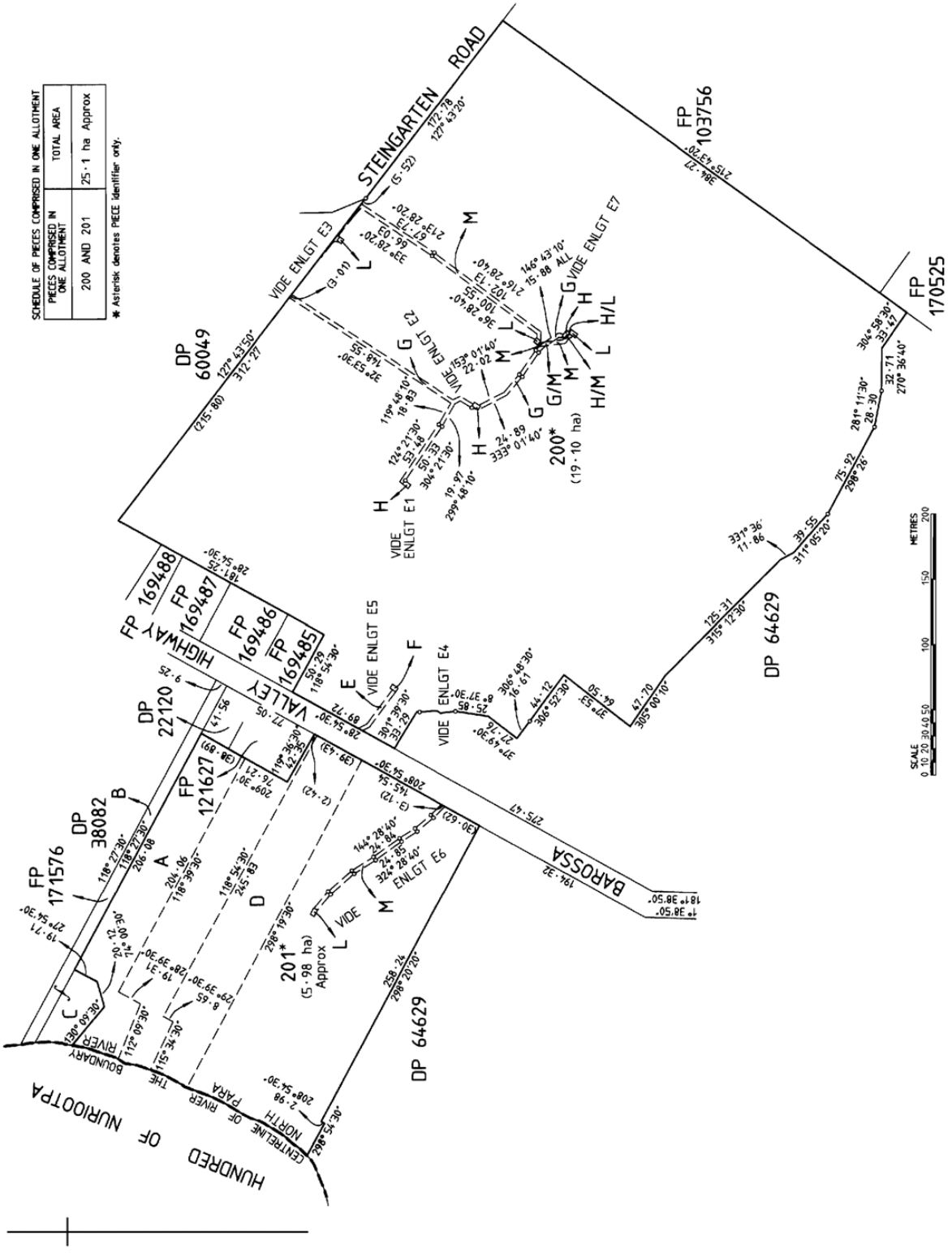
LAND SERVICES SA

Product	Register Search (CT 6076/18)
Date/Time	20/05/2024 02:12PM
Customer Reference	53765
Order ID	20240520006674



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LAND SERVICES SA

Product	Register Search (CT 6076/18)
Date/Time	20/05/2024 02:12PM
Customer Reference	53765
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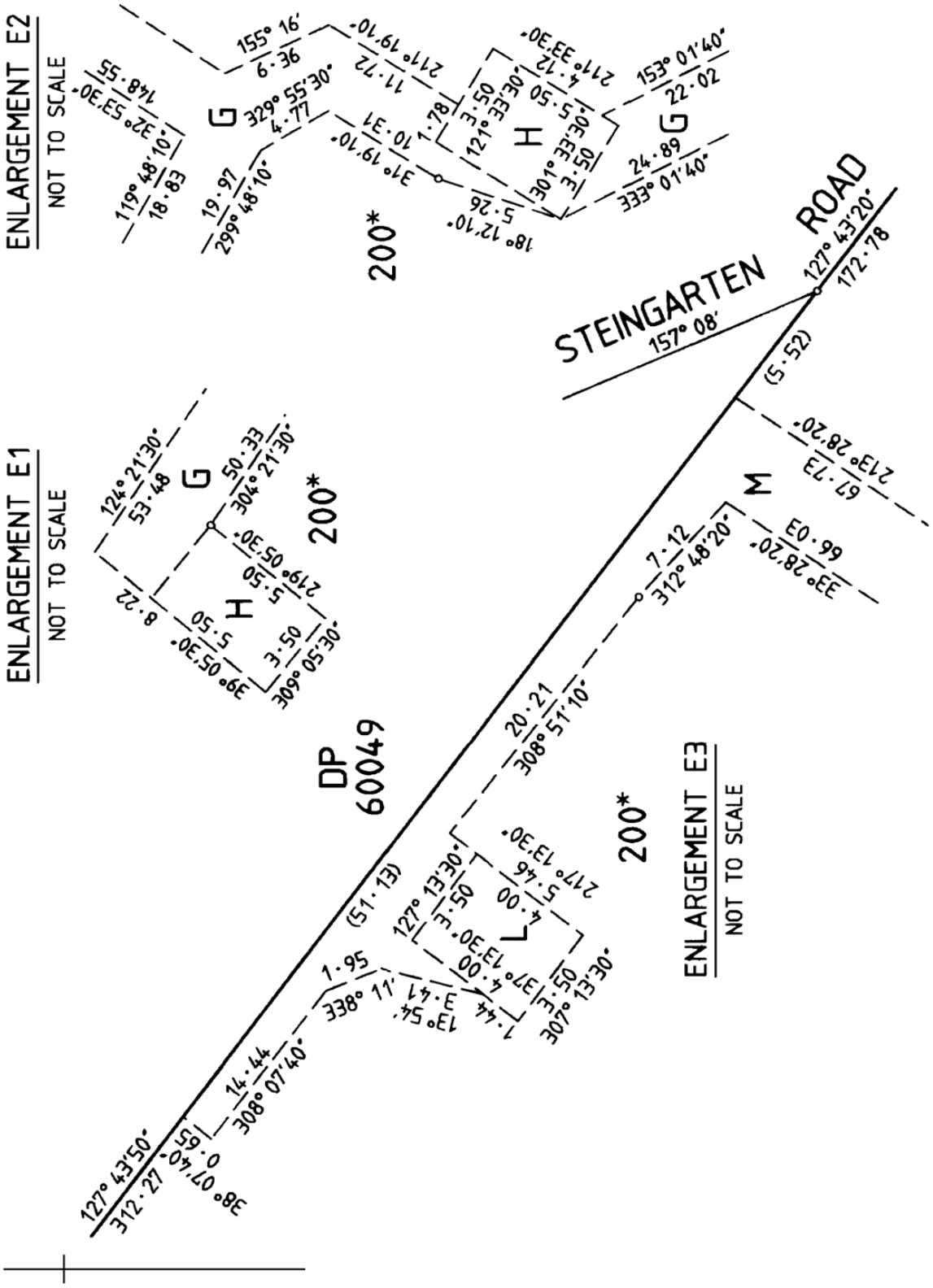

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LAND SERVICES SA

Product	Register Search (CT 6076/18)
Date/Time	20/05/2024 02:12PM
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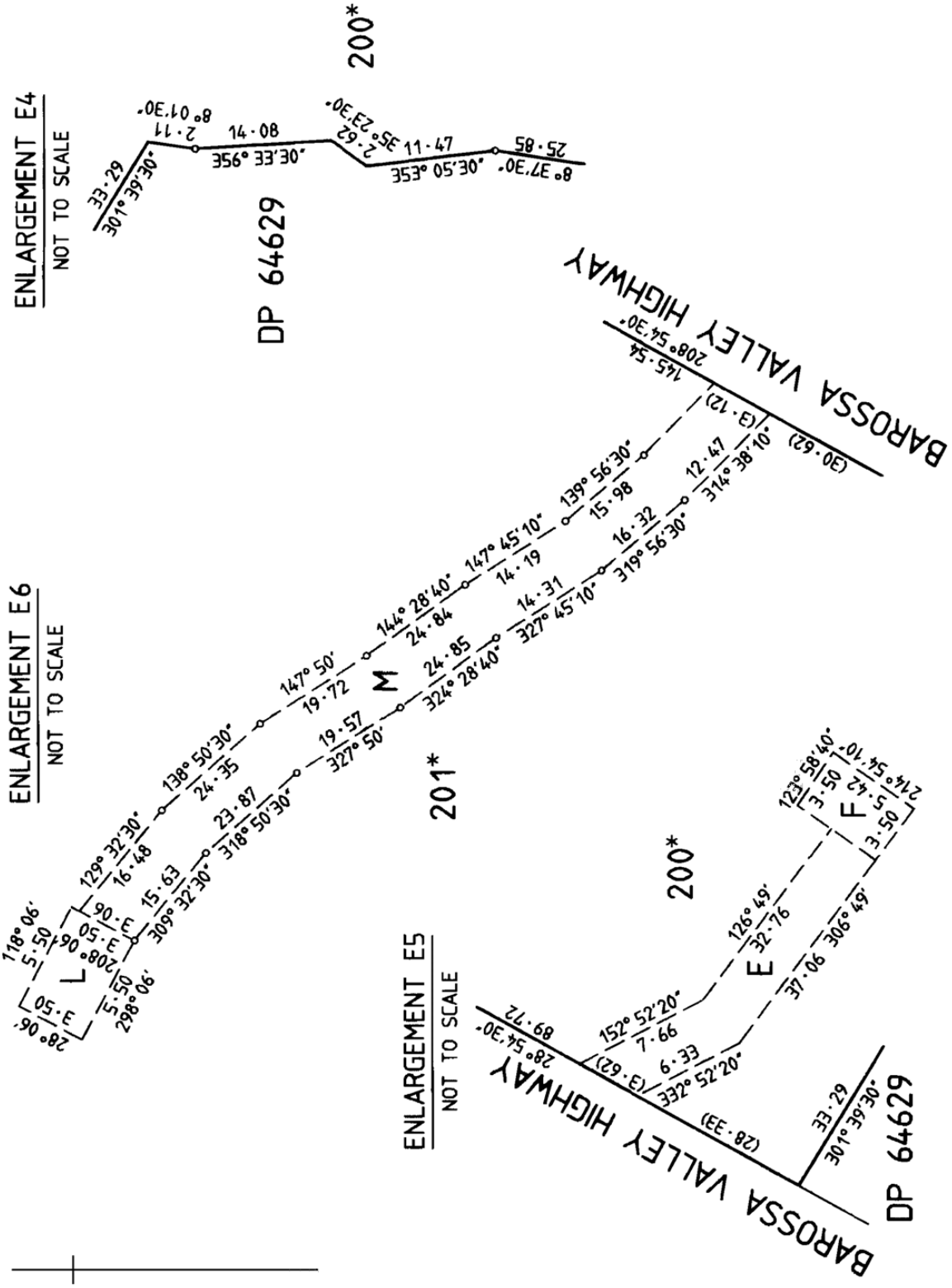

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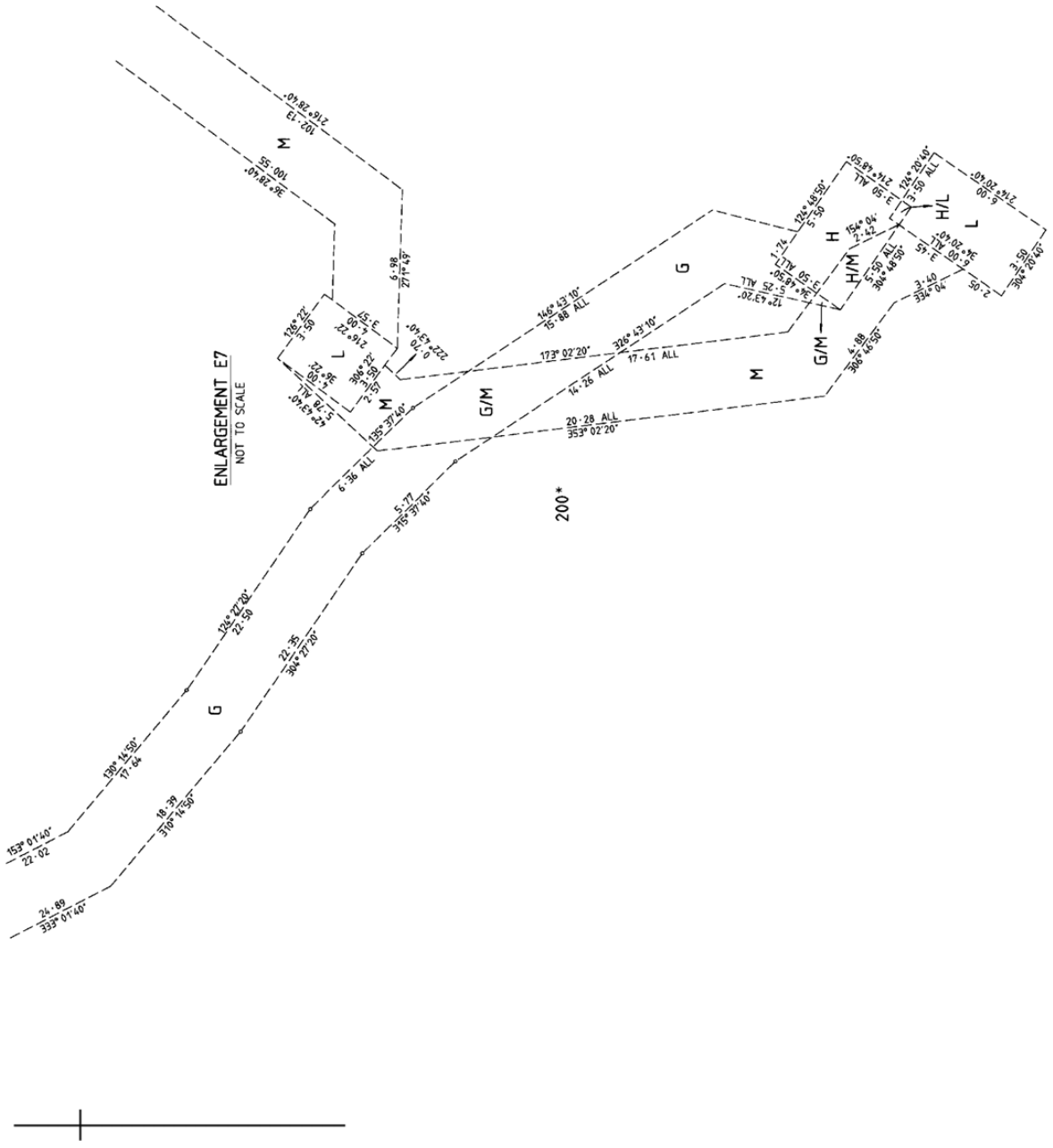
LAND SERVICES SA

Product	Register Search (CT 6076/18)
Date/Time	20/05/2024 02:12PM
Customer Reference	53765
Order ID	20240520006674



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LAND SERVICES SA

Product	Historical Search
Date/Time	20/05/2024 02:12PM
Customer Reference	53765
Order ID	20240520006674

Certificate of Title

Title Reference: CT 6076/18

Status: CURRENT

Parent Title(s): CT 5944/257

Dealing(s) Creating Title: SC 11538172

Title Issued: 20/04/2011

Edition: 9

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
25/09/2023	09/10/2023	14129097	TRANSFER OF LEASE	REGISTERED	AUSTRALIA TOWER NETWORK PTY. LTD. (ACN: 643 875 165) 11624794 11624795
10/05/2023	20/06/2023	14033056	VESTING (SUBSIDIARY INTEREST)	REGISTERED	TELSTRA LTD. (ACN: 086 174 781) 13066781
15/02/2019	26/02/2019	13066781	LEASE	REGISTERED	TELSTRA CORPORATION LTD. (ACN: 051 775 556)
26/08/2015	02/09/2015	12385633	TITLE REPAIR - NEW EDITION	REGISTERED	PERNOD RICARD WINEMAKERS PTY. LTD. (ACN: 007 870 046)
30/01/2014	28/02/2014	12076783	CHANGE OF NAME	REGISTERED	PERNOD RICARD WINEMAKERS PTY. LTD.
05/08/2011	18/08/2011	11624795	LEASE	REGISTERED	OPTUS MOBILE PTY. LTD.
05/08/2011	18/08/2011	11624794	LEASE	REGISTERED	OPTUS MOBILE PTY. LTD.
05/08/2011	18/08/2011	11624793	LEASE	REGISTERED	OPTUS MOBILE PTY. LTD.
05/08/2011	18/08/2011	11624792	LEASE	REGISTERED	OPTUS MOBILE PTY. LTD.
17/02/2011	03/05/2011	11538173	CHANGE OF NAME	REGISTERED	PREMIUM WINE BRANDS PTY. LTD.
26/06/2002	11/10/2002	9370117	AGREEMENT	REGISTERED	THE BAROSSA COUNCIL

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Orig. AG 9370117

15:50 26-Jun-2002
2 of 2 Fees: $87.00

LANDS TITLES REGISTRATION OFFICE
SOUTH AUSTRALIA

FORM APPROVED BY THE REGISTRAR-GENERAL

BELOW THIS LINE FOR AGENT USE ONLY

CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1886

Solicitor/~~Registered Conveyancer/Applicant~~

ICKGNY

Series No.	Prefix
2	AG

Lodged by: MOULDENS AGENT COD MOUL

Correction to: MOULDENS MOUL 416

BELOW THIS LINE FOR OFFICE USE ONLY

Date:	Time:	
FEES		
R.G.O.	POSTAGE	NEW C.T.

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

1.....
2.....
3.....
4.....
5.....

Assessor

PLEASE ISSUE NEW CERTIFICATE(S) OF TITLE AS FOLLOWS

1.....
2.....
3.....

21

CORRECTION	PASSED
16/7	

REGISTERED 11 OCT 2002

REGISTRAR-GENERAL

VALSE NO. 4 PTY LTD
LIC. NO. 2

DELIVERY INSTRUCTIONS (Agent to complete)
PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE UNDERMENTIONED AGENT(S)

ITEM(S)	AGENT CODE

FORM B2

APPLICATION TO NOTE LAND MANAGEMENT AGREEMENT
(Pursuant to s 57(5) of the Development Act 1993)

To the Registrar-General:

1. **THE BAROSSA COUNCIL** ("the Council") of 1 Washington Street Angaston in the State of South Australia 5353 has entered into the attached Land Management Agreement dated the 15th day of January 2002 ("the Agreement") with **MIRANDA WINES (LEASING) PTY LTD (A.C.N 003 506 458)** formerly of 85 Johnston Street, Wagga Wagga NSW 2650 but now of 57 Jondaryan Street Griffith NSW 2680 pursuant to s 57(2) of the *Development Act 1993* ("the Act").

2. The Agreement relates to the whole of the land comprised in Certificates of Title Register Book Volume 5378 Folio 470 and Volume 5756 Folio 851 ("the Land").

NOW THEREFORE the Council applies pursuant to s 57(5) of the Act to note the Agreement against the land.

Dated the seventh day of August 2002.

The common seal of)
THE BAROSSA COUNCIL)
was hereunto affixed in)
the presence of:)

.....
Mayor

.....
Chief Executive Officer

KCK:PHH:08012D01

NB: This form may be used only when no panel form is suitable. A penalty of up to $2000 or 6 months imprisonment applies for improper witnessing

LANDS TITLES REGISTRATION OFFICE
SOUTH AUSTRALIA

FORM APPROVED BY THE REGISTRAR-GENERAL

BELOW THIS LINE FOR AGENT USE ONLY

CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1886

Solicitor/~~Registered Conveyancer~~/Applicant

R CLELLY

Series No.	Prefix

Lodged by: Mawsons AGENT COD none

Correction to: Mawsons none

BELOW THIS LINE FOR OFFICE USE ONLY

Date:	Time:	
FEES		
R.G.O.	POSTAGE	NEW C.T.

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

1. AC 9370117
2.
3.
4.
5.

Assessor

PLEASE ISSUE NEW CERTIFICATE(S) OF TITLE AS FOLLOWS

1.
2.
3.

CORRECTION	PASSED

REGISTERED

REGISTRAR-GENERAL

VALSE NO. 4 PTY LTD
LIC. NO. 2

DELIVERY INSTRUCTIONS (Agent to complete)
PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE UNDERMENTIONED AGENT(S)

ITEM(S)	AGENT CODE

LAND MANAGEMENT AGREEMENT BY DEED

BETWEEN:

THE BAROSSA COUNCIL
("the Council")

AND:

THE PERSON NAMED IN ITEM 1 OF THE SCHEDULE
("the Owner")

MOULDENS
45 King William Street
ADELAIDE SA 5000

Telephone: (08) 8217 8288
Facsimile: (08) 8212 7378

DATED this 15th **day of** January **2002**

KCK:KAT:11091d021.doc

THIS DEED made this 15TH day of JANUARY 2002

THE BAROSSA COUNCIL a body corporate pursuant to the Local Government Act of 1 Washington Street Angaston in the State of South Australia 5353 ("the Council")

COMMISSIONER OF STATE TAXATION

S.A. STAMP DUTY PAID $10.00
ORIGINAL WITH 0 COPIES
26/06/2002 15:28:33 IU23316.2
DEED

THE PERSON NAMED IN ITEM 1 OF THE SCHEDULE of the address specified in Item 1 of the Schedule ("the Owner")

RECITALS

A. The Owner has entered into a Deed relating to the land specified in **Item 2** of the Schedule ("the Land").

B. It is a condition of the approval of the division of land whereby Certificate of Title Register Book Volume 5756 Folio 851 is divided into Allotment 10 ("the Winery") and Allotment 12 and 13 ("the Vineyards") together with certain easements and rights of way as more particularly described on the certified survey plans prepared for division purposes annexed hereto and marked "P" that waste water disposed of from Allotment 10 and conveyed by means of the said easements into storage ponds on Certificate of Title Volume 5378 Folio 470 shall be disposed of by using for irrigation purposes on Allotments 11, 12 and 13 or as otherwise or also approved by the Environmental Protection Authority or the relevant regulatory body.

C. This Deed is entered into by the parties pursuant to Section 57 of the Development Act, 1993 as a Land Management Agreement relating to the continued management of the disposal of water on and from the said Allotment 10 ("the Winery") and the remainder of the land Allotments 12 and 13 ("the Vineyards").

D. The Owner and the Council have agreed to enter into this Deed pursuant to Section 57 of the Development Act, 1993.

NOW THIS DEED WITNESSES and ***IT IS AGREED*** by and between the parties:-

1 **RECITALS**

The parties acknowledge and declare both that the matters referred to in the Recitals to this Deed are true and correct in every particular and that the Recitals shall form part of this Deed.

2 **DEFINITIONS AND INTERPRETATION**

2.1 **Definitions**

In this Deed, unless the context otherwise requires, the following words and expressions shall have the following meanings:-

2.1.1 **"the Council"** means the Council named in **Item 3** of the Schedule and includes any lawful successor to it;

2.1.2 **"the Land"** means the land specified in **Item 2** of the Schedule and includes any improvements situated thereon;

2.1.3 **"the Council's Representative"** means a person or persons nominated in writing to the Owner as the Council's representatives **PROVIDED ALWAYS** that such nomination must be made prior to the person or persons acting or purporting to act as the Council's Representative;

2.1.4 **"the Owner"** means the person named in Item 1 of the Schedule as the Owner and includes all persons who at any time during the Term are registered or are entitled to be registered as the proprietors of an estate in fee simple in the Land;

2.1.5 **"the Plan"** means the certified survey plan marked "P" annexed hereto;

2.1.6 **"the waste water disposal system"** means the conveying of waste water from Allotment 10 ("the Winery") by means of easements B, C and E for storage on easements D and E delineated on the Plan and the disposal from such storage ponds for irrigation on Allotments 11, 12 and 13;

2.1.7 **"the storage ponds"** means the easement areas D and E delineated on Certificate of Title Register Book Volume 5378 Folio 470 and the Plan;

2.1.8 **"the Schedule"** means the Schedule attached to this Deed;

2.1.9 **"the Term"** means the period commencing on the date of execution of this Deed and continuing until this Deed is mutually surrendered by an agreement between the Owner and the Minister.

2.2 **Interpretation**

Subject to any inconsistency of subject or context the following rules of construction shall be used in the interpretation of this Deed:-

2.2.1 Any word importing the plural includes the singular and vice versa;

2.2.2 Any word importing a gender shall include all other genders;

2.2.3 A reference to a body corporate shall include a natural person and vice versa;

2.2.4 A reference to a recital, party, clause, schedule or annexure is reference to a recital, party, clause, schedule or annexure of this Deed;

2.2.5 The captions, headings, section numbers and clause numbers appearing in this Deed are inserted only as a matter of convenience and in no way affect the construction of this Deed;

2.2.6 A reference to a statute shall include all statutes amending, consolidating or replacing the statutes referred to and shall also include any statutory instruments issued under the statutes (including regulations, proclamations, rules, by-laws, orders, notices and codes or standards approved or adopted under the statute);

2.2.7 When two or more persons are parties to this Deed as Owner, the covenants, obligations and agreement on their part contained in this Deed refer to and shall bind them or any two or greater number of them jointly and each of them severally.

3 DEED BINDING ON SUCCESSORS ENTITLED TO THE LAND

The Council and the Owner enter into this Deed:

3.1 With the intention that this Deed shall bind any Owner; and

3.2 Pursuant to Section 57 of the Development Act, 1993.

4 COVENANTS BY THE OWNER

4.1 The Owner shall at all times permit the disposal of waste water stored in the storage ponds on Certificate of Title Register Book Volume 5378 Folio 470 by irrigation of the vineyards or other crops on Allotments 11 and 12 or by such other method as may be approved by the Environmental Protection Authority or other relevant body ("the waste water disposal system").

4.2 The Owner will at all times at its expense comply with and meet all lawful requirements of the Environmental Protection Authority in relation to the disposal of waste water from Allotment 10 ("the Winery") and the safe disposal of the waste water from the storage ponds D & E.

5 OWNER'S ACKNOWLEDGMENTS

5.1 The Owner acknowledges that prior to entering into this Deed it has received independent legal advice as to the content of and the effect of this Deed.

6 **RELEASE**

The Owner uses, the waste water disposal system above described at the risk in all things of the Owner and the Owner hereby releases to the full extent permitted by law the Council from all past, present and future claims, demands, actions, losses, costs and expenses which the Owner has, may have, may have had or may asset in respect of the waste disposal system and/or in respect of any loss of life, injury, loss or damage to person or property suffered or occurring in, on or in the vicinity of the waste disposal system howsoever caused.

7 **INDEMNITY**

The Owner shall indemnify and keep indemnified the Council from all past, present and future claims made by the Owner or by any persons who are not parties to this Deed and against all demands, actions, proceedings, judgments, orders, damages, losses, costs and expenses which the Council, may suffer or incur rising out of the use of the waste disposal system however caused (whether directly or indirectly or by negligence or otherwise).

8 **EXECUTION OF DEED POLL**

The Owner shall, prior to the sale of the Land or any part thereof to any third party at any time during the Term, procure the execution by the said third party of three (3) original copies of a Deed Poll in the form of the relevant Deed Poll annexed to this Deed and shall, prior to any such sale to the said third party, provide the Council with a signed original of the Deed Poll, duly executed by the said third party.

9 **COMPLIANCE**

The Owner shall at all times during the Term use its best endeavours to ensue that all occupiers, lessees and/or licensees from time to time of the Land comply with the provisions of this Deed.

10 **INSPECTION**

The Council may at all reasonable times during the Term enter the Land for the purposes of:-

10.1 Inspecting the Land and all improvements situated thereon; and/or

10.2 Exercising any other powers of the Council under or pursuant to this Deed.

11 **BREACHES**

The parties acknowledge and agree that the provisions of the Development Act, 1993 apply in respect of any and all breaches of this Deed **PROVIDED ALWAYS THAT** nothing in this clause shall derogate from or exclude or be construed as derogating from or excluding all or any other rights and remedies available to the parties at law.

12 **DELEGATION**

Any act, matter or thing which either is required to be performed or done by the Council or is permitted to be performed or done by the Council may be performed or done by the Council's Representative.

13 **SEVERANCE**

If any term or condition of this Deed should be for any reason unlawful, void, invalid or unenforceable then the offending term or condition shall be severed herefrom without affecting the validity or enforceability of the remainder of this Deed.

14 **ENTIRE AGREEMENT**

This Deed constitutes the entire agreement of the parties in respect of the subject matter hereof and the parties agree that this Deed supersedes all prior arrangements, understandings and negotiations in respect of the matters dealt with in this Deed. Further, no agreement in respect of the continued management, preservation and conservation of the Land, whether collateral or otherwise, shall be taken to have been formed between the parties by reason of any promise, representation, inducement or undertaking (if any) given or made by one party to the other prior to the date of execution of this Deed.

15 **MODIFICATION**

No variation, addition to or modification of any provision of this Agreement shall be binding upon the parties unless such variation, addition or modification is made in writing, signed by each party and expressed to be either supplemental to or in substitution for the whole or a part of this Deed.

16 **WAIVER**

16.1 A waiver of any provision of this Deed must both be in writing and be signed by the parties or by persons duly authorised to execute such a document on a party's part.

16.2 No waiver by a party of a breach of a term or condition contained in this Deed shall operate as a waiver of any breach of the same or any other term or condition contained in this Deed.

16.3 No forbearance, delay or indulgence by either party in enforcing the provisions of this Deed shall prejudice or restrict the rights of that party.

17 **NOTICES**

Notices may be served by delivering the same personally, by mail or facsimile transmission and shall be:-

17.1 In writing addressed to the parties at their respective addresses as set out in this Deed;

17.2 Signed by the sender or on behalf of the sender by a person duly authorised by the sender in that regard;

17.3 Deemed to be duly served or made in the following circumstances:-

17.3.1 If delivered, upon delivery;

17.3.2 If sending by mail, upon posting;

17.3.3 If sent by facsimile transmission, upon the sender's facsimile producing a transmission report that the facsimile was satisfactorily sent in its entirety to the addressee's facsimile number; but if delivery is not made before 5.00 pm on any day it shall be deemed to be received at 9:00 am on the next day in that place;

17.3.4 A party may modify either its address or facsimile number from time to time, by a written notice served on the other party.

18 COSTS AND STAMP DUTY

18.1 The Owner shall bear the cost of preparation of this Deed.

18.2 Each party shall bear its own costs incurred in respect of the negotiation, perusal and execution of this Deed.

18.3 The Owner shall bear the stamp duty (if any) assessed in respect of this Deed and the registration fee payable to register this Deed in the Lands Titles Registration Office.

18.4 The Owner shall bear the costs of and incidental to the preparation, negotiation, perusal, execution, stamping and registration of any subsequent variation of this Deed by supplemental deed.

19 REGISTRATION

19.1 The Owner hereby consents to and requests registration of this Deed pursuant to Section 57(5) of the Development Act, 1993.

19.2 The parties shall do and execute all acts, documents and things as are necessary to ensure that this Deed is registered in the Lands Titles Registration Office and a memorial of this Deed entered on the Certificate(s) of Title for the Land pursuant to Section 57(5) of the Development Act, 1993 in priority to any other registrable interests save and except for those interests already noted in the Lands Titles Registration Office for the Land as at the date of this Deed and save and except for the estate and interest of the Owners therein.

20 **CERTIFICATION BY OWNER**

21 Except for those persons who have a legal interest in the Land and who have consented to the Owner entering into this Deed by signing the execution clause at the end of this Deed, the Owner hereby certifies that pursuant to Section

22 57(4) of the Development Act, 1993 that no other person has a legal interest in the Land.

EXECUTED UNCONDITIONALLY AS A DEED

THE COMMON SEAL of)
BAROSSA COUNCIL was hereunto)
affixed with authority in the presence of:)

MAYOR

CHIEF EXECUTIVE OFFICER

THE COMMON SEAL OF THE BAROSSA COUNCIL SA

SIGNED for and on behalf of)
MIRANDA WINES (LEASING) PTY)
LTD in accordance with the Corporations)
Law in the presence of:)

Director
Full Name: JIM MIRANDA

~~Director~~/Secretary
Full Name: GRAEME LYONS

The person named in **Item 4** of the Schedule who has a legal interest in the Land by virtue of the interest specified in **Item 5** of the Schedule **HEREBY CONSENTS** to the Owner entering into this Deed.

SIGNED for and on behalf of)
MIRANDA WINES PTY LTD in)
accordance with the Corporations Law)
in the presence of:)

Director
Full Name: JIM MIRANDA

~~Director~~/~~Secretary~~ SECRETARY
Full Name: GRAEME LYONS

SCHEDULE

ITEM 1 **Full Name of the Owner:**

MIRANDA WINES (LEASING) PTY LTD (A.C.N. 003 506 458)

Address of Owner:

Formerly of 85 Johnston Street, Wagga Wagga NSW 2650 but now of 57 Jondaryan Street, Griffith NSW 2680

ITEM 2 **Land Description:**

Those pieces of land comprised and described in Certificates of Title Register Books Volume 5378 Folio 470 and Volume 5756 Folio 851

ITEM 3 **Name of Council:**

THE BAROSSA COUNCIL of 1 Washington Street, Angaston SA 5353

ITEM 4 **Full Name of Person with Legal Interest in the Land (if any):**

MIRANDA WINES PTY LTD (A.C.N. 003 506 458)
Also - see annexure 5

ITEM 5 **Full Details of Legal Interest held by Person referred to in Item 4**

MIRANDA WINES PTY LTD (A.C.N. 003 506 458) of 57 Jondaryan Street, Griffith NSW 2680 the holder of an interest as Lessee of the Land in GRO Plan No.: 5452001 together with certain easements over the land by Lease dated the 1ST day of October 2000

Also - see annexure.

ANNEXURE

DEED POLL

Date:

To:

And To: **THE BAROSSA COUNCIL**

I, ... of .....
..... and I, ...
of .....
jointly and severally, acknowledge and agree as follows:-

1. I/We am/are aware that the whole of the land comprised and described in Certificate of Title Register Book Volume ..... Folio ..... that portion of the land comprised and described in Certificate of Title Register Book Volume ..... Folio ..... ("the Land") is subject to a Land Management Agreement, being registered as Land Management Agreement No.: ..... ("the Land Management Agreement").

2. I/We have read the Land Management Agreement and am/are conversant with its terms and conditions.

3. I/We acknowledge that I/we will comply with and am/are bound by the terms of the Land Management Agreement at all times while I/we am/are either registered or entitled to be registered as proprietor of the Land.

SIGNED by the said)
.....) _____
in the presence of:)

_____
Witness
Full Name: _____

SIGNED by the said)
.....) _____
in the presence of:)

_____
Witness
Full Name: _____

THE ALTERNATIVE DEED POLL BELOW ONLY TO BE USED WHERE A COMPANY IS THE PURCHASER

ANNEXURE

DEED POLL

Date:

To:

And To: **THE BAROSSA COUNCIL**

I, ... of .....
....., Director of .....
..... and I, ...of
....., Director of
..... and .....
.....
jointly and severally, acknowledge and agree as follows:-

1. We are aware that the whole of the land comprised and described in Certificate of Title Register Book Volume ..... Folio ..... / that portion of the land comprised and described in Certificate of Title Register Book Volume ..... Folio ..... ("the Land") is subject to a Land Management Agreement, being registered as Land Management Agreement No.: ..... ("the Land Management Agreement").

2. We have read the Land Management Agreement and are conversant with its terms and conditions.

3. We, ... the Directors of the Company acknowledge that we will use our best endeavours to ensure that .....(the Company) complies with the terms of the Land Management Agreement at all times while ..... (the Company) is registered or entitled to be registered as proprietor of the Land.

4. ..... (the Company) acknowledges that it will comply with and is bound by the terms of the Land Management Agreement at all times while ..... (the Company) is registered or entitled to be registered as proprietor of the Land.

SIGNED by the said)
.....)
Director in the presence of:)

_____

_____
Witness
Full Name: _____

SIGNED by the said)
.....) _____
Director in the presence of:)

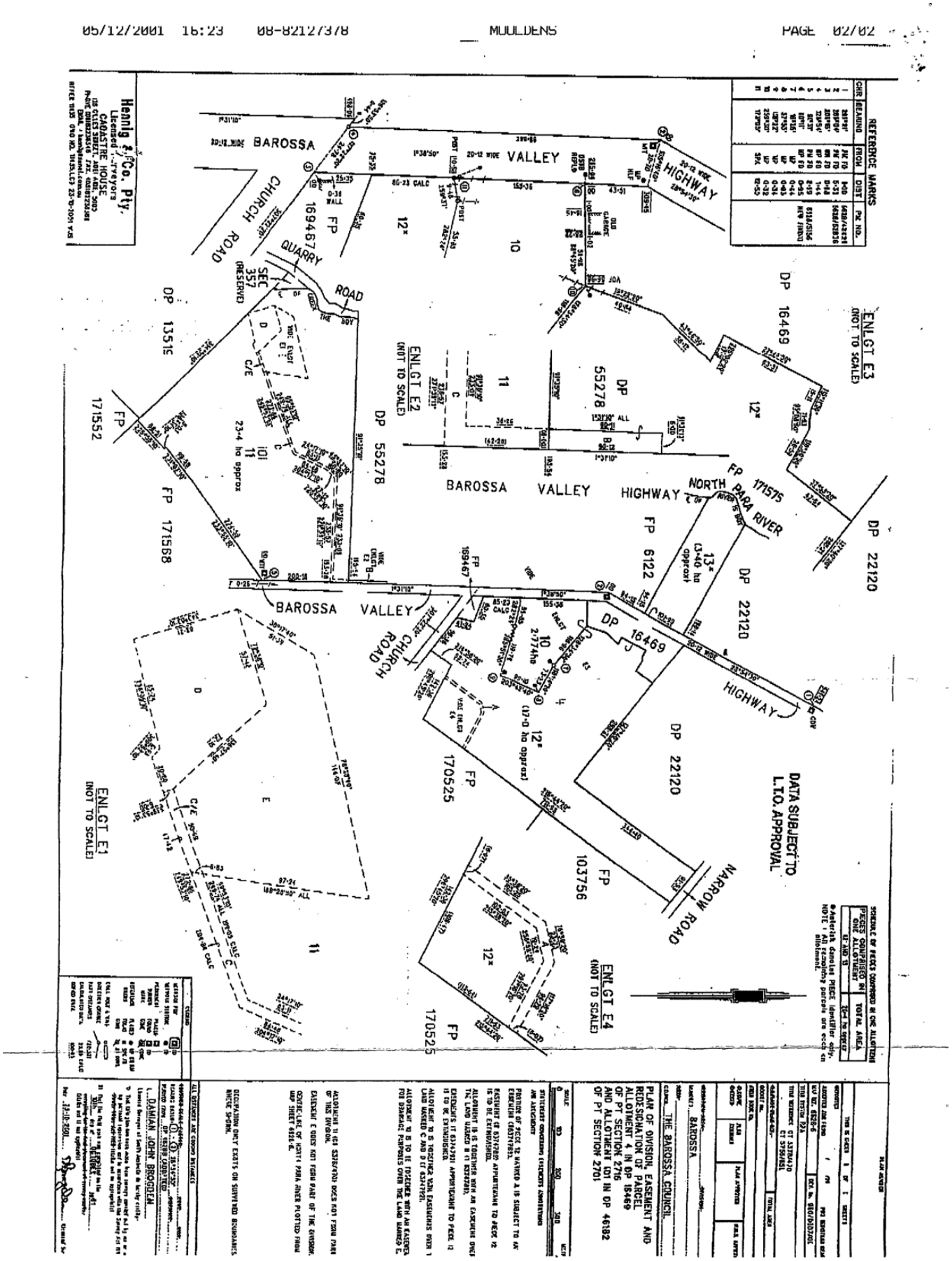
_____
Witness
Full Name: _____

THE COMMON SEAL of)
.....)
.....)
was hereunto affixed in the)
presence of:)

_____
Director
Full Name: _____

_____
Director/Secretary
Full Name: _____

Attachment 2



ANNEXURE TO LAND MANAGEMENT AGREEMENT
BY DEED DATED THE 15TH DAY OF JANUARY 2002
BETWEEN THE BAROSSA COUNCIL AND MIRANDA WINES PTY LTD

CONSENT OF GENARO MIRANDA of 77 McNabb Crescent Griffiths New South Wales 2680.

The abovenamed party holds an interest in the land the subject of the above Agreement by virtue of a Lease dated the 30th day of June 1998 and hereby confirms his consent to the above Agreement.

Dated this 11 day of March 2002

SIGNED by the said)
GENARO MIRANDA)
in the presence of:)

.....

.....

KCK:SLA:02282D08

ANNEXURE TO LAND MANAGEMENT AGREEMENT
BY DEED DATED THE 15TH DAY OF JANUARY 2002
BETWEEN THE BAROSSA COUNCIL AND MIRANDA WINES PTY LTD

CONSENT OF LUIGI MIRANDA of 133 Childers Street North Adelaide South Australia 5006.

The abovenamed party holds an interest in the land the subject of the above Agreement by virtue of a Lease dated the 30th day of June 1998 and hereby confirms his consent to the above Agreement.

Dated this 11th day of March 2002

SIGNED by the said)
LUIGI MIRANDA)
in the presence of:)

KCK:SLA:02282D09

ANNEXURE TO LAND MANAGEMENT AGREEMENT
BY DEED DATED THE 15TH DAY OF JANUARY 2002
BETWEEN THE BAROSSA COUNCIL AND MIRANDA WINES PTY LTD

CONSENT OF SALVATORE MIRANDA of 651 Abattoirs Road Griffiths New South Wales 2680.

The abovenamed party holds an interest in the land the subject of the above Agreement by virtue of a Lease dated the 30th day of June 1998 and hereby confirms his consent to the above Agreement.

Dated this 11th day of May 2002

SIGNED by the said)
SALVATORE MIRANDA).....
in the presence of:)

.....

KCK:SLA:02282D07

ANNEXURE TO LAND MANAGEMENT AGREEMENT
BY DEED DATED THE 15TH DAY OF JANUARY 2002
BETWEEN THE BAROSSA COUNCIL AND MIRANDA WINES PTY LTD

CONSENT OF SILVER HAWK PTY LTD (ACN 078 189 349) whose registered office is situated care of GJ Miller Chartered Accountants ..... David Street Albury New South Wales 2640

The abovenamed party holds an interest in the land the subject of the above Agreement by virtue of a Lease dated the 30th day of June 1998 and hereby confirms its consent to the above Agreement.

Dated this 11th day of March 2002

SIGNED for and on behalf of **SILVER HAWK PTY LTD (ACN 078 189 349)** in accordance with the provisions of the Corporations Law

) .....
) Director
) .....
)
)

Common Seal
SILVER HAWK PTY LTD
ACN 078 189 349

.....

KCK:SLA:02282D012

ANNEXURE TO LAND MANAGEMENT AGREEMENT
BY DEED DATED THE 15TH DAY OF JANUARY 2002
BETWEEN THE BAROSSA COUNCIL AND MIRANDA WINES PTY LTD

CONSENT OF KILBROOK PTY LTD (ACN 078 095 159) of Suite 301 107 Phillip Street Parramatta New South Wales 2150

The abovenamed party holds an interest in the land the subject of the above Agreement by virtue of a Lease dated the 30th day of June 1998 and hereby confirms its consent to the above Agreement.

Dated this 11th day of March 2002

SIGNED for and on behalf of)
KILBROOK PTY LTD)
(ACN 078 095 159)) Director
in accordance with the)
provisions of the Corporations)
Law)

KILBROOK PTY. LTD. A.C.N. 078 095 959 Common Seal

KCK:SLA:02282D011

ANNEXURE TO LAND MANAGEMENT AGREEMENT
BY DATED THE 15TH DAY OF JANUARY 2002
BETWEEN THE BAROSSA COUNCIL AND MIRANDA WINES PTY LTD

CONSENT OF CAADAL PTY LTD (ACN 068 776 714) of Suite 301 107 Phillip Street Parramatta New South Wales 2150

The abovenamed party holds an interest in the land the subject of the above Agreement by virtue of a Lease dated the 30th day of June 1998 and hereby confirms its consent to the above Agreement.

Dated this day of 2002

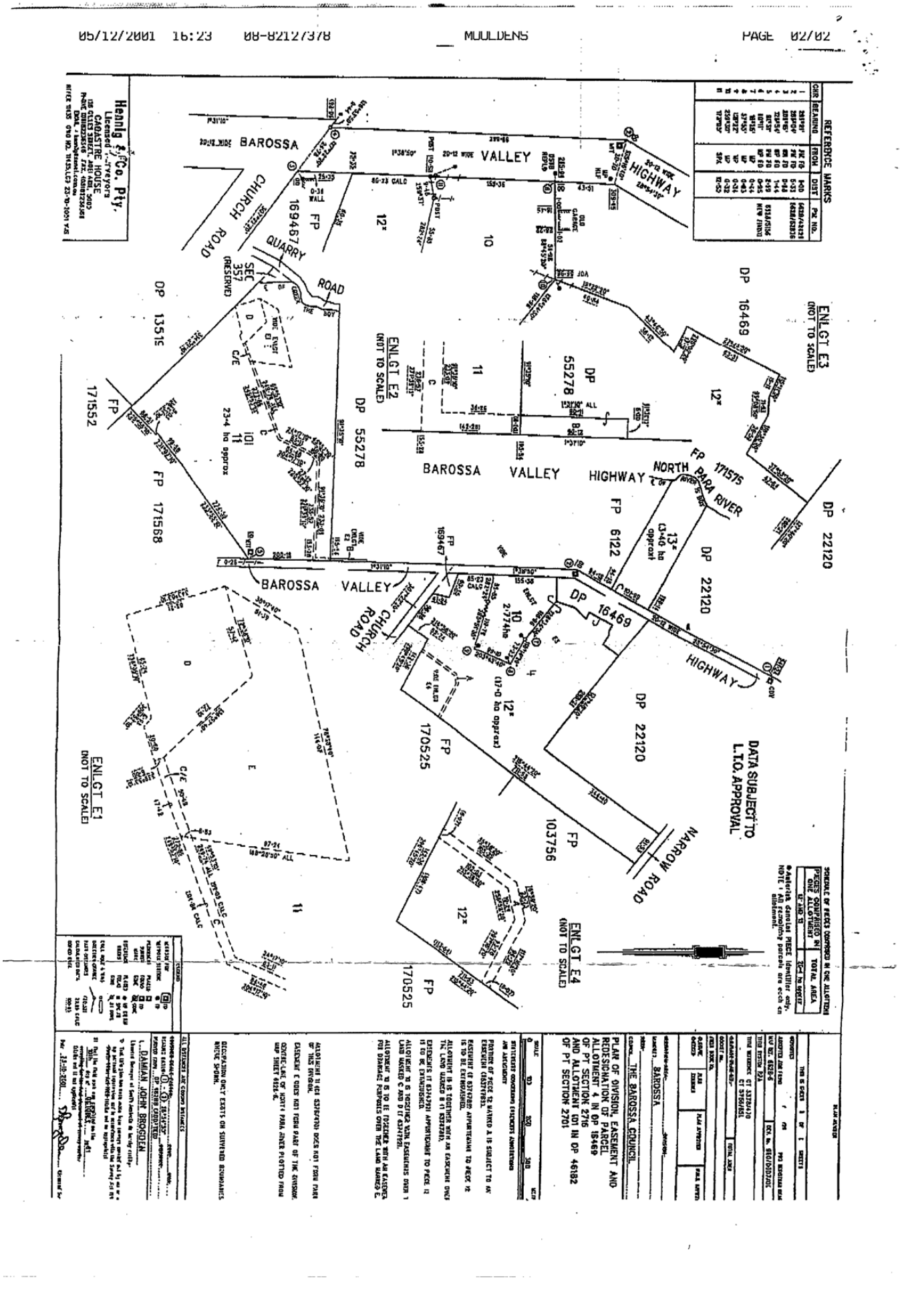
SIGNED for and on behalf of)
CAADAL PTY LTD)
(ACN 068 776 714))
in accordance with the)
provisions of the Corporations)
Law)

CAADAL PTY LIMITED Common Seal A.C.N. 068 776 714

.....
Director

K. Miranda
.....

.....


05/12/2001 16:23 08-8212378 MOULDENS PAGE 02/02
BAROSSA VALLEY HIGHWAY
CHURCH ROAD
QUARRY ROAD
SEC 357 (RESERVE)
FP 169467
FP 171552
FP 171568
FP 171575
FP 6122
FP 170525
FP 103756
DP 13515
DP 16469
DP 55278
DP 22120
ENLGT E1 (NOT TO SCALE)
ENLGT E2 (NOT TO SCALE)
ENLGT E3 (NOT TO SCALE)
ENLGT E4 (NOT TO SCALE)
NORTH PARA RIVER
NARROW ROAD
DATA SUBJECT TO L.T.O. APPROVAL
PLAN OF DIVISION, EASEMENT AND REDESIGNATION OF PARCEL ALLOTMENT 4 IN DP 16469 OF PT SECTION 276 AND ALLOTMENT 501 IN DP 46182 OF PT SECTION 2701
THE BAROSSA COUNCIL
Heaning & Co. Pty.

Attachment B
Plan Set

MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977

Subject Site

SITE PLAN

1916 Barossa Valley Way
ROWLAND FLAT

for Pernod Ricard Winemakers

1:5000 @ A3
0 100

MASTERPLAN.COM.AU

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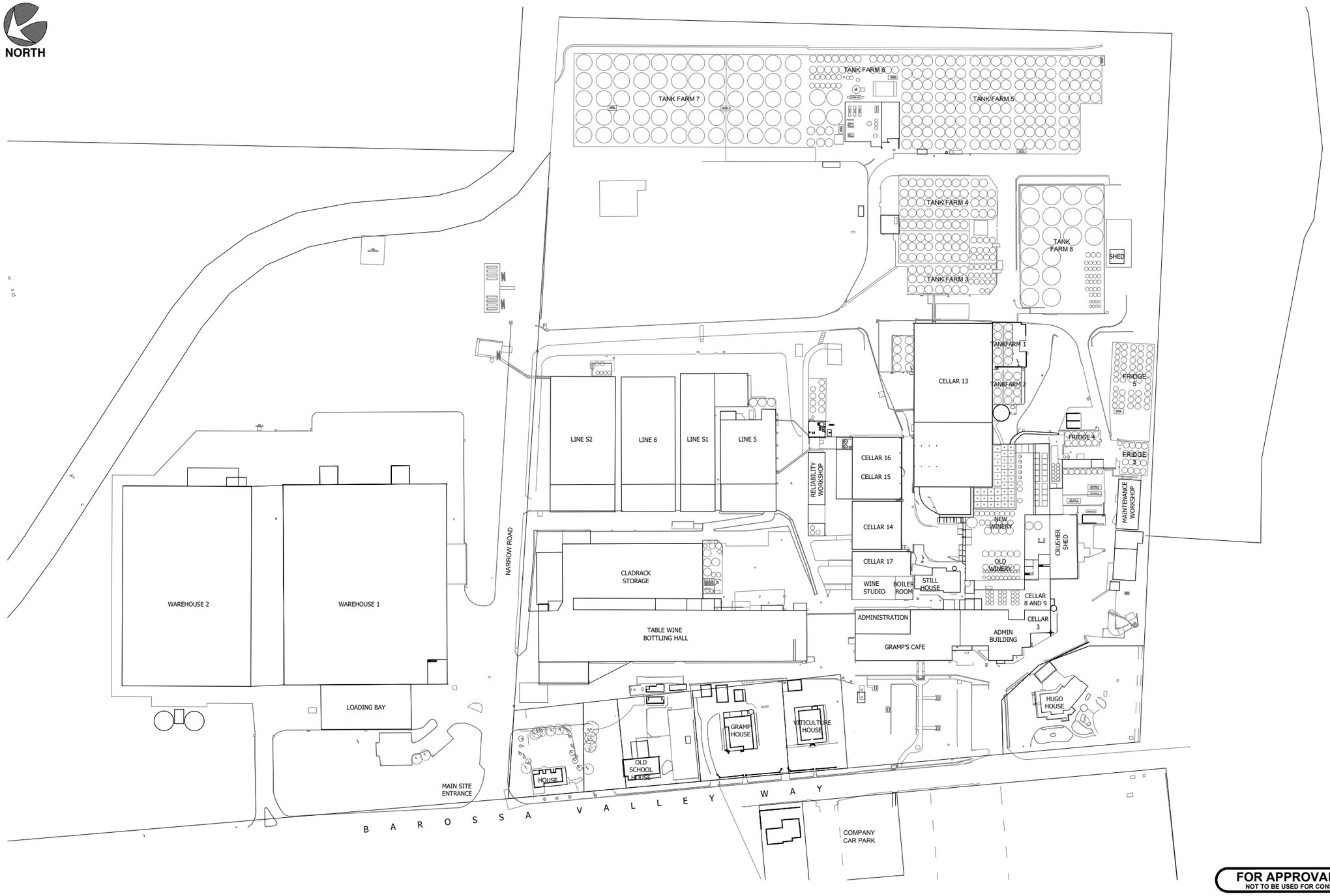
MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977



FOR APPROVAL ONLY
NOT TO BE USED FOR CONSTRUCTION

Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	MB		22.02.24

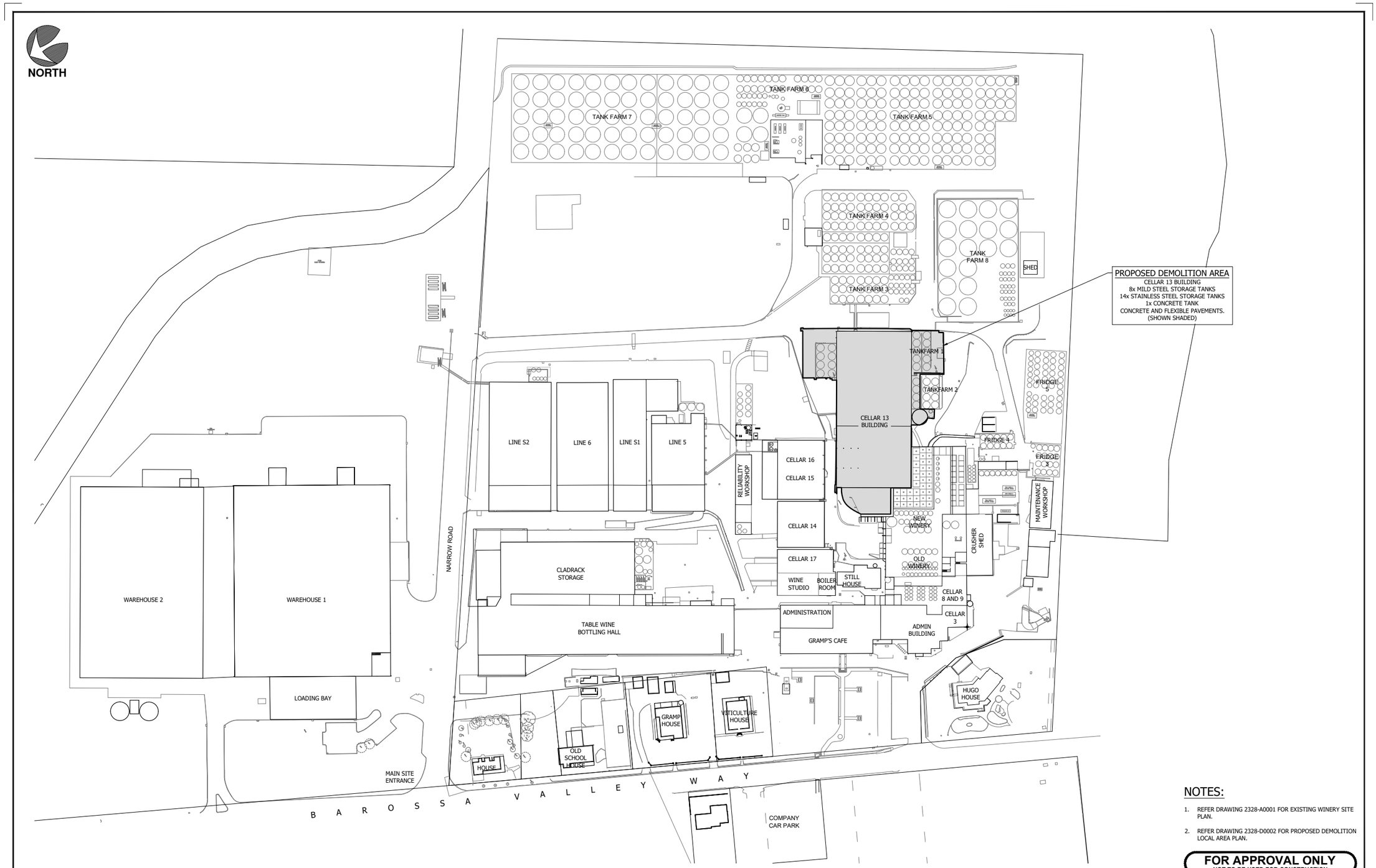
LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS ROWLAND FLAT WINERY BAROSSA VALLEY WAY ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: EXISTING SITE PLAN

Designer:	Date:	Sheet Size:
M.BOSSY	FEBRUARY	A1
Drawn By:	Date:	Scale:
M.BOSSY	FEBRUARY 2024	1 : 1000 (A1) 1 : 2000 (A3)
Drawing No: 2328-A0001		Rev: A



NOTES:

1. REFER DRAWING 2328-A0001 FOR EXISTING WINERY SITE PLAN.
2. REFER DRAWING 2328-D0002 FOR PROPOSED DEMOLITION LOCAL AREA PLAN.

FOR APPROVAL ONLY
NOT TO BE USED FOR CONSTRUCTION

0 20 40 60 80 100m
HORIZONTAL SCALE 1 : 1000 (A1)

Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	MB		22.02.24

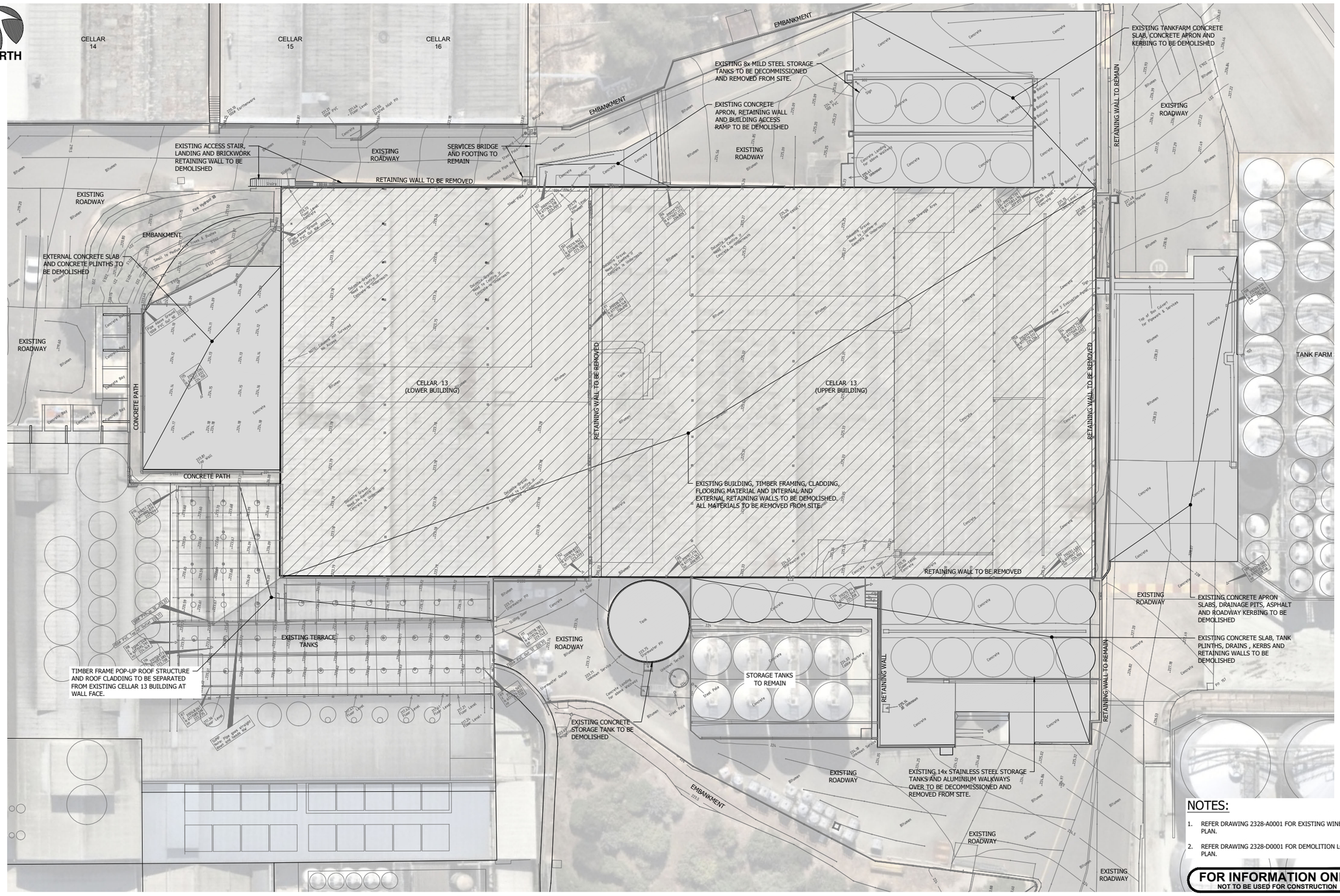
LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: EXISTING SITE
PROPOSED DEMOLITION
LOCATION PLAN

Designer: M.BOSSY	Date: FEBRUARY	Sheet Size:	A1
Drawn By: M.BOSSY	Date: FEBRUARY 2024	Scale:	1 : 1000 (A1) 1 : 2000 (A3)
Drawing No: 2328-D0001		Rev:	A



NOTES:

1. REFER DRAWING 2328-A0001 FOR EXISTING WINERY SITE PLAN.
2. REFER DRAWING 2328-D0001 FOR DEMOLITION LOCATION PLAN.

FOR INFORMATION ONLY
NOT TO BE USED FOR CONSTRUCTION

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

Rev.	Drawing Issue	Drn	Ckd	Date
B	ISSUED FOR INFORMATION	BW	MB	29.05.24
A	ISSUED FOR APPROVAL	MB		22.02.24

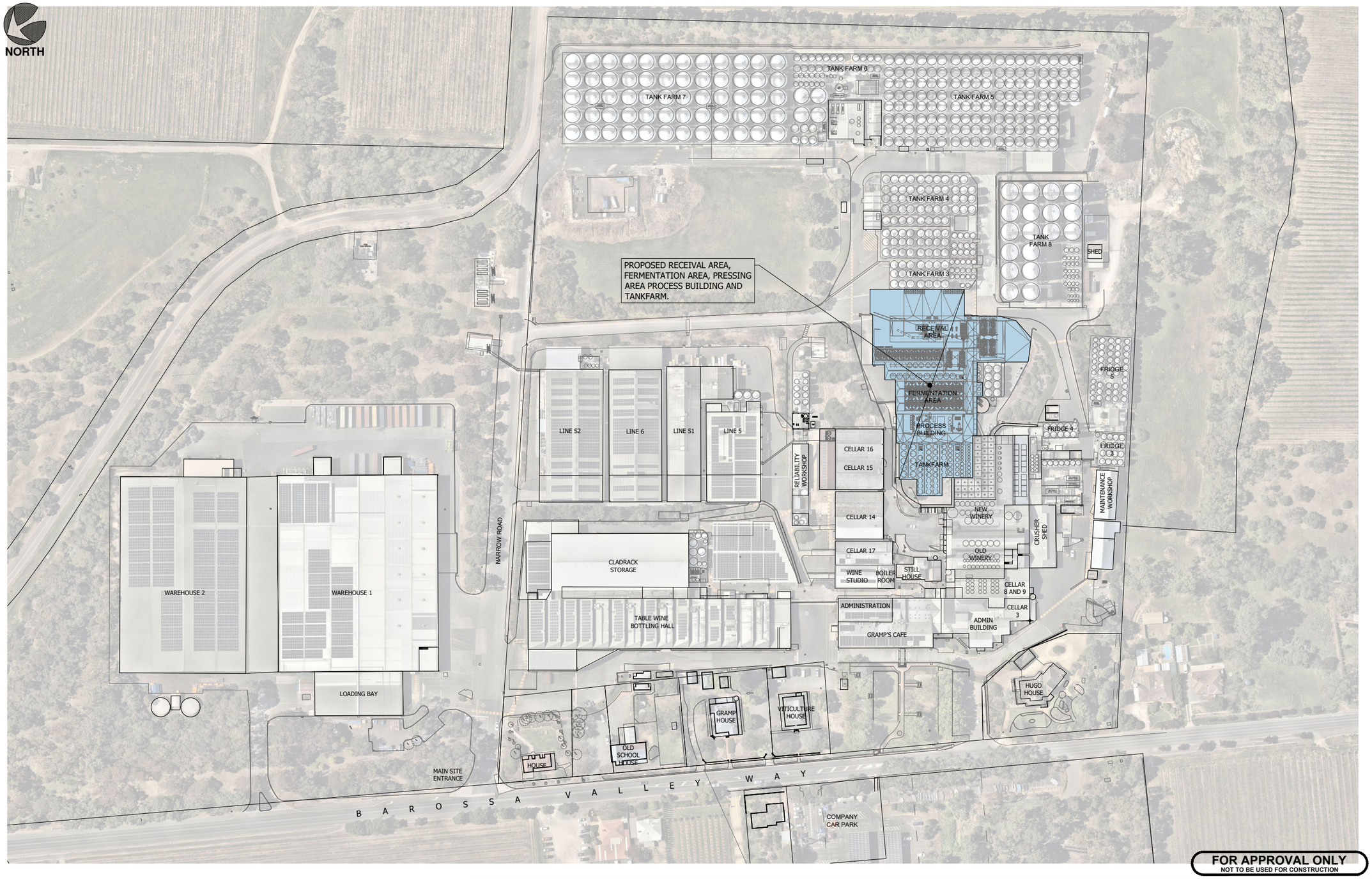
LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS ROWLAND FLAT WINERY BAROSSA VALLEY WAY ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: PROPOSED DEMOLITION LOCAL AREA PLAN

Designer: M.BOSSY	Date: FEBRUARY	Sheet Size: A1	
Drawn By: M.BOSSY	Date: FEBRUARY 2024	Scale: 1 : 200 (A1) 1 : 400 (A3)	
Drawing No: 2328-D0002		Rev: B	



FOR APPROVAL ONLY
NOT TO BE USED FOR CONSTRUCTION

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HORIZONTAL SCALE 1 : 1000 (A1)

Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	BW	MB	24.05.24

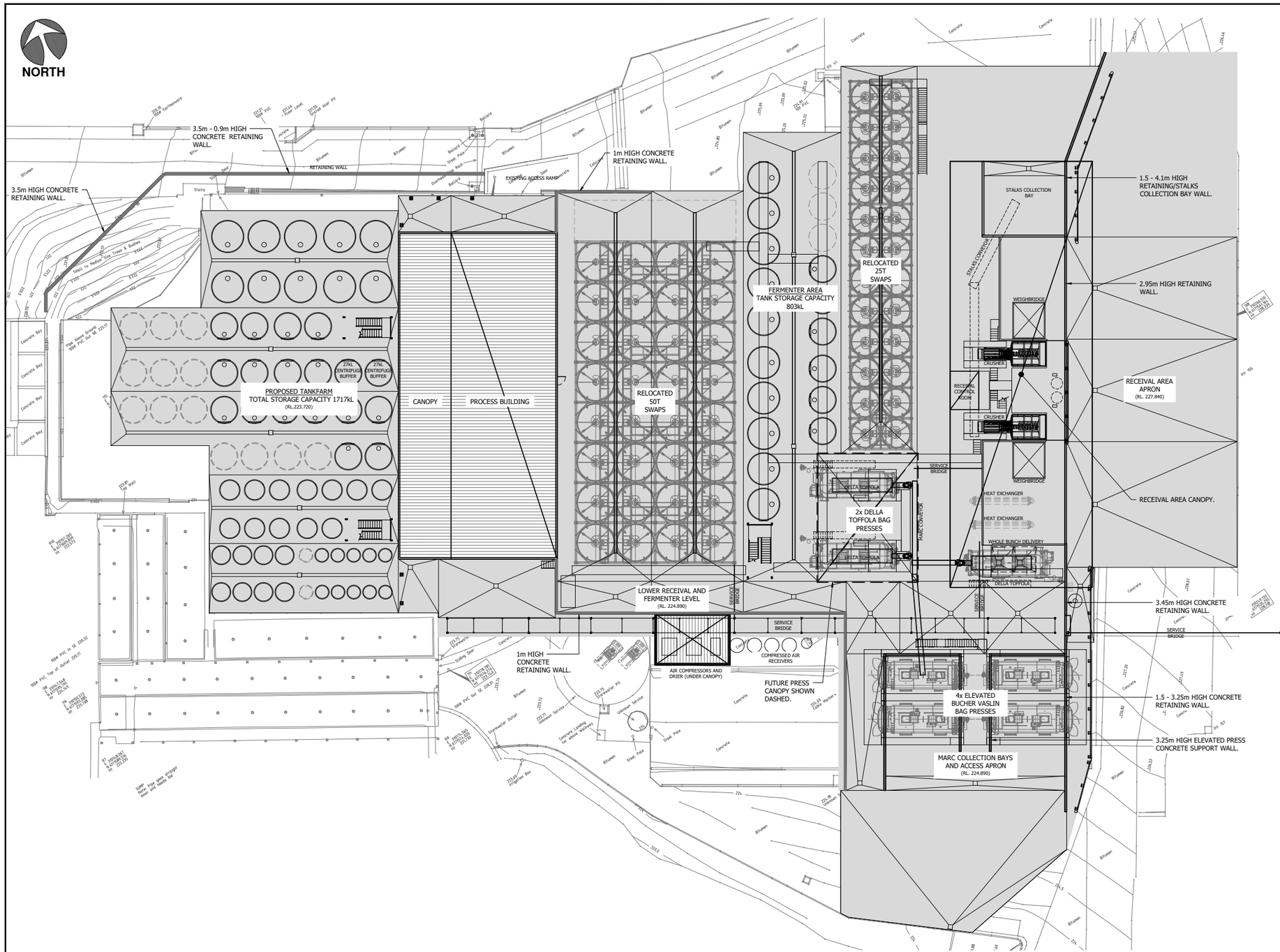
LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: PROPOSED SITE PLAN

Designer: M.BOSSY — Date: APRIL 2024
Drawn By: B.WARNER — Date: APRIL 2024
Drawing No: 2328-D0003
Sheet Size: A1
Scale: 1 : 1000 (A1) 1 : 2000 (A3)
Rev: A



EQUIPMENT SUMMARY:

RECEIVAL AREA
- 660m² CANOPY OVER AREA
- 1x 60TPH CRUSHER/DESTEMMER SYSTEM (STAGE 1)
- 1x 60TPH CRUSHER/DESTEMMER SYSTEM (FUTURE)
- 36x 2T BIN STAGING AREA
- 5kL YEAST STORAGE WITH DOSING AREA

RED/WHITE PRESSING
- 2x RELOCATED 32HL DELLA TOFFOLA BAG PRESSES, COMPLETE WITH 2x ROTARY SCREENS AND CANOPY OVER.
- 1x RELOCATED 32HL DELLA TOFFOLA BAG PRESS (WHOLE BUNCH ACCESS)
- 4x RELOCATED 45HL BUCHER VASLIN BAG PRESSES COMPLETE WITH 4x ROTARY SCREENS OVER.
- RELOCATED AIR COMPRESSORS AND AIR RECEIVERS WITH CANOPY OVER

TOTAL PRESSING CAPACITY	276HL

RED FERMENTATION
- 24x 25T RELOCATED SWAP FERMENTERS
- 32x 50T RELOCATED SWAP FERMENTERS

TOTAL FERMENT CAPACITY	2,200T

TANK STORAGE

12x RELOCATED 5kL TANKS:	60kL
8x RELOCATED 10kL TANKS:	80kL
12x RELOCATED 15kL TANKS:	180kL
38x RELOCATED 27kL TANKS:	1,026kL
2x RELOCATED 27kL CENTRIFUGE BUFFER TANKS:	54kL
20x RELOCATED 56kL TANKS:	1,120kL
TOTAL STORAGE CAPACITY:	2,520kL

PROCESS BUILDING (569m²)

PROCESS BUILDING AREA:	380m²
COVERED MULTIPURPOSE WORK AREA	189m²
CONTROL ROOM:	15.6m²
DRY GOODS STORAGE:	18 PALLET SPACES

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

Rev.	Drawing Issue	Drn	Ckd	Date
B	ISSUED FOR APPROVAL	BW	MB	29.05.24
A	ISSUED FOR APPROVAL	BW	MB	24.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client:
PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: PROPOSED GENERAL ARRANGEMENT PLAN

Designer: M.BOSSY
Date: APRIL 2024
Drawn By: B.WARNER
Date: APRIL 2024
Drawing No: 2328-D0004
Sheet Size: A1
Scale: 1 : 200 (A1) 1 : 400 (A3)
Rev: B

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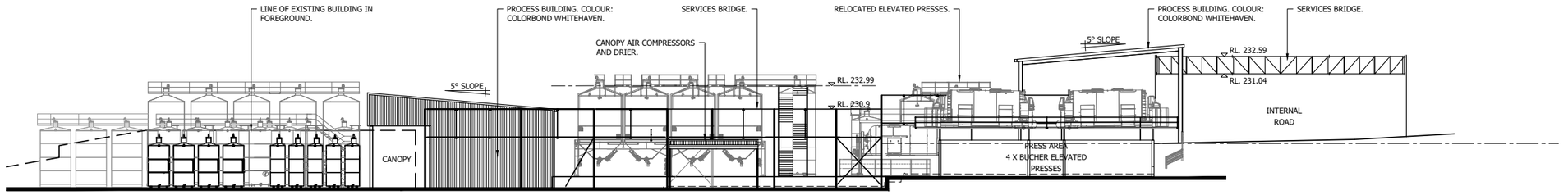
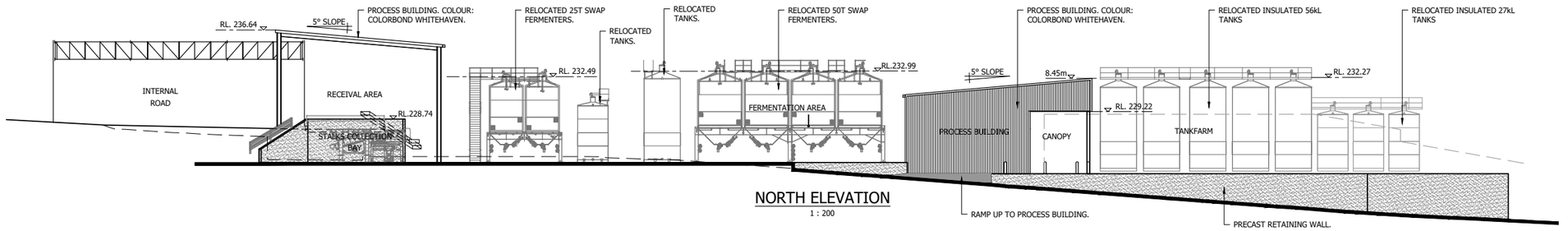
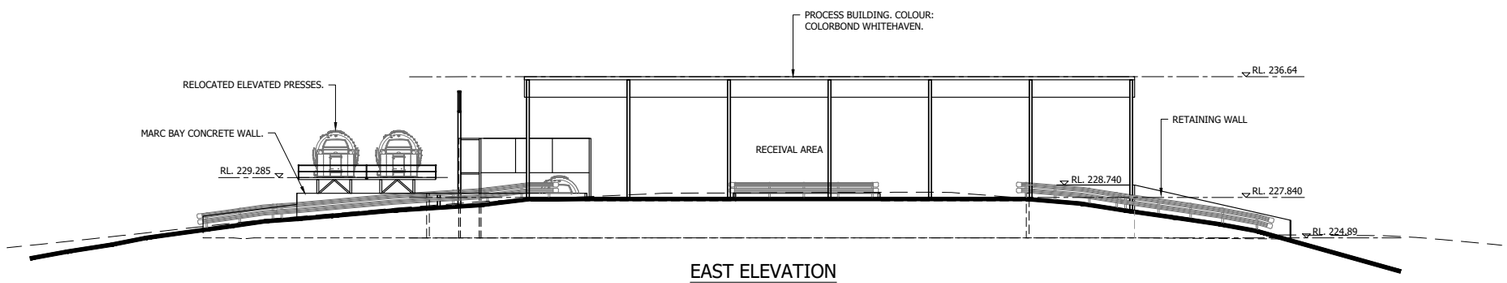


SOUTH ELEVATION
1 : 200



NORTH ELEVATION
1 : 200



EAST ELEVATION
1 : 200

FOR APPROVAL ONLY
NOT TO BE USED FOR CONSTRUCTION

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

Rev.	Drawing Issue	Drn	Ckd	Date
B	ISSUED FOR APPROVAL	BW	MB	29.05.24
A	ISSUED FOR APPROVAL	BW	MB	24.05.24

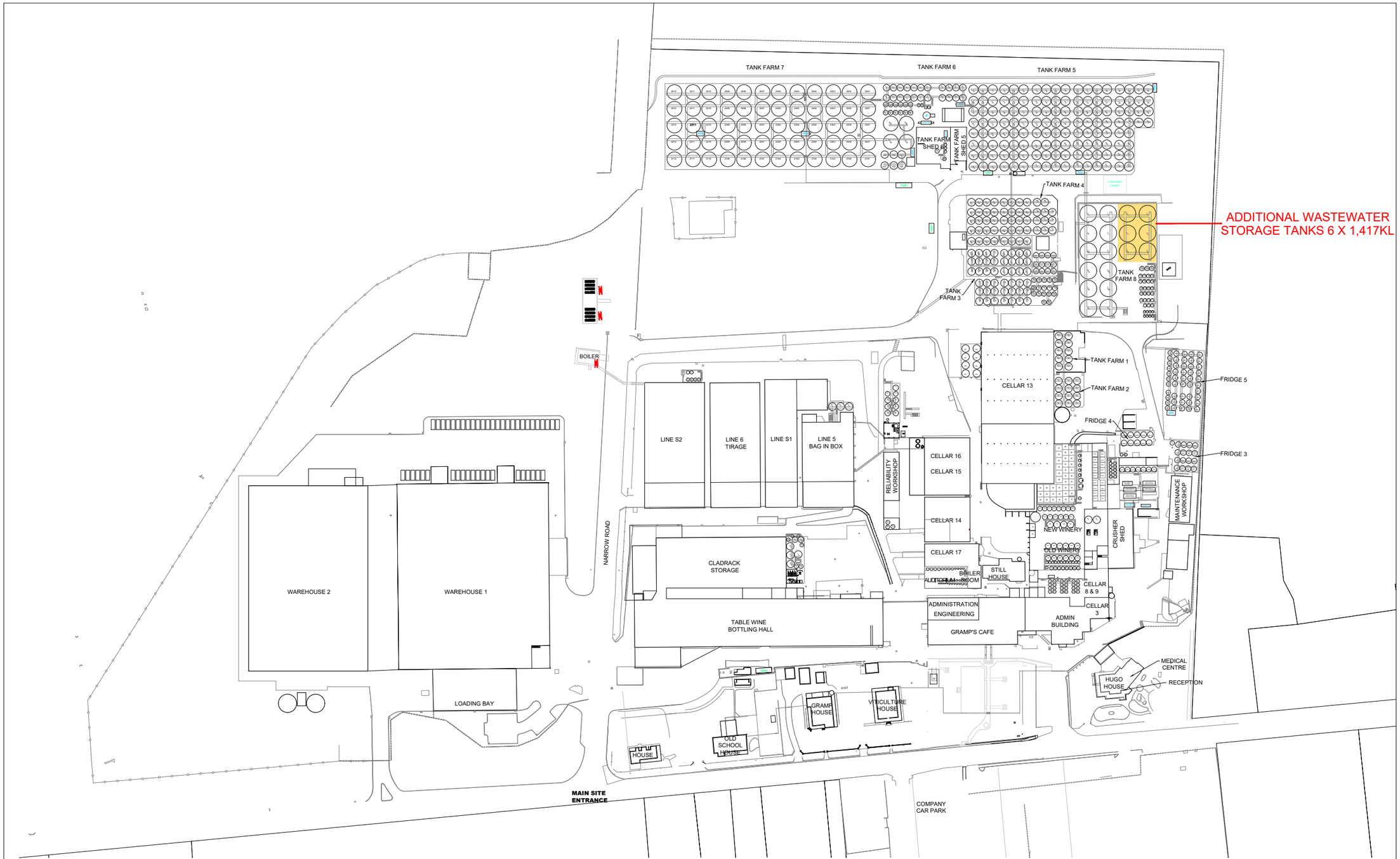
LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS ROWLAND FLAT WINERY BAROSSA VALLEY WAY ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: PROPOSED SECTIONS AND ELEVATIONS

Designer: M.BOSSY	Date: APRIL 2024	Sheet Size: A1	
Drawn By: B.WARNER	Date: APRIL 2024	Scale: 1 : 200 (A1) 1 : 400 (A3)	
Drawing No: 2328-D0005		Rev: B	



Pernod Ricard Winemakers

ISSUE	BY	REVISION	DATE

THE DESIGNS, CONSTRUCTIONS, ARRANGEMENTS DISCLOSURES AND DEVICES SHOWN OR DEFINED IN THE PROPOSAL DRAWINGS OR SKETCHES BEARING THIS LEGEND ARE THE PROPERTY OF PERNOD RICARD WINEMAKERS PTY LTD. SUBMITTED IN CONFIDENCE WITH THE UNDERSTANDING THAT THEY SHALL NOT BE USED BY ANY PERSON, FIRM OR CORPORATION WITHOUT THE PRIOR WRITTEN PERMISSION OF PERNOD RICARD WINEMAKERS PTY LTD.

PERNOD RICARD WINEMAKERS
ROWLAND FLAT SITE
ADDITIONAL WASTEWATER STORAGE TANKS

© PERNOD RICARD WINEMAKERS PTY LTD. ACN 007 870 046
BAROSSA VALLEY HWY, ROWLAND FLAT, S.A., 5352, Ph: 08 8521 3111, Fax: 08 8521 3100

	APPROVED	DATE:	SCALE:	DRN BY:	CHKD:	ISSUE
		29/11/2023	NTS	L.SAUER	J.SIMOUNDS	A6
	AUTHORISED	DATE:	DOCUMENT	PRW.RF.SITE		A1 SHT

Attachment C
Stormwater and Spill Management Plan

MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977

LINNEY
ENGINEERING SERVICES

STORMWATER & SPILL MANAGEMENT PLAN

Prepared for:
PERNOD RICARD

Site:
ROWLAND FLAT WINERY
1914 BAROSSA VALLEY WAY, ROWLAND FLAT SA5352

Linney Engineering Services
Suite 5, Innovation House,
Technology Park, 50 Mawson Lakes Blvd,
Mawson Lakes SA 5095
ABN 17 659 851 886

Job No. 2328
May 2024

PROPOSED WINERY EXTENSION

1914 BAROSSA VALLEY WAY, ROWLAND FLAT, SA

STORMWATER MANAGEMENT PLAN

INTRODUCTION

Pernod Ricard Winemakers (PRW) propose to close their Richmond Grove winery in Tanunda, SA and relocate winemaking equipment to their Rowland Flat winery.

The new production area is to be located centrally within the Rowland Flat site, in an area currently occupied by Cellar 13. The Cellar 13 building, measuring approximately 4015m2 in area, is to be demolished to make room for the development.

PREDEVELOPMENT (EXISTING) CONDITIONS

In terms of drainage, the Rowland Flat winery is divided into two separate catchments: north and south.

The Cellar 13 building in located within the southern catchment. Excluding Cellar 13, the external catchment area measures approximately 1.8Ha consisting of:

- 5,700m2 roof areas with no detention.
- 8,400m2 pavements
- 3,400m2 bunded Tankfarm (Tankfarm 8) with controlled rate of discharge via a manually operated valve.
- 1,500m2 landscaped areas.

Cellar 13 was constructed to house winemaking processes with the majority of the building containing tank storage. Internal drains are directed to the southern tradewaste drainage network via 2 x 150dia tradewaste pipes. Other existing drains are in the vicinity of the building.

Refer Appendix A for the Existing Site Plan.

Historically, the typical rate of discharge of tradewaste from within the building is estimated by PRW to be between 5 and 10L/second although in recent times the building has been used for general storage of dry materials.

We understand the gutters and downpipes of the Cellar 13 roof are directed to a large rainwater detention tank on the southern side of the building, with the rainwater used for irrigation of the winery landscaped areas. Overflow from the detention tank is directed into the southern tradewaste drainage network.

Tradewaste and stormwater from external processing and pavement areas, immediately adjacent to the building, is directed into the southern tradewaste drainage network without detention.

PROPOSED DEVELOPMENT

The proposed development requires Cellar 13 to be demolished and new production areas to be constructed on the footprint of the building.

The new development will consist of:

- Fruit Receival and crushing area with 715m2 canopy over.
- External vessels for red wine fermentation. The largest vessels measure 60kL in volume.
- Buffer tanks and pneumatic bag presses for the draining and processing of red wine.
- 380m2 Process Building with adjoining 190m2 canopy providing a total roof area of 570m2.
- External Tankfarm areas for wine storage. The largest tanks measure 56kL in volume.

Refer Appendix B for the Proposed Site Plan.

Without bunding and/or management of stormwater, removal of the Cellar 13 roof would increase the amount of stormwater currently directed into the existing tradewaste drainage network.

In terms of stormwater management, the objective of the design of the new area is to:

- Provide bunding of the new storage areas in compliance with EPA South Australia Bunding and Spill Management Guidelines 2016.
- Ensure that from the ex-Cellar 13 area, post development flows into the southern drainage system do not exceed predevelopment flows.

PROPOSED CATCHMENTS

For the purposes of this report, the western end of the proposed area is described as Tankfarm A and the eastern end Tankfarm B.

Tankfarm A contains Tankfarm storage with the majority of tanks supported on concrete plinths. The largest tank measures 56kL in volume.

Tankfarm B contains Tankfarm storage in addition to winemaking equipment and fermentation vessels elevated on support steelwork. The tanks are supported on concrete plinths. The largest vessel in Tankfarm B measures 60kL in volume.

Refer Appendix C for the Proposed Catchments Plan.

To ensure that post development flows into the southern drainage system do not exceed predevelopment flows, the existing 4015m2 footprint of the old Cellar 13 building will now incorporate:

- 1190m2 Roof Area directed to stormwater detention for the reuse of rainwater.
- 2825m2 of Bunded Tankfarm areas.

Due to demolition of the existing Cellar 13 stormwater detention tank, an existing 170kL tank within the existing Winery Cellar area will be dedicated to the detention of stormwater from the new roof areas.

Drainage from new external catchment areas will be directed to the existing drainage system as they do currently.

DETENTION & BUNDING

It is proposed Tankfarms A and B be bunded with the provision to release wastewater or stormwater into the existing drainage system in a controlled manner. This design philosophy has already been successfully adopted at other tankfarms on the site. The system includes:

- A bund wall or kerb around the perimeter of the Tankfarm of height to suit the required bund volume.
- Underground drainage pipework within the bund area terminating at a valve pit.
- The valve pit contains an air actuated knifegate (full bore) valve with above ground operator control panel.
- The valve default position is CLOSED.
- In the event of wastewater accumulation, stormwater collection or a spill event, the valve is operated manually by site management.
- The valve has two settings:
    - 50% open for 5 minutes, allowing controlled discharge into the drainage system.
    - 100% open.

Refer photograph below of an existing valve control panel at Tankfarm 8.

Photo of existing valve control panel at Tankfarm 8

For design purposes, IFD Design Rainfall Depth data has been obtained for the Rowland Flat area from the Bureau of Meteorology Design Rainfall Data System 2016.

In determining the required bund volume for Tankfarm A and Tankfarm B, four bunding/detention scenarios have been considered:

Scenario 1: Spill containment in dry weather conditions.

> Bund volume > 120% x the largest tank, in accordance with EPA South Australia Bunding and Spill Management Guidelines 2016.

Scenario 2: Spill containment in wet weather conditions.

> ARI10/24hr stormwater event plus the largest tank.
>
> This allows sufficient volume in the bund to contain a spill of the largest tank should the spill coincide with a 24-hour storm event while the valve is closed.

Scenario 3: Stormwater detention, no outflow.

> ARI20, no outflow.

Scenario 4: Stormwater Detention, minimal outflow.

> ARI100, 2L/sec outflow. The combined outflow rate of 4L/sec from both tankfarms is estimated to be less than the historical rate of tradewaste discharged from within the old Cellar 13 building.

These scenarios provide for adequate bunding and allow Management the time to either recover a spill or to release the contents of the bund to the drainage system in a controlled way.

Refer Appendix D for the Detention Calculations.

BUNDING REQUIREMENTS

For Tankfarm A the design case for bunding requirements is Scenario 3: ARI20 with no outflow. The required bund volume for this scenario is 128m3. The proposed bund volume is 129m3.

For Tankfarm B the design case for bunding requirements is also Scenario 3. The required bund volume for this scenario is 252m3. The proposed bund volume is 253m3.

Refer Appendix E for the Bunding Plan.

Refer Appendix F for the Bunding Calculations.

DRAINAGE

The drainage pipework has been designed to ARI20/5min rainwater intensities.

Tankfarm A and Tankfarm B separately terminate at 250 diameter control valves.

Refer Appendix G for the Drainage Plan.

Refer Appendix H for Pipeline Calculations.

Refer Appendix I for the Drainage Schematic

SUMMARY

Pernod Ricard Winemakers (PRW) propose to close their Richmond Grove winery in Tanunda, SA and relocate winemaking equipment to their Rowland Flat winery.

The old Cellar 13 building at Rowland Flat, measuring approximately 4015m2 in area, is proposed to be demolished to make way for the new development.

While the Cellar has an internal tradewaste drainage system, stormwater from the roof has historically been directed to a detention tank, therefore minimising storm impact on the site drainage system.

To ensure that post development flows into the site drainage system do not exceed predevelopment flows, the existing 4015m2 footprint of the old Cellar 13 building will now incorporate:

- 1190m2 Roof Area directed to stormwater detention for reuse of rainwater.
- 2825m2 of Bunded Tankfarm.

The bunded Tankfarm areas have been designed so that:

- Bunded volumes satisfy the EPA South Australia Bunding and Spill Management Guidelines 2016.
- Bunded volumes provide sufficient additional stormwater holding capacity should a tank spill coincide with a storm event.
- There is provision for the controlled manual release of tradewaste or stormwater to the existing drainage system.

APPENDIX A

EXISTING SITE PLAN

APPENDIX A
EXISTING SITE PLAN

NORTH

EXTENT OF EXISTING CELLAR 13 BUILDING
AREA 4015m2
ROOFWATER DIRECTED TO DETENTION TANK
INTERNAL DRAINS DIRECTED TO TRADEWASTE SYSTEM
BUILDING TO BE DEMOLISHED

INTERNAL CHANNEL DRAINAGE

EXISTING BUILDING TO REMAIN

EXISTING DETENTION TANK TO BE DEMOLISHED

EXISTING TANKFARM

EXISTING TANKFARM

LEGEND

EXTENT OF APPROVED DEMOLITION

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

FOR APPROVAL ONLY
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Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	BW	MB	27.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client:
PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: CELLAR 13
STORMWATER AND SPILL MANAGEMENT
EXISTING SITE
PLAN

Designer: J.LINNEY
Date: APRIL 2024
Sheet Size: A1

Drawn By: B.WARNER
Date: APRIL 2024
Scale: 1 : 200 (A1)
1 : 400 (A3)

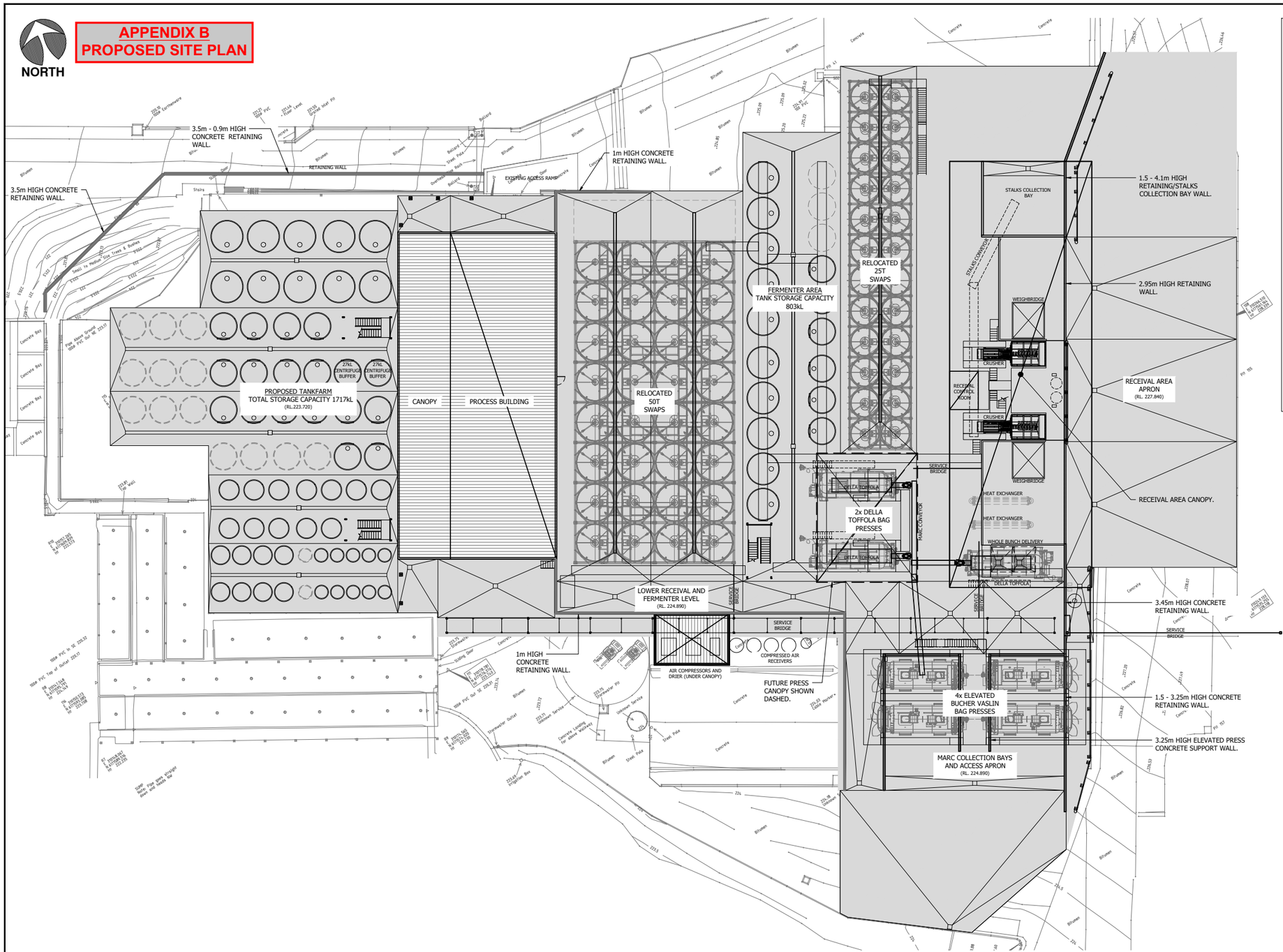
Drawing No: 2328-D0012
Rev: A

APPENDIX B

PROPOSED SITE PLAN

APPENDIX B
PROPOSED SITE PLAN

NORTH



EQUIPMENT SUMMARY:

RECEIVAL AREA
- 660m² CANOPY OVER AREA
- 1x 60TPH CRUSHER/DESTEMMER SYSTEM (STAGE 1)
- 1x 60TPH CRUSHER/DESTEMMER SYSTEM (FUTURE)
- 36x 2T BIN STAGING AREA
- 5kL YEAST STORAGE WITH DOSING AREA

RED/WHITE PRESSING
- 2x RELOCATED 32HL DELLA TOFFOLA BAG PRESSES, COMPLETE WITH 2x ROTARY SCREENS AND CANOPY OVER.
- 1x RELOCATED 32HL DELLA TOFFOLA BAG PRESS (WHOLE BUNCH ACCESS)
- 4x RELOCATED 45HL BUCHER VASLIN BAG PRESSES COMPLETE WITH 4x ROTARY SCREENS OVER.
- RELOCATED AIR COMPRESSORS AND AIR RECEIVERS WITH CANOPY OVER

TOTAL PRESSING CAPACITY 276HL

RED FERMENTATION
- 24x 25T RELOCATED SWAP FERMENTERS
- 32x 50T RELOCATED SWAP FERMENTERS

TOTAL FERMENT CAPACITY 2,200T

TANK STORAGE

12x RELOCATED 5kL TANKS:	60kL
8x RELOCATED 10kL TANKS:	80kL
12x RELOCATED 15kL TANKS:	180kL
38x RELOCATED 27kL TANKS:	1,026kL
2x RELOCATED 27kL CENTRIFUGE BUFFER TANKS:	54kL
20x RELOCATED 56kL TANKS:	1,120kL
TOTAL STORAGE CAPACITY:	2,520kL

PROCESS BUILDING (569m²)

PROCESS BUILDING AREA:	380m²
COVERED MULTIPURPOSE WORK AREA	189m²
CONTROL ROOM:	15.6m²
DRY GOODS STORAGE:	18 PALLET SPACES

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

Rev.	Drawing Issue	Drn	Ckd	Date
B	ISSUED FOR APPROVAL	BW	MB	29.05.24
A	ISSUED FOR APPROVAL	BW	MB	24.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client:
PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: PROPOSED GENERAL ARRANGEMENT PLAN

Designer: M.BOSSY Date: APRIL 2024
Drawn By: B.WARNER Date: APRIL 2024
Drawing No: 2328-D0004
Sheet Size: A1
Scale: 1 : 200 (A1) 1 : 400 (A3)
Rev: B

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APPENDIX C

PROPOSED CATCHMENT PLAN

APPENDIX C
CATCHMENT PLAN

NORTH

EXISTING TANK TO BE DEDICATED TO ROOF WATER DETENTION AND RAINWATER STORAGE/REUSE

CANOPY

PROCESS BUILDING
BUILDING AREA 380m2
CANOPY AREA 190m2
TOTAL AREA 570m2

FRUIT RECEIVAL AREA CANOPY
ROOF AREA 715m2

LEGEND

- EXISTING CELLAR 13 BUILDING 4015m2
- ROOF AREA DIRECTED TO DETENTION TANK AND RAINWATER STORAGE 1285m2
- TANKFARM A BUNDED AREA 1205m2
- TANKFARM B BUNDED AREA 2355m2
- EXTERNAL NON-BUNDED AREA 1145m2

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

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Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	BW	MB	27.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client:
PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: CELLAR 13
STORMWATER AND SPILL MANAGEMENT
CATCHMENT PLAN

Designer: J.LINNEY	Date: APRIL 2024	Sheet Size: A1	
Drawn By: B.WARNER	Date: APRIL 2024	Scale: 1 : 200 (A1) 1 : 400 (A3)	
Drawing No: 2328-D0013		Rev: A	

APPENDIX D

DETENTION CALCULATIONS

LINNEY
ENGINEERING SERVICES

PERNOD RICARD
PROJECT ULTIMATE
TRADEWASTE DRAINAGE
STORMWATER DETENTION CALCULATIONS **RECEIVAL AREA ROOF**

Catchment 715 m2
1.00 C
Catchment **0.07** Ha Drainage System

Allowable discharge from Detention Area (L/s)
3.5 Outflow (L/sec)

Tc (min)	Qout (m3/s)	ARI20				
		Total Rainfall (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)
1	0.0035	2.89	173.4	0.034	0.031	1.9
2	0.0035	5.00	150.0	0.030	0.026	3.2
3	0.0035	6.73	134.6	0.027	0.023	4.2
4	0.0035	8.17	122.6	0.024	0.021	5.0
5	0.0035	9.41	112.9	0.022	0.019	5.7
10	0.0035	13.80	82.8	0.016	0.013	7.8
15	0.0035	16.70	66.8	0.013	0.010	8.8
20	0.0035	18.90	56.7	0.011	0.008	9.3
25	0.0035	20.70	49.7	0.010	0.006	9.6
30	0.0035	22.20	44.4	0.009	0.005	9.6
45	0.0035	25.80	34.4	0.007	0.003	9.0
60	0.0035	28.50	28.5	0.006	0.002	7.8
90	0.0035	32.60	21.7	0.004	0.001	4.4
120	0.0035	35.90	18.0	0.004	0.000	0.5
180	0.0035	41.00	13.7	0.003	-0.001	-8.5
270	0.0035	46.90	10.4	0.002	-0.001	-23.2
360	0.0035	51.60	8.6	0.002	-0.002	-38.7
540	0.0035	58.90	6.5	0.001	-0.002	-71.3
720	0.0035	64.60	5.4	0.001	-0.002	-105.0
1080	0.0035	73.20	4.1	0.001	-0.003	-174.5
1440	0.0035	79.60	3.3	0.001	-0.003	-245.5
1800	0.0035	84.60	2.8	0.001	-0.003	-317.5
2160	0.0035	88.70	2.5	0.000	-0.003	-390.2
2880	0.0035	95.20	2.0	0.000	-0.003	-536.7
4320	0.0035	104.00	1.4	0.000	-0.003	-832.8
5760	0.0035	110.00	1.1	0.000	-0.003	-1131.0
7200	0.0035	114.00	1.0	0.000	-0.003	-1430.5
8640	0.0035	117.00	0.8	0.000	-0.003	-1730.7
10080	0.0035	120.00	0.7	0.000	-0.003	-2031.0

Stormwater (kL)	9.6
Plus Largest Tank (kL)	0.0
otal Required Detention Volume (m3)	**9.6**
DESIGN VOL (m3)	**10.0** OK

Drainage Calculations 240523
Detention Receival Roof

1 of 1

LINNEY
ENGINEERING SERVICES

PERNOD RICARD
PROJECT ULTIMATE
TRADEWASTE DRAINAGE
STORMWATER DETENTION CALCULATIONS **TANKFARM A**

23/05/2024

Catchment 1183 m2
0.90 C
Catchment **0.11** Ha

Allowable discharge from Detention Area (L/s)
0 Outflow (L/sec)

Allowable discharge from Detention Area (L/s)
0 Outflow (L/sec)

Allowable discharge from Detention Area (L/s)
2.0 Outflow (L/sec)

Tc (min)	ARI10						ARI20						ARI100					
	Qout (m3/s)	IFD Design Rainfall Depth (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)	Qout (m3/s)	IFD Design Rainfall Depth (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)	Qout (m3/s)	Total Rainfall (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)
1	0	2.43	145.8	0.043	0.043	2.6	0	2.89	173.4	0.051	0.051	3.1	0.002	4.13	247.8	0.073	0.071	4.3
2	0	4.22	126.6	0.037	0.037	4.5	0	5.00	150.0	0.044	0.044	5.3	0.002	6.98	209.4	0.062	0.060	7.2
3	0	5.67	113.4	0.034	0.034	6.0	0	6.73	134.6	0.040	0.040	7.2	0.002	9.44	188.8	0.056	0.054	9.7
4	0	6.88	103.2	0.031	0.031	7.3	0	8.17	122.6	0.036	0.036	8.7	0.002	11.50	172.5	0.051	0.049	11.8
5	0	7.91	94.9	0.028	0.028	8.4	0	9.41	112.9	0.033	0.033	10.0	0.002	13.40	160.8	0.048	0.046	13.7
10	0	11.6	69.6	0.021	0.021	12.4	0	13.80	82.8	0.024	0.024	14.7	0.002	19.90	119.4	0.035	0.033	20.0
15	0	14	56.0	0.017	0.017	14.9	0	16.70	66.8	0.020	0.020	17.8	0.002	24.10	96.4	0.029	0.027	23.9
20	0	15.9	47.7	0.014	0.014	16.9	0	18.90	56.7	0.017	0.017	20.1	0.002	27.20	81.6	0.024	0.022	26.6
25	0	17.4	41.8	0.012	0.012	18.5	0	20.70	49.7	0.015	0.015	22.0	0.002	29.70	71.3	0.021	0.019	28.6
30	0	18.7	37.4	0.011	0.011	19.9	0	22.20	44.4	0.013	0.013	23.6	0.002	31.80	63.6	0.019	0.017	30.3
45	0	21.6	28.8	0.009	0.009	23.0	0	25.80	34.4	0.010	0.010	27.5	0.002	36.70	48.9	0.014	0.012	33.7
60	0	23.9	23.9	0.007	0.007	25.5	0	28.50	28.5	0.008	0.008	30.4	0.002	40.40	40.4	0.012	0.010	35.8
90	0	27.5	18.3	0.005	0.005	29.3	0	32.60	21.7	0.006	0.006	34.7	0.002	46.20	30.8	0.009	0.007	38.4
120	0	30.2	15.1	0.004	0.004	32.2	0	35.90	18.0	0.005	0.005	38.2	0.002	50.80	25.4	0.008	0.006	39.7
180	0	34.6	11.5	0.003	0.003	36.8	0	41.00	13.7	0.004	0.004	43.7	0.002	58.20	19.4	0.006	0.004	40.4
270	0	39.5	8.8	0.003	0.003	42.1	0	46.90	10.4	0.003	0.003	49.9	0.002	66.90	14.9	0.004	0.002	38.8
360	0	43.5	7.3	0.002	0.002	46.3	0	51.60	8.6	0.003	0.003	54.9	0.002	73.90	12.3	0.004	0.002	35.5
540	0	49.7	5.5	0.002	0.002	52.9	0	58.90	6.5	0.002	0.002	62.7	0.002	84.80	9.4	0.003	0.001	25.5
720	0	54.5	4.5	0.001	0.001	58.0	0	64.60	5.4	0.002	0.002	68.8	0.002	93.30	7.8	0.002	0.000	13.0
1080	0	61.9	3.4	0.001	0.001	65.9	0	73.20	4.1	0.001	0.001	78.0	0.002	106.00	5.9	0.002	0.000	-16.7
1440	0	67.4	2.8	0.001	0.001	71.8	0	79.60	3.3	0.001	0.001	84.8	0.002	115.00	4.8	0.001	-0.001	-50.3
1800	0	71.9	2.4	0.001	0.001	76.6	0	84.60	2.8	0.001	0.001	90.1	0.002	122.00	4.1	0.001	-0.001	-86.1
2160	0	75.6	2.1	0.001	0.001	80.5	0	88.70	2.5	0.001	0.001	94.5	0.002	127.00	3.5	0.001	-0.001	-124.0
2880	0	81.5	1.7	0.001	0.001	86.8	0	95.20	2.0	0.001	0.001	101.4	0.002	135.00	2.8	0.001	-0.001	-201.8
4320	0	89.8	1.2	0.000	0.000	95.6	0	104.00	1.4	0.000	0.000	110.8	0.002	143.00	2.0	0.001	-0.001	-366.1
5760	0	95.6	1.0	0.000	0.000	101.8	0	110.00	1.1	0.000	0.000	117.1	0.002	147.00	1.5	0.000	-0.002	-534.7
7200	0	100	0.8	0.000	0.000	106.5	0	114.00	1.0	0.000	0.000	121.4	0.002	150.00	1.3	0.000	-0.002	-704.3
8640	0	104	0.7	0.000	0.000	110.8	0	117.00	0.8	0.000	0.000	124.6	0.002	151.00	1.0	0.000	-0.002	-876.0
10080	0	107	0.6	0.000	0.000	113.9	0	120.00	0.7	0.000	0.000	127.8	0.002	152.00	0.9	0.000	-0.002	-1047.7

Stormwater (kL)	71.8	Stormwater (kL)	127.8	Stormwater (kL)	40.4
Plus Largest Tank (kL)	56.0	Plus Largest Tank (kL)	0.0	Plus Largest Tank (kL)	0.0
Total Required Detention Volume (m3)	**127.8**	**Total Required Detention Volume (m3)**	**127.8**	**Total Required Detention Volume (m3)**	**40.4**
DESIGN BUND VOL (m3)	**128.7** OK	**DESIGN BUND VOL (m3)**	**128.7** OK	**DESIGN BUND VOL (m3)**	**128.7** OK
Flow Out (DIA 250 Valve 50% Open)	27 L/sec	Flow Out (DIA 250 Valve 50% Open)	27 L/sec		
Time to Empty (hrs)	1.31	Time to Empty (hrs)	1.31		
Flow Out (DIA 250 Valve 100% Open)	55 L/sec	Flow Out (DIA 250 Valve 100% Open)	55 L/sec		
Time to Empty (hrs)	0.65	Time to Empty (hrs)	0.65		

Drainage Calculations 240523
Detention TF A

1 of 1

LINNEY
ENGINEERING SERVICES

PERNOD RICARD
PROJECT ULTIMATE
TRADEWASTE DRAINAGE
STORMWATER DETENTION CALCULATIONS **TANKFARM B**

23/05/2024

Catchment 2329 m2
0.90 C
Catchment **0.21** Ha

Allowable discharge from Detention Area (L/s)
0 Outflow (L/sec)

Allowable discharge from Detention Area (L/s)
0 Outflow (L/sec)

Allowable discharge from Detention Area (L/s)
2.0 Outflow (L/sec)

Tc (min)	ARI10						ARI20						ARI100					
	Qout (m3/s)	IFD Design Rainfall Depth (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)	Qout (m3/s)	IFD Design Rainfall Depth (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)	Qout (m3/s)	Total Rainfall (mm)	I (mm/hr)	Qin (m3/s)	Qtotal (m3/s)	VOLin (m3)
1	0	2.43	145.8	0.085	0.085	5.1	0	2.89	173.4	0.101	0.101	6.1	0.002	4.13	247.8	0.144	0.142	8.5
2	0	4.22	126.6	0.074	0.074	8.8	0	5.00	150.0	0.087	0.087	10.5	0.002	6.98	209.4	0.122	0.120	14.4
3	0	5.67	113.4	0.066	0.066	11.9	0	6.73	134.6	0.078	0.078	14.1	0.002	9.44	188.8	0.110	0.108	19.4
4	0	6.88	103.2	0.060	0.060	14.4	0	8.17	122.6	0.071	0.071	17.1	0.002	11.50	172.5	0.100	0.098	23.6
5	0	7.91	94.9	0.055	0.055	16.6	0	9.41	112.9	0.066	0.066	19.7	0.002	13.40	160.8	0.094	0.092	27.5
10	0	11.6	69.6	0.041	0.041	24.3	0	13.80	82.8	0.048	0.048	28.9	0.002	19.90	119.4	0.070	0.068	40.5
15	0	14	56.0	0.033	0.033	29.3	0	16.70	66.8	0.039	0.039	35.0	0.002	24.10	96.4	0.056	0.054	48.7
20	0	15.9	47.7	0.028	0.028	33.3	0	18.90	56.7	0.033	0.033	39.6	0.002	27.20	81.6	0.048	0.046	54.6
25	0	17.4	41.8	0.024	0.024	36.5	0	20.70	49.7	0.029	0.029	43.4	0.002	29.70	71.3	0.041	0.039	59.2
30	0	18.7	37.4	0.022	0.022	39.2	0	22.20	44.4	0.026	0.026	46.5	0.002	31.80	63.6	0.037	0.035	63.0
45	0	21.6	28.8	0.017	0.017	45.3	0	25.80	34.4	0.020	0.020	54.1	0.002	36.70	48.9	0.028	0.026	71.5
60	0	23.9	23.9	0.014	0.014	50.1	0	28.50	28.5	0.017	0.017	59.7	0.002	40.40	40.4	0.024	0.022	77.5
90	0	27.5	18.3	0.011	0.011	57.6	0	32.60	21.7	0.013	0.013	68.3	0.002	46.20	30.8	0.018	0.016	86.0
120	0	30.2	15.1	0.009	0.009	63.3	0	35.90	18.0	0.010	0.010	75.2	0.002	50.80	25.4	0.015	0.013	92.1
180	0	34.6	11.5	0.007	0.007	72.5	0	41.00	13.7	0.008	0.008	85.9	0.002	58.20	19.4	0.011	0.009	100.4
270	0	39.5	8.8	0.005	0.005	82.8	0	46.90	10.4	0.006	0.006	98.3	0.002	66.90	14.9	0.009	0.007	107.8
360	0	43.5	7.3	0.004	0.004	91.2	0	51.60	8.6	0.005	0.005	108.1	0.002	73.90	12.3	0.007	0.005	111.7
540	0	49.7	5.5	0.003	0.003	104.2	0	58.90	6.5	0.004	0.004	123.4	0.002	84.80	9.4	0.005	0.003	112.9
720	0	54.5	4.5	0.003	0.003	114.2	0	64.60	5.4	0.003	0.003	135.4	0.002	93.30	7.8	0.005	0.003	109.1
1080	0	61.9	3.4	0.002	0.002	129.7	0	73.20	4.1	0.002	0.002	153.4	0.002	106.00	5.9	0.003	0.001	92.6
1440	0	67.4	2.8	0.002	0.002	141.3	0	79.60	3.3	0.002	0.002	166.8	0.002	115.00	4.8	0.003	0.001	68.2
1800	0	71.9	2.4	0.001	0.001	150.7	0	84.60	2.8	0.002	0.002	177.3	0.002	122.00	4.1	0.002	0.000	39.7
2160	0	75.6	2.1	0.001	0.001	158.4	0	88.70	2.5	0.001	0.001	185.9	0.002	127.00	3.5	0.002	0.000	7.0
2880	0	81.5	1.7	0.001	0.001	170.8	0	95.20	2.0	0.001	0.001	199.5	0.002	135.00	2.8	0.002	0.000	-62.7
4320	0	89.8	1.2	0.001	0.001	188.2	0	104.00	1.4	0.001	0.001	218.0	0.002	143.00	2.0	0.001	-0.001	-218.7
5760	0	95.6	1.0	0.001	0.001	200.4	0	110.00	1.1	0.001	0.001	230.5	0.002	147.00	1.5	0.001	-0.001	-383.1
7200	0	100	0.8	0.000	0.000	209.6	0	114.00	1.0	0.001	0.001	238.9	0.002	150.00	1.3	0.001	-0.001	-549.6
8640	0	104	0.7	0.000	0.000	218.0	0	117.00	0.8	0.000	0.000	245.2	0.002	151.00	1.0	0.001	-0.001	-720.3
10080	0	107	0.6	0.000	0.000	224.3	0	120.00	0.7	0.000	0.000	251.5	0.002	152.00	0.9	0.001	-0.001	-891.0

Stormwater (kL)	141.3	Stormwater (kL)	251.5	Stormwater (kL)	112.9
Plus Largest Tank (kL)	60.0	Plus Largest Tank (kL)	0.0	Plus Largest Tank (kL)	0.0
Total Required Detention Volume (m3)	**201.3**	**Total Required Detention Volume (m3)**	**251.5**	**Total Required Detention Volume (m3)**	**112.9**
DESIGN BUND VOL (m3)	**252.9** OK	**DESIGN BUND VOL (m3)**	**252.9** OK	**DESIGN BUND VOL (m3)**	**252.9** OK
Flow Out (DIA 250 Valve 50% Open)	27 L/sec	Flow Out (DIA 250 Valve 50% Open)	27 L/sec		
Time to Empty (hrs)	2.07	Time to Empty (hrs)	2.59		
Flow Out (DIA 250 Valve 100% Open)	55 L/sec	Flow Out (DIA 250 Valve 100% Open)	55 L/sec		
Time to Empty (hrs)	1.02	Time to Empty (hrs)	1.27		

Drainage Calculations 240523
Detention TFB

APPENDIX E

BUNDING PLAN

APPENDIX E
BUNDING PLAN

NORTH

CONCRETE KERB
T.O.KERB RL 225.040
TYPICAL

CONCRETE KERB
T.O.KERB RL 223.850
TYPICAL

CHANNEL DRAIN

TANKFARM A
NOM. T.O.CONC RL 223.700

TANKFARM B
NOM. T.O.CONC RL 224.890

PROCESS BUILDING
NOM. T.O.CONC RL 223.810

RETAINING WALL
T.O.WALL RL 225.04

A0 46m2
A1 247m2
A2 262m2
A3-1 172m2
A3-2 58m2
A4 141m2
A5 142m2
A7 39m2
A8 66m2
A9 48m2
A10 48m2
A11 39m2
A12 62m2

B1 193m2
B2 197m2
B3 199m2
B4 204m2
B5 32m2
B6 31m2
B7 18m2
C1A 69m2
C1B 103m2
C2 238m2
C3 164m2
C4 105m2
C5 104m2
C6 138m2
C7 35m2
C8 7m2

D1 93m2
D2A 13m2
D2B 52m2
D3 53m2
D4 53m2
D5 66m2
D6 53m2
D7 87m2
D9 67m2
D10 54m2
D11 83m2
D12 52m2
D13 41m2
D14 68m2
D15 61m2
D16 48m2
D17 52m2
D18 71m2

LEGEND

TANKFARM A
LARGEST TANK 56kL
DESIGN BUNDED WATER LEVEL RL 223.790
BUND VOLUME 129m3

TANKFARM B
LARGEST TANK 60kL
DESIGN BUNDED WATER LEVEL RL 224.950
BUND VOLUME 253m3

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

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NOT TO BE USED FOR CONSTRUCTION

Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	BW	MB	27.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: CELLAR 13
STORMWATER AND SPILL MANAGEMENT
BUNDING PLAN

Designer: J.LINNEY	Date: APRIL 2024	Sheet Size: A1
Drawn By: B.WARNER	Date: APRIL 2024	Scale: 1 : 200 (A1) 1 : 400 (A3)
Drawing No: 2328-D0014		Rev: A

APPENDIX F

BUNDING CALCULATIONS

LINNEY
ENGINEERING SERVICES

PERNOD RICARD
PROJECT ULTIMATE
TRADEWASTE DRAINAGE
BUND CALCULATIONS: TANKFARM A

23/05/2024

0.02 Lower height of channel drain grates (m)
0.08 Kerb height (m)

Area No.	Aisle Width (m)	Aisle Length (m)	Slab Area (m2)	Channel Drain (m)	End 1 (m)	End 2 (m)	Aisle Depth (m)	Tank Dia	Plinth Dia (m)	No. Off	Plinth Area (m2)	Plinth Ht (m)	BUND VOLUME (m3)					Remarks
													Channel Drain	Slab Sides	Slab Ends	Plinths	Total	
A0	4.22	10.90	46.0	0.45	5.33	5.1	-								0.4	-	0.4	
A1	11.95	20.64	246.6	19.5	1.12	-	0.11	3.24	3.19	10	79.9	0.04	1.4	12.8	0.5	- 2.9	11.8	
A2	8.73	30.03	262.2	28.5	1.58	0.0	0.09	2.71	2.66	16	88.9	0.03	2.0	11.5	0.4	- 2.9	11.1	
A3-1	8.73	19.76	172.5	19.8	-	-	0.09	2.71	2.66	12	66.7	0.03	1.4	8.0	-	- 2.1	7.2	
A3-2	5.67	10.27	58.2	8.7	1.58	-	0.09	2.71	2.66	3	16.7	0.03	0.6	2.3	0.3	- 0.5	2.6	
A4	7.16	19.76	141.5	18.0	1.75	-	0.08	2.00	1.95	12	35.8	0.03	1.3	5.1	0.3	- 0.9	5.8	
A5	7.17	19.76	141.7	19.5	0.24	0.0	0.08	1.85	1.80	8	20.4	0.03	1.4	5.6	0.0	- 0.5	6.5	
A7	7.17	5.50	39.4	-	5.50	-	0.08	1.30	1.25	12	14.7	0.02	-	-	2.6	- 0.3	2.3	Partially under roof
A8	11.96	5.50	65.8	-	5.50	-	0.11						-	-	5.0	-	5.0	Partially under roof
A9	8.73	5.50	48.0	-	5.50	-	0.09						-	-	3.4	-	3.4	Under roof
A10	8.73	5.50	48.0	-	5.50	-	0.09						-	-	3.4	-	3.4	Under roof
A11	7.16	5.50	39.4	-	5.50	-	0.08						-	-	2.6	-	2.6	Under roof
A12	5.68	10.90	61.91	0.45	5.48	5.0	-								0.6	-	0.6	
			1371.2	**114.9**						**73**	**323.1**		**8.0**	**45.3**	**19.6**	**-10.2**	**62.8**	

Less Roof (m2) 188.0
Catchment Area **1183.2 m2**

SCENARIO 1 - 120% of Largest Tank

Largest Tank (kL)	56.0	
EPA Requirement	120%	
Required Bund Volume (m3)	**67.2**	

SCENARIO 2 - ARI10/24h plus Largest Tank, no outflow

Stormwater volume (kL)	71.8	
Largest Tank (kL)	56.0	
Required Bund Volume (m3)	**127.8**	Design Case

SCENARIO 3 - ARI20/7day, no outflow

Stormwater volume (kL)	**127.8**	

SCENARIO 4 - ARI100/7day, with outflow

Outflow (L/sec)	2.0			
Stormwater volume (kL)	**40.4**			
Required Bund VOL (m3)	**127.8**			
Required Kerb Ht (m)	0.09			
Actual Kerb Ht (m)	0.09			
Pipe Vol.	2.94			
DESIGN BUND VOL	**128.7**	>	**127.8**	OK

BUND CALCULATIONS: TANKFARM B

0 Lower height of channel drain grates (m)
0.06 Kerb height (m)

Area No.	Aisle Width (m)	Aisle Length (m)	Slab Area (m2)	Channel Drain (m)	End 1 (m)	End 2 (m)	Aisle Depth (m)	Tank Dia	Plinth Dia (m)	No. Off	Plinth Area (m2)	Plinth Ht (m)	BUND VOLUME (m3)					Remarks
													Channel Drain	Slab Sides	Slab Ends	Plinths	Total	
B1	9.61	20.00	192.2	17.81	2.24	- 0	0.08	-	-	-	-	-	1.25	6.85	0.56	-	8.66	
B2	9.84	20.00	196.8	17.81	2.24	- 0	0.08	-	-	-	-	-	1.25	7.19	0.59	-	9.02	
B3	9.61	20.73	199.2	17.81	2.93	- 0	0.08	-	-	-	-	-	1.25	6.85	0.75	-	8.85	
B4	9.84	20.73	204.0	17.81	2.93	- 0	0.08	-	-	-	-	-	1.25	7.19	0.79	-	9.22	
B5	3.21	9.84	31.6	0.45	4.70	4.69	0.06	-	-	-	-	-	0.03	0.04	0.60	-	0.68	
B6	3.21	9.61	30.8	0.45	4.31	4.85	0.06	-	-	-	-	-	0.03	0.04	0.59	-	0.66	
B7	3.60	5.00	18.0	-	-	-	0.06						-	0.13	-			Ramp Slope 1:14
			872.6	**72.14**							**-**		**5.05**	**28.29**	**3.88**	**-**	**37.09**	
C1A	10.05	6.90	69.3	4.40	2.49	0	0.07						0.31	1.46	0.55		2.33	
C1B	7.95	12.95	103.0	12.95	-	-	0.07						0.91	3.41	-		4.32	
C2	10.21	23.33	238.2	21.37	1.96	- 0	0.09	3.24	3.19	10	80	0.04	1.50	9.28	0.57	- 2.92	8.42	
C3	7.95	20.67	164.3	17.36	3.31	-	0.07	2.71	2.66	9	50	0.03	1.22	4.57	0.58	- 1.61	4.76	
C4	10.21	10.29	105.1	10.29	-	-	0.09						0.72	4.47	-		5.19	
C5	7.81	13.30	103.9	11.08	2.22	-	0.09						0.78	3.68	0.49		4.95	
C6	10.35	13.30	137.7	0.45	6.60	6.25	0.09						0.03	0.20	3.82		4.06	
C7	3.21	10.74	34.5	0.45	4.45	5.84	0.06						0.03	0.04	0.66		0.74	
C8	2.49	3.00	7.5	-	-	-	0.06						-	0.06	-			Ramp Slope 1:12
			963.4	**78.35**						**19.00**	**129.94**		**5.48**	**27.19**	**6.68**	**- 4.53**	**34.76**	
D1	9.34	9.94	92.8	0.45	4.75	4.7	0.06						0.03	0.13	1.77		1.93	
D2A	1.50	8.44	12.7	0.45	4.00	4.0	0.06						0.03	0.02	0.24		0.29	
D2B	6.20	8.44	52.3	-	-	-	0.06						-	0.94	-		0.94	Stalk Bay (Slope 1:62)
D3	6.11	8.64	52.8	0.45	4.10	4.1	0.06						0.03	0.08	1.00		1.11	
D4	6.11	8.64	52.8	0.45	4.10	4.1	0.06						0.03	0.08	1.00		1.11	
D5	7.61	8.64	65.8	0.45	4.10	4.1	0.06						0.03	0.10	1.25		1.38	
D6	6.11	8.64	52.8	0.45	4.10	4.1	0.06						0.03	0.08	1.00		1.11	
D7	10.03	8.64	86.7	0.45	4.10	4.1	0.06						0.03	0.14	1.64		1.81	
D9	6.78	9.94	67.4	0.45	5.16	4.33	0.06						0.03	0.09	1.29		1.41	
D10	6.78	7.90	53.6	0.45	3.62	3.83	0.06						0.03	0.09	1.01		1.13	
D11	6.78	12.22	82.9	0.45	5.88	5.89	0.06						0.03	0.09	1.60		1.72	
D12	6.78	7.61	51.6	0.45	3.78	3.38	0.06						0.03	0.09	0.97		1.09	
D13	6.78	6.11	41.4	0.45	2.85	2.81	0.06						0.03	0.09	0.77		0.89	
D14	6.78	10.03	68.0	0.45	4.79	4.79	0.06						0.03	0.09	1.30		1.42	
D15	7.07	8.64	61.1	0.45	4.10	4.1	0.06						0.03	0.10	3.1		3.18	
D16	6.78	7.07	47.9	0.45	1.91	4.71	0.06						0.03	0.09	2.4		2.52	
D17	7.41	7.07	52.4	0.45	1.91	4.71	0.06						0.03	0.10	2.6		2.75	
D18	4.22	16.80	70.9	-	-	-	0.06						-	0.51	-			Ramp Slope 1:17
			1,065.7	**7.20**						**-**	**-**		**0.50**	**2.92**	**22.91**	**-**	**25.82**	
			2,901.7	**157.7**						**19.0**	**129.9**		**11.0**	**58.4**	**33.5**	**-4.5**	**97.7**	

Less Roof (m2) 573.0
Catchment Area **2,328.7 m2**

SCENARIO 1 - 120% of Largest Tank
Largest Tank (kL) 60.0
EPA Requirement 120%
Required Bund Volume (m3) **72.0**

SCENARIO 2 - ARI10/24h plus Largest Tank, no outflow
Stormwater volume (kL) 141.3
Largest Tank (kL) 60.0
Required Bund Volume (m3) **201.3**

SCENARIO 3 - ARI20/7day, no outflow
Stormwater volume (kL) **251.5** Design Case

SCENARIO 4 - ARI100/7day, with outflow
Outflow (L/sec) 2.0
Stormwater volume (kL) **112.9**

Required Bund VOL (m3) **251.5**
Required Kerb Ht (m) 0.059
Actual Kerb Ht (m) 0.060
Pipe Vol. 7.49
DESIGN BUND VOL **252.9** > **251.5** OK

Drainage Calculations 240523
Appendix F Bunding

2 of 2

APPENDIX G

DRAINAGE PLAN

2328 – Pernod Ricard Rowland Flat Winery
Stormwater Management Plan, May 2024
Rev: A Final

APPENDIX G
DRAINAGE PLAN

NORTH

CONC KERB T.O.KERB RL 223.850 TYPICAL

CONC KERB T.O.KERB RL 225.040 TYPICAL

CONC KERB T.O.KERB RL 225.040 TYPICAL

A1 247m2
A2 262m2
A3 172m2
A4 141m2
A5 142m2
A7 39m2
A8 66m2
A9 48m2
A10 48m2
A11 39m2
A12 62m2
A0 46m2
B1 193m2
B2 197m2
B3 199m2
B4 204m2
B5 32m2
B6 31m2
B7 18m2
C1A 69m2
C1B 103m2
C2 238m2
C3 78.7m2
C4 105m2
C5 104m2
C6 138m2
C7 35m2
D1 93m2
D2A 13m2
D2B 52m2
D3 53m2
D4 53m2
D5 66m2
D6 53m2
D7 87m2
D9 67m2
D10 54m2
D11 83m2
D12 52m2
D13 41m2
D14 68m2
D15 61m2
D16 48m2
D17 52m2

CHANNEL DRAIN

TANKFARM A
NOM. T.O.CONC RL 223.700

TANKFARM B
NOM. T.O.CONC RL 224.890

PROCESS BUILDING
NOM. T.O.CONC RL 223.810

RETAINING WALL
NOMINAL RL 225.04

RETAINING WALL
NOMINAL RL 227.04

CONNECT TO EXISTING TANK

SEALED STORMWATER DRAINAGE

OVERHEAD RISING MAIN FROM BUFFER TANK

EXISTING 170kL TANK TO BE DEDICATED TO ROOF WATER DETENTION AND RAINWATER STORAGE/REUSE

NEW VALVE PIT WITH Ø250 KNIFEGATE VALVE TO CONTROL DISCHARGE FROM BUNDED TANKFARM A

NEW VALVE PIT WITH Ø250 KNIFEGATE VALVE TO CONTROL DISCHARGE FROM BUNDED TANKFARM B

CONNECT TO EXISTING PIT

CONNECT TO EXISTING Ø225 PIPE

EXISTING Ø225 TW PIPE

CONNECT TO EXISTING Ø150 PIPE

EXISTING Ø150 TW PIPE

EXISTING Ø225 TW PIPE

EXISTING Ø300 PIPE

CONNECT TO EXISTING PIT

SEALED STORMWATER DRAINAGE

10kL BUFFER TANK AND RAINWATER HARVESTING PUMP

LEGEND

- TW — TW — Ø150 uPVC TRADEWASTE DRAINAGE
- TW — TW — Ø225 uPVC TRADEWASTE DRAINAGE
- SW — SW — Ø150 uPVC STORMWATER DRAINAGE
- RM — RM — Ø80 RISING MAIN

0 5 10 15 20m
HORIZONTAL SCALE 1 : 200 (A1)

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Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	BW	MB	27.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client: PERNOD RICARD WINEMAKERS ROWLAND FLAT WINERY BAROSSA VALLEY WAY ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: CELLAR 13 STORMWATER AND SPILL MANAGEMENT DRAINAGE PLAN

Designer: J.LINNEY Date: APRIL 2024
Drawn By: B.WARNER Date: APRIL 2024
Drawing No: 2328-D0015
Sheet Size: A1
Scale: 1 : 200 (A1) 1 : 400 (A3)
Rev: A

APPENDIX H

PIPELINE CALCULATIONS

LINNEY
ENGINEERING SERVICES

PERNOD RICARD
PROJECT ULTIMATE
TRADEWASTE DRAINAGE
PIPELINE CALCULATIONS

23/05/2024

ARI	20	
Tc	5	
I (mm/hr)	112.9	
	0.3	Landscaping
C	0.9	Pavement
C	1.0	Roof

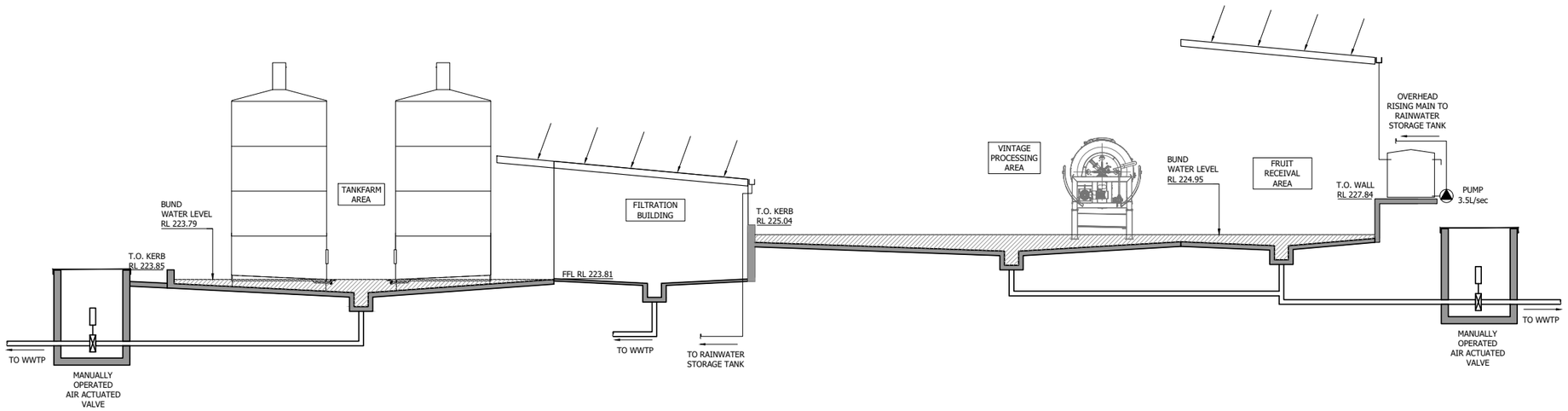
Q=I x A x C/3600

Pipeline Catchment	Area (m2)	Equivalent Impervious Area (m2)		Design Flow (L/sec)		Pipeline Design								Remarks
		Sub Catchment	Cumulative	Sub Catchment	Cumulative	Pipe Dia (mm)	Pipe Material	Gradient (%)	Flow Capacity (L/sec)	Length	Fall	RL Start	RL End	
TRADEWASTE (TANKFARM A)														
TOTAL	**1175**	1057.5	1057.5	33.2	33.2	225.0	uPVC	0.67	55.0					
A0	46	41.4	41.4	1.3	1.3	150.0	uPVC	0.67	19.0					
A1	269	242.1	283.5	7.6	8.9	150.0	uPVC	0.67	19.0					
A2	262	235.8	519.3	7.4	16.3	150.0	uPVC	0.67	19.0					
A3-1	173	155.7	675.0	4.9	21.2	150.0	uPVC	0.67	19.0					
A3-2	58	52.2	727.2	1.6	22.8	225.0	uPVC	0.67	55.0					
A4	141	126.9	854.1	4.0	26.8	225.0	uPVC	0.67	55.0					
A5	164	147.6	**1001.7**	4.6	31.4	225.0	uPVC	0.67	55.0					
A12	62	55.8	55.8	1.7	1.7	150.0	uPVC	0.67	19.0					
	0	0.0	1057.5	0.0	33.2	225.0	uPVC	0.67	55.0					
	1175	1057.5	TRUE											
TRADEWASTE (TANKFARM B)														
TOTAL	**2332**	2098.8	2098.8	65.8	65.8	225.0	uPVC	1.00	70.0					
B1	211	189.9	189.9	6.0	6.0	150.0	uPVC	1.00	25.0					
B2	197	177.3	367.2	5.6	11.5	150.0	uPVC	1.00	25.0					
B3	199	179.1	546.3	5.6	17.1	150.0	uPVC	1.00	25.0					
B4	204	183.6	729.9	5.8	22.9	150.0	uPVC	1.00	25.0					
B5	32	28.8	758.7	0.9	23.8	150.0	uPVC	1.00	25.0					
B6	31	27.9	786.6	0.9	24.7	150.0	uPVC	1.00	25.0					
C7	35	31.5	**818.1**	1.0	25.7	150.0	uPVC	1.00	25.0					
C1A	69	62.1	62.1	1.9	1.9	150.0	uPVC	1.00	25.0					
C1B	103	92.7	154.8	2.9	4.9	150.0	uPVC	1.00	25.0					
C2	245	220.5	375.3	6.9	11.8	150.0	uPVC	1.00	25.0					
C3	164	147.6	522.9	4.6	16.4	150.0	uPVC	1.00	25.0					
C4	105	94.5	617.4	3.0	19.4	150.0	uPVC	1.00	25.0					
C5	104	93.6	711.0	2.9	22.3	150.0	uPVC	1.00	25.0					
C6	138	124.2	835.2	3.9	26.2	150.0	uPVC	1.00	25.0					
	0	0.0	**1653.3**	0.0	51.8	225.0	uPVC	1.00	70.0					
D1	146	131.4	131.4	4.1	4.1	150.0	uPVC	1.00	25.0					
D9	80	72.0	203.4	2.3	6.4	150.0	uPVC	1.00	25.0					
D2A	0	0.0	203.4	0.0	6.4	150.0	uPVC	1.00	25.0					Under roof
D2B	0	0.0	203.4	0.0	6.4	150.0	uPVC	1.00	25.0					Under roof
D10	27	24.3	227.7	0.8	7.1	150.0	uPVC	1.00	25.0					
D3	0	0.0	227.7	0.0	7.1	150.0	uPVC	1.00	25.0					Under roof
D11	42	37.8	265.5	1.2	8.3	150.0	uPVC	1.00	25.0					
D4	0	0.0	265.5	0.0	8.3	150.0	uPVC	1.00	25.0					Under roof
D12	26	23.4	288.9	0.7	9.1	150.0	uPVC	1.00	25.0					
D5	0	0.0	288.9	0.0	9.1	150.0	uPVC	1.00	25.0					Under roof
D13	21	18.9	307.8	0.6	9.7	150.0	uPVC	1.00	25.0					
D6	0	0.0	307.8	0.0	9.7	150.0	uPVC	1.00	25.0					Under roof
D14	35	31.5	339.3	1.0	10.6	150.0	uPVC	1.00	25.0					
D7	0	0.0	339.3	0.0	10.6	150.0	uPVC	1.00	25.0					Under roof
D15	30	27.0	366.3	0.8	11.5	150.0	uPVC	1.00	25.0					
D16	36	32.4	398.7	1.0	12.5	150.0	uPVC	1.00	25.0					
D17	52	46.8	445.5	1.5	14.0	150.0	uPVC	1.00	25.0					
	0	0.0	445.5	0.0	14.0	150.0	uPVC	1.00	25.0					
	0	0.0	**2098.8**	0.0	65.8	225.0	uPVC	1.00	70.0					
	2332	2098.8	TRUE											

APPENDIX I

DRAINAGE SCHEMATIC

APPENDIX I
DRAINAGE SCHEMATIC



TRADEWASTE DRAINAGE SCHEMATIC
NOT TO SCALE

FOR APPROVAL ONLY
NOT TO BE USED FOR CONSTRUCTION

Rev.	Drawing Issue	Drn	Ckd	Date
A	ISSUED FOR APPROVAL	MB	JL	27.05.24

LINNEY ENGINEERING SERVICES
WINERY PLANNING & DESIGN
P. (08) 8311 4462
inquiries@linneyengineering.com.au
ABN 17 659 851 886

Client:
PERNOD RICARD WINEMAKERS
ROWLAND FLAT WINERY
BAROSSA VALLEY WAY
ROWLAND FLAT, SA 5352

Project: PROJECT ULTIMATE

Title: CELLAR 13
STORMWATER AND SPILL MANAGEMENT
PROPOSED DRAINAGE SCHEMATIC

Designer:	Date:	Sheet Size:
J.LINNEY	MAY 2024	A1
Drawn By:	Date:	Scale:
M.BOSSY	MAY 2024	NOT TO SCALE
Drawing No:		Rev:
2328-D0011		A

Attachment D
Wastewater Treatment Capacity Review

MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977

Pernod Ricard Winemakers

Rowland Flat Winery

Barossa Valley Way
Rowland Flat, SA

Wastewater Treatment Capacity Review

FINAL REPORT

Mike Carson
JJC Operations Pty Ltd

May 2024

1. Introduction

Pernod Ricard Winemakers (PRW) propose to consolidate their winemaking operations in the Barossa Valley, vacating the Richmond Grove winery and expanding the Rowland Flat Winery. The Rowland Flat winery has historically processed between 15,000 and 20,000 tonne of mostly white grapes into finished wine and received, blended and packaged red wine from other wineries within the group. The proposed upgrade will provide capacity to process approximately 6,000 tonne of premium red grapes into wine on the Rowland Flat winery site. While the total volume of wine being packaged will not change, there will be some incremental changes to grape processing and consequentially the volume and timing of wastewater being produced at the Rowland Flat site.

JJC Engineering and Operations (JJC) have been providing design and technical advice to PRW for nearly 20 years and have extensive understanding of the current Waste Water Treatment Plant's (WWTP) process capability. In support of this change, PRW have asked JJC to:

- Review the proposed changes to the winemaking processes on site and estimate the impact on wastewater volume and load
- Assess the capacity of the existing WWTP to manage those changes, and
- Propose any changes to the WWTP required to meet the incremental volume and load

This draft report has been prepared for review with PRP personnel to ensure that the assumptions and outcomes are in line with their plans. The report will also be provided in support of an application for planning and EPA approvals.

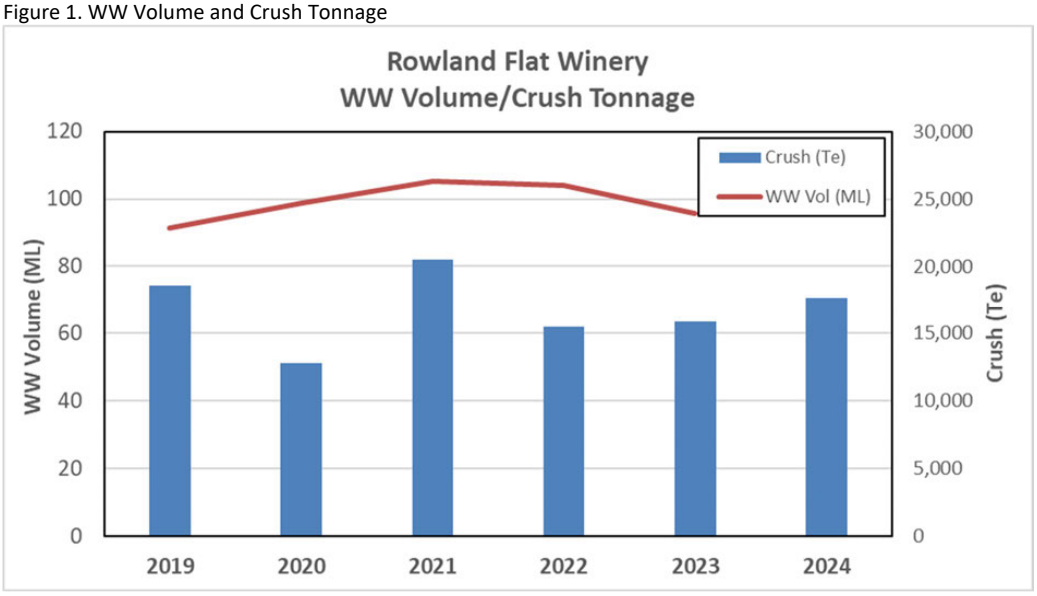
2. Wastewater Volume and Load - current

Wastewater from the site operations is collected in two drains (North and South) and flows to the Wastewater Treatment plant by gravity. Each gravity line has a flowmeter which is recorded on a daily basis. The Southern line picks up most of the vintage activity such as crushing and pressing, while the Northern line picks up the bottling plant and has a more consistent flow throughout the year.

The site also collects rainwater in the outdoor processing areas that fall within the trade waste collection system. PRP have indicated that approximately 40kL of potentially contaminated stormwater is collected in trade waste drains for every 1mm of rainfall. Roof water is collected separately into stormwater drains which flow via gravity into a swale that runs into the treaded water storage dam (known as Swan Lake).

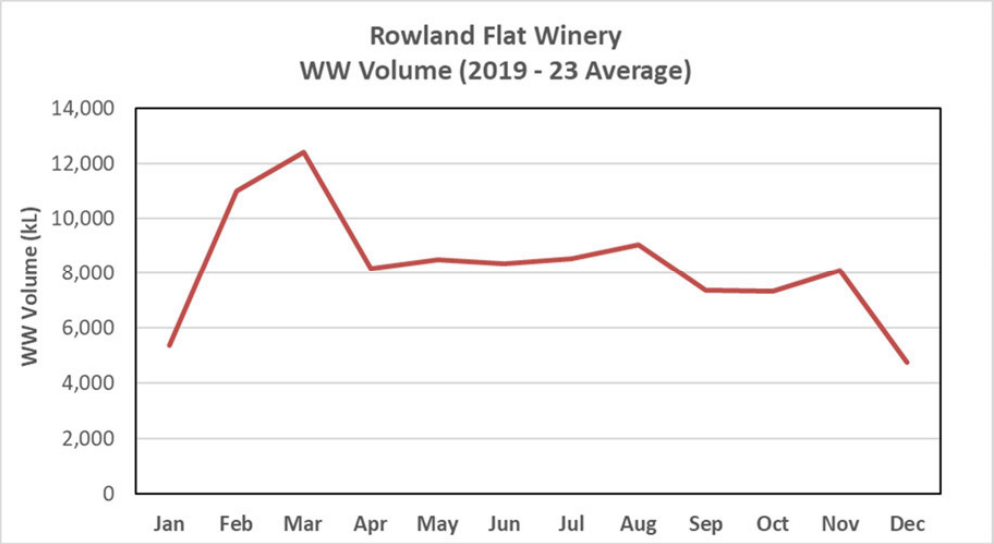
A summary of the last five years of WW volume and Crush tonnage is provided below in Figure 1.

Figure 1. WW Volume and Crush Tonnage



The wastewater volume is higher in the vintage period, typically peaking in March as shown in the average monthly trend (Figure 2.)

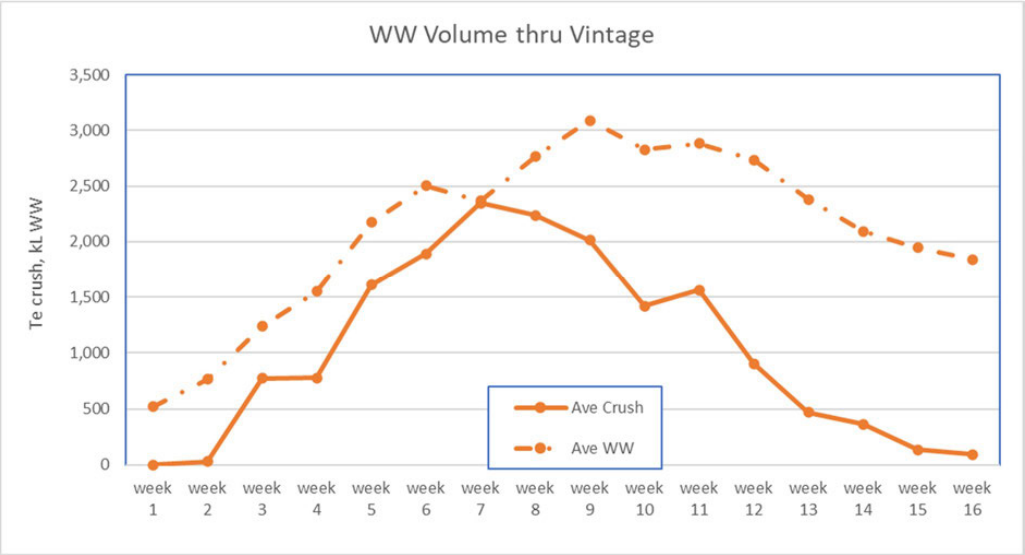
Figure 2. Average Monthly Wastewater volume



The treatment plant has been designed to cope with the current peak load using a combination of surge storage of raw wastewater and aerobic biological treatment.

The timing of wastewater volume during the vintage period is critical in determining any capacity excess or shortfall due to the potential for high flows, storm events and fixed surge and treatment capacity. The average weekly crush tonnage and WW volume over the past 5 years is shown below in Figure 3. The peak wastewater volume typically occurs approximately 2 weeks after the peak crush week as processing activities accumulate thru vintage. The current average peak flow into the WWTP is approximately 3,200kL/week and the available surge capacity is approximately 2,500kL (or 5 days average flow).

Figure 3. Average vintage flows



The organic strength of the influent wastewater is measured weekly as Chemical Oxygen Demand (COD). The average over the past 5 years is 5,827mg/L and a design figure of 6,000mg/L is typically

used. The average peak load entering the WWTP is therefore 3,200kL/week x 6,000mgCOD/L = 19,200kgCOD/week.

3. Wastewater Volume and Load – future

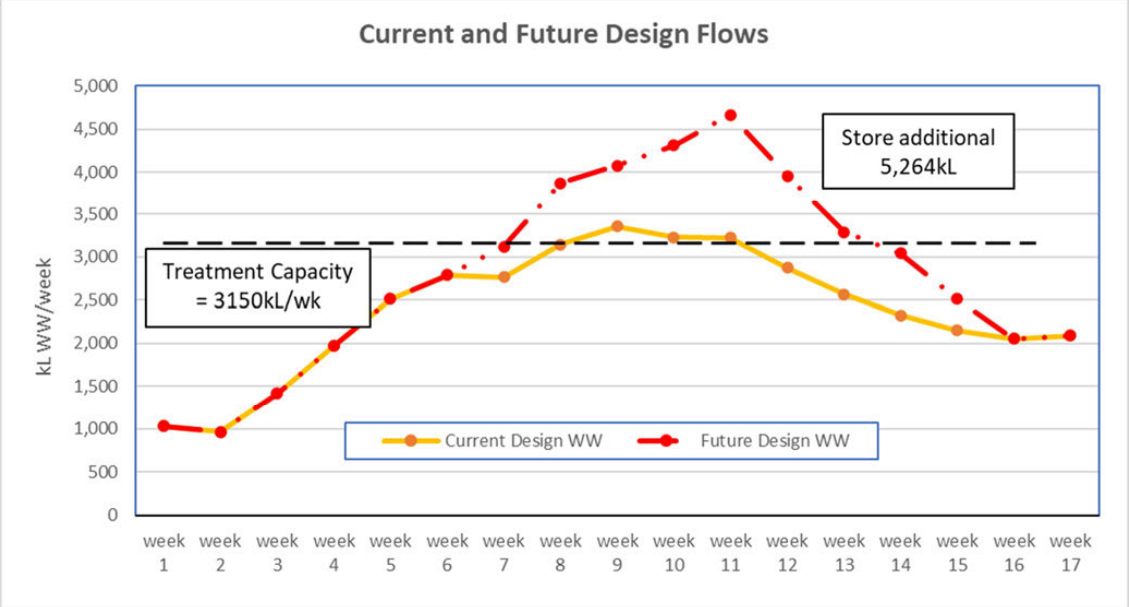
The proposed upgrade to the winery will add additional red grape processing and increase the crush capacity to approximately 25,000Te. The incremental fruit is expected to be processed mid to late vintage, so adding to capacity and waste water flows from around week 8 (mid February). The incremental processing of 6,000Te of red grapes is estimated to add 7.2ML of wastewater through the vintage period, calculated as follows:

- Industry standard of 2.0kL per year of wastewater per tonne crushed
- 60% wastewater is generated during the vintage period
- So 6,000Te x 2.0kL/Te x 60% = 7.2ML over the vintage period

The strength of wastewater from red grape processing is typically lower than whites, however, for the purposes of this analysis, we have anticipated that the load/kL is the same as current, and we can assess the capacity of the plant against volume alone.

The current treatment plant processing capacity is assumed to be 3,150kL/week based on long term analysis of actual data. The current aerated dam operates as a Sequencing Batch Reactor (SBR) and there is no scope for increasing its treatment capacity. The alternative and recommended strategy is to store additional wastewater above the SBR capacity and process after vintage when capacity is available. The quantity of additional storage is estimated to be 5,264kL. The timeline of current and future design flows are provided below in Figure 4.

Figure 4. Current and Future design flows



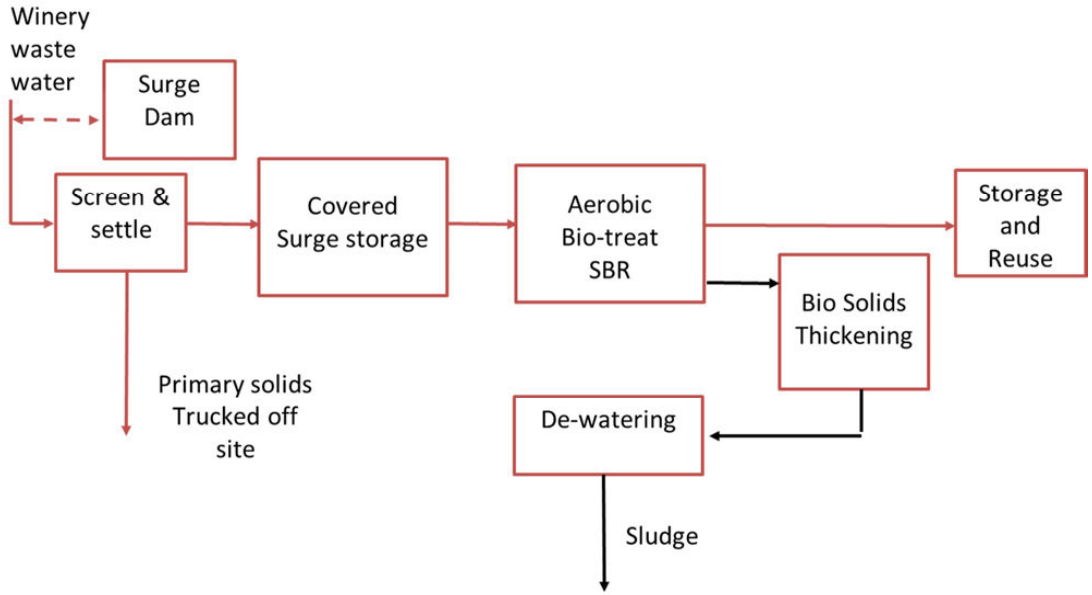
4. Waste Water Treatment Plant Changes

The WWTP consists of the following unit operations:

1. Wastewater flows via gravity from the North and South lines to the main receival sump at the WWTP
2. Wastewater is pumped through a rotary screen to remove coarse solids.
3. If the pumps can't keep up with flow, or power is lost, the receival sump overflows to a lined surge dam
4. Screened wastewater flows by gravity to a 4.5ML covered surge storage dam
5. Stored wastewater is pumped from the storage dam into an aerobic bioreactor operating as a Sequencing Batch Reactor (SBR)
6. Treated wastewater is decanted into a storage dam prior to reuse at a local golf course
7. Biosolids are thickened and dewatered onsite using a centrifuge prior to reuse

The process flow is shown below in Figure 5.

Figure 5. Rowland Flat WWTP Schematic



The current treatment plant has managed the vintage peak over the last 5 years without incident. The covered surge store has adequate capacity to accumulate wastewater when influent flows are higher than treatment throughput, or when breakdowns of key equipment occurs. There are currently 10 surface aerators providing 264kW of aeration in the 5ML SBR dam, and there is no scope for additional aeration. The SBR has spare treatment capacity after the vintage peak, so storing additional wastewater in a secure, covered and bunded area is a viable alternative. For the future design case, conservative modelling calculates 5.3ML of additional storage may be required. PRW propose to convert 6 x 1.4ML (8.4ML in total) wine tanks that are no longer required for wine production into wastewater storage. This should provide more than enough storage to meet the proposal needs.

In addition to surge storage, PRW intend to increase the efficiency of biosolids dewatering by adding an additional sludge thickening tank.

PRW will be more reliant on the WWTP running at full capacity for longer periods of time throughout the vintage period, and a review of spare critical equipment such as aerators, actuated decant valves, DO probes, level transmitters etc. should be undertaken.

The additional 7.2ML of treated water will be reused by the Royal Pines Golf Course under the current arrangements.

Attachment E
Vehicle Circulation Plan

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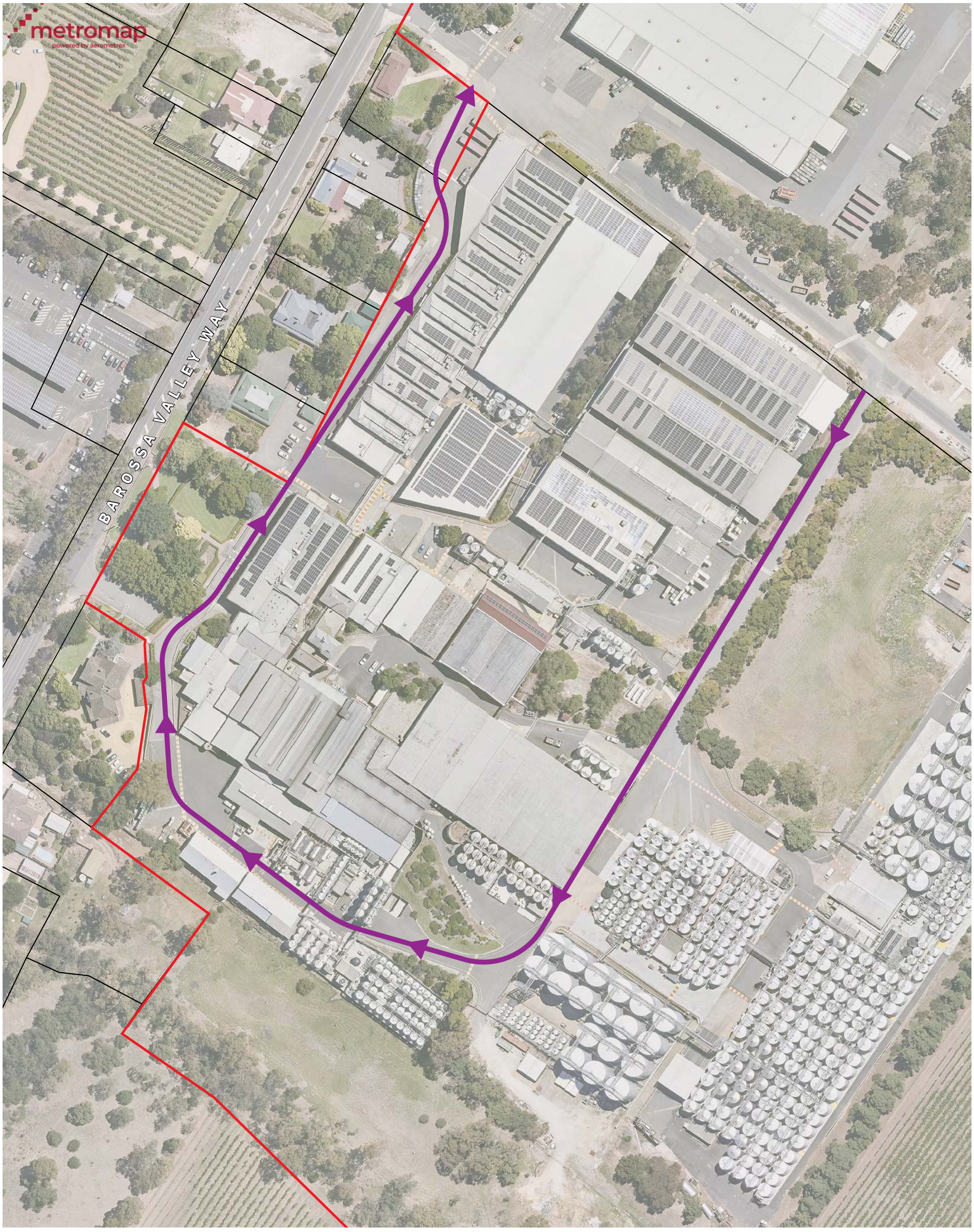

Subject Site

Vehicle Movement Path

VEHICLE CIRCULATION PLAN

1916 Barossa Valley Way
ROWLAND FLAT

for Pernod Ricard Winemakers

1:1500 @ A3
0 30

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6 August 2024

The Barossa Council
Via: PlanSA Portal

Attention: Jake Boswell

Dear Jake

Re: Development Application 24016872 at 1916 and 1956 Barossa Valley Way, Rowland Flat

MasterPlan has been engaged by Pernod Ricard Winemakers Pty Ltd to assist in responding to queries relating to Development Application 24016872 at 1916 and 1956 Barossa Valley Way, Rowland Flat for alterations and additions to a winery.

Specifically, this letter details the development's proposed management of odour, water quality and noise.

These matters are responded to under the subheadings **below.**

Odour

It is noted that the EPA has requested that potential odour sources from the current and proposed operations are identified. The primary area of the site that generates odour is the wastewater treatment plant (WWTP), both through its ongoing operation and particularly at times of maintenance and desludging. Odour from the WWTP is managed in accordance with an Environmental Plan that is required to maintain EPA License No. 1966.

The Environmental Plan details a range of measures that are utilised to manage, mitigate and monitor odour from the WWTP, including field assessments, reporting methods, preparation for adverse weather conditions, minimisation of organic loads and minimisation of the use of the Surge Dam.

The use of the Surge Dam (being uncovered) is considered to be the greatest odour source. Whilst this does occur periodically, the need is generally dictated by high rainfall events, which dilutes the wastewater and reduces the concentration of sludge and therefore odour.

Odour generation from the operations of the winery (unloading, loading, crushing and storage) is considered to be low and will continue to be managed in accordance with existing practices. Storage

33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
www.masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au

tanks are airtight to prevent the escape of odour, whilst processing and crushing occur within sealed equipment.

Therefore, as the additional crush capacity of the winery will be processed in the same manner, it is considered that odour from this area of the operations will continue to be appropriately mitigated.

The wastewater generated from the additional crush capacity will increase the use of the WWTP beyond vintage and increase the generation of sludge. However, it will not increase the capacity of the WWTP and therefore is not considered likely to increase the existing odour intensity. Existing sludge management practices will continue to be employed, with sensitive receivers to be made aware cleaning is to occur. Furthermore, the increased crush capacity is unlikely to increase the frequency of use of the surge dam, which generally operates as a contingency for high rainfall or loss of power events.

The storage of the additional wastewater generated by the proposed development will occur in a series of six (6) air tight tanks located adjacent the tank farms. The nearest sensitive receiver is approximately 215 metres from this area. When capacity is available within the WWTP, stored wastewater will be slowly mixed into the 'fresh' wastewater, diluting its odour. The transfer system between the storage tanks and WWTP is fully closed to minimise the escape of odour during this process.

Therefore, while the WWTP is an existing potential odour source, existing management and maintenance measures, in conjunction with the manner in which the additional volumes generated are to be stored, are considered to adequately mitigate the impacts of odour to sensitive receivers.

Water Quality

Marc generated in the operations of the proposed development will be stored in a pair of bays at the southern extent of the affected area. The collection bays and adjacent apron are not bunded but are to be hardstand and graded to two (2) drains with connections via 150 mm diameter pipes to the existing South trade waste drain. This drain feeds under Barossa Valley Way to the WWTP on the western side. Therefore, any runoff generated in this area is separated from the stormwater system minimising potential contamination.

Marc will be stored within the bays except when being collected (to be daily in accordance with existing practices), when it will be removed via front end loader for placement into a truck and removal off site via a licensed contractor. The daily turnover also minimises the build up of material and potential contaminated runoff.

It is considered that the combined effect of these measures sufficiently mitigates the potential contamination of either stormwater or ground water.

Noise

An Environmental Noise Assessment has been prepared by Sonus and is enclosed. The Assessment details that with attenuation of the bag presses through the inclusion of lining within the press cabinets, the *Environment Protection (Commercial and Industrial Noise) Policy 2023* will be met for each sensitive receiver. The lining is to be either glasswool or rockwool with a thickness of at least 50 millimetres and a minimum density of 32 kilograms per cubic metre. This measure is referred to as Option A.

Additional measures are also documented that would reduce noise levels to a similar degree.

Pernod Ricard proposes to adopt the measures outlined within Option A, which are considered to sufficiently attenuate the acoustic effects of the proposed development.

For further detail, please refer to the Environmental Noise Assessment enclosed in Appendix B.

Closing

It is considered that the above sufficiently responds to and clarifies the matters raised by the Environmental Protection Authority.

The proposed development adequately manages odour through the provision of sealed wastewater storage tanks and further operational practices. Similarly, marc will be stored and managed on a sealed pad, with drainage to the existing trade waste system, mitigating potential contamination risks. Noise from the bag presses will also be attenuated in accordance with the recommendations of the enclosed assessment.

It is therefore considered that the environmental risk associated with the development are low and that Planning Consent is warranted.

If further clarification is required, please do not hesitate to contact the undersigned by phone on 8193 5600 or via email at charlied@masterplan.com.au.

Yours sincerely

Charlie Dubois
MasterPlan SA Pty Ltd

enc: **Appendix A –** Environmental Noise Assessment
cc:

Appendix A

Environmental Noise Assessment

Pernod Ricard Rowland Flat

Winery Development

Environmental Noise Assessment

S8186C2

August 2024

sonus.

Sonus Pty Ltd
17 Ruthven Ave
Adelaide SA 5000
Phone: +61 (8) 8231 2100
Email: info@sonus.com.au
www.sonus.com.au

Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

sonus.

Document Title	: Pernod Ricard Rowland Flat Environmental Noise Assessment
Client	: Linney Engineering Services
Document Reference	: S8186C2
Date	: August 2024
Author	: Simon Moore, MAAS

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Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

sonus.

1 INTRODUCTION

An environmental noise assessment has been made of the proposed changes to the existing Pernod Ricard Winery in Rowland Flat.

The proposed changes include the demolition of the existing building known as "Cellar 13", and the installation of new bag presses, crusher/destemmer units, air compressors, and mobile pumps. The proposed site plan is provided in Appendix A.

The assessment considers noise levels at nearby sensitive receivers from activity at the site, including the machinery detailed above. As can be seen in Figure 1, the closest sensitive receiver to the site is located adjacent to the south western boundary of the site. Additional sensitive receivers are located at greater setback distances to the south west, and to the northwest on the opposite side of Barossa Valley Way.

The assessment has been based on:

- *Linney Engineering Services* drawings for project "PROJECT ULTIMATE":
    - 2338-D0001, "EXISTING SITE PROPOSED DEMOLITION LOCATION PLAN" Revision A, dated 22 February 2024.
    - 2328-D0004, "PROPOSED GENERAL ARRANGEMENT PLAN", Revision B, dated 29 May 2024.
    - 2328-D0004, "PROPOSED SECTIONS AND ELEVATIONS", Revision B, dated 29 May 2024.
- Site inspections and noise testing of equipment performed on 9 and 29 May 2024.
- Previous noise measurements and sound power data obtained from similar sites for the truck and forklift activity.

Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

sonus.

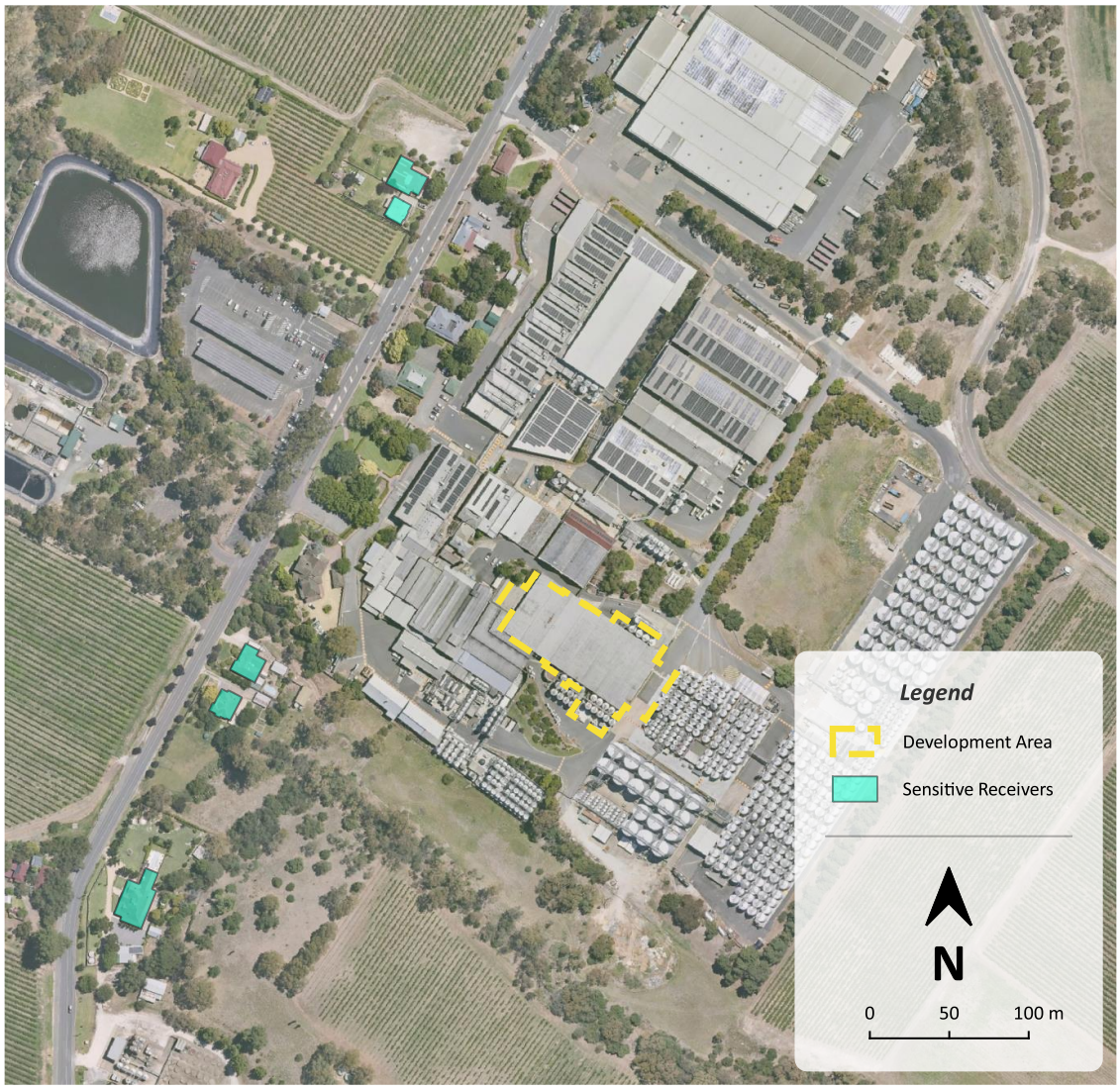

Figure 1: The site and surrounding sensitive receivers

2 CRITERIA

2.1 Planning and Design Code

The development is located within The Barossa Council local government area and is subject to the provisions of the South Australian *Planning and Design Code* (the **Code**) under the *Planning, Development and Infrastructure Act 2016*.

In accordance with the Code, the development and all nearby sensitive receivers are located in the *Rural Zone*. The Code has been reviewed and the provisions considered relevant to the assessment are included in Appendix B.

Performance Outcome (**PO**) 4.1 of the *Interface between Land Uses* module under the *General Development Policies* of the Code specifically requires that noise from a development *does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers*). The Deemed-to-Satisfy / Designated Performance Feature (**DTS/DPF**) for PO 4.1 references the *Environment Protection (Commercial and Industrial Noise) Policy 2023* (the **Policy**).

2.2 Environment Protection (Commercial and Industrial Noise) Policy 2023

The Policy provides objective noise criteria to assess the environmental noise emissions from a proposed development. The noise criteria provided by the Policy are based on the *World Health Organisation Guidelines for Community Noise (1999)* (the **WHO Guidelines**), which provide recommendations for appropriate noise levels to prevent community annoyance, sleep disturbance and adverse impact on the amenity of a locality. Therefore, compliance with the Policy is considered to satisfy the WHO Guidelines and the subjective requirements of the Code relating to environmental noise.

The Policy establishes indicative noise levels to be achieved at sensitive receivers based on the zones in which the noise source (the development) and sensitive receivers (the residences) are located. For new developments, Part 5 of the Policy provides goal noise levels which are 5 dB(A) more onerous than those which would otherwise apply when assessed at existing noise sensitive receivers.

Based on the above, the Policy provides the following indicative noise levels to be achieved at sensitive receivers:

- An average noise level (L_{eq}) of 52 dB(A) during the day (7:00am to 10:00pm).
- An average noise level (L_{eq}) of 45 dB(A) during the night (10:00pm to 7:00am)

As the facility is expected to operate 24 hours per day, particularly during the vintage period, with the same levels of activity possible at any time of day or night, it is the night time criterion which is most critical to the assessment.

When predicting noise levels for comparison with the Policy, adjustments may be made to the average noise levels for each "annoying" characteristic of tonality, impulsiveness, intermittency, low frequency, and modulation of the noise source. The characteristic must be dominant in the acoustic environment and therefore the application of penalties can vary depending on the assessment location, time of say, the noise source being assessed, and the predicted noise level. The application of penalties is discussed further in the Assessment section.

3 ASSESSMENT

3.1 Noise Sources

The noise levels at sensitive receivers from activity at the site have been predicted based on measurements performed at the existing site and Richmond Grove on 9 and 29 May 2024. The measurements included:

- Process floor equipment including a centrifuge, air compressors and a dryer.
- Pneumatic bag presses.

For other noise sources, the predictions have been based on a range of previous noise measurements and observations of typical activity at similar facilities, including:

- Truck movements and idling components.
- Gas powered forklifts.

The sound power levels for all activities and equipment used in the assessment are provided in Appendix C.

3.2 Noise Model

Predictions of noise at nearby sensitive receivers have been made using *SoundPLANnoise* noise modelling software and the CONCAWE noise propagation model. The noise model considers the following influences:

- Sound power levels and locations of noise sources (including heights).
- Separation distances between noise sources and sensitive receivers.
- Influence of the ground.
- Air absorption.
- Meteorological conditions.

Meteorological conditions for noise propagation can be described using the CONCAWE noise propagation model and associated weather categories. The CONCAWE systems divides meteorological conditions into six separate “weather categories”, depending on wind speed, wind direction, time of day and level of cloud cover. Weather Category 6 provides “worst-case” weather conditions (i.e. highest noise level) conditions. Weather Category 4 provides “neutral” conditions for noise propagation (that is, conditions which do not account for the effects of temperature inversion or wind on propagation).

The assessment has applied CONCAWE Weather Category 6 (worst-case) meteorological conditions based on the following inputs:

- Atmospheric conditions at 10°C and 80% relative humidity.
- Wind direction from each noise source to each sensitive receiver.
- Ground types in accordance with the CONCAWE propagation model. That is "hard" ground for concrete or water, and all other surfaces (including grass) considered to be ground with finite acoustic impedance (or "soft" ground).

3.3 Operational Assumptions

The predictions of noise at sensitive receivers have been based on the following activity occurring within any 15-minute period during the night (10:00pm to 7:00am):

- Continuous operation of 2 x crusher/destemmers.
- 2 x bag presses at the start of their press cycles, comprising the following components:
    - Press rotates into position, including alarm operation
    - Bags inflated using fans
    - Pressure rise from compressed air
- 2 x bag presses at the end of their press cycles:
    - Rotate into position, including alarm operation
    - Compressed air release
    - Fans deflate bag
- 1 x bag press in the middle of its press cycle:
    - Compressed air pulsing into the bag
- 2 x bag presses being filled up by pumps near the crusher/destemmer units.
- A single delivery by a semi-trailer truck entering the site and travelling along the new internal route to the new receival area, and idling for the remainder of the assessment while being unloaded.
- Continuous operation of a forklift unloading trucks on the receival area apron
- Continuous operation of the air compressor within its enclosure
- Continuous activity within the processing building.
- Continuous operation of a forklift on the hardstand between the process building and tank farm.
- Continuous operation of 3 x mobile transfer pumps

3.4 Noise Mitigation Options

Based on the noise model, without incorporating specific noise mitigation measures to the site, the noise goal under the Policy is predicted to be exceeded at some sensitive receivers.

The most noise-affected sensitive receivers are those to the southwest of the development and the predicted noise levels are controlled by the noise emissions from the bag presses. Therefore, the noise mitigation options primarily aim to reduce the noise emissions from these items of equipment.

The predicted noise levels at sensitive receivers to the northwest are lower (achieving the noise criterion without the need to incorporate acoustic treatments) and are controlled by the noise from trucks as they enter or depart the site.

It is recommended that Option A be undertaken as the primary noise mitigation option, with the remaining options available to further reduce noise emissions if necessary (i.e. if Option A provides less than a 7 dB(A) noise reduction).

Recommended Noise Mitigation Measure

3.4.1 Option A: Lining the Press Equipment with Acoustic Absorption Material

Option A is to install acoustic absorption material on the inside of the press equipment cabinets, particularly the compressor and vacuum pump units. A suitable material is likely to be glasswool or rockwool insulation that is at least 50mm thick and with a minimum density of 32 kg/m^3.

In order for this option to be successful and achieve the noise criterion at sensitive receivers, it will be necessary to reduce the total noise level of each bag press such that the sound power level is no higher than 90 dB(A) each.

Additional Noise Mitigation Options (to be considered if necessary)

3.4.2 Option B: Removal and Remote Operation of Noise Press Components

Should Option A not provide a sufficient noise reduction to the bag presses, Option B would be to relocate the major noise sources of the bag presses (the compressor and vacuum pump units) away from the presses themselves such that the major noise sources no longer have line of sight to any nearby sensitive receivers. It is likely that the major noise sources will also need to be housed within an acoustic enclosure.

In order for this option to be successful and achieve the noise criterion at sensitive receiver, it will be necessary for the equipment remaining in the planned locations (i.e. the bag presses themselves) to have sound power levels no greater than 90 dB(A) each. This is also dependent on the relocated equipment being installed in an acoustic enclosure such that it is not a dominant noise source at the sensitive receivers.

3.4.3 Option C: Acoustic Fence at Elevated Press Level

Option C is to construct an acoustic wall around the bag presses at their elevated operating level. The fence should enclose the south and southwest sides of the presses, shielding them from the sensitive receivers to the southwest. The fence should be constructed from a solid material such as 0.35mm BMT sheet steel (*Colorbond* or similar) and sealed airtight at all junctions. Acoustic absorption may be required on the equipment side of the screens to minimise reflections.

The treatment locations are shown in **RED** in Figure 2 and Figure 3.

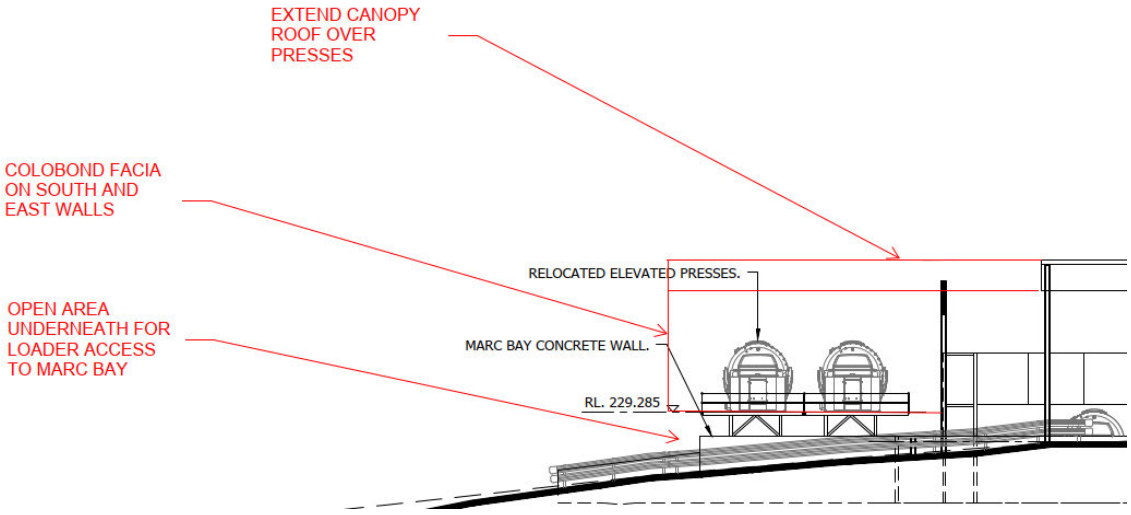

Figure 2: Option C treatment locations - side view.

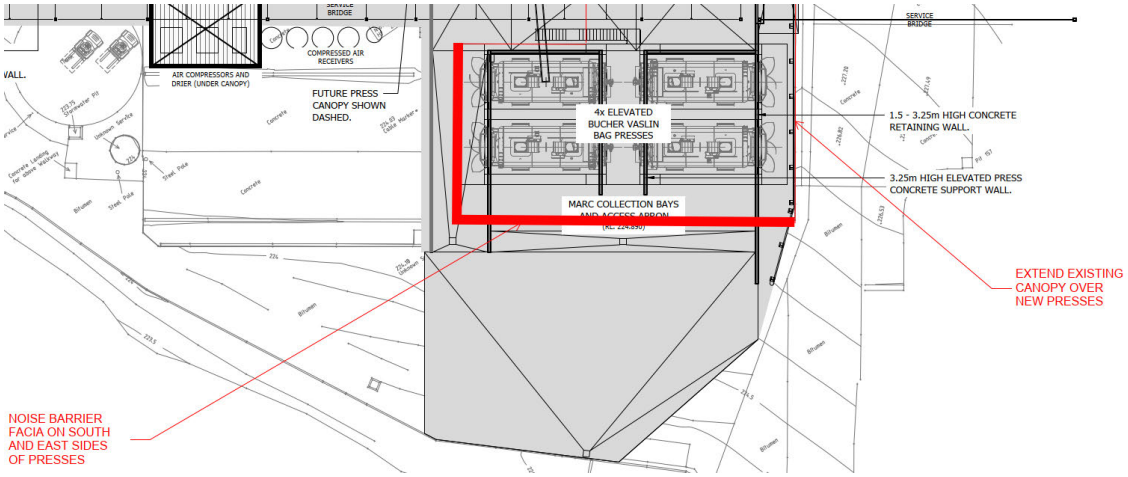

Figure 3: Option C treatment locations - plan view.

3.4.4 Option D: Acoustic Fence at Ground Level

Option D is to construct an acoustic barrier at the edge of the existing road way, adjacent to the existing garden bed. The barrier should be constructed from a solid material such as (0.35mm BMT sheet steel (*Colorbond* or similar) and sealed airtight at all functions, including at the ground. The location where the barrier should be installed is shown in **RED** in Figure 4.

The height required and exact extent required will need to be determined depending on the outcome of incorporating options A through C.

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Environmental Noise Assessment
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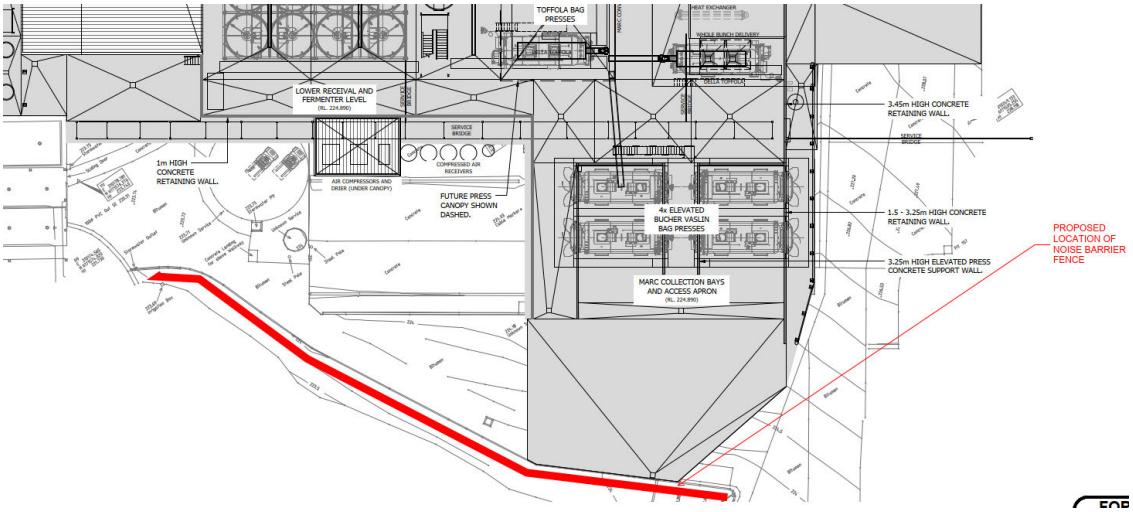

Figure 4: Option D barrier installation location.

3.5 Predicted Noise Levels

Based on the model, and subject to the recommended acoustic treatment option providing at least a 7 dB(A) noise reduction, the highest noise level predicted at sensitive receivers is 40 dB(A). If further noise mitigation is required, i.e., if Option A does not result in a sufficient noise reduction, then the other treatment options are available to further reduce noise emissions. It is noted that the other treatment options are able to provide at least a 7 dB(A) noise reduction and as such can be relied upon for the worst case outcome of Option A providing no noise reduction at all (which is highly unlikely).

Based on observations made during the noise testing performed on the existing equipment, it is believed that at times (when the alarms on the presses operate) there is potential for a tonality penalty to be warranted. It is unlikely that the alarms will be dominant at the sensitive receivers, particularly given the varied activity occurring at the site. However, as the receivers to the southwest are the most likely to be affected by the noise from the alarms, a penalty for tonal character has conservatively been added to the predicted noise levels at the receivers to the southwest.

There is also potential for modulation from activity at the site to be audible at sensitive receivers. However, as the peak activity at the site will occur during the vintage period where a large number of trucks on Barossa Valley Way (and all sensitive receivers in the locality are close to the road) will be present, any modulating character from the site will be indiscernible from the rise and fall of noise from heavy vehicle traffic on the road and therefore any modulating characteristics from activity at the site will not be dominant.

As the facility will operate during the night time hours of the Policy (10:00pm to 7:00am), a penalty for intermittent character can also be applied. However, due to the diverse nature of activities being undertaken and varied equipment proposed to be operated it is unlikely that the objective requirements to apply a penalty for intermittency will be satisfied.

On this basis, it is considered that only a tonality penalty is warranted, and that penalty is only warranted at the sensitive receivers to the southwest of the site.

Therefore, when adjusted in accordance with the Policy, the highest noise level at any sensitive receiver in the locality becomes 45 dB(A) which satisfies the noise criterion determined in accordance with Policy.

Where the Policy is satisfied, it is considered that all relevant Performance Outcomes of the *Planning and Design Code* related to environmental noise will also be satisfied.

4 CONCLUSION

An environmental noise assessment has been made of the proposed changes to the existing Pernod Ricard Winery in Rowland Flat.

The assessment considers noise levels at nearby sensitive receivers from activity at the site, including the installation of new bag presses, crusher/destemmer units, air compressors, and mobile pumps.

Subject to providing a 7 dB(A) noise reduction for the bag presses, either by the recommended acoustic treatment option or the alternative option(s), the predicted noise levels at sensitive receivers will achieve the requirements of the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

Based on the assessment, the facility will *not unreasonably impact the amenity of sensitive receivers*, thereby achieving the relevant provisions of the *Planning and Design Code* related to environmental noise.

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Environmental Noise Assessment
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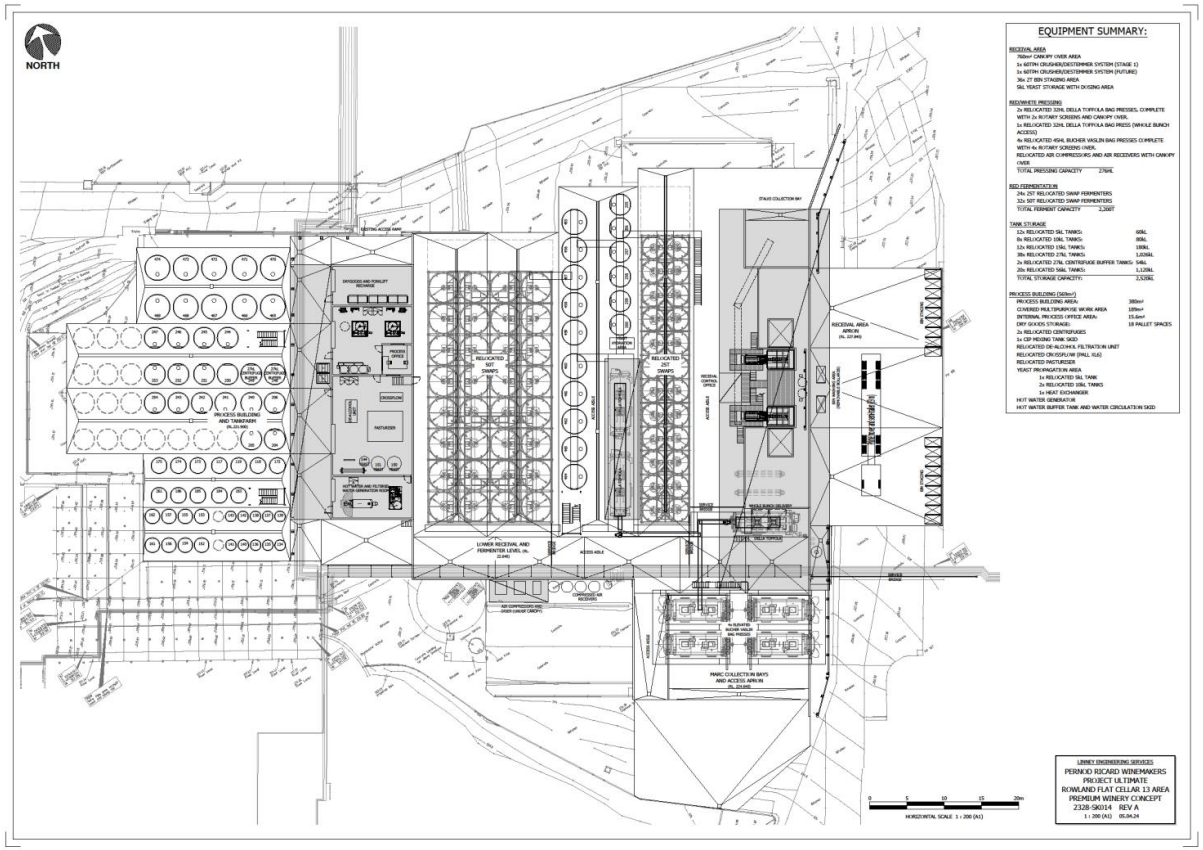
APPENDIX A: SITE PLAN



APPENDIX B: PLANNING AND DESIGN CODE – RELEVANT PROVISIONS

Part 4 – General Development Policies – Interface between Land Uses

	Desired Outcome
D01	*Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.*

Performance Outcome	***Deemed-to-Satisfy Criteria / Designated Performance Feature***
General Land Use Compatibility	
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.*
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 (Commercial and Industrial 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.*

APPENDIX C: SOUND POWER DATA

Equipment / Activity	Sound Power Level [dB(A)]
Bag press – Start of cycle(1)	97
Bag press – Middle of cycle(1)	92
Bag press – End of cycle(1)	97
Crusher / Destemmer	85
Forklift	93
Truck	100
Processing facility (internal sound pressure level)	82
Air compressor (internal sound pressure level)	102
Transfer pumps	85

Note (1) – Unmitigated bag press noise levels

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05 August 2024

Niall Stephen
Environmental Protection Agency

Via: PlanSA Portal

Our Ref: 53765LET02

Dear Niall

Request for Further Information – Development Application 24016872 at 1916 and 1956 Barossa Valley Way, Rowland Flat

MasterPlan has been engaged by Pernod Ricard Winemakers Pty Ltd to respond to the further information request letter from the Environment Protection Authority (EPA) received via the PlanSA Portal dated 11 July 2024 in relation to Development Application 24016872 at 1916 and 1956 Barossa Valley Way, Rowland Flat for alterations and additions to a winery.

The letter requested four (4) additional points of information or clarification, relating to odour, water quality and noise.

These matters are responded to under the subheadings below.

Odour

It is noted that the EPA has requested that potential odour sources from the current and proposed operations are identified. The primary area of the site that generates odour is the wastewater treatment plant (WWTP), both through its ongoing operation and particularly at times of maintenance and desludging. Odour from the WWTP is managed in accordance with the enclosed Environmental Plan (refer **Appendix A**) that is required to maintain EPA License No. 1966.

The Environmental Plan details a range of measures that are utilised to manage, mitigate and monitor odour from the WWTP, including field assessments, reporting methods, preparation for adverse weather conditions, minimisation of organic loads and minimisation of the use of the Surge Dam.

The use of the Surge Dam (being uncovered) is considered to be the greatest odour source. Whilst this does occur periodically, the need is generally dictated by high rainfall events, which dilute the wastewater and reduces the concentration of sludge and therefore odour.

33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
www.masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au

Odour generation from the operations of the winery (unloading, loading, crushing and storage) is considered to be low and will continue to be managed in accordance with existing practices. Storage tanks are airtight to prevent the escape of odour, whilst processing and crushing occur within sealed equipment.

Therefore, as the additional crush capacity of the winery will be processed in the same manner, it is considered that odour from this area of the operations will continue to be appropriately mitigated.

The wastewater generated from the additional crush capacity will increase the use of the WWTP beyond vintage and increase the generation of sludge. However, it will not increase the capacity of the WWTP and therefore is not considered likely to increase the existing odour intensity. Existing sludge management practices will continue to be employed, with sensitive receivers to be made aware cleaning is to occur. Furthermore, the increased crush capacity is unlikely to increase the frequency of use of the surge dam, which generally operates as a contingency for high rainfall or loss of power events.

The storage of the additional wastewater generated by the proposed development will occur in a series of six (6) air-tight tanks located adjacent the tank farms. The nearest sensitive receiver is approximately 215 metres from this area. When capacity is available within the WWTP, stored wastewater will be slowly mixed into the 'fresh' wastewater, diluting its odour. The transfer system between the storage tanks and WWTP is fully closed to minimise the escape of odour during this process.

Therefore, while the WWTP is an existing potential odour source, existing management and maintenance measures, in conjunction with the manner in which the additional volumes generated are to be stored, are considered to adequately mitigate the impacts of odour to sensitive receivers.

Water Quality

Marc generated in the operations of the proposed development will be stored in a pair of bays at the southern extent of the affected area. The collection bays and adjacent apron are not bunded but are to be hardstand and graded to two (2) drains with connections via 150-millimetre diameter pipes to the existing south trade-waste drain. This drain feeds under Barossa Valley Way to the WWTP on the western side. Therefore, any runoff generated in this area is separated from the stormwater system minimising potential contamination.

Marc will be stored within the bays except when being collected (to be daily in accordance with existing practices) when it will be removed via front-end loader for placement into a truck and removal off-site via a licensed contractor. The daily turnover also minimises the build up of material and potential contaminated runoff.

It is considered that the combined effect of these measures sufficiently mitigates the potential contamination of either stormwater or ground water.

Noise

An Environmental Noise Assessment has been prepared by Sonus and is **enclosed**. The Assessment details that with attenuation of the bag presses through the inclusion of lining within the press cabinets, the *Environment Protection (Commercial and Industrial Noise) Policy 2023* will be met for each sensitive receiver. The lining is to be either glasswool or rockwool with a thickness of at least 50 millimetres and a minimum density of 32 kilograms per cubic metre. This measure is referred to as Option A.

Additional measures are also documented that would reduce noise levels to a similar degree.

Pernod Ricard proposes to adopt the measures outlined within Option A, which are considered to sufficiently attenuate the acoustic effects of the proposed development.

For further detail, please refer to the Environmental Noise Assessment enclosed in **Appendix B**.

Closing

It is considered that the above sufficiently responds to and clarifies the matters raised by the Environmental Protection Authority.

The proposed development adequately manages odour through the provision of sealed wastewater storage tanks and further operational practices. Similarly, marc will be stored and managed on a sealed pad, with drainage to the existing trade waste system, mitigating potential contamination risks. Noise from the bag presses will also be attenuated in accordance with the recommendations of the **enclosed** assessment.

It is therefore considered that the environmental risk associated with the development are low and that Planning Consent is warranted.

If further clarification is required, please do not hesitate to contact the undersigned by phone on 8193 5600 or via email at charlied@masterplan.com.au.

Yours sincerely

Charlie Dubois
MasterPlan SA Pty Ltd

enc: **Appendix A** – Environmental Plan
Appendix B – Environmental Noise Assessment

Appendix A
Environmental Plan

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Pernod Ricard Winemakers

Rowland Flat Environmental Plan

Licence EPA No: 1966

Revision Date:	17 May 2018
Licensee	Pernod Ricard Winemakers Pty Ltd
Licensed Activities	3(2)(c) Sewage Treatment Works or Septic Tank Effluent Disposal Schemes 6(11) Wineries or Distilleries
Sites	Barossa Valley Highway, Rowland Flat List of Titles: 5352CT 5157/647, CT 5455/652, CT 5467/868, CT 5467/869, CT 5467/932, CT 5467/934, CT 5913/337, CT 5913/339, CT 5927/736, CT 5939/330, CT 5944/257, CT 5977/574, CT 59575, CT 6129/674

Revision History	
November, 2020	Version 10 - Document Reviewed. Odour and Noise Management expanded. Contents page added
May, 2018	Version 9 - Complete review of plan, detailed description of wastewater treatment plant included, added additional table of information on front cover
June 21, 2016	Version 7 - Document reviewed by Environment Manager, minor changes made to reflect changes in company systems.
Feb 1, 2016	Version 6 - Document reviewer changed to reflect change in personnel
June 26 2012	Version 5 - Changes made to properties of document to ensure contents are visible to all.
August 26, 2009	Uploaded to Thirst Online Controlled Document Library (new company system to manage and control documents)

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Pernod Ricard Winemakers

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Pernod Ricard Winemakers

1. Purpose

The Rowland Flat Environmental Plan is one of two site specific plans that are a sub-component of the Pernod Ricard Winemakers AU Environmental Management Plan.

A key component of this plan is the environmental sampling and monitoring required to ensure compliance with EPA licence conditions and to ensure that the onsite activities, in particular irrigation with treated wastewater, does not have a negative impact on the receiving environment; air, soil or groundwater.

The program also promotes continuous improvement in environmental performance.

2. Scope

This Plan includes the following key components:

- Detailed description of the wastewater treatment plant operation and contingencies
- Wastewater irrigation reuse details
- The Monitoring Plan required to adequately monitor the potential for environmental impact as a result of wastewater
- The Odour Management Plan
- The Noise Management Plan
- Review and Reporting

3. Responsibilities

Barossa Environs Manager

- To manage the operation of the wastewater treatment plant
- To manage and record the disposal of solid and semi-solid by-products or wastes derived from the winemaking process, including the collection and disposal of sludge collected during the treatment of the wastewater
- To monitor the level of impact to the soil and groundwater due to treated wastewater irrigation onto land
- To monitor the level of impact of the soakage trenches on groundwater

Wastewater Technicians

- To check and record influent and wastewater volumes and record the volume of treated wastewater discharged from the plant
- To collect samples as per EPA and internal monitoring requirements

Sustainability Manager

- To ensure that the wastewater monitoring program results are reported to the South Australian EPA on an annual basis

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4. External References

- Licence EPA No:1966
- EPA Guidelines for Wineries & Distilleries (April 2017)

5. Related Documents

- AU Environmental Management Plan
- Rowland Flat EMS Emergency Contingency Plan
- PRW Australia Environmental Risk Assessment
- AU Operations Food Safety Plan
- RF Wine Processing Flowchart

6. Winery Production; Process Description

The processes being undertaken in the winery, including inputs and outputs are outlined in the RF Wine Processing Flowchart.

The products produced on this site are described in the AU Quality & Food Safety Register. They include still and sparkling wine & ready to drink (RTD) spirit mixers.

Inputs to the wastewater treatment plant include incidental losses from production of the above products in addition to cleaning chemicals such as caustic soda (Sodium Hydroxide) and citric acid. Other chemicals used in the winemaking process, which may be present in wastewater, include sulphur dioxide, copper and protein based fining agents such as gelatine and egg white.

The winery and packaging operational areas optimise processes to reduce the amount of product, chemical and additive ingress into the wastewater system.

7. Wastewater Treatment Plant; Process Description

The Wastewater Treatment plant is located within 50 metres of the North Para River. The Treatment Plant is bunded to prevent a spill directly to the River.

Winery wastewater is treated to produce water that can be reused for irrigation. Attachment 4 - Wastewater Treatment Plant Process Map shows this schematically. The individual treatment processes include:

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Stormwater Management

- Stormwater from roof run off and from a small section of road run off has limited risk of contamination and therefore does not require special treatment. It is directed straight to Swan Lake
- The stormwater that runs off from other hard surfaces such as roads and sealed areas of the production site is directed to the wastewater treatment plant via a series of underground drains.

Receival Sump/Screen

- Wastewater enters the wastewater receival sump from 2 distinct parts of the winery; via the North and South lines to a Receival Sump.
- Wastewater is then pumped via submersible pumps to a Screen Filter (Contrashear) for solids removal. The Screen Filter discharges its solids into a stainless-steel bin.

Receival Sump Overflow Triggers

- pH and EC monitoring probes are located within the receival sump. If the set levels on the probes are reached this will trigger the diversion of wastewater to the Surge Dam instead of to its intended destination; to the Feed Dam via the Transfer Pipe. This allows the water diverted to the Surge Dam to be tested and treated prior to being returned to the treatment plant.
- In extreme situations, if the wastewater is highly contaminated or hazardous, it could be trucked off site for specialist treatment, such as management as hazardous waste.
- pH Set Point < 5 pH and > 9 pH
- EC Set Point > 1 dS/cm
- Depth/Flow Fixed pipe at top of Receival Sump that gravity feeds to Surge Dam

Surge Dam

- The Surge Dam is a contingency measure and its use is discussed in more detail in the Rowland Flat EMS Emergency Contingency Plan.
- When it has been deemed appropriate to commence emptying the Surge Dam a float level on the Surge Dam sump (one in each bay) will govern the volume pumped back to the Receival Sump.

Transfer Pipe

- The wastewater flows into a mixing tank with agitator underneath the Screen Filter and from there is fed via a pipe with a covered sump at each end to the Feed Dam.
- The pipe and sumps were installed in 2021 to bypass the Settling Pits that no longer form an active component on the wastewater treatment plant, although the pits remain on site for contingency purposes.

Feed Dam

- The Feed Dam is a gas sealed, covered dam, to limit the incidence of odour. It operates as a surge dam that allows for storage of water so that the aeration dam can be fed at a controlled rate and is not impacted by the fluctuating volumes delivered from the winery.
- Wastewater is fed from the Feed Dam into the Sequence Batch Reactor (SBR) via submersible pumps according to the set points of the SBR.

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Sequenced Batch Reactor (SBR)

- The SBR is an aeration dam with cycle length controlled by dissolved oxygen levels.
- When the required DO is reached, the aerators shut down and allow any solids to settle prior to opening of decant valves to remove treated wastewater. The volume of water decanted to the Decant Dam is then replaced with untreated wastewater from the Feed Dam.
- Treated wastewater is decanted via gravity into the Decant Dam. Typically, a volume of 150 - 350kL of treated wastewater is decanted, approximately every 12 hours.

Dewatering Sludge from SBR

- Sludge that has settled in the SBR is pumped to the Sludge Tank.
- The sludge is dosed with a polymer/water solution to aid the separation of solids from the liquid and is then pumped to the decanter.
- The liquid recovered from the decanter is pumped back to the SBR. The sludge (biosolids) is collected in a storage bin which is composted at a licensed facility.
- The quantity of biosolids produced from the wastewater treatment process is recorded and reported to the EPA on an annual basis. Samples of the dry wastewater sludge are taken and analysed as described in Attachment 1 – EPA Monitoring Requirements.

Decant Dam

- The Decant Dam is an interim storage dam for treated wastewater, which allows for water quality checks if warranted prior to final mixing with water in Swan Lake.
- The treated wastewater is pumped to Swan Lake according to pre-set levels in the Decant Dam. Treated wastewater is re-used for all cleaning purposes inside the plant.

Swan Lake

- Swan Lake is a storage dam for both treated wastewater and stormwater.
- The contents of this dam are transferred for final irrigation reuse via other pumps, rising mains and tanks.

Tank 5

- This tank is a buffer tank that receives treated wastewater from Swan Lake or the Decant Dam. The purpose of the buffer tank is to assist with efficiency of the Poly Tank pumping system.

Poly Tank

- The Poly Tank is fitted with the pumping system to transport treated wastewater.

Irrigation Reuse

- It is preferred that treated wastewater is sent to the Tanunda Pines Golf Club, but due to storage limitations they take most of their wastewater in the warmer months.
- They receive 60-100 megalitres per year depending on the year.
- In the winter months when the golf course is not being irrigated the treated wastewater is pumped to the vineyard dam

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Flow Meters

- Several flow meters are used within the wastewater treatment plant. All flow meters are calibrated on a yearly basis.

8. Wastewater Treatment Plant; Contingency Plan

Emergency situations such as fire, medical and chemical spills are managed in accordance with the site's Emergency Response Plan.

In addition, there are emergency situations that can affect just the operation of the wastewater treatment plant and these are documented in the Rowland Flat EMS Emergency Contingency Plan.

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9. Wastewater Irrigation Reuse

9.1. Tanunda Pines Golf Course

Treated wastewater is pumped through a purpose-built pipeline from the Rowland Flat Wastewater Treatment Plant to the Tanunda Pines Golf Course dam.

The transfer of treated wastewater is triggered by float level devices installed in the Tanunda Pines Golf Course dam which communicate with the RF Wastewater Treatment Plant irrigation program.

Flow meters are installed at each end of the pipeline which can identify differential flows. They are programmed to turn off if variations to set points occur. An email alarm will also be activated if this occurs.

The bulk of the irrigation occurs in the period September – April, rainfall dependant.

9.2. Woodlot/Vineyard Dam

Treated wastewater is pumped through a purpose-built pipeline from the Rowland Flat wastewater treatment plant to the woodlot dam. This occurs when the Tanunda Pines Golf Course does not require our treated wastewater and Swan Lake levels increase above rainfall contingency level.

Wastewater Technicians consult with Vineyard Management to establish the amount of treated wastewater to be transferred. The volume transferred is recorded daily.

Flow meters are installed at each end of the pipeline which can identify differential flows. They are programmed to turn off if variations to set points occur. An email alarm will also be activated if this occurs.

Wastewater pumped to the dam in winter months is partly used for vineyard irrigation, and partly for irrigation of the Tanunda Pines Golf Course as their irrigation needs increase again the following summer. This water is then a mixture of treated wastewater and other water sources managed by the vineyard management team and governed by their water licences and water supply arrangements. Any water temporarily stored in the woodlot or vineyard dams and subsequently used by the golf course is returned back to the wastewater treatment plant and from there transferred to the golf course.

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10. Monitoring Plan

The Monitoring Plan has been developed in consultation with the EPA and in accordance with the EPA Guidelines for Wineries and Distilleries (April 2017). As per requirements of our EPA Licence 1966 (Condition 3.3), the business must implement its Environmental Management Plan, and this states that we will submit a report to the EPA on an annual basis outlining the results of the monitoring plan.

All Wastewater Technicians collecting samples as a part of this monitoring program are trained in wastewater sample collection according to the relevant procedures.

The sampling regime is summarised in:

- Attachment 1 – EPA Monitoring Program and
- Attachment 2 – Internal Monitoring Program.

The preferred testing laboratory is SA Water AWQC which is NATA accredited. Any other testing laboratory used must be registered by NATA for the analytical procedures being undertaken.

10.1. Soil Samples

Soil monitoring will occur when the treated wastewater component of vineyard irrigation is > 100mm per annum. The sampling will be conducted by Proag Soil Management with the analysis being conducted at a NATA accredited laboratory. Attachment 1 – EPA Monitoring Program lists the parameters for soil analysis.

PR Winemakers does not anticipate that soil monitoring of the Barossa Vineyards will be required as the treated wastewater component of vineyard irrigation is well below 100 mm annually.

10.2. Groundwater

At the Wastewater Plant
The chemistry of the groundwater beneath the wastewater storage dams is measured every 6 months from samples taken at 3 locations. Attachment 5 shows the location of the groundwater test wells within the Rowland Flat wastewater treatment site.

An external engineering company with expertise in groundwater samples the test wells and organises for analysis to be completed. The Barossa Environs Manager is responsible for management of this process.

If the groundwater sample identifies any issues then a sample of the SBR underliner test well will be taken, and a sample will continue to be taken annually.

Attachment 1 - EPA Monitoring Program lists the parameters for groundwater analysis.

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In Vineyards
Groundwater monitoring will occur when the treated wastewater component of vineyard irrigation is > 100mm per annum. The sampling will be conducted by an external engineering company, and the groundwater analysis will be conducted at a NATA accredited laboratory.

Attachment 1 – EPA Monitoring Program lists the parameters for groundwater analysis.

Attachment 6 identifies the location of the groundwater test wells in the vineyards.

PR Winemakers does not anticipate that soil monitoring of the vineyards will be required as the treated wastewater component of vineyard irrigation is well below 100 mm annually.

Golf Course
The Golf Course operates in accordance with their own EPA licence.

10.3. Soakage Trenches

Soakage trenches are used at Rowland Flat as a part of the domestic/septic wastewater treatment process. On a half yearly basis an external engineering company, with expertise in groundwater, samples the test wells and organises for analysis to be completed. Barossa Environs Manager is responsible for management of this process.

See Attachment 7 for the groundwater test well locations at the soakage trench site.

Attachment 1 EPA Monitoring Program lists the parameters for analysis of groundwater from the soakage trenches.

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11. Noise Management Plan

11.1. Noise Assessment

Pernod Ricard Winemakers has conducted noise surveys of the operational areas to ensure that the business does not create noise levels that would disturb our neighbours.

11.2. Operational Controls

Container Loading

- Earthworks have been carried out behind the Warehouse to limit noise impacts to the East and South East.
- Preference is always given for loading containers behind Warehouse 1.
- The reversing beeper on the Mobicons is 10 dB lower than the standard beeper volume.
- Of the 2 Mobicons, one is quieter, and this is preferential for night-time activity (10:00pm - 6:00am)
- Despatch trucks are preferentially loaded during the day (6:00am – 10:00pm)
- When loading in the Finished Goods canopy area, near Barossa Valley Way, rubber maps are used under ramps

Forklifts

- Forklifts used in the Finished Goods canopy area, near Barossa Valley Way, have been fitted with 'white noise' beepers. This requires ongoing consideration as safety incidents have been triggered as a result of these beepers not being audible.

Glass Management

- Delivery trucks are preferentially scheduled during the day (6:00am – 10:00pm)
- Preference is always given for unloading glass behind the Packaging Hall
- The bottling process results in some glass wastage and transferring waste glass from small bins inside the packaging hall to the main glass waste bins can be a noise risk. The receival bin is located centrally in the winery and noise if buffered by winery building as much as possible.
- Emptying the small bins into the large glass waste bin is preferentially performed during the day (6:00am – 10:00pm).

On-site Gymnasium

- Staff are individually inducted prior to being given access to the gymnasium. The induction covers noise management expectations including leaving the gym quietly, especially at night, and that loud music is not permitted, especially at night.
- If there is a complaint the staff security passes allow the particular staff to be identified and reminded of noise limits.

Wastewater Treatment Plant

- The motors on the aeration dam blowers are mitted with noise reducing hoods.

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12. Odour Management Plan

12.1. Environmental Improvement Program and Odour Assessment

Condition 4 of the site's EPA licence requires improvements to be implemented to reduce the risk of odour. These were actioned between Nov 2020 and Apr 2021. This includes field odour intensity assessments before and after the other odour mitigation actions.

The odour assessment methodology, odour intensity scale and observation locations for a full odour assessment at the Wastewater Treatment Plant are provided in Attachment 8 – Odour Intensity Assessment, should this need to be replicated.

12.2. Operational Controls

Communications and Task Scheduling
For tasks that we know have impacted neighbours and generated complaint in the past, we will notify our neighbours before those tasks are performed. It is anticipated that only under limited circumstances this will be required into the future such as a wastewater spill due to high pH or EC into the Surge Dam. Desludging of Settling Pits would only occur under exceptional circumstances and so this odour source will be dramatically reduced.

Scheduled tasks that can have an odour impact such as removal of solids to the composting facility will be scheduled for weekdays at times of day that have shown to have the least impact on neighbours over recent years. This task will reduce in frequency as the Settling Pit desludging is no longer be part of normal Treatment Plant operations.

Odour Observations
Wastewater Technicians, the Barossa Environs Manager and members of the Sustainability Team have received training in applying field odour intensity assessments.

The field odour intensity, using the odour intensity scale in Attachment 8, will be recorded in the daily records if unusual odour is detected. For example, if odour is noticed in a location where it is not ordinarily such as in the car park, or at the winery on the South side of Barossa Valley Way.

If there is a complaint, then the field odour intensity will be recorded as part of the incident report.

Winery and Packaging Operations
Winery and Packaging operations govern the volume and quality of wastewater sent to the wastewater treatment plant, as a result of cleaning chemicals and wine loss, and their impact on the organic load, pH and EC of wastewater. High salinity and either very high or very low pH will trigger wastewater to be diverted to the Surge Dam to protect the operation of the treatment plant, especially the SBR that relies on a healthy microbial population. See Section 7, Receival Sump Overflow Triggers for the pH and EC trigger limits.

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The winery operates a caustic reuse process to limit salt and pH load on wastewater and in turn this will minimise the likelihood of a pH or EC spike that triggers wastewater to be diverted to the Surge Dam. Wastewater diversion to the Surge Dam is an odour risk, and hence caustic reuse is part of our odour management strategy.

Reclamation of wine is maximised to reduce organic load. The Rowland Flat Winery is highly efficient and suffers low levels of wine loss. This standard will be maintained.

High Rainfall Preparations
At relevant times of year, the 7 day forecast is monitored daily for signs of high rainfall events. When a high rainfall event is identified the following preparations are made:

- The decant volume from the SBR is increased, which in turn will draw more water from the Feed Dam; providing capacity for the potential rain event
- The Swan Lake operating level is reduced to free capacity for the larger decant volumes. This is done by increasing the volume sent to the Tanunda Pines Golf Course, or the Woodlot and Vineyard Dams.
- If the capacity of the Feed Dam is insufficient then the wastewater level in the Receival Sump will start to increase and wastewater would eventually spill to the Surge Dam.

Surge Dam
If the Surge Dam does receive wastewater it is split into two bays, the first being smaller, to minimise the footprint and to speed up desludging time. The Surge Dam is uncovered and is therefore a potential source of odour, especially when wastewater is first removed and the sludge is exposed, and later when desludging.

While it is likely that wastewater will spill to the Surge Dam semi-regularly this will usually be as a result of high rainfall events. In these cases, the wastewater is dilute and doesn't generate the same sludge impact or odour risk. Spills to the second bay are expected to be infrequent, perhaps once per year, and only due to high rainfall events and so are likely to be a low odour risk. Events where wastewater spills to the Surge Dam due to EC and pH issues are expected to be infrequent due to the positioning of the sensors in the Receival Sump.

If the Surge Dam receives wastewater it is the responsibility of the Wastewater Technicians to empty and desludged as soon as practical following actions needed to relieve any volume bottle neck or wastewater treatment (pH dosing). Water is removed by fixed pumps; one located in a sump in each bay of the Surge Dam. Sludge removal is manual. Sludge is dried and is manually removed by sweeping and carting to the solids collection bins.

Settling Pits
As noted above, exposed sludge is an odour risk, especially if disturbed. As a result, desludging the wastewater using the settling pits will cease from 2020. The settling pits will remain, so they are available for temporary storage of wastewater in an emergency however, their use is highly unlikely. If used for wastewater storage it is the responsibility of the Wastewater Technicians to empty the Settling Pits and desludge as soon as practical following completing actions needed to relieve any volume bottle neck or wastewater treatment (pH dosing).

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Feed Dam
While an infrequent event, occurring perhaps once every 20 years, replacement of the Feed Dam cover poses an odour risk. The cover is monitored for wear and tear and deterioration is identified. Coordination of cover replacement when the time comes will be done in consultation with the EPA and neighbouring properties to avoid busy times of year or specific function where possible. Further, consideration will be given to leaving the existing cover in place and adding a new cover over it when cover replacement is required.

Desludging of the Feed Dam, if required, will be managed by pumping the Feed Dam's sludge / wastewater to the SBR using existing pumping infrastructure.

Solids Removal and Dam Cleaning
Removal of sludge from site is an odour risk. This task will only be scheduled for week-days. This activity will reduce significantly in 2021 when the Settling Pits are no longer used. Sludge is only sourced from the desludging of the SBR from that point, and from the Settling Pits and Surge Dam during ad hoc contingency use.

If special dam cleaning events are planned, neighbours and the EPA will be notified.

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13. Review & Reporting

13.1. Incidents

Complaints
Condition 3.2 of the site's EPA licence requires a Complaints Register to be maintained and this is done using PR Winemakers Incident Reporting & Investigation system. The Sustainability Manager, or delegate, is responsible for coordinating a response to environmental complaints.

In some cases, the complaint could satisfy the Environment Protection Act 1993 definition of material harm in which case any communication with the Environmental Protection Authority will be managed by the Sustainability Manager in accordance with the AU Incident Reporting and Investigation Standard.

Wastewater Treatment Plant Failure
Wastewater Technicians report any abnormal occurrences for the wastewater treatment plant such as diversion of wastewater to the surge dam or plant failure to the Barossa Environs Manager. If the abnormality does or could **have** had an environmental impact it will be reporting into the Incident Reporting System.

Abnormal Monitoring Results
Abnormal results such as volume, pH or EC are discussed, and follow-up actions determined at the daily Rowland Flat Winery Tier 2 Management meeting where warranted.

13.2. Reporting of Monitoring Results

Internal monitoring data such as flow meter records are distributed every day to the Barossa Environs Manager the Wastewater Technicians and an external consultant who assists with the management of the PRW system.

External monitoring data is reviewed by the Barossa Environs Manager and an external wastewater consultant. The external wastewater consultant also provides an annual review, including trends, of our wastewater plant results, to Winery Management and the Wastewater Technicians.

Annual Report to EPA
As per requirements of our EPA Licence 1966 (Condition 3.3), the business must implement its Environmental Management Plan, and this states that we will submit a report to the EPA on an annual basis outlining the monitoring results.

Annual Report to Pernod Ricard Head Quarters
The business also reports the volume of wastewater generated and the cumulated COD to Pernod Ricard Holding on an annual basis.

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Attachment 1 - EPA Monitoring Program

Wastewater Treatment Plant

	6 Monthly (Jul and Jan)	**Annual** (Jul)	**Comment**	**Who**
Inflow – Composite Sample	pH, EC, BOD, COD, SS			WW Technician, AWQC (SA Water)
Swan Lake (Irrigation Water)	pH, EC, Ca, Mg, K, Na, Cl, SAR, BOD, COD, TP, TN, SS		AWQC (SA Water) send sample bottles	WW Technician, AWQC (SA Water)
Groundwater (Bores 1-3)	Depth to water, pH, EC, TOC, ON, AN			JJC Operations - NATA
SBR - Underliner		pH, EC, COD	Only to be tested if there is an issue with groundwater bore 1, 2 or 3 results	JJC Operations - NATA
Biosolids		Arsenic, Cadmium, Copper, Lead, Mercury, Nickel, Zinc, Chromium, Aluminium	Removed by a licenced contractor for composting	AWQC (SA Water)
Volume			Amount of wastewater produced and discharged on an annual basis	WW Technician
Septic Soakage Pit (Bores 1-4)	Depth, to water, pH, EC, TOC, ON, AN, E. coli			JJC Operations - NATA

Vineyards

Soil Chemistry		pH (1:5 soil:water), EC, Na, Mg, Ca, SAR (1:5 soil:water), TOC, TN, TP, TK	Not required unless internal monitoring indicates treated wastewater component of irrigation is > 100 mm/yr	Proag Soil Management
Groundwater (Bores 1-5)		pH, EC, TOC, AN, ON		JJC Operations - NATA

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Attachment 2 - Internal Monitoring Program

	Daily	Weekly	2 Weekly	Comment	Who
Inflow	Volume				WW Technician
	Rainfall				
Inflow – Composite Sample	Ph, EC				
		pH, EC, COD, SS		WW Technicians provide samples to JJC	JJC Operations
Feed Dam	Volume in Storage				WW Technician
			pH, EC, COD, SS		JJC Operations
SBR	SV, Additions, cycle time				WW Technician
			pH, EC, SS		JJC Operations
Decant Dam	Volume Decanted				WW Technician
			COD(f)		
Irrigation	Volume to: • Tanunda Pines Golf Course • Woodlot Dam • Vineyard Dam				

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Attachment 3 – Analysis Parameters

AC	Anions and Cations
AN	Ammonia as N
AP	Ortho Phosphate
BOD	Biological Oxygen Demand
BOD(f)	BOD on a filtered sample
Ca	Calcium
Cl	Chloride
COD	Chemical Oxygen Demand
COD(f)	COD on a filtered sample
EC	Electrical Conductivity
K	Potassium
Mg	Magnesium

Na	Sodium
ON	Oxidised Nitrogen
pH	pH
SS	Suspended Solids
TKN	Total Kjeldahl Nitrogen
TN	Total Nitrogen
TOC	Total Organic Carbon
TP	Total Phosphorus
V	Flow or volume
Vis	Visual check (odour, foam)
SAR	Sodicity

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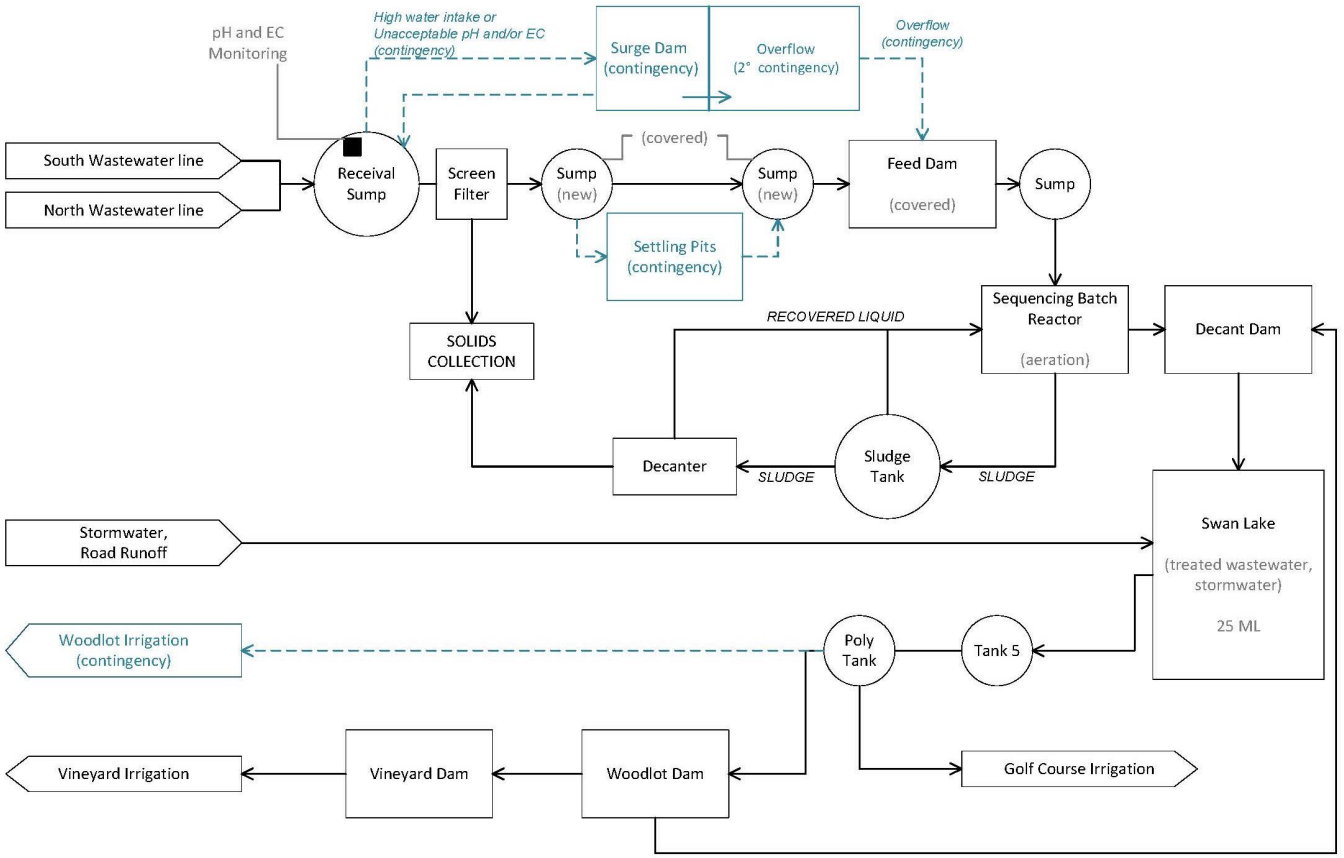
Attachment 4 – Wastewater Treatment Plant Process Map



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Attachment 5 - Location of Groundwater Test Wells at Wastewater Treatment Plant

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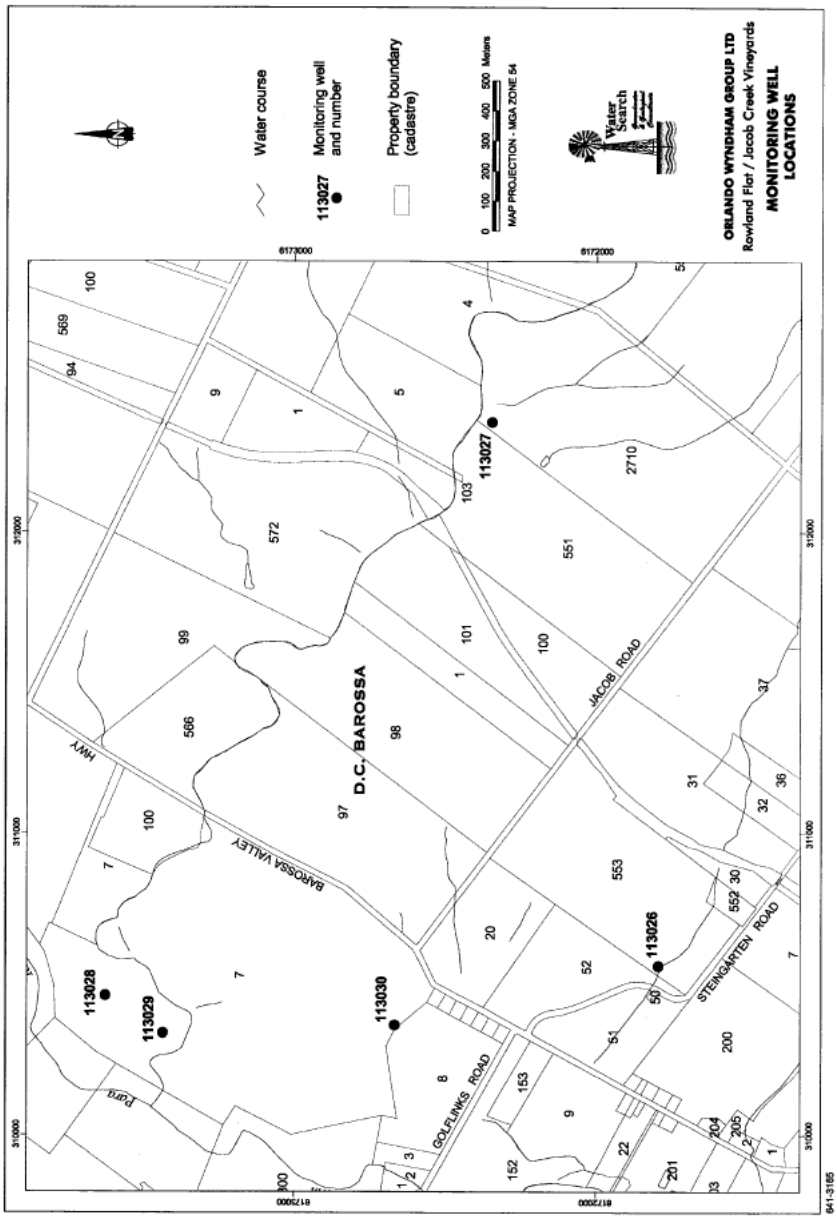
Attachment 6 - Location of Groundwater Test Wells at Irrigation Sites



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Attachment 7 - Location of Groundwater Test Wells at Soakage Trench Site

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Attachment 8 – Odour Intensity Assessment

Odour Assessment Method

If Odour is Detected Outside of the Wastewater Treatment Plant

If a staff member detects odour outside of the normal operating boundaries of the wastewater treatment plant, then a record will be emailed to the Wastewater Technicians and Barossa Environs Manager so that a record can be made in the wastewater daily records, including:

- The odour intensity using the odour intensity scale
- The wind direction and a strength of wind description
- Location of the observation

The odour should be observed for at least 1 minute and the average odour intensity recorded.

If an Odour Complaint is logged

The Barossa Environs Manager will make a record of the following as part of the incident record:

- The odour intensity using the odour intensity scale
- The wind direction and a strength of wind description
- Location of the observation

The odour should be observed for at least 1 minute and the average odour intensity recorded.

If an Odour Assessment is Required

- All the Odour Assessment Locations will have odour observations made.
- The observer should start at Location 1 and work toward Location 9, upwind of the Treatment Plant.
- Preference will be given to a day of favourable wind conditions. Favourable conditions are a light wind blowing from the Treatment Plant toward the sensitive receptor properties located to the North East of Swan Lake.
- For each location an observation is made every 10 seconds, for a period of 10 minutes.
- A log sheet will be kept, including the name of the observer, the observation location, the date and start time for each location, wind direction and speed at the start of observations.
    - If the observer perceived the odour is due to a specific source this will be recorded. Consideration of odour from the North Para River may also be relevant.
- Conclusions should be made as to the overall impact of the Treatment Plant on odour at the property boundary; ie Location 1. Due to this, consideration should be given to using an independent specialist to perform this odour assessment.

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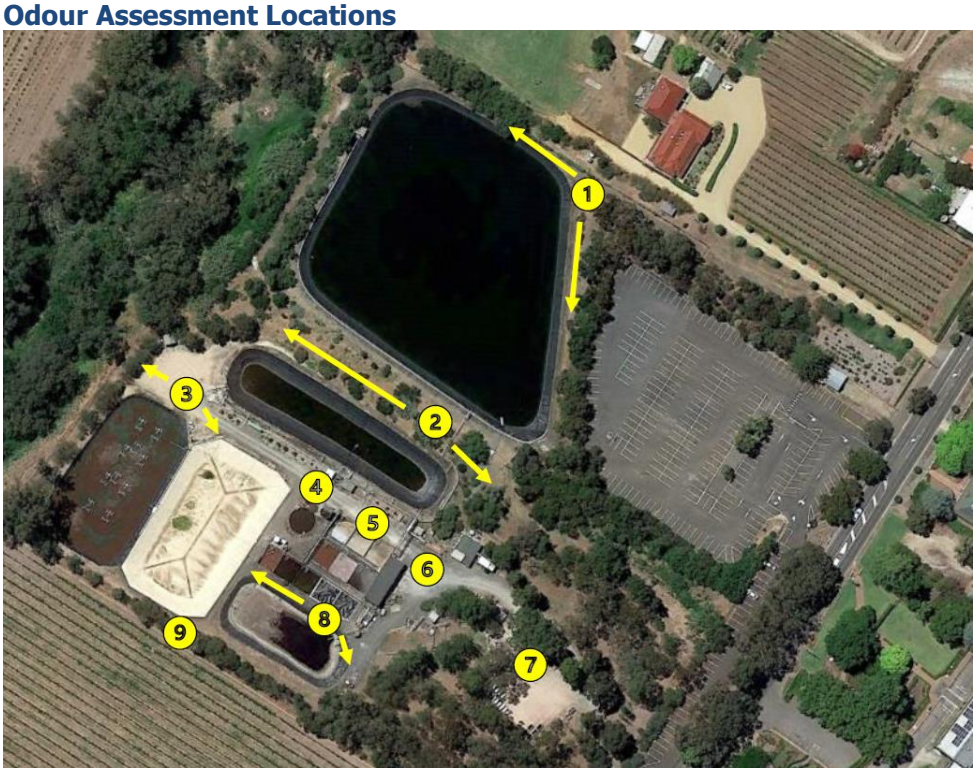
Odour Intensities Scale

Perceived Odour Strength	Intensity Rating	Description
Extremely Strong	6	The odour cannot be tolerated. In normal circumstances, this should be very rare in a field situation. For an offensive type of odour, the reaction would be to immediately mitigate against further exposure until the exposure level is reduced
Very Strong	5	The odour character is clearly recognisable. For an offensive type of odour, exposure is unpleasant/undesirable, to the point that a person considers or does move themselves to avoid the odour
Strong	4	The odour character is clearly recognisable. For an offensive type of odour, exposure is unpleasant/undesirable
Distinct	3	The odour character is clearly recognisable. The odour is tolerable – even for an offensive odour
Weak	2	A detectable weak odour. Most of the time the odour is recognisable
Very Weak	1	Odour is only just detectable. Depending on the type of odour and context the odour may not always be recognisable
Not Perceptible	0	No odour present

Odour Assessment Locations



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Appendix B
Environmental Noise Assessment

MASTERPLAN
TOWN + COUNTRY PLANNERS SINCE 1977

Pernod Ricard Rowland Flat

Winery Development

Environmental Noise Assessment

S8186C2

August 2024

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Sonus Pty Ltd
17 Ruthven Ave
Adelaide SA 5000
Phone: +61 (8) 8231 2100
Email: info@sonus.com.au
www.sonus.com.au

Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

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Author	: Simon Moore, MAAS

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Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

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1 INTRODUCTION

An environmental noise assessment has been made of the proposed changes to the existing Pernod Ricard Winery in Rowland Flat.

The proposed changes include the demolition of the existing building known as "Cellar 13", and the installation of new bag presses, crusher/destemmer units, air compressors, and mobile pumps. The proposed site plan is provided in Appendix A.

The assessment considers noise levels at nearby sensitive receivers from activity at the site, including the machinery detailed above. As can be seen in Figure 1, the closest sensitive receiver to the site is located adjacent to the south western boundary of the site. Additional sensitive receivers are located at greater setback distances to the south west, and to the northwest on the opposite side of Barossa Valley Way.

The assessment has been based on:

- *Linney Engineering Services* drawings for project "PROJECT ULTIMATE":
    - 2338-D0001, "EXISTING SITE PROPOSED DEMOLITION LOCATION PLAN" Revision A, dated 22 February 2024.
    - 2328-D0004, "PROPOSED GENERAL ARRANGEMENT PLAN", Revision B, dated 29 May 2024.
    - 2328-D0004, "PROPOSED SECTIONS AND ELEVATIONS", Revision B, dated 29 May 2024.
- Site inspections and noise testing of equipment performed on 9 and 29 May 2024.
- Previous noise measurements and sound power data obtained from similar sites for the truck and forklift activity.

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Environmental Noise Assessment
S8186C2
August 2024

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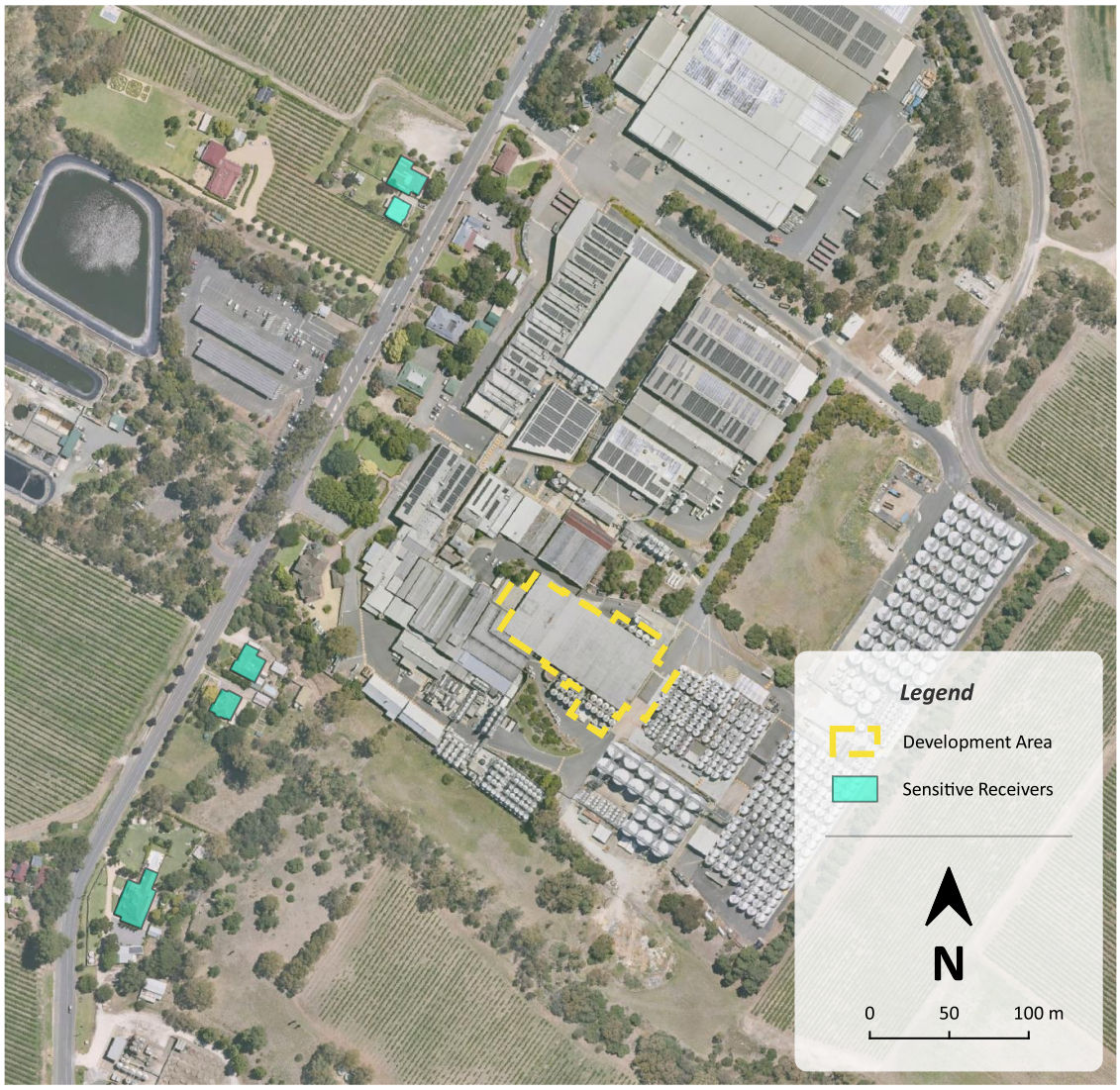

Figure 1: The site and surrounding sensitive receivers

2 CRITERIA

2.1 Planning and Design Code

The development is located within The Barossa Council local government area and is subject to the provisions of the South Australian *Planning and Design Code* (the **Code**) under the *Planning, Development and Infrastructure Act 2016*.

In accordance with the Code, the development and all nearby sensitive receivers are located in the *Rural Zone*. The Code has been reviewed and the provisions considered relevant to the assessment are included in Appendix B.

Performance Outcome (**PO**) 4.1 of the *Interface between Land Uses* module under the *General Development Policies* of the Code specifically requires that noise from a development *does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers*). The Deemed-to-Satisfy / Designated Performance Feature (**DTS/DPF**) for PO 4.1 references the *Environment Protection (Commercial and Industrial Noise) Policy 2023* (the **Policy**).

2.2 Environment Protection (Commercial and Industrial Noise) Policy 2023

The Policy provides objective noise criteria to assess the environmental noise emissions from a proposed development. The noise criteria provided by the Policy are based on the *World Health Organisation Guidelines for Community Noise (1999)* (the **WHO Guidelines**), which provide recommendations for appropriate noise levels to prevent community annoyance, sleep disturbance and adverse impact on the amenity of a locality. Therefore, compliance with the Policy is considered to satisfy the WHO Guidelines and the subjective requirements of the Code relating to environmental noise.

The Policy establishes indicative noise levels to be achieved at sensitive receivers based on the zones in which the noise source (the development) and sensitive receivers (the residences) are located. For new developments, Part 5 of the Policy provides goal noise levels which are 5 dB(A) more onerous than those which would otherwise apply when assessed at existing noise sensitive receivers.

Based on the above, the Policy provides the following indicative noise levels to be achieved at sensitive receivers:

- An average noise level (L_{eq}) of 52 dB(A) during the day (7:00am to 10:00pm).
- An average noise level (L_{eq}) of 45 dB(A) during the night (10:00pm to 7:00am)

As the facility is expected to operate 24 hours per day, particularly during the vintage period, with the same levels of activity possible at any time of day or night, it is the night time criterion which is most critical to the assessment.

When predicting noise levels for comparison with the Policy, adjustments may be made to the average noise levels for each "annoying" characteristic of tonality, impulsiveness, intermittency, low frequency, and modulation of the noise source. The characteristic must be dominant in the acoustic environment and therefore the application of penalties can vary depending on the assessment location, time of say, the noise source being assessed, and the predicted noise level. The application of penalties is discussed further in the Assessment section.

3 ASSESSMENT

3.1 Noise Sources

The noise levels at sensitive receivers from activity at the site have been predicted based on measurements performed at the existing site and Richmond Grove on 9 and 29 May 2024. The measurements included:

- Process floor equipment including a centrifuge, air compressors and a dryer.
- Pneumatic bag presses.

For other noise sources, the predictions have been based on a range of previous noise measurements and observations of typical activity at similar facilities, including:

- Truck movements and idling components.
- Gas powered forklifts.

The sound power levels for all activities and equipment used in the assessment are provided in Appendix C.

3.2 Noise Model

Predictions of noise at nearby sensitive receivers have been made using *SoundPLANnoise* noise modelling software and the CONCAWE noise propagation model. The noise model considers the following influences:

- Sound power levels and locations of noise sources (including heights).
- Separation distances between noise sources and sensitive receivers.
- Influence of the ground.
- Air absorption.
- Meteorological conditions.

Meteorological conditions for noise propagation can be described using the CONCAWE noise propagation model and associated weather categories. The CONCAWE systems divides meteorological conditions into six separate “weather categories”, depending on wind speed, wind direction, time of day and level of cloud cover. Weather Category 6 provides “worst-case” weather conditions (i.e. highest noise level) conditions. Weather Category 4 provides “neutral” conditions for noise propagation (that is, conditions which do not account for the effects of temperature inversion or wind on propagation).

The assessment has applied CONCAWE Weather Category 6 (worst-case) meteorological conditions based on the following inputs:

- Atmospheric conditions at 10°C and 80% relative humidity.
- Wind direction from each noise source to each sensitive receiver.
- Ground types in accordance with the CONCAWE propagation model. That is "hard" ground for concrete or water, and all other surfaces (including grass) considered to be ground with finite acoustic impedance (or "soft" ground).

3.3 Operational Assumptions

The predictions of noise at sensitive receivers have been based on the following activity occurring within any 15-minute period during the night (10:00pm to 7:00am):

- Continuous operation of 2 x crusher/destemmers.
- 2 x bag presses at the start of their press cycles, comprising the following components:
    - Press rotates into position, including alarm operation
    - Bags inflated using fans
    - Pressure rise from compressed air
- 2 x bag presses at the end of their press cycles:
    - Rotate into position, including alarm operation
    - Compressed air release
    - Fans deflate bag
- 1 x bag press in the middle of its press cycle:
    - Compressed air pulsing into the bag
- 2 x bag presses being filled up by pumps near the crusher/destemmer units.
- A single delivery by a semi-trailer truck entering the site and travelling along the new internal route to the new receival area, and idling for the remainder of the assessment while being unloaded.
- Continuous operation of a forklift unloading trucks on the receival area apron
- Continuous operation of the air compressor within its enclosure
- Continuous activity within the processing building.
- Continuous operation of a forklift on the hardstand between the process building and tank farm.
- Continuous operation of 3 x mobile transfer pumps

3.4 Noise Mitigation Options

Based on the noise model, without incorporating specific noise mitigation measures to the site, the noise goal under the Policy is predicted to be exceeded at some sensitive receivers.

The most noise-affected sensitive receivers are those to the southwest of the development and the predicted noise levels are controlled by the noise emissions from the bag presses. Therefore, the noise mitigation options primarily aim to reduce the noise emissions from these items of equipment.

The predicted noise levels at sensitive receivers to the northwest are lower (achieving the noise criterion without the need to incorporate acoustic treatments) and are controlled by the noise from trucks as they enter or depart the site.

It is recommended that Option A be undertaken as the primary noise mitigation option, with the remaining options available to further reduce noise emissions if necessary (i.e. if Option A provides less than a 7 dB(A) noise reduction).

Recommended Noise Mitigation Measure

3.4.1 Option A: Lining the Press Equipment with Acoustic Absorption Material

Option A is to install acoustic absorption material on the inside of the press equipment cabinets, particularly the compressor and vacuum pump units. A suitable material is likely to be glasswool or rockwool insulation that is at least 50mm thick and with a minimum density of 32 kg/m^3.

In order for this option to be successful and achieve the noise criterion at sensitive receivers, it will be necessary to reduce the total noise level of each bag press such that the sound power level is no higher than 90 dB(A) each.

Additional Noise Mitigation Options (to be considered if necessary)

3.4.2 Option B: Removal and Remote Operation of Noise Press Components

Should Option A not provide a sufficient noise reduction to the bag presses, Option B would be to relocate the major noise sources of the bag presses (the compressor and vacuum pump units) away from the presses themselves such that the major noise sources no longer have line of sight to any nearby sensitive receivers. It is likely that the major noise sources will also need to be housed within an acoustic enclosure.

In order for this option to be successful and achieve the noise criterion at sensitive receiver, it will be necessary for the equipment remaining in the planned locations (i.e. the bag presses themselves) to have sound power levels no greater than 90 dB(A) each. This is also dependent on the relocated equipment being installed in an acoustic enclosure such that it is not a dominant noise source at the sensitive receivers.

3.4.3 Option C: Acoustic Fence at Elevated Press Level

Option C is to construct an acoustic wall around the bag presses at their elevated operating level. The fence should enclose the south and southwest sides of the presses, shielding them from the sensitive receivers to the southwest. The fence should be constructed from a solid material such as 0.35mm BMT sheet steel (*Colorbond* or similar) and sealed airtight at all junctions. Acoustic absorption may be required on the equipment side of the screens to minimise reflections.

The treatment locations are shown in **RED** in Figure 2 and Figure 3.

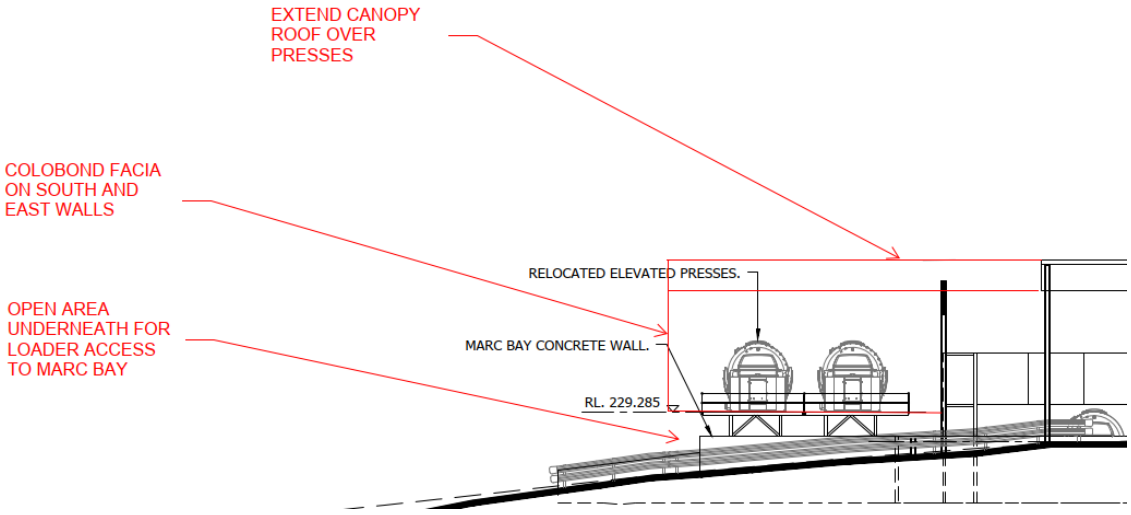

Figure 2: Option C treatment locations - side view.

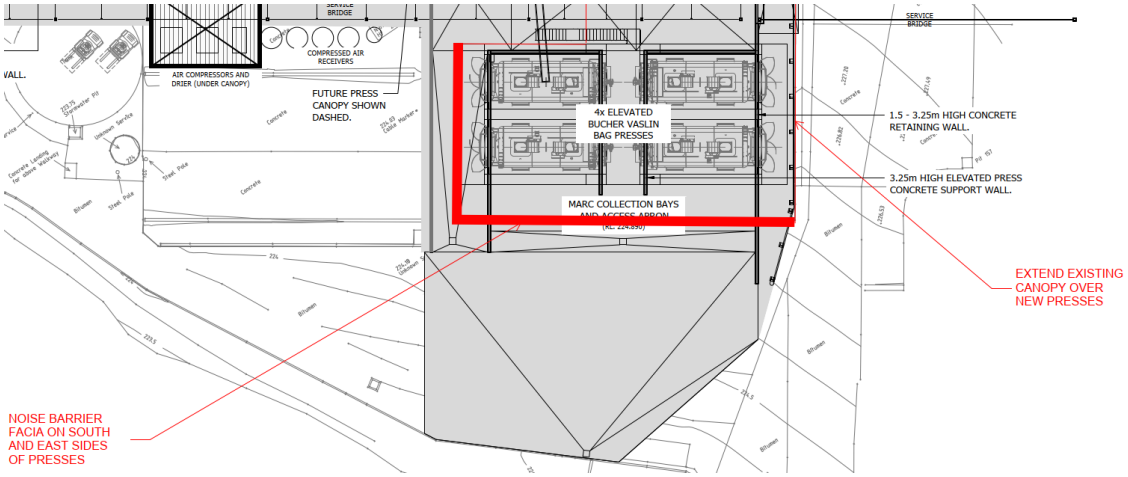

Figure 3: Option C treatment locations - plan view.

3.4.4 Option D: Acoustic Fence at Ground Level

Option D is to construct an acoustic barrier at the edge of the existing road way, adjacent to the existing garden bed. The barrier should be constructed from a solid material such as (0.35mm BMT sheet steel (*Colorbond* or similar) and sealed airtight at all functions, including at the ground. The location where the barrier should be installed is shown in **RED** in Figure 4.

The height required and exact extent required will need to be determined depending on the outcome of incorporating options A through C.

Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

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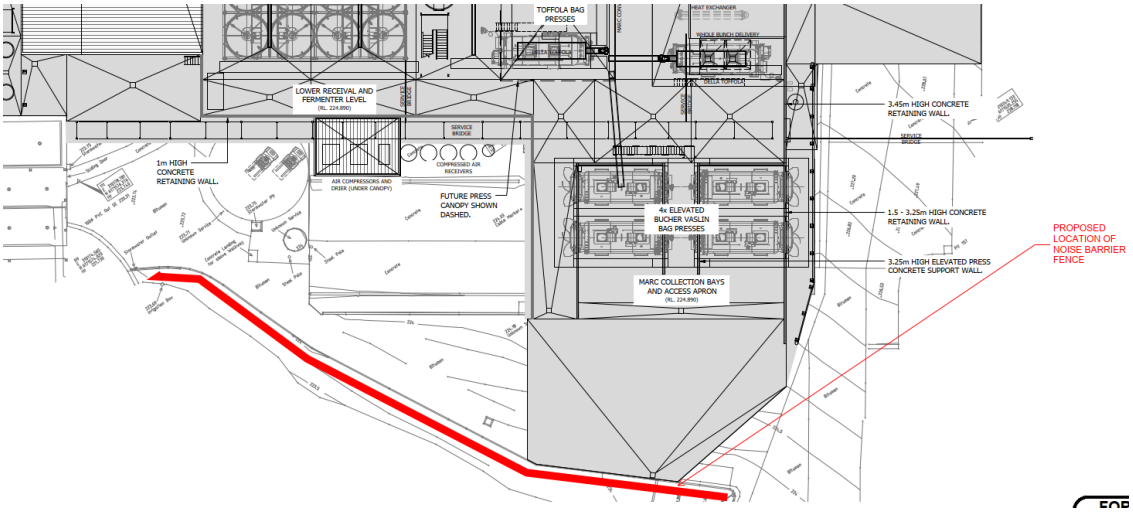


Figure 4: Option D barrier installation location.

3.5 Predicted Noise Levels

Based on the model, and subject to the recommended acoustic treatment option providing at least a 7 dB(A) noise reduction, the highest noise level predicted at sensitive receivers is 40 dB(A). If further noise mitigation is required, i.e., if Option A does not result in a sufficient noise reduction, then the other treatment options are available to further reduce noise emissions. It is noted that the other treatment options are able to provide at least a 7 dB(A) noise reduction and as such can be relied upon for the worst case outcome of Option A providing no noise reduction at all (which is highly unlikely).

Based on observations made during the noise testing performed on the existing equipment, it is believed that at times (when the alarms on the presses operate) there is potential for a tonality penalty to be warranted. It is unlikely that the alarms will be dominant at the sensitive receivers, particularly given the varied activity occurring at the site. However, as the receivers to the southwest are the most likely to be affected by the noise from the alarms, a penalty for tonal character has conservatively been added to the predicted noise levels at the receivers to the southwest.

There is also potential for modulation from activity at the site to be audible at sensitive receivers. However, as the peak activity at the site will occur during the vintage period where a large number of trucks on Barossa Valley Way (and all sensitive receivers in the locality are close to the road) will be present, any modulating character from the site will be indiscernible from the rise and fall of noise from heavy vehicle traffic on the road and therefore any modulating characteristics from activity at the site will not be dominant.

As the facility will operate during the night time hours of the Policy (10:00pm to 7:00am), a penalty for intermittent character can also be applied. However, due to the diverse nature of activities being undertaken and varied equipment proposed to be operated it is unlikely that the objective requirements to apply a penalty for intermittency will be satisfied.

On this basis, it is considered that only a tonality penalty is warranted, and that penalty is only warranted at the sensitive receivers to the southwest of the site.

Therefore, when adjusted in accordance with the Policy, the highest noise level at any sensitive receiver in the locality becomes 45 dB(A) which satisfies the noise criterion determined in accordance with Policy.

Where the Policy is satisfied, it is considered that all relevant Performance Outcomes of the *Planning and Design Code* related to environmental noise will also be satisfied.

4 CONCLUSION

An environmental noise assessment has been made of the proposed changes to the existing Pernod Ricard Winery in Rowland Flat.

The assessment considers noise levels at nearby sensitive receivers from activity at the site, including the installation of new bag presses, crusher/destemmer units, air compressors, and mobile pumps.

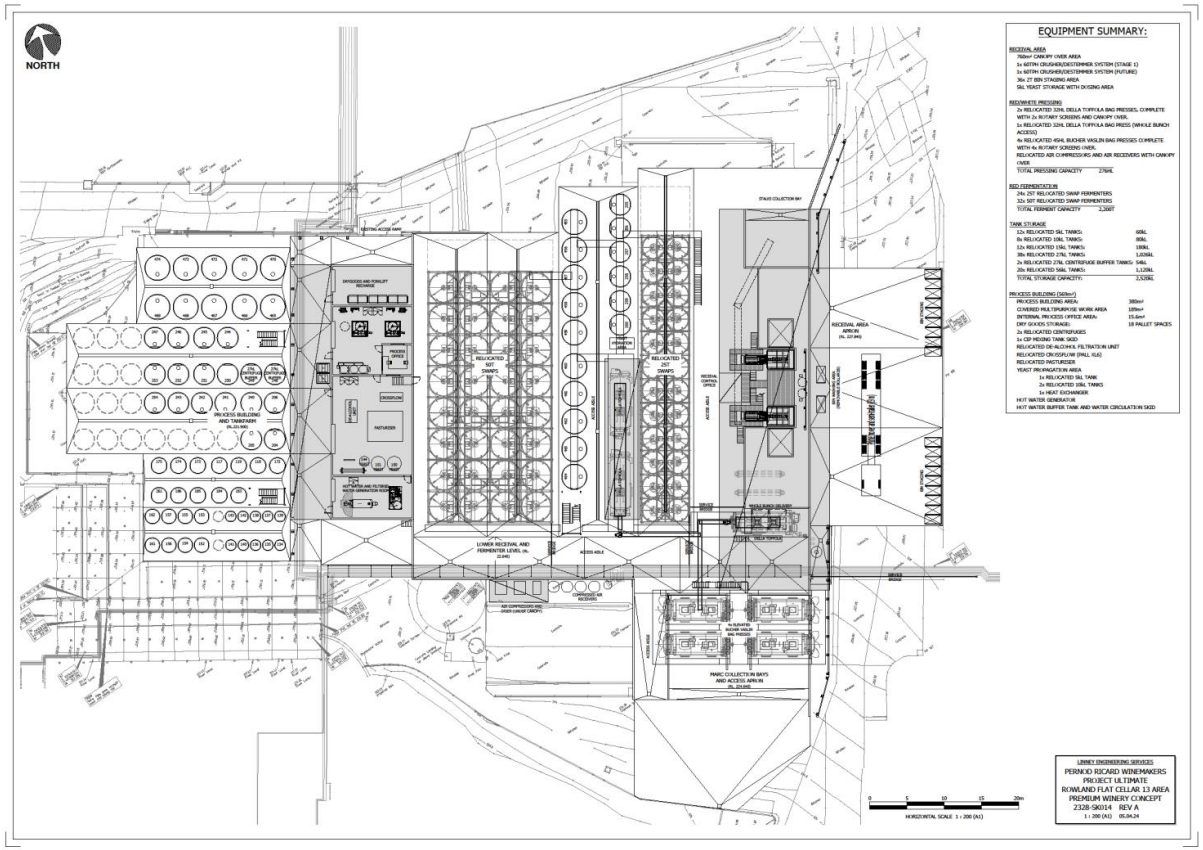
Subject to providing a 7 dB(A) noise reduction for the bag presses, either by the recommended acoustic treatment option or the alternative option(s), the predicted noise levels at sensitive receivers will achieve the requirements of the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

Based on the assessment, the facility will *not unreasonably impact the amenity of sensitive receivers*, thereby achieving the relevant provisions of the *Planning and Design Code* related to environmental noise.

Pernod Ricard Rowland Flat
Environmental Noise Assessment
S8186C2
August 2024

sonus.

APPENDIX A: SITE PLAN



APPENDIX B: PLANNING AND DESIGN CODE – RELEVANT PROVISIONS

Part 4 – General Development Policies – Interface between Land Uses

	Desired Outcome
D01	*Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.*

Performance Outcome	***Deemed-to-Satisfy Criteria / Designated Performance Feature***
General Land Use Compatibility	
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.*
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 (Commercial and Industrial 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.*

APPENDIX C: SOUND POWER DATA

Equipment / Activity	Sound Power Level [dB(A)]
Bag press – Start of cycle(1)	97
Bag press – Middle of cycle(1)	92
Bag press – End of cycle(1)	97
Crusher / Destemmer	85
Forklift	93
Truck	100
Processing facility (internal sound pressure level)	82
Air compressor (internal sound pressure level)	102
Transfer pumps	85

Note (1) – Unmitigated bag press noise levels

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TOWN + COUNTRY PLANNERS SINCE 1977

23 August 2024

Nial Stephen
Environment Protection Authority

Via: PlanSA Portal

Our Ref: 53765LET03

Dear Niall

Request for Further Information – Development Application 24016872 at 1916 and 1956 Barossa Valley Way, Rowland Flat

MasterPlan has been engaged by Pernod Ricard Winemakers Pty Ltd to respond to the further information request letter from the Environment Protection Authority (EPA) received via the PlanSA Portal dated 14 August 2024 in relation to Development Application 24016872 at 1916 and 1956 Barossa Valley Way, Rowland Flat for alterations and additions to a winery.

The letter requested four (4) additional points of information or clarification, relating to noise, water quality and air quality.

These matters are responded to **below**.

1. *Provide an updated Environmental Noise Assessment which considers receivers directly adjacent to the subject site in a separate occupation of the noise source.*

The 'receivers' referenced by the EPA are all owned by Pernod Ricard Winemakers and are utilised for commercial purposes as part of the winery land use on the site. Therefore, they are not sensitive receivers and do not need to be considered as part of the amended Environmental Noise Assessment. The ownership and use of the affected buildings are reflected within the **enclosed** Ownership Plans.

2. *Provide a water and nutrient balance for the contingency irrigation areas being the woodlot and vineyard, which would demonstrate how expected volumes of irrigated wastewater will be managed in a sustainable manner (i.e. in a way that soil does not become waterlogged or oversaturated with nutrients).*

The Land Management Agreement referenced in the EPA's request does not have any bearing on the proposed development, as it relates to the disposal of wastewater by an adjacent property rather than from the subject winery.

33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
www.masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au

Furthermore, Pernod Ricard Winemakers have advised the woodlot and vineyard irrigation areas have not been utilised in the 10 years since the treated wastewater has been sent to the Tanunda Pines Golf Course.

Recent upgrades to the Woodlot Dam (taking capacity to 150 megalitres) have negated the need for irrigation, as this area, in conjunction with the Swan Lake Dam (25 megalitres storage capacity) and the Nursery Dam (100 megalitres storage capacity) have sufficient capacity to store treated wastewater until it is able to be transferred to the Golf Course.

This contingency is proposed to continue and is considered to have adequate capacity to manage the increased wastewater volumes associated with the development. Therefore, as no irrigation will occur, it is not considered that the requested soil and nutrient balances are required.

3. Confirm whether the proposed storage tanks have breather pipes/vents and whether they are fitted with filters.

The storage tanks have vacuum/pressure vents fitted to their lids to allow air movement and temperature induced contraction and expansion. There are no plans to install filters on the vents as the overall level of fugitive emissions are likely to be low due to the fact that tanks will only be completely filled once per vintage, limiting displacement that would be exacerbated by repeated use. The location of the tanks, over 200 metres from the nearest sensitive receiver and adjacent to an existing and much larger tank farm are also considered to mitigate any direct impacts.

4. Clarify how and where the stored wastewater is mixed with the 'fresh' wastewater and whether there is any additional odour control beyond dilution.

The wastewater treatment process utilised for the subject site is as follows:

- Stage 1 - Solids removal via ContraShear screen
- Stage 2 - Pre-treatment wastewater storage in the 5-megalitre covered storage lagoon.
- Stage 3 - Aerobic wastewater treatment in the 5 megalitre SBR.
- Stage 4 - Gravity decant into the 2 megalitre decant dam.
- Stage 5 - Treated wastewater storage in the 25-megalitre Swan Lake dam prior to transfer to Tanunda Pines Golf Club.
- Stage 6 - Additional treated wastewater storage capacity at the woodlot dam (150 megalitres) and nursery dam (100 megalitres) as required.

Pernod Ricard Winemakers have advised the wastewater stored in the winery tanks will not be released into winery drains, but rather transferred directly into the covered wastewater pre-treatment storage lagoon via the rising main pipework. There, it will be mixed with incoming winery wastewater prior to being transferred into the Sequencing Batch Reactor for aerobic treatment. This occurs in Stage 2 of the list provided above.

As the dilution occurs within the covered lagoon, any odour from the stored wastewater will be contained prior to aerobic treatment. Therefore, it is not considered that additional odour control mechanisms are required to manage the stored wastewater.

Closing

It is considered that the above sufficiently responds to and clarifies the matters raised by the Environmental Protection Authority.

The proposed development adequately manages potential hazards and amenity issues, minimising environmental risk to an extent that Planning Consent is warranted.

If further clarification is required, please do not hesitate to contact the undersigned by phone on 8193 5600 or via email at charlied@masterplan.com.au.

Yours sincerely

Charlie Dubois
MasterPlan SA Pty Ltd

enc: As listed.

Subject Site

Properties Owned by
Pernod Ricard Winemakers

1 Site Reception
2 Site Storage
3 Site Storage
4 Staff Gym
5 Site Storage

SITE PLAN

Ownership

1916 Barossa Valley Way
ROWLAND FLAT

for Pernod Ricard Winemakers

1:5000 @ A3
0 100

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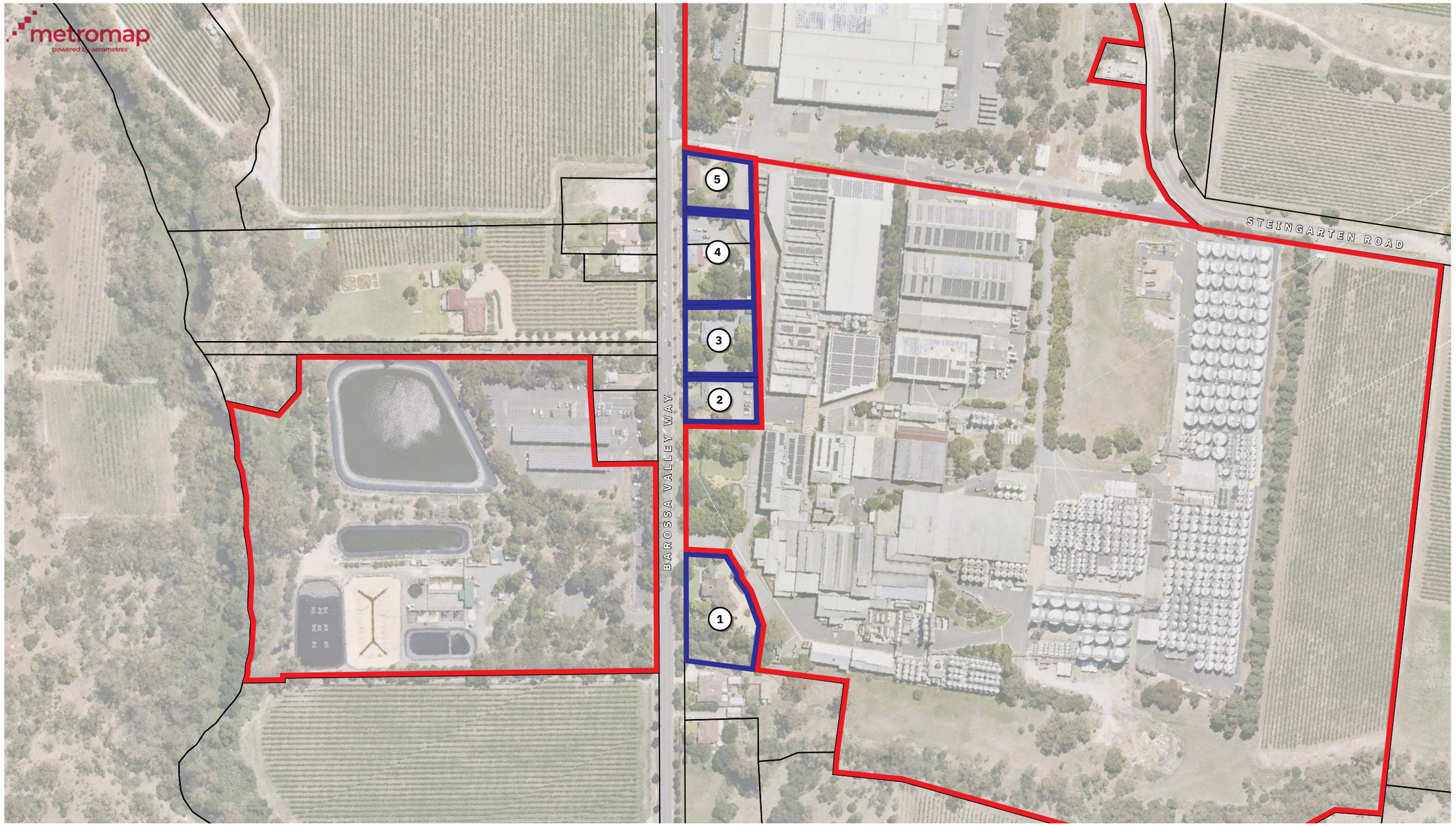

Subject Site

Properties Owned by Pernod Ricard Winemakers

1. Site Reception
2. Site Storage
3. Site Storage
4. Staff Gym
5. Site Storage

SITE PLAN

Ownership

1916 Barossa Valley Way
ROWLAND FLAT

for Pernod Ricard Winemakers

1:2500 @ A3
0 50

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Details of Representations

Application Summary

Application ID	24016872
Proposal	Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall
Location	1916 BAROSSA VALLEY WAY ROWLAND FLAT SA 5352, 1956 BAROSSA VALLEY WAY ROWLAND FLAT SA 5352

Representations

Representor 1 - Anne Graves

Name	Anne Graves
Address	103 Grennock Road NURIOOTPA SA, 5355 Australia
Submission Date	02/09/2024 12:32 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

To Whom It May Concern, I am writing to formally object to the proposed development in the Pernod Ricard Winery located at Rowland Flat SA 5352. My residence, constructed of stone in 1939 and purchased by us in 2012, is situated in close proximity to the winery. I am concerned that the proposed development will significantly exacerbate existing noise issues, which are already a considerable challenge for us. During the vintage season, we experience low-frequency noise that travels through the ground, resembling the constant hum of a truck running, particularly during nighttime hours. This has been a persistent issue, and despite our numerous attempts to address the problem with the winery directly, we have not seen a resolution. Noise of this nature travels through the ground and is not significantly impacted by barriers such as fences, which are typically more effective against airborne noise rather than ground-borne vibrations. Our concern is compounded by the fact that noise authorities/estimators have not reached out to us to measure the actual noise levels at our location. As such, the noise levels proposed in the development plan are based on estimations rather than actual measurements and don't address the ground noise which raises significant concerns about their accuracy and the potential impact on our quality of life. Given that the winery's current noise levels have already been a source of disturbance, we fear that the proposed development will further intensify these issues, leading to an unacceptable decline in our living conditions. It is essential that noise assessments are conducted at our residence during vintage to provide an accurate picture of the impact of the proposed development before any decisions are made. In light of the above, I respectfully urge the Barossa Council to refuse consent of the proposed development in its current form. It is crucial that the council takes into account the real, experienced noise levels and the historical challenges we have faced before moving forward. Thank you for your attention to this matter. I hope that my concerns will be given due consideration and that appropriate measures will be taken to address them. Yours sincerely, Mr and Mrs Graves 1890 Barossa

Valley Way, Rowland Flat ph. 0418816146, 2nd Sept 2024

Attached Documents

Representations

Representor 2 - Llewellyn Wyeth

Name	Llewellyn Wyeth
Address	Box 905 ROWLAND FLAT SA, 5352 Australia
Submission Date	02/09/2024 09:52 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 support the development with some concerns

Reasons
To whom it may concern, I reside at 1935 Barossa Valley Way Rowland Flat, the residential house that is opposite the Winery owned by Pernod Ricard who manufactures the Jacob's Creek Wine Brands and is the recipient of this Development Application. Whilst I am not objecting to the proposed plan, I have concerns around the increase in noise that is omitted by the applicant on a 24 hour basis. My goal is not to hinder or object to the plans moreover to bring to the attention to the assessment panel that the audible noise that is omitted following this application will have a detrimental effect on the general living of residence in the area. I am seeking consideration for noise mitigation in the form of a solid noise reducing wall (approx 2.5 meters in height) to run along the existing fence line adjacent to Barossa Valley Way and behind the heritage buildings that are on the winery side of the road. This sound reducing wall will reduce the noise at the existing end of the white wine bottle line (where containers are loaded) and from the truck entrance and run behind the houses as to not impact the heritage overlay. As trucks and forklifts pass along this road at all hours, we are requesting this wall to be installed for the entire length of the winery in Rowland Flat. With this installed, Pernod Ricard will minimise its impact on local residence whilst being able to continue its 24 hour, 7 day per week operation. Thank you for your consideration

Attached Documents

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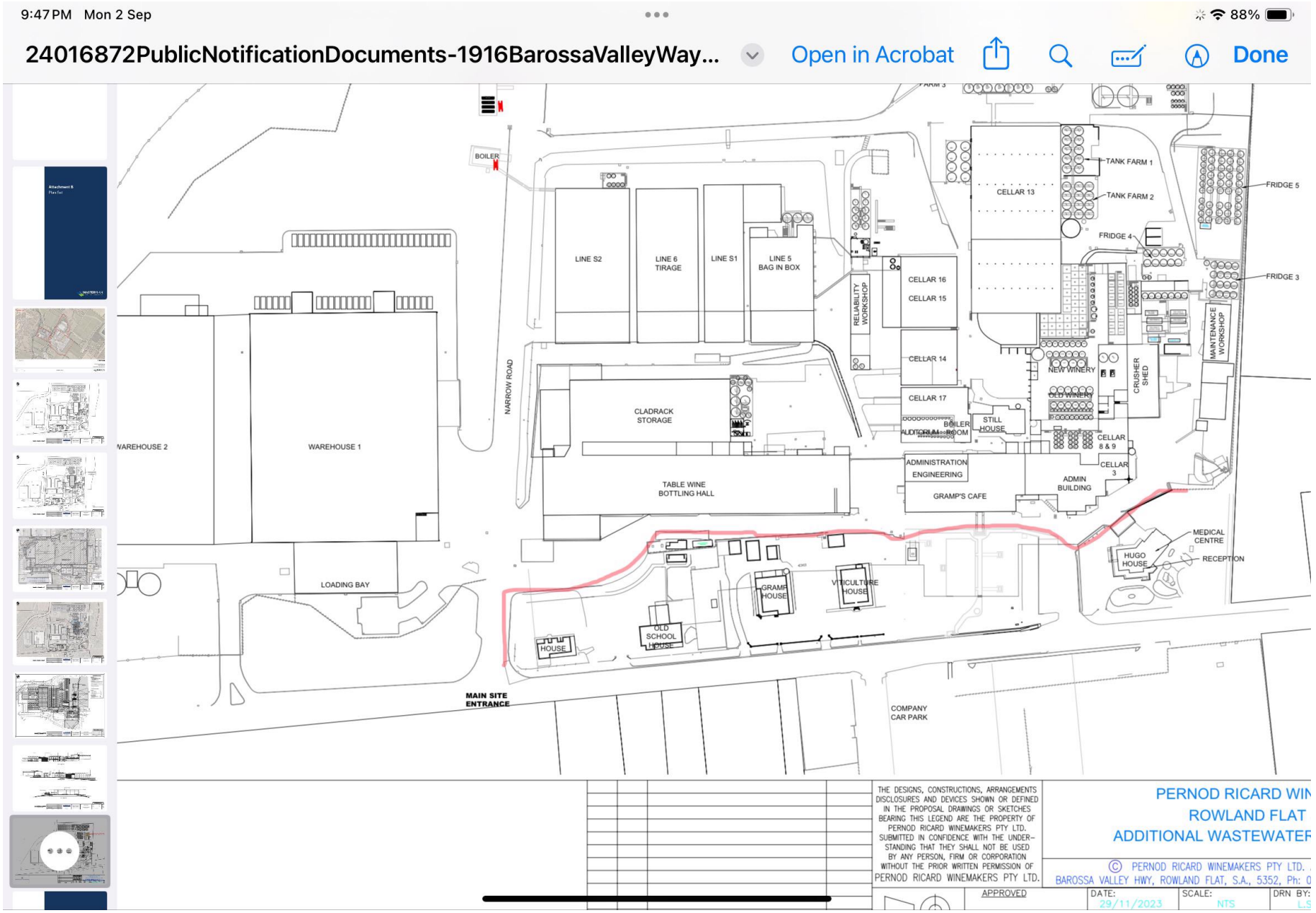
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BOILER
LINE S2
LINE 6 TIRAGE
LINE S1
LINE 5 BAG IN BOX
CELLAR 13
TANK FARM 1
TANK FARM 2
FRIDGE 5
FRIDGE 4
FRIDGE 3
RELIABILITY WORKSHOP
CELLAR 16
CELLAR 15
CELLAR 14
CELLAR 17
MAINTENANCE WORKSHOP
NEW WINERY
CRUSHER SHED
NARROW ROAD
CLADRACK STORAGE
BOILER ROOM
STILL HOUSE
CELLAR 8 & 9
CELLAR 3
ADMINISTRATION ENGINEERING
ADMIN BUILDING
GRAMP'S CAFE
TABLE WINE BOTTLING HALL
WAREHOUSE 2
WAREHOUSE 1
LOADING BAY
MEDICAL CENTRE
RECEPTION
HUGO HOUSE
GRAMP HOUSE
VITICULTURE HOUSE
OLD SCHOOL HOUSE
HOUSE
MAIN SITE ENTRANCE
COMPANY CAR PARK
THE DESIGNS, CONSTRUCTIONS, ARRANGEMENTS DISCLOSURES AND DEVICES SHOWN OR DEFINED IN THE PROPOSAL DRAWINGS OR SKETCHES BEARING THIS LEGEND ARE THE PROPERTY OF PERNOD RICARD WINEMAKERS PTY LTD. SUBMITTED IN CONFIDENCE WITH THE UNDERSTANDING THAT THEY SHALL NOT BE USED BY ANY PERSON, FIRM OR CORPORATION WITHOUT THE PRIOR WRITTEN PERMISSION OF PERNOD RICARD WINEMAKERS PTY LTD.
PERNOD RICARD WIN
ROWLAND FLAT
ADDITIONAL WASTEWATER
© PERNOD RICARD WINEMAKERS PTY LTD.
BAROSSA VALLEY HWY, ROWLAND FLAT, S.A., 5352, Ph: 0
APPROVED
DATE: 29/11/2023
SCALE: NTS
DRN BY:

13 September 2024

Aaron Curtis
The Barossa Council

Via: PlanSA Portal

Our Ref: 53765LET04

Dear Aaron

Development Application 24016872 – 1916 and 1956 Barossa Valley Way, Rowland Flat Response to Representations

MasterPlan SA Pty Ltd has been engaged by Pernod Ricard Winemakers ('the applicant') to review and respond to representations received during the public notification period for Development Application 24016872, relating to the expansion of an existing winery at 1916 and 1956 Barossa Valley Way, Rowland Flat ('the subject site').

The notification period, undertaken during August and September 2024, elicited two (2) representations, of which one (1) was in opposition and one (1) supported with concerns. One (1) representor indicated a desire to be heard.

The concerns raised by the representors relate to noise generated by both the existing and proposed operations.

It is noted at the outset that a winery has existed on the subject site for over 100 years and is a land use that is expected and envisaged within the Rural Zone. The proposed development represents a reasonable expansion of an existing land use, and seeks to attenuate machinery at the source to minimise impacts on nearby sensitive receivers. Furthermore, the nature of the locality is unique, with dwellings located in close proximity to a large scale winery and a further smaller winery to the south. This existing context, and the location of the locality within the Rural Zone, fundamentally seeks economic prosperity to be generated from primary production, must be considered when reviewing the representations received.

The matters raised by the representations are responded to under the subheadings below.

33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
www.masterplan.com.au

Offices in SA | NT | QLD
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ABN 30 007 755 277
plan@masterplan.com.au

Acoustic Fencing

One representor has suggested that a 2.5-metre-high fence be installed behind existing buildings fronting Barossa Valley Way for the entire length of the site. Sonus have reviewed this suggestion and advise that, as the majority of noise within the locality is generated by truck movements on Barossa Valley Way, an acoustic fence in this location may reflect noise back towards sensitive receivers, rather than prevent it from leaving the site. It is also noted that *Environment Protection (Commercial and Industrial) Noise Policy 2023* is achieved without this being required.

For further detail on the above, please refer to the **enclosed** response letter prepared by Sonus.

Ground Vibrations

Similarly, a second representor has raised concerns that the modelling undertaken by Sonus does not accurately capture the noise experienced at their residence. Particular reference was made to 'ground borne vibrations' and their impact on amenity.

In response, Sonus have advised that in ground vibrations are a phenomenon that would be unlikely to be perceptible at the distance between the site and representors dwelling (approximately 250 metres).

Furthermore, whilst measurements have not been taken from the representors property, alterations to existing development requires noise goals to be adopted that are 5 dB(A) lower than new development would otherwise be subject to. This is to address the cumulative effect raised by the representor. Nevertheless, despite these reduced noise goals, the development achieves the relevant standards with attenuation of the bag presses, as outlined in previous correspondence.

For further detail on the above, please refer to the **enclosed** response letter prepared by Sonus.

Closing

We trust that the response to the representations provided herein, address the matters raised and/or provide the necessary justification for the proposed development.

Please keep us informed of the time and date that this matter will be considered by the Barossa Assessment Panel so that the applicant can arrange for their representative to be in attendance to respond to any verbal representations to be heard.

Yours sincerely

Charlie Dubois
MasterPlan SA Pty Ltd

enc: Acoustic Response, prepared by Sonus

sonus.

Masterplan
33 Carrington Street
Adelaide SA 5000

S8186C3

Attention: Charlie Dubois **13 September 2024**

Dear Charlie,

PERNOD RICARD ROWLAND FLAT
RESPONSE TO REPRESENTATIONS

Sonus previously conducted an environmental noise assessment of the proposed changes to the existing Pernod Ricard Winery facility in Rowland Flat. The assessment is summarised in Sonus report "S8186C2", dated August 2024 (the **Assessment**).

As part of the Development Application process, two representations were made. Both representations have concerns regarding environmental noise emissions from the proposed development.

First Respondent

Comments from the first respondent primarily concern cumulative noise impacts due to the existing winery and proposed development, as well as low-frequency ground-borne noise from activity at the site. There is also a concern that existing noise emissions from the winery have not been measured at the residence of the respondent.

Response

Cumulative Noise Impacts

The *Environment Protection (Commercial and Industrial Noise) Policy 2023* (the **Policy**) includes provisions to account for cumulative noise in the assessment approach for Development Applications. Clause 19 of the Policy (Development authorisation applications) specifically requires the noise goals that are adopted for the assessment to be 5 dB(A) lower than the noise goals that are applied to the site as a whole. That is, the noise from the components of the development alone should achieve the lower noise goals.

The EPA document *Guidelines for the use of the Environment Protection (Commercial and Industrial Noise) Policy 2023* confirms this as follows (underline included for emphasis only):

A principle of clause 19 is to provide for a consistent but more stringent assessment procedure to the general noise provisions in Part 4 of the Noise Policy. The more stringent procedure is in recognition of a range of factors, including the increased sensitivity to new noise sources, the increased scope for inclusion of reasonable, and practicable noise attenuation measures to new development and the cumulative effect of noise.

It is confirmed that the Assessment has adopted goal noise levels for the assessment of the proposed development that are 5 dB(A) lower than the noise goals that would apply to the site as a whole.

Low Frequency Ground-borne Noise

The respondent is more than 250m from the development area on the subject site and at these separation distances, ground-borne noise from the development will not be perceptible.

Measurement of Existing Winery Noise

Due to the assessment approach that has been adopted for the Development Application (refer to the response above in relation to cumulative noise emissions), the noise emissions from the existing winery are not a relevant consideration. That is, the assessment of noise emissions from the proposed development must be considered independently from the existing winery.

Second Respondent

Comments from the second respondent are in relation to noise from truck and forklift movements along an internal road on the western side of the site. The second respondent has requested that a 2.5m high noise wall be installed parallel to the Barossa Valley Way, behind the existing heritage buildings on the western side of the site. This noise wall would be around 350-400m in length.

Response

The noise from the proposed development will meet the noise goals of the Policy without the need for an additional 2.5m high noise wall as described by the second respondent. The proposed location of the barrier would provide little benefit in relation to the reduction of noise emissions from the development.

The following should also be noted:

- The proposed development will reduce the number of truck movements along the section of internal road along the western boundary, as the trucks will travel further into the site to access the proposed development and only exit along the western boundary (currently the trucks enter and exit along the western boundary internal road).
- Truck movements along the Barossa Valley Way would be at a noise level significantly greater than that generated through internal movements along the western boundary due to the higher vehicle speed on the public road and closer proximity to the respondent. A barrier in the suggested location has the potential to reflect noise from the Barossa Valley Way, resulting in higher noise levels at the residence.

If you have any questions or require clarification, please call me.

Yours faithfully
Sonus Pty Ltd

Simon Moore
Senior Associate
0402 857 579
smoore@sonus.com.au

Government of South Australia
Department for Environment and Water

Heritage South Australia
Environment, Heritage and Sustainability Division

81-95 Waymouth Street
Adelaide SA 5000
GPO Box 1047
Adelaide SA 5001
Australia
DX138
Ph: +61 8 8124 4922
Fax: +61 8 8124 4980
www.environment.sa.gov.au

Ref: SH/10324D
Date: 2 August 2024

The Barossa Council
PO Box 867
Nuriootpa 5355

Attention: Jake Boswell

Dear Mr Boswell

DESCRIPTION: ALTERATIONS AND ADDITIONS TO EXISTING WINERY (COMPRISING RECEIVAL AREA, FERMENTER AREA, TANK FARM, PROCESSING BUILDING AND CANOPY), INCLUDING AN OPERATIONAL CRUSH CAPACITY INCREASE OF 6,000 TONNES A YEAR (UP TO 26,000) AND CONSTRUCTION OF RETAINING WALL

Application number:	24016872
Referral received:	25/06/2024
State Heritage Place:	Pernod Ricard Winemakers Orlando Winery Complex (former Orlando Winery Complex - School, Dwelling, Boiler House, Distillery and Stores) - 1916 Barossa Valley Way, ROWLAND FLAT SA 5352
Documentation:	As referred to date of response
☒	Support the application

In accordance with Section 122(1) of the Planning, Development and infrastructure Act 2016 and Regulation 41(1) of the Planning, Development and Infrastructure (General) Regulations 2017, the above application has been referred to the Minister for Climate, Environment and Water as the prescribed body listed in Schedule 9 Clause 3 Item 17 of the Regulations.

The subject land is contained within the State Heritage Place Overlay of the Planning and Design Code.

The proposed development is considered to be acceptable in relation to the above State Heritage Place for the following reason/s.

- Significant buildings associated with the heritage place – boiler house, distillery, chimney and bond/spirit stores – are physically unaffected by the proposal.
- Views of the heritage place from the public realm are not further compromised, as new equipment and tanks are similar in appearance to tanks already established on the site. Views of the site are primarily unchanged.
- Proposed shedding is compatible in form and material to existing structures on the site and therefore will not be visually dominant.

General Information

1. Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for example (a) an application to vary the Planning Consent, or

(b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.

2. Please note the following requirements of the *Heritage Places Act 1993*.

   (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.

   (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

   For further information, contact the Department for Environment and Water.

3. Please note the following requirements of the *Aboriginal Heritage Act 1988.*

   (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

Any enquiries in relation to this application should be directed to telephone (08) 8124 4922 or e-mail DEW.StateHeritageDA@sa.gov.au.

Yours sincerely

Michael Queale
Principal Heritage Architect
Department for Environment and Water
as delegate of the
MINISTER FOR CLIMATE, ENVIRONMENT AND WATER

DAC_RESPONSE20240627112437

Environment Protection Authority
GPO Box 2607 Adelaide SA 5001
211 Victoria Square Adelaide SA 5000
T (08) 8204 2004
Country areas 1800 623 445

OFFICIAL

EPA Reference: PDI 950

18 September 2024

The Barossa Council
PO Box 867
NURIOOTPA SA 5355

Acurtis@barossa.sa.gov.au

Dear Aaron Curtis

EPA Development Application Referral Response

Development Application Number	**24016872**
Applicant	**Pernod Ricard Winemakers Pty Ltd c/- MasterPlan**
Location	**1916 & 1956 Barossa Valley Way, Rowland Flat SA 5352 (CT 6076/18 & 6287/246)**
Proposal	**Alterations and additions to existing winery (comprising receival area, fermenter area, tank farm, processing building and canopy), including an operational crush capacity increase of 6,000 tonnes a year (up to 26,000) and construction of retaining wall**

This development application ('DA') was referred to the Environment Protection Authority (EPA) by the Assessment Panel at the Barossa Council in accordance with section 122 of the *Planning, Development and Infrastructure Act 2016*. The following response is provided in accordance with section 122(5)(b)(ii) of the Planning, Development and Infrastructure Act.

The EPA assessment criteria are outlined in section 57 of the *Environment Protection Act 1993* and include the objects of the Environment Protection Act, the general environmental duty, relevant environment protection policies and the waste strategy for the State.

The EPA's assessment includes consideration of the location with respect to existing land uses and is aimed at protecting the environment and avoiding potential adverse impacts upon the locality.

PROPOSAL

This DA proposes alterations and additions to an existing winery. The proponent intends to consolidate their Barossa Valley operations to a single site, resulting in the decommissioning of their Richmond Grove site in Tanunda which processes red wine. The existing winery at Rowland Flat currently produces white wine and has an operational crush capacity of between 15,000 and 20,000 tonnes a year. The development will result in both white and red wine being produced at the subject site and will increase processing capacity at the Rowland Flat site by 6,000 tonnes per year, bringing the total processing capacity of the site to a maximum of 26,000 tonnes per year.

The DA proposes the construction of a processing building with associated tank farms, receival areas and canopy. The processing building would be 569m2, be built in place of Cellar 13 and incorporate a covered multipurpose work area, control room and dry storage area. A canopy is proposed over the receival area and will cover the area used for loading/unloading, the crusher/de-stemmer, bin staging area and yeast storage area. A series of tanks will be installed on the subject site for the storage of wine at various stages of the winemaking process and will range in size from 5kL to 56kL. Seven presses will be installed adjacent to the receival area and fermentation tanks with a total capacity of 2,200 tonnes will also be installed. Storage tanks are airtight and processing and crushing occurs within sealed equipment.

Grapes for red wine production will be delivered to the proposed receival area. Once received they will be crushed, fermented in tanks, and then pressed. The juice is then fermented within tanks, before being stored in the on-site tank farms prior to bottling,

Solid waste ie stalks and marc will continue to be collected daily and disposed of by EPA licensed contractors.

The existing wastewater system comprises north and south drains which transfer wastewater via gravity mains under Barossa Valley Way to the main receival sump at the wastewater treatment plant ('WWTP'). Wastewater is pumped through a rotary screen ('ContraShear screen') to remove coarse solids before being transferred to the 5 megalitre (ML) covered storage dam ('feed dam'). From there, wastewater is transferred to the 5 ML Sequencing Batch Reactor ('SBR') where it is treated aerobically. Treated wastewater is decanted via gravity into a 2 ML decant dam, from there the treated wastewater is transferred to and stored in the 25ML Swan Lake dam prior to transfer to the Tanunda Pines Golf Course/Club. Additional treated wastewater storage capacity is available at the woodland dam and nursery dam as required. At times wastewater may be diverted to the uncovered Surge Dam. Use of the Surge Dam is a contingency measure, for example when wastewater has an unacceptable pH and/or EC or during periods of high rainfall. Biosolids from the SBR are thickened and dewatered onsite using a centrifuge prior to reuse.

The increase in processing capacity will result in an additional 7.2 ML of wastewater being generated which will be treated in the existing WWTP. To facilitate this, 5.3 ML of wastewater storage capacity is proposed to be added. This will allow the additional wastewater to be treated after vintage when capacity is available in the SBR. Wastewater will be stored in repurposed wine tanks. These tanks are airtight and located adjacent to the tank farm. The tanks have vacuum/pressure vents fitted to their lids to allow air movement and temperature induced contraction and expansion. However, the vents do not have carbon filters installed and there are no plans to have filters installed as the applicant

considers the level of fugitive emissions will likely be low as tanks are only being completely filled once per vintage, limiting displacement that would be exacerbated by repeated use.

When capacity is available within the WWTP, the stored wastewater is transferred directly into the covered wastewater pretreatment storage lagoon via the rising main pipework where it is mixed with incoming winery wastewater prior to being transferred to the SBR for aerobic treatment.

SITE

The subject site is the existing Pernod Ricard Winemakers Winery at 1916 and 1956 Barossa Valley Way, Rowland Flat more specifically referred to as Certificate of Title 6076/Folio 18 and Certificate of Title 6287/Folio 246. The subject site is located within the Rural Zone of the *Planning and Design Code*.

The site operations and associated wastewater treatment plant are managed under an existing EPA License No. 1966.

ENVIRONMENTAL ASSESSMENT

Evaluation Distances

The EPA publication *Evaluation distances for effective air quality and noise management (updated 2023)* recommends an evaluation distance of 300 metres for wineries with mechanically treated wastewater (including aeration devices). Dwellings and tourist accommodation are located close to the subject site, including along Barossa Valley Way directly adjacent to the site. Hence sensitive receivers exist within the evaluation distance. It is noted that the proposed alterations and additions do not alter the existing activity boundary, as the proposed development area is internal to the site and surrounded by existing infrastructure and the wastewater storage tanks will be repurposed wine tanks. Therefore, the proposed development does not alter existing separation distances between the winery activity and nearby sensitive receivers.

If not appropriately located, designed, and managed, wineries may result in adverse air quality impacts relating to odour and noise. Air quality and noise considerations are discussed below.

Air Quality

Odour is the main air quality risk for wineries, with the collection, storage and treatment of wastewater generally the main source.

The winery is currently managed in accordance with an Environmental Plan, which includes a range of measures to manage odour including field assessments, complaints management procedures and reporting methods, scheduling of activities and preparation for adverse weather conditions, minimising organic loads, and minimising the use of the surge dam. The surge dam is uncovered and is therefore considered to be the greatest odour source. The surge dam is used only occasionally, generally during high rainfall events which dilute the wastewater, reducing the concentration of sludge and therefore odour. The DA documentation states the proposed alterations and additions would not significantly

alter the frequency of use of the surge dam, hence the proposal isn't likely to significantly alter odour risks from this source.

No changes to the existing wastewater system are proposed as part of this DA, other than adding wastewater storage capacity. The proposal will result in the WWTP being run at full capacity for longer periods of time throughout the vintage period. The proposed development will increase the generation of sludge which will continue to be managed in the same way as it is currently. In addition, sensitive receivers will be notified when cleaning is to occur. As noted previously, the stored wastewater is mixed with incoming winery wastewater within the sealed feed dam after being transferred via pipes, which will contain any odour. The storage tanks are located over 200 metres from sensitive receivers. As a result, the storage, transfer, and mixing of the additional wastewater produced by the proposed expansion, prior to being treated aerobically in the SBR, poses a low risk of increasing odour impacts at sensitive receptors.

Odour generation from the remainder of winery operations, eg unloading, loading, crushing and storage, are considered low risk and management of these aspects will be as per existing operations and licence conditions.

Overall, the proposal is not expected to significantly alter odour impacts at sensitive receptors. The additional processing is unlikely to result in a noticeable increase in odour, and management of the additional wastewater produced also poses a low risk of increasing impacts. Hence, air quality risks are considered acceptable.

Noise

Operational hours of the winery are 24 hours per day and seven days per week. An *Environmental Noise Assessment S8186C2,* dated August 2024, prepared by SONUS was provided with the DA.

The nearest residential dwellings are located directly adjacent to the subject site. The applicant has confirmed that these properties are owned by the site operators. As these properties are located on a separate title to the winery, they are considered as sensitive receivers by the *Environment Protection (Commercial and industrial Noise) Policy 2023*. The provided Environmental Noise Assessment did not assess these dwellings (owned by the operators) as sensitive receivers. However, while some noise impacts would be expected at these dwellings, the EPA considers that it is unlikely that the proposed expansion would significantly change the noise experienced in the area by surrounding receivers.

The SONUS Environmental Noise Assessment recommended that ‘Option A’ be undertaken as the primary noise mitigation option. Option A involves the install acoustic absorption material on the inside of the press equipment cabinets, particularly the compressor and vacuum pump units. A suitable material is glasswool or rockwool insulation that is at least 50mm thick and with a minimum density of 32 kg/m3. In order for this option to be successful and achieve the noise criterion at sensitive receivers, it will be necessary to reduce the total noise level of each bag press such that the sound power level is no higher than 90 dB(A) each.

The SONUS report recommended additional noise mitigation options should the implementation of 'Option A' not result in a sufficient noise reduction to meet the requirements of the *Environment Protection (Commercial and industrial Noise) Policy 2023* following operational testing.

The EPA considers the proposal acceptable from a noise perspective, subject to the conditions directed below.

Water Quality

Wastewater treatment

An additional 7.2 ML of wastewater is expected to be generated from the proposed development. The winery has an existing wastewater treatment plant ('WWTP') that will accommodate the extra wastewater that will be generated. The WWTP screens wastewater before it drains through a series of sumps for settlement storage within a Surge Dam or Feed Dam. Treatment occurs within the Sequencing Batch Reactor ('SBR') via aeration. Treated water is then decanted and stored before it is pumped to the Tanunda Pines Golf Course.

A review of the existing system found that the extra 7.2 ML can be handled by the WWTP but requires an additional 5.3 ML of storage capacity. The additional storage capacity is required prior to wastewater entering the SBR. Repurposed wine tanks will provide the additional required storage. Solid waste will be managed by EPA licensed contractors.

Irrigation

Treated wastewater will be stored and then irrigated at the Tanunda Pines Golf Course. There is the possibility of woodlot and vineyard irrigation as contingencies where pumping to the golf course is unable to be undertaken. The applicant states that these contingencies have not been used in the past ten years, and there is now adequate storage due to recent upgrades to the Woodlot Dam (taking capacity to 150 ML), in conjunction with the Swan Lake Dam (25 ML storage capacity) and the Nursery Dam (100 ML storage capacity) which collectively have sufficient capacity to store treated wastewater until it is able to be transferred to the golf course.

Stormwater and spill management

All roof runoff is proposed to be directed to detention and rainwater tanks. A 10KL rainwater tank will be installed next to the receiving canopy. The tanks drain to a system connected to the drainage for the adjacent processing building before ending in a 170kL detention tank. This water is then used to irrigate landscaped areas, with any overflow being directed to the trade waste drainage system.

Trade waste and stormwater from external processing and pavement areas, immediately adjacent to the building, is directed into the southern trade waste drainage network without detention.

Marc will be stored in a pair of collection bays on an impervious hardstand that is graded to two drains.

These drains lead to the site's wastewater treatment system ensuring that any leachate produced is captured appropriately and contamination of stormwater does not occur.

Within the development there are two proposed tank farms. The tank farms are located on an impervious base and adequately bunded. The largest container in tank farm A is 56kL and has a bund volume of 129m3, exceeding the required 67.2m3 as per the EPA's *Bunding and Spill Management Guidelines*. Tank farm B has a bund volume of 253m3 with the largest container within the bund being 60kL, exceeding the required bund volume of 72kL as per the EPA's Bunding and Spill Management Guidelines.

The bunds for tank farm A and B in addition to possessing capacity for a spill from the largest tank, are able to simultaneously contain an ARI10 event for 24 hours without outflow.

The EPA considers that adequate bunding is proposed for the new areas that will drain to the trade waste drainage network and connects to the WWTP.

The EPA considers the existing wastewater treatment plant with its associated dams, updated trade waste drainage network and stormwater management system have adequate capacity within the system to capture wastewater, contaminated stormwater and any major spills anticipated from the existing and proposed tank farms.

The EPA considers the application acceptable from a water quality perspective.

The EPA notes that irrigation should sustainably continue at the Tanunda Pines Golf Course, with increased capacity of the storage dams to hold water when required. It is recommended that the health of the woodlot be maintained if it is to be used as a contingency for irrigation of wastewater in the future.

Waste Management

Risks regarding waste associated with the expansion of wine production at the site primarily relates to the management of grape marc.

Marc will be stored in a pair of collection bays on an impervious hardstand that is graded to two drains. that lead to the site's wastewater treatment system.

Marc is proposed to be collected daily in accordance with existing site practices and will be removed via a front-end loader and placed into a truck to be taken offsite by a licenced contractor.

This is acceptable to the EPA.

Environmental Authorisation

An environmental authorisation (licence) is required for this development, however the EPA notes that no changes are required to the site's existing EPA license 1966.

CONCLUSION

Provided the proposed winery redevelopment is undertaken in accordance with the plans and supporting documentation submitted with the application, the potential for adverse environmental impacts is expected to be minimal.

DIRECTION

The relevant authority is directed to attach the following conditions to any approval:

1. Prior to operation of the proposed infrastructure, the noise mitigation 'Option A', as presented in the SONUS *Environmental Noise Assessment S8186C2*, dated August 2024, must be implemented.

2. The sound power level of the bag press installed must not exceed 90 dB(A).

3. All wastewater (including contaminated stormwater) from the existing and new tank farm areas, external processing and pavement areas that are immediately adjacent buildings, must be directed to the existing trade waste drainage system, that connects to the wastewater treatment plant.

4. Clean roof runoff (clean stormwater) is to be kept separate (i.e. collected via a sealed drainage system) and reused on site. Where overflow occurs, the water can be directed to the trade waste drainage network.

The following notes provide important information in relation to the development and are requested to be included in any approval:

- The applicant/owner/operator is reminded of the general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.
- The EPA recommends that the health of the woodlot be maintained if it is to be used as a contingency for irrigation of wastewater in the future.
- More information about the EPA licencing requirements can be found by contacting the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au
- More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au .

OFFICIAL

If you have any questions about this response, please contact Niall Stephen on (08) 8204 2078 or Niall.stephen@sa.gov.au

Yours faithfully

Melissa Chrystal
Delegate
ENVIRONMENT PROTECTION AUTHORITY

OFFICIAL

6.2 24021139 - 221 Yaldara Drive Lyndoch

APPLICANT:	Greg Vincent of Masterplan on behalf of the Applicant KPHR Investments Pty Ltd
REPRESENTORS TO BE HEARD:	Representative from the Barossa Region Residents Association Jared Siviour

APPLICATION DETAILS

PROPOSAL	Variation to Application ID 21018528 – Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas and alteration of car parking design and configuration
APPLICANT	KPHR Investments Pty Ltd
OWNER	KPHR Investments Pty Ltd
APPLICATION NO	24021139
CERTIFICATE(S) OF TITLE	CT 5718/899
AREA	Approx. 28.32 hectares
CURRENT USE	Tourist accommodation (Development Application 960/00410/04) Planning Consent for Tourism Development comprising 80 room hotel, function venue, restaurant and day spa (Application ID 21018528) and 12 luxury suites and guest lounge (Application ID 22022572))
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.12 – 4 July 2024
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Rural Zone
OVERLAYS	Character Preservation District (Not in Township) Hazards (Bushfire – Medium Risk) Hazards (Flooding – Evidence Required) Native Vegetation Water Protection Area Water Resources
APPLICATION TYPE	Code Assessed – Performance Assessed
PUBLIC NOTIFICATION	Notified – No Sign Required
REFERRALS	Native Vegetation Council
PREVIOUS APPLICATIONS	960/410/2004 Development Approval granted for six self-contained tourist accommodation units in association with primary production (grazing)

	960/1063/2005	Development Approval granted for a storage shed
	960/1064/2005	Development Approval granted for a farm shed
	960/188/2008	Development Approval granted for a masonry entrance feature
	960/381/2011	Development Approval granted for a detached dwelling in association with the existing six self-contained tourist accommodation units and primary production (grazing)
	960/46/2018	Development Approval granted for the detached dwelling to include the additional use of tourist accommodation
	21018528	Tourism Development comprising 80 room hotel, function centre, restaurant and day spa
	22022572	Amendment to Planning Consent 21018528 - Addition of 12 luxury accommodation suites (comprising four detached single storey accommodation buildings), suites administration, lobby and guest lounge/check in building attached to approved hotel building, spa deck, decking, covered walkway, retaining walls and associated new internal access driveway, drop off area, car parking, landscaping and on-site wastewater system
ASSESSING OFFICER	Paul Vivian (Planning Consultant)	
RECOMMENDATION	That Planning Consent be GRANTED subject to Reserved Matters and Conditions	

INTRODUCTION

On 12 July 2024 a development application was lodged for the '*Variation to Development Application ID 21018528 – Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas and alteration of car parking design and configuration'*.

The proposal was determined to be Performance Assessed in nature and requiring public notification. The application was subject to a referral to the Native Vegetation Council.

Public Consultation commenced on 24 July 2024 and concluded on 13 August 2024, in which two representations were received with both representors wishing to be heard. The applicant has provided a response to the representations.

The application is subject to decision of the Barossa Assessment Panel (BAP) for the following reason:

(1) Representation have been received as a result of public notification and representors have indicated a desire to be heard in support of their representation.

This application constitutes the second variation to a Planning Consent for a tourism development comprising 80 room hotel, function centre, restaurant and day spa, which was considered by the BAP at its meeting on 5 April 2022 in Development Application 21018528. This application is referred to as the 'Tourist Hotel' in this report. The first variation application (ID 22022572) was approved by the BAP at its meeting on 4 October 2022. This application introduced the Nexus Suites into the project comprising 12 accommodation suites plus ancillary facilities and associated changes to car parking and on-site infrastructure.

The BAP resolved that the applications for the Tourist Hotel and the Nexus Suites were not Seriously at Variance with the Planning and Design Code and would have no significant adverse impacts on the character values of the district. The BAP ultimately determined that the applications warranted Planning Consent and resolved to grant Planning Consent, subject to a Reserved Matter and Conditions.

The extant authorised development therefore comprises:

- Three new buildings, comprising two accommodation buildings (north and south) with 80 guest rooms of varying sizes and a hotel main building with a reception/lobby area, function centre, restaurant and swimming pool.
- Full conversion of the Glass House (an existing part dwelling on the site) to tourist use with guest lounges, cocktail bar, lounge and external terrace area, plus a guest pool area.
- An extension to the hotel comprising 12 luxury accommodation suites (within four detached single storey accommodation buildings) and related features.
- A total of 121 car parks for guests and other requirements plus fire, wastewater and stormwater management infrastructure.

Figure 1 indicates the approved Tourist Hotel.

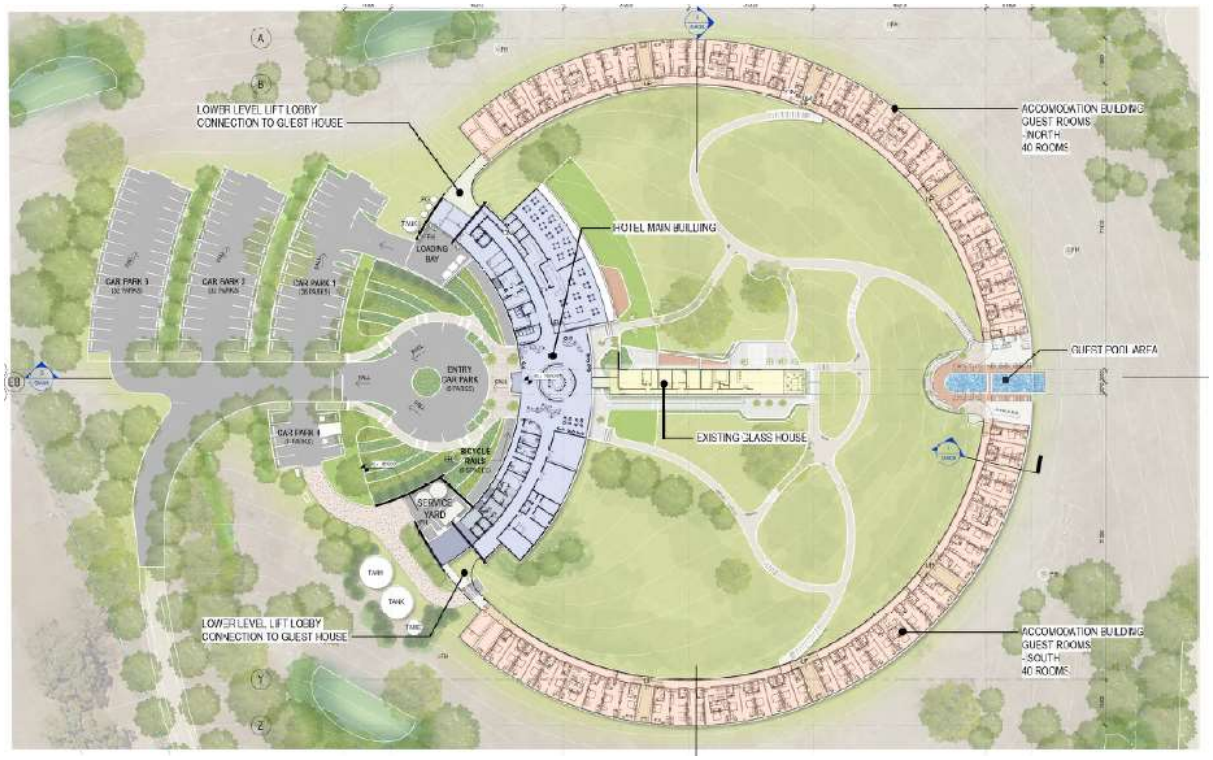


***Figure 1**: – Hotel Plan (source Brown Falconer)*

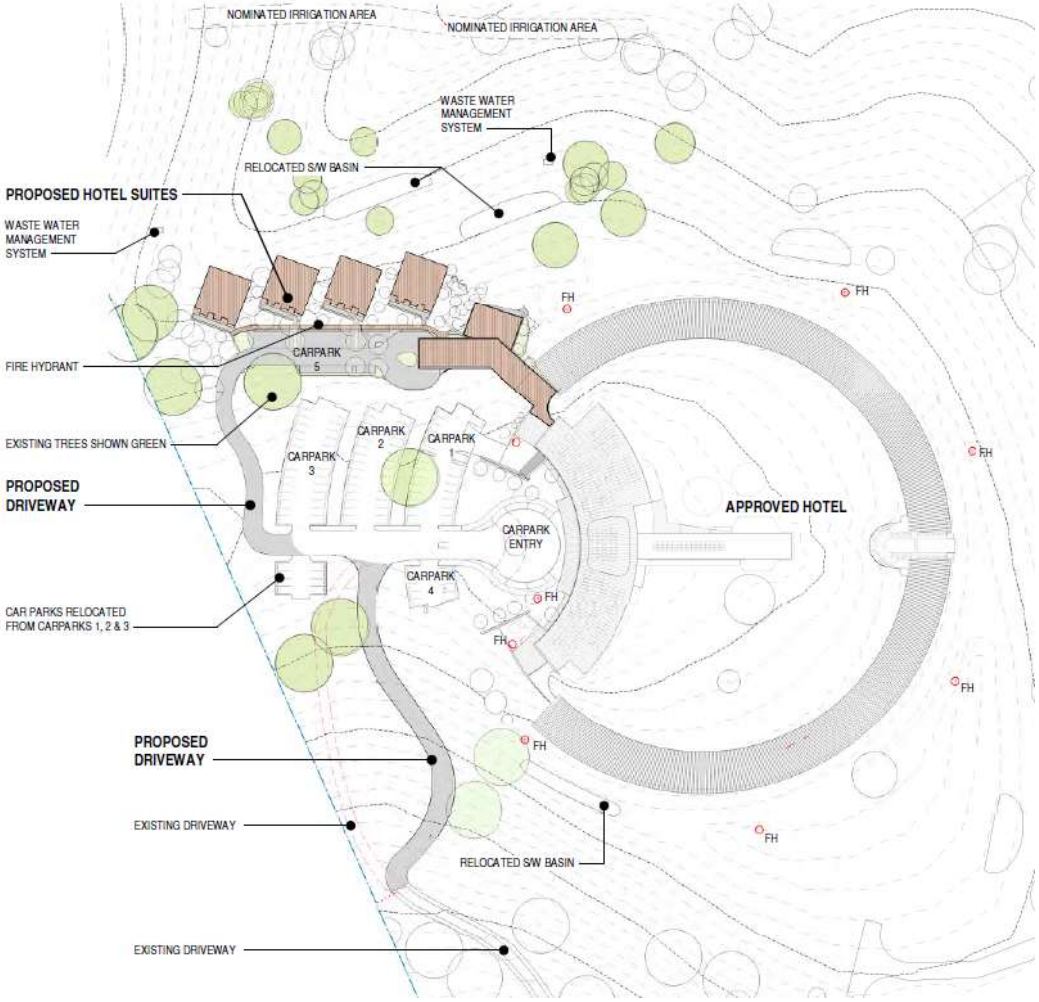


***Figure 2**: – Hotel Plan with Nexus Suites shown (source Brown Falconer)*

The BAP determined the applications for the Tourist Hotel and Nexus Suites satisfactorily addressed key planning assessment issues relating to:

- Non-connectivity with a primary production use
- Potential land use impacts upon sensitive receivers
- Design, scale and built form
- Landscaping and visual character impacts
- Earthworks
- Access and car parking
- Infrastructure provision including stormwater management, bushfire hazard reduction and waste water disposal.

This proposal constitutes a variation to the approved Tourist Hotel. The applicant's planning consultant states that in "*Our assessment of the variations compliance with the relevant provisions of the Planning and Design Code finds that the proposal remains consistent with policy expectations and/or established approvals in respect to land use, visual effect, traffic matters, amenity effects, infrastructure considerations, and environmental and ecological measures.*"

This variation generally retains the site layout arrangements, building form (the distinctive ring shape), land use mix, siting and approach to supporting infrastructure as the two previous applications. There is a reduction in footprint of the Tourist Hotel albeit contrasted by the major design change from a single to a two storey format. The proposed Tourist Hotel and the Nexus Suites remain integrated, amongst others, with site access, infrastructure provision, general guest facilities and access around the property. The proposal is for 24 total additional rooms that represents an increase of 26.08% (excluding 6 rooms in the pavilions) in the number of accommodation rooms and up to 232 guests (hotel rooms and Nexus Suites, excluding max 12 guests in the pavilions) in the accommodation rooms at any given time which is a 26.08% increase from the last variation application. In part, the increase in accommodation rooms derives from efficiency in room sizes and internal layout design.

An initial assessment concern as expressed in the 5 April 2022 BAP report was the lack of on-site connection to primary production. The BAP ultimately determined the non-connectivity with primary production on the site was on balance acceptable. This decision was applied to the Nexus Suite application.

The assessment of the proposed variation has taken into account this 'baseline' siting, built form, visual impact, landscaping, infrastructure and transport impacts of the approved development. This approach is consistent with established legal principle in that only the matters upon which variation is being sought should be assessed.

Updated supporting documents have been submitted with the variation application. This includes a revised Visual Assessment prepared by Oxigen. Taking into account the proposed changes in building form, height and layout, the expert advice from James Hayter is that the proposed development will have a low visual impact on the broader locality.

Detailed assessment of this proposal has found the proposal warrants Planning Consent in that it forms an acceptable reconfiguration and revision of the approved large scale tourist development, maintains an appropriate form and design and will be served by adequate on-site infrastructure to support the facility. The proposal is

considered to be sufficiently consistent with the provisions of the Planning and Design Code so as to warrant Planning Consent, subject to Reserved Matters and Conditions.

SITE AND LOCALITY

The site is irregular in shape and approximately 28.3 hectares in area with frontage to an unmade portion of Fuss Road, at the intersection of Fuss Road and Yaldara Drive in the south-western corner of the site. The eastern boundary of the site is marked by the meandering North Para River.

When viewed from Lyndoch Road (to the east), the property is ostensibly a hill with the North Para River at the bottom and a detached dwelling sited at the top. The site has an average slope of 1 in 6, although it is steepest near the river and flattens out near the top of the hill. Neighbouring Abbotsford Country House (immediately to the west) is located on a slightly lower elevation (approximately five metres) than the dwelling on the subject site. There are limited views of the site from Yaldara Drive and Fuss Road due to the terrain but longer views of the site are evident from the north-east, particularly when travelling in a south-westerly direction along Lyndoch Road from Gomersal Road.

The subject site currently contains an elongated single-storey contemporary designed detached dwelling (approved for use as both dwelling and tourist accommodation), six single-storey accommodation buildings sited in the lower eastern half of the property and associated outbuildings including a larger shed adjacent the main entry. Unsealed driveways provide internal access to the existing habitable buildings within the site.

The subject land is located within the Hazards (Medium Bushfire Risk) Area Overlay and the Barossa Character Preservation District Overlay.

Surrounding properties range in size from approximately two to 20 hectares and exhibit a range of uses such as rural living, small scale tourist accommodation, large winery, agriculture, horticulture, cellar door and restaurant/café activities. One representor is from 526 Lyndoch Road. This is an elongated property with an extensive frontage to Lyndoch Road. The dwelling on this neighbouring property is located approximately 400 metres in a downhill direction from the Glasshouse (existing dwelling) on the subject site. This property is separated by the North Para River.

The township of Lyndoch is situated approximately two kilometres to the south with the township of Rosedale being located approximately three kilometres to the north-west.

Figure 3 provides a Zone Map and details the location of the site with regard to the Council boundary.

Figure 3: *Zone Map and Council Boundary*

An aerial view of the site and locality are contained in ***Figure 4*** and ***Figure 5***.

Site photos are provided in ***Figure 6*** to ***Figure 11.***

Figure 4: *Aerial Plan – Site boundary in purple, council boundary/North Para River in blue*

Figure 5: *Aerial Plan –Site boundary in purple, council boundary/North Para River in blue*

Figure 6: *Site Photo taken east of the site and looking west, showing context with Abbotsford Country House in the background (source James Hayter – Visual Assessment)*

Figure 7: *Site Photo – North-east elevation of the Glass House, looking south-west (source James Hayter – Visual Assessment)*

Figure 8: *Site Photo taken east of the site (571 Hentschke Road) looking west (source www.hospitalitydirectory.com.au)- note The Glass House was still under construction at this time.*

The site may be accessed via a number of routes including Fuss Road and Yaldara Drive from the south or Lyndoch Road/Hermann Thumm Drive from the direction of north/south. The latter route features an alternate connection to the site via a private roadway alongside of Chateau Yaldara that links Lyndoch Road to Yaldara Drive.

Photos of the road connections are provided in ***Figure 9*** to ***Figure 11***.

Figure 9*: Looking south along Fuss Road toward the Bridge crossing (source – Google Streetview)*

***Figure 10**: Looking east along the private road from the entry to 221 Yaldara Drive (source Google Streetview)*

***Figure 11:** Looking east from Hermann Thumm Drive along the private road, Chateau Yaldara is on the left hand side (source Google Streetview)*

PROPOSAL
The proposal seeks a variation to the recently approved Tourist Hotel and Nexus Suite development, refer ***Figure 12***.

The variation primarily comprises:

- A net increase of main hotel 22 accommodation rooms from 80 to 102 hotel rooms (in the Tourist Hotel or main hotel as referenced in the variation application), which equates to increase in proposed occupancy from 160 persons to 204 persons;
- A net increase of two additional accommodation suites (in the Nexus Suites or the suites as referenced in the variation application), which equates to increase in occupancy from 24 persons to 28 persons;
- No change to the occupancy of the pavilions, which comprises 6 rooms for a maximum of 12 guests;
- Reconfiguration of some of the activities in the Main Lobby Building including a net increase in floor area comprising:
  - A 123 square metre increase in floor area to the function/conference room.
  - A 167 square metre increase in floor area to the restaurant.
- Reduction in the suites lounge/reception from 350 square metres to 310 square metres;
- Relocation of the swimming pool approved to be on the outer eastern edge of the hotel and repositioned to be adjacent the existing Glasshouse building.
- An increase in the number of persons in the function space from 120 persons to 160 persons.
- An increase in the number of persons in the restaurant from 90 persons to 176 persons.

In built form terms the variation comprises:

- The Tourist Hotel accommodation building altered from a continuous circular ring to two separate wings or arcs in a two-storey arrangement (albeit on substantially the same site as the approved Tourist Hotel).
- The Nexus Suites is proposed to be consolidated into a single building, instead of the previously approved layout of four separate buildings. This revised design will also increase the total number of suites from 12 to 14.
- The Main Lobby Building is reduced in footprint but undergoes a series of internal layout changes including:

  - Creation of a northern and southern bridge link to accommodation wings in the Tourist Hotel.
  - Relocation of the day spa (size does not change) and guest gym (increase in size by 3 square metres);
  - Relocation of the function room space from the northern end of the lobby building to the southern end of the lobby building to create a larger combined conference/function area.
  - Increase in floor area of the restaurant space within the northern end of the lobby building.
  - The addition of a new terrace on the southern side of the glasshouse.

The proposed building comprising the new suites (Nexus Suite) will remain elevated on posts in response to the undulating topography of the land. This building will exhibit a skillion roof design with a split-level interior and recessed balcony design. A mixture of

external materials will be utilised, including dark timber cladding to the external walls, lighter treated timber cladding within the balcony alcove and internally and a mix of masonry and concrete formwork and timber used in the construction of the external guest circulation paths, bridge and entry portico to each of the buildings.

The revised 'Tourist Hotel' is now expressed as a two storey building with a maximum height of 8.1 metres, in comparison to the approved Tourist Hotel not exceeding seven metres and not exceeding nine metres for the main lobby/function and restaurant spaces. The proposed building maintains the contemporary design vernacular of that authorised in the earlier design and incorporates external finishes such as dark timber cladding, natural stone, tinted glazing and concrete.

The approved car parking area (comprising 135 spaces) will be expanded to accommodate additional car parking with 153 spaces. There will be five car parking areas interconnected with the Porte Cochere retained to the front of the Main Lobby Building.

An updated landscaping plan has been submitted which maintains the design vision and themes established for the approved Tourist Hotel and Nexus Suites, refer ***Figure 13***.

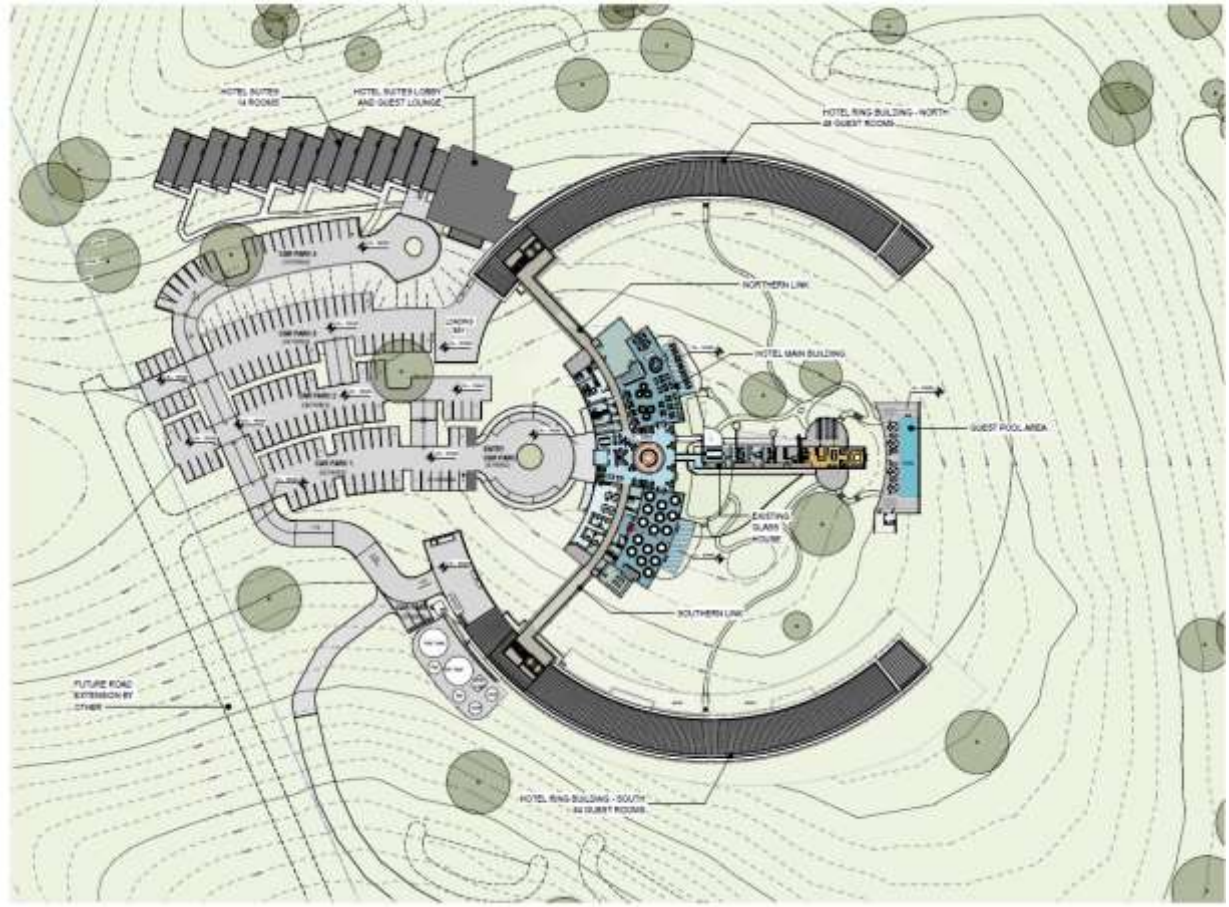


Figure 12: *Hotel Plan (source Brown Falconer)*

Figure 13: *Landscape Master Plan (source GD Studia)*

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

PUBLIC NOTIFICATION

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

Class of Development (Column A)	*Exceptions (Column B)*	*Excluded from Public Notification*
Tourist Accommodation	*Except tourist accommodation that does not satisfy any of the following:* *1. Rural Zone DTS/DPF 6.3(b)* *2. Rural Zone DTS/DPF 6.4(a) and (b)*	*No*

The proposal was subject to public notification, due to the floor area of tourist accommodation exceeding DTS/DPF 6.3(b) and 6.4 respectively. The Rural Zone, DTS/DPF 6.3(b) and 6.4 are contained below for reference:

Rural Zone Performance Outcome	*DTS/DPF*	*Met*
DTS/DPF 6.3(b)	*i.In relation to the area used for accommodation:* *i.* *i. where in a new building, does not exceed a total floor area of 100 sqm.* *ii. where in an existing building, does not exceed a total floor area of 150 sqm.*	*iii.* *iv.* *v.* *vi.No* *vii.* *viii.* *ix.N/A*
DTS/DPF 6.4	*x.Tourist accommodation in new buildings:* *i.* *(a) is set back from all allotment boundaries by at least 40 metres.* *(b) has a building height that does not*	*xii.* *xiii.* *xiv.* *xv.No* *xvi.* *xvii.No*

	exceed 7 metres above natural ground level.	

The application was therefore subject to public notification.

The table below provides details of the public notification process.

Representations:	Two representations were received during the public notification period as follows: • Jared Siviour • Barossa Region Residents Association No late representations were received.
Person wishing to be heard:	Of the two representations received, two wish to be heard as follow: • Jared Siviour • Representative from the Barossa Region Residents Association
Applicant	Greg Vincent of Masterplan on behalf of the Applicant KPHR Investments Pty, wishes to appear to respond to the representations.
Time period for Public Consultation	24 July 2024 to 13 August 2024

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

Summary of Representations **Representor/s**	**Applicant's Response**
• *Increase in intensity including more guests and customers for dining purposes.*	• *Not agreed that degree of variance is so manifestly different from approved that it must be construed as a new development. We find that the changes to the proposal are reasonable and discreet in the context of the existing approval and do not significantly alter the intensity to a degree that could be considered to change the essential nature of the development from what has been previously approved.*
• *Increasing the height of the accommodation causing negative visual impacts.*	• *Visual assessment has been undertaken by Landscape Architect, James Hayter. Therefore the only expert advice on this issue concludes that, notwithstanding the proposed*

	addition of the second storey of accommodation, the visual impact of the built form on the locality is not changed.
• *Need for independent legal advice to navigate complexities of the Geber matter in assessment of this application.*	• *The Geber decision relates to an approval for the establishment of a standalone tourism development on an undeveloped parcel of rural land, a distinctly different context to this development and this site, upon which tourism development has been the primary commercial use since 2004.*
• *Potential need for the Council and Assessment Panel to now reassess the entire development as a fresh application as opposed to a variance.*	• *The change in variance proposed as part of this development is not quantitatively significant in the context of the existing authorisation and has been demonstrated in the accompanying technical reports to be consistent in impact to what has been previously accepted and endorsed. As such, whilst the proposed changes may be non-conforming with the DPF criteria, they remain a reasonable and acceptable variance when considered in the context of what has been previously approved.*
• *The variation is not in accordance with Performance Outcomes 6.3 and 6.5 of the Rural Zone of the Code, as the varied elements of development are not associated with the use of the land for primary production or primary production related value adding industry, nor the desired requirements of small scale tourist accommodation.*	• *The Council's Assessment Panel in determining the original application considered and formed the opinion on this question, resolving that the proposed development was not "Seriously at Variance". The determination and authorisation of the original development authorisation was not challenged to a higher authority.*
• *Suggest that if the development is approved, it should only be on the basis that the height of seven metres, which can be reasonably achieved by changing the design to a single storey and/or cutting into the land in order to meet the development outcomes. Development outcomes of the Code should not be compromised for financial gain.*	• *Visual assessment concludes that the development will have a low overall visual impact on the broader locality. This represents the same category of visual impact as the previously approved tourism accommodation development.*

- *Should consider that the proposal represents a major change from the current approval, rather than a simple variation. We do not support the assessment of these changes as a discreet variation, but request that the entire project be re-submitted and assessed holistically.*
- *The variation pathway is the appropriate and correct process by which to consider these changes to the established and operative authorisation for this development.*

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, Development Code, the application was referred to:

Native Vegetation Council	*The Native Vegetation Council does not object to the development and has recommended that three conditions be applied to a consent, if granted.*

A copy of the referral response is contained in ***Attachment 4.***

Referral to the Environment Protection Authority was not triggered pursuant to Part 9 of the Planning and Design Code.

Original Application ID 21018528 for the Tourist Hotel was referred to the EPA in relation to the proposed capacity of the on-site package treatment wastewater system. The EPA raised no objections with the development subject to conditions (which were incorporated into the Planning Consent). The Nexus Suites (Application ID 22022572) will be connected to a separate wastewater application, independent of the Tourist Hotel system which did not exceed the threshold for EPA referral.

Internal
The following internal advice has been received from staff:

Engineering Services	• *Request that all references to "Future Fuss Road Public Road extension (by others)" is required to be removed from all drawings and documents. There is no agreement or commitment by Council that this will occur (that Engineering is aware of), and it is not to be assumed that it will ever happen.* • *Require all vehicles to access the development via the existing access point within unmade road reserve of Fuss Road, nominally 75 metres from Yaldara Drive.* • *Recommend changes to Siteworks Level Plan C201 to address design matters*

	regarding earthworks, car park design, kerbing and surface contours. These matters can be addressed through detailed design as Reserved Matters.
Health Services	*The proposed on-site wastewater system is subject to approval pursuant to the SA Public Health Act 2011.* *It is recommended that the wastewater application be subject to wastewater authorisation, pursuant to a Reserved Matter.*

ASSESSMENT
Please refer to the following link, the Planning and Design Code extract for this proposal, dated 4 July 2022, Version 2024.12.

Planning and Design Code Extract Link	*Relevant Code Extract*

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.

This proposal constitutes a variation to the approved Tourist Hotel development, granted Planning Consent by the BAP on 5 April 2022 for an 80 room hotel, function centre, restaurant and day spa along with a variation seeking construction of the 12 room Nexus Suites granted Planning Consent by the BAP on 4 October 2022.

At both meetings the BAP resolved that the application for the proposed developments was not Seriously at Variance with the Planning and Design Code and had no significant impacts on the character values of the district. The BAP determined the non-connectivity with primary production on the site was on balance acceptable. The BAP ultimately determined that the applications warranted Planning Consent and resolved to grant Planning Consent on both occasions, subject to a Reserved Matter and Conditions.

The decisions of the BAP were undertaken prior to the judgement set out in *Geber Super Pty Ltd v The Barossa Assessment Panel [2023] SASC 154 (Geber)*. The Geber decision relates to an approval for the establishment of a large, standalone tourism development on an undeveloped parcel of rural land with no operating primary production (albeit large enough to previously support vines). In his judgement, Justice Blue found that a large scale tourist development in the Rural Zone, that was not associated with primary production was Seriously at Variance with the Planning and Design Code.

In transposing the Geber matter to the assessment of this application the following should be considered:

- The BAP has previously considered the question of land use, intensity of use and the disconnect to any on-site primary production. The BAP also took into account that tourist accommodation was an approved and established land use on the site since at least 2004.

- Council has processed this application as a variation (pursuant to Section 128 of the *Planning, Development and Infrastructure Act 2016*) to the current planning consent for a circa 6,865 square metre Tourist Hotel development comprising 80 tourist accommodation rooms, restaurant and function space (plus the Nexus Suites and retained Glasshouse).
- This application does not alter the approved use of the land for tourist accommodation. It seeks to reconfigure and redesign elements of the built form and increase the number of accommodation rooms and ancillary function room and restaurant spaces. These are all existing elements of the approved development.
- The proposed changes to all buildings (except the Glasshouse) are notable, however, expert advice identifies that visual assessment, car parking demand, stormwater management, noise generation, native vegetation clearance and wastewater disposal are all acceptable in the context of the scale and arrangements of the approved Tourist Hotel and Nexus Suites development.

As pointed out in the Response to Representations, the applicant's planning consultant states that in the Geber matter "*The authorisation overturned in that matter was not a variation application. The procedural controls relevant to a variation application are not considered in that matter or any useful guidance to these circumstances offered*".

In addition, the applicant's planning consultant also cites *Holds & Ors v The City of Port Adelaide Enfield & Ors [2011] SASC 226 at 38* where the judgment states "*… An application to vary a development approval, which proposes to increase the height or mass of a building, cannot be sensibly addressed in the abstract. It must be considered against the dimensions of the building which has been approved. It is meaningless to assess an increase in the height of a building by say, one metre, without reference to the already approved or existing height.*"

It is considered that the application is properly described as a variation. *Planning, Development and Infrastructure Act 2016*, Section 128 (2)(b) excludes the consideration of elements and aspects of the development or authorisation from being considered as part of the assessment of an application, if those elements are not part of the proposed variations. The matter of connection of the development with primary production on the subject land has been addressed in the original application and should not be revisited in this variation application.

It is noted that the Geber matter related to a scale of tourist development akin to the approved Tourist Hotel and Nexus Suite. The judgment has cast direction for planning authorities in assessing whether a <u>new</u> proposal is Seriously at Variance with the Planning and Design Code and brought into detailed consideration, Rural Zone Performance Outcome (PO 1.1 and 6.3. However, for this variation application, it is considered that this matter has been settled by previous decisions of the BAP and in context of the procedural requirements of *Planning, Development and Infrastructure Act 2016*, Section 128 (2)(b).

Having regard to the nature of the approved tourist development which is already authorised on the site and the relative scale of the proposed variation and the differences in visual impact, site layout, amenity impacts and context of the overall development, 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 BAP determine that the proposed development does not adversely impact the character values of the district which are as follows:

(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:*
A revised visual impact assessment was provided by James Hayter of Oxigen who advises (in summary) that the proposed development will have a low overall visual impact on the broader locality with most views 'glimpsed'. The proposed change to a two storey form for the hotel building (albeit with a reduced building footprint) and enlarged conversion of the Nexus Suites into a single building has not altered his conclusions and do not result in a significant change in visual impact compared to the approved Tourist Hotel and Nexus Suites.

(b) *the heritage attributes of the district*
The heritage attributes of the district are identified in the rural area as comprising of 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 is not in a township.

(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 (albeit adjoining owners have previously expressed concerns with potential for complaint due to noise, machinery movement on public roads and biosecurity which are civil matters or policy setting issues).

(e) *the scenic and tourism attributes of the district*
As previously described, the revised visual impact assessment provided by James Hayter of Oxigen concludes that the scenic attributes of the district are not adversely affected. The proposed development is specifically targeted at providing additional accommodation options to enhance the tourism attributes of the district. The variation application outcomes do not substantially depart from these conclusions for the approved Tourist Hotel and Nexus Suites.

Further discussion is contained under the Assessment section below specifically 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

Rural Zone		
Desired Outcomes		
DO1	*A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.*	
DO2	*A zone supporting diversification of existing businesses that promote value adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.*	
Relevant Performance Outcomes/Designated Performance Features		
Land use and Intensity		
PO 1.1 *The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.*		*DTS/DPF 1.1* *Development comprises one or more of the following:* *(s) Shop* *(v) Tourist accommodation*

As confirmed earlier, assessment against relevant 'Land Use' provisions in the Planning and Design Code were addressed as part of the decision making process by the BAP for both previous applications.

The authorisation for Application ID 21018528 established the nature of approved land use for large scale tourist accommodation, shop in the form of a restaurant, function space and ancillary uses such as car parking, swimming pool and wastewater disposal area. A subsequent variation authorisation established the right to construct the 12 suites to the northwest of the main building (the Nexus Suites).

This variation application essentially applies to increase the number of accommodation rooms and suites plus reconfiguration of existing supporting facilities and increased restaurant and function centre floorspace. The application does not seek to introduce a new land use onto the subject land.

Section 128 Sub-clause (1) of the *Planning, Development and Infrastructure Act 2016*, allows a person to seek a variation of a development authorisation previously given. This occurred in October 2022 with the granting of consent for the Nexus Suites and again has been applied for in respect of this application. The applicant advises that this variation to the authorised scheme is borne from feasibility and delivery analysis and reflects challenges in construction and material costs and also design changes considered necessary to deliver a successful operating tourist accommodation offer.

It is considered that the applicant can exercise their legislative right to seek a further variation to the authorised development. The proposal meets the procedural requirements set out in the *Planning, Development and Infrastructure Act 2016*, specifically Section 128 Sub-clause (1) and (2) in that the relevant authorisation is still operative. Sub-clause (2)(b) excludes revisiting elements of an application already approved (as outlined in the Seriously at Variance section earlier in the report).

On this basis, no further assessment in this issue is warranted.

Scale and Form of Development

Shops, Tourism and Function Centres	
PO 6.3 *Tourist accommodation is associated with the primary use of the land for primary production or primary production related value adding industry to enhance and provide authentic visitor experiences.*	*DTS/DPF 6.3* *Tourist accommodation:* *(a) is ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry.* *(b) in relation to the area used for accommodation:* *I. where in a new building, does not exceed a total floor area of 100 sqm.* *II. where in an existing building, does not exceed a total floor area of 150 sqm.* *(c) does not result in more than one facility being located on the same allotment.*
PO 6.4 *Tourist accommodation proposed in a new building or buildings is sited, designed and of a scale that maintains a pleasant rural character and amenity.*	*DTS/DPF 6.4* *Tourist accommodation in new buildings:* *(a) is set back from all allotment boundaries by at least 40 metres.* *(b) has a building height that does not exceed seven metres above natural ground level.*

Assessment of this variation application recognises that for DPF 6.3 (a) to (c):

- For Sub-clause (a), the previous authorisations have embedded the tourist accommodation use of the subject land (which has been ongoing since at least 2004) and that tourist accommodation is the primary use of the subject land and is not connected or ancillary with a primary production use of the land.
- For sub-clause (b), the previous authorisations permit construction/alteration of buildings with an on-ground footprint of 10,257 sqm and a total floorspace of more than 6,685 square metres (comprising 92 accommodation rooms, the Glasshouse and Main Lobby Building with the two larger restaurant and function spaces). The proposed variation increases the total floorspace to 9,198 square metres with:
  - A smaller on-ground total footprint of 7,872 square metres or a 2,385 square metre reduction (23% change). This is seen on the proposed drawings with the increased space between either wing of the circular or arc shaped Tourist Hotel building).
  - An approximate change from 3,930 square metres to 5,728 square metres for the Tourist Hotel (albeit accommodated in a change from a single to two storey format with a reduction in footprint as outlined in dot point 1).
  - An approximate change from 1,900 square metres for the Main Lobby Building to 2,293 square metres.
  - No material change to the existing Glass House floor area of 295 square metres.
  - An approximate change from 740 square metres for the Nexus Suites to 882 square metres.

- For sub-clause (c), the totality of approved development was considered a single facility in the April 2022 Panel report, thus comprising the approved hotel and existing six suites. The Nexus Suites were also considered to be part of the same single, managed facility. This does not alter as part of this application.

The approved development is a substantial built form comprising the main elements of the Tourist Hotel, Main Lobby Building, Nexus Suites and the retained Glasshouse. The proposed changes to the floorspace of the Nexus Suites and the Main Lobby Building are relatively minor.

The Tourist Hotel has evolved to a two storey building with a footprint reduction of 2,395 square metres and a floorspace increase of 1,798 square metres. The proposed departure from DPF 6.3(b)(1) remains substantial. However, the cumulative change in visual impact of the Tourist Hotel is considered to be low by James Hayter and the variation maintains the general siting and scaled appearance, high quality design, built form arrangements and layout and contextual relationship with adjoining sites of the approved building. On balance, the increased floor area is offset by the footprint reduction and is not considered to be a further departure from DPF (b)(i).

At their closest point the approved Nexus Suites were setback 24.5 metres from the western boundary. Immediately west of the site is the unmade Fuss Road, which is approximately nine metres wide, therefore, the Nexus suites at their nearest dimension were setback approximately 32 metres from the western neighbour's boundary. The proposed variation maintains a similar setback to this boundary. This is still below the 40 metre criteria in DPF 6.4 (a), however, on balance it remains acceptable having regard to the single storey appearance (when viewed from the neighbouring property), slimline building appearance, mitigating impacts of topography changes and the substantial setback from Abbotsford Country House on this property which is approximately 190 metres. The previous visual assessment from James Hayter reinforces that the visual impact of the Nexus Suites is acceptable with no significant adverse impacts on the local area. This has not materially altered as part of the variation application.

The balance of the proposed buildings are setback well in excess of 40 metres from any other site boundary and comply with DPF 6.4(b)(1).

As extracted from the 5 April 2022 Panel report, the approved Tourist Hotel has a height not exceeding seven metres for the accommodation component and not exceeding nine metres for the main lobby/function and restaurant spaces. The Nexus Suites were approved with a building height less than seven metres, however, due to site topography they are set on stilts up to five metres for the westernmost suite.

The variation application comprising a two storey component for the Tourist Hotel results in a change to the footprint, finished floor levels and building height of this building.

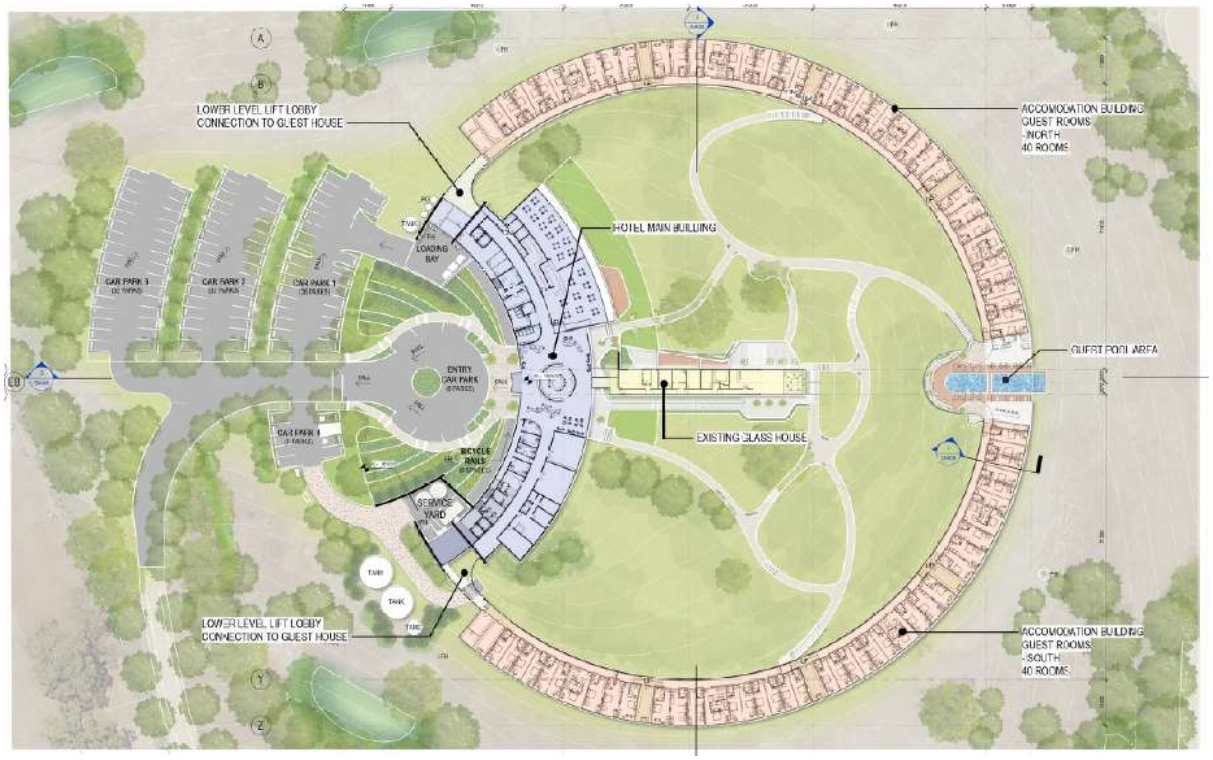


Figure 14. *Hotel Plan (source Brown Falconer)*

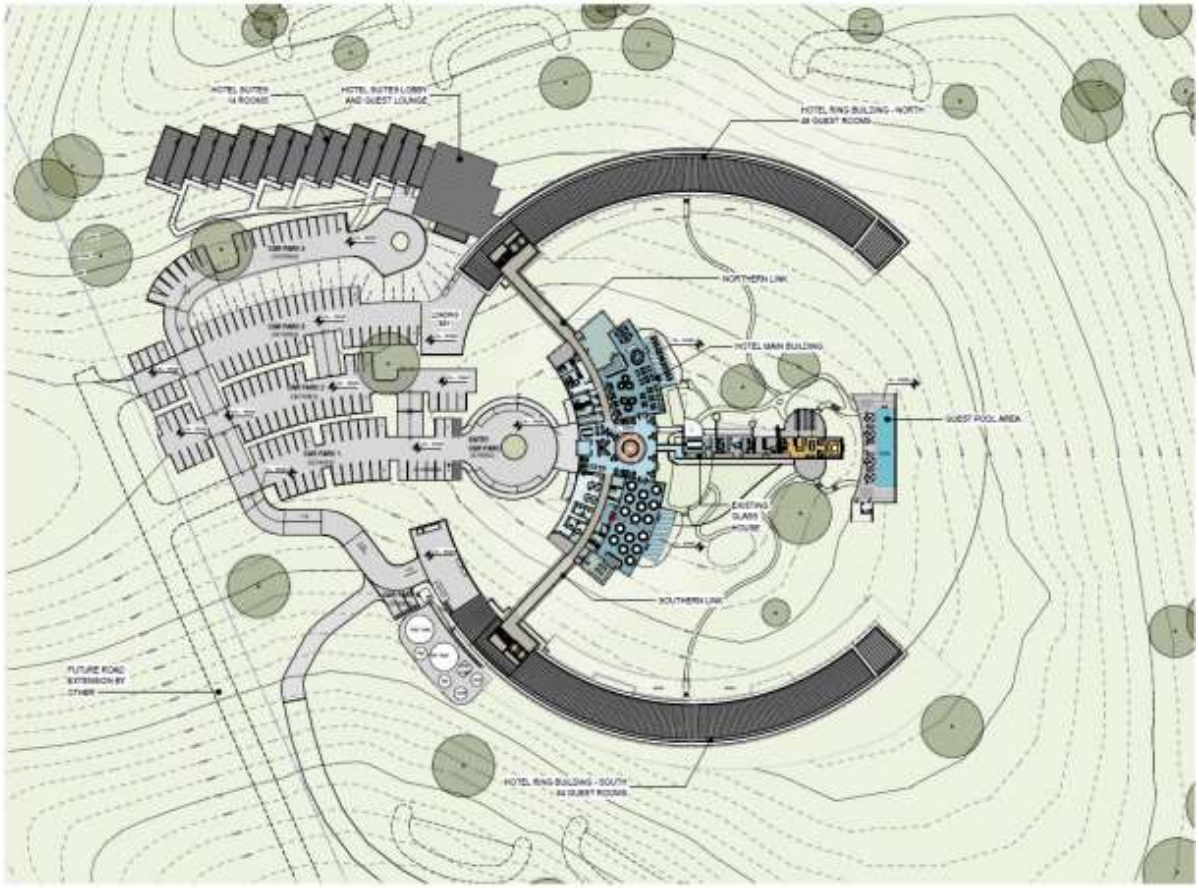


Figure 15. *Hotel Plan (source Brown Falconer)*

As shown in ***Figure 14***, the approved Tourist Hotel forms a nearly continuous ring, separated only by the pool area. However, in the variation shown in ***Figure 15***, the hotel wings are now arranged in two arcs on either side, creating a larger gap between the two sections. This new design reduces the overall footprint, making the

building appear smaller in plan view and visually separated when seen from the surrounding public roads. Previously, the approved design extended significantly beyond the Glasshouse, but the revised, reduced footprint brings the end elevation roughly in line with the Glasshouse building.

The applicant has outlined that the change in footprint and conversion to a two storey form results in:

- Main Lobby Building with the central roof portion not changing from the approved AHD Height of 198400.
- The finished floor levels of the proposed new Tourist Hotel wings are at AHD Height 185800 which is higher than the approved AHD Height of 184020 (it is understood this is partly due to contraction in siting of the building and moving slightly upslope hence at a slightly higher finished floor level – it does not appear to require substantially more filling than currently approved).
- The height of the proposed new Tourist Hotel wings are at AHD Height of 193900 that still sits below the height of the Main Lobby Building by approximately 4.5 metres.
- The previous approved built form had an overall height from the lowest FFL of 184020 to 198400 (13.8 metres). The proposed built form has a lowest FFL 185800 to 198400 (12.6 metres) or reduced vertical profile of 1.2 metres.

The subject land has undulating topography with the Main Lobby Building located at a high point. The proposal maintains the approved layout with the Tourist Hotel sited downslope of the Main Lobby Building (and the Glasshouse).

There is an increase in building height of the two storey form to 8.1 metres that does not comply with PDC 6.4(b). In considering the matter of non-compliance with 6.4(b), the applicant's Landscape Architect (James Hayter of Oxigen) has reviewed the variation. In his assessment he has concluded that:

- The maximum height of the proposed development is well below the approved height of the hotel (ie the Main Lobby Building).
- Of the 30 assessment viewpoints, likely visual impact is assessed to be:
  - Very low to low for 24 points;
  - Medium for 6 points;
  - Nil for High impact.
- The Medium impact view points are:
  - Viewpoints 13 to 16 along Lyndoch Road (mainly travelling southwest after Hentschke Road);
  - Viewpoint 27 on Rosedale Scenic Road;
  - Viewpoint 30 on Yaldara Road.
  - Notes that views along these roads are typically not continuous, affected by roadside and on-site vegetation and distance factor.
- Does not make any recommended changes to the proposal or consider any views to have an adverse or high visual impact.

The applicant's planning consultant further outlines that:

- The siting of the built form on the land has been approved under previous consents, and no significant adverse changes to this are being proposed as part of this variation.

- The proposed building layout, parking areas, and pedestrian pathways will align more closely with the natural topography thereby reducing the extent of cut and fill.
- The northern and southern accommodation wings will have a building height of 8.1 metres but will still sit below the datum height of the centrally located hotel lobby building, positioned at a higher point on the site.
- Although the building height is slightly exceeded, this is a minor variation in context, as the building will be viewed from a considerable distance, making the height variation largely unnoticeable.

The visual images of the proposed accommodation wings generally reveal that the change in height does not result in these elements of the development sitting above the topmost points of the Glasshouse and the Main Lobby Building. The additional glazing and articulation of the two storey form may raise its visual prominence slightly, however, it does not silhouette above the approved higher building elements or materially change potential views (ie compared to the approved Tourist Hotel and Nexus Suites). This includes the conversion of the Nexus Suites to a single building, albeit in the same location and general built form when viewed from outside the subject land.

The proposed 1.1 metre non-compliance in respect to DPF 6.4(B) is, on balance, considered to be acceptable taking into account the offset from the substantially reduced footprint, extensive property setbacks (that avoid any adverse shadow, overlooking and bulk/scale impact on adjoining properties) and the conclusions drawn in the revised Visual Assessment by James Hayter that clearly demonstrate the approved complex will generally have low visual impact on the district.

Overall, the proposed development sufficiently maintains the parameters established by the previous approvals and the revised design has an appropriate appearance, siting and design response to its immediate context (including the approved Tourist Hotel) and the wider landscape so as to appropriately mitigate its visual effect and maintain a pleasant rural character and amenity. This satisfies PO 6.4.

Siting, Design and Appearance

Built Form and Character	
PO 10.1 *Large buildings are designed and sited to reduce impacts on scenic and rural vistas by:* *(a) having substantial setbacks from boundaries and adjacent public roads.* *(b) using low-reflective materials and finishes that blend with the surrounding landscape.* *(c) being located below ridgelines.*	*DTS/DPF 10.1* *None are applicable.*

General Development Policies	
Tourism Development	
Desired Outcomes	
DO 1	*Tourism development is built in locations that cater to the needs of visitors and positively contributes to SouthAustralia's visitor economy.*
Relevant Performance Outcomes/Designated Performance Features	
General	
PO 1.2	*DTS/DPF 1.2*

Tourism development comprising multiple accommodation units (including any facilities and activities for use by guests and visitors) is clustered to minimise environmental and contextual impact.	*None are applicable.*

The approved Tourist Hotel and Nexus Suites are setback more than 300 metres from Lyndoch Road and were assessed to have an acceptable visual impact on nearby public roads and the general locality. The lesser setback to the western boundary (Fuss Road) is also considered acceptable. As discussed above, the proposed setbacks are considered acceptable and satisfy PO 10.1(a).

The proposed material palette for the development maintains the dark timber cladding, dark metal roofing, glazing, stone and concrete. A set of rendered images and a material and finishes schedule has been provided demonstrating how the proposal retains the use of low reflective materials that will blend into the landscape. It is considered that the proposal will accord with Performance Outcome 10.1(b).

Figure 16. *Architects render of main building exterior (source Brown Falconer)*

Figure 17: *Architects render of proposed development (source Brown Falconer)*

The subject land steeply rises from the North Para River with some crossfall and gullies/depressions commonly seen within the undulating countryside of the Barossa region. Careful consideration was given to the impact of the approved Tourist Hotel on close, mid-point and far views and vistas.

Localised topography is complex with the ridgeline undulating along the western boundary. The elevation drawings and renders further indicate that the total height of the proposed accommodation wings is below the roof height of the Main Lobby Building in longer views. This aligns with the existing elevational outcomes for the approved Tourist Hotel and Nexus Suites. This is considered to sufficiently comply with PO 10.1(c).

Cut and Fill

Rural Zone	
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 2.2 *Buildings are generally located on flat land to minimise cut and fill and the associated visual impacts.*	*DTS/DPF 2.2* *Buildings:* *a) Are located on sites with a slope not greater than 10% (1-in-10)* *b) do not result in excavation and/or filling of land greater than 1.5 metres from natural ground level.*

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

natural topography.	*(a) excavation exceeding a vertical height of 1 metres.* *(b) filling exceeding a vertical height of one metre.* *(c) a total combined excavation and filling vertical height of two 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.*
PO 8.3 *Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):* *(a) do not contribute to the instability of embankments and cuttings.* *(b) provide level transition areas for the safe movement of people and goods to and from the development.* *(c) are designed to integrate with the natural topography of the land.*	*DTS/DPF 8.3* *None are applicable.*
PO 8.4 *Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.*	*DTS/DPF 8.4* *None are applicable.*
PO 8.5 *Development does not occur on land at risk of landslip nor increases the potential for landslip or land surface instability.*	*DTS/DPF 8.5* *None are applicable.*

Character Preservation District Overlay	
Earthworks	
PO 4.1 *Excavation and filling of land is limited to that associated with:* *(a) minimising the visual impact of buildings or structures.* *(b) construction of water storage facilities.*	*DTS/DPF 4.1* *Excavation and/or filling of land is:* *(a) no greater than 1.5 metres from natural ground level.* *(b) only undertaken in order to reduce the visual.* *(c) impact of buildings or structures or to construct water storage facilities.*

The approved Tourist Hotel was considered to satisfy the above provisions other than the amount of associated cut and fill comprising a maximum cut of four metres and fill of 1.5 metres. These earthworks were intended for construction of water management systems (stormwater basins) and to reduce the visual impact of buildings and structures, in particular the ring of guest suites which are set into the hill side. Given that the visual impact of the earthworks was limited outside of the site and largely screened internally this was considered to satisfy DPF 2.2 and the intent of PO 2.2.

The approved car park included retaining wall measures between 0.5 metres and 1.5 metres in height (although proposal drawings indicate a small section may be two metres high) comprising natural stone. The retaining wall is modest in length, is set into higher ground and is predominantly screened from external view by proposed built form and topography.

The variation application has sought to reduce the extent of cut and fill for all building components and a review of the Siteworks Levels Plan identifies that where possible the proposed finished floor levels of the Tourist Hotel are not significantly set above adjacent ground level. In fact, section drawings identify that retaining walls are to be constructed to the rear of the hotel (ie within the inner circle of the ring shaped formed by the hotel) up to 1.2 metres in height. This cut will be shielded from view by the hotel building but does mean the hotel sits close to natural ground level on the outward facing side of the hotel.

The siting of the hotel and suites seeks to benefit from site topography and the potential for landscape vistas. Like the approved Tourist Hotel, compliance with PO 2.2 is, on balance, acceptable due to the skilful approach the architects have sought to create a visually attractive development with built form that does not seek to dominate its surroundings and balances building levels to overall minimise cut and fill. The reduction in building footprint and conversion to a two storey format for the hotel building has resulted in a:

- Main entry building with a RL of 192800 with adjacent ground between 191000 and 192000 – thereby roughly equating to a maximum of 1.5 metre level change with some spot level variation
- The Nexus Suites sitting above the steeply sloping land and maintaining an equivalent height above ground level through incorporation of stilts.

The hotel building – north and south with a RL of 185800 with adjacent ground level between 185000 and 186000 – thereby a cut and fill of less than 1.5 metres (noting there is retaining to the rear of the building showing a 1.2 metre 'cut' with the outward facing elevation of the hotel building sitting close to natural ground level (this is considered a positive outcome).

The approved driveway access provides appropriate vehicle access from the road network with internal movement via sealed driveways with adequate gradient and space for turning movements. The proposal utilises flatter land for the car parking and Main Lobby Building with the suites built on piers to avoid excessive earthworks.

According to the applicant the amount of earth mounding is reduced as part of the variation application.

The level of earthworks for the proposed buildings is considered to be acceptable and provides an appropriate balance between engineering needs and minimising the visual impact as sought by PO 4.1.

The proposal is considered to sufficiently satisfies DPF 2.2 and the intent of the PO 2.2.

Character Preservation Overlay

Character Preservation District Overlay (Not in township)	
Desired Outcomes	
DO1	*Recognise, protect and enhance the special character of Character Preservation Districts.*
DO2	*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 3.1 *Preservation of existing natural features including topography, watercourses and mature trees.*	*DTS/DPF 3.1* *None are applicable.*
PO 3.2 *Buildings and structures do not interrupt views of the skyline through measures including being sited below ridge lines.*	*DTS/DPF 3.2* *None are applicable.*
PO 3.3 *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.*	*DTS/DPF 3.3* *None are applicable.*
PO 3.4 *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.*	*DTS/DPF 3.4* *None are applicable.*
PO 3.5 *Buildings and structures are grouped to create compact clusters well set back from public roads.*	*DTS/DPF 3.5* *None are applicable.*
PO 3.6 *Development mitigates the need for long, steep access roads that require excessive grading or removal of vegetation.*	*DTS/DPF 3.6* *None are applicable.*
General Development Policies	
Tourism Development	
Desired Outcome	
DO 1	*Tourism development is built in locations that cater to the needs of visitors and positively contributes to South Australia's visitor economy.*
Relevant Performance Outcomes/Designated Performance Features	
General	
PO 1.1 *Tourism development complements and contributes to local, natural, cultural or historical context where:* *(a) it supports immersive natural experiences.* *(b) it showcases South Australia's landscapes and produce.* *(c) its events and functions are connected to local food, wine and nature.*	*DTS/DPF 1.1* *None are applicable.*

PO 1.2 *Tourism development comprising multiple accommodation units (including any facilities and activities for use by guests and visitors) is clustered to minimise environmental and contextual impact.*	*DTS/DPF 1.2* *None are applicable.*

Desired Outcomes (DO) 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. This matter was considered in the assessment of the approved Tourist Hotel and Nexus Suites where the expansion of the existing tourist accommodation, visual impact and the relationship with adjacent uses was not considered to fatally conflict with the intent of the Character Preservation District as expressed in DOs 1 and 2.

It is considered that the variation application would result in an acceptable change to the visual appearance of the future developed site as supported in the previous assessments undertaken by James Hayter from Oxigen who concluded that the proposed development will have a low overall visual impact on the broader locality.

The proposal is considered to generally align with the POs in that:

- The development does not seek the removal of existing mature trees, does not propose notable filling of the land to provide a level construction surface and has designed the new driveway and parts of the existing driveway to limit the amount of excavation in order to achieve appropriate gradients. This meets PO 3.1.
- The visual reading of the revised buildings sit below the topmost point of the approved Tourist Hotel and generally below silhouetted ridgelines to the west. James Hayter (Landscape Architect) has assessed the general visual impact as low. This satisfies the intent of PO 3.2.
- A materials and finishes schedule has been provided demonstrating that the exterior facing outer walls will feature tinted glazing, dark timber cladding, dark roofing, timber, stone and small sections of raw concrete. The reception/guest lounge will blend with the approved hotel. This meets PO 3.3.
- The development is located in excess of 300 metres from the Yaldara Road boundary and maintains the predominant same form as the approved development. This satisfies the intent of POs 3.4 and 3.5.
- The proposed changes to driveways and car parks is modest with the car park area still sited on 'flatter' ground to avoid extensive filling of land. There is some excavation required, however, this is relatively short in length with stone clad retaining to be used to provide a visually pleasing finish. This satisfies the intent of PO 3.6.

The variation proposal also accords with the General Development Policies - Tourism Development as the development is located within the internationally known Barossa Valley and given the size and nature of the total development, would have an opportunity to positively contribute to South Australia's visitor economy. Further, the approved Tourist Hotel development is clustered together and have been assessed as having an acceptable visual impact. Subject to additional landscaping the proposal will make a notable contribution to site appearance through visually integrating the development and assisting in re-vegetation of the site.

Interface between Land Uses

i.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 workspaces (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*	*DTS/DPF 4.2* *None are applicable.*

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.*	
PO 4.3 *Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).*	*DTS/DPF 4.3* *The pump and/or filtration system ancillary to a dwelling erected on the same site is:* *(a) enclosed in a solid acoustic structure located at least five metres from the nearest habitable room located on an adjoining allotment* *or* *(b) located at least 12 metres from the nearest habitable room located on an adjoining allotment.*
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:* **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 (LOCT10,15 < LOCT90,15 + 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.*
Interface with Rural Activities	
PO 9.1 *Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.*	*DTS/DPF 9.1* *None are applicable.*
PO 9.2 *Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing intensive animal husbandry activities and do not prejudice the continued operation of these activities.*	*DTS/DPF 9.2* *None are applicable.*
PO 9.6 *Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.*	*DTS/DPF 9.6* *None are applicable.*

The variation application is accompanied by technical supporting reports which address the above-mentioned POs:

- Visual Assessment of Proposed Nexus Suites – prepared by Oxigen Landscape Architecture and Urban Design
- Nexus Barossa – Suites Environmental Noise Assessment, prepared by Resonate
- Environmental Lighting Assessment, prepared by Lucid Consulting
- Transport assessment report (update), prepared by ETA

As per the approved Tourist Hotel and Nexus Suites applications, nearby rural residences are considered to be sensitive receivers plus any guests accommodated within the proposed development.

With regards to off-site sensitive receivers the most likely external impacts from the proposed development are considered to be:

- Noise
- Traffic movement
- Light spill

- Loss of privacy

These matters are addressed under sub-headings below:

Noise impact
Noise from the site will emanate from the following sources as identified within the Environmental Noise Assessment:

- Patron noise
- Car park activities
- Passenger vehicle movement
- Service vehicle movement (including rubbish collection)
- Mechanical plant

Resonate has prepared an amendment to the previous Environmental Noise Assessment reports and has modelled the predicted noise levels based on:

- Alterations to the main built form to open up the building to the east and relocate the pool and deck areas further west
- Increase in floor areas to the function and restaurant, with increased patron numbers, and removal of the conference space
- Addition of an outdoor terrace to the function/conference space
- Additional rooms
- Increase in carpark capacity/activity

Resonate have undertaken assessment against the same five sensitive receivers considered in previous applications. Predicted noise levels are:

Predicted noise levels—day with general activities (CONCAWE cat 5)

Site	**Nexus Suites variation application Predicted Noise Level (max) -** from Resonate Environmental Noise Assessment A210431RP2 dated 29 June 2022 Table 6	**Variation application Predicted Noise Level (max)**	**Generator criteria, dB(A)**
159 Hermann Thumm Drive	34 L_{eq} dB(A)(1)	47 L_{eq} dB(A)(1)	*57 dB (A)*
219 Yaldara Drive	35 L_{eq} dB(A)(1)	50 L_{eq} dB(A)(1)	
269 Rosedale Scenic Road	28 L_{eq} dB(A)(1)	36 L_{eq} dB(A)(1)	
522 Lyndoch Road	28 L_{eq} dB(A)(1)	32 L_{eq} dB(A)(1)	
526 Lyndoch Road	29 L_{eq} dB(A)(1)	32 L_{eq} dB(A)(1)	

Predicted noise levels—night (CONCAWE cat 6)

Site	***Nexus Suites variation application Predicted Noise Level (max)-*** from Resonate Environmental Noise Assessment A210431RP2 dated 29 June 2022 Table 6	***Variation application Predicted Noise Level (max)***	***Generator criteria, dB(A)***
159 Hermann Thumm Drive	34 L_{eq} dB(A)(1)	35 L_{eq} dB(A)(1)	*45 dB (A)*
219 Yaldara Drive	35 L_{eq} dB(A)(1)	45 L_{eq} dB(A)(1)	
269 Rosedale Scenic Road	28 L_{eq} dB(A)(1)	30 L_{eq} dB(A)(1)	
522 Lyndoch Road	28 L_{eq} dB(A)(1)	32 L_{eq} dB(A)(1)	
526 Lyndoch Road	29 L_{eq} dB(A)(1)	32 L_{eq} dB(A)(1)	

As outlined in page 6 of the Resonate Report, they have also modelled the following scenarios:

- Predicted noise levels—day with general activities and generator operating (CONCAWE cat 5)
- Predicted noise levels—day with general activities and fire pump operating (CONCAWE cat 5)

Resonate advises that noise impacts at all listed receivers will not exceed the *Environment Protection (Noise) Policy* criteria of 52 dB(A) and 45 dB(A) day and night-time respectively, such that PO 4.1 is met.

Reviewing the noise assessment data, it is evident that the increase in hotel, function centre and restaurant capacity does increase the level of potential noise impact on nearby sensitive receivers. The most affected property is at 219 Yaldara Road where night noise impact is on the limit of meeting the criteria. The representor at 526 Lyndoch Road remains one of the least affected by changes in noise generation.

The application comprises an increase in both restaurant and function space with a correlated increase in a maximum site occupancy of 509 people. Full occupancy may not be a common occurrence but there are no time based operational limits on the approved development or proposed by the applicant as part of this variation application.

The original authorisation set out two conditions restricting the use of external loudspeakers and amplified music and limiting music on the deck/spa to 'background level' only. The applicant did propose limitations on waste collection hours to avoid adverse noise generation on neighbouring properties.

The proposed function space capacity has increased from 120 to 160 persons and the restaurant capacity has increased from 90 persons to 176 persons. It is considered that the proposed capacity increase does increase the potential of these spaces to

include larger functions, weddings or other events. As such, it is considered there is a need to place time limitations on a combined facility for up to 336 people at any given time. The applicant has consented to a condition restricting hours of operation for the restaurant and function space. As such, it is recommended to limit the hours of operation as follows:

- Sunday to Thursday 7.00 am to 12.00 pm
- Friday to Saturday 7.00 am – 1.00 am

With inclusion of a condition restricting the hours of operation, it is considered that any night time noise issues that could arise will be addressed if larger events are held on the site.

Refuse collection hours remain unchanged from the Tourist Hotel consent at 9.00 am to 7.00 pm on a Sunday and 7.00 am to 7.00 pm on all other days.

Having regard to the Environmental Noise Assessment, the existing applicable conditions and a future condition limiting late night hours of operation as described above, it is considered that noise impact has been adequately addressed.

Traffic Movement

Traffic movements have been estimated by the traffic consultant ETA as being up to 13 additional trips per hour during Thursday to Sunday evening peak periods and a more general 27 additional trips daily (albeit at different peak periods for each use). ETA advise this is low and is not expected to impact the safety or efficiency of the surrounding road network. The change in vehicle movement compared to the 92 accommodation rooms approved Tourist Hotel and Nexus Suites is relatively minor and based on ETA advice will not exceed the road network capacity. Council's Engineering Services have concurred with the traffic assessment provided.

Light Spill

A Visual Lighting Advice update was undertaken by Lucid Consulting as part of the Nexus Suites application. Lucid Consulting advised that all exterior lighting is required to meet with Australian Standards AS1158.3.1:2020, for outdoor car parking lighting design requirements and AS4282:2019 for obtrusive lighting requirements (aligned to the site being classified as semi-rural/suburban area for assessment purposes).

Lucid Consulting considered that both Standards will be met thereby providing safe lighting for the outdoor car parking area whilst avoiding light nuisance for sensitive receivers. A condition of planning consent was incorporated into previous authorisations.

This condition remains on the Planning Consent and given that the site layout is generally similar to the authorised scheme compliance with the requirements of this condition is envisaged to be met.

Privacy and other impacts

The impact on adjoining properties was assessed as part of the Tourist Hotel and Nexus Suite applications. It was concluded that given the proposed setback from boundaries, views into adjoining properties are incidental only (or well in excess of accepted setback distances and mostly obscured by vegetation and terrain. Likewise, the issue of guests trespassing on private property was recognised, but is

considered a civil/management issue that is outside the scope of development control.

The impacts of ongoing primary production activities on guests has previously been considered in respect to the impact of the facility. With regard to the on-site sensitive receivers the most likely impacts were:

- Heavy vehicle usage
- Machinery (including frost fans)
- Spray drift
- Dust/smoke
- Odour

It was concluded in the 5 April 2022 Panel Report for the Tourist Hotel that "*As a result of its size, the proposed development will result in a notable change to the characteristics of the locality but having regard to the design of the development and its consideration of sensitive receivers, the proposed management arrangements, landscaping, the setbacks from boundaries combined with the terrain, it is concluded that the proposal will not have an unreasonable impact upon sensitive receivers and therefore fulfils the Performance Outcomes above.*"

There has been no change in the Code's Policy framework relating to this issue and the conclusions drawn for the Tourist Hotel are applicable to this variation application.

Native Vegetation

Native Vegetation Overlay	
Desired Outcomes	
DO1	*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.*	*DTS/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 categorised as 'Level 1 clearance'.
PO 1.2 *Native vegetation clearance in association with development avoids the following:* *(a) significant wildlife habitat and movement corridors.* *(b) rare, vulnerable or endangered plants species.* *(c) native vegetation that is significant because it is located in an area which has been extensively cleared.* *(d) native vegetation that is growing in, or in association with, a wetland environment.*	*DTS/DPF 1.2* *None are applicable.*
PO 1.4 *Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.*	*DTS/DPF 1.4* *None are applicable.*

Three existing native trees not previously identified for removal are now proposed to be cleared. The previous approvals sought the removal of four native trees. Therefore, a total of seven trees are proposed to be cleared.

The additional native vegetation to be removed is in the same part of the site and previous assessments by EBS Ecology indicate that this area designated for tree removal is significantly degraded. This part of the site is characterised by a highly modified non-native understorey, has been historically cleared, and has been used for dryland sheep grazing.

The EBS Ecology report further states that:

- *'Seven remnant scattered Eucalyptus odorata trees (Peppermint Box) are proposed to be impacted as they sit within the clearance footprint (which includes the Country Fire Service (CFS) clearance zone) required for fire safety.*
- *Scattered trees being removed all* have a low to moderate biodiversity value."

EBS Ecology have prepared a Clearance Summary identifying a low habitat score, fauna score and loss factor for the seven trees.

To compensate for the loss of native vegetation, a Significant Environmental Benefit (SEB) is applicable. EBS Ecology recommend a financial contribution to the Native Vegetation Fund. The applicant advises that clearance application will be submitted to the Native Vegetation Council, should the application be granted Planning Consent for the development variation.

EBS Ecology also identify that previously known areas of Remnant Vegetation and Peppermint Box Grassy Woodland are intact and unaffected by the proposed changes. The applicant has proposed the dedication of a 9,129 square metre area along the southern boundary of the site for revegetation and native habitat restoration.

The Native Vegetation Council has accepted the proposed removal of the seven trees and advise that three conditions should be included in a Planning Consent, if granted.

The proposal includes measures to mitigate environmental impact through payment into the Native Vegetation Fund plus on-site vegetation management and the establishment of a revegetation area. Compliance with the Native Vegetation Overlay provisions are satisfied by incorporating a Significant Environmental Benefit to offset any adverse effects from the loss of native vegetation.

Bushfire Hazard

Hazards (Bushfire - Medium Risk) Overlay		
Desired Outcomes		
DO1	*Development, including land division responds to the medium level of bushfire risk and potential for ember attack and radiant heat by siting and designing buildings in a manner that mitigates the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change.*	
DO2	*To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.*	
Relevant Performance Outcomes/Designated Performance Features		
Siting		
PO 1.1 *Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.*		*DTS/DPF 1.1* *None are applicable.*
Built Form		
PO 2.1 *Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.*		*DTS/DPF 2.1* *None are applicable*
PO 2.2 *Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and Workers' accommodation) in the event of bushfire.*		*DTS/DPF 2.2* *Outbuildings and other ancillary structures are sited no closer than six metres from the habitable building.*
Habitable Buildings		
PO 3.1 *To minimise the threat, impact and potential exposure to bushfires on life and property, residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation,*		*DTS/DPF 3.1* *None are applicable.*

student accommodation and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.	
PO 3.2 *Residential, tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is sited away from vegetated areas that pose an unacceptable bushfire risk.*	*DTS/DPF 3.2* *Residential, tourist accommodation and habitable buildings for vulnerable communities are provided with asset protection zone(s) in accordance with (a) and (b):* *(a) the asset protection zone has a minimum width of at least:* *I. 50 metres to unmanaged grasslands* *II. 100 metres to hazardous bushland vegetation* *(b) the asset protection zone is contained wholly within the allotment of the development.*
PO 3.3 *Residential, tourist accommodation and habitable buildings for vulnerable communities, (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation), has a dedicated area available that is capable of accommodating a bushfire protection system comprising firefighting equipment and water supply in accordance with Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements.*	*DTS/DPF 3.3* *None are applicable.*

The site is located within the Hazards (Medium Bushfire Risk) Area Overlay under the Planning and Design Code.

The approved Tourist Hotel and Nexus Suites were considered compliant with POs 1.1, 2.1, 2.2, 3.1 to 3.3. A set of conditions were incorporated in each authorisation to ensure ongoing compliance with the POs.

The proposed siting, built form, site access and internal driveway and car park layout are substantially similar in terms of complying with bushfire requirements set out in previous authorisations. ETA have demonstrated that turning circles in the updated car parks can accommodate for the forward entry, exit and on-site manoeuvring of fire fighting vehicles.

The proposed Nexus Suites are still set above existing ground level on raised piers/stilts similar to that of the previous approved design. Compliance with Australian Standard 395-2018 is required to meet the applicable Bushfire Attack Level of 12.5. This is addressed at the Building Rules assessment stage. In accordance with these requirements, all bearers, joists and flooring located above a subfloor must be constructed from non-combustible material or bushfire resisting timber. Otherwise the proposed suites are 'clean and streamlined' in form minimising potential for trapping debris along or between. This still satisfies PO 2.1.

The slope of the site within the access vicinity of the buildings is approximately 1 in 8 which is considered traversable for firefighting vehicles. In addition, there are all-weather driveways approved for the Tourist Hotel that will largely encircle all built form

on the site, thereby providing not only access but also a fire break, consistent with DPF 3.1. There is significant open area surrounding the buildings, such that an asset protection zone is achieved within the site, consistent with DPF 3.2 (a).

The site currently receives water via a restricted supply on Fuss Road. As a component of the approved Tourist Hotel, the water supply connection is proposed to be upgraded and will also be supported by significant roof water connection and storage on site. The fire water storage capacity remains at 288Kl. The water supply system for the variation application is considered to satisfy PO 3.3.

Vehicle Access - Roads, Driveways and Fire Tracks	
PO 5.2 *Access to habitable buildings is designed and constructed to facilitate the safe and effective:* *(a) access, operation and evacuation of fire-fighting vehicles and emergency personnel.* *(b) evacuation of residents, occupants and visitors.*	*DTS/DPF 5.2* *Access is in accordance with (a) or (b):* *(b) driveways:* *i. do not exceed 600 metres in length.* *ii. are constructed with a formed, all-weather surface.* *iii. are connected to a formed, all-weather public road with the transition area between the road and* *iv. driveway having a gradient of not more than 7.* *v. degrees (1-in-8).* *vi. have a gradient of not more than 16 degrees (1- in-3.5) at any point along the driveway.* *vii. have a crossfall of not more than 6 degrees (1-in 9.5) at any point along the driveway.* *viii. have a minimum formed width of 3 metres (4 metres where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures (Figure 1).* *ix. incorporate passing bays with a minimum width of 6 metres and length of 17 metres every 200 metres (Figure 5).* *x. provide overhead clearance of not less than 4 metres between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures (Figure 1).* *xi. allow fire-fighting services (personnel and* *xii. vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5 metres (Figure 2).* *xiii. allow fire-fighting vehicles to safely enter and exit an allotment in a*

	forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either: *A. a loop road around the building or* *B. a turning area with a minimum radius of 12.5 metres (Figure 3) or* *C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres (Figure 4).* *xiv. incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.*
PO 5.3 *Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.*	*DTS/DPF 5.3* *None are applicable.*

The site has access to an all-weather public road in Yaldara Drive. The on-site access network is designed with regards to the above-mentioned CFS access requirements in respect to the internal road width, geometry and materials and provision for turn-around area for a CFS firefighting appliance. There are no notable change in this element of the application from the approved development other than some realignment of the driveway prior to the main car park to further minimise earthworks and improve sightlines to the hotel upon entry.

Overall, the proposed development sufficiently addresses the relevant POs in respect to bushfire risk. Retention of the previous conditions of consent are recommended in respect to bushfire management.

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*

	(b) the highest point of natural ground level at the primary street boundary where there is no kerb.

Whilst the site is bordered by the North Para River, building floor levels will be at least 30 metres above the regular river level and therefore no flooding impacts are anticipated. There is no formal water table infrastructure at the intersection of Fuss Road and Yaldara Drive, but the approved internal accessway rises from this intersection and as such there is not expected to be any flow of water from the public road onto the site. This aspect of the development satisfies DO 1 and PO 1.1 as per the approved Tourist Hotel.

Water Protection Area Overlay

Water Protection Area Overlay	
Desired Outcomes	
DO1	*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.*
Relevant Performance Outcomes/Designated Performance Features	
Groundwater	
PO 2.1 *Groundwater resources are protected from pollution by ensuring development does not:* *(a) generate or dispose of waste in a manner that would pollute water resources.* *(b) involve the storage or disposal of chemicals or hazardous substances in a manner that would pose a risk to water supplies.*	*DTS/DPF 2.1* *None are applicable.*
PO 2.2 *Groundwater catchment and recharge characteristics are safeguarded by ensuring development:* *(a) retains and protects areas of native vegetation.* *(b) does not inhibit the potential of an aquifer to recharge.*	*DTS/DPF 2.2* *None are applicable.*
Wastewater	
PO 5.1 *Wastewater generating development utilises existing communal wastewater management infrastructure to avoid on-site disposal.*	*DTS/DPF 5.1* *Development (including land division) that generates wastewater is connected to sewerage or community wastewater management systems with sufficient hydraulic capacity to accept the inflow.*
PO 5.2 *Development that generates wastewater which cannot be disposed of via sewerage or community wastewater management systems, is designed and of a scale that will enable on-site wastewater treatment and disposal in accordance with relevant health and environmental requirements.*	*DTS/DPF 5.2* *On-site wastewater treatment systems comply with:* *(a) the 'On-site Wastewater Systems Code' or* *(b) AS/NZS 1547: On-site domestic wastewater management and the South Australian*

	amendments to AS/NSZ 1547 as outlined in section 9.2 of the 'On-site Wastewater Systems Code'.
General Development Policies	
Design	
Water Sensitive Design	
PO 31.1 *Development likely to result in significant risk of export of litter, oil or grease includes stormwater management systems designed to minimise pollutants entering stormwater.*	*DTS/DPF 31.1* *None are applicable.*
PO 31.2 *Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.*	*DTS/DPF 31.2* *None are applicable.*
Wash-down and Waste Loading and Unloading	
PO 32.1 *Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, vessels, plant or equipment are:* *(a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off.* *(b) paved with an impervious material to facilitate wastewater collection.* *(c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area.* *(d) designed to drain wastewater to either:* *i. a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme* *or* *ii. a holding tank and its subsequent removal off-site on a regular basis.* *.*	*DTS/DPF 32.1* *None are applicable.*

An updated Stormwater Management Plan has been provided for the site and has been reviewed by Council's Engineering Services Department. This Plan has assessed and identified the necessary stormwater management infrastructure to adequately address additional stormwater discharge from the new buildings (roofed areas) and additional sealed driveways and car parking areas.

The approved Stormwater Management Plan has limited off site stormwater run-off, comprising a system of basins to ensure off site flows accord with pre-development conditions. The amended Stormwater Management Plan approach proposes five basins with a total area of 1,000 square metres and a collection volume of 233.5 cubic metres.

Collected stormwater run-off from vehicle areas will pass through a gross pollutant trap and have oil and grease separated and treated prior to discharge to the basins. It is intended to re-use retained water for irrigation purposes. Subject to implementation of the revised Stormwater Management Plan, the proposal will satisfy the above-mentioned POs. A condition of consent is recommended in respect to the implementation of the proposed stormwater system.

Water Resources Overlay

Water Resources Overlay		
Desired Outcomes		
DO1.	*Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.*	
DO2	*Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.*	
Relevant Performance Outcomes/Designated Performance Features		
Water Catchment		
PO 1.1 *Watercourses and their beds, banks, wetlands and floodplains (1% AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.*		*DTS/DPF 1.1* *None are applicable.*
PO 1.2 *Development avoids interfering with the existing hydrology or water regime of swamps and wetlands other than to improve the existing conditions to enhance environmental values.*		*DTS/DPF 1.2* *None are applicable.*
PO 1.7 *Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.*		*DTS/DPF 1.7* *None are applicable.*
PO 1.8 *Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.*		*DTS/DPF 1.8* *None are applicable.*
PO 1.9 *Dams, water tanks and diversion drains are located and constructed to maintain the quality and quantity of flows required to meet environmental and downstream needs.*		*DTS/DPF 1.9* *None are applicable.*

The amended hotel layout retains an approximate 200 metre separation distance and a 30 metre elevation above the North Para River watercourse. No roads, internal driveways or other infrastructure are expected to encroach on the watercourse.

The amended Stormwater Management Plan addresses how cross country water flows at construction and operational stages will be managed to minimise scouring or other adverse erosion effects.

The applicant's planning consultant outlined that "*In the larger storm events, the stormwater discharge from the detention basins and the overflow areas will be captured by:*

- *The existing detention basin located on the south side of the development and near the main entry and maintenance sheds.*
- *The existing roadside verges that currently direct stormwater from the road surfaces of the existing development to the existing detention basins.*
- *The natural water course of the North Para River.*

As such the downstream greenfield area has been identified as suitable to control the overflow from the post development site in these larger storm events in a manner that is not worse than the pre-development state."

Council's Engineering Services have not objected to the proposed stormwater management measures and impacts on the local environment. The North Para River water resource will be protected and maintained with regard to offsite water flows. This aspect of the development is considered to be acceptable.

Landscaping

Design	
Desired Outcomes	
DO 1	*Development is:* *(a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area.* *(b) durable - fit for purpose, adaptable and long lasting.* *(c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors.* *(d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.*
Relevant Performance Outcomes/Designated Performance Features	
All development	
Landscaping	
PO 3.1 *Soft landscaping and tree planting is incorporated to:* *(a) minimise heat absorption and reflection* *(b) maximise shade and shelter* *(c) maximise stormwater infiltration* *(d) enhance the appearance of land and streetscapes* *(e) contribute to biodiversity.*	*DTS/DPF 3.1* *None are applicable.*
PO 3.2 *Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to*	*DTS/DPF 3.2* *None are applicable.*

current and future climate conditions and avoids pest plant and weed species.	

The proposed landscaping comprises the following elements as extracted from the vision statement in the Nexus Barossa Concept Design Report prepared by GD studio:

- *"The landscape design aims to support the idyllic rural location by featuring well appointed outdoor spaces that will enable guests to be immersed in the natural Environment.*
- *The exclusive entrance to the suites will be marked with stone entry walls and a nostalgic tree lined avenue.*
- *The guest entry and parking area will feature formal, structured planting to complement the architecture of the suites and scale of the stone retaining wall.*
- *Landscaping surrounding the suites is to mimic the natural environment, with swathes of native grasses, pockets of indigenous understorey vegetation, and groups of small native trees to provide visual interest at a range of heights."*

The applicant has identified a 9,129 square metre area along the southern boundary for revegetation and native habitat.

There is in-principle support for the proposed concept, material and plant selection and hard landscaping features in the application.

Due to the scale of the development and extent of proposed hard and soft landscaping there is a need for greater and precise planting detail, Council staff previously recommended that a final working landscaping plan be requested as a Reserved Matter. This is recommended to be incorporated as a Reserved Matter within the Planning Consent, if granted, for this application.

Wastewater Disposal

General Development Policies	
Design	
On-site Waste Treatment Systems	
PO 6.1 *Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.*	*DTS/DPF 6.1* *Effluent disposal drainage areas do not:* *(a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space.* *(b) use an area also used as a driveway.* *(c) encroach within an area used for on-site car parking or result in less on-site car parking than that 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.*
Waste Treatment and Management Facilities	
Desired Outcomes	
DO 1	*Mitigation of the potential environmental and amenity impacts of waste treatment and management facilities.*
Relevant Performance Outcomes/Designated Performance Features	
Siting	

PO 1.1 *Waste treatment and management facilities incorporate separation distances and attenuation measures within the site between waste operations areas (including all closed, operating and future cells) and sensitive receivers and sensitive environmental features to mitigate off-site impacts from noise, air and dust emissions.*	*DTS/DPF 1.1* *xx. None are applicable.*
Soil and Water Protection	
PO 2.1 *Soil, groundwater and surface water are protected from contamination from waste treatment and management facilities through measures such as:* *(a) containing potential groundwater and surface water.* *(b) contaminants within waste operations areas.* *(c) diverting clean stormwater away from waste operations areas and potentially contaminated areas.* *(d) providing a leachate barrier between waste operations areas and underlying soil and groundwater.*	*DTS/DPF 2.1* *None are applicable.*

As the site has no connection to sewer or a Community Waste Management Scheme, all waste water will need to be treated on site via a dedicated waste water management system. The variation application proposes to maintain this approach to waste water management.

An engineered on-site waste treatment system was proposed to support the wastewater demands for the approved Tourist Hotel and Nexus Suites. That system utilises a primary passive treatment with an ABSORBS™ treatment and dispersal system.

The variation application is accompanied by a Wastewater Management Documentation, prepared by Lucid Consulting. The report addresses waste water generation and on-site treatment emanating from the additional rooms and ancillary spaces (up to 23,850 litres projected daily flow).

Waste water can be adequately treated on site. The irrigation area will be increased to accommodate additional flows but sited away from trafficable areas, stormwater basins and at least 50 metres from the North Para River.

Council's Environmental Health team has advised the report is in-principle acceptable, subject to wastewater application being submitted pursuant to the *SA Public Health Act 2011*. A Reserved Matter is recommended to request the lodgement of a wastewater application, prior to the granting of Development Approval. Subject to the Reserved Matter, the proposal is considered to satisfy the abovementioned Performance Outcomes. It is also noted the EPA conditions will apply as relevant to the original Tourist Hotel planning consent.

Vehicular Access and Manoeuvring

Rural Zone	
Siting and Design	
PO 2.1 Development is provided with suitable vehicle access.	DTS/DPF 2.1 Development is serviced by an all-weather trafficable public road.

Access arrangements were examined in detail as part of the assessment of the Tourist Hotel. It was noted in the previous Panel report that "*The development is serviced by an all-weather trafficable public road in Yaldara Drive, however, there are additional access options via Fuss Road or a private road alongside of Chateau Yaldara*".

The report further noted that: *"Based on the road network in place that is available to support access via a number of appropriate routes and that expert advice from the traffic consultant advises the road network is suitable to facilitate the increased access for the development, further upgrade to the external road network is not considered to be necessary."*

The variation application will generate:

Scenario 1 – Weekday Lunchtime – Additional 7 trips
Scenario 2 – Weekend Lunchtime – Additional 10 trips
Scenario 3 – Evening Period (Thursday-Sunday) – Additional 13 trips

The approved development generates a total of 43 trips in the peak evening period that increases to 56 trips for the amended scheme. The applicant's transport consultant considers the additional number of trips to be low. Council's Engineering Services Department have not disputed the traffic assessment numbers.

Yaldara Road has now been bitumen surfaced and can accommodate the low level of additional trips generated by the proposed development.

In terms of site access point, Council's Engineering Services ask for "*All vehicle access to the site shall be via the existing access point within the unmade public road reserve of Fuss Road, nominally 75 metres from Yaldara Drive.*"

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*	*DTS/DPF 5.1* *Development provides a number of car parking spaces on-site at a rate no less than the amount*

<table>
<tr><td>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.
xxi.</td><td>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.</td></tr>
<tr><td>Table 1 - General Off-Street Car Parking Requirements</td><td><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></td></tr>
<tr><td colspan="2">Vehicle Parking Areas</td></tr>
<tr><td>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.</td><td>DTS/DPF 6.1
Movement between vehicle parking areas within the site can occur without the need to use a public road.</td></tr>
<tr><td>PO 6.2
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.</td><td>DTS/DPF 6.2
None are applicable.</td></tr>
<tr><td>PO 6.4
Pedestrian linkages between parking areas and the development are provided and are safe and convenient.</td><td>DTS/DPF 6.4
None are applicable.</td></tr>
<tr><td>PO 6.5
Vehicle parking areas that are likely to be used during no daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.</td><td>DTS/DPF 6.5
None are applicable.</td></tr>
<tr><td>PO 6.6</td><td>DTS/DPF 6.6
Loading areas and designated parking spaces are wholly located within the site.</td></tr>
</table>

Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.	
PO 6.7 *On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.*	*DTS/DPF 6.7* *None are applicable.*

Accompanying this variation application is a Traffic and Parking review conducted by ETA, which evaluates the implications of proposed changes on parking availability, access configurations, and the broader road network.

According to Table 1 of the Transport, Access, and Parking section of the Code, specific parking rates are established for different types of uses. The applicable rates for the proposed development are outlined in Table 8 below.

Use	***Required Parking***
Tourist Accommodation	*1 space per accommodation unit/guest room*
Consulting Rooms	*4 spaces per consulting room, excluding ancillary facilities*
Shop (Restaurant or Commercial Kitchen)	*0.4 spaces per seat*
Lounge/Bar (Hotel component)	*0.4 spaces per seat*
Function Venue	*1 space per 6 sqm of public floor area, 0.4 spaces per seat*

Applying these rates, the calculated parking needs are:

- Accommodation Rooms: 116 spaces
- Restaurant: 70 spaces
- Lounge/Bar: 18 spaces
- Day Spa: 12 spaces
- Function: 64 spaces

The total required parking amounts to 280 spaces. This figure assumes peak demand across all uses simultaneously, which is not a realistic scenario and does not factor in shared parking opportunities. Transport, Access, and Parking PO 5.1 and PO 6.3 allow for reduced on-site parking rates in shared use situations.

Previous approvals allocated 17 spaces for the Nexus Suites and 104 for the Tourist Hotel, thereby totalling 121 spaces.

The variation proposal includes a total of 153 parking spaces, combining both new and existing floorspace generation, which represents an increase in parking spaces in order of 32 spaces.

The previously accepted parking calculation methodology incorporates shared use scenarios and applies discounts based on anticipated peak periods. The ETA report presents the following peak parking demands:

- Scenario 1 – Weekday Lunchtime: 81 spaces required
- Scenario 2 – Weekend Lunchtime: 114 spaces required

- Scenario 3 – Evening Period (Thursday-Sunday): 144 spaces required

The peak demand according to ETA is estimated at 144 spaces during evenings on Thursdays and weekends. With 153 spaces proposed, ETA consider there is sufficient capacity to manage expected fluctuations in demand.

The proposed variation retains the approved access through an internal driveway, with a minor adjustment at the connection to the updated parking area.

Consideration is being given by Council to upgrading and extending the unmade portion of Fuss Road along the site's western boundary. Although the development plans accommodate this potential upgrade, it does not depend on it, continuing to utilise the internal access from Yaldara Drive as previously approved.

ETA has provided turning path diagrams for various vehicle types, including B99 and B85 passenger vehicles, an 8.8 metre Medium Rigid Vehicle for deliveries, and 10.0 metre CFS vehicles. These diagrams confirm that larger vehicles can manoeuvre within the site effectively, using turnaround areas to ensure forward-facing entry and exit, as per Transport, Access, and Parking provisions PO 11.2 and DPF 11.2.

The revised parking layout has been assessed by ETA and found to comply with the Australian/New Zealand Standards for Off-Street Car Parking (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009). The layout includes two locations where parking aisle widths will be reduced to a single lane to preserve existing trees. In these areas, sightlines and traffic volumes are adequately managed.

The proposed parking provision of 153 spaces is sufficient to meet the calculated peak demand of 144 spaces and provides additional capacity to accommodate variations in demand (as per the assessment method of the previous application). The parking and access layout adheres to relevant standards and policies, ensuring compliance with parking and manoeuvring requirements. Overall, the proposed provisions are deemed satisfactory for the anticipated development.

Services and Amenities

The proposal will utilise the refuse waste management services established for the approved Tourist Hotel and Nexus Suites. This comprises a staged process of collection, sorting, storing and off site removal. As per the hotel approval, waste will initially be collected within bins located throughout the site including hotel rooms, kitchen areas, and other on-site service locations. These bins will be collected and emptied by hotel staff and transported to the hotel waste compound within the walled northern loading bay area of the approved Tourist Hotel. The waste will then be transported to the service yard waste compound adjacent the main site entry and from there it will be collected by a private waste collection company.

All other collections and deliveries such as food, linen etc will be integrated with the hotel operation. The primary service and plant area is located in the southern part of the hotel building with fire water tanks, domestic cold water tanks, generator, domestic water pump and fire water pump.

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 is currently used as tourist accommodation with an approval in place for an 80 room Tourist Hotel, 12 hotel suites and associated facilities. The variation is defined as tourist accommodation meaning the proposal does not constitute a change of land use to a more sensitive use. Therefore, the proposal satisfies DPF 1.1 and the related PO 1.1.

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) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.*

The applicant has provided a declaration, in accordance with DPF 1.1(a). The proposal therefore satisfies DPF 1.1 and the related PO 1.1 will be achieved.

CONCLUSION

The proposal comprises a variation to "*Development Application ID 21018528 – Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas and alteration of car parking design and configuration.*"

The proposal was determined to be Performance Assessed in nature and requiring public notification. The application was also subject to referral to the Native Vegetation Council for removal of three additional native trees, supported by a native

vegetation report from EBS Ecology. The Native Vegetation Council has not objected to the removal of the trees.

Two representations were received during the public notification period with both representors objecting to the proposal and wishing to be heard at the Panel meeting.

In conclusion, the assessment of the variation application follows the procedural requirements outlined in Section 128(2)(b) of the *Planning, Development and Infrastructure Act 2016*. This process ensures that the evaluation is confined to the specific amendments proposed and does not revisit elements such as the connection to primary production, approved building size, layout, height, and design unless directly altered by the proposed revisions. While concerns were raised by representors regarding the application being Seriously at Variance with the Planning and Design Code, Council staff have carefully reviewed these issues and determined that the variation proposal does not significantly depart from the applicable Planning and Design Code provisions, noting the approved development parameters.

The expert visual impact assessment concludes that the modifications including changes to the buildings' floorspace, footprint, height, number of storeys and layout, will have minimal impact on the surrounding area. Assessment has reviewed these proposed alterations, acknowledging some additional non-compliance with floorspace and height provisions within the Rural Zone. However, it is concluded that these deviations sufficient to recommend refusal. Furthermore, the potential effects on sensitive receptors, loss of native vegetation, stormwater management, increased occupancy, and revised car parking provisions have all been carefully evaluated and determined to be appropriate.

On balance, these considerations sufficiently align with the Planning and Design Code requirements, thereby justifying the granting of Planning Consent for the variation application, subject to Reserved Matters and Conditions of Consent.

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. 24021139 by KPHR Investments Pty Ltd for the Variation to

Application ID 21018528 – Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas and alteration of car parking design and configuration at 221 Yaldara Drive, Lyndoch (CT 5718/899) subject to the following reserved matters, conditions and advisory notes:

Reserved Matter

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016*, the following matter shall be reserved for further assessment, to the satisfaction of the relevant authority, prior to the granting of Development Approval:

(1) The applicant shall submit a final working Landscape Plan for approval, that includes all of the following:

a) Final location for all proposed landscaping comprising trees, shrubs and groundcovers
b) Final nominated species to be used
c) Pot sizes, noting advanced growth trees shall be used
d) Irrigation and maintenance methods

(2) A wastewater application shall be approved for the Nexus Suites, pursuant to the *SA Public Health Act 2011*.

(3) Final Civil & Siteworks Plan that shall address all of the following amendments:

a) All vehicle access to the site shall be via the existing access point within the unmade public road reserve of Fuss Road, nominally 75 metres from Yaldara Drive;
b) All cut/fill batters shall be wholly contained within the subject site;
c) 1 metre blind aisle extension is required at the western end of car park 2;
d) Remove driveway access connections towards the western property boundary from car park 1 and replace with kerb and gutter. Note: There is no vehicle connectivity in this location. This will also prevent unrestricted surface flows from entering the unmade public road reserve adjacent the site;
e) Design surface contours shown within the car park areas and roadways appear to be incomplete in sections, or display old/redundant design information.

(4) All plans containing references to "Future Fuss Road Public Road Extension (By Others" shall be amended to remove such references.

Council Conditions

(1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 21028528 except where varied by any condition(s) listed below.

Development Application 21028528

Plan Type	Prepared By	Drawing No.	Issue No./Date
Planning Report	Masterplan	Report	7 July 2021
Cover Sheet	Brown Falconer	3429 DA01 Rev 1	7 July 2021
Location Plan	Brown Falconer	3429 DA02 Rev 1	7 July 2021
Context and Site Analysis	Brown Falconer	3429 DA03 Rev 1	7 July 2021
Site Plan	Brown Falconer	3429 DA04 Rev 1	7 July 2021
Overall Floor Plan – Existing and Demolition	Brown Falconer	3429 DA05 Rev 1	7 July 2021
Overall Floor Plan	Brown Falconer	3429 DA06 Rev 1	7 July 2021
Overall Roof Plan	Brown Falconer	3429 DA07 Rev 1	7 July 2021
General Arrangement Plan – Upper Ground	Brown Falconer	3429 DA08 Rev 1	7 July 2021
Hotel Accommodation	Brown Falconer	3429 DA09 Rev 1	7 July 2021
Site Elevations	Brown Falconer	3429 DA10 Rev 1	7 July 2021
Main Building - Elevations	Brown Falconer	3429 DA11 Rev 1	7 July 2021
Glass House – Floor and Roof Plans	Brown Falconer	3429 DA12 Rev 1	7 July 2021
Materials	Brown Falconer	3429 DA13 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA14 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA15 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA16 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA17 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA18 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA19 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA20 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA21 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA22 Rev 1	7 July 2021
3D Images	Brown Falconer	3429 DA23 Rev 1	7 July 2021
Landscape Master Plan	Greenhill	21.2733 Rev D	Oct 2021
Landscape Vision	Greenhill	21.2733 Rev D	Oct 2021
Materials Palette	Greenhill	21.2733 Rev D	Oct 2021
Site Plan	Greenhill	21.2733 Rev C	Oct 2021
Master Plan	Greenhill	21.2733 Rev D	Oct 2021
Planting Palette A	Greenhill	21.2733 Rev D	Oct 2021
Planting Palette B	Greenhill	21.2733 Rev D	Oct 2021
Planting Palette C	Greenhill	21.2733 Rev D	Oct 2021
Visual Assessment	Oxigen	N/A	26 Oct 2021
Infrastructure Investigation	Lucid Consulting	LCE21310-002	29 June 2021

Native Vegetation Clearance Report	EBS Ecology	Rev 3	1 July 2021
Stormwater Management Plan	CPR Consulting Engineers	210242	6 July 2021
Overall Site Plan	CPR Consulting Engineers	210242-C01 Rev A	July 2021
Stormwater Management Plan	CPR Consulting Engineers	210242-C02 Rev B	July 2021
Earthwork Plan	CPR Consulting Engineers	210242-C03 Rev A	July 2021
Sections – Sheets 2	CPR Consulting Engineers	210242-C05 Rev A	July 2021
Updated Stormwater Calculations	CPR Consulting Engineers	210242	13 September 2021
Sections – Sheets 2	CPR Consulting Engineers	210242-C04 Rev A	July 2021
Transport Impact Assessment	GTA Consultants	S212760 Issue A	5 July 2021
Environmental Noise Assessment	Resonate	A210431RP1 Rev 0	23 July 2021
Environmental Noise Assessment	Resonate	A210431RP1 Rev A	8 September 2021
Site Waste Water Concept Plan	Lucid Consulting	21310	29 October 2021
Land Capability Assessment	Arris Pty Ltd	Report	21 December 2021
Land Capability Assessment	Arris Pty Ltd	Letter	9 February 2022
Outdoor Lighting Assessment	Lucid Consulting	Report	23 September 2021
Response to Representations	Masterplan	Report	23 September 2021

Development Application 22022572

Plan Type	Prepared By	Drawing No.	Issue No./Date
Nexus Hotel Suites Architectural Drawing Package	Brown Falconer	DA100-DA114	01.07.22
Overall Site Plan	CPR	210242-C10, C01	Rev B
Stormwater Management Plan		210242-C10, C11	Rev A
Stormwater Management Plan	CPR	210242-C10, C02	Rev B

Stormwater Management Plan	CPR	01.07.22	210242
Stormwater Management Plan	CPR	210242-C10	Rev A
Stormwater Management Plan	CPR	210242-C11	Rev A
Planning Report	Masterplan	July 2022	52205REP02
Arboricultural Impact Assessment and Development Impact Report	Arborman Tree Solutions	27.06.22	ATS6860 – 221YalDrDIR
Landscape Master Plan	GD Studia	June 2022	Ref 21.2733
Visual Lighting Advice	Lucid	28.06.22	LCE21310-007
Wastewater Treatment Report	Lucid	28.06.22	21310-006
Environmental Noise Assessment	Resonate	29.06.22	A210431RP2 Rev A
Traffic Impact Assessment	Stantec	01.07.22	301400416

Development Application 24021139

Plan Type	Prepared By	Drawing No.	Issue No./Date
Planning Report	Masterplan	52205REP03-Draft	12 July 2024
Cover Sheet	Brown Falconer	DA201 Rev 2	12.07.24
Amendment Overview Plan	Brown Falconer	DA210 Rev 1	05.07.24
Context and Site Analysis	Brown Falconer	DA211 Rev 1	05.07.24
Site Plan	Brown Falconer	DA212 Rev 1	05.07.24
Overall Plan Existing and Demolition	Brown Falconer	DA213 Rev 1	05.07.24
Site Sections	Brown Falconer	DA214 Rev 1	05.07.24
Overall Floor Plan – Upper	Brown Falconer	DA215 Rev 3	05.04.24
Overall Floor Plan – Mid	Brown Falconer	DA216 Rev 1	05.07.24
Overall Floor Plan – Lower	Brown Falconer	DA217 Rev 1	05.07.24
Overall Floor Plan – Roof	Brown Falconer	DA218 Rev 1	05.07.24
General Arrangement Plan - Main Building	Brown Falconer	DA220 Rev 1	05.07.24

General Arrangement Plan – Mid Level – Hotel Ring Building - North	Brown Falconer	DA221 Rev 1	05.07.24
General Arrangement Plan – Mid Level – Hotel Ring Building – South	Brown Falconer	DA222 Rev 1	05.07.24
General Arrangement Plan – Lower Level – Hotel Ring Building and Suites – North	Brown Falconer	DA223 Rev 1	05.07.24
General Arrangement Plan – Lower Level – Hotel Ring Building – South	Brown Falconer	DA224 Rev 1	05.07.24
Glass House Plan Incl Pool	Brown Falconer	DA225 Rev 1	05.07.24
Site Elevations	Brown Falconer	DA230 Rev 1	05.04.24
Main Building – Elevations	Brown Falconer	DA231 Rev 1	05.07.24
Hotel Ring Buildings – Typical Elevations	Brown Falconer	DA232 Rev 1	05.07.24
Hotel Suites Building – Elevations	Brown Falconer	DA233 Rev 1	05.07.24
Main and Hotel Ring Buildings – Material Overlay of 3Ds	Brown Falconer	DA234 Rev 1	05.07.24
Hotel Suites Building – Material Overlay of 3Ds	Brown Falconer	DA235 Rev 1	05.07.24
Typical Ring Rooms Plan	Brown Falconer	DA240 Rev 1	05.07.24
Typical Suites Rooms	Brown Falconer	DA241 Rev 2	12.07.24
3D Images	Brown Falconer	DA280 Rev 2	12.07.24
3D Images	Brown Falconer	DA281 Rev 2	12.07.24
3D Images	Brown Falconer	DA282 Rev 2	12.07.24
3D Images	Brown Falconer	DA283 Rev 2	12.07.24
3D Images	Brown Falconer	DA284 Rev 2	12.07.24
3D Images	Brown Falconer	DA285 Rev 2	12.07.24
Cover Page	GD Studia	Issue D	11.07.24
Design Background	GD Studia	Issue C	11.07.24

Landscape Vision	GD Studia	Issue A	03.07.24
Landscape Site Plan	GD Studia	Issue C	11.07.24
Landscape Masterplan	GD Studia	Issue C	11.07.24
Planting Palette 1	GD Studia	Issue B	05.07.24
Planting Palette 2	GD Studia	Issue A	03.07.24
Planting Palette 3	GD Studia	Issue B	11.07.24
Typical Landscape Section	GD Studia	Issue A	05.07.24
Materials Palette	GD Studia	Issue B	05.07.24
Landscape Concept Plan	GD Studia	Issue C	11.07.24
Planting Palette 4	GD Studia	Issue A	03.07.24
Landscape Concept Plan	GD Studia	Issue B	05.07.24
Landscape Vision	GD Studia	Issue A	03.07.24
Landscape Concept Plan	GD Studia	Issue A	05.07.24
Planting Palette 5	GD Studia	Issue B	05.07.24
Traffic and Parking Review	ETA	#eta 1000028	09.07.24
Amendment to Acoustic Report for Planning	Resonate	A210431LT2A	04.07.24
Stormwater Management Plan	CPR Engineers	210242 Rev B	12.07.24
Overall Site Plan	CPR Engineers	210242 – C01 Rev D	10.07.24
Bulk Earthworks Plan	CPR Engineers	210242 – C200 Rev E	10.07.24
Civil Siteworks	CPR Engineers	210242 – C201 Rev C	10.07.24
Stormwater Layout	CPR Engineers	210242 – C202 Rev C	12.07.24
Civil Sections	CPR Engineers	210242 – C210 Rev B	10.07.24
Catchments Area Plan	CPR Engineers	SK1 Rev A	28.06.24
Stormwater Catchment Plan	CPR Engineers	C202 Rev C	12.07.24
Updated Wastewater Treatment	Lucid	21310-010	05.07.24
Site Wastewater Concept	Lucid	Rev 3	05.07.24
Native Vegetation Data Report	EBS Ecology	Rev 2	19.08.24

Visual Assessment of Nexus Barossa	Oxigen		July 2024

(2) 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.

(3) All waste material shall be stored in covered containers screened from view and shall be regularly removed from the site. All vehicles removing waste must have a fully secured and contained load such that no waste is spilled and/or dust or odour created to the satisfaction of Council.

(4) 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 reasonable satisfaction of the relevant authority.

(5) All tree management measures, identified within the Arboricultural Impact Assessment and Development Impact Report, prepared by Arborman Tree Solutions, dated 27 June 2022, shall be implemented in accordance with the recommendations contained within the report.

(6) No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose. Any noise audible within the external deck/spa authorised under this Planning Consent shall not exceed 'background noise levels' at any time, so as to ensure the amenity of occupants and neighbouring properties is preserved.

(7) 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.

(8) Prior to occupation of the development, the landscaping works shown on the Approved Landscaping Plan, pursuant to Reserved Matter 1, must be carried out, completed and maintained to the satisfaction of Council. Any dead or diseased plantings shall be replaced.

(9) Storm water disposal systems must be fully installed at the completion of the construction of the buildings, in accordance with the Approved Stormwater Management Plan (as initially approved under Applications 21018528 and 22022572 and as amended under this Planning Consent, with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties.

(10) Before the use commences and/or occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:

(a) Constructed
(b) Properly formed to such levels that they can be used in accordance with the plans

(c) Surfaced with an all-weather sealcoat or treated to the satisfaction of Council to prevent dust and gravel being emitted from the site
(d) Drained and maintained
(e) Line marked to indicate each car space and all access lanes
(f) Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of Council. Car spaces, access lanes and driveways must be kept available for these purposes at all times, to the satisfaction of Council.

(11) 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*.

(12) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the *Environment Protection (Commercial and Industrial) Noise Policy 2023,* such that any resulting noise is not considered a nuisance, to the satisfaction of Council.

(13) All driveway access, internal roadways, car parking and vehicle maneuvering areas shall be constructed with sealed pavement, and comply with the requirements of AS2890.1 Parking facilities – Part 1: Off-street car parking and AS2890.6 Parking facilities – Part 6: Off-street parking for people with disabilities. The driveway access, internal roadways, car parking and maneuvering areas shall be maintained in good condition at all times.

(14) Delivery vehicles to a maximum size of an 8.8 metre Medium Rigid Vehicle shall access the loading area adjacent the main building. Waste collection vehicles shall be restricted to accessing south-western service area located adjacent the main entry point to the site.

(15) Access to the building sites shall be of an all-weather sealcoat or treated sealed surface, with a minimum formed road surface width of at least six metres and must allow forward entry and exit for large fire-fighting vehicles at all times.

(16) Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than six metres from all water supply outlets.

(17) SA CFS appliance's inlet is rear mounted; therefore, the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.

(18) The bushfire fighting water supplies shall be clearly identified and fitted with an outlet of at least 50 mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.

(19) The operating hours of the restaurant and function space (ie. the period in which patrons or customers are in attendance) shall be limited to the following hours of operation:

- Sunday to Thursday 7.00 am to 12.00 pm
- Friday to Saturday 7.00 am – 1.00 am

(20) Development Authorisation for the whole of the development shall be granted within two years from the date of this Decision Notification (ie. 1 October 2026).

Environment Protection Authority Conditions

(21) Prior to operation, the wastewater management system must be installed as specified in the Land Capability Assessment for Onsite Disposal of Treated Effluent including Environmental Study at 221 Yaldara Drive, Lyndoch, prepared by Arris, dated 21 December 2021 (uploaded to the Plan SA Portal on 10 March 2022).

(22) Prior to operation, the Wastewater System Monitoring Plan must be prepared as specified in the Land Capability Assessment for Onsite Disposal of Treated Effluent including Environmental Study at 221 Yaldara Drive, Lyndoch, prepared by Arris, dated 21 December 2021 (uploaded to the Plan SA Portal on 10 March 2022). The Wastewater System Monitoring Plan must be implemented for the operational life of the wastewater system.

Native Vegetation Council Conditions

(23) 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.

(24) Native Vegetation and trees retained in close proximity to the construction activity zone are to be protected with barriers (i.e. fencing or flagging) in accordance with the Australian Standard for Protection of Trees on Development Sites AS 4970-2009.

(25) Construction vehicles, equipment, stockpiled materials or excavated soil are not to be stored or placed within the Tree Protection Zone of retained trees.

Advisory Notes

(1) This Consent supersedes the Planning Consent granted by the Barossa Assessment Panel under Application 21018528 on 5 April 2022 and Application 22022572 granted by the Barossa Assessment Panel on 4 October 2022 Conditions of Consent.

(2) 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.

(3) 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.

(4) 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 matters.

(5) 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.

(6) The applicants are encouraged to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.

(7) 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.

(8) No advertising signage has been included in this proposal and advertising signage shall require a separate application and development approval.

(9) The nominated times for refuse collection are described in the application and are binding on the applicant. Attention is also drawn to waste collection noise which is defined as a thing that constitutes local nuisance, pursuant to Schedule 1 of the *Local Nuisance and Litter Control Act 2016*. The definition states:

In the case of waste collection noise – the noise has travelled from the place at which it was generated to neighbouring premises:

- Before 9.00 am or after 7.00 pm on any Sunday or public holiday; or
- After 7.00 pm or before 7.00 am on any other day.

Environment Protection Authority Advisory Notes

(10) The applicant/owner/operator are 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 activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

(11) More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au.

Native Vegetation Council Advisory Notes

(12) 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 2024/3239/960.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Application and Associated Documentation ⇩
Attachment 2 Representations Received ⇩
Attachment 3 Applicants Response to Representations ⇩
Attachment 4 Native Vegetation Council Referral Response ⇩

Development Locations

Location 1

Location reference
221 YALDARA DR LYNDOCH SA 5351

Title Ref
CT 5718/899

Plan Parcel
H105200 SE461

Additional Location Information

Council
THE BAROSSA COUNCIL

Zone Overlays

Zones
- Rural

Sub-zones
(None)

Overlays
- Character Preservation District
- Hazards (Bushfire - Medium Risk)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Water Protection Area
- Water Resources

Variations
- Minimum Site Area (Minimum site area is 40 ha)
- Minimum Dwelling Allotment Size (Minimum dwelling allotment size is 32 ha)

Application Contacts

Applicant(s)

Stakeholder info
KPHR Investments Pty Ltd
[redacted]

Contact

Stakeholder info
Nick Wilson
[redacted]

Invoice Contact

Stakeholder info
KPHR Investments Pty Ltd
[redacted]

Land owners

Stakeholder info
KPHR Investments Pty Ltd
[redacted]

Nature Of Development

Nature of development
Variation to Application ID 21018528 - Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas, and alteration of parking design and configuration.

Development Details

Current Use
Tourism Development comprising 80 room hotel, function venue, restaurant and day spa (Application ID 21018528) and 12 luxury suites and guest lounge (Application ID 22022572) and six (6) self-contained accommodation pavilions (Development Application 960/00410/04).

Proposed Use
Variation to Application ID 21018528 - Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas, and alteration of parking design and configuration.

Development Cost
$9,400,000.00

Proposed Development Details
Variation to Application ID 21018528 - Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas, and alteration of parking design and configuration.

Element Details

You have selected the following elements

Tourist accommodation - $9,400,000.00

Function venue - $0.00

Shop - $0.00

Commercial & Industrial Elements

Does the application include signage?
No

Septic/Sewer information submitted by applicant

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

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?
Relevant Authority

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

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.

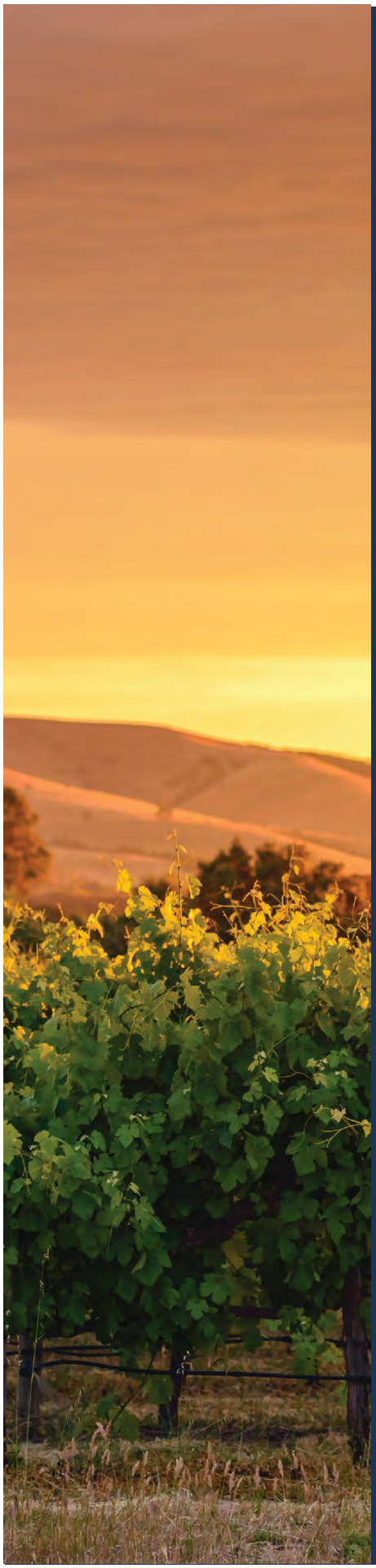
Documents

Document	Document Type	Date Created
20240712 BAROSSA HOTEL DA_BF_LOW RES.pdf	Site Plans	12 Jul 2024 5:21 PM
Planning Report - MasterPlan.pdf	Planning Report	12 Jul 2024 5:21 PM
Landscape Concept - GD Studia.pdf	Technical Report - Landscaping	12 Jul 2024 5:21 PM
Traffic and Parking Assessment - ETA.pdf	Technical Report - Traffic & Parking	12 Jul 2024 5:21 PM
Acoustic Report - Resonate.pdf	Technical Report - Acoustic	12 Jul 2024 5:21 PM
Stormwater Report - CPR Engineers.pdf	Technical Report - Stormwater	12 Jul 2024 5:21 PM
Stormwater Concept Plan - CPR Engineers.pdf	Technical Report - Stormwater	12 Jul 2024 5:21 PM
Revised Wastewater Calculation - Lucid.pdf	Technical Report - Waste Management	12 Jul 2024 5:21 PM
Revised Wastewater Layout - Lucid.pdf	Technical Report - Waste Management	12 Jul 2024 5:21 PM

Application Created User and Date/Time

Created User
epn.wilsonnic@sa.gov.au

Created Date/Time
12 Jul 2024 5:21 PM



Planning Report

Nexus Barossa
Design Variation

221 Yaldara Drive,
Lyndoch SA

July 2024

Planning Report

Nexus Barossa
Design Variation

221 Yaldara Drive,
Lyndoch SA

July 2024

MasterPlan SA Pty Ltd
ABN 30 007 755 277

33 Carrington Street
Adelaide SA 5000
Australia

(08) 8193 5600

www.masterplan.com.au

Version	Date	Detail	Prepared	Review
Review	12 July 2024	52205REP03-Draft	Nick Wilson	Greg Vincent
Final	12 July 2024	52205REP03	Nick Wilson	Nick Wilson

Executive Summary

This report has been prepared to accompany the variation application for the Nexus Barossa hotel and tourism development at 221 Yaldara Drive, Lyndoch. The report provides a description of the development, and consideration of the relevant planning matters applicable to its assessment.

A variation to the previously established Planning Consents for the project is being undertaken in response to detailed design development, review by the prospective operators, and feasibility and delivery analysis.

The variation primarily focuses on design and configuration changes to reduce the extent of building footprint on ground, increase accommodation capacity, and revised floor areas and layout for different associated commercial functions. A key change will be the revision of the accommodation ring, which is intended to be separated into a northern and southern wing and revised to a two-storey design.

Supporting documentation for all relevant technical and associated disciplines has been updated and is provided with the application.

Our assessment of the variations compliance with the relevant provisions of the Planning and Design Code finds that the proposal remains consistent with policy expectations and/or established approvals in respect to land use, visual effect, traffic matters, amenity effects, infrastructure considerations, and environmental and ecological measures.

This report determines that the variation as proposed warrants the granting of Planning Consent by the relevant authority, the Barossa Council Assessment Panel, or under delegated authority, the Assessment Manager.

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1 Introduction

MasterPlan (SA) Pty Ltd (MasterPlan) act on behalf of the applicant, KPHR Investments, in relation to the application described herein. The application is for a variation to recent approvals established for the tourism development on the land at 221 Yaldara Drive, Lyndoch. The project is commonly referred to as "Nexus Barossa".

This report has been prepared to accompany the variation application and provides background on the proposal, a description of the subject land and locality, a description of the proposed development, a discussion of the applicable procedural matters, and an assessment of the proposal against the relevant provisions of the Planning and Design Code.

In preparing this report we have had regard to the Planning and Design Code, Version 2024.12 dated 4 July 2024 (the Code), the *Planning, Development and Infrastructure Act 2016* (PDI Act), and the *Planning, Development and Infrastructure Regulations 2017* (PDI Regulations). The content of this report has been informed by and should be read in conjunction with the following documentation:

- Architectural Plans, prepared by Brown Falconer.
- Wastewater Management Documentation, prepared by Lucid Consulting.
- Transport Assessment Report (update), prepared by Empirical Traffic Advisory (ETA).
- Stormwater Management Plan and Civil Plans, prepared by CPR.
- Landscape Concept, prepared by GD Studia.
- Acoustic Report (update), prepared by Resonate.

2 Background

The key facts and history pertinent to this application can be summarised as follows:

- The land has historically been used for the agriculture, primarily the grazing of livestock (sheep). Grazing has continued on occasion in an ad-hoc manner.
- In 2004, a Development Application (DA 960/00410/04) was approved for the construction of the six separate tourist accommodation buildings on the site, known as the Barossa Pavilions.
- On the 5 April 2022, the Barossa Council Assessment Panel approved a Development Application (ID 21018528) for an 80-room hotel with ancillary commercial activities on the land (referenced herein as the original hotel application).
- On the 4 October 2022, the Barossa Council Assessment Panel approved a Variation Application (ID 22022572) for an extension to the hotel comprising of 12 luxury accommodation suites and related features (referenced herein as the suites variation).

Since the granting of the recent approvals related to the Nexus Barossa facility, the Barossa Council have released the Draft Barossa Growth and Infrastructure Investment Strategy for public consultation (the Draft Strategy), which closed in May 2024. At a strategic planning level, it is important to note that the subject land, along with adjacent land to the south-east associated with Chateau Yaldara, has been identified for potential future rezoning from Rural to Tourism Development Zone, consistent with the established and approved uses on both of these sites. **Figure 1** depicts an extracted figure from Page 110 of the Draft Strategy.

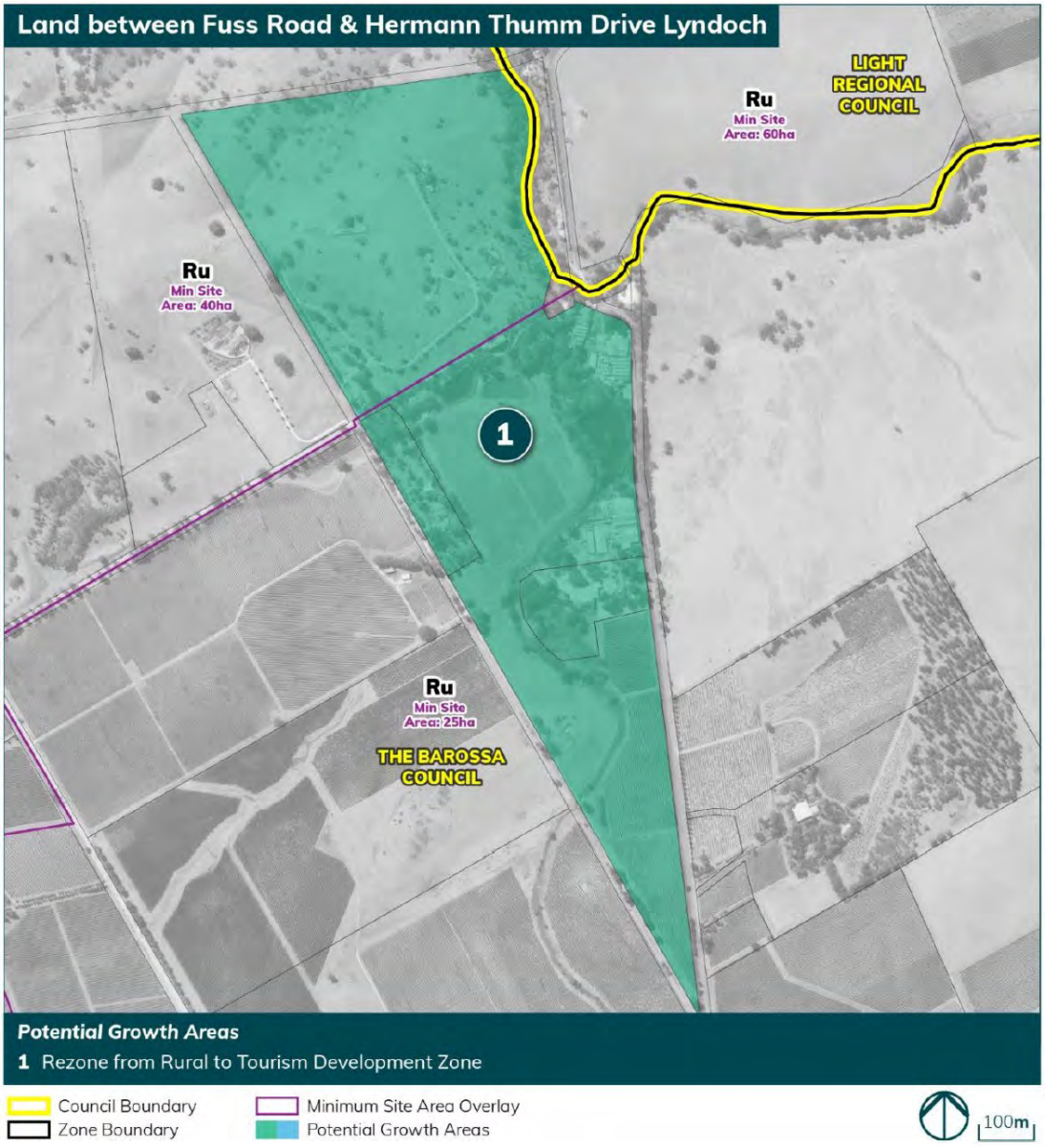

Figure 1 Extract Figure from the Barossa Growth and Infrastructure Investment Strategy.

Subsequent to the previous approvals for the Nexus Barossa facility the applicant, consultant team, and construction team have undertaken an extensive feasibility and delivery analysis. Due to significant and unforeseeable challenges in construction and material costs, specific design changes have been determined to be critical to the successful delivery and completion of this project. The proposed variation herein significantly improves the development outcome in this respect and will ensure the delivery of an exemplary tourism outcome without sacrificing build quality or architectural excellence.

3 Subject Land and Locality

The subject land is formally described as Section 461 in Hundred Plan 105200 in the Area named Lyndoch, in the Hundred of Barossa as contained in Certificate of Title Volume 5718 Folio 899. The land is more commonly referred to as 221 Yaldara Drive, Lyndoch SA 5351.

The land is located in the suburb of Lyndoch within the Barossa Valley region. The site is located approximately 2.0 kilometres north of the township of Lyndoch and approximately 40.0 kilometres north-east of Adelaide.

3.1 Subject Land

The subject land is an irregularly shaped allotment of some 28.3 hectares. The geometry of the site boundaries is nominally rectangular save for the northern boundary which follows the alignment of an unmade paper road and the eastern boundary which runs along the North Para River, which meanders along this boundary.

The site takes access from Yaldara Drive in the south-western corner of the site over a currently unmade portion of Fuss Road which extends along the western boundary. The existing tourist accommodation on the site comprises of the six detached accommodation units and a standalone architecturally designed building at the crest of the land known as the 'Glasshouse'. The Nexus Barossa hotel is currently approved to circle the crest of the land and integrate with the existing Glasshouse at the lobby (see **Figure 2**).

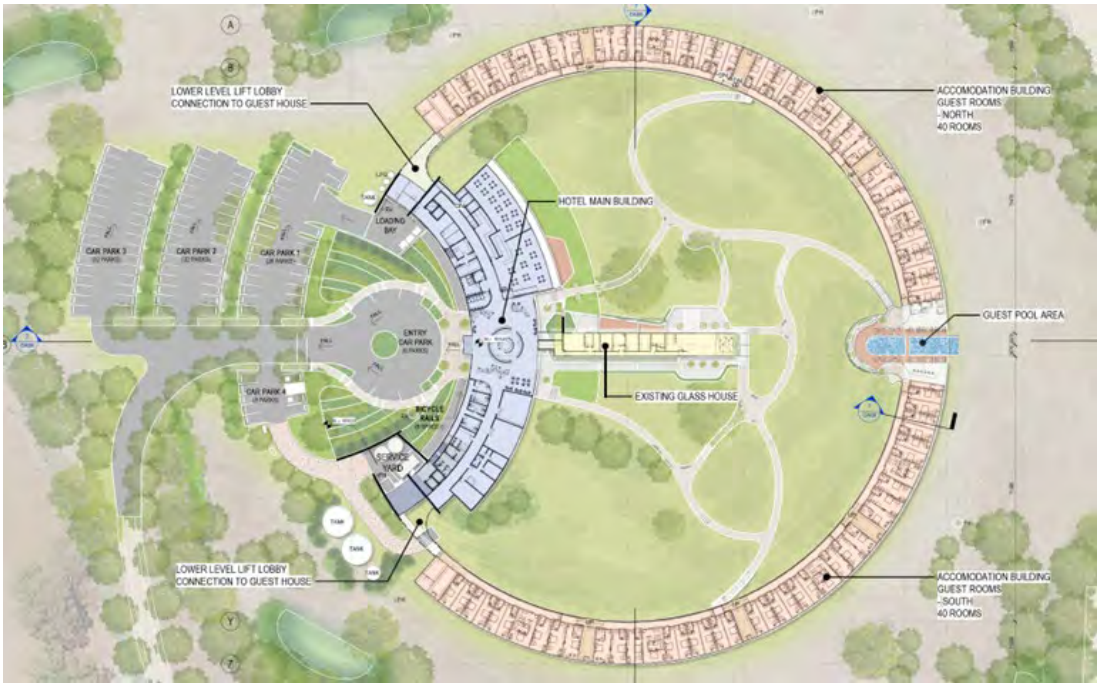

Figure 2 Nexus Barossa Hotel Approved by way of Development Application ID 21018528.

The Nexus Suites are approved to be positioned to the north-west of the lobby building (see **Figure 3**). The presently approved design comprises four separate buildings, each comprising three suites, with a total of 12 luxury suite rooms.

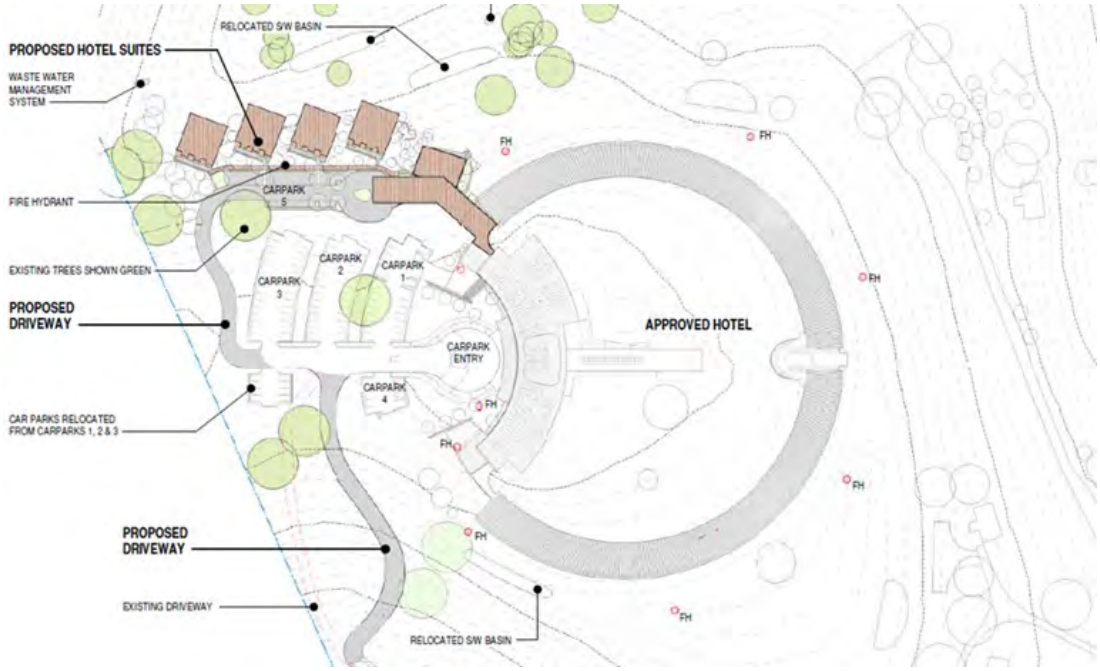

Figure 3 Nexus Suites Approved by way of Variation Application ID 22022572.

Other existing buildings on the site consist of two storage sheds located adjacent the Yaldara Drive entry (the service yard), used for managing and maintaining the tourist accommodation.

Vehicle access through the site is provided by an internal unsealed access track, that following entry to the site, splits and traverses to the east to provide access to the Pavilions and to the north to provide access to the 'Glasshouse'.

The land undulates substantially. The land-form rises to a central crest where the Glasshouse is sited.

The slope of the land falls away from this point to all site boundaries. This slope increases towards the North Para River at the eastern boundary.

Scattered vegetation is present across the site and consists of large remnant Peppermint Box trees and various Eucalyptus species, Olive trees, and a planted row of non-native trees along the existing driveway, interspersed with non-native grasses. The density of vegetation increases in proximity to the North Para River.

3.2 Locality

The locality of the subject land extends 1.0 kilometre in each direction having regard to the views of the land from the east and access to and from the site along Yaldara Drive and Fuss Road to the west and south respectively. The locality includes surrounding allotments and major land uses proximate to the site.

The locality is characterised by a mix of uses, including:

- Large landholdings used for viticultural or other primary production activities.
- Numerous wineries in the vicinity, including the Chateau Yaldara complex to the south-east of the site.
- Rural residential properties including the land to the east of the site at 522 and 526 Lyndoch Road respectively.
- Tourist accommodation and rural residential dwellings, including the Abbotsford Country House to the immediate west of the site.

The North Para River dissects the locality with a number of tributaries projecting from the main watercourse. The density of native vegetation in the locality increases substantially along the banks of the watercourse and consists primarily of mature eucalypt species and grasses.

Roads within the locality comprise of sealed and unsealed local roads typical of the rural setting. All roads within the defined locality are local roads under the care and control of the Barossa Council. Yaldara Drive is a two-way 7.0-metre-wide sealed local road aligned in an east to west direction linking back to connect with the Barossa Valley Way on the entry to Lyndoch. The roadway is set within a 20.0-metre-wide road reserve with vegetation along both road shoulders.

Fuss Road is a two-way 6.0-metre-wide unsealed local road aligned in a north to south direction linking back to Hermann Thumm Drive which connects to Lyndoch Road. The roadway is set within a 25.0-metre-wide road reserve with vegetation along both road shoulders. The Fuss Road road-reserve extends along the sites western boundary but is presently unmade. It is understood that the Barossa Council is exploring the possibility of upgrading and extending Fuss Road in this location.

The amenity of the locality is best described as moderate and rural in character. It is positively influenced by good quality vegetation, well maintained heritage buildings and rolling hills combining with sweeping vistas of the Barossa Valley landscape, particularly from elevated locations. It is further influenced by primary production uses and primary production value adding uses. These include agricultural industries bringing with them the typical activities associated with such uses, including traffic, machinery movements, noise and other effects common to a rural setting.

4 Proposed Development

The proposed development seeks a variation to the existing Planning Consent for the recently approved tourism development. The variation is for the alteration of the design to accommodate an increase in room numbers and alteration of layout and area of the associated commercial components.

The variation essentially involves changes to the approved built form, comprising a reduction in ground level footprint of the main accommodation building and lobby but also includes:

- A net increase of 22 accommodation rooms from 80 to 102 hotel rooms.
- A net increase of two additional accommodation suites.
- Reconfiguration of some of the activities in the main Lobby Building including a net increase in floor area comprising:
  - A 123 square metre increase in floor area to the function/conference room.
  - A 167 square metre increase in floor area to the restaurant.
- Relocation of the swimming pool previously approved to be on the outer eastern edge of the accommodation wing is proposed to be repositioned to adjacent the existing glasshouse building, further uphill and to the west.

The main accommodation building, referred to herein as the accommodation ring, will be reduced in footprint to create an opening on its eastern end. This in turn creates a northern and southern accommodation wing. These wings are proposed to be two-storeys, connected to the main lobby via a link bridge to both wings.

The accommodation suites to the north-west of the lobby are proposed to be reconfigured into a singular building, as opposed to the approved arrangement of four buildings each containing three suites. The total number of suites is proposed to increase to 14 in this new arrangement, with two additional suites being added.

A detailed description of the proposed development is outlined in the following sections and more fully illustrated in the compendium of architectural drawings accompanying the application, prepared by Brown Falconer, as identified in the Drawing Schedule in **Table 1**.

Table 1 Drawing Schedule

No.	Sheet Title	Revision	Status	Date
DA201	Cover Sheet	1	Planning Variation	5/7/2024
DA210	Amendment Overview Plan	1	Planning Variation	5/7/2024
DA211	Context & Site Analysis	1	Planning Variation	5/7/2024
DA212	Site Plan	1	Planning Variation	5/7/2024
DA213	Overall Plan Existing & Demolition	1	Planning Variation	5/7/2024
DA214	Site Sections	1	Planning Variation	5/7/2024
DA215	Overall Floor Plan - Upper	1	Planning Variation	5/7/2024

No.	Sheet Title	Revision	Status	Date
DA216	Overall Floor Plan - Mid	1	Planning Variation	5/7/2024
DA217	Overall Floor Plan - Lower	1	Planning Variation	5/7/2024
DA218	Overall Floor Plan - Roof	1	Planning Variation	5/7/2024
DA220	General Arrangement Plan – Main Building	1	Planning Variation	5/7/2024
DA221	General Arrangement Plan - Mid Level - Hotel Ring Building - North	1	Planning Variation	5/7/2024
DA222	General Arrangement Plan - Mid Level - Hotel Ring Building - South	1	Planning Variation	5/7/2024
DA223	General Arrangement Plan - Lower Level - Hotel Ring Building and Suites - North	1	Planning Variation	5/7/2024
DA224	General Arrangement Plan - Lower Level - Hotel Ring Building - South	1	Planning Variation	5/7/2024
DA225	Glass House Plan Incl Pool	1	Planning Variation	5/7/2024
DA230	Site Elevations	1	Planning Variation	5/7/2024
DA231	Main Building - Elevations	1	Planning Variation	5/7/2024
DA232	Hotel Ring Buildings - Typical Elevations	1	Planning Variation	5/7/2024
DA233	Hotel Suites Building - Elevations	1	Planning Variation	5/7/2024
DA234	Main and Hotel Ring Buildings - Material Overlay of 3Ds	1	Planning Variation	5/7/2024
DA235	Hotel Suite Building - Material Overlay of 3Ds	1	Planning Variation	5/7/2024
DA240	Typical Ring Rooms Plan	1	Planning Variation	5/7/2024
DA241	Typical Suites Rooms	1	Planning Variation	5/7/2024
DA280	3D Images	1	Planning Variation	5/7/2024
DA281	3D Images	1	Planning Variation	5/7/2024
DA282	3D Images	1	Planning Variation	5/7/2024
DA283	3D Images	1	Planning Variation	5/7/2024
DA283	3D Images	1	Planning Variation	5/7/2024
DA283	3D Images	1	Planning Variation	5/7/2024
DA283	3D Images	1	Planning Variation	5/7/2024

4.1 Main Accommodation Ring

The main hotel accommodation will be revised from a continuous circular ring to two separate wings in a two-storey arrangement. This facilitates an increase in hotel room count from 80 rooms in the approved scenario, increasing to 102 in the proposed. This represents a net increase of 22 hotel rooms within this building.

Internal reconfiguration of room layouts is also proposed with greater detail now able to be provided on the makeup of room types within the main hotel to provide a mix of king deluxe dual key rooms, king deluxe rooms, king rooms, spa suite rooms, and DDA-compliant rooms.

4.2 Main Lobby Building

The proposed variations comprise the following:

- Reduction in footprint on-ground.
- Creation of a northern and southern bridge link to accommodation wings.
- Relocation of the day spa component from the eastern end of the lobby building to the northern accommodation wings lower level.
- Relocation of the guest gym from the southern end of the lobby building to the northern accommodation wings upper level.
- Relocation of the function room space from the northern end of the lobby building to the southern end of the lobby building to create a larger combined conference/function area.
- Increase in floor area of the restaurant space within the northern end of the lobby building.
- The addition of a new terrace on the southern side of the glasshouse.
- Varied changes to back-of-house configurations, circulation pathways, and ancillary spaces.

The proposed variations outlined above result in changes to the previously approved floor areas for the various non-accommodation components of the approved use, comprising the restaurant, function / conference space, guest gym and day spa. **Table 2** below provides a comparison of the approved and proposed floor areas and the resulting net change.

Table 2 Comparative Floor Area Schedule

Use Component	Approved	Proposed	Net Change
Function/Conference Space	225 m^2	348 m^2	+ 123 m^2
Restaurant Dining	175 m^2	342 m^2	+ 167 m^2
Suites Lounge/Reception	350 m^2	310 m^2	- 40 m^2
Guest Gym	65 m^2	68 m^2	+ 3 m^2
Day Spa	125 m^2	125 m^2	+ 0 m^2

The restaurant and dining areas are proposed to be amalgamated into a singular location on the northern side of the glass house. The function area is also proposed to be amalgamated on the southern end of the lobby building, to co-locate and integrate the previously separate function and conference areas. This is accommodated by the relocation of the guest gym and day spa facilities to the northern accommodation wing.

4.3 Suites, Reception and Lounge

As approved by way of the most recent variation proposal, the facility will continue to provide a distinct luxury accommodation option referred to as the Suites. The suites comprise a private reception/check-in area, guest lounge, and individual accommodation suites separate from the main hotel and lobby building. This will continue albeit in a revised layout and form.

The previously approved arrangement, comprised of four separate buildings, each containing three suites, providing a total of 12 accommodation rooms. For improved efficiency of construction, this is proposed to be revised into a singular building, with a varied floor level. This facilitates an increase in the number of suites from 12 to 14, representing a net increase of two rooms.

The building design will continue the approved raised floor level design, elevated on posts of varying heights in response to the undulating topography of the land. The height of the suites will step down periodically from east to west. The material and colour palette established in the previous approval will continue with a mixture of dark timber and metal cladding to the external walls.

The design of the suites lobby building is subject to variation, including reconfiguration of the internal check-in, administration, service and back-of-house facilities, as well as the guest bar and outdoor deck area. These facilities will continue to be for the exclusive use of guest staying in the suites. The previously approved outdoor spa area is removed from the proposal.

Separate parking for the suites will continue to be provided adjacent to the proposed accommodation buildings. Extensive landscaping is proposed to surround the buildings to integrate the built form into the landscape. A revised approach to guest circulation paths, bridge and entry portico to each of the suites is proposed. A reduced extent of retaining and boardwalk circulation paths is to occur, with pedestrian paths now proposed to follow the natural topography of the land to a greater extent that the previous approval. The previously approved verandah weather protection is also removed from the proposal.

4.4 Occupancy and Room Numbers

The total number of accommodation rooms is proposed to increase due to a more efficient floor plan layout and maximising the use of available building footprint. The comparative change in room numbers is reflected in **Table 3** below.

Table 3 Hotel Room Numbers Approved vs Proposed

Element	Approved	Proposed	Differential
Main Hotel	80 Rooms	102 Rooms	+ 22 Rooms
Suites	12 Rooms	14 Rooms	+ 2 Rooms
Existing Pavillions	6 Rooms	6 Rooms	- 0 Rooms
TOTAL	**98 Rooms**	**122 Rooms**	**+ 24 Rooms**

The occupancy numbers of the facility will be increasing as a result of increase guest numbers and increase seating capacity within the other components of the facility. The change in occupancy numbers is reflected in **Table 4** below.

Table 4 Occupancy Numbers Approved vs Proposed

Element	Approved	Approved Occupancy	Proposed	Proposed occupancy
Hotel Room	80 Rooms	160 pax	102 Rooms	204 pax
Suites	12 Suites	24 pax	14 Suites	28 pax
Restaurant	175 m^2	90 pax	342 m^2	176 pax
Conference/Function	225 m^2	120 pax	348 m^2	160 pax
Day Spa	3 treatment rooms	3 pax	3 treatment rooms	3 pax
Existing Pavilions	6 rooms	12 pax	6 rooms	12 pax
TOTAL	**409 pax**		**583 pax**	

We note that the above occupancy numbers are purely theoretical, based on the total capacity of each of the above elements occurring simultaneously. It is highly improbable that the development would ever operate at this capacity. The facility will predominately cater for its own guests and therefore occupancy would more commonly reflect the number of guests staying at the facility. The occupancy of the hotel will fluctuate substantially depending on the time of year and other factors. Hotel occupancy levels typically range from 40 to 80 per cent depending on a variety of internal and external factors. Furthermore, the various different elements of the facility will have different periods of peak use, therefore making it extremely unlikely that busy periods would ever coincide with each other.

4.5 Parking and Access

Alteration to the parking and access arrangements are proposed. The rearrangement of the parking layout will facilitate an increase in the number of parking spaces from 121 provided in the original application, an additional 14 provided in the subsequent variation for the suites, totalling 135 approved parking spaces. The proposed arrangement results in a total of 153 on-site parking spaces, an increase of 18 spaces.

Table 5 below outlines the arrangement of parking spaces on the site and provides a comparison of the approved and proposed parking calculation.

Table 5 Approved vs Proposed Parking Numbers

Location	Approved	Proposed	Differential
Main Car Park	104	118	+ 14
Suites Car Park	14	18	+ 4
Maintenance Shed Car Park	11	11	0
Pavillions Car Parks	6	6	0
TOTAL	**135**	**153**	**+ 18**

Empirical Traffic Advisory (ETA) have undertaken an assessment of the revised parking and access arrangements and determined that the parking and movement aisle arrangements suitably accommodate the type of vehicles and frequency of movement anticipated to occur. A series of turn path diagrams have been provided within their accompanying report. This includes emergency services vehicles, such as a CFS truck, which is able to manoeuvre within the parking area to enter and exit in a forward-facing position on the rare occasion such a vehicle is required to access the site.

Access is proposed to continue to be taken via the approved internal driveway. A small diversion from the approved route is proposed at the northern end of the driveway as it connects to the revised parking area.

The documentation from Brown Falconer includes allowance for future connection to a potential opening of Fuss Road on the sites western boundary to connect with the parking area. This is indicative at the current time as the road upgrade is not yet confirmed.

4.6 Landscaping

GD Studia have prepared a landscape concept for the proposed development. The vision for the landscaping approach is for the creation of idyllic rural setting, featuring well-appointed outdoor spaces that enable guests to enjoy panoramic views of the surrounding natural environment.

The landscape will utilise native species and reflect a “contemporary Australian country garden”. The site will feature an entry avenue of Eucalyptus trees. Swathes of native plating will be applied in key locations in order to screen and soften both the existing built form and to integrate the new building into the landscape setting. Hydro-seeding of a native grass seed mix will assist in promoting the reinstatement of native grasses in the site.

The courtyard area will present manicured lawns and terraced gardens, mass planted with native species. The landscaping will focus on providing amenity to hotel guests and restaurant patrons whilst also improving biodiversity and habitat opportunities.

A broad selection of species has been outlined for the proposal including both endemic native species and introduced species. A consistent approach to the approved hotel has been selected for screening species, which will seek to introduce a variety of Eucalyptus species and other native trees and shrubs.

Three existing native trees not previously identified for removal are now proposed to be cleared. The previous approvals for the site described the removal of four scattered trees understood to comprise native vegetation. Associated advice from EBS Ecology will be provided under separate cover.

The trees already identified for removal in the original application, and the additional three trees now also identified are depicted in **Figure 4**.

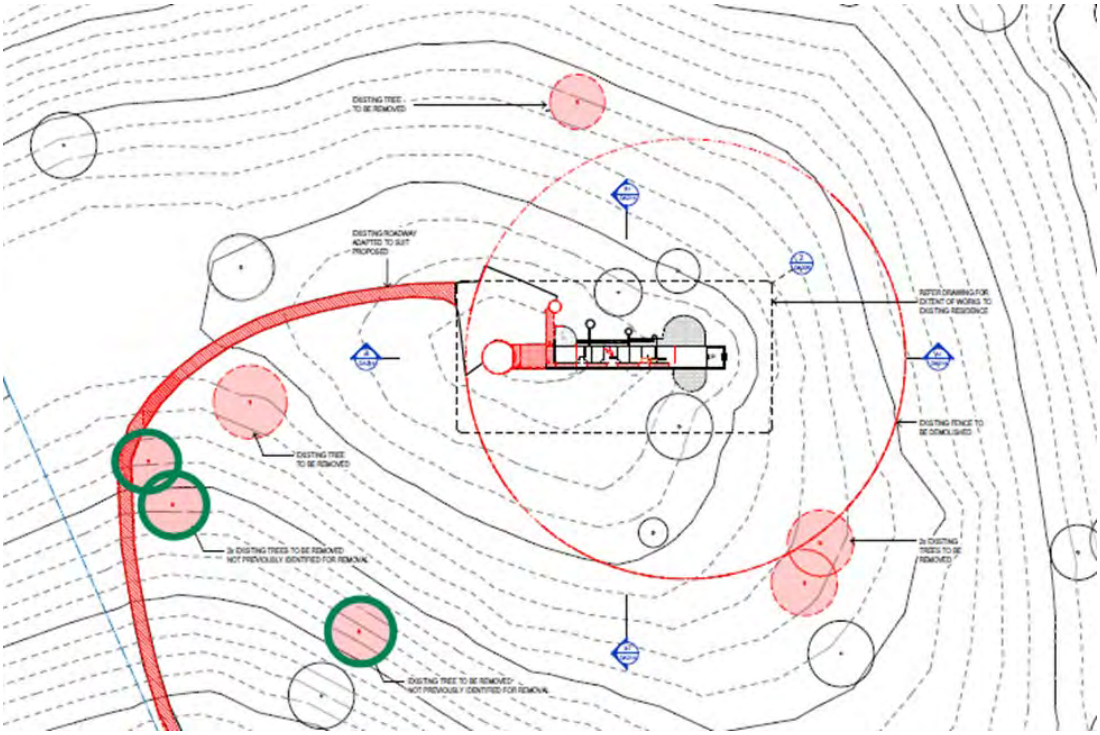

Figure 4 Trees previously and currently identified for removal.

4.7 Wastewater Management

The approved approach to on-site wastewater management will continue. The suites will continue to feed into a separate system utilising three Ri-Treat EP10 secondary treatment units connected to the proposed buildings without substantive change. Recycled water from these units will be utilised for irrigation to the north of the accommodation suites.

The main hotel will continue to utilise the system designed and approved for the original Hotel application. That system utilises a primary passive treatment with an ABSORBS™ treatment and dispersal system. A key feature this passive water treatment and dispersal system is that it is extremely robust and can handle highly variable flows and wastewater quality conditions.

A comparison of the approved and proposed daily flows into this system is depicted in **Table 6**.

Table 6 Approved vs Proposed Waste Flows into Hotel Wastewater System

Nexus Hotel	Approved Flow (Litres)	Proposed Flow (Litres)
Staff	900	1,200
Guests	16,000	20,400
Restaurant	1,200	1,500
Bar Trade	500	750
TOTAL	**18,600**	**23,850**
TOTAL PER YEAR	**6.7 ML**	**8.7 ML**

The only change to the approved hotel wastewater system is a change (increase) in the extent of land utilised for the dispersal and biodrain located in the north-eastern portion of the subject site. The previously approved and proposed dispersal area and biodrain area are depicted in **Table 7**.

Table 7 Approved vs Proposed Area of Treatment

	Approved Hotel Wastewater System (Approx.)	Proposed Hotel wastewater system (Approx.)
Dispersal Area	3,976 m^2	5,401 m^2
Biodrain Area	5,654 m^2	7,341 m^2

The change in the area occupied by the wastewater system is depicted in **Figure 5** showing the approved layout, and **Figure 6** showing the proposed.

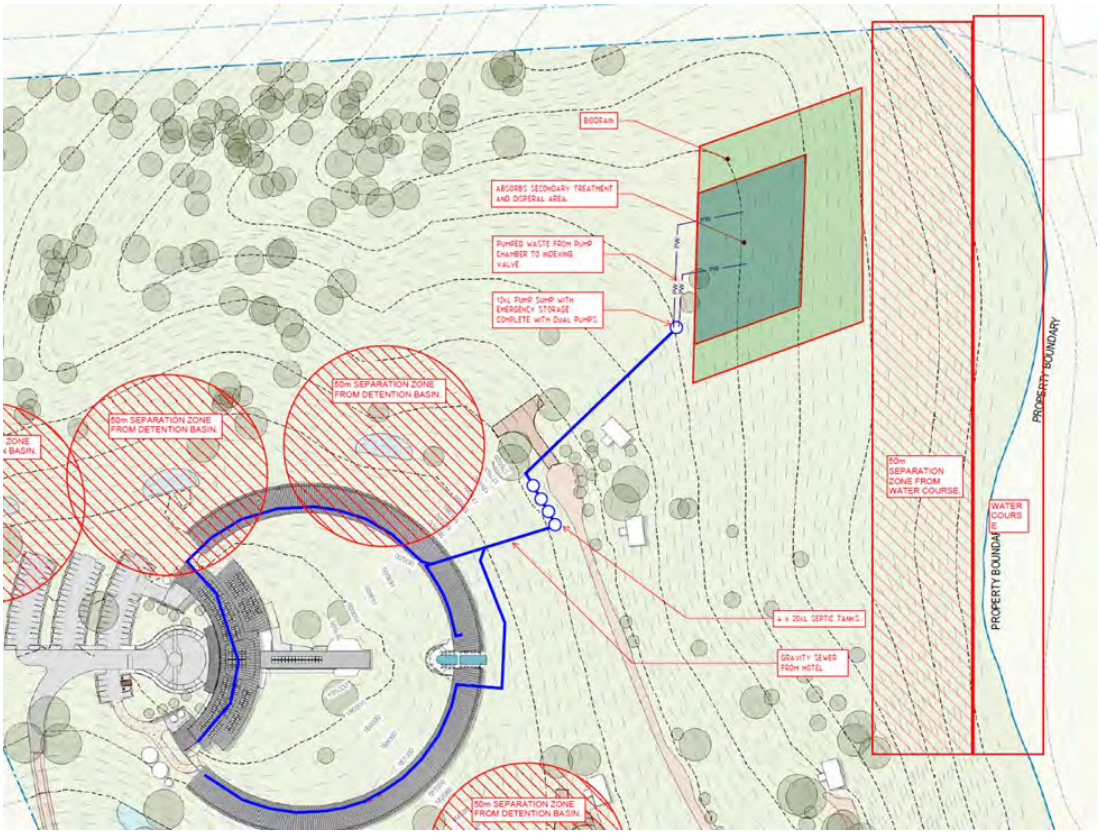

Figure 5 Approved Wastewater System Layout.

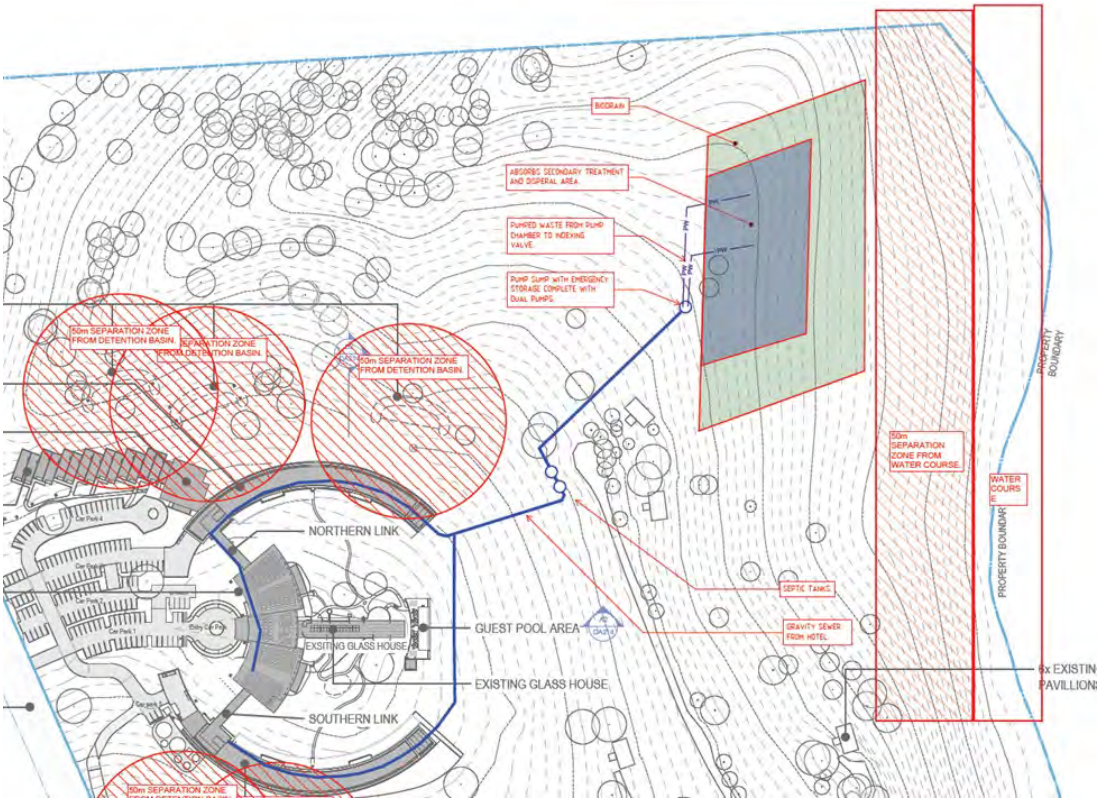

Figure 6 Proposed Wastewater System Layout.

A greater degree of variation will apply for the system servicing the main hotel, as a result of the increase in room numbers and commercial floor areas feeding into this system. However, advice from the project wastewater engineers indicates that the increase in size of the project can be accommodated by a similar increase in the treatment and dispersal train with no change in approach or method of wastewater treatment required.

4.8 Stormwater Management

Advice has been obtained from CPR Engineers who have prepared an updated and redesigned stormwater management plan for the site. The approach for stormwater management adopts the same principles and approach as previously approved for the hotel.

The site has been divided into seven separate catchment areas. Each catchment area is directed to one of five basins with detention volume capacities, as outlined in the accompanying report from CPR.

The proposal involves a reduction in the total number of detention basins. The change in design and opening of the accommodation ring allows for the removal of two basins previously located within the ring. The location, areas, and depth of the other basins are subject to slight adjustment.

The following sets out the changes in detention capacity that has occurred in previous applications and the proposed:

- Original hotel approved - seven basins and associated tanks with combined detention capacity of 330 cubic metres.
- Suite's variation approval - seven basins and associated tanks with combined detention capacity of 378 cubic metres.
- Proposed variation - five basins with combined detention capacity of 234 cubic metres.

4.9 Refuse Waste Management

The approved approach to refuse waste management will be continued in the varied scenario, however, refuse waste generation volumes will increase, and as such storage receptacle size, quantity and configuration will be adjusted in response.

The approach to refuse waste management has been informed by advice to the project team from Colby Phillips Advisory.

The established waste management regime involves refuse waste being collected, sorted, stored and removed via a multiple stage process. Waste will be collected within bins located throughout the site including within individual hotel rooms, kitchen areas, and other on-site service locations. These bins are collected and emptied by hotel staff and transported to the hotel waste compounds located within the northern and southern loading bay areas. The waste compound will be enclosed with screening.

Each of the two hotel waste compounds will provide waste storage for relevant streams within the following receptacles:

- Four 240 Litre General Waste Bins.
- Three 240 Litre Comingled Recycling Bins.
- One 360 Litre and two 240 Litre Cardboard and Paper Bins.
- Three 140 Litre Food Waste Bins.
- One 270 Litre Soft Plastics Bins.
- Two 240 Litre Container Disposal Bins.
- Three 100 Litre Container Deposit Scheme Bins.
- Additional space for any temporary hard rubbish storage.

A utility vehicle pulling a caged bin trailer will be used to transfer bins from the hotel loading bays to a waste compound located adjacent the entrance to the site within the service yard.

The service yard waste compound is approximately 124 square metres and contained on a concrete pad. The compound will be enclosed with screening and partially roofed. The service yard compound will include a mobile bin lifter, secure storage shed, parking for a forklift, and a hard waste storage area. Waste will be consolidated into larger receptacles at this point via the mobile bin lifter. The waste receptacles within this area will comprise of the following:

- Two 3.0 cubic metre FL Bin for General Waste.
- One 3.0 cubic metre FL Bin for Comingled Recycling.
- One 3.0 cubic metre FL Bin for Cardboard.
- Two 370 litre MGB/Cage bins for Recycled Deposit Containers.
- One 10 cubic metre HL Skip for Organic Waste.

Waste will be collected from this point by a private waste collection company using front lift waste trucks. Bins will be manoeuvred predominately via a forklift to the bin lifting area for collection. The waste collection vehicles will enter the site in a forward-facing position and use a front lift mechanism to collect the waste. The vehicle will then manoeuvre by reversing out of the enclosure before exiting the site in a forward-facing position.

Organic waste will be collected via a flatbed truck with a tilting flatbed and equipped with a hook lift capable of dragging the HL Skip onto its flatbed for removal. This vehicle will manoeuvre in a similar manner to the front lift collection vehicles to reverse into the bin enclosure, before exiting in a forward-facing position.

5 Procedural Matters

5.1 Planning and Design Code

The relevant version of the Planning and Design Code in effect at the time of preparing this report for lodgement was the Planning and Design Code Version 2024.12 dated 4 July 2024.

5.2 Policy Context

Under the relevant version of the Planning and Design Code (the Code) the site is located wholly within the Rural Zone. No Sub Zone applies to the land. The land does not abut any other Zone.

The eastern boundary of the site forms the boundary of the Barossa Council and the Light Regional Council along the North Para River. The adjacent land within the Light Regional Council area is also located within the Rural Zone.

A series of Overlays apply to the subject land. These Overlays provide additional policy guidance relevant to the site and comprise of the following:

- Character Preservation District Overlay.
- Hazards (Bushfire – Medium Risk) Overlay.
- Hazards (Flooding – Evidence Required) Overlay.
- Native Vegetation Overlay.
- Water Protection Area Overlay.
- Water Resources Overlay.

5.3 Assessment Pathway

In respect to the approved development, we note that Section 128 Sub-clause (1) of the *Planning, Development and Infrastructure Act 2016*, provides the right for a person to seek a variation of a development authorisation previously given.

In this instance, the authorisation is still operative (Sub-clause (2)(a)).

Sub-section (2)(b) specifically confines the consideration to "*the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation).*"

> *"128—Variation of authorisation*
>
> *(1) Subject to subsection (2), a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation)."*

(2) An application to which subsection (1) applies—

(a) may only be made if the relevant authorisation is still operative; and

(b) will, for the purposes of this Part, but subject to any exclusion or modification prescribed by the regulations and any other provision made by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation;

and

(c) in a case where the development to which the development authorisation previously given was classified by the Planning and Design Code as restricted development—must also be dealt with as restricted development if any representations were made under section 110(2)(b), unless the Commission (as the relevant authority) determines that no such representation related to any aspect of the development that is now under consideration on account of the application for variation and that, in the circumstances, the level of notification and consultation envisaged by section 110 is not required; and

(d) unless otherwise approved by the relevant authority, cannot seek to extend the period for which the relevant authorisation remains operative."

Accordingly, the assessment of the proposed development should be limited to the extent of the amendments proposed to the design and such elements should follow the relevant assessment pathway.

The proposed development should be processed as a Code Assessed – Performance Assessed class of development, as the amendments to the approved development do not fall within any defined assessment pathway.

5.4 Public Notification

The original development approval and subsequent variation application were subject to public notification. In respect to Amended Applications, Regulation 35 (3) of the PDI Regulations, states the following:

> *If an application is varied following referral under Division 2 or giving of notice under Division 3, the relevant authority may, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.*

This provides discretion to the Relevant Authority to determine that previously conducted public notification is not required to be repeated for variations that are not considered substantial. We defer to the relevant authority on whether re-notification is warranted in this circumstance.

5.5 Agency Referrals

A referral to the EPA for wastewater treatment works is instigated under Part 9 of the Planning and Design Code, which designates referral in the following circumstances:

> *Wastewater treatment works: Being sewage treatment works, a CWMS, winery wastewater treatment works, or any other wastewater treatment works with the capacity to treat, during a 12-month period:*
>
> 1. *In the case of works located wholly or partly within a water protection area - more than 2.5 ML of wastewater (EPA Licence required at more than 5 ML), or*
>
> 2. *In the case of works located wholly outside of a water protection area - more than 12.5 ML of wastewater (EPA Licence required at more than 50 ML).*

The approved and proposed wastewater "treatment works" are located wholly outside of a water protection area. The proposed treatment works have a capacity to treat less than 12.5 millilitres of wastewater during a 12-month period (refer to **Section 4.7**). As such, no referral to the EPA is required.

6 Development Assessment

Based on our review of the relevant Desired Outcome (DO), Performance Outcome (PO) and Designated Performance Feature (DPF) policies of the Code as contained within the Rural Zone, relevant Overlays, and the General Development Policies, we consider the following topics to be the key planning matters for consideration in this assessment:

- Built form and visual impact.
- Amenity effects.
- Traffic and parking.
- Stormwater management.
- Wastewater management.
- Landscaping and tree removal.
- Environmentally sustainable design.
- Bushfire risk.

Policies of the Code relevant to these issues and an assessment of the developments performance against these policies is provided under the following headings.

6.1 Built Form and Visual Effect

The architectural approach delivers a contemporary design that continues the prevailing architectural theme established in the previous approvals, whilst also providing for a meaningful evolution in the built form to establish a more efficient and feasible development outcome.

The overarching rationale for the design has been to create a luxury hotel and a unique piece of architecture, balanced with the need to ensure that the design outcome is in harmony with the natural character of the area and does not dominate the landscape.

The provisions of the Rural Zone, Character Preservation District Overlay and the Design and Tourism Development modules within the General Development Policies section of the Code provide policy guidance in respect to the design and appearance of built structures within a rural setting. This is of particular importance to the proposal given its design changes and location within an area of undulating topography and high-quality natural landscape character.

The design of the proposed development has been prepared by the project architects, Brown Falconer and is detailed within the accompanying architectural plan package, which includes site and floor plans, elevations, section diagrams and 3D visual perspectives.

PO 6.2, 6.4, 6.6 of the Rural Zone seek that development including tourism, function venues, and shops are "*of a scale that maintains a pleasant natural and rural character and amenity*". The siting of the built form on the land is established and approved under the previous consents and is not sought to be materially altered by way of this variation. From a design perspective, the key change this variation results in is the addition of a second storey of accommodation to the main hotel, and the consolidation of the suites buildings.

These amendments will alter the visual effect of the built form within the landscape. The amendment to the hotel ring will reduce the buildings footprint on the ground. This revised layout will open the internal ring and provide greater visual interface with the internal landscaping within this portion of the site, and serve to separate and break-up the building mass and scale when viewed from downslope areas to the east.

An important change with the revised design approach is a significant reduction in the degree of alteration of the landform occurring. The proposed building layout, parking areas, and pedestrian pathways will follow the existing topography of the land more closely, significantly reducing the extent of cut and fill required. Where retaining is occurring, the development seeks to utilise existing material sourced from the site such as natural stone to be crushed on site. This will retain the natural and pre-existing characteristics of the landscape to a greater extent than the previously approved design.

The two-storey northern and southern accommodation wings will exhibit a height of 8.1 metres, however, remains below the datum height of the associated hotel lobby building, centrally located at the higher topographical point of the land. In this respect, the built form envelope visible from public vantage points to the north-east is not altered in terms of its vertical scale. It is noted that the DPF criteria under PO 6.4 seeks that tourist accommodation has a building height that does not exceed 7.0 metres. Whilst this height is exceeded, it is a contextually minor exceedance when considered that views of the building will be at a significant distance where such a height variation would not be readily interpreted or noticeable.

Rural Zone PO 10.1 seeks that where large buildings occur, they utilise techniques to manage their visual effect on rural vistas and blend with the landscape by applying appropriate setbacks, siting, and suitable materiality and colour choice. This policy intent is also reflected in the Character Preservation District Overlay provisions, which seek that 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 (PO 3.3).

The siting and setbacks of the built form remain largely unchanged by the proposal, with only minor repositioning of buildings within the approved site of the development on the land.

The amended design approach incorporates a range of material finishes including dark timber cladding, natural stone, tinted glazing and concrete. These darker natural material tones will serve to visually distinguish the proposed suites accommodation and guest lounge from the approved hotel, whilst also providing a suitably muted colour palette to avoid reflectivity and harmonise with the natural features of the landscape.

Landscaping has formed a critical component to the approved hotels visual impact assessment in previous applications and remains a key component to how the built form will integrate with the natural landscape. A revised landscape concept has been prepared for this proposal which considers and responds to the amended built form.

The design utilises a range of locally indigenous plants of varying heights and coverage at maturity ranging from large trees to low level grasses. The proposed landscaping concept proposes extensive tree planting at key development interfaces. This includes surrounding and within the primary parking area, within the accommodation ring, perimeter plantings around the accommodation ring, and along access roads and surrounding the existing pavilion buildings. The extensive level of proposed landscaping will serve to integrate the development into the natural setting of the landscape and soften its visual interface.

For these reasons, the proposed development has been appropriately designed and sited with consideration of the immediate and wider landscape and the context of the approved development so as to appropriately mitigate its visual effect and maintain a pleasant rural character. It is our view that the design recognises, protects and enhances the special character of the Barossa Character Preservation area.

6.2 Amenity Effects

Amenity encompasses various factors, such as visual effect (considered above), privacy, access to natural light and ventilation, and acoustic amenity. Generally, when considering amenity effects, the appropriate test is whether the potential disruption to amenity is deemed to be "*unreasonable*" or not.

The effect of the proposed development on the amenity of the locality is not materially changed by the proposed variation.

The Interface between Land Uses Policies (PO 4.1, 4.5 and 4.6) seek that noise effects on sensitive development are managed, specifically for venues that have amplified music and outdoor areas associated with licensed premises.

An increase in room counts and increase in the extent of commercial floor area has been considered by acoustic consultants Resonate, who have provided an updated assessment of the proposal. This assessment considers the additional 24 accommodation rooms, changes in floor area for various internal commercial uses, associated increases in traffic movement, and additional detail on building services and equipment.

Resonate confirm that even with the proposed amendments the facility will continue to comply with the relevant noise criteria of the Code and the *Environment Protection (Noise) Policy 2007* (the Noise Policy). This assessment includes external activities of guests in new and existing outdoor areas.

Design provisions within the Code seek that development mitigates direct overlooking habitable rooms and private open spaces of adjoining residential uses from upper-level windows, balconies, terraces and decks (PO 10.1 and PO 10.2). Direct overlooking is defined in the Code as being limited to an area that falls within a horizontal distance of 15 metres measured from the centre line of the overlooking window or any point of the overlooking deck, balcony or terrace. No adjoining residential uses are located within 15 metres of the built form. Views between properties and developments are at substantial distances and precluded by natural features, such as topography and vegetation. No direct overlooking (as defined) is occurring and therefore there will be no practical loss of privacy on any adjoining land.

6.3 Traffic and Parking

The provisions of the General Development Policies within the P&D Code provide extensive policy guidance with respect to the matters of driveway design, car parking provision and design, and the effects on the public road system.

A Traffic and Parking review has been undertaken by ETA and accompanies the variation application. This assessment considers the effect of the changes on the development's parking supply, access arrangements, and function of the wider public road network. We defer to this assessment generally but provide the following supplementary commentary.

6.3.1 Parking Supply

Car parking rates for development are set out in *Table – 1: General Off-Street Car Parking Requirement* in the Transport, Access and Parking section of the Code. The rates that are applicable to the proposed development are presented in **Table 8**.

Table 8 Code Parking Rates

Use	Number of Required Spaces
Tourist Accommodation	1 car parking space per accommodation unit / guest room.
Consulting Rooms	4 spaces per consulting room excluding ancillary facilities.
Shop (in the form of a Restaurant or involving a Commercial Kitchen)	0.4 spaces per seat.
Lounge / Bar (component of Hotel land use)	1 space for every 6m^2 of total floor area available to the public in a lounge, beer garden.
Function Venue	0.4 spaces per seat.

The application of these rates results in a parking requirement as follows:

- Accommodation rooms – 116 spaces.
- Restaurant – 70 spaces.
- Lounge/Bar area –18 spaces.
- Day spa – 12 spaces.

- Function venue – 64 spaces.

This equates to a total parking calculation of 280 parking spaces. The application of this parking rate as an aggregate figure assumes that all of the proposed uses would be at peak parking demand at the same time which is not realistic and does not account for the sharing of parking facilities. PO 5.1 and PO 6.3 of the Transport, Access and Parking provisions contemplate various scenarios where a reduced on-site parking rate should be contemplated, including the shared use of parking areas.

The variation proposes a total parking supply of 153 spaces including new and existing parking spaces. The previous approvals provided 17 parking spaces services the suites, and 104 for the main hotel, equating to 121 parking spaces.

The established parking calculation methodology which has been accepted and approved for this development adopts a shared use scenario and applies discounts to the parking rates applicable to the various components based on the likely occupancy at different peak periods of the day and the time of the week. Tabulated calculations within the ETA report outline the various discounted rates, and determine peak parking demands for the following three scenarios as follows:

- Scenario 1 – Weekday Lunchtime – Total parking demand of 81 spaces.
- Scenario 2 – Weekend Lunchtime – Total parking demand of 114 spaces.
- Scenario 3 – Evening Period (Thursday-Sunday) – Total parking demand of 144 spaces.

This assessment determines that the likely peak parking demand for the facility will be 144 parking spaces, occurring during evening periods on Thursday and the weekend. The provision of 153 parking spaces will exceed this and provide suitable additional capacity to accommodate any fluctuation in demand. We find therefore that the proposed parking supply continues to meet the likely demand generated by the development.

6.3.2 Parking and Access Layout

The development largely maintains the approved access arrangements through the site utilising an internal driveway. A slight variation in the driveway design is proposed at the connection to the revised parking area.

It is noted that an upgrade and extension of the unmade portion of Fuss Road on the site's western boundary is being explored by the Council. The current plans have allowed for this possible future upgrade and access point but do not rely on it. At present the development continues to utilise its own internal access driveway from Yaldara Drive as approved.

ETA have provided turnpath diagrams for all anticipated vehicles primarily comprising B99 and B85 passenger vehicles but also including an 8.8-metre Medium Rigid Vehicle for deliveries and 10.0-metre CFS vehicles. Both of these larger vehicles will be able to manoeuvre within the site utilising the turnaround areas to facilitate entry and exit in a forward-facing position, as sought by Transport, Access and Parking provision PO 11.2 and DPF 11.2.

The assessment by ETA of the revised parking layout confirms that the facilities suitably comply with the relevant *Australian Standard/New Zealand Standard for Off Street Car parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009)* (AS Parking Standards). There are two locations where the parking aisle widths will decrease to a single lane. This is to accommodate the retention of existing trees. Appropriate sightlines and suitably low traffic volumes apply in these locations.

6.3.3 Road Network Capacity

DO 1 and PO 1.1 of the Transport, Access and Parking provisions of the Code seek that development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system in a manner that is safe, sustainable, efficient, convenient and accessible for all users.

To determine the revised traffic volumes generated by the amended development, ETA have applied traffic generation rates for Transport for *New South Wales 'Guide to Traffic Generating Developments'* (formerly RTA NSW, 2002). Applying the same scenarios discussed in **Section 6.3.1** the development is anticipated to generate following additional peak volumes:

- Scenario 1 – Weekday Lunchtime – Additional 7 trips.
- Scenario 2 – Weekend Lunchtime – Additional 10 trips.
- Scenario 3 – Evening Period (Thursday-Sunday) – Additional 13 trips.

The currently approved scenario resulted in a total of 43 trips in the peak period. The additional 13 peak period trips result in a peak period traffic generation of 56 trips. ETA has determined that the 13 additional trips during the peak hour are considered low. Hence the proposed development will not materially change the traffic generation of the site's approved uses and is not expected to impact on the safety or function of the surrounding road network. It is also noted that Yaldara Drive has been upgraded and sealed since the previous approvals were established for this project, likely improving its functionality and capacity in servicing this development.

6.4 Stormwater Management

The General Development Policies and the Water Resources Overlay policies of the Code provide guidance on stormwater-related matters, seeking to ensure that new development which increases the stormwater generation from a site incorporates appropriate measures to:

- Control stormwater discharge.
- Maintain stormwater quality.
- Mitigate flood risk.

Advice has been obtained from CPR engineers who have prepared an updated and redesigned stormwater management plan for the site which adopts generally the same principles and approach as previously detailed for the approved development with some refinement. Water captured from the development is intended to be retained within various basins across the site as presently approved.

Each detention basin has been designed to detain the 5.0 per cent AEP storm (20-year ARI) for a 10-minute period and with a limited discharge of 20 litres per second per basin, via a discharge pit to the downstream greenfield areas.

Water quality will be achieved through treatment measures to control the quality of water leaving the car park areas of the site will use a combination of Gross pollutant traps and swale drains adjacent to the hardstand areas.

In the larger storm events, the stormwater discharge from the detention basins and the overflow areas will be captured by:

- The existing detention basin located on the south side of the development and near the main entry and maintenance sheds.
- The existing roadside verges that currently direct stormwater from the road surfaces of the existing development to the existing detention basins.
- The natural water course of the North Para River.

As such the downstream greenfield area has been identified as suitable to control the overflow from the post development site in these larger storm events in a manner that is not worse than the pre-development state.

We find that the proposed stormwater management system, as established in the approved schemes and refined in this proposed variation continues to be appropriate for the development and consistent with the expectations of the Code.

6.5 Wastewater Management

As there is no public or community wastewater disposal infrastructure available within proximity of the subject land, the proposal continues to rely on an on-site wastewater management system.

Presently, the approved approach is for two discrete wastewater systems to service the development, comprising of a larger system servicing the hotel and a smaller RI-Treatment system servicing the suites component. This arrangement is proposed to continue, with minor alterations to the irrigation areas to account for the increase in flows into these respective systems, as outlined in **Section 4.7** and the accompanying wastewater documentation from Lucid Consulting.

The increase in room count (24 rooms) and change in commercial floor areas will alter the wastewater flows generated by the development. This primarily effects the system servicing the main hotel. Advice in respect to wastewater management has been sought from Lucid Consulting and Arris, both of whom were involved in the wastewater management approach determined for the original hotel approval and the suites variation.

The increase in flows results in a similar increase in dispersal and treatment area for this system. As there is no change in approach, we find the amendments to the wastewater system layout continue to meet the policy expectations of the General Development Policies - Design provisions. PO 6.1 seeks that effluent disposal areas do not include any areas to be used for private open space, driveways or car parking, which the proposal continues to satisfy. The system approach has been demonstrated and accepted as not presenting potential environmental and/or amenity impacts as desired by DO 1 of the Wastewater Management Facilities module.

We note that a 50-metre separation is maintained between all irrigation areas and all detention basins and watercourses on and near the subject site as required the *South Australian Public Health Act 2011*. Further wastewater application permits will be required under this legislation and the applicant is aware of this requirement.

6.6 Landscaping and Tree Removal

6.6.1 Planted Landscaping

The importance of landscaping has been well recognised in the establishment of the previous approvals. These applications have sought to establish substantial areas of landscaping both within and surrounding the development in order to increase biodiversity and integrate the built form into the natural landscape. This approach has been continued with this proposed variation.

PO 3.1 and PO 3.2 of the General Development Policies – Design provisions provide guidance on the establishment of landscaping and seek that the use of locally indigenous plant species are maximised, and landscaping is utilised to:

- Minimise heat absorption and reflection.
- Maximise shade and shelter.
- Maximise stormwater infiltration.
- Enhance the appearance of land and streetscapes.
- Contribute to biodiversity.

GD Studia have prepared a detailed landscape master plan concept to accompany the application. Opportunities for increasing biodiversity and habitats on the site has been the focus of the landscape design.

Swathes of mixed tree planting, featuring native Eucalyptus species, are to be used to revegetate areas of the bare slopes. Planting areas will be selected to connect canopy coverage of existing sporadic trees to support local biodiversity and habitat values across the site. Hydro-seeding of native grasses and understorey vegetation mixes will assist in promoting the reinstatement of native species. Seeding a mixture of native grasses and ground cover to disturbed areas of the slopes will assist with minimising soil erosion.

The design will embody a contemporary Australian rural landscape, with a feature avenue of Eucalyptus odorata, Peppermint Box. The entry to the main building will be highlighted by bands of feature planting, incorporating mass plantings of native species

Introducing swathes of native planting in strategic locations around the building perimeter will help screen the new building from public vantage points in the wider locality while also integrating the new building into the hillside character.

The applicant has also nominated to set aside a 9,129 square metre area of the site along the southern boundary a revegetation and native habitat area.

6.6.2 Native Vegetation Clearance

The previous approvals for the site described the removal of four scattered trees understood to comprise native vegetation. EBS Ecology provide advice on the environmental and ecological effect of these trees' removal. In addition, this proposal will require the addition of a further three trees understood to comprise native vegetation. Associated advice from EBS Ecology will be provided under separate cover.

The provisions of Native Vegetation Overlay are relevant. DO 1 seeks to ensure that 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. In accordance with PO 1.1, clearance should be avoided, or where it cannot be practically avoided, minimised.

The previous advice from EBS Ecology identifies that the area of land where the trees proposed for removal are located is degraded, highly modified with non-native understorey, historically cleared and subject to dryland grazing by sheep. Areas of Remnant Vegetation and Peppermint Box Grassy Woodland are to be maintained and are not affected. The applicant has also nominated to set aside a 9,129 square metre area of the site along the southern boundary a revegetation and native habitat area.

Impact to native vegetation from all construction associated with the development will be limited to the removal of two additional trees. Clearance is occurring to accommodate revised parking / access infrastructure, and clearance for fire protection.

A Significant Environmental Benefit (SEB) is required to offset the loss of native vegetation on the site and ensure the development will result in a positive impact on the environment that is over and above the negative impact on clearance. This will be provided either through an in-ground off set or through the payment into the Native Vegetation Fund. The SEB will be determined by EBS Ecology, and a clearance application will be lodged with the Native Vegetation Council following resolution of the proposed variation.

6.7 Environmentally Sustainable Design

Design provisions PO 4.1, 4.2 and 4.3 of the General Development Policies emphasise that buildings should be positioned and oriented to optimise natural sunlight access and ventilation to key areas such as activity zones, habitable rooms, common areas, and open spaces. They should be designed to enhance passive environmental performance, reduce energy consumption, and minimise reliance on mechanical heating and cooling systems. Additionally, buildings should integrate climate-responsive features like strategic window and building orientation, eaves, verandahs, shading structures, water harvesting systems, landscaping and greening, and the use of photovoltaic cells to further improve sustainability and energy efficiency.

As per the previous approvals, the development will achieve energy efficiency primarily through passive environmental design techniques, including the use of high-quality materials for thermal massing and suitably glazed windows for improved thermal performance. Natural temperature control will be provided through cross-ventilation, enhanced by the elevated site and building layout. Operable windows and doors in the restaurant and bar areas will reduce reliance on artificial climate control. Passive solar design includes extensive shading from roof eaves and solar window films. The installation of an extensive number of Solar Photovoltaic (PV) panels on the lobby building, in addition to existing panels on the Glasshouse, will supplement the development's power supply. The stormwater management plan includes detention ponds that enhance the site's ecology and attract wildlife. A water retention and reuse scheme will irrigate landscaped areas, supporting the growth of native vegetation.

6.8 Bushfire Risk

The Hazards (Bushfire – Medium Risk) Overlay seeks that development addresses bushfire risk through siting and designing buildings to mitigate threats from bushfires. The policy also seeks to ensure that access for emergency vehicles is accommodated. Buildings should be located away from areas of unacceptable due to proximity to significant vegetation or inaccessible terrain and designed to avoid trapping burning debris. Development should include bushfire protection systems with firefighting equipment and water supply as per Ministerial Building Standard MBS 008.

The building position is not significantly altered by way of this variation. The previous approvals for the development indicate that the building siting has been deemed appropriate from a bushfire safety perspective. Although sited in an elevated and undulating location, there are limited alternative options within the site (or the general locality) that would be more appropriate in respect to slope.

The traffic assessment by ETA indicates that the revised access arrangements suitably accommodate emergency services vehicles including a CFS truck, which will be able to enter, manoeuvre, and exit the site in one continuous forward-facing position. The vehicle circulation has been re-designed to provide appropriate manoeuvring areas to accommodate this.

The revised development continues to provide an extensive firefighting management system. The development will be equipped with a sufficient number of fire hydrants, strategically placed around the buildings to provide appropriate coverage of the development for firefighting purposes. The fire water storage capacity on the site is in the order of 288,000 litres. In this respect, the proposal is considered to vastly exceed the requirement of the Code in respect to its identified level of bushfire risk.

7 Conclusion

In summary, the proposed development presents sufficient merit when assessed against the relevant provisions of the Rural Zone, Overlays and the General Development Polices section of the Planning and Design Code, Version 2024.12 dated 4 July 2024, to warrant Planning Consent. We note the following in this regard:

- The site enjoys longstanding existing use rights for tourist accommodation purposes. Approval for the wider tourism development land use and associated land uses has been established under previous consents and is not subject to the revisitation in the assessment of this application.
- The proposed design amendments are of a scale that maintains a pleasant natural and rural character and amenity. The visual effect of the built form is not materially altered from what has been established under previous consents.
- The proposed amendment does not result in any new amenity effects on the locality not previously identified and determined to be acceptable. The amenity of the locality will not be subject to any detrimental effect as a result of the design or scale changes.
- The revised development has been designed to accommodate the increase in traffic and realistic parking demand likely to be generated by the use.
- Suitable on-site stormwater and wastewater management schemes will be implemented for the development in a manner that can accommodate an increase in activity or capacity without any negative environmental repercussions.
- The development seeks to undertake a significant landscaping improvement to integrate the revised built form into the landscape, and provide tangible ecological improvement, likely to offset any ecological cost associated with the minor increase in the removal of native trees proposed.
- The development will continue to deliver an Environmentally Sustainable Design through passive and active environmental techniques including appropriate siting and orientation, water reuse, and solar power.
- The developments design and siting has had appropriate consideration for the risks posed by bushfires.
- All components of the development are capable of being appropriately serviced by infrastructure, either utilising available public infrastructure connections or on-site systems.

For these reasons and with consideration of the assessment above, it is our position that the proposed development warrants the granting of Planning Consent.

If you have any questions relating to this matter, please do not hesitate to contact the undersigned.

Nick Wilson MPIA
Bachelor of Urban and Regional Planning (Hons.)

PLANNING CONSENT

ISSUED FOR PLANNING CONSENT
12/07/2024 5:03:36 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

nexus barossa

221 YALDARA DRIVE LYNDOCH 5351

PLANNING CONSENT AMENDMENT - NEXUS HOTEL & SUITES

ARCHITECURAL DRAWING SCHEDULE

DA201	COVER SHEET
DA210	AMENDMENT OVERVIEW PLAN
DA211	CONTEXT & SITE ANALYSIS
DA212	SITE PLAN
DA213	OVERALL PLAN EXISTING & DEMOLITION
DA214	SITE SECTIONS
DA215	OVERALL FLOOR PLAN - UPPER
DA216	OVERALL FLOOR PLAN - MID
DA217	OVERALL FLOOR PLAN - LOWER
DA218	OVERALL FLOOR PLAN - ROOF

DA220	GENERAL ARRANGEMENT PLAN - MAIN BUILDING
DA221	GENERAL ARRANGEMENT PLAN - MID LEVEL - HOTEL RING BUILDING - NORTH
DA222	GENERAL ARRANGEMENT PLAN - MID LEVEL - HOTEL RING BUILDING - SOUTH
DA223	GENERAL ARRANGEMENT PLAN - LOWER LEVEL- HOTEL RING BUILDING AND SUITES -NORTH
DA224	GENERAL ARRANGEMENT PLAN - LOWER LEVEL - HOTEL RING BUILDING - SOUTH
DA225	GLASS HOUSE PLAN INCL POOL
DA230	SITE ELEVATIONS
DA231	MAIN BUILDING - ELEVATIONS
DA232	HOTEL RING BUILDINGS - TYPICAL ELEVATIONS
DA233	HOTEL SUITES BUILDING - ELEVATIONS

DA234	MAIN AND HOTEL RING BUILDINGS - MATERIAL OVERLAY OF 3Ds
DA235	HOTEL SUITES BUILDING - MATERIAL OVERLAY OF 3Ds
DA240	TYPICAL RING ROOMS PLAN
DA241	TYPICAL SUITES ROOMS
DA280	3D IMAGES
DA281	3D IMAGES
DA282	3D IMAGES
DA283	3D IMAGES
DA284	3D IMAGES
DA285	3D IMAGES

nexus barossa

BROLA FALCONER
28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

KPHR INVESTMENTS

NEXUS BAROSSA

COVER SHEET

Scale
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA201** Rev: **2** A1 SHEET

PLANNING CONSENT
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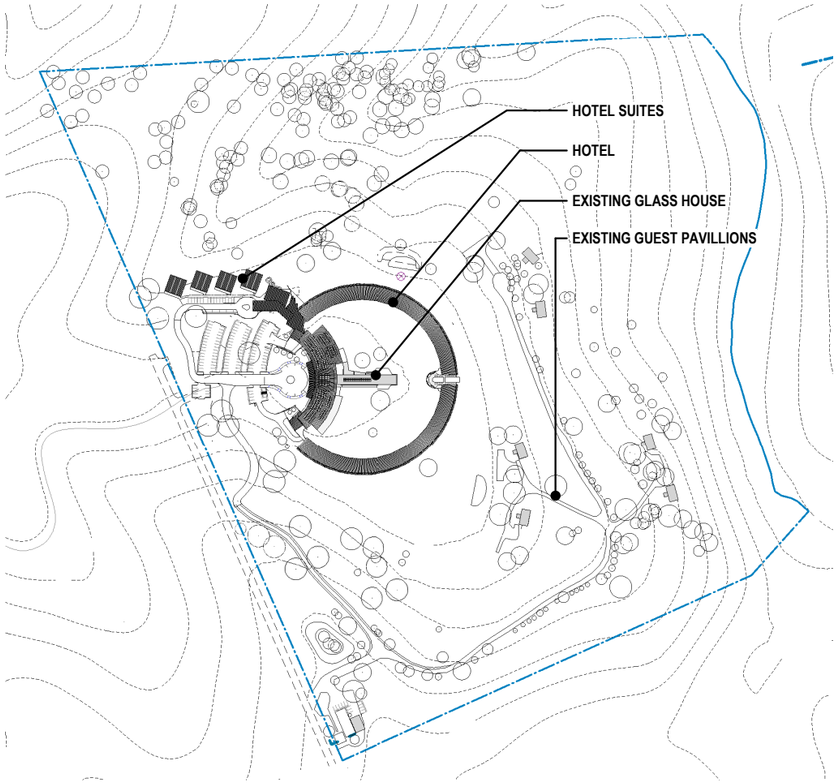
5/07/2024 6:13:33 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



APPROVED HOTEL
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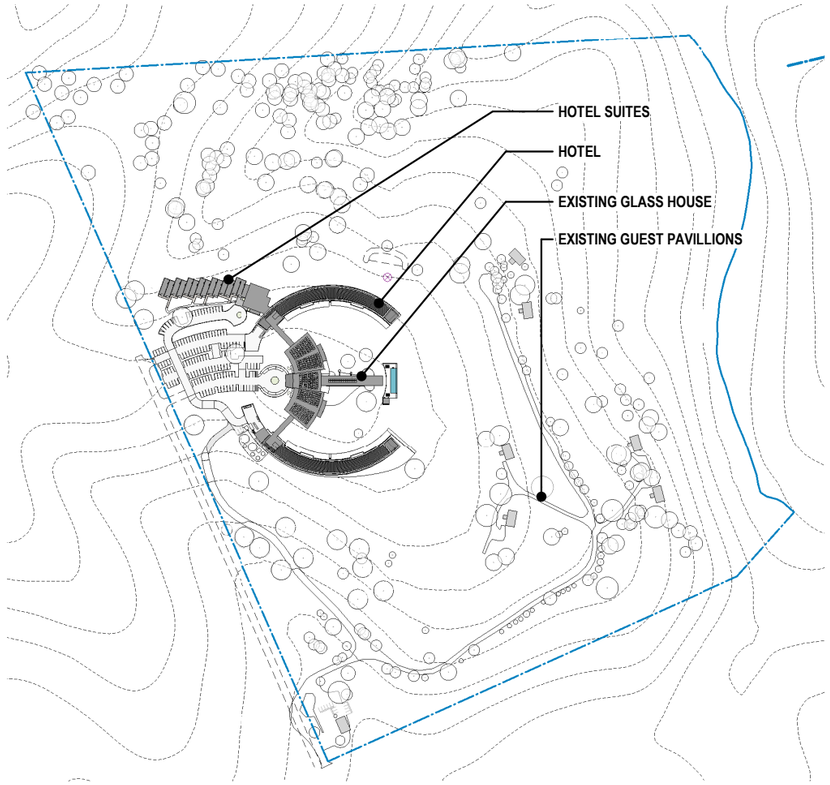

PROPOSED AMENDED HOTEL
1 : 2500

0 2000 4000 6000 800m
1:2000

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BROLA FALCONER

28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

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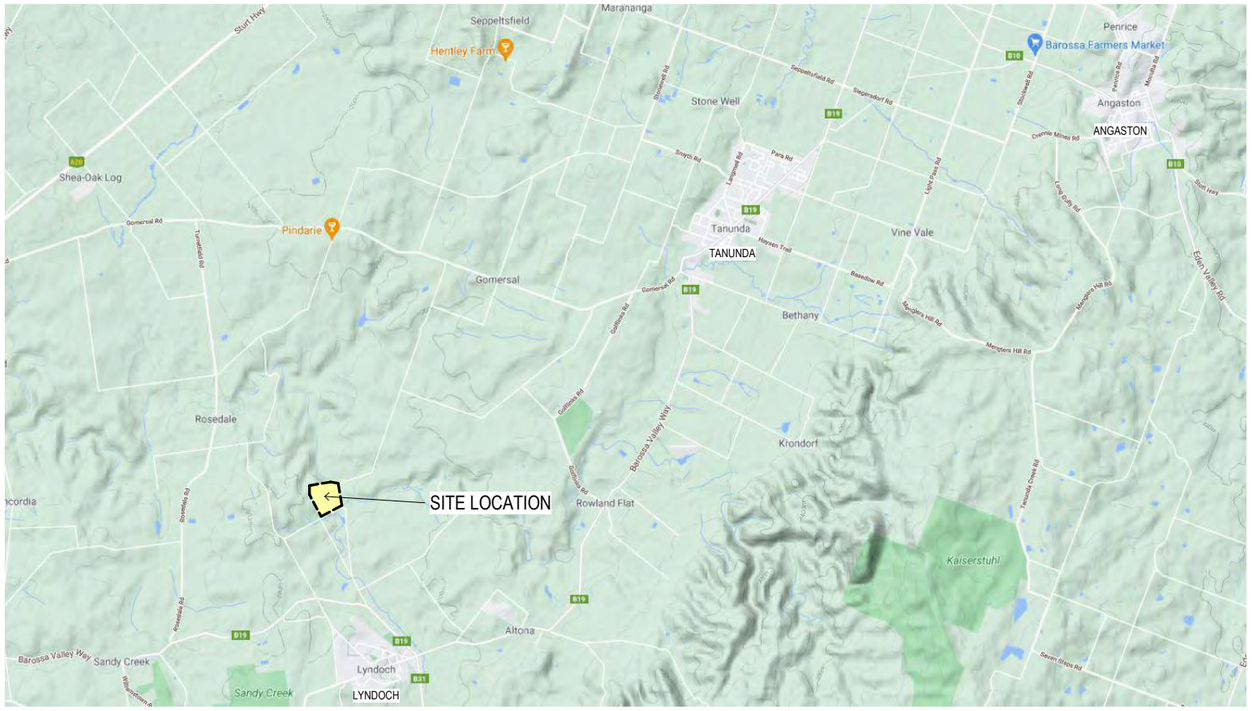
AMENDMENT OVERVIEW PLAN

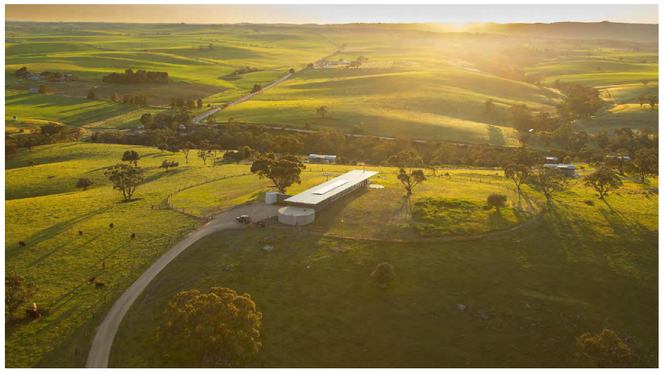
Scale 1 : 2500
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA210** Rev: **1** A1 SHEET



CONTEXT PLAN

VIEW TO NORTH EAST

VIEW TO SOUTH EAST



EXISTING AERIAL VIEW FROM SOUTH

APPROVED HOTEL

EXISTING "GLASS HOUSE" PAVILION

PLANNING CONSENT

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5/07/2024 6:13:37 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

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BROLA FALCONER

28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

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CONTEXT & SITE ANALYSIS

Scale
Date 05/07/2024
Job No. 2021043
Dwg No. 3429 DA211 Rev: 1 A1 SHEET

PLANNING CONSENT
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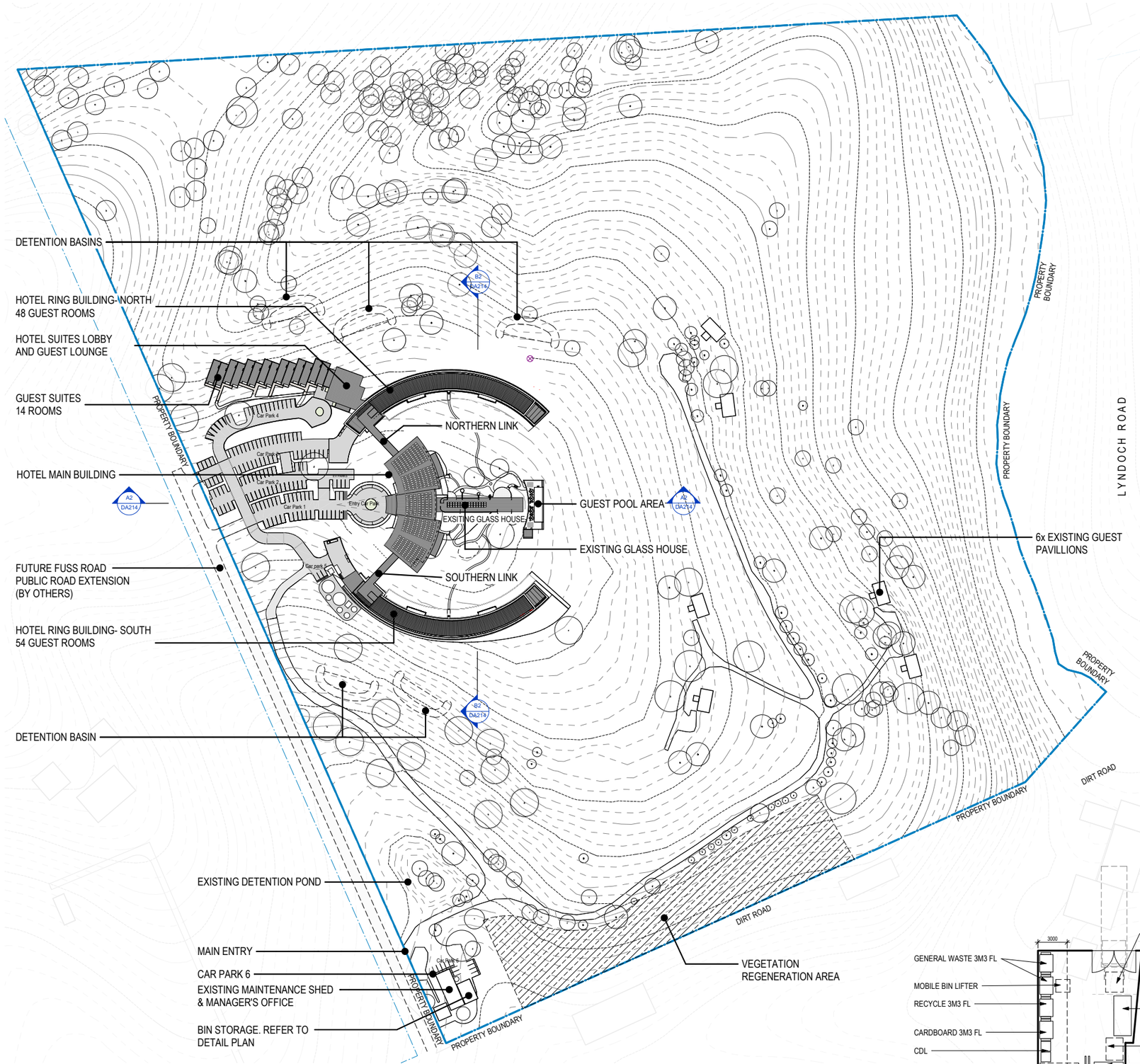
5/07/2024 1:57:19 PM

Rev.	Amendment	Date



SITE PLAN
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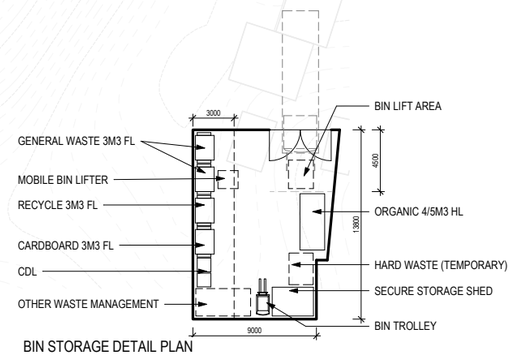

BIN STORAGE DETAIL PLAN
1 : 200

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BROLA FALCONER
28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

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NEXUS BARROSSA

SITE PLAN

Scale As indicated
Date
Job No. 2021043
Dwg No. **3429 DA212** Rev: A1 SHEET

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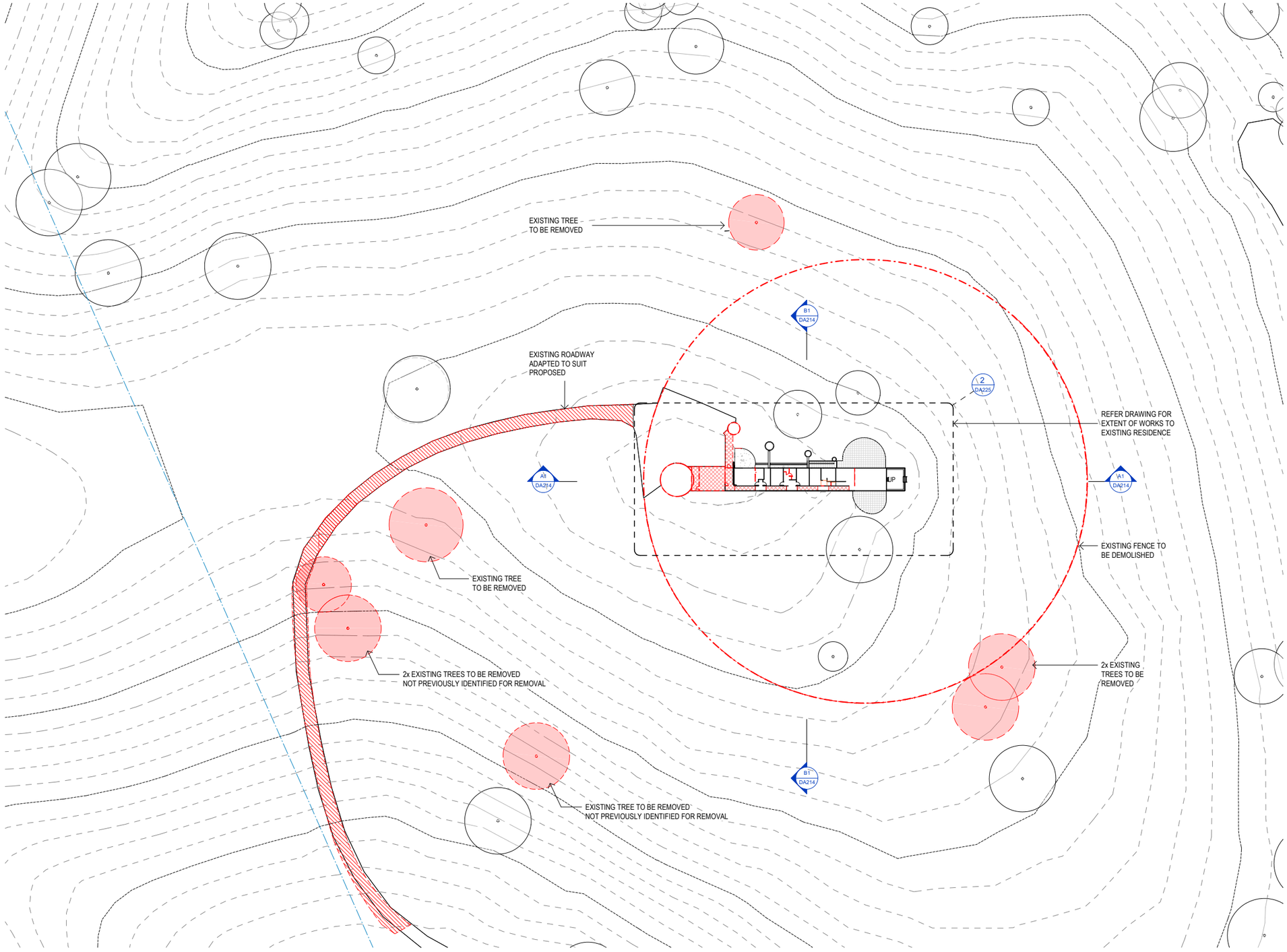
Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



EXISTING & DEMOLITION PLAN
1 : 500

0 5 10 15 20m
1:500

nexus barossa

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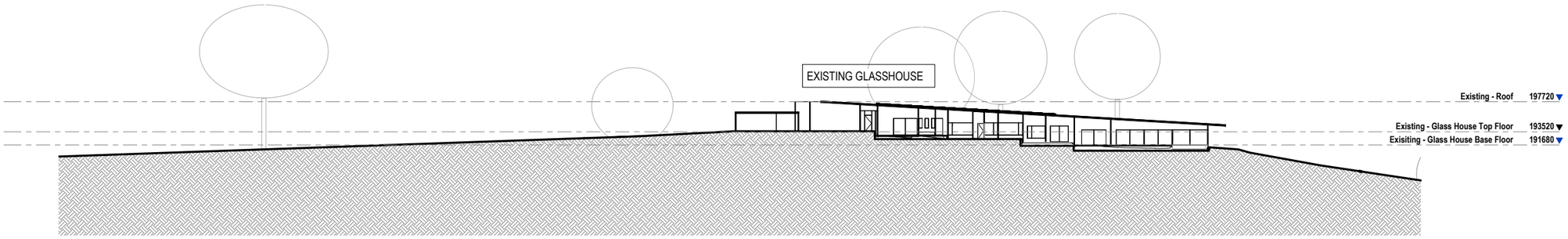
NEXUS BAROSSA

OVERALL PLAN EXISTING & DEMOLITION

Scale 1 : 500
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA213** Rev: **1** A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
5/07/2024 6:14:41 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



A1 / DA213 SECTION E/W EXISTING
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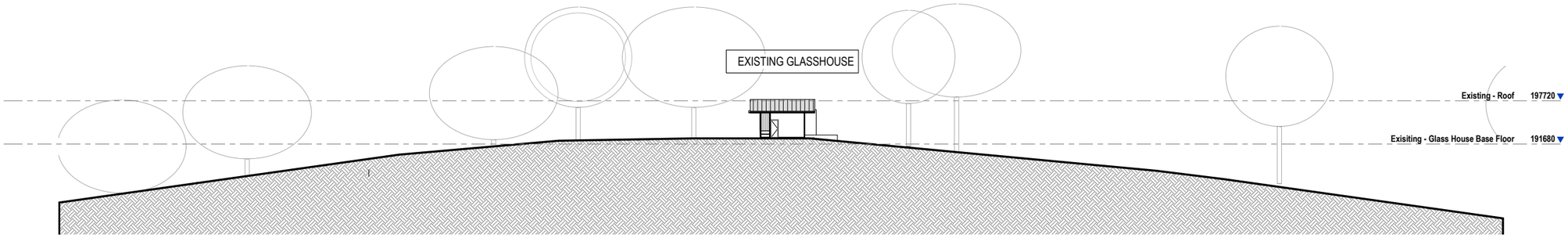
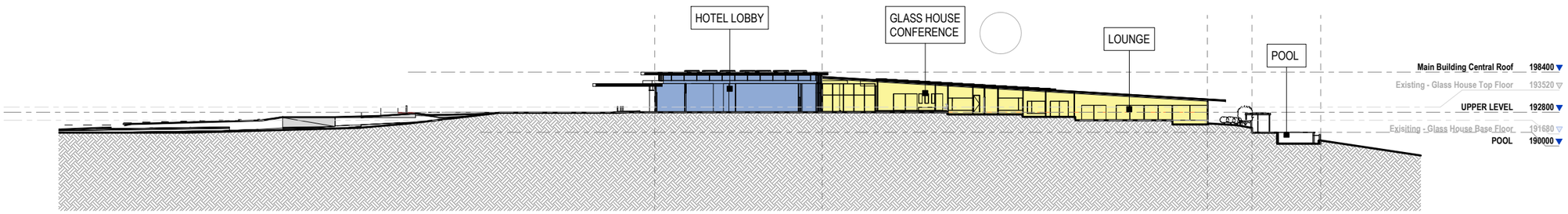
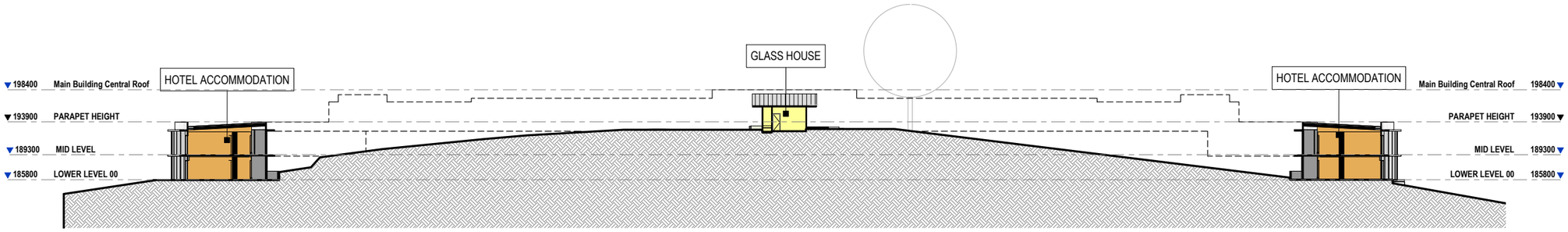


B1 / DA213 SECTION N/S EXISTING
1 : 300



A2 / DA212 SECTION E/W PROPOSED
1 : 300



B2 / DA212 SECTION N/S PROPOSED
1 : 300

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
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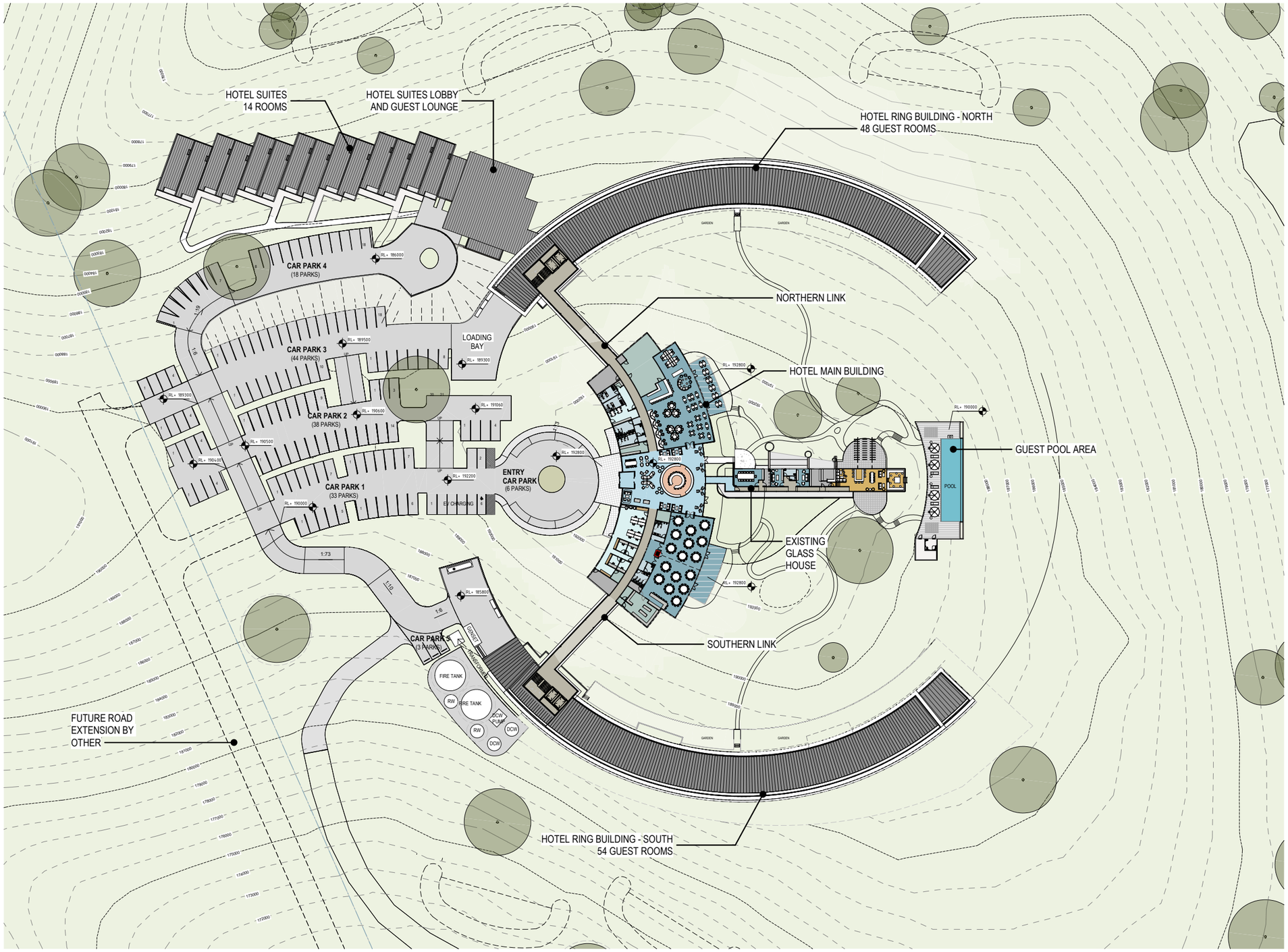
KPHR INVESTMENTS

NEXUS BAROSSA

SITE SECTIONS

Scale 1 : 300
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA214** Rev. **1** A1 SHEET



DA OVERALL FLOOR PLAN - UPPER LEVEL

1 : 500

0 5 10 15 20m

1:500

PRELIMINARY

WORK IN PROGRESS ISSUE

5/07/2024 1:59:24 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	07/07/2021
2	ISSUE FOR INFORMATION	3/4/2024
3	ISSUE FOR INFORMATION	5/4/2024

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

NEXUS BAROSSA

OVERALL FLOOR PLAN - UPPER

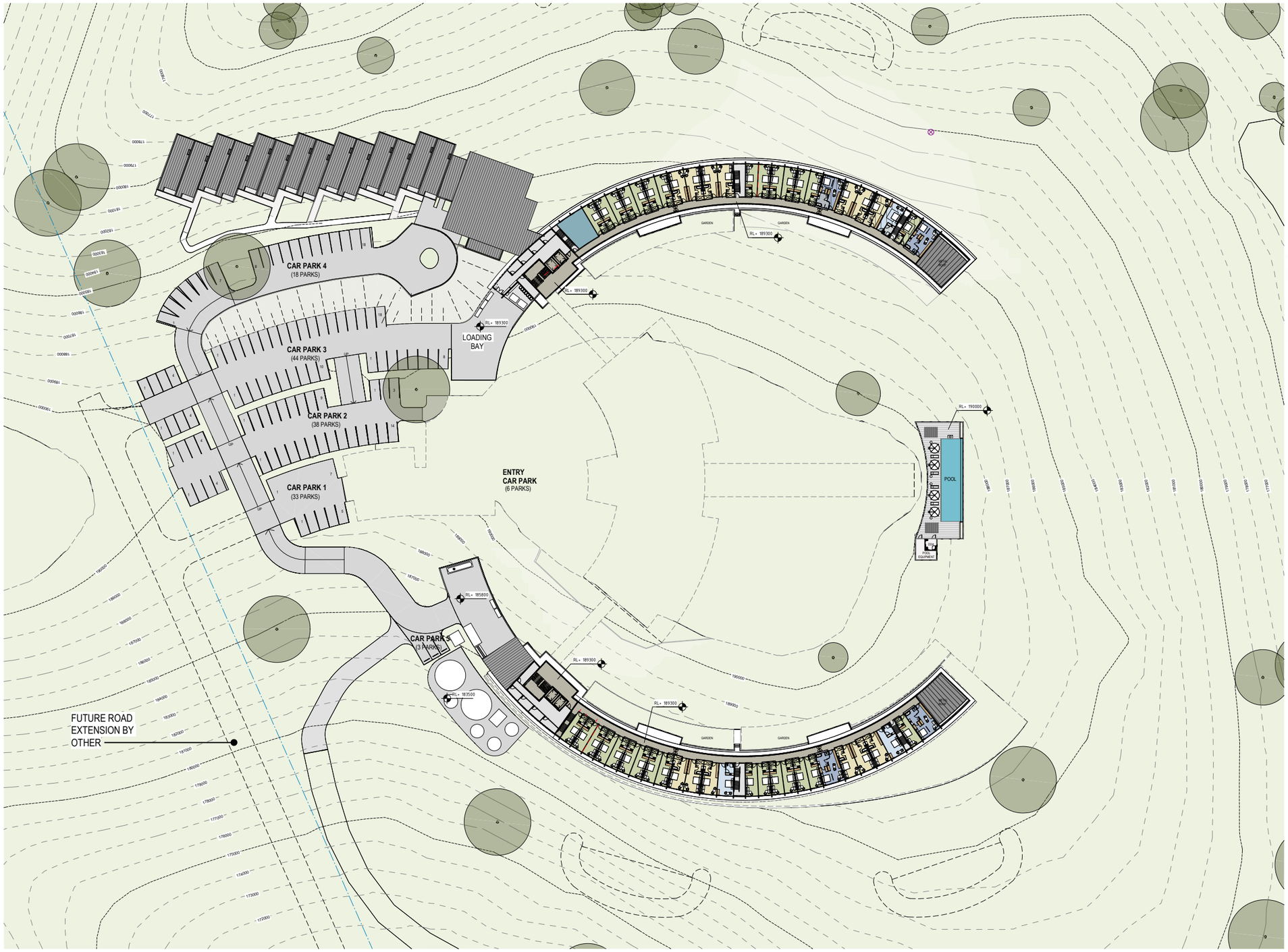
Scale 1 : 500
Date 5/4/2024
Job No. 2021043
Dwg No. **3429 DA215** Rev: **3** A1 SHEET

PRELIMINARY

WORK IN PROGRESS ISSUE

5/07/2024 6:16:59 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



DA OVERALL FLOOR PLAN - MID LEVEL

1 : 500

Hotel Ring Building - Mid Level NORTH	
Guest rooms	371
Guest rooms	392
Guest rooms	84
Circulation, Stairs, BOH	338
Gym	68
BOH Store	38
BOH Goods Receiving	75
BOH Store	17
BOH Loading	31
TOTAL (m2)	**1414**

Hotel Ring Building - Mid Level SOUTH	
Guest rooms	433
Guest rooms	392
Guest rooms	84
Circulation, Stairs, BOH	392
BOH Store	41
BOH Store	17
TOTAL (m2)	**1359**

0 5 10 15 20m

1:500

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KPHR INVESTMENTS

NEXUS BAROSSA

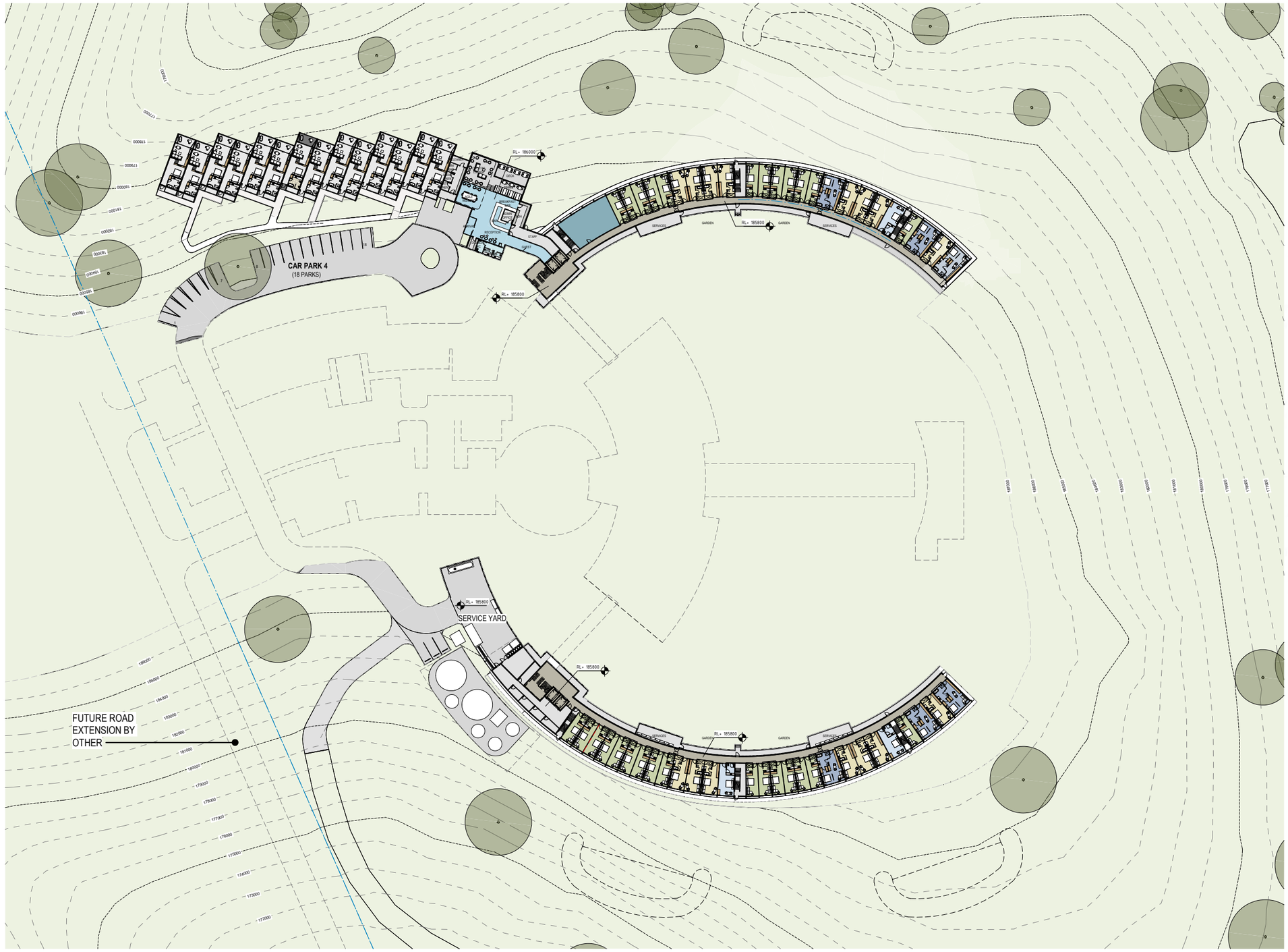
OVERALL FLOOR PLAN - MID

Scale As indicated
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA216** Rev: **1** A1 SHEET

PRELIMINARY

WORK IN PROGRESS ISSUE
5/07/2024 6:17:56 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



DA OVERALL FLOOR PLAN - LOWER LEVEL
1 : 500

0 5 10 15 20m
1:500

Hotel Ring Building - Lower Level NORTH	
Guest rooms	309
Guest rooms	392
Guest rooms	176
Circulation, Stairs, BOH	377
Day Spa	130
BOH Store	18
TOTAL (m2)	**1402**

Hotel Ring Building - Lower Level SOUTH	
Guest rooms	433
Guest rooms	392
Guest rooms	176
Circulation, Stairs, BOH	377
BOH Store	40
BOH Store	18
BOH Store and Goods Receive	75
BOH Fire Pump Room	42
TOTAL (m2)	**1553**

Hotel Suites Admin/ Guest Lounge	
Guest Lounge, Reception	310
Store	9
WC	27
Admin	10
Circulation	44
BOH	23
Housekeeping Store	47
TOTAL (m2)	**470**

Hotel Suites - Accommodation	
Guestroom (each)	52
Ensuite (each)	11
Hotel Suite internal area	*63*
x 14 Suites TOTAL (m2)	**882**

Nexus Barossa Hotel - Total Area Schedule	
Main Building - Upper Level	2,293
Hotel Ring Building - Mid Level	2,773
Hotel Ring Building - Lower Level	2,955
Nexus Suites	1,352
TOTAL (m2)	**9,373**

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
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KPHR INVESTMENTS

NEXUS BAROSSA

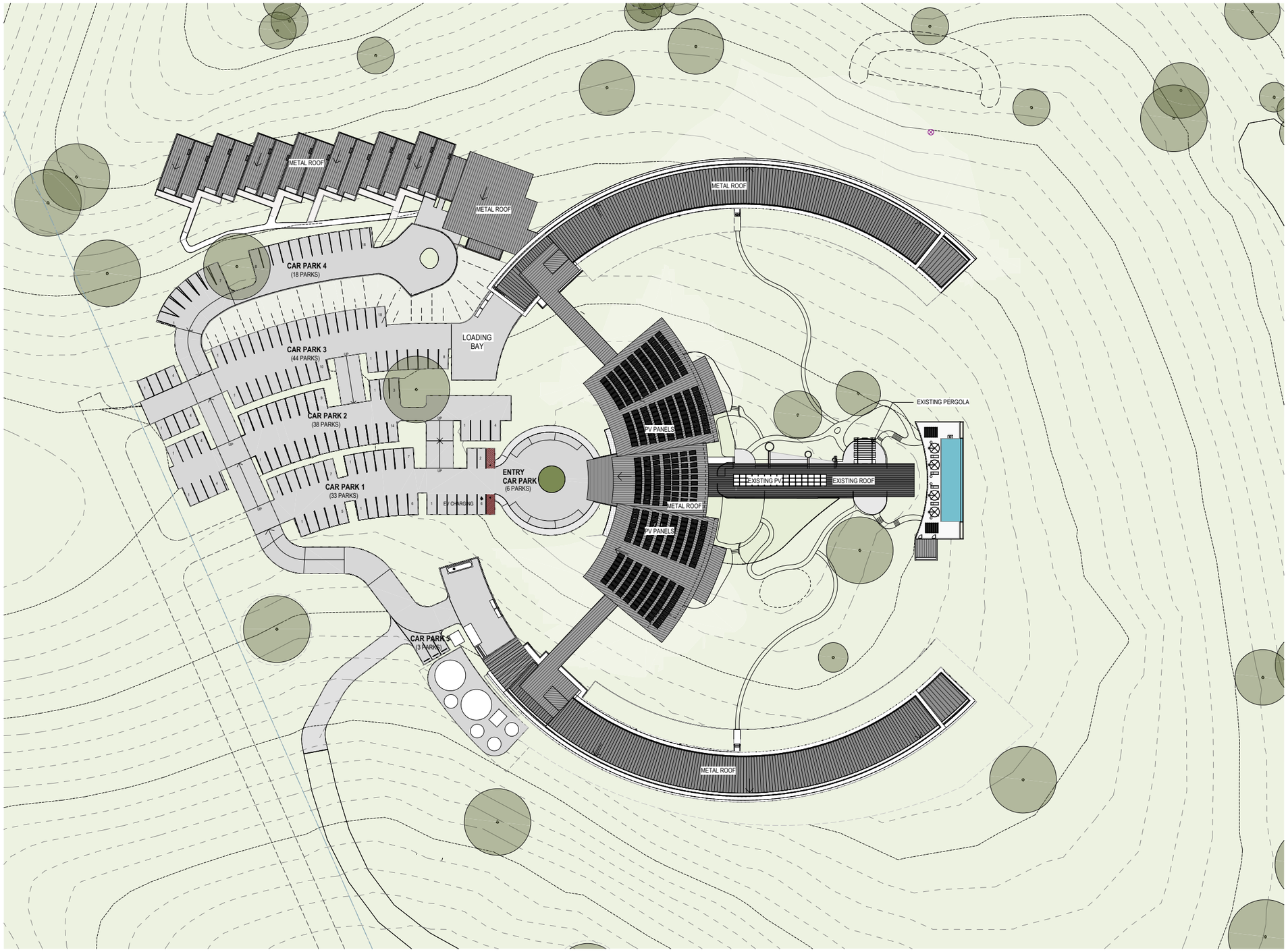
OVERALL FLOOR PLAN - LOWER

Scale As indicated
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA217** Rev: **1** A1 SHEET

PLANNING CONSENT

ISSUED FOR PLANNING CONSENT
5/07/2024 6:19:05 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



ROOF
1 : 500

0 5 10 15 20m
1:500

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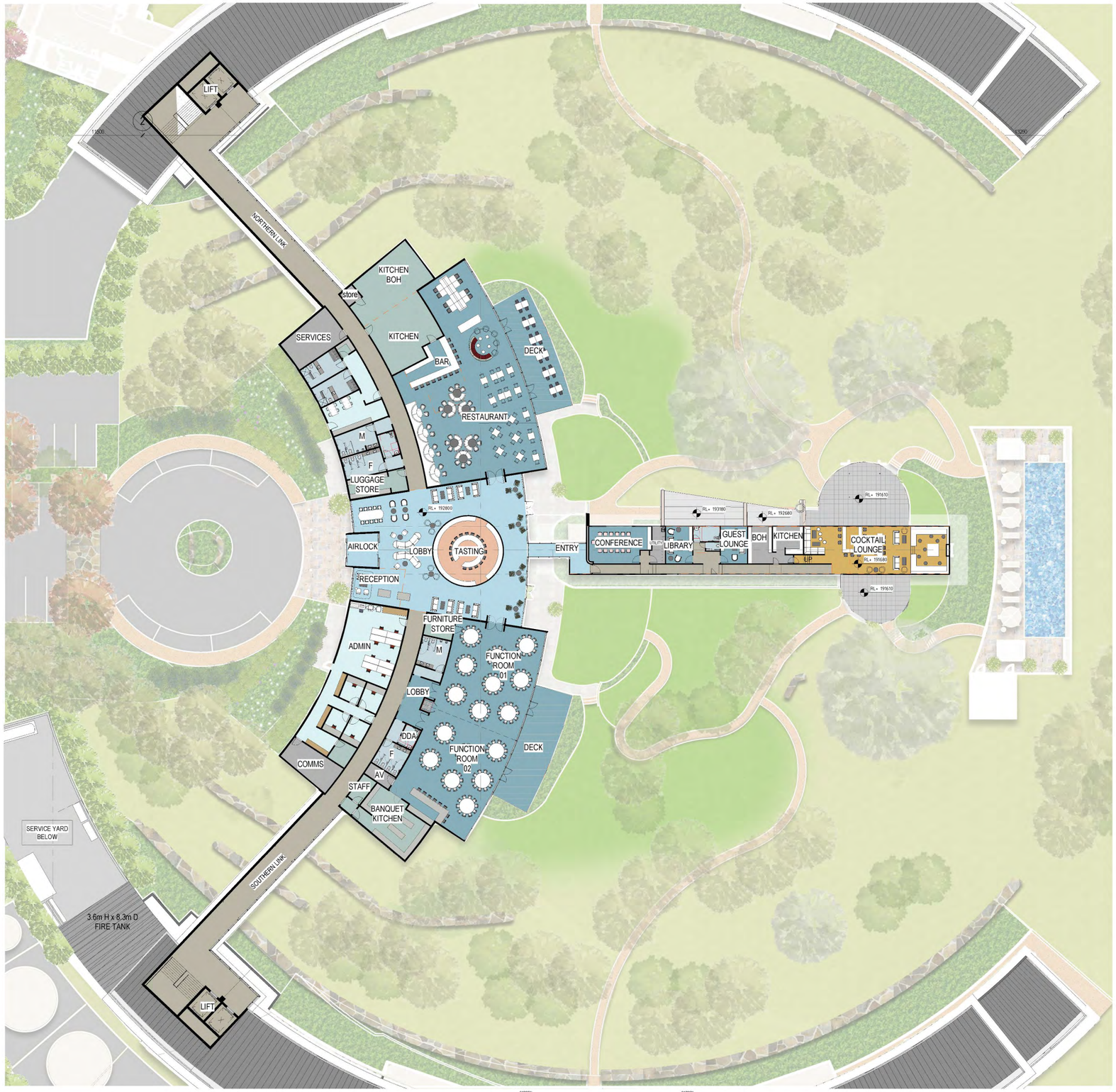
KPHR INVESTMENTS

NEXUS BAROSSA

OVERALL FLOOR PLAN - ROOF

Scale 1 : 500
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA218** Rev: **1** A1 SHEET



PLANNING CONSENT

ISSUED FOR PLANNING CONSENT
28/06/2024 6:36:22 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

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15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

NEXUS BAROSSA

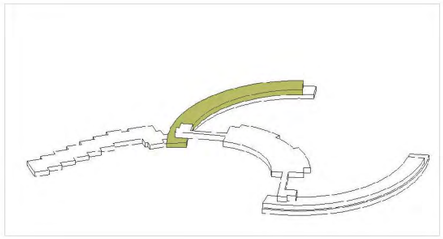
GENERAL ARRANGEMENT PLAN - MAIN BUILDING

Scale 1 : 250
Date
Job No. 2021043
Dwg No. **3429 DA220** Rev: A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
5/07/2024 2:03:34 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	07/07/2021

MID LEVEL - HOTEL RING BUILDING - NORTH
1 : 250



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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

NEXUS BAROSSA

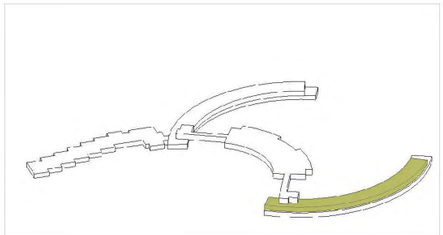
GENERAL ARRANGEMENT PLAN - MID LEVEL - HOTEL RING BUILDING - NORTH

Scale 1 : 250
Date 07/07/2021
Job No. 2021043
Dwg No. **3429 DA221** Rev: **1** A1 SHEET

PRELIMINARY
WORK IN PROGRESS ISSUE
5/07/2024 2:03:50 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

MID LEVEL SOUTH - HOTEL RING BUILDING - SOUTH
1 : 250



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ABN 65 007 846 586 brownfalconer.com.au

KPHR INVESTMENTS

NEXUS BAROSSA

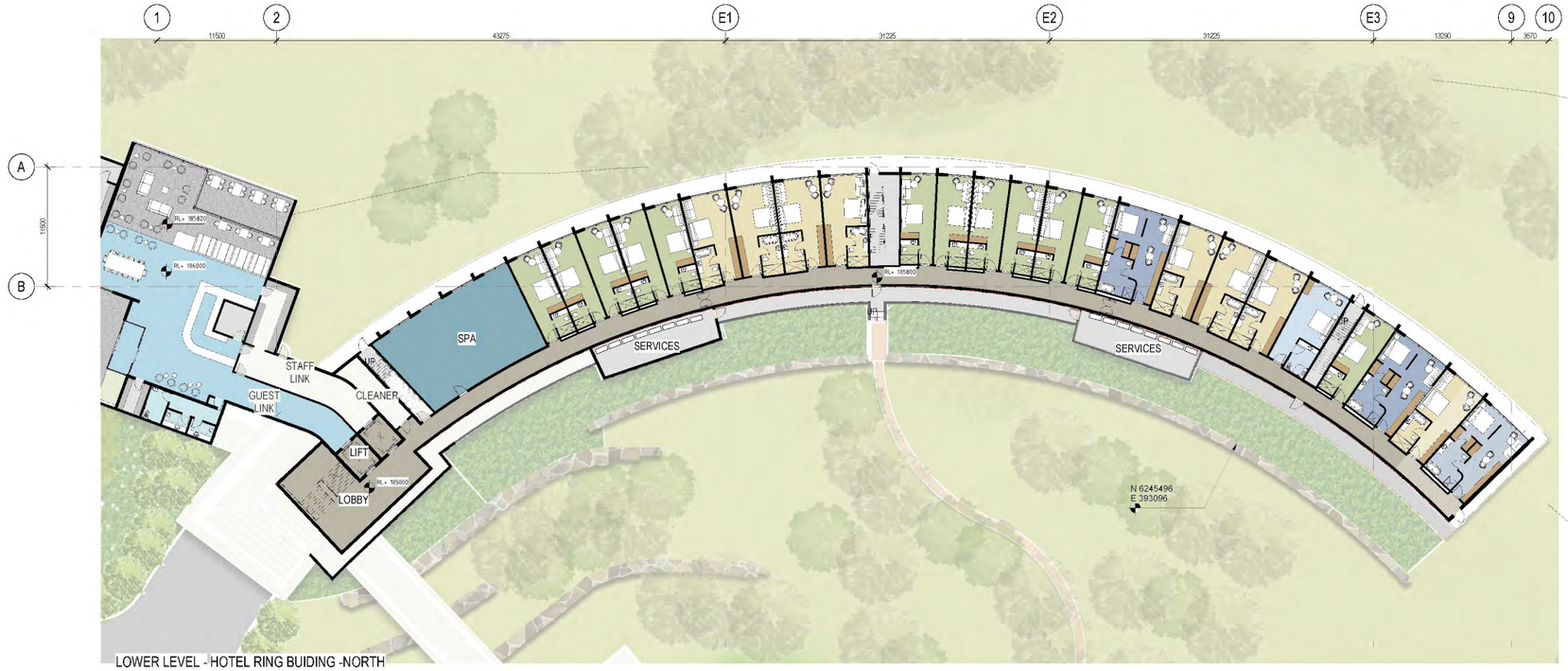
GENERAL ARRANGEMENT PLAN - MID LEVEL - HOTEL RING BUILDING - SOUTH

Scale 1 : 250
Date
Job No. 2021043
Dwg No. **3429 DA222** Rev. A1 SHEET

PLANNING CONSENT

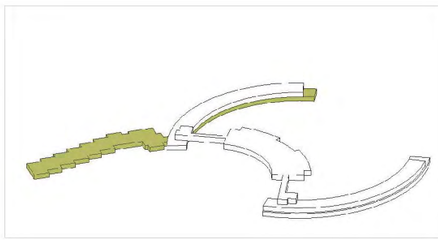
ISSUED FOR PLANNING CONSENT
5/07/2024 2:04:13 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	07/07/2021



LOWER LEVEL - HOTEL RING BUIDING -NORTH

1 : 250



LOWER LEVEL - HOTEL SUITES

1 : 250

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15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

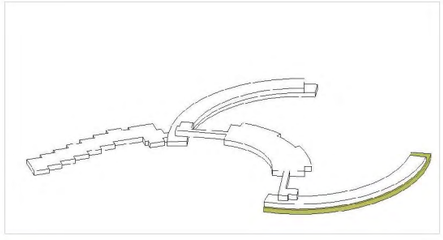
NEXUS BAROSSA

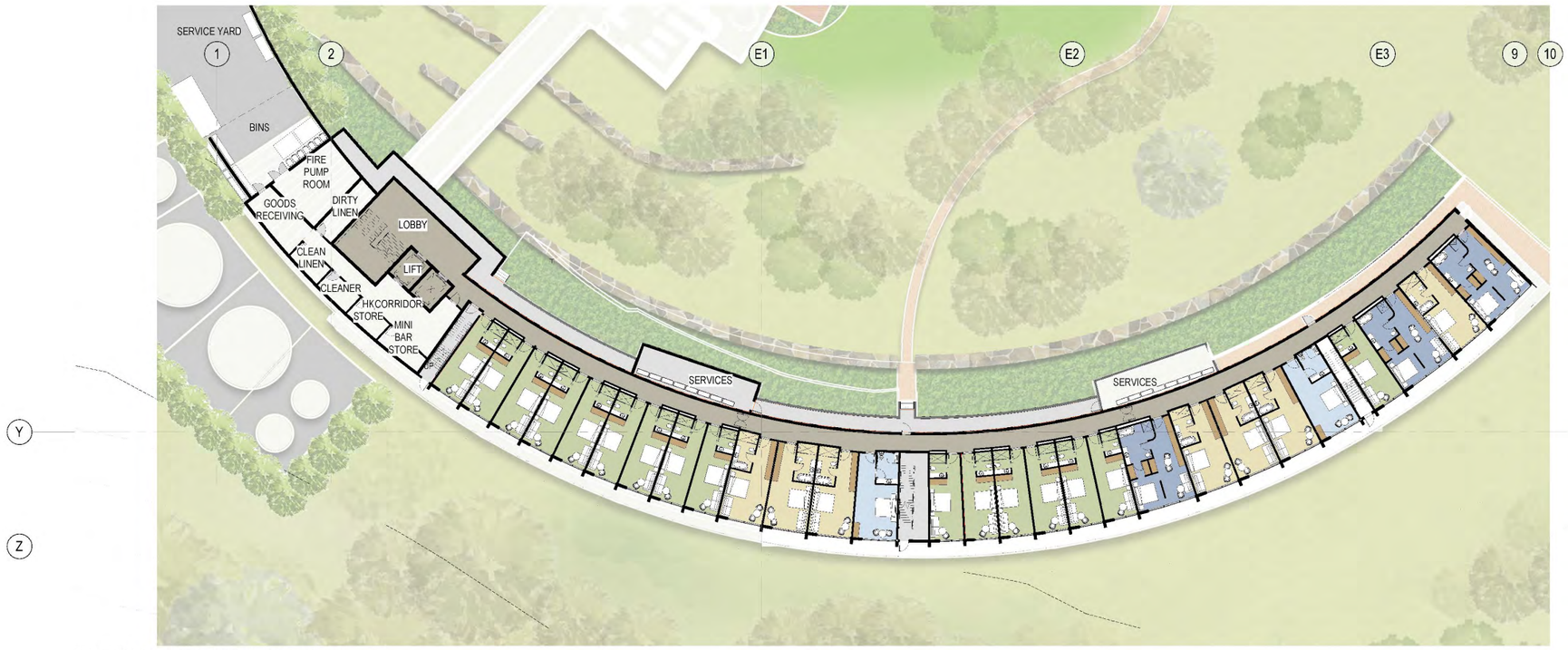
GENERAL ARRANGEMENT PLAN - LOWER LEVEL- HOTEL RING BUILDING AND SUITES -NORTH

Scale 1 : 250
Date 07/07/2021
Job No. 2021043
Dwg No. **3429 DA223** Rev. **1** A1 SHEET

PRELIMINARY
WORK IN PROGRESS ISSUE
5/07/2024 2:04:30 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024





LOWER LEVEL - HOTEL RING BUILDING - SOUTH
1 : 250

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
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KPHR INVESTMENTS

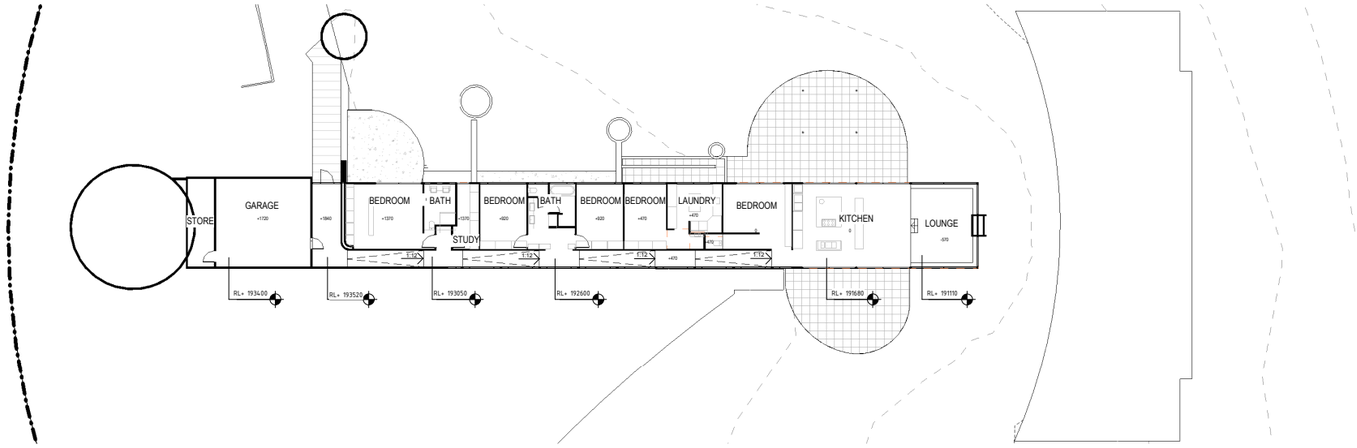
NEXUS BAROSSA

GENERAL ARRANGEMENT PLAN - LOWER LEVEL - HOTEL RING BUILDING - SOUTH

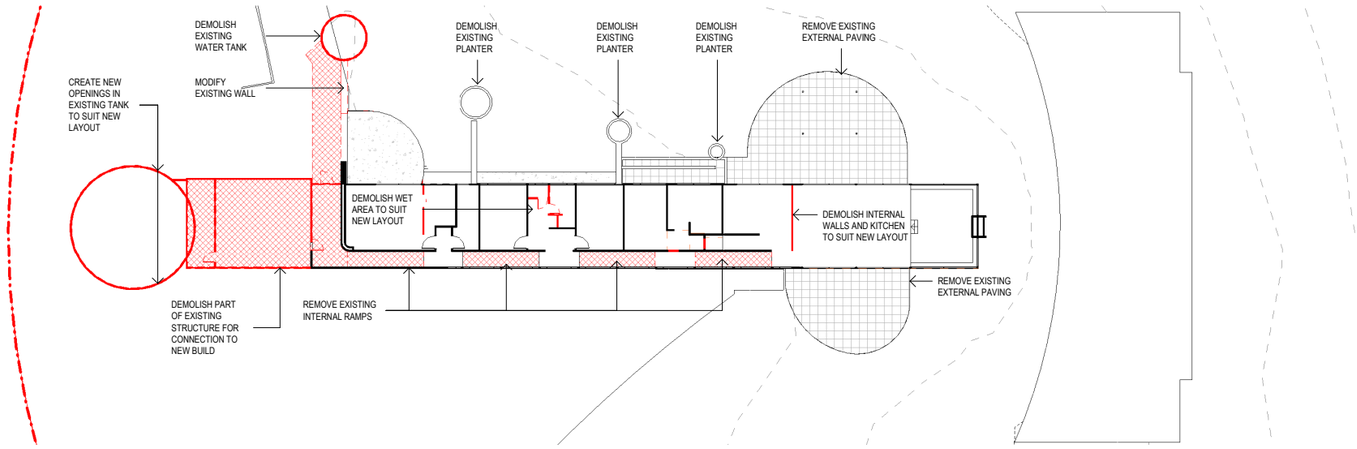
Scale 1 : 250
Date
Job No. 2021043
Dwg No. **3429 DA224** Rev. A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
5/07/2024 6:19:17 PM

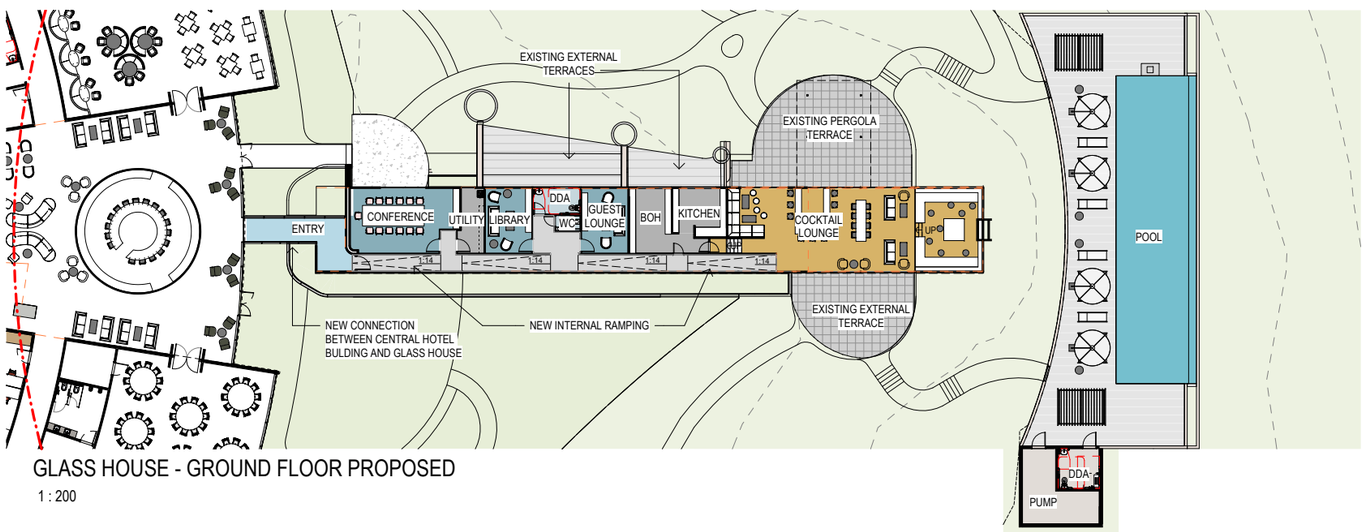
Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



GLASS HOUSE - GROUND FLOOR EXISTING
1 : 200



GLASS HOUSE - GROUND FLOOR DEMOLITION
1 : 200



GLASS HOUSE - GROUND FLOOR PROPOSED
1 : 200

0 2 4 6 8 m
1:200

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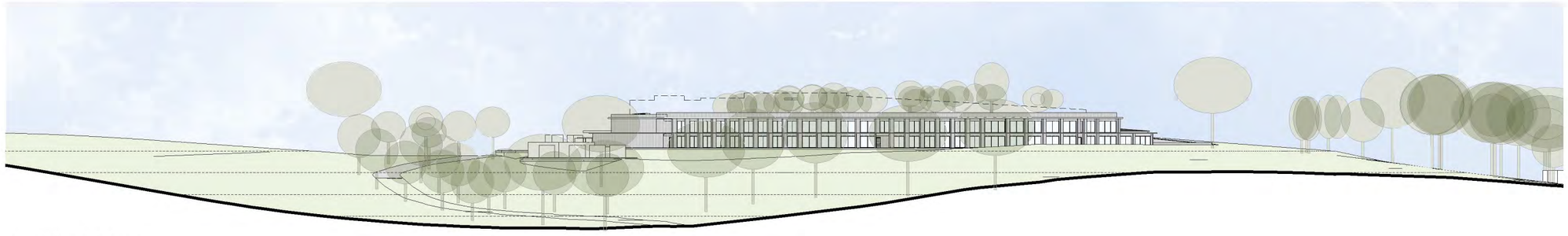
NEXUS BAROSSA

GLASS HOUSE PLAN INCL POOL

Scale 1 : 200
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA225** Rev: **1** A1 SHEET

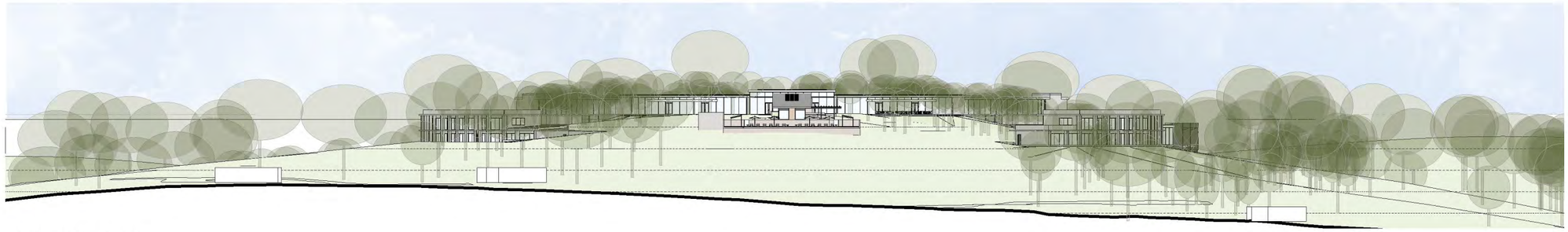
DA - WEST SITE ELEVATION

1 : 500



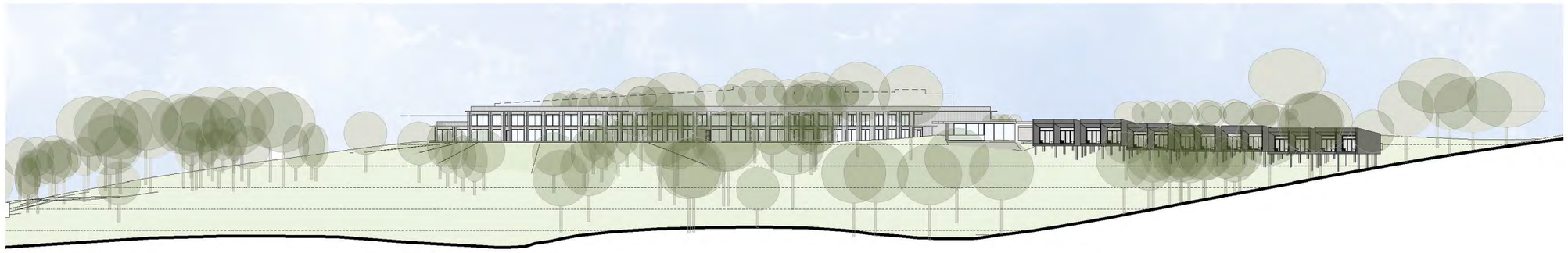
DA - SOUTH SITE ELEVATION

1 : 500



DA - EAST SITE ELEVATION

1 : 500



DA - NORTH SITE ELEVATION

1 : 500

0 5 10 15 20m

1:500

PLANNING CONSENT

ISSUED FOR PLANNING CONSENT

5/07/2024 1:55:19 PM

Rev.	Amendment	Date
1	ISSUE FOR INFORMATION	5/4/2024

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15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

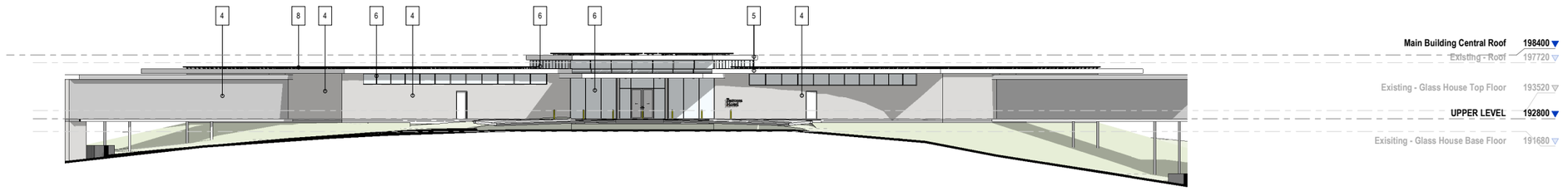
NEXUS BAROSSA

SITE ELEVATIONS

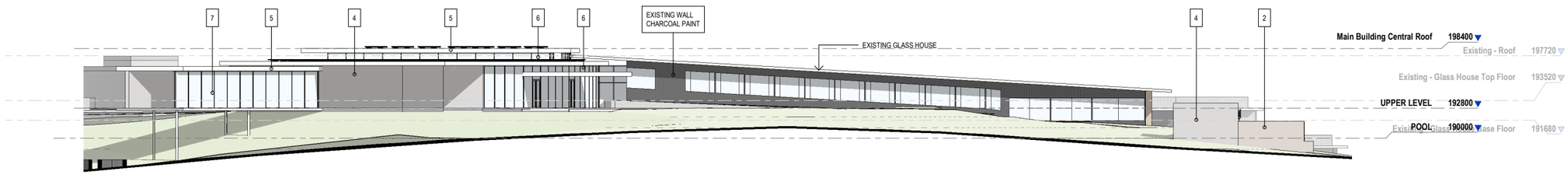
Scale 1 : 500
Date 5/4/2024
Job No. 2021043
Dwg No. **3429 DA230** Rev: **1** A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
5/07/2024 6:19:33 PM

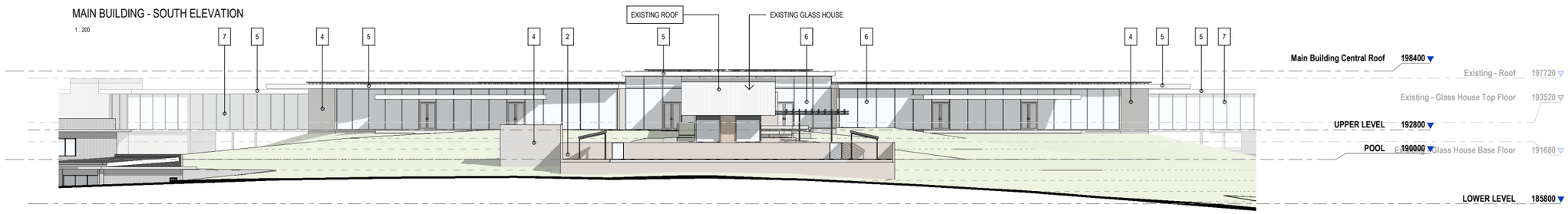
Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



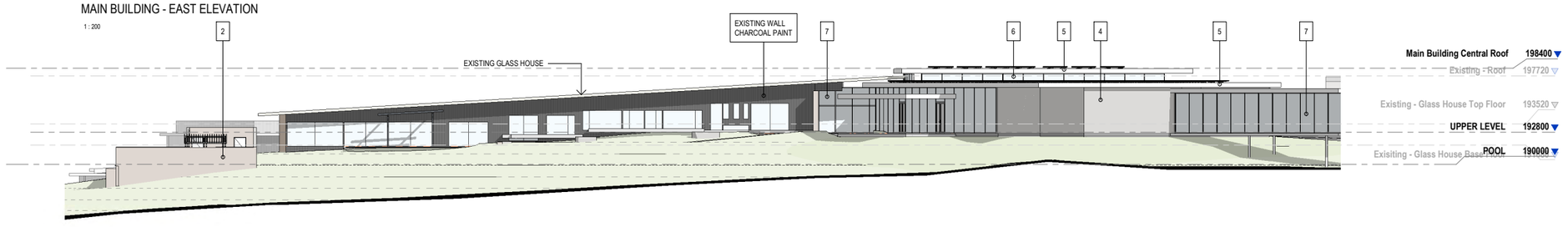
MAIN BUILDING - WEST ELEVATION
1 : 200



MAIN BUILDING - SOUTH ELEVATION
1 : 200



MAIN BUILDING - EAST ELEVATION
1 : 200



MAIN BUILDING - NORTH ELEVATION
1 : 200

1 PAINTED EXTERIOR WALL IN CHARCOAL
2 STONE WALL
3 METAL PANELS
4 EXTERIOR WALL RENDER
5 WHITE PAINT
6 LIGHT ALUMINIUM WINDOW FRAMING
7 DARK GREY ALUMINIUM WINDOW FRAME
8 KLIPLOCK ROOFING IN LIGHT GREY
9 GLAVANISED METAL SHEET BALUSTRADE 1200mm HIGH
10 CHARRED TIMBER CLADDING
11 GLASS BALUSTRADE 1.2m HIGH
12 POWDERCOATED METAL PLATE BALUSTRADE - CHARCOAL
13 EARTHY COLOUR PAINT FINISH

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15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

NEXUS BAROSSA

MAIN BUILDING - ELEVATIONS

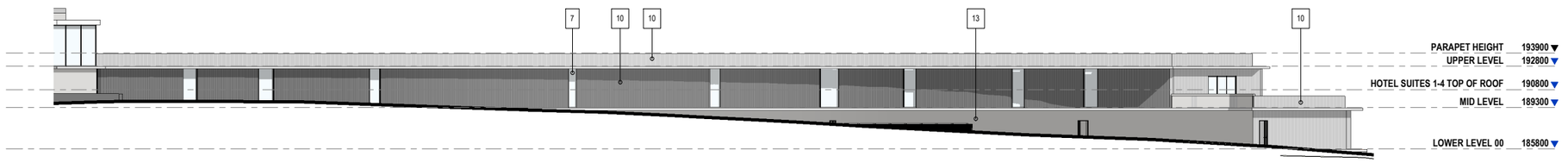
Scale 1 : 200
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA231** Rev: **1** A1 SHEET

PLANNING CONSENT

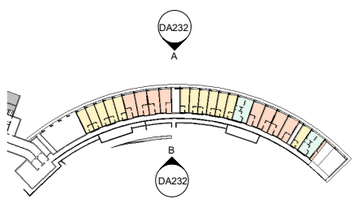
ISSUED FOR PLANNING CONSENT
5/07/2024 6:19:43 PM

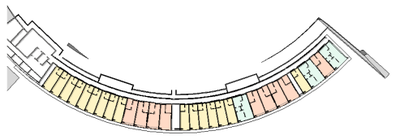
Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

A / DA105 TYPICAL ELEVATION
1 : 200



B / DA105 TYPICAL ELEVATION
1 : 200





KEY PLAN
1 : 1000

1 PAINTED EXTERIOR WALL IN CHARCOAL

2 STONE WALL

3 METAL PANELS

4 EXTERIOR WALL RENDER

5 WHITE PAINT

6 LIGHT ALUMINIUM WINDOW FRAMING

7 DARK GREY ALUMINIUM WINDOW FRAME

8 KLIPLOCK ROOFING IN LIGHT GREY

9 GLAVANISED METAL SHEET BALUSTRADE 1200mm HIGH

10 CHARRED TIMBER CLADDING

11 GLASS BALUSTRADE 1.2m HIGH

12 POWDERCOATED METAL PLATE BALUSTRADE - CHARCOAL

13 EARTHY COLOUR PAINT FINISH

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
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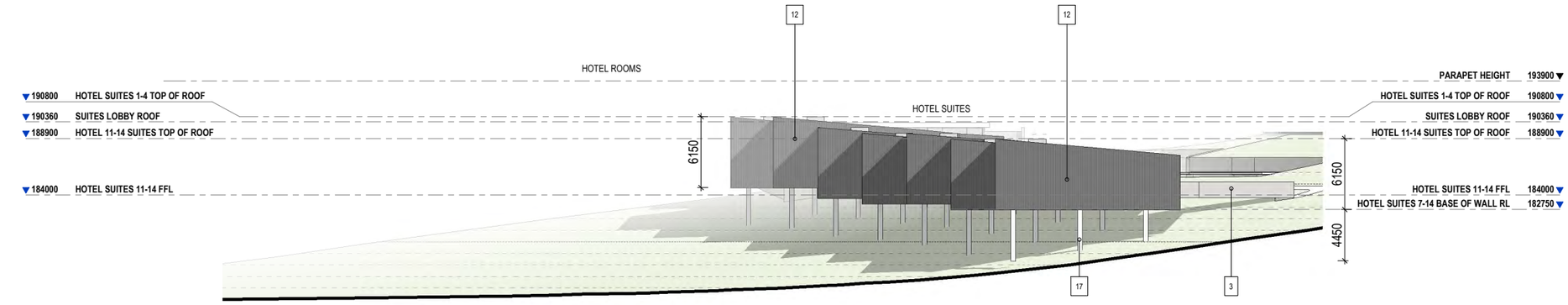
HOTEL RING BUILDINGS - TYPICAL ELEVATIONS

Scale	As indicated
Date	05/07/2024
Job No.	2021043
Dwg No.	**3429 DA232** Rev: **1** A1 SHEET



SUITES - SOUTH WEST ELEVATION -- SUITES

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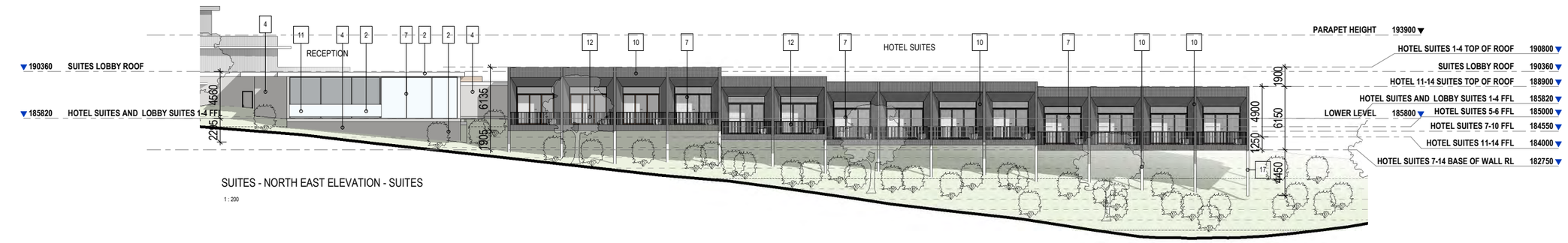

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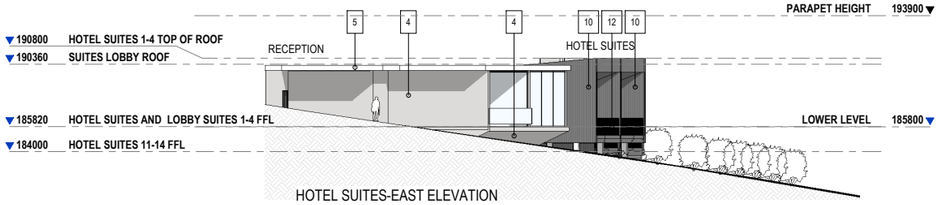

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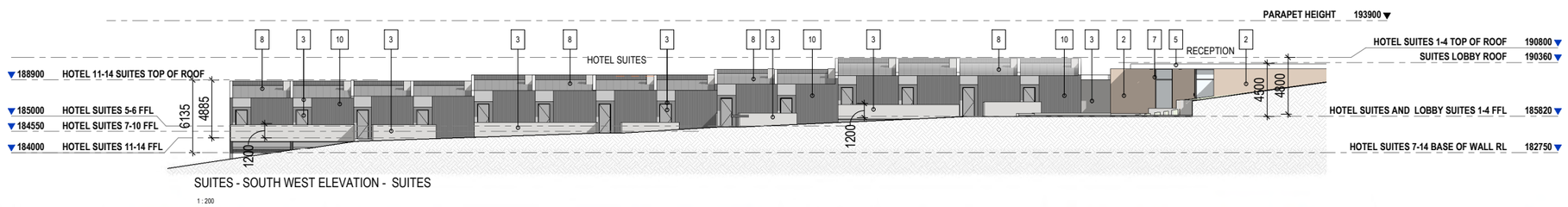

SUITES - SOUTH WEST ELEVATION - SUITES

1 : 200

1 PAINTED EXTERIOR WALL IN CHARCOAL

2 STONE WALL

3 METAL PANELS

4 EXTERIOR WALL RENDER

5 WHITE PAINT

6 LIGHT ALUMINIUM WINDOW FRAMING

7 DARK GREY ALUMINIUM WINDOW FRAME

8 KLIPLOCK ROOFING IN LIGHT GREY

9 GLAVANISED METAL SHEET BALUSTRADE 1200mm HIGH

10 CHARRED TIMBER CLADDING

11 GLASS BALUSTRADE 1.2m HIGH

12 POWDERCOATED METAL PLATE BALUSTRADE - CHARCOAL

13 EARTHY COLOUR PAINT FINISH

PLANNING CONSENT

ISSUED FOR PLANNING CONSENT
5/07/2024 6:19:51 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

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HOTEL SUITES BUILDING - ELEVATIONS

Scale 1 : 200
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA233** Rev. **1** A1 SHEET

PLANNING CONSENT
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5/07/2024 6:19:56 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

MAIN ENTRANCE

RING BUILDING

POOL

RING BUILDING

1 PAINTED EXTERIOR WALL IN CHARCOAL

2 STONE WALL

3 METAL PANELS

4 EXTERIOR WALL RENDER

5 WHITE PAINT

6 LIGHT ALUMINIUM WINDOW FRAMING

7 DARK GREY ALUMINIUM WINDOW FRAME

8 KLIPLOCK ROOFING IN LIGHT GREY

9 GLAVANISED METAL SHEET BALUSTRADE 1200mm HIGH

10 CHARRED TIMBER CLADDING

11 GLASS BALUSTRADE 1.2m HIGH

12 POWDERCOATED METAL PLATE BALUSTRADE - CHARCOAL

13 EARTHY COLOUR PAINT FINISH

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

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MAIN AND HOTEL RING BUILDINGS - MATERIAL OVERLAY OF 3Ds

Scale
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA234** Rev: **1** A1 SHEET

HOTEL SUITE - ENTRANCE

HOTEL SUITES

HOTEL SUITES

1 PAINTED EXTERIOR WALL IN CHARCOAL

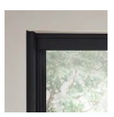
2 STONE WALL

3 METAL PANELS

4 EXTERIOR WALL RENDER

5 WHITE PAINT

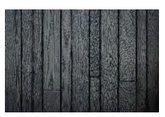
6 LIGHT ALUMINIUM WINDOW FRAMING



7 DARK GREY ALUMINIUM WINDOW FRAME

8 KLIPLOCK ROOFING IN LIGHT GREY

9 GLAVANISED METAL SHEET BALUSTRADE 1200mm HIGH



10 CHARRED TIMBER CLADDING

11 GLASS BALUSTRADE 1.2m HIGH

12 POWDERCOATED METAL PLATE BALUSTRADE - CHARCOAL

13 EARTHY COLOUR PAINT FINISH

PLANNING CONSENT

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5/07/2024 6:19:59 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

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NEXUS BAROSSA

HOTEL SUITES BUILDING - MATERIAL OVERLAY OF 3Ds

Scale
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA235** Rev: **1** A1 SHEET

PLANNING CONSENT

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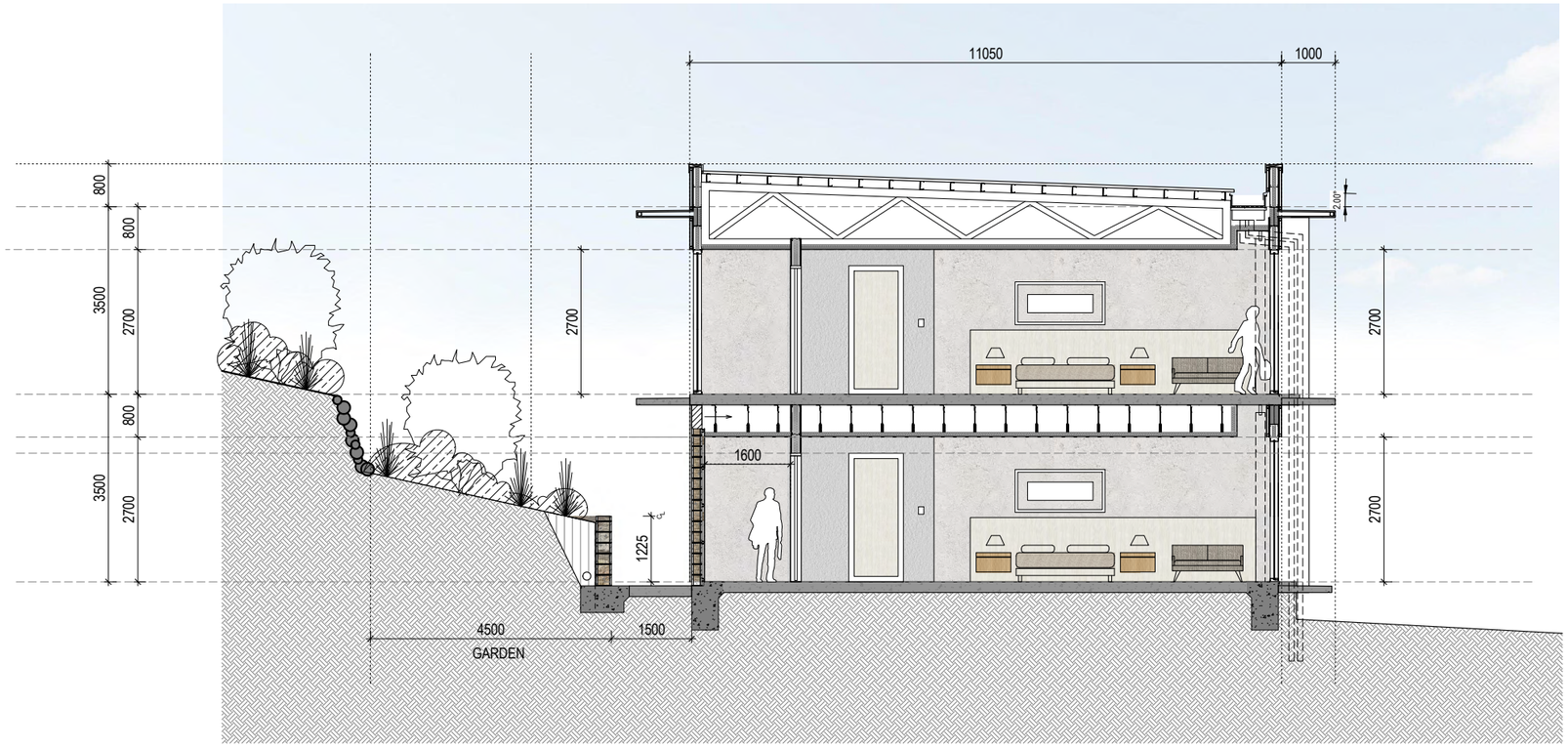
5/07/2024 6:20:15 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024



SECTION DETAIL - RING ROOMS TYPICAL
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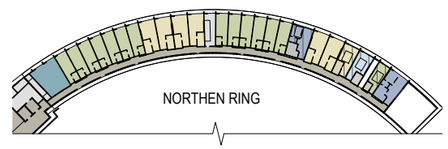

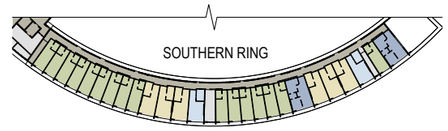

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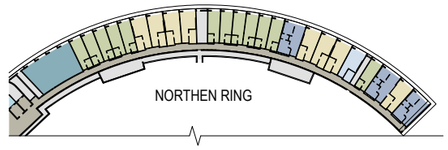
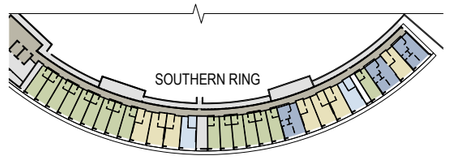


KING
KING DELUXE
SPA DELUXE
DDA



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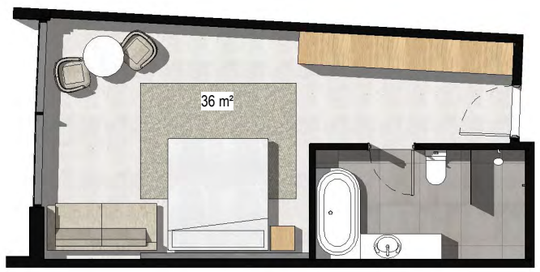
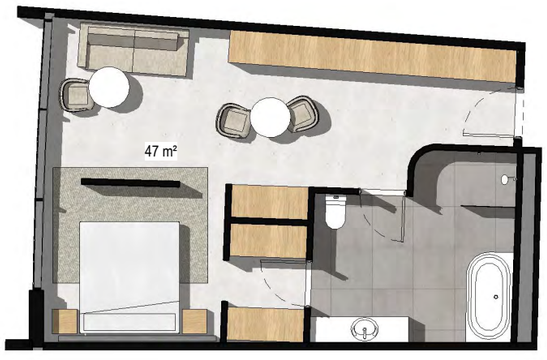


KING DULUXE
1 : 50

KING
1 : 50



SPA DELUXE
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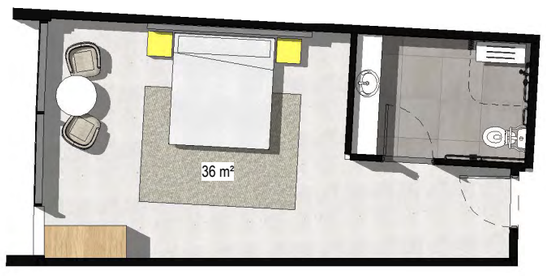

DDA
1 : 50

0 1 2 m
1:50

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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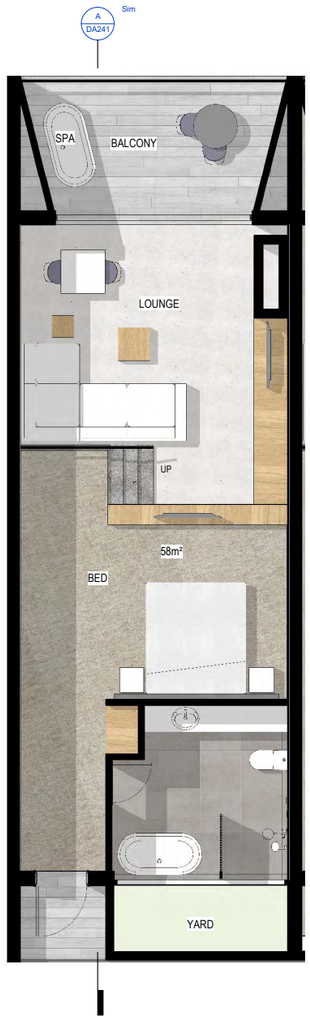
NEXUS BAROSSA

TYPICAL RING ROOMS PLAN

Scale	As indicated
Date	05/07/2024
Job No.	2021043
Dwg No.	**3429 DA240** Rev: **1** A1 SHEET



HOTEL SUITE TYPICAL
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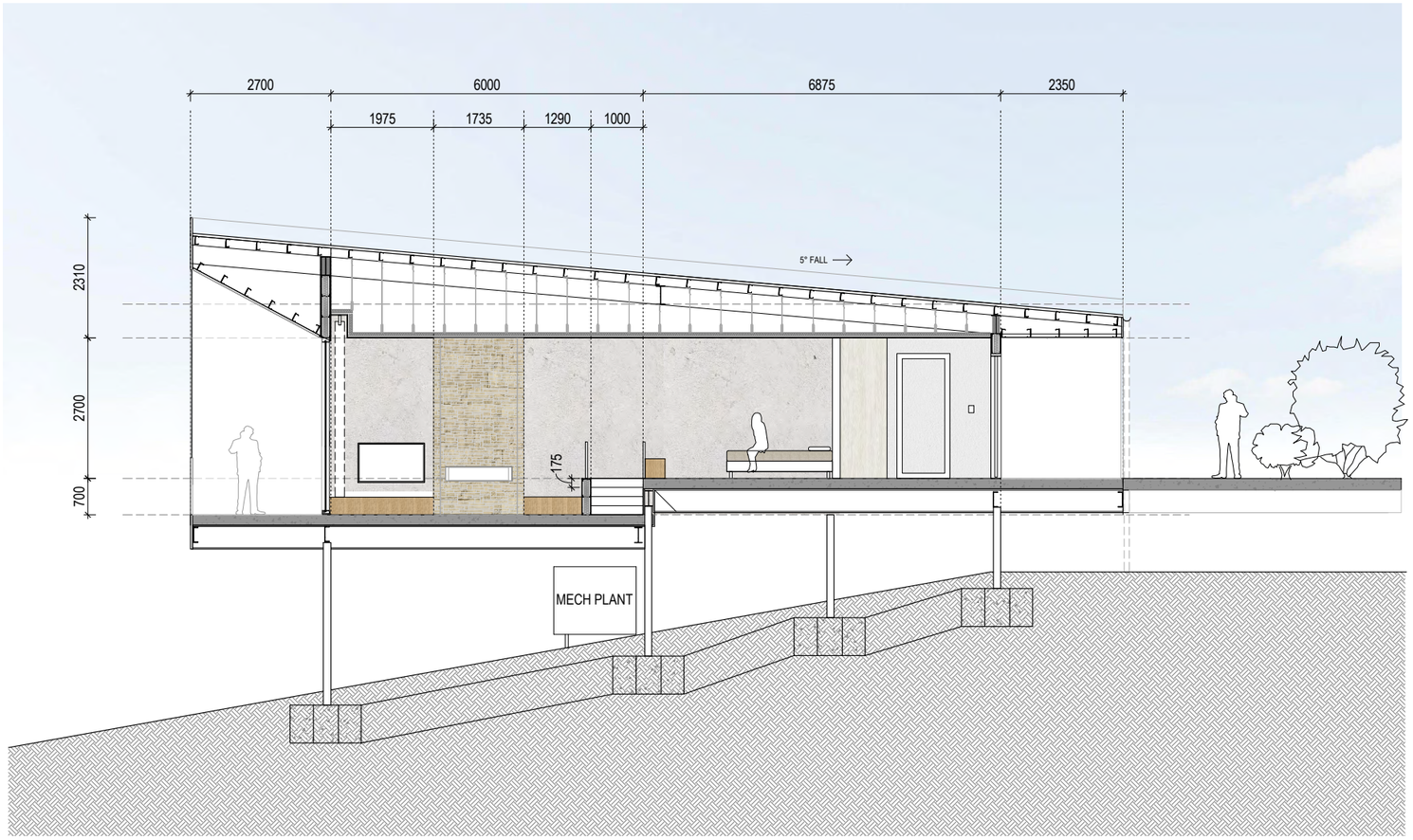

Room Count Schedule

Hotel Zone	King	King Deluxe	DDA	Spa Suite	Nexus Suites	Room Count
Mid Level North	14	7	1	2		24
Mid Level South	16	6	2	2		26
Lower Level North	12	8	1	3		24
Lower Level South	16	7	2	3		28
Nexus Suites					14	14
TOTAL ROOMS	**58**	**28**	**6**	**10**	**14**	**116**
	50%	**24%**	**5%**	**9%**	**12%**	

Room Types and Area Schedule

Main Hotel Room Types	Area (m^2)	No	m2
King	28	58	1624
King Deluxe	36	28	1008
DDA	36	6	216
Spa Suite	47	10	470
Nexus Suites	58	14	812
TOTAL ROOMS		**116**	**4130**

PLANNING CONSENT
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12/07/2024 5:04:19 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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NEXUS BAROSSA

TYPICAL SUITES ROOMS

Scale 1 : 50
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA241** Rev: **2** A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
12/07/2024 5:04:21 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

MAIN BUILDING - ENTRANCE

POOL TERRACE

POOL TERRACE

nexus barossa

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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NEXUS BAROSSA

3D IMAGES

Scale
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA280** Rev: **2** A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
12/07/2024 5:04:23 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

MAIN BUILDING - EXTERIOR

MAIN BUILDING - EXTERIOR

MAIN BUILDING - EXTERIOR

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NEXUS BAROSSA

3D IMAGES

Scale
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA281** Rev: **2** A1 SHEET

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
12/07/2024 5:04:25 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

HOTEL SUITES

HOTEL SUITES - ENTRANCE

HOTEL SUITES

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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3D IMAGES

Scale
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA282** Rev: **2** A1 SHEET

PRELIMINARY
WORK IN PROGRESS ISSUE
12/07/2024 5:04:26 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

HOTEL RESTAURANT + GARDEN

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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3D IMAGES

Scale
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA283** Rev: **2** A1 SHEET

PRELIMINARY
WORK IN PROGRESS ISSUE
12/07/2024 5:04:28 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

HOTEL + GLASS HOUSE

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28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
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KPHR INVESTMENTS

NEXUS BAROSSA

3D IMAGES

Scale
Date 12/07/2024
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Dwg No. **3429 DA284** Rev: **2** A1 SHEET

PLANNING CONSENT

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12/07/2024 5:04:30 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024
2	PLANNING CONSENT	12/07/2024

VIEW FROM LYNDOCH ROAD

PREVIOUS APPROVED HOTEL

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NEXUS BAROSSA

3D IMAGES

Scale
Date 12/07/2024
Job No. 2021043
Dwg No. **3429 DA285** Rev. **2** A1 SHEET

NEXUS BAROSSA

LANDSCAPE CONCEPT DESIGN REPORT - PLANNING CONSENT AMENDMENT

STATUS_ For Information
ISSUE_ D
DATE_ 11.07.2024

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DESIGN BACKGROUND

LANDSCAPE

Site / Setting

The existing site features spotted trees on a heavily grazed hill top. The elevation enables picturesque views of the North Para River to the immediate east, and long-range panoramic views of the entire Barossa Valley. Existing landscaping to the site includes domestic scale planting and lawn to the immediate surrounds of the Glass House, an expansive band of Eucalyptus odorata planting along the western boundary and lining the upper portion of driveway, and native planting areas around the Pavilion buildings. There is also an area of land in the northern portion of the site that has been restricted from grazing, allowing vegetation to regenerate in this area.

Environment

Opportunities for increasing biodiversity and habitats on the site will be a focus of the landscape design. Swathes of mixed native vegetation, including trees, shrubs and grasses, featuring native endemic Eucalyptus species will re-vegetate areas of the bare hill slopes. Planting areas will be selected to connect canopy coverage of existing sporadic trees to support local biodiversity and habitat values across the site. Hydro-seeding of native grasses and understorey vegetation mixes will assist in promoting the reinstatement of native species both within and outside of the built form. Seeding a mixture of native grasses and ground cover to disturbed areas of the hillside will also help to stabilise the ground, minimising soil erosion.

Significant revegetation planting has already been undertaken on the property. This has allowed revegetated areas additional time to establish which will also assist in screening the proposed built form.

Irrigation
The methodology for watering the landscape design is to irrigate the planting and lawns adjacent the built form with a combination of automated drippers and sprinklers. Perimeter and revegetation zones will be irrigated via water truck during the establishment period. This method has been successful for recent revegetation planting on the site.

Landscape Theming

The landscape design aims to support the idyllic rural location by featuring well-appointed outdoor spaces that will enable guests to enjoy panoramic views of the surrounding features and the natural environment. The landscaping will focus on providing premium amenity to hotel guests and restaurant patrons in a picturesque rural setting.

The design will embody a contemporary Australian rural landscape, with a feature avenue of Eucalyptus odorata, Peppermint Box. The entry to the main building will be highlighted by bands of feature planting, incorporating mass plantings of native species. The banded planting will utilise species with a range of sizes, contrasting forms, foliage and colours to create a landscape with a high level of visual interest.

Landscaping surrounding the main building and the glasshouse will be understated, allowing the panoramic views to be the focal point. Multi-functional paved plazas, decking, and gently sloping lawns will provide outdoor spaces to support hotel operations such as the restaurant.

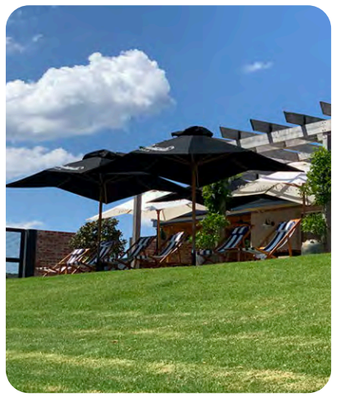
Sweeping informal pathways will allow guests to roam across the hill and to designated access points within the accommodation ring. The informal, meandering path will take guests through groups of native trees, native meadow grasses and pockets of indigenous understorey vegetation. Species will be selected to support the Peppermint Box and Blue Gum Woodland vegetation association, which is endemic to the area. The path network will feature small breakaway rest points, with natural seating elements, located to allow guests to enjoy the views in a secluded, semi-private setting, creating an immersive rural experience.

The infinity pool area will feature a curved terraced wall, with integrated seating, planting and lighting. The pool surround will be surfaced with timber decking and feature paving to compliment the terraced wall.

Introducing swathes of native planting in strategic locations will help screen existing views to the pavilions from the new building while also integrating the new building into the hillside character. Amenity planting will be thoughtfully placed to minimize views of car parking and site infrastructure. Swaths of mixed native planting will also be placed to the west of the pavilions and to the lower eastern side of the hill to increase vegetation buffers from a variety of outlooks.

LANDSCAPE VISION

NEXUS BAROSSA HOTEL & SURROUNDS



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STATUS_ FOR INFORMATION

PROJECT_ 21.2733 NEXUS BAROSSA
REV/DATE_A 03.07.2024

LANDSCAPE SITE PLAN

LEGEND

1. Main Entry
2. Existing Maintenance Shed
3. Entry Road
   Eucalyptus odorata avenue
4. Existing Detention Basin
5. Car Park Planting
6. Feature Entry Planting
   Formal amenity band planting at varying heights
7. Glass House
8. Existing Pavilions
9. Storm Water Detention
   Planting to detention basins, locations are indicative.
10. Buffer Planting
    Additional planting to provide amenity and screening of existing pavilions.
11. Perimeter Planting
    Swathes of Eucalyptus trees offset from the built form to integrate the building with the adjacent riverine environment.
12. Site Vegetation
    Swathes of mixed tree planting, featuring native Eucalyptus species, to re-vegetate areas of the bare hill slopes. Planting areas will be selected to connect canopy coverage of existing sporadic trees to support local biodiversity and habitat values across the site.
13. Waste Water Treatment Vegetation
    Area to be planted with specific native plants to assist in the waste water treatment process.
14. Vegetation Regeneration Area
    Area has been planted with specific native plants for revegetation and biodiversity.

SCALE_ 0 10 20 30 40 50 SCALE OF METRES
STATUS_ FOR INFORMATION

PROJECT_ 21.2733 NEXUS BAROSSA
REV/DATE_ C 11.07.2024

LANDSCAPE MASTERPLAN

LEGEND

Existing Trees

Proposed Feature Trees

Proposed Eucalyptus Trees

1 **Proposed Feature Avenue**
Eucalyptus odorata avenue planting to entry driveway

2 **Car Park Planting**
Amenity planting between parking areas

3 **Feature Entry Planting**
Formal amenity band planting at varying heights

4 **Footpath**
Concrete footpath to main entry

5 **Drop-off Area**

6 **Lawn**
Gently sloping lawn to provide amenity and additional multi use outdoor space

7 **Viewing Deck**
Outdoor seating / dining area

8 **Paved Terrace**
Multi-purpose functional and transitional spaces to accommodate guest movement between outdoor areas

9 **Meandering Path Network**
Compacted rubble surface meandering paths through dryland grasses and pockets of native understorey vegetation

10 **Sitting Areas**
Small areas with natural seating elements such as rock boulders under existing tree

11 **Informal Stairs**
Timber sleeper stairs to connect informal paths to pool area

12 **Natural Rock Terrace**
Rock retaining walls with planting

13 **Pool**
Pool area with feature paving and pool amenities

14 **Connection**
Path connection to building corridor

15 **Suite Entry**
Formal amenity planting and stone paved entry

16 **Perimeter Planting**
Swathes of Eucalyptus trees offset from the built form to integrate the building with the adjacent riverine environment

17 **Vegetation Regeneration Area**
Area has been planted with specific native plants for revegetation and biodiversity.

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STATUS_ FOR INFORMATION

PROJECT_ 21.2733 NEXUS BAROSSA
REV/DATE_C 11.07.2024

PLANTING PALETTE

SITE VEGETATION AND PERIMETER PLANTING

Eucalyptus dumosa
Mature size: H: 4-8m x W: 4-5m - Evergreen

Eucalyptus fasciculosa
Mature size: H: 5-18m x W: 5-12m - Evergreen

Brachychiton populneus 'Griffith Pink'
Mature size: H: 5-8m x W: 2-3m - Evergreen

Eucalyptus odorata
Mature size: H: 2-12m - Evergreen

Santalum acuminatum
Mature size: H: 3-6m x W: 1-3m - Evergreen

Allocasuarina verticillata
Mature size: H: 5-8m x W: 4-6m - Evergreen

Callitris gracilis
Mature size: H: 7-20 x W: 3-8m - Evergreen

Casuarina pauper syn. C.cristata
Mature size: H: 6-15m x W: 4-8m - Evergreen

Banksia marginata
Mature size: H: 2-8m x W: 1-5m - Evergreen

Eucalyptus leucoxylon ssp. pruinosa
Mature size: H: 6-20m x W: 3-12m - Evergreen

Eucalyptus largiflorens
Mature size: H: 6-20m x W: 6-15M - Evergreen

Pittosporum angustifolium
Mature size: H: 4-8m x W: 3-4m - Evergreen

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PROJECT_ 21.2733 NEXUS BAROSSA
REV/DATE_ B 05.07.2024

PLANTING PALETTE

SITE VEGETATION AND PERIMETER PLANTING

Templetonia retusa
Mature size: H: 1-3m x W: 1.5-3m

Alyogyne huegelii
Mature size: H: 2-3m x W: 2-3m

Rhagodia parabolica
Mature size: H: 1-2m x W: 1-2m - fire resistant

Maireana sedifolia
Mature size: H: 0.6-1.5m x W: 0.6-2m

Correa backhouseana
Mature size: H: 1-2m x W: 2-3m

Chrysocephalum apiculatum
Mature size: H: 0.5m x W: 0.5m

Myoporum montanum
Mature size: H:1-2m x W: 1.5-2.5m - fire resistant

Olearia ramulosa
Mature size: H: 1-1.5m x W: 1-2m

Calytrix tetragona
Mature size: H:1-2m x W: 1-2m

Callistemon rugulosus
Mature size: H:2-4m x W: 2-4m

Hakea rugosa
Mature size: H: 0.5-2.5m x W: 1-2m

Senecio odoratus
Mature size: H: 0.5-1.5m x W: 0.5-1.5m

Adenanthos sericeus
Mature size: H: 1m x W: 1m

Banksia marginata 'Minimarg'
Mature size: H: 0.5-1.3m x W: 1-1.2m

Enchyleana tomentosa
Mature size: H: 0.3-1m x W: 0.5-1.5m

Hardenbergia violacea
Mature size: H: 1.5-2m x W: 2-3m

Vittadinia blackii
Mature size: H: 0.2-0.3m x W: 0.4-0.5m

Vittadinia gracilis
Mature size: H: 0.5-1m x W: 0.5-1m

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REV/DATE_A 03.07.2024

PLANTING PALETTE

SITE VEGETATION AND PERIMETER PLANTING

Austrostipa densiflora
Mature size: H: 0.6-1.5m x W: 0.6-1.5m

Austrostipa elegantissima
Mature size: H: 1-2m x W: 1-1m

Austrostipa nodosa
Mature size: H: 1m x W: 1m

Carex tereticaulis
Mature size: H: 0.7m x W: 0.7m

Gahnia sieberiana
Mature size: H: 1.5-3m x W: 2-3m

Rytidosperma caespitosum
Mature size: H: 0.9m x W: 0.9m

Rytidosperma fulvum
Mature size: H: 0.4m x W: 0.4m

Rytidosperma setaceum
Mature size: H: 0.1-0.6m x W: 0.1-0.6m

Atriplex semibaccata
Mature size: H: 0.1-0.3m x W: 1-3m

Acacia paradoxa
Mature size: H: 2-4m x W: 2-5m

Bursaria spinosa ssp. lasiophylla
Mature size: H: 1-2.5m x W: 0.5-1.5m

Acacia pycnantha
Mature size: H: 4-6m x W: 2-6m

Acacia retinodes
Mature size: H: 5-8m x W: 3-7m

Dodonaea viscosa ssp. spatulata
Mature size: H: 1.5-4 x W: 1.5-3m

Juncus pauciflorus
Mature size: H: 0.3-1x W: 02-0.6m

Poa labillardieri
Mature size: H: 0.5-1.3x W: 03-0.7m

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TYPICAL LANDSCAPE SECTION

Typical Section
Landscape Treatment Between Central Building and Hotel Ring Rooms

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PROJECT_ 21.2733 NEXUS BAROSSA
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MATERIALS PALETTE

Stone Walling
Random Ashlar - Coolum

Feature Entry Paving
Split Stone - Luca Crazy Paver

Terrace Paving
Natural Stone Paving

Pool Coping
Natural Stone Coping

Decking
Spotted Gum or similar approved

Feature Surface to Car Park
Kanmantoo Bluestone Cobble Setts

Paths
Exposed Aggregate Concrete

Informal Paths
Cement Treated Compacted Rubble

Informal Stairs
Recycled Hardwood Timber Sleeper

Informal Seating
Landscape Boulder Seating

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LANDSCAPE CONCEPT PLAN

HOTEL ENTRY / CAR PARK

Mass planting of Australian species with contrasting forms and foliage

Supporting trees to car park to provide shade and seasonal colour variety

Rural timber and wire fencing to top side of car park garden beds

Stone pillars to delineate entries and provide opportunity for direction and way finding signage. Stone inset into road surface to highlight entry point.

Screen planting to reduce views into loading bay below

Large garden bed to existing tree with stone edging

Steep embankment to be planted out with mass planting of native species including shrubs and ground covers at varying heights. Bands of small tree planting to run up the embankment providing additional height and biodiversity to the embankment planting

Formal planting to line verges to the entry road

Low feature planting to roundabout with stone feature walls with lighting and signage

Rock retaining and planting of native tree species to hillside

Formal, glossy leaved native plants to main entry to screen staff access areas

Mass planting of predominantly native species with contrasting forms and foliage

Australian native screening plants

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PLANTING PALETTE

HOTEL ENTRY AND SURROUNDS

ENTRY ROAD AND CAR PARK

Pistacia chinensis
Mature size: H: 8m x W: 6m - Deciduous

Acer palmatum
Mature size: H: 4m x W: 4m - Deciduous

Hibiscus tiliaceus Rubra
Mature size: H: 5m x W: 3.5 - Evergreen

Syzygium australe 'Straight and Narrow'
Mature size: H: 5-8m x W: 1-1.5m - Evergreen

Elaeocarpus reticulatus 'Primadonna'
Mature size: H: 9m x W: 3m - Evergreen

Tristaniopsis Laurina 'Luscious'
Mature size: H: 7m x W: 5m - Evergreen

Leucophyta brownii
Mature size: H: 1m x W: 1m

Murraya Min a Min
Mature size: H: 1m x W: 1m

Westringia fruticosa varieties
Mature size: H: 0.3-0.5m x W:0.3-0.5m

Hardenbergia violacea 'Mini-Haha'
Native Sarsaparilla

Myoporum parvifolium purpurea
Mature size: H: 0.15-0.3m x W: 1.5-3m
- f

Myoporum parvifolium 'Yareena'
Mature size: H: 0.1m x W: 1m

Dianella revoluta
Mature size: H: 0.5m x W: 0.5m
- fire resistant

Lomandra longifolia varieties
Mature size: H: 0.8-0.9m x W: 0.8-0.9m
- fire resistant

Liriope muscari 'Evergreen Giant'

Dianella tasmanica 'Emerald Arch'

Lomandra 'tanika'

Ajuga australis
Australian Bugle

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LANDSCAPE CONCEPT PLAN

INNER RING AND GLASS HOUSE SURROUNDS

Decking to Glass House exterior to visually connect with deck spaces to main building

Paved multi-purpose functional and transitional space to accommodate guest movement between outdoor areas

Informal meandering compacted paths

Open lawn area with swathes of native grassy woodland planting pockets

Secluded seating area under established eucalyptus tree

DDA compliant access to pool area (approx 30m)

Paved terrace, with existing refurbished shade structure, overlooking sloping gardens and lawns

Layered screen planting to soften views of rear of pool area from glass house

Informal compacted path and stair access to pool area with surrounding planting and rock retaining

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LANDSCAPE VISION

NEXUS SUITES

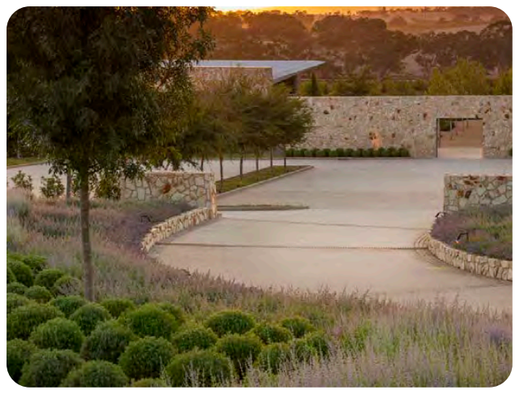
The landscaping will focus on providing premium amenity to guests of the suites, with structured formal planting framing the picturesque rural views and native vegetation.

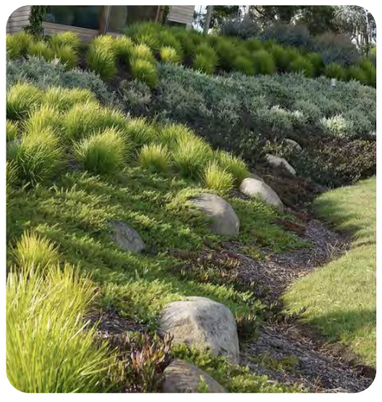
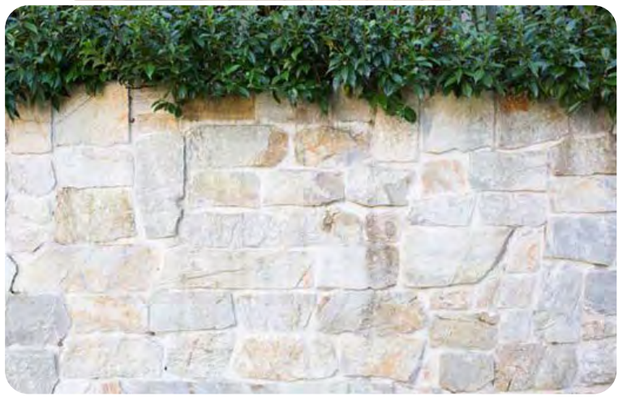
The exclusive entrance to the suites will be marked with stone entry walls and a nostalgic tree lined avenue. An avenue of deciduous trees generates a sense of nostalgia and romance to the main entry drive. The seasonal nature of the deciduous trees will provide changing visual experiences for the guests and offer unique experiences throughout the year. The hill side to the east of the driveway features a large Eucalyptus leucoxylon which will be retained and enhanced with additional plantings of grassy woodland species.

The guest entry and parking area will feature formal, structured planting to compliment the architecture of the suites and the scale of the stone retaining wall.
The design will embody a contemporary Australian rural landscape, the entry to the suites will be highlighted by feature planting, incorporating mass plantings of native species. The planting will utilise species with a range of sizes, contrasting forms, foliage and colours to create a landscape with a high level of visual interest. Landscaping to the front of the suites will be understated, allowing the architecture and the natural environment to be the focus.

Landscaping surrounding the suites is to mimic the natural environment, with swathes of native grasses, pockets of indigenous understorey vegetation, and groups of small native trees to provide visual interest at a range of heights. Species will be selected to support the Peppermint Box and Blue Gum Woodland vegetation association, which is endemic to the area. Planted areas will be grouped together and strategically placed, allowing for maintenance and mowing between planted areas while creating an immersive landscape experience.

Amenity and screening planting will be thoughtfully placed to minimize views of car parking and site infrastructure. Additional swaths of mixed native planting on the eastern and northern slopes will integrate the built form, increasing vegetation buffers and minimising views from Hentschke Road and Lyndoch Road.



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LANDSCAPE CONCEPT PLAN

NEXUS SUITES

Planting to embankment around suites to be sized and positioned to mask the structural supports of the built form

Large garden bed to existing tree with stone edging. Stone inset into road surface.

Mass planting of Australian species with contrasting forms and foliage to sit behind stone retaining wall. Planting to be aligned with suite built form.

Deciduous avenue planting to driveway and entry road.

Swathes of native mixed planting at varying heights, maintaining views from suites to create natural screening of architectural supports.

Guest arrival area with feature paving, small feature trees and amenity planting to create a high quality guest arrival experience.

Low feature planting to roundabout with stone feature wall with lighting and signage

Australian native screening plants to building edge to block undesirable views. Planting to be of a suitable height to mitigate views of two story built form and loading bay behind.

Feature stone retaining walls and structured amenity planting to provide visual interest to entryway.

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PLANTING PALETTE

SUITE ENTRY AND SURROUNDS

DRIVEWAY AND ENTRY

Malus floribunda, Japanese Crab Apple
Mature size: H: 6m X W; 6m - Deciduous

Tristaniopsis Laurina 'Luscious'
Mature size: H: 7m x W: 5m - Evergreen - fire resistant

Corymbia citriodora scentuous
Mature size: H: 7m x W: 3m - Evergreen

Cercis canadensis
Mature size: H: 5m x W: 5m - Deciduous

Mass planting of native shrubs and strappy plants with contrasting colours and foliage

Mondo grass edging

Native screening - Acmena smithii
Mature size: H: 2-3m x W: 1-1.5m

Native screening - Pandorea jasminoides
Mature size: H: 3m x W: 5m - fire resistant

Feature planting- Anigozanthos 'Pink Beauty'
Mature size: H: 0.5m x W: 0.3m - fire resistant

Ficinia nodosa
Mature size: H: 1m x W: 0.8m

Poa labillardierie
Mature size: H: 1-2m x W: 2-3m

Lomandra longifolia varieties
Mature size: H: 0.8-0.9m x W: 0.8-0.9m
- fire resistant

Rhagodia spinescens
Mature size: H: 0.3-0.5m x W: 1m
- fire resistant

Westringia fruticosa varieties
Mature size: H: 0.3-0.5m x W:0.3-0.5m

Dianella revoluta
Mature size: H: 0.5m x W: 0.5m
- fire resistant

Myoporum parvifolium purpurea
Mature size: H: 0.15-0.3m x W: 1.5-3m
- fire resistant

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Level 1
178 Fullarton Road
Dulwich SA 5065

T_ 08 8406 1300
E_ info@gdstudia.au
W_ www.gdstudia.au

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9 July 2024
#eta1000028

Masterplan Pty Ltd
33 Carrington Street
Adelaide SA 5000
Attention: Mr. Nick Wilson

BAROSSA NEXUS
TRAFFIC AND PARKING REVIEW

Dear Nick,

I refer to the proposed development located at 221 Yaldara Drive in Lyndoch.

The site has previously received approvals for a hotel development incorporating hotel rooms, restaurant, conference room facilities and additional accommodation suites. As such, the previous approvals and associated traffic reports (previously prepared by Stantec) have been considered in this assessment.

As requested, this letter provides the findings of a traffic and parking assessment for the proposed development variation.

SUBJECT SITE

The subject site is located at 221 Yaldara Drive in Lyndoch and is approximately 283,500sq.m in site area. The site is bounded by an unformed road to the north, North Para River to the east, a private road to the south and an unformed road reserve to the west. While it is understood that there are currently discussions around a proposal to construct a new road extension within the current Fuss Road road reserve adjacent to the western boundary of the site, this is not being proposed as part of this application. The site is identified in the SA Planning and Design Code as being located within a Rural Living Zone. The site is shown in Figure 1 below.

Empirical Traffic Advisory Pty Ltd | ABN 34 931 371 361 | PO Box 268 Glenside SA 5065 | contact@empiricaltraffic.com.au

Figure 1: Subject Site and Environs

(source: SAPPA July 2024)

PROPOSED DEVELOPMENT

The proposed development will comprise alterations to the floor area schedule:

- Hotel accommodation will be increased from 80 rooms to 102 rooms
- Luxury accommodation suites will be increased from 12 to 14 units
- Function space being increased to 348sq.m from 160sq.m (160 seats from 75 seats)
- No Conference space for external use is proposed (previous approval of 65sq.m, 45 seats)
- Restaurant floor area being increased to 342sq.m from 175sq.m (176 seats from 90 seats)
- Gym area to increase by 3sq.m to become 68sq.m (ancillary use as per current approvals)
- Day spa will increase 5sq.m in floor area but will remain unchanged at 3 treatment rooms.
- Modifications to the car park layout to provide 153 car parking spaces
- Minor modifications to the loading areas
- Existing 6 pavilions and associated car parking to be maintained.

The proposed development does not alter the refuse access arrangements. The only variations to the previous approvals are as listed above. As a comparison the following Table 1 illustrates the differential floor areas of uses between the previous approvals and proposed.

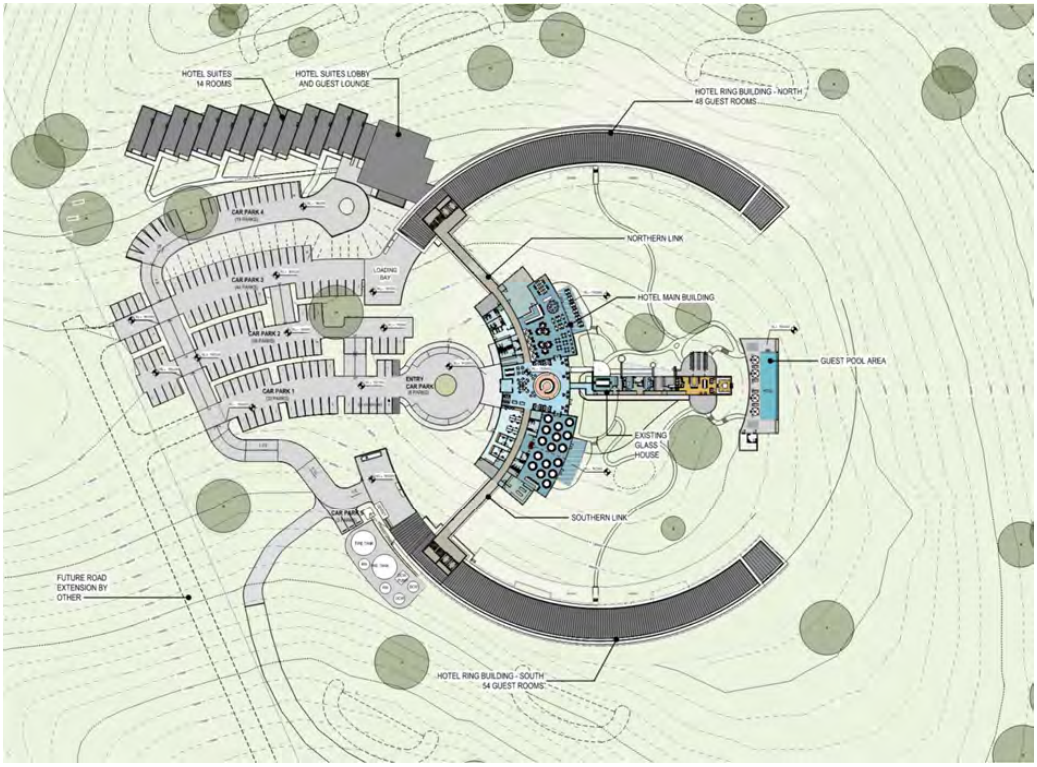
Table 1:Differential floor areas between previous approvals and proposed

Use Component	Approved	Proposed	Differential
Hotel Accommodation	80 Rooms	102 Rooms	22 rooms
Luxury Suites	12 units	14 units	2 units
Function Space	160sq.m (75 seats)	348sq.m (160 seats)	+188sq.m (+85 seats)
Restaurant	175sq.m (90 seats)	342sq.m (176 seats)	+167sq.m (+86 seats)
Conference	65sq.m (45 seats)	0sq.m (0 seats)	-65sq.m (-45 seats)
Gym*	65sq.m	68sq.m	+3sq.m
Spa	3 rooms	3 rooms	0

*Ancillary use

The proposed development is shown in Figure 2.

Figure 2: Subject Site and Proposed Development



PARKING

A review of parking for the proposed development against the Planning and Design Code as referenced in *Table 1 - General Off-Street Car Parking Requirements* in *Part 4 - General Development Policies - Transport, Access and Parking* as well as the approved parking assessment methodology in the previous Stantec reports have been applied to this parking assessment. The parking assessment considers the three parking demand scenarios:

- Scenario 1: Parking Demand for a weekday lunch
- Scenario 2: Parking Demand for a weekend lunch
- Scenario 3: Parking Demand for a Thursday, Friday or weekend dinner

Table 2,

Table 3 and Table 4 provides a breakdown of the three parking demand scenarios while Table 5 provides a summary of the parking total of the three scenarios.

Table 2: Scenario 1 Weekday Lunch

Use Component	Size	Parking Rate	Percentage of Peak	Shared Use Discount	Scenario Parking Demand (spaces)
Accommodation	116 rooms	1 space per room	50%	0%	58
Existing Pavilions	6 rooms	1 space per room	50%	0%	3
Restaurant	176 seats	0.4 spaces per seat	50%	70%	11
Lounge/Bar	110sq.m	1 space per 6sq.m	50%	70%	3
Function	160 seats	0.4 spaces per seat	25%	70%	5
Day Spa	3 rooms	2 per room	80%	70%	1
TOTAL					81

Table 3: Scenario 2 Weekend Lunch

Use Component	Size	Parking Rate	Percentage of Peak	Shared Use Discount	Scenario Parking Demand (spaces)
Accommodation	116 rooms	1 space per room	70%	0%	81
Existing Pavilions	6 rooms	1 space per room	70%	0%	4
Restaurant	176 seats	0.4 spaces per seat	90%	70%	19
Lounge/Bar	110sq.m	1 space per 6sq.m	50%	70%	3
Function	160 seats	0.4 spaces per seat	25%	70%	5
Day Spa	3 rooms	2 per room	100%	70%	2
TOTAL					114

Table 4: Scenario 3 Thur, Fri, Weekend Dinner

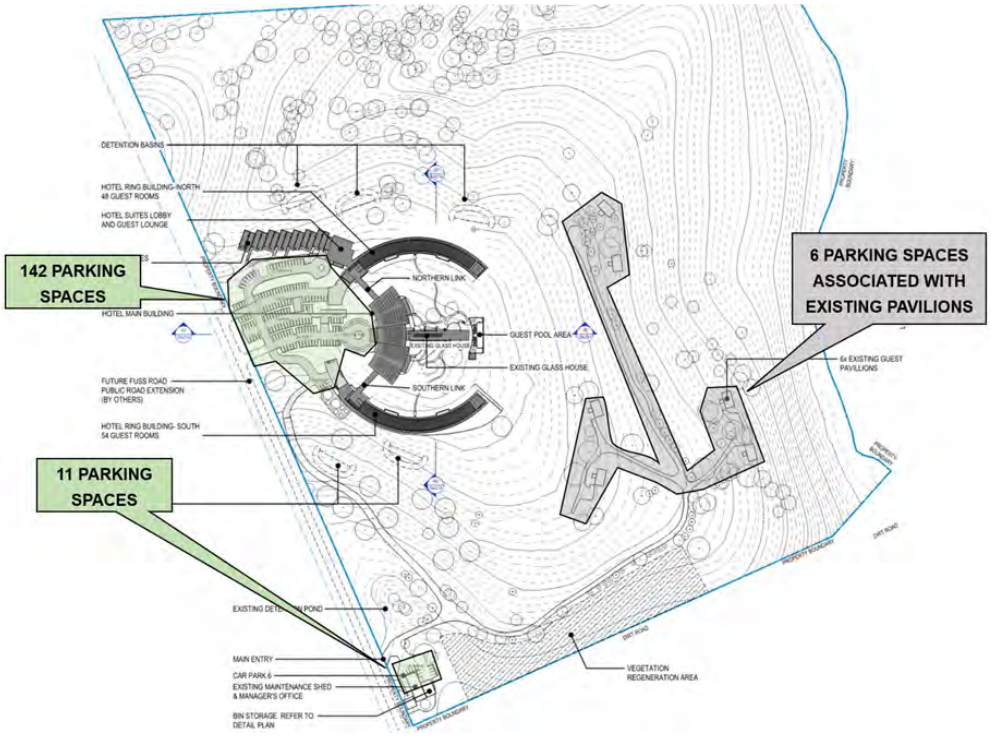
Use Component	Size	Parking Rate	Percentage of Peak	Shared Use Discount	Scenario Parking Demand (spaces)
Accommodation	116 rooms	1 space per room	85%	0%	99
Existing Pavilions	6 rooms	1 space per room	85%	0%	5
Restaurant	176 seats	0.4 spaces per seat	90%	70%	19
Lounge/Bar	110sq.m	1 space per 6sq.m	85%	70%	5
Function	160 seats	0.4 spaces per seat	85%	70%	16
Day Spa	3 rooms	2 per room	0%	70%	0
TOTAL					144

Table 5: Scenario Parking Summary Totals

Scenario	Scenario Parking Demand
Scenario 1 – Weekday Lunchtime	**81 spaces**
Scenario 2 – Weekend Lunchtime	**114 spaces**
Scenario 3 – Thur, Fri, Weekend Dinner	**144 spaces**

The assessment has identified 144 spaces are required for the proposed development based on the three scenarios above. A total of 153 spaces are proposed to be provided, in addition to 6 spaces associated with the existing pavilions suites, shown in Figure 3. Therefore the proposed parking provision is considered appropriate for the proposed development variation.

Figure 3: Car Parking Provision



CAR PARK LAYOUT

The parking layout has been designed in accordance with Australian Standard/New Zealand Standard for Off Street Car parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009). Key features of the car park design include:

- Open-air parking across the site.
- 6 EV charging spaces proposed to be provided.

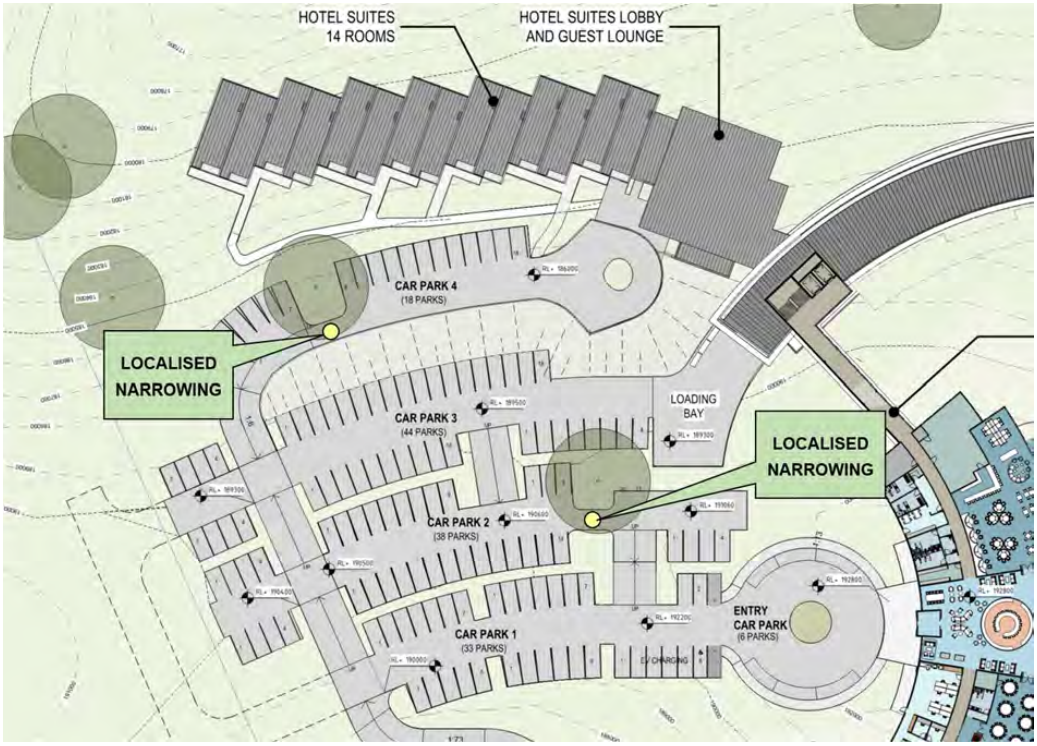
- 90 degree parking spaces shall be provided with a minimum width of 2.5m and a length of 5.4m or 4.8m (with 600mm overhang) and set within a minimum 6.1m wide aisles, exceeding the requirements for User Class 2.
- Parallel parking spaces will be 2.1m wide, by approximately 6.2m in length.
- Parking spaces for people with disabilities and associated shared area have been provided in accordance with the AS/NZS2890:6:2009.
- A single access to the car park is proposed via the existing internal roadway.

There will be two locations as illustrated in Figure 4 where the parking aisle will have a localised parking aisle narrowing where only one vehicle can pass at a time. These narrowing locations are to retain existing trees located within the site.

The locations will have good sightlines on the approaches and drivers will be able to interact with each other as to who will be driving through the narrow points. Also, these locations are located outside of the main circulation aisles of the main car park, minimising the number of vehicles travelling past the narrow point.

Turn paths enclosed with this letter demonstrate the ability for a B85 vehicle to access the parking spaces with the localised narrowing.

Figure 4: Localised Narrowing



TRAFFIC ASSESSMENT

Traffic generation estimates for the proposed development have been sourced from the Transport for New South Wales *'Guide to Traffic Generating Developments'* (formerly RTA NSW, 2002). Estimates of additional vehicle peak hour trips compared to the previous approvals resulting from the proposed differential land use floor areas are set out in Table 6.

Table 6: Additional Traffic Generation Estimates

Use	Differential Size (sq. m)	Traffic Generation Rate (Trips/100 sq. m)	Total Vehicle Movements (vehicles)
		Peak Hour	Peak Hour
Hotel Accommodation	**22 rooms**	**0.4 trips per room**	**8.8**
Luxury Suites	**2 units**	**0.4 trips per room**	**0.8**
Function Room	**+188sq.m**	**5 trips per 100sq.m**	**9.4**
Restaurant	**+167sq.m**	**5 trips per 100sq.m**	**8.4**
Day Spa	**0**	**3 per room**	**0**
TOTAL			**27 trips**

Table 6 does not take into account the varying times when these uses will peak (as per the parking assessment). Accordingly, further consideration has been made with respect to the additional peak hour trip generation for the three scenarios. These are considered in Table 7, Table 8 and

Table 9.

Table 7: Additional Traffic Generation Estimates for Scenario 1 Weekday Lunch

Use Component	Differential	Generation rate	Peak Percentage	Shared Use Discount	Additional Traffic Generation
Hotel Accommodation	22 rooms	0.4 trips per room	50%	0%	4.4
Luxury Suites	2 units	0.4 trips per room	50%	0%	0.4
Function Room	+188	5 trips per 100sq.m	25%	70%	0.7
Restaurant	+167	5 trips per 100sq.m	50%	70%	1.3
TOTAL					7 trips

Table 8: Additional Traffic Generation Estimates for Scenario 2 Weekend Lunch

Use Component	Differential	Generation rate	Peak Percentage	Shared Use Discount	Additional Traffic Generation
Hotel Accommodation	22 rooms	0.4 trips per room	70%	0%	6.2
Luxury Suites	2 units	0.4 trips per room	70%	0%	0.6
Function Room	+122	5 trips per 100sq.m	25%	70%	0.7
Restaurant	+62	5 trips per 100sq.m	90%	70%	2.3
TOTAL					10 trips

Table 9:Additional Traffic Generation Estimates for Scenario 3 Thur, Fri and Weekend Dinner

Use Component	Differential	Generation rate	Peak Percentage	Shared Use Discount	Additional Traffic Generation
Hotel Accommodation	22 rooms	0.4 trips per room	85%	0%	7.5
Luxury Suites	2 units	0.4 trips per room	85%	0%	0.7
Function Room	+122	5 trips per 100sq.m	85%	70%	2.4
Restaurant	+62	5 trips per 100sq.m	90%	70%	2.3
TOTAL					13 trips

Table 10 summarises the expected additional peak hour trips generated for the three scenarios.

Table 10: Scenario Additional Traffic Summary

Scenario	
Scenario 1 – Weekday Lunchtime	7 trips
Scenario 2 – Weekend Lunchtime	10 trips
Scenario 3 – Thur, Fri, Weekend Dinner	13 trips

Table 10 indicates that when considering the existing use traffic generation for the three scenarios, the predicted additional traffic generation of the site would be approximately 13 vehicles per hour occurring for Scenario 3. The 13 additional trips during the peak hour are considered low. Hence the proposed development will not materially change the traffic generation of the site's approved uses. As such, the additional traffic generated by the proposed development would not be expected to impact on the safety or efficiency of the surrounding road network.

DELIVERY AND WASTE ACCESS

Deliveries are proposed to remain adjacent the tourist accommodation, albeit there are some minor layout changes to the loading dock arrangement when compared to the current approvals. The largest expected delivery vehicle will be an 8.8m Medium Rigid Vehicle, consistent with the current approvals. The drivers will be able to enter/exit the site in a forward direction when they are accessing the site's loading area. The turn paths for the deliveries are enclosed with this letter.

Waste collection access is not proposed to change from the previous approvals. General waste collection is proposed to be the most frequent which will be 3 times per week. Recycling/soft plastics and food waste/garden waste/absorbent hygiene collection is proposed to be a weekly service. Other remaining types of waste collection (e.g. lighting / printing cartridges / batteries) will typically be monthly.

CONCLUSIONS

The traffic and parking assessment has found the following:

1. The proposed development variation will comprise some changes to floor areas to the previous approved uses for the subject site.
2. The proposed parking provision is considered appropriate for the proposed development variation.
3. The proposed development variation will increase traffic by approximately 13 vehicles per hour.
4. The proposed development will utilise an existing access point which does not differ to the previous approvals
5. The largest expected delivery vehicle to the size of an 8.8m MRV will be able to enter/exit the site in a forward direction to access the proposed loading areas.
6. Waste access arrangements for the proposed development variation will not change from the previous approvals.
7. General waste collection is proposed to be the most frequent which will be 3 times per week.

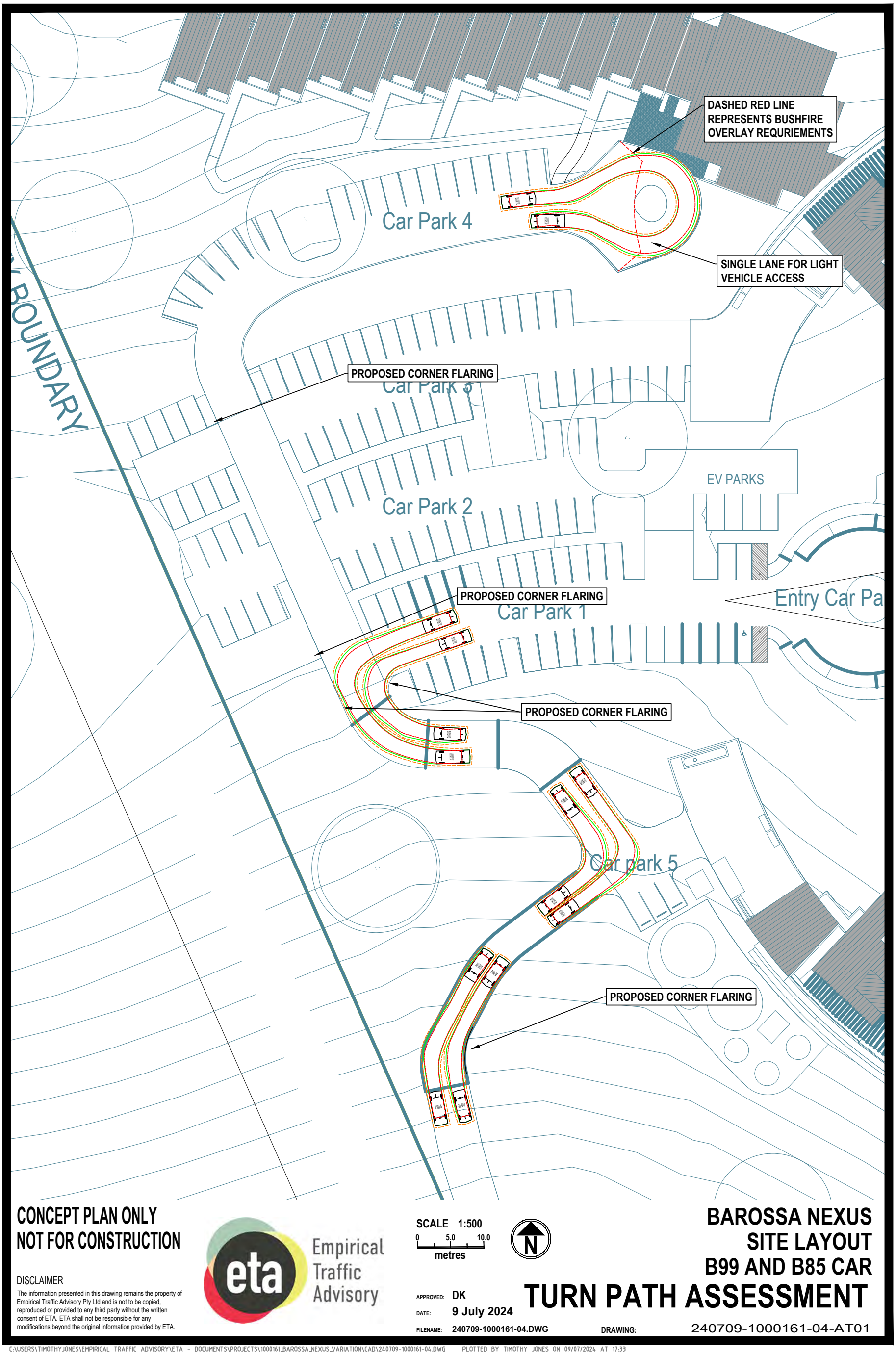
Overall, the proposed development will only have a very minor impact on traffic volumes on the adjacent road network.

Should further information be required, please contact the undersigned at your convenience.

Yours sincerely

EMPIRICAL TRAFFIC ADVISORY

David Kwong
Director


DASHED RED LINE REPRESENTS BUSHFIRE OVERLAY REQUIREMENTS
SINGLE LANE FOR LIGHT VEHICLE ACCESS
PROPOSED CORNER FLARING
PROPOSED CORNER FLARING
PROPOSED CORNER FLARING
PROPOSED CORNER FLARING
Car Park 4
Car Park 3
Car Park 2
Car Park 1
Car park 5
EV PARKS
Entry Car Pa
BOUNDARY
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Empirical Traffic Advisory
SCALE 1:500
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metres
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APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG
DRAWING: 240709-1000161-04-AT01
BAROSSA NEXUS
SITE LAYOUT
B99 AND B85 CAR
TURN PATH ASSESSMENT
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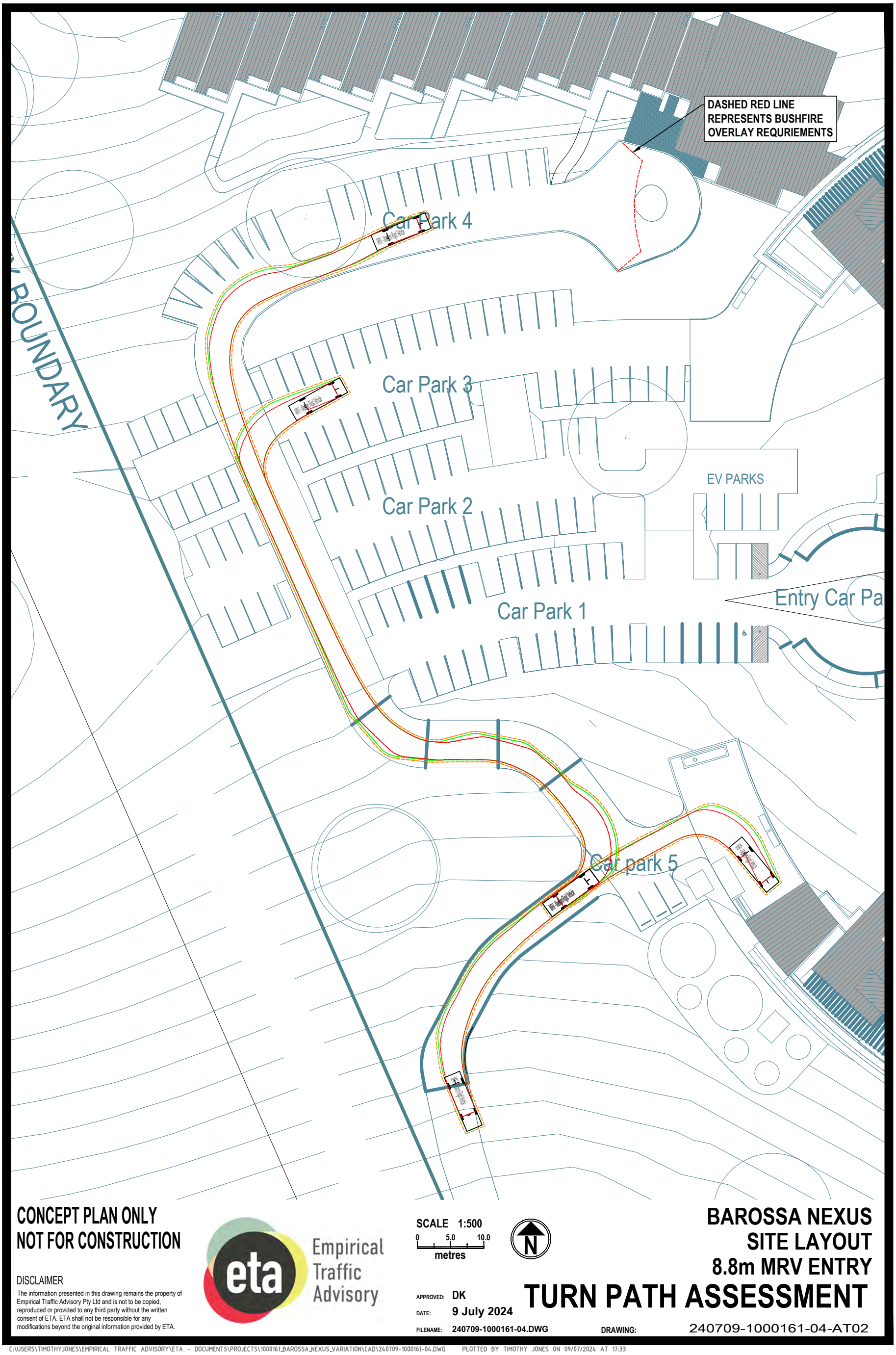

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APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
8.8m MRV ENTRY
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT02

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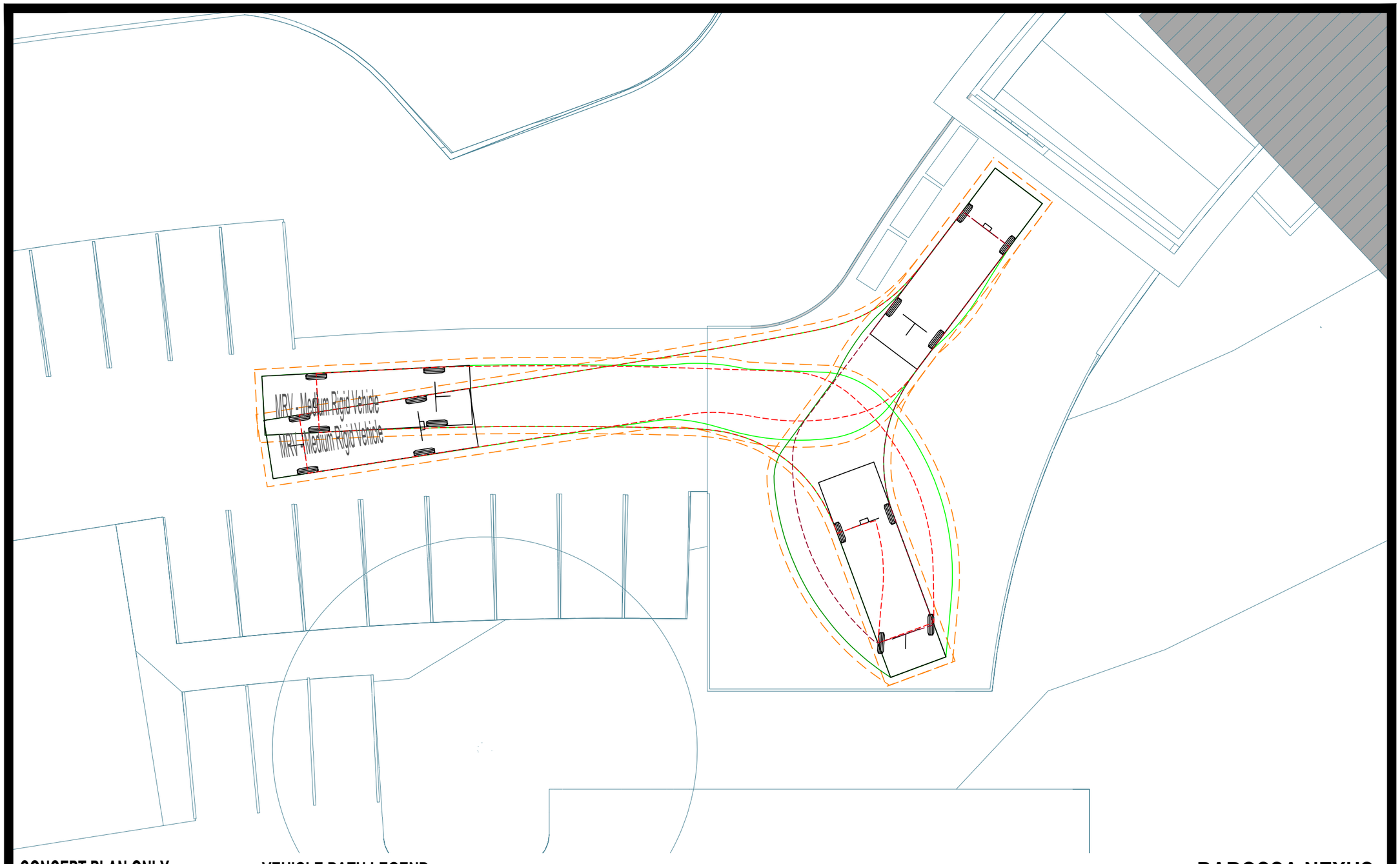

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VEHICLE PATH LEGEND

300mm CLEARANCE TO BODY
BODY OUTLINE
WHEEL PATH

TURN PATH DIAGRAMS DEMONSTRATE A METHOD OF VEHICLE MANEOUVERING. OTHER METHODS MAY BE POSSIBLE DEPENDING ON DRIVER AND VEHICLE.

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Empirical Traffic Advisory

SCALE 1:150
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metres

APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
8.8m MRV NORTHERN LOADING DOCK
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT03

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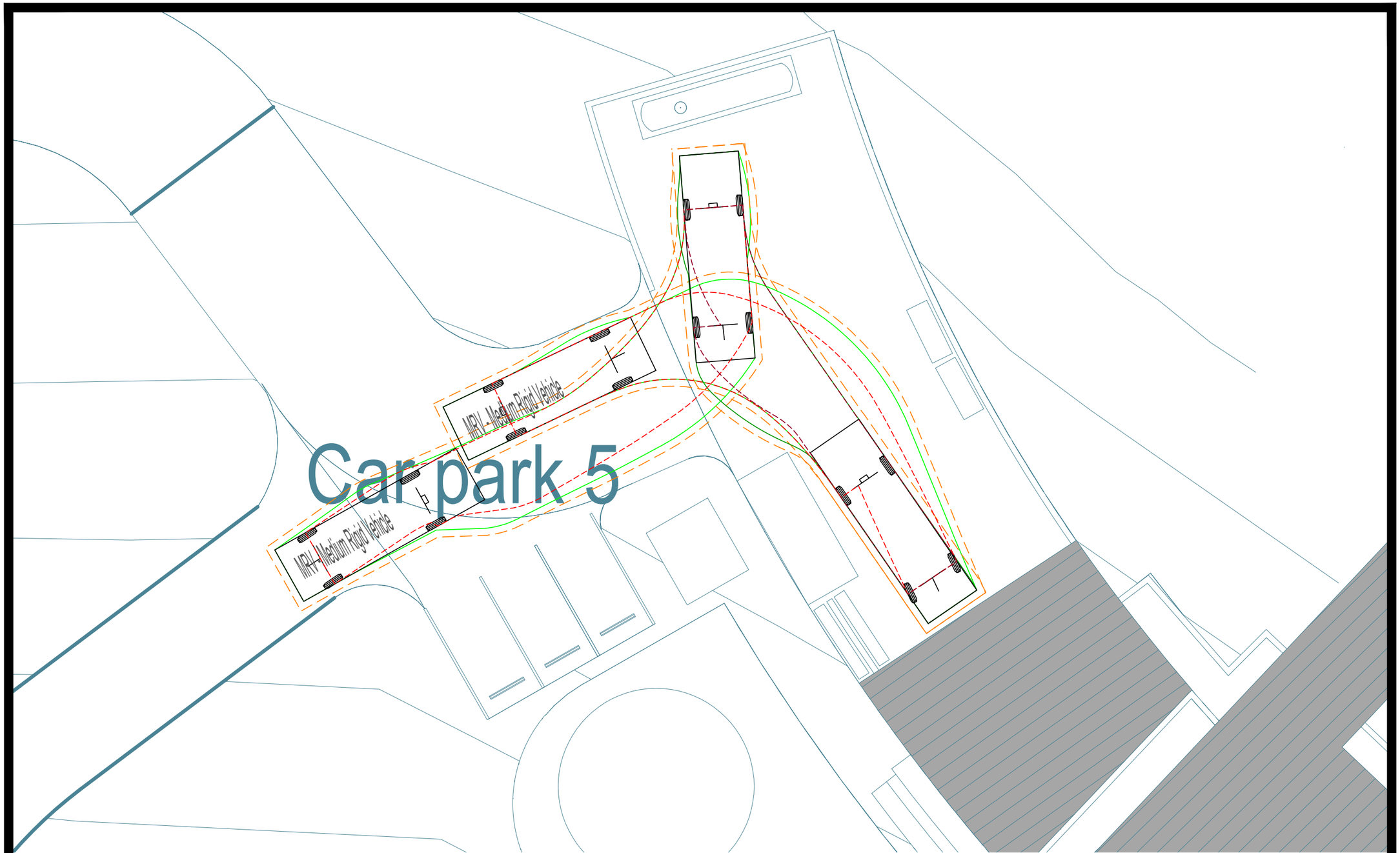

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VEHICLE PATH LEGEND

300mm CLEARANCE TO BODY
BODY OUTLINE
WHEEL PATH

VEHICLE

TURN PATH DIAGRAMS DEMONSTRATE A METHOD OF VEHICLE MANEOUVERING. OTHER METHODS MAY BE POSSIBLE DEPENDING ON DRIVER AND VEHICLE.

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SCALE 1:150
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metres

APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
8.8m MRV SOUTHERN LOADING DOCK
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT04

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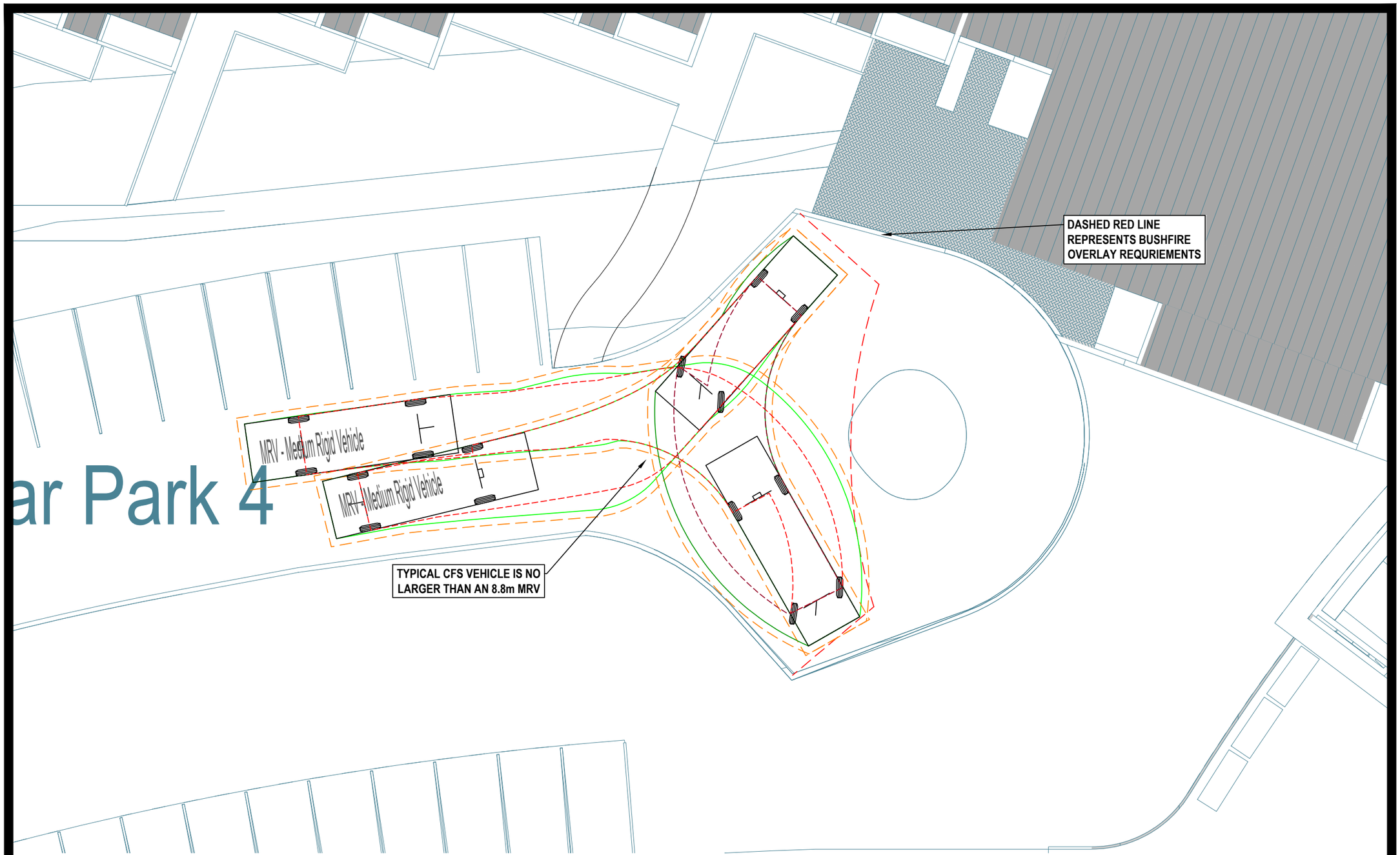

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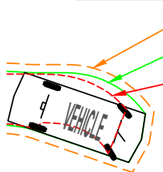
VEHICLE PATH LEGEND



300mm CLEARANCE TO BODY
BODY OUTLINE
WHEEL PATH

TURN PATH DIAGRAMS DEMONSTRATE A METHOD OF VEHICLE MANEOUVERING. OTHER METHODS MAY BE POSSIBLE DEPENDING ON DRIVER AND VEHICLE.

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Empirical Traffic Advisory

SCALE 1:150
0 1.5 3.0
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APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
8.8m MRV ACCESS
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT05

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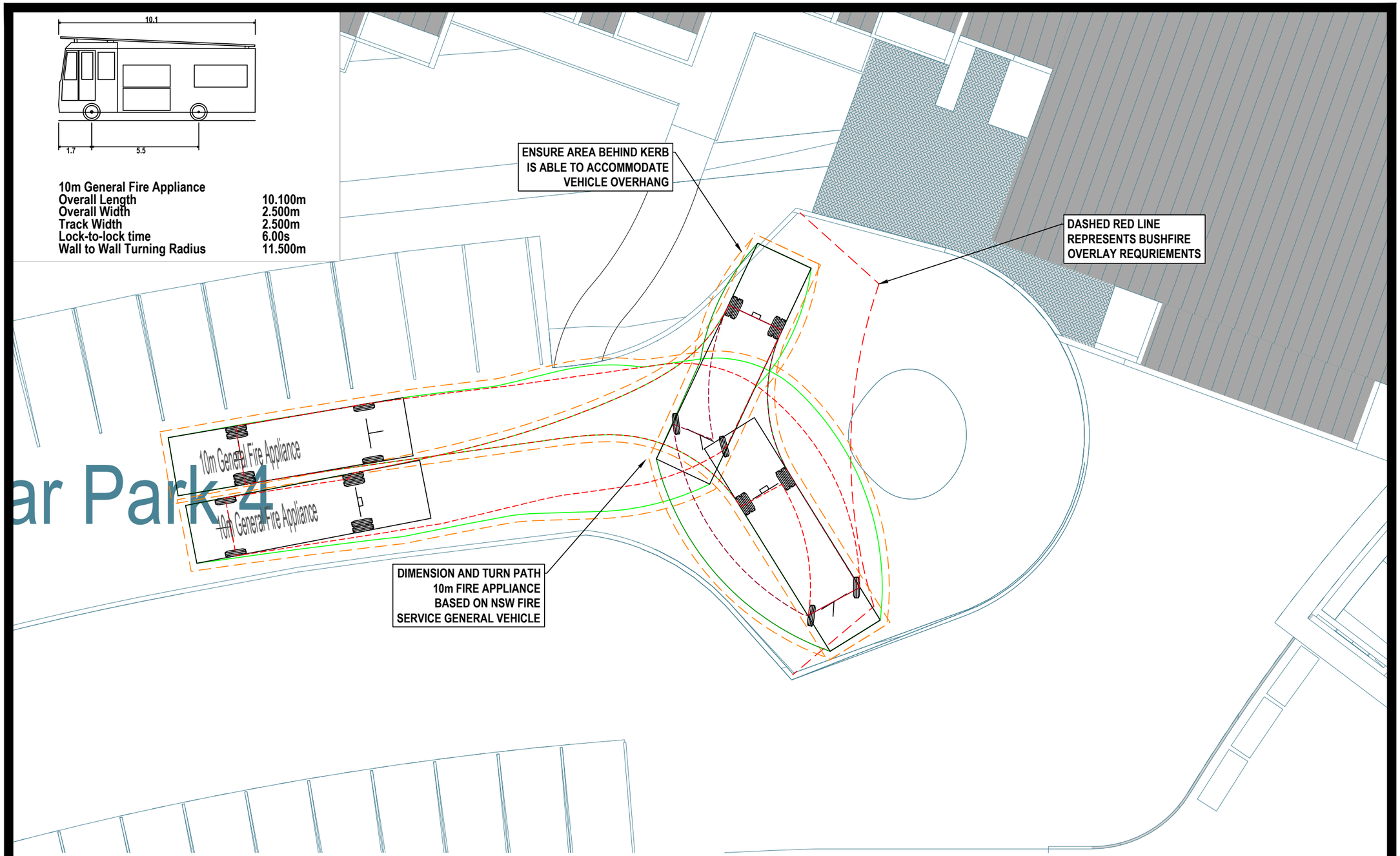

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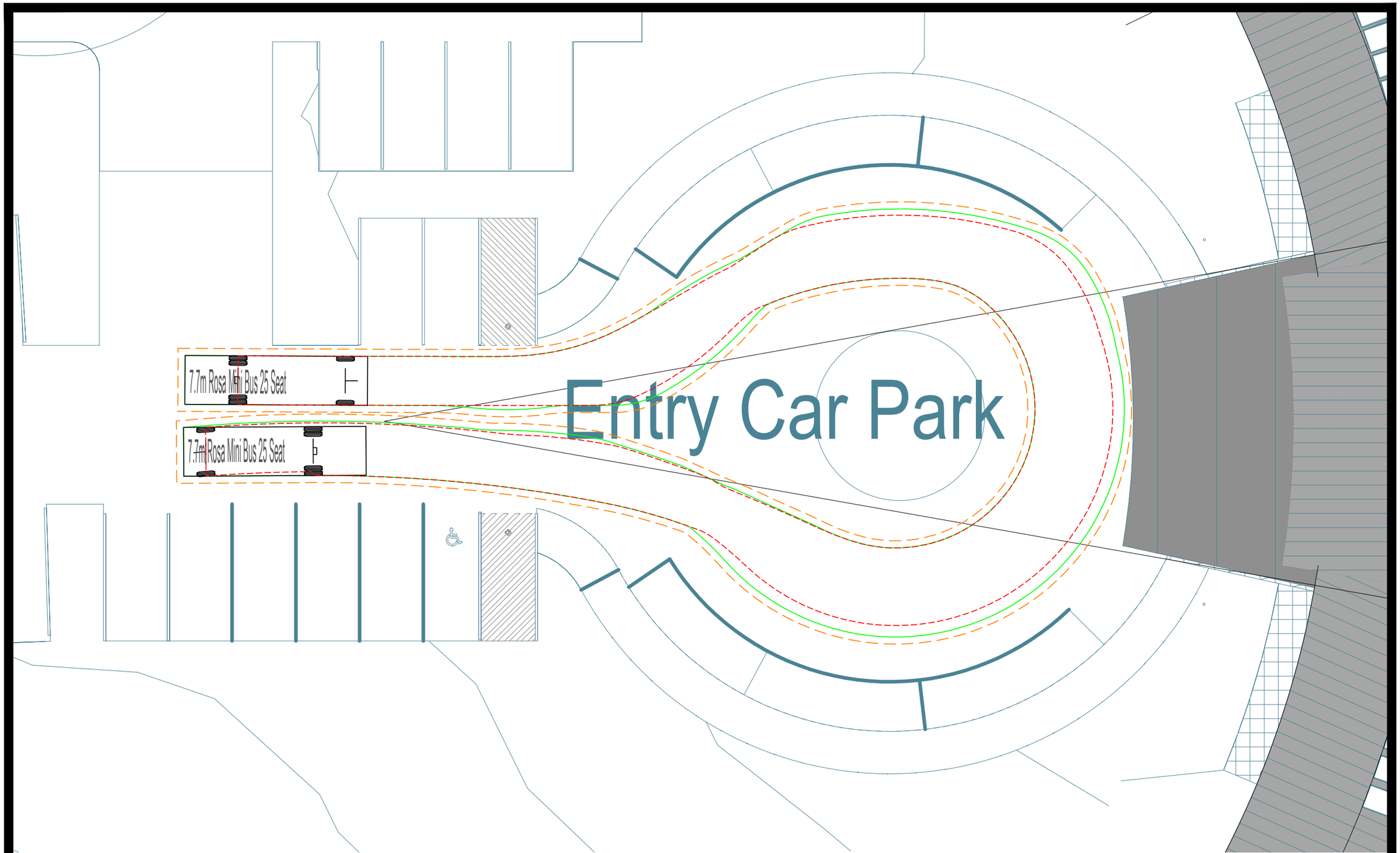

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VEHICLE PATH LEGEND

300mm CLEARANCE TO BODY
BODY OUTLINE
WHEEL PATH

VEHICLE

TURN PATH DIAGRAMS DEMONSTRATE A METHOD OF VEHICLE MANEOUVERING. OTHER METHODS MAY BE POSSIBLE DEPENDING ON DRIVER AND VEHICLE.

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SCALE 1:150
0 1,5 3,0
metres

APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
7.7m 25 SEAT MINI BUS ACESS
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT07

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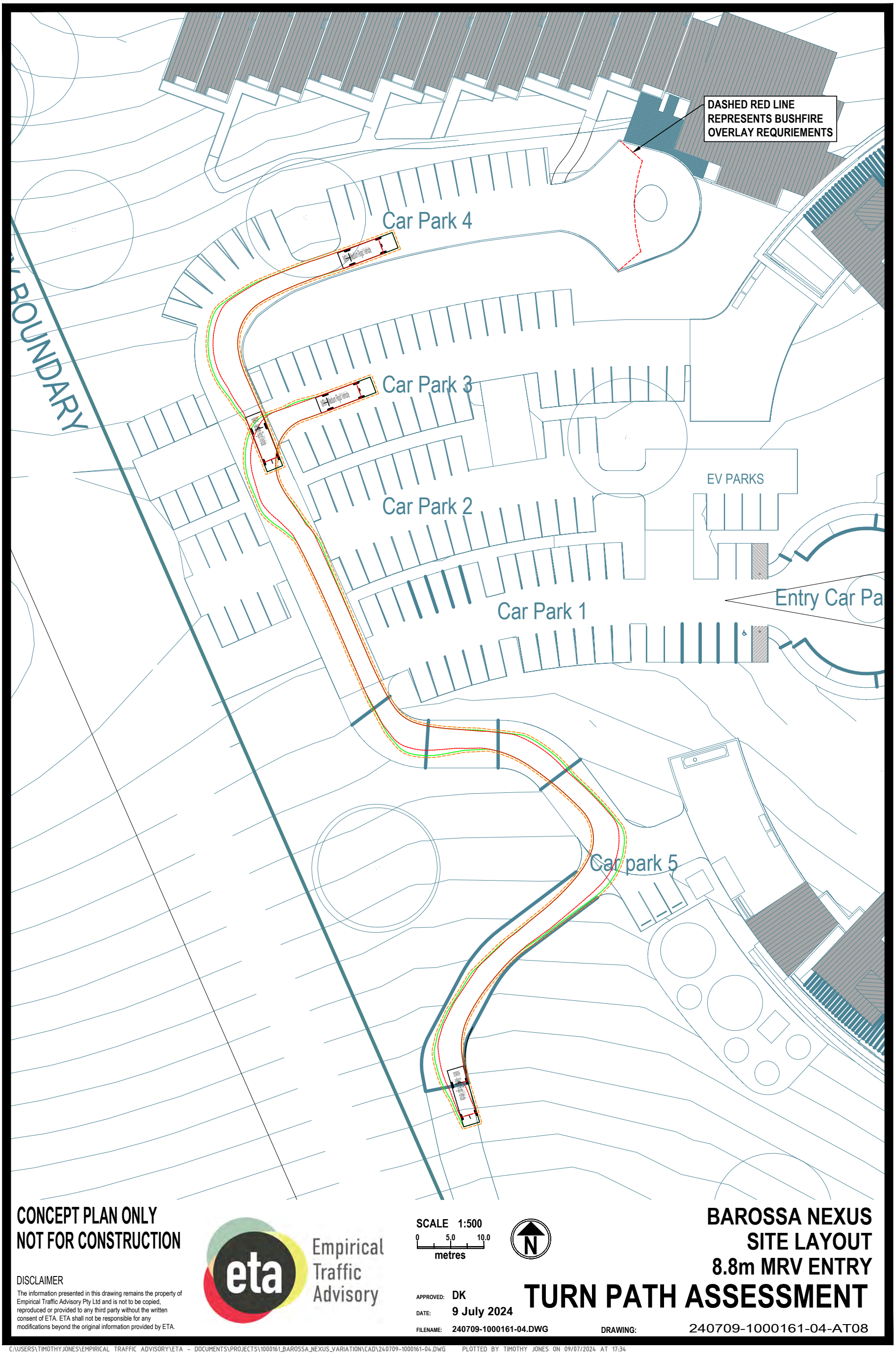

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SCALE 1:500
0 5.0 10.0
metres

APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
8.8m MRV ENTRY
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT08

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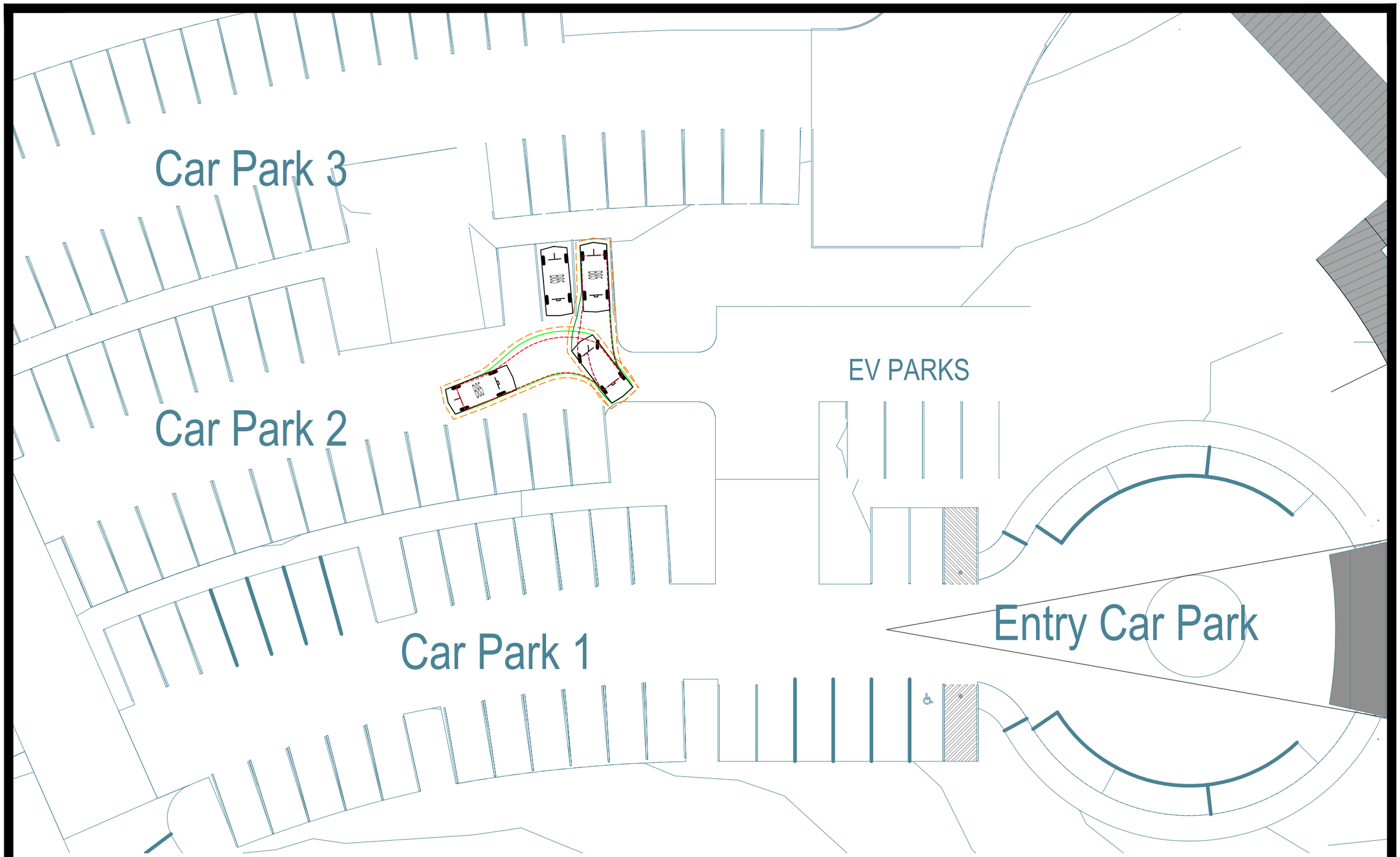

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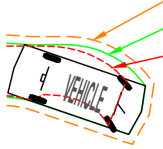
VEHICLE PATH LEGEND



TURN PATH DIAGRAMS DEMONSTRATE A METHOD OF VEHICLE MANEOUVERING. OTHER METHODS MAY BE POSSIBLE DEPENDING ON DRIVER AND VEHICLE.

N

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SCALE 1:250
0 2.5 5.0
metres

APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
LOCAL NARROWING B85 ACCESS
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT09

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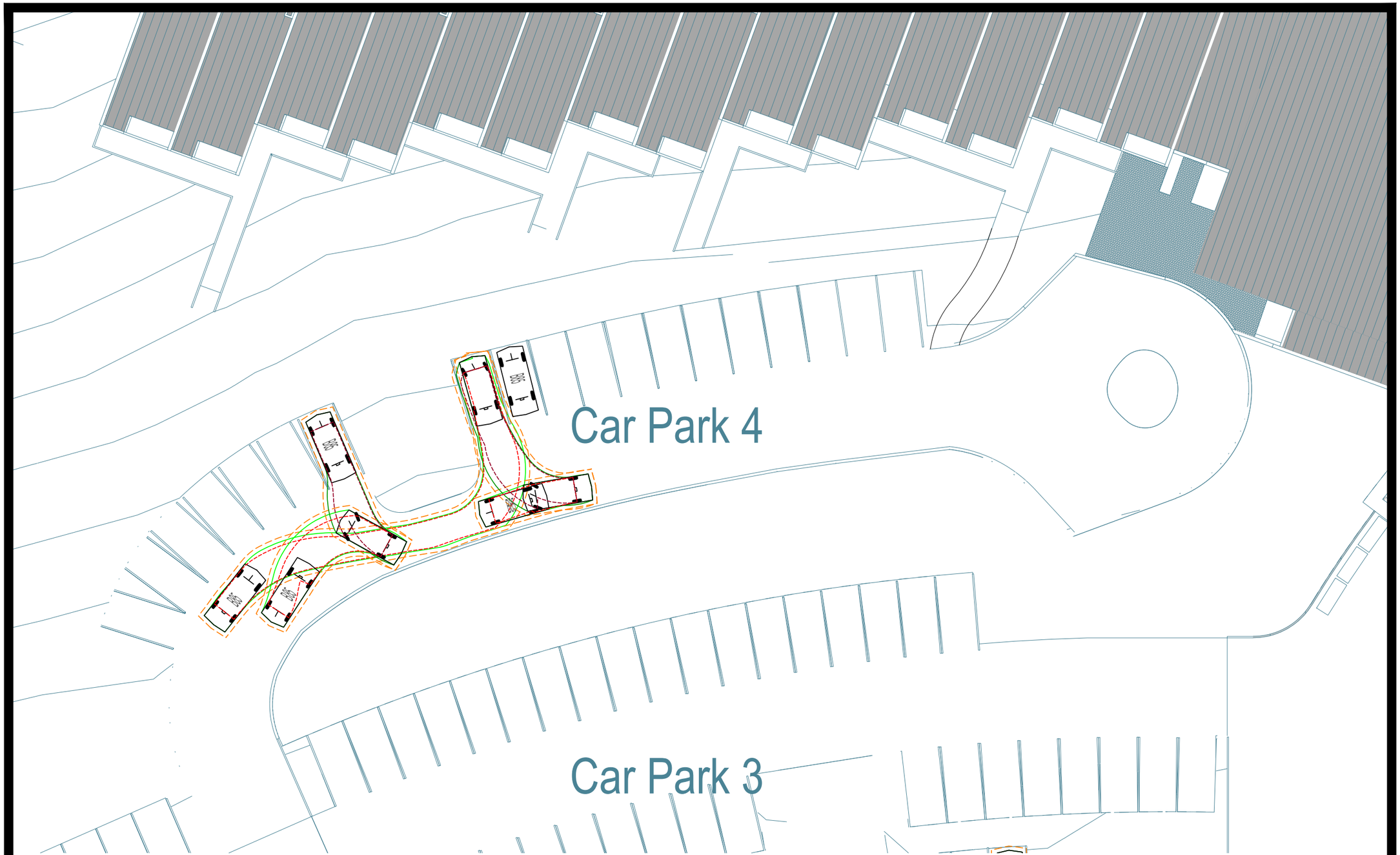

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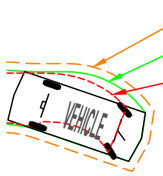
VEHICLE PATH LEGEND



300mm CLEARANCE TO BODY
BODY OUTLINE
WHEEL PATH

TURN PATH DIAGRAMS DEMONSTRATE A METHOD OF VEHICLE MANEOUVERING. OTHER METHODS MAY BE POSSIBLE DEPENDING ON DRIVER AND VEHICLE.

N

eta Empirical Traffic Advisory

SCALE 1:250
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APPROVED: DK
DATE: 9 July 2024
FILENAME: 240709-1000161-04.DWG

BAROSSA NEXUS
SITE LAYOUT
LOCAL NARROWING B85 ACCESS
TURN PATH ASSESSMENT

DRAWING: 240709-1000161-04-AT10

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Resonate

Acoustics • EMF • Structural Dynamics • Vibration

Thursday, 4 July 2024

Project number: A210431
Reference: A210431LT2A

Sean Carrick
RCP Australia
Level 13, 99 Gawler Place
Adelaide SA 5000

Dear Sean,

Nexus Barossa
Amendment to Acoustic Report for Planning

1 Introduction

We have reviewed the proposed alterations to the Nexus Barossa site that have resulted from engagement with the preferred hotel operator.

The planning amendment includes the following:

- Alterations to the main built form to open up the building to east and relocate the pool and deck areas further west
- Increase in floor areas to the function and restaurant, with increased patron numbers, and removal of the conference space
- Addition of an outdoor terrace to the function/conference space
- Additional rooms
- Increase in carpark capacity / activity.

It is understood that there is no proposed change of the use of the function rooms (with respect to music operational times) despite of the increase in floor area. A revised assessment of this is therefore not required.

To assess potential noise impacts relating to the design changes as outlined above, the proposed alterations have been incorporated into our model previously used to assess environmental noise emissions from the site. The assessments are as presented in Acoustic Report A210431RP1A and A210431RP2A for the Nexus Barossa and Nexus Suites applications respectively.

The proposed variation is to the approved Nexus development and subsequent amendment, with environmental noise assessments as presented in Acoustic Report A210431RP1A (Planning Consent 21018528) and A210431RP2A (Planning Consent 22022572).

This letter also outlines assessment of building services equipment, such as external mechanical plant, fire protection equipment, and a standby generator. We note that these are not part of the variation; however, assessment has been included to demonstrate compliance as unit selection and data has now been provided for review.

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2 Amendment

2.1 Criteria

2.1.1 General activities

The initial assessment was performed under the Environment Protection (Noise) Policy 2007 (2007 Noise Policy). This policy has been superseded on 31 October 2023 by Environment Protection (Commercial and Industrial Noise) Policy 2023 (2023 Noise Policy).

As the noise limit for commercial and industrial noise sources are based on the zoning and land use of the development and adjacent land, the criteria for noise emissions for general activities during day and night remained unchanged as outlined in Table 1.

Table 1 Summary of zones, land uses, and Noise Policy criteria

Site	Zone/subzone	Land use categories	Criteria, L_{Aeq}	
			Day (7 am to 10 pm)	Night (10 pm to 7 am)
Subject site	Rural	Rural Industry	N/A	N/A
All nearby premises	Rural	Rural Industry	52	45

2.1.2 Emergency equipment

The development includes equipment for fire protection and a standby generator. These items of equipment are only to be tested periodically during the day and would only operate in emergency situations when there is a fire or mains power is down. As such, the strict application of the Noise Policy criteria may be too onerous.

The *Guidelines for the use of the Environment Protection (Commercial & Industrial Noise) Policy 2023* (the Guidelines) were realised, as part of the new 2023 Noise Policy, which provides guidance on reasonable adjustments for noise sources that are intermittent and infrequent. Table 2 outlines the allowable adjustment of the criteria for intermittent and infrequent noise sources. Note that the compliance criterion is 5 dB higher than the criteria outlined in Table 1.

Table 2 Allowable adjustment of the criteria

Allowable duration of noise (1 event in a 24-hour period)	Allowable exceedance of the compliance criterion (INL), dB(A)	
	Day (7 am to 10 pm)	Night (10 pm to 7 am)
Under 2 hours	3	0
Under 1 hour	5	0
Under 15 minutes	10	3

We understand that the following operation of fire pump is typical:

- Tested monthly for up to 15 minutes
- Tested during daytime only
- During emergency (fire).

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For the standby generator, we understand that the following operation is typical:

- Monthly for up to 30 minutes run time
- During emergency (mains power outage).

The criteria as outlined in Table 3, has been adopted for emergency equipment based on the above and the associated rationale.

Table 3 Emergency equipment criteria & rationale

Equipment	Design criterion, L_{eq} dB(A)	Rationale
Fire pump	Day INL+10	Testing of the fire pump will only occur during the daytime period, once a month, for a 15-minute period. The daytime exceedance is consistent with Table 2. The nighttime criterion will be exceeded when the fire pump is in operation; however, this will be in the event of a fire when noise emissions and protection of amenity is not typically considered to be the priority.
Standby generator	Day INL+0 Night INL+7	Testing of the standby generator will only occur during the daytime period, once a month, for a 30-minute period. The proposed day time exceedance is 5 dB less than what is proposed in Table 2. However, it is 7 dB more than what is proposed for the nighttime criterion. We believe that the adoption of this criterion will be suitable for both day and night. The proposed results in a higher nighttime criterion than proposed by the new guidelines; however, Resonate believe that this will be acceptable based on the infrequent operation of the generator in an emergency.

Application of the proposed exceedance as detailed in Table 3 results in criteria as shown in Table 4.

Table 4 Summary of emergency equipment criteria

Receiver	Criteria, L_{eq} dBA)	
	Fire pump	Standby generator
All premises	67	57

2.1.3 Characteristic penalty

Penalties can also be applied to a noise source for a variety of characteristics, such as impulsive, low frequency, modulating, tonal or intermittent characters. For a characteristic penalty to be applied to a nose source is must be fundamental to the impact of the noise and dominate the overall noise impact.

With the 2023 Noise Policy coming in place, the definition of each characteristic has changed. The definition of each characteristic is as outlined in Table 5 as exerted from the 2023 Noise Policy.

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Table 5 Definition of characteristics

Characteristic	Definition
Impulsive	a noise has an impulsive characteristic if it has a dominant characteristic consisting of a single pressure peak, or a sequence of such peaks, or a single burst with multiple pressure peaks whose amplitude decays with time, or a sequence of such bursts
Intermittent	a noise has an intermittent characteristic if the noise level increases noticeably and rapidly, and holds the higher level for a noticeable period, on at least 2 occasions during the assessment period that applies under clause 13(1)(b)
Low frequency	a noise has a low frequency characteristic if it has a characteristic that dominates the overall noise with content between 20 hertz and 250 hertz
Modulating	a noise has a modulating characteristic if the noise level has a noticeable and cyclic variation in frequency or amplitude
Tonal	a noise has a tonal characteristic if it has a perceptible and definite pitch or tone

2.2 Noise sources

Noise sources associated with the amendment are

- Alterations to the main built form to open up the building to east and relocate the pool and deck areas further west
- Increase in floor areas to the function and restaurant, with increased patron numbers, and removal of the conference space
- Addition of an outdoor terrace to the function/conference space
- Additional mechanical plant associated with the additional rooms
- Increase in carpark capacity / activity
- Alterations to the delivery and minibus movements as car park and loading bay layout has changed.

In addition to the noise sources associated with the amendment, noise data is now available for the following building services equipment:

- External mechanical plant
- Fire pump
- Standby generator set.

2.3 Building services

Table 6 shows the indicative units and locations of the building services plant to be used to service the development. These units have also been included in this assessment.

Table 6 Unit selections

Unit	Location	Model number	Quantity	Sound level
Evaporative unit	Roof of the hotel main building	RPB700	2	L_W 78 dB(A)
Kitchen exhaust fan	Roof of the hotel main building	AP0714GA6/27	2	L_p 68 dB(A) at 3 m
Hot water heat pump	Loading Bay	Not provided	1	L_W 99 dB(A)

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Unit	Location	Model number	Quantity	Sound level
Condensing units	Accommodation Building – South	RZA140C2V1	40	L_W 70 dB(A) Heating
	Accommodation Building – North	RZA140C2V1	40	L_W 70 dB(A) Heating
	Loading Bay	REYQ22BYM9	3	L_W 83 dB(A)
	Gen Set area	REYQ22BYM9	3	L_W 83 dB(A)
Fire pumps	Fire pump room within Accommodation Building – South	POWERMaXX DP4400N/DP4430N/DP4450T	1	L_p 101 dB(A) at 1 m
Generator Set	Gen set area	Cummins C825	1	L_p 85 dB(A) at 1 m

2.3.1 Pool equipment

It is noted that pool equipment such as pool pump is anticipated on site, however, details on the pool pump equipment are not available at this stage. Sound power levels, noise attenuation, and enclosures or barriers are to be designed during detailed design stage to ensure compliance with the required noise emission levels.

3 Results

The predicted noise levels at the nearest affected premises with the proposed alterations and mechanical units are presented in:

- Table 7 for general activities during day time
- Table 8 for general activities during day time along with the operation of generator set
- Table 9 for general activities during day time along with the operation of fire pump
- Table 10 general activities during night time

Table 7 Predicted noise levels—day with general activities (CONCAWE cat 5)

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise Policy day time criteria, dB(A)
159 Hermann Thumm Drive	≤ 47	52
219 Yaldara Drive	≤ 50	
269 Rosedale Scenic Road	≤ 36	
522 Lyndoch Road	≤ 32	
526 Lyndoch Road	≤ 32	

Resonate

Acoustics • EMF • Structural Dynamics • Vibration

Table 8 Predicted noise levels—day with general activities and generator operating (CONCAWE cat 5)

Prediction location	Predicted noise level, L_{eq} dB(A)	Generator criteria, dB(A)
159 Hermann Thumm Drive	≤ 47	57
219 Yaldara Drive	≤ 50	
269 Rosedale Scenic Road	≤ 37	
522 Lyndoch Road	≤ 32	
526 Lyndoch Road	≤ 32	

Table 9 Predicted noise levels—day with general activities and fire pump operating (CONCAWE cat 5)

Prediction location	Predicted noise level, L_{eq} dB(A)	Fire pump criteria, dB(A)
159 Hermann Thumm Drive	≤ 47	67
219 Yaldara Drive	≤ 55	
269 Rosedale Scenic Road	≤ 44	
522 Lyndoch Road	≤ 32	
526 Lyndoch Road	≤ 32	

Table 10 Predicted noise levels—night (CONCAWE cat 6)

Prediction location	Predicted noise level, L_{eq} dB(A)	Noise Policy night time criteria, dB(A)
159 Hermann Thumm Drive	≤ 35	45
219 Yaldara Drive	≤ 45	
269 Rosedale Scenic Road	≤ 30	
522 Lyndoch Road	≤ 32	
526 Lyndoch Road	≤ 32	

The predicted noise levels at all premises for all scenarios comply with the relevant criteria. As detailed in Section 2.1.3, the nature of the noise predicted at all premises for all scenarios do not fall within the definition of any of the characteristics. Characteristic penalty has therefore not been applied to the overall predicted noise levels in all scenarios.

This information will be further reviewed and refined during the detailed design of the development to ensure compliance with the required noise emission levels.

Resonate

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4 Closure

Please let me know if you have any queries or wish to discuss the above.

Yours sincerely,

Deb James
Director
p +61 8 8155 5888
m +61 422 047 275
deb.james@resonate-consultants.com

FINAL REPORT

KARL ROTH & LUKE BARTSCH
MASTERPLAN

Nexus Barossa

Yaldara Drive, Lyndoch, SA 5351

> STORMWATER MANAGEMENT PLAN

cpr engineers

REV B | 12 July 2024

NEXUS BAROSSA
STORMWATER MANAGEMENT PLAN

Site Address: Yaldara Drive, Lyndoch SA 5351

Project Number: 210242

ISSUE REGISTER PROJECT:

ISSUE DATE	REASON	PREPARED	REVIEWED
28-06-2024	First Draft	David Reynolds	David Reynolds
10-07-2024	Final Report For DA	David Reynolds	David Reynolds
12-07-2024	Revised Final Report	David Reynolds	David Reynolds

Visit
174 Fullarton Road
Dulwich SA 5065

T 08 8332 1344

Post
PO Box 2832
Kent Town SA 5071

E admin@cprengineers.com.au

NEXUS BAROSSA

STORMWATER MANAGEMENT PLAN

210242 - 12 July 2024

INTRODUCTION

The following report outlines the key requirements to manage the disposal of stormwater from the post development site. The site is situated at 221 Yaldara Drive Lyndoch where an established tourist accommodation business is based.

Part of the existing buildings on the site will be retained and repurposed, while minor elements of the existing facilities will be demolished.

A new hotel development – to be known as the Nexus Barossa - is proposed by constructing a bespoke architecturally designed building well situated around the existing Glass House.

A great deal of concept design work has been undertaken to set appropriate levels for the new buildings on the existing sloping site terrain and the integration to the site's surrounds.

The management of stormwater has been developed in line with previous applications and approvals on the site. As such the Barossa Council's requirements have been maintained with this application.

The design has been developed in concert with the Brown Falconer Architects' drawings and the Landscape Architect design by GD Studia, and has been underpinned by a detail engineering site survey. The relevant reference documents are outlined below.

Whilst the existing buildings on site are being retained the proposed development on the site occupies natural landscape which has not previously been developed and hence the management of stormwater from the pre-development site to the post-development site requires a series of detention basins, designed to detain water and also slow the velocities and release of water to the lower lying landscape areas.

A significant increase in capacity of the stormwater retention and re-use will be included in the project, compared to the existing conditions.

This document is to be read in conjunction with:

- Brown Falconer Architectural drawings, DA210 to DA283 dated 05 July 2024 with the site plan DA215 included in Appendix A;
- GD Studia Landscape Architect drawings in Appendix A;
- CPR Engineers Drawings in Appendix B
  - 210242 – C01 – Overall Site Plan
  - 210242 – C200 – Bulk Earthworks plan
  - 210242 – C201 – Civil siteworks

- 210242 – C202 - Stormwater layout
- 210242 – C210 – Civil Sections

- CPR Engineers Sketches of Existing and New Catchment areas 210242 - SK1 in Appendix C;
- CPR Engineers Stormwater Calculations SW1 – SW6 in Appendix D.

This Stormwater Management Plan establishes the principles to manage the stormwater on the site and is submitted for review by the Barossa Council.

Should further details be required during this period, CPR Engineers will be able to provide these as necessary.

GENERAL STORMWATER MANAGEMENT

The new works will be designed for the following stormwater principles:

- The stormwater drainage system shall be designed in accordance with the current edition of 'Australian Rainfall and Runoff' (IEA) and AS/NZS 3500.3:2003 – Plumbing and drainage – Stormwater drainage and Council's requirements set out below.
- Water discharged from a development site should not exceed the rate of discharge from the site as it existed in pre-development conditions.
- Development should include stormwater management systems to protect it from damage during a minimum of a 1% AEP storm (100 year ARI) year average return interval flood.
- Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.
- Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.
- Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.
- Stormwater management systems should preserve natural drainage systems, including the associated environmental flows.
- Stormwater management systems should:
  - (a) maximise the potential for stormwater harvesting and re-use, either on-site or as close as practicable to the source
  - (b) utilise, but not be limited to, one or more regular harvesting methods
- Detention shall be provided to limit the 10% AEP storm post–development peak discharge to the 10% AEP storm pre-development peak discharge from the site for 10 minute duration, where applicable.

For the Nexus Barossa development as proposed, stormwater discharged from the local building area will be managed in line with the following key features:

- The site has been divided into 7 separate catchment areas from the developed impervious areas – these are outlined in diagrammatic form on 210242-SK1 and referenced on drawing 210242-C202;
- Roof and car park areas comprise catchment areas A1 to A7 and the landscaped area within the ring of rooms is considered able to overland flow to the north downhill;
- Water catchment form the main building catchment area A6 will connect to and collect roof run-off in 2 x 30,000L water re-use tanks for the purposes of irrigation;
- Each catchment area is directed to a detention basin with detention volume capabilities, as outlined in the table in the next section of this report and on drawings 210242-C02;
- Each detention basin has been designed to detain the 5% AEP storm (20 year ARI) for a 10 minute period and with a limited discharge of 20 litres per second per basin, (or 10L/s per outlet) via discharge pit to the downstream greenfield areas;
- The downstream greenfield area has been identified as areas that are suitable to control the overflow from the post development site for the larger storm events in a manner that is not worse than the pre-development state. Existing cut off drains and new road side swales deliver the overland flows to the existing detention basin on site;
- In the larger storm events, the stormwater discharges from the detention basins and the overflow areas are captured by the following features outlined on drawing 210242-C01 – Overall site plan;
    - the existing detention basin located on the south side of the development and near the main entry and maintenance sheds
    - the existing road side verges that currently direct stormwater from the road surfaces of the existing development to the existing detention basins;
    - the natural water course of the North Para River, located approximately 250 metres east of the development site.
- As a result of the measures outlined in the design referenced above, any increase in the risk of flooding to downstream properties is considered minimal.
- Water treatment measures to control the quality of water leaving the car park areas of the site will be employed as a combination of Gross pollutant traps and swale drains adjacent to the hardstand areas.

The water will be re-used to irrigate the landscape garden areas and the final volume will be subject to the Client's budget constraints.

SITE FEATURES

The site is not currently serviced by any stormwater infrastructure.

The primary site features prior to development include the following approximate areas:

- Existing open grasslands – 10,507 m^2

- Existing Glass House building with roof area = 490 m2
- **Total Exist Site area – 10,997 m²**

The post development features are outlined in the catchment area table below and to be read in conjunction with the Catchment area diagram 210242-SK1 in appendix C.

STORMWATER DETENTION

The post development site will result in increased impervious areas hence requiring on-site detention.

The detention basins have been designed to limit the discharge flows to *20L/s from each basin* in order to minimise the scour and erosion effects from the impervious areas and run-off assessed against the 5% AEP storm (20 year ARI). Each basin has 2 outlets each restrained to maximum 10L/s per outlet.

The water that flows from the detention basins flows by sheeting across the landscape in a similar manner to the pre-development state.

The overflow from the basins discharge to the valley and water course on the north side of the site in a similar manner to the Basins #1 and #2 in the previously approved project.

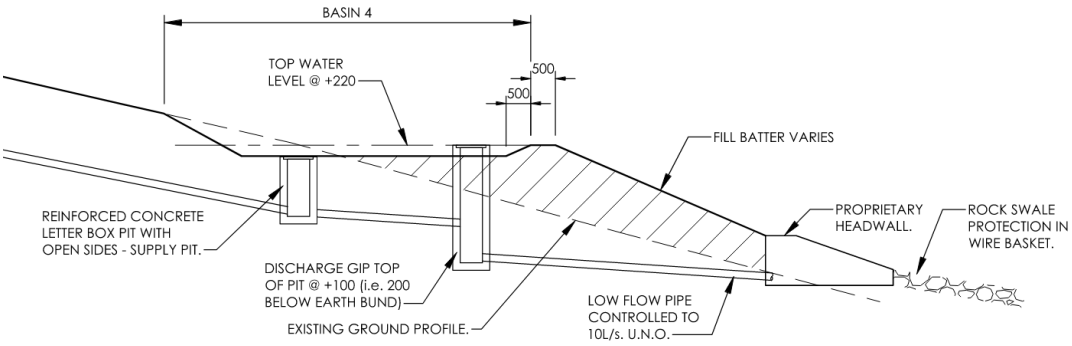
The following table summarises the volume of detention provided by the various Detention Basins for this development and those that have altered capacity and size from the previously approved project.

SUMMARY OF CATCHMENT AREAS				DETENTION REQUIRED		VOLUME
Catchment areas Master			CATCHMENT	BASIN	AVE DEPTH	ACHIEVED
	Name	Nature	AREA m2	Area m2	m	m3
BASIN #1	A1	Central Facility Roof North	1660	150	0.2	30
BASIN #2	A2	Car Park North	4190	270	0.25	67.5
BASIN #3	A3	**NORTH GUEST ROOMS**	1590	180	0.2	36
BASIN #3	A4	Existing Glass House Bldg	510			
BASIN #4	A5	SOUTH GUEST ROOMS	1590	250	0.25	62.5
BASIN #4	A6	MAIN BUILDING	1795		0.25	
BASIN #5	A7	CAR PARK SOUTH	2960	150	0.25	37.5
		TOTALS :		**1000**		**233.5**

We confirm that the low flow pipe from the basin to the discharge point / headwalls will be restricted to:

- 10L/s per GIP outlet via 75 diam pipe or 75mm diam orifice plate for the Basins #1 to #5
- Basin depths are either 200mm doe on average or 250mm deep on average.

as per the detail below:



QUALITY OF WATER

All storm water run-off that is collected from the central car park areas of the Nexus Suites layout and will pass through a Gross Pollutant trap and have oil and greases separated and treated prior to discharge into the areas noted above.

For the purpose of this report a proprietary in ground pollutant trap system is proposed.

Preliminary discussions with SPEL and ECOSOL technical department indicates that a solution to achieving the quality standards can be found via a combination of Primary, Secondary and or Tertiary products subject to future design.

These measures will improve the quality of stormwater run-off exiting the site in comparison to current predevelopment conditions which provides no treatment.

FINISHED FLOOR LEVEL REQUIREMENTS

In general terms it is a usual requirement for the proposed building to set a finished floor level a minimum of 300mm above existing kerb levels of the bounding road network in accordance with Barossa Council requirements.

The sloping nature of this site certainly achieves this.

The above measures have been addressed in order to maintain an appropriate freeboard level higher than surrounding formed ground surfaces to enable overload flows from 1% AEP storm (100 year ARI) storm events to exit the site in an appropriate manner and so as not to affect the neighbouring properties.

EARTHWORKS ON THE SITE

The car park and road location on the site dictates that some earthworks will be required to construct the project. The cut material will be spent on site filling. The stepping of the FFLs of the Suites Accommodation pods has been included within the design to minimise the extent of earthworks required.

The extent of earthworks proposed at this stage of the design is outlined on CPR Engineers Earthworks Plan – 210242-C11 – for the Nexus Suites development and the relevant sections taken at various locations via the Brown Falconer drawings indicate the minimal cut for the suites accommodation building with the majority of these buildings suspended above sloping ground.

ISSUES DURING CONSTRUCTION

The management of stormwater during construction will be under constant monitoring by the appointed builder. A Construction Environmental Management plan (CEMP) will need to be prepared as part of the Contractors requirements prior to achieving full development approval. The CEMP will need to include:

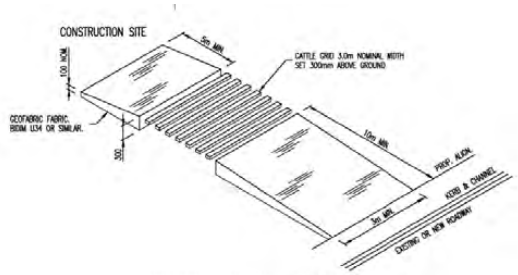
- tree and vegetation protection during construction;
- environmental assessment of existing soil prior to removal of surplus soil material from site;
- Sediment Management Plan;
- Any other reasonable control measures deemed necessary by Council.

This document will also deal with silt management as part of the sediment management plan (SEDMP) including erosion control methods and installation of sediment collection devices that will prevent:

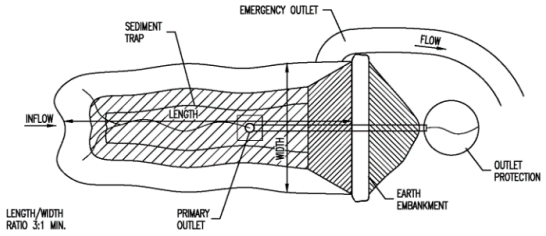
- soil moving off the site during periods of rainfall;
- erosion and deposition of soil moving into the remaining native vegetation or nearby water course; and
- soil transfer onto roadways by vehicles and machinery.

The works contained in the approved SEDMP shall be implemented prior to construction commencing and maintained to the reasonable satisfaction of Council during the construction period.

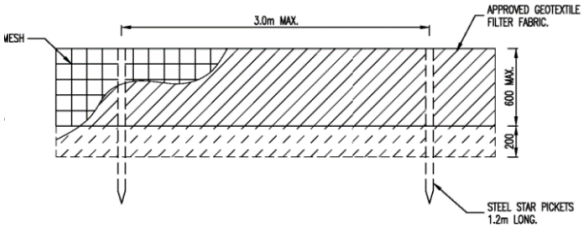
The builder will be employed to maintain control measures on site and to minimise run-off from the site which may contain fine earth particles and any deleterious material that washes off site will be cleaned up by the contractor.



TEMPORARY CONSTRUCTION ENTRY/EXIT
(NOT TO SCALE)

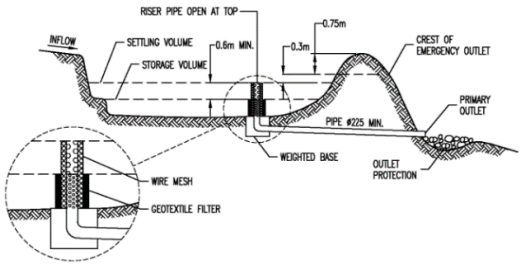


PLAN VIEW OF TYPICAL SEDIMENT BASIN
(NOT TO SCALE)



ELEVATION

SILT FENCE SECTION & DETAIL
(NOT TO SCALE)



CROSS SECTION OF TYPICAL SEDIMENT BASIN (SPA)
(NOT TO SCALE)

The examples above show open swales rock and earth beds as well as hay bales will be used to manage stormwater during construction and in particular during the earthworks phase of the project. The contractor will be required to submit a sediment and stormwater control plan during the different phases of the development.

Prepared by

David Reynolds
CPR ENGINEERS

davidr@cprengineers.com.au

Attachments:

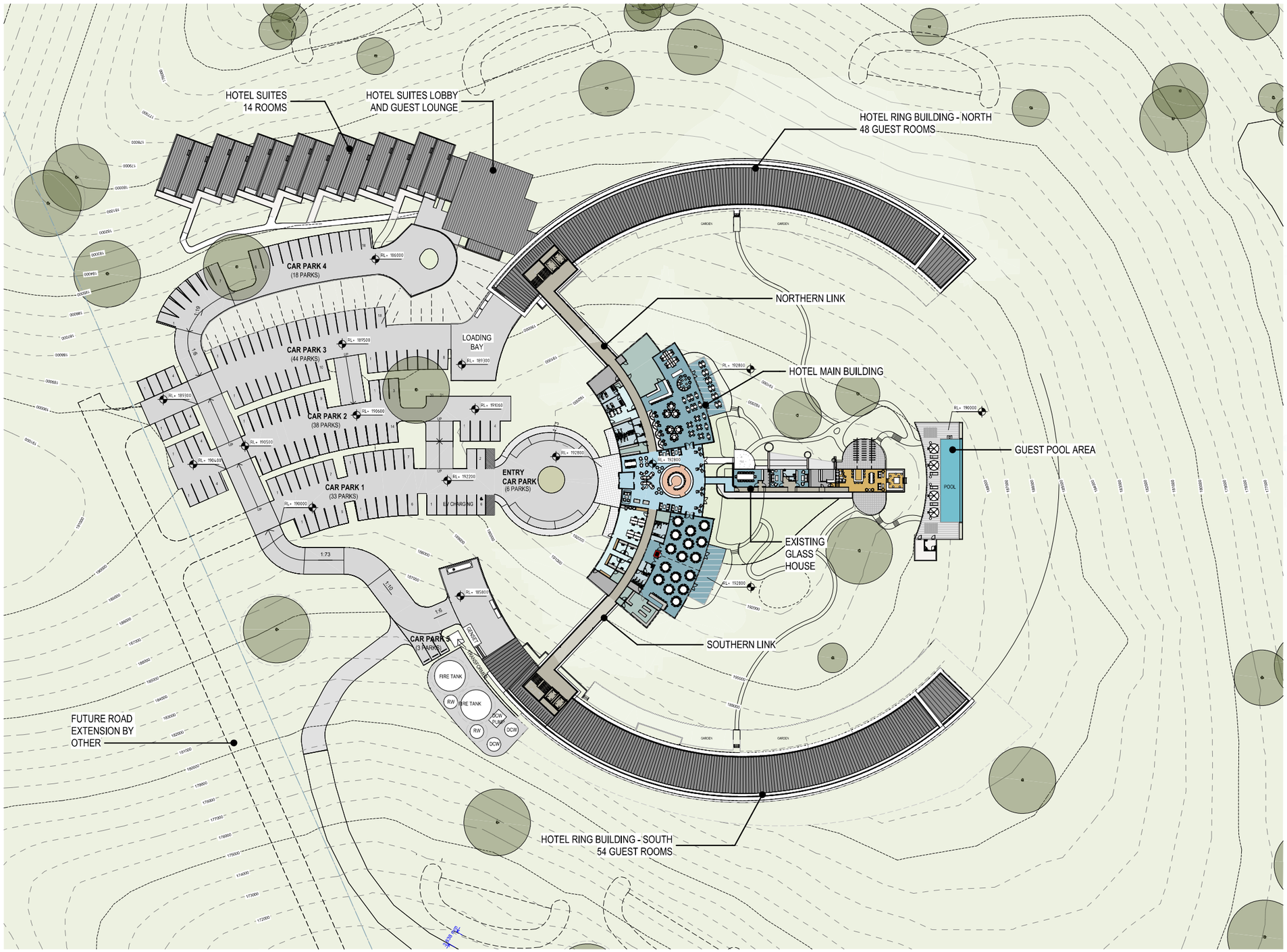
Appendix A
Brown Falconer Architectural site plan DA215
GD Studia Landscape Architect Layout
Appendix B
CPR Engineers Drawings in
- 210242 – C01 – Overall Site Plan
- 210242 – C200 – Bulk Earthworks plan
- 210242 – C201 – Civil siteworks
- 210242 – C202 - Stormwater layout
- 210242 – C210 – Civil Sections

Appendix C - CPR Engineers Sketches of Existing and New Catchment areas 210242 - SK1
Appendix D - CPR Engineers Stormwater Calculations.

Appendix A

Brown Falconer Architectural site plan DA215

GD Studia Landscape Architect Layout



DA OVERALL FLOOR PLAN - UPPER LEVEL

1 : 500

0 5 10 15 20m

1:500

PRELIMINARY

WORK IN PROGRESS ISSUE

5/07/2024 6:15:55 PM

Rev.	Amendment	Date
1	PLANNING CONSENT	05/07/2024

Main Building - Upper Level	
Looby/ Reception/ Lift Lobby/ Circ	788
WC	50
Tasting Room	65
Restaurant	342
Kitchen	124
Services (BOH north)	36
Staff Room (BOH north)	28
Staff WC (BOH north)	53
Luggage Store	21
Admin	153
Function	348
Function Kitchen	55
Function WC	29
Function WC	22
Function Storage	6
Function Staff	8
Admin Store (BOH south)	136
Services/ Plant (BOH south)	29
TOTAL (m2)	2293

Car Park

Car Park	
Car Park 1 (Main Hotel)	33
Car Park 2 (Main Hotel)	38
Car Park 3 (Main Hotel)	44
Car Park 4 (Suites)	18
Entry Car Park	6
Car Park 5 (Service Yard)	3
Car Park 6 (Maintenance Entry)	11
TOTAL PARKS	153

A3 SIZE DRAWING
FOR REPORT

nexus barossa

BROLA FALCONER

28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

KPHR INVESTMENTS

NEXUS BAROSSA

OVERALL FLOOR PLAN - UPPER

Scale As indicated
Date 05/07/2024
Job No. 2021043
Dwg No. **3429 DA215** Rev: **1** A1 SHEET

LANDSCAPE MASTERPLAN

LEGEND

- Existing Trees
- Proposed Feature Trees
- Proposed Eucalyptus Trees
- (1) **Proposed Feature Avenue** Eucalyptus odorata avenue planting to entry driveway
- (2) **Car Park Planting** Amenity planting between parking areas
- (3) **Feature Entry Planting** Formal amenity band planting at varying heights
- (4) **Footpath** Concrete footpath to main entry
- (5) **Drop-off Area**
- (6) **Lawn** Gently sloping lawn to provide amenity and additiona multi use outdoor space
- (7) **Viewing Deck** Outdoor seating / dining area
- (8) **Paved Terrace** Multi-purpose functional and transitional spaces to accommodate guest movement between outdoor areas
- (9) **Meandering Path Network** Compacted rubble surface meandering paths through dryland grasses and pockets of native understorey vegetation
- (10) **Sitting Areas** Small areas with natural seating elements such as rock boulders under existing tree
- (11) **Informal Stairs** Timber sleeper stairs to connect informal paths to pool area
- (12) **Natural Rock Terrace** Rock retaining walls with planting
- (13) **Pool** Pool area with feature paving and pool amenities
- (14) **Connection** Path connection to building corridor
- (15) **Suite Entry** Formal amenity planting and stone paved entry
- (16) **Perimeter Planting** Swathes of Eucalyptus trees offset from the built form to integrate the building with the adjacent riverine environment

A3 SIZE DRAWING
FOR REPORT

GD | studia

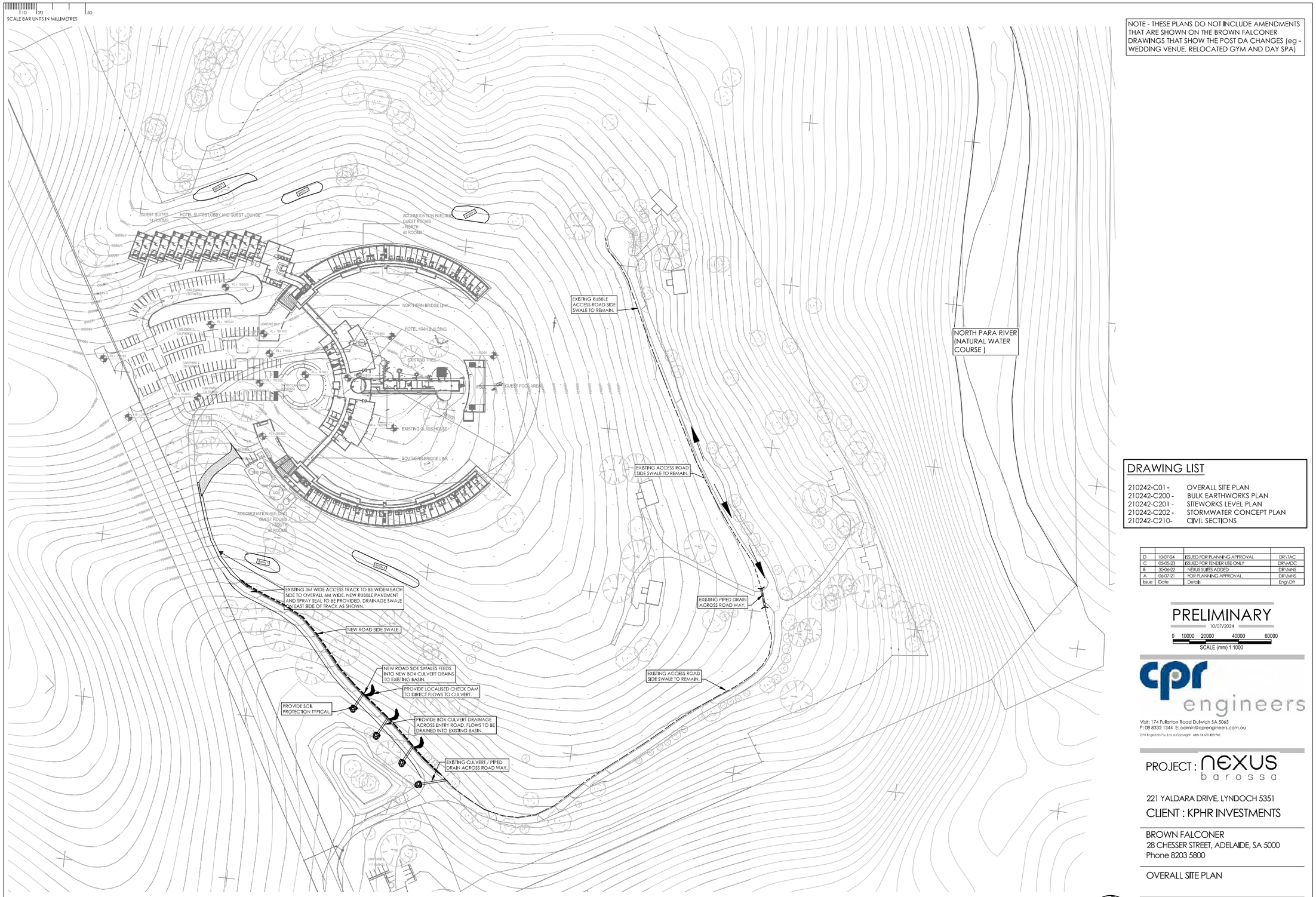
SCALE_N.T.S
STATUS_ FOR INFORMATION

PROJECT_ 21.2733 NEXUS BAROSSA
REV/DATE_ B 05.07.2024

Appendix B

CPR Engineers Drawings in

- 210242 – C01 – Overall Site Plan
- 210242 – C200 – Bulk Earthworks plan
- 210242 – C201 – Civil siteworks
- 210242 – C202 - Stormwater layout
- 210242 – C210 – Civil Sections



DRAWING LIST

210242-C01 -	OVERALL SITE PLAN
210242-C200 -	BULK EARTHWORKS PLAN
210242-C201 -	SITEWORKS LEVEL PLAN
210242-C202 -	STORMWATER CONCEPT PLAN
210242-C210-	CIVIL SECTIONS

Issue	Date	Details	Eng\DR
D	10-07-24	ISSUED FOR PLANNING APPROVAL	DR\TAC
C	05-05-23	ISSUED FOR TENDER USE ONLY	DR\MDC
B	30-06-22	NEXUS SUITES ADDED	DR\MNS
A	06-07-21	FOR PLANNING APPROVAL	DR\MNS

PRELIMINARY
10/07/2024

0 10000 20000 40000 60000
SCALE (mm) 1:1000

cpr engineers
Visit: 174 Fullarton Road Dulwich SA 5065
P: 08 8332 1344 E: admin@cpengineers.com.au
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PROJECT : nexus barossa

221 YALDARA DRIVE, LYNDOCH 5351

CLIENT : KPHR INVESTMENTS

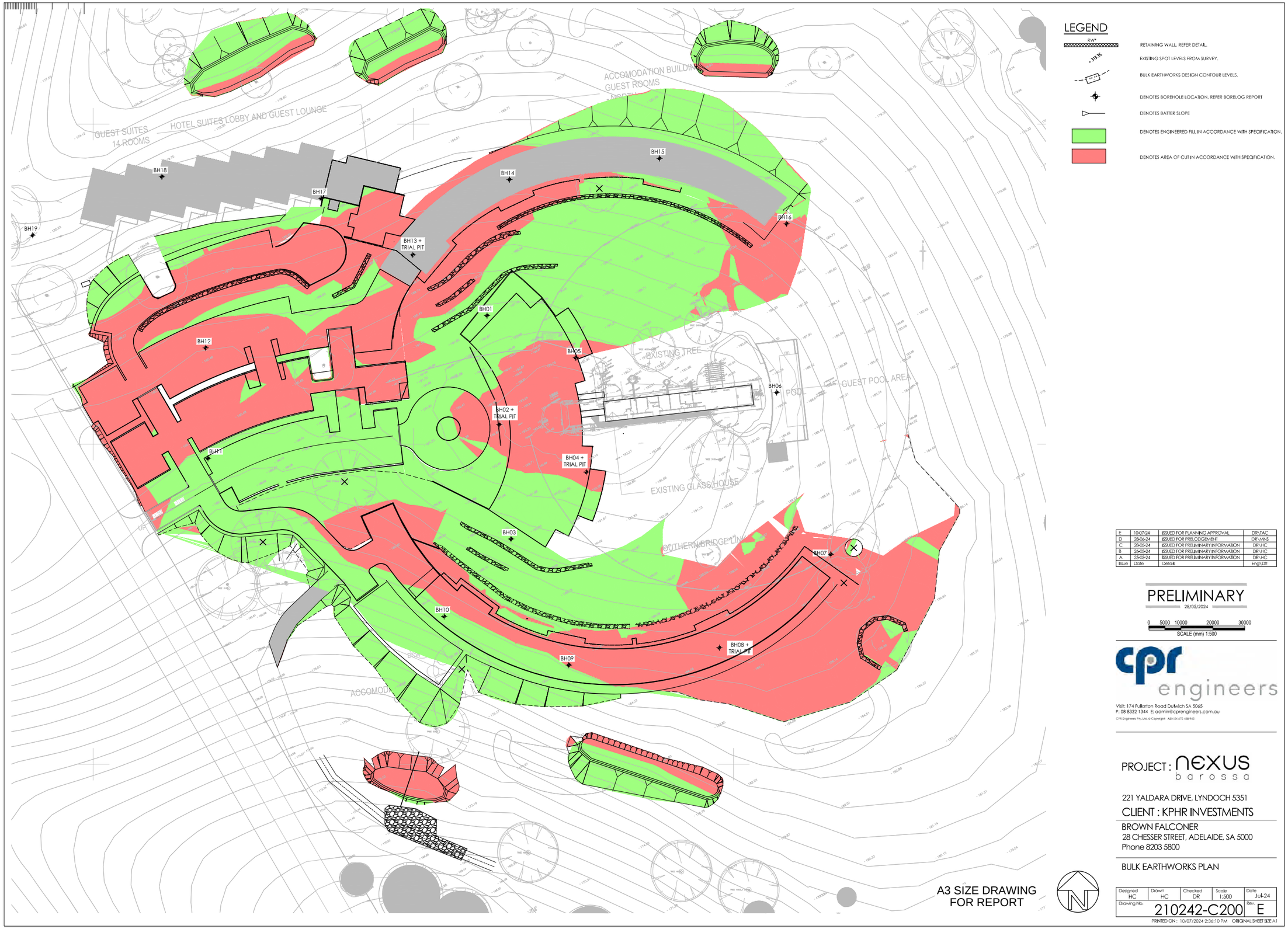
BROWN FALCONER
28 CHESSER STREET, ADELAIDE, SA 5000
Phone 8203 5800

OVERALL SITE PLAN

A3 SIZE DRAWING FOR REPORT

Designed	Drawn	Checked	Scale	Date
DR	MNS	-	1:1000	Jul-24
Drawing No.	210242-C01		Rev.	D

PRINTED ON : 10/07/2024 2:46:15 PM ORIGINAL SHEET SIZE A1


LEGEND
RW*
RETAINING WALL. REFER DETAIL.
EXISTING SPOT LEVELS FROM SURVEY.
BULK EARTHWORKS DESIGN CONTOUR LEVELS.
DENOTES BOREHOLE LOCATION. REFER BORELOG REPORT
DENOTES BATTER SLOPE
DENOTES ENGINEERED FILL IN ACCORDANCE WITH SPECIFICATION.
DENOTES AREA OF CUT IN ACCORDANCE WITH SPECIFICATION.
GUEST SUITES 14 ROOMS
HOTEL SUITES LOBBY AND GUEST LOUNGE
ACCOMODATION BUILDING GUEST ROOMS
EXISTING TREE
GUEST POOL AREA
POOL
EXISTING GLASS HOUSE
SOUTHERN BRIDGE LINK
BH01
BH02 + TRIAL PIT
BH03
BH04 + TRIAL PIT
BH05
BH06
BH07
BH08 + TRIAL PIT
BH09
BH10
BH11
BH12
BH13 + TRIAL PIT
BH14
BH15
BH16
BH17
BH18
BH19
A3 SIZE DRAWING FOR REPORT
E 10-07-24 ISSUED FOR PLANNING APPROVAL DR\TAC
D 28-06-24 ISSUED FOR PRELODGEMENT DR\WMS
C 28-05-24 ISSUED FOR PRELIMINARY INFORMATION DR\HC
B 26-03-24 ISSUED FOR PRELIMINARY INFORMATION DR\HC
A 25-03-24 ISSUED FOR PRELIMINARY INFORMATION DR\HC
Issue Date Details Eng\Dft
PRELIMINARY
28/05/2024
0 5000 10000 20000 30000
SCALE (mm) 1:500
cpr engineers
Visit: 174 Fullarton Road Dulwich SA 5065
P: 08 8332 1344 E: admin@cpregineers.com.au
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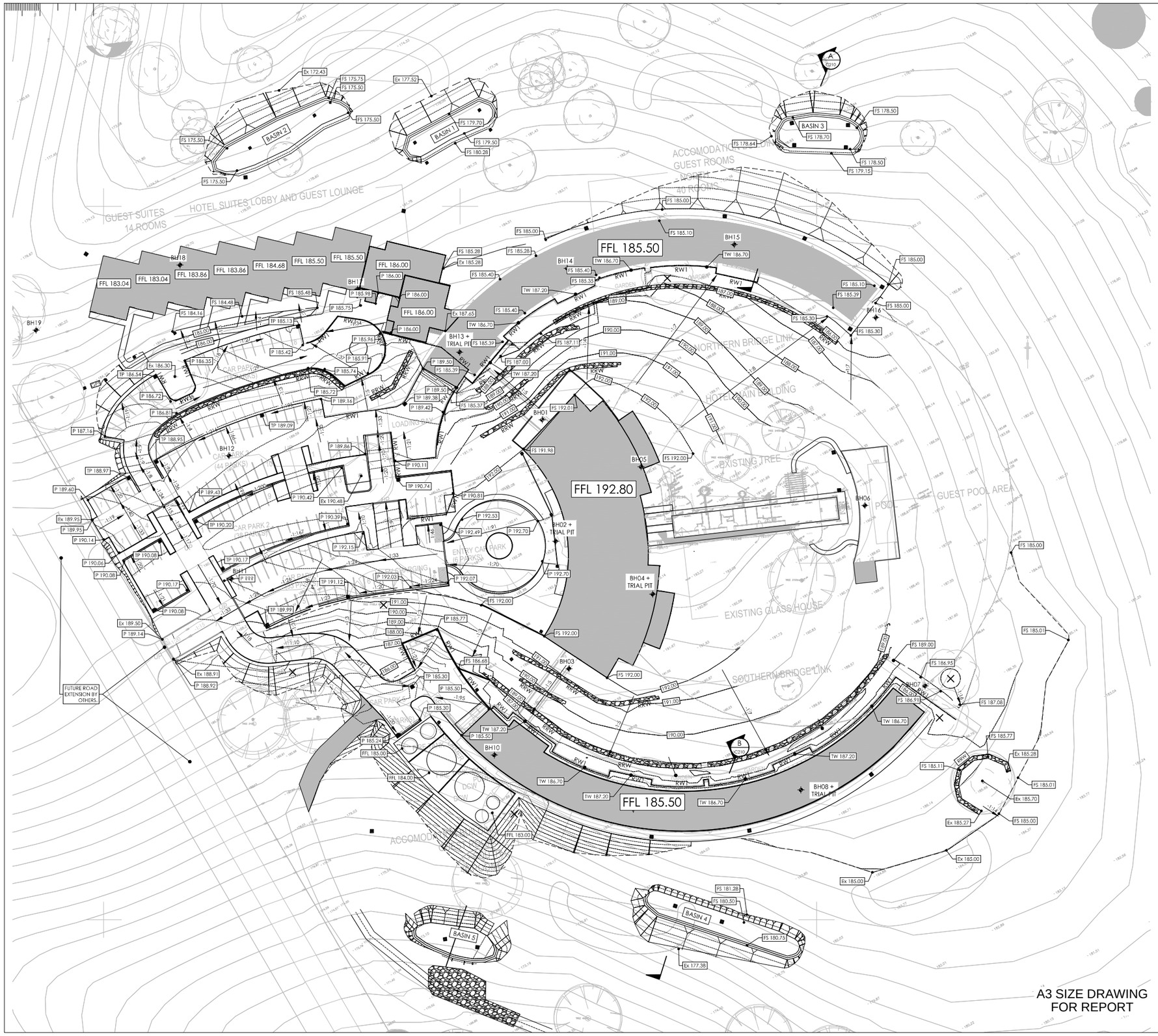
PROJECT : nexus barossa
221 YALDARA DRIVE, LYNDOCH 5351
CLIENT : KPHR INVESTMENTS
BROWN FALCONER
28 CHESSER STREET, ADELAIDE, SA 5000
Phone 8203 5800
BULK EARTHWORKS PLAN
Designed HC
Drawn HC
Checked DR
Scale 1:500
Date Jul-24
Drawing No. 210242-C200
Rev. E
PRINTED ON : 10/07/2024 2:36:10 PM ORIGINAL SHEET SIZE A1



LEGEND

RW1	REINFORCED CONCRETE BLOCK RETAINING WALL
RRW	ROCK GRAVITY RETAINING WALL ON RUBBLE BASE-MAX HEIGHT 800mm
53.35	EXISTING SPOT LEVELS FROM SURVEY.
77.77	NEW CARPARK/DRIVEWAY PAVING CONTOUR LEVELS.
	DENOTES BOREHOLE LOCATION, REFER BORELOG REPORT
	DENOTES BATTER SLOPE
	GRATED INLET PIT
	JUNCTION BOX
	SIDE ENTRY PIT
	NEW STORMWATER PIPE (UNSEALED SYSTEM).
	GRATED STRIP DRAIN.

DESIGN LEVEL

P-PAVEMENT LEVEL
TK-TOP OF KERB
WT-WATER TABLE
TP-TOP OF PIT
IL- INVERT LEVEL
EX-EXISTING LEVEL
TB-TOP BATTER
BB-BOTTOM BATTER
TW-TOP OF WALL
L-LANDSCAPE LEVEL

Issue	Date	Details	
C	10-07-24	ISSUED FOR PLANNING APPROVAL	DR/MNS
B	28-06-24	ISSUED FOR PRELODGEMENT	DR/MNS
A	28-05-24	ISSUED FOR PRELIMINARY INFORMATION	DR/HC

PRELIMINARY
28/05/2024

0 2000 4000 8000 12000
SCALE (mm) 1:200

cpr engineers
Visit: 174 Fullarton Road Dulwich SA 5065
P: 08 8332 1344 E: admin@cprengineers.com.au
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PROJECT : nexus barossa

221 YALDARA DRIVE, LYNDOCH 5351
CLIENT : KPHR INVESTMENTS
BROWN FALCONER
28 CHESSER STREET, ADELAIDE, SA 5000
Phone 8203 5800

SITEWORKS LEVELS PLAN

A3 SIZE DRAWING FOR REPORT

Designed	Drawn	Checked	Scale	Date
HC	HC	DR	1:500	Jul-24
Drawing No.				Rev.
210242-C201				C

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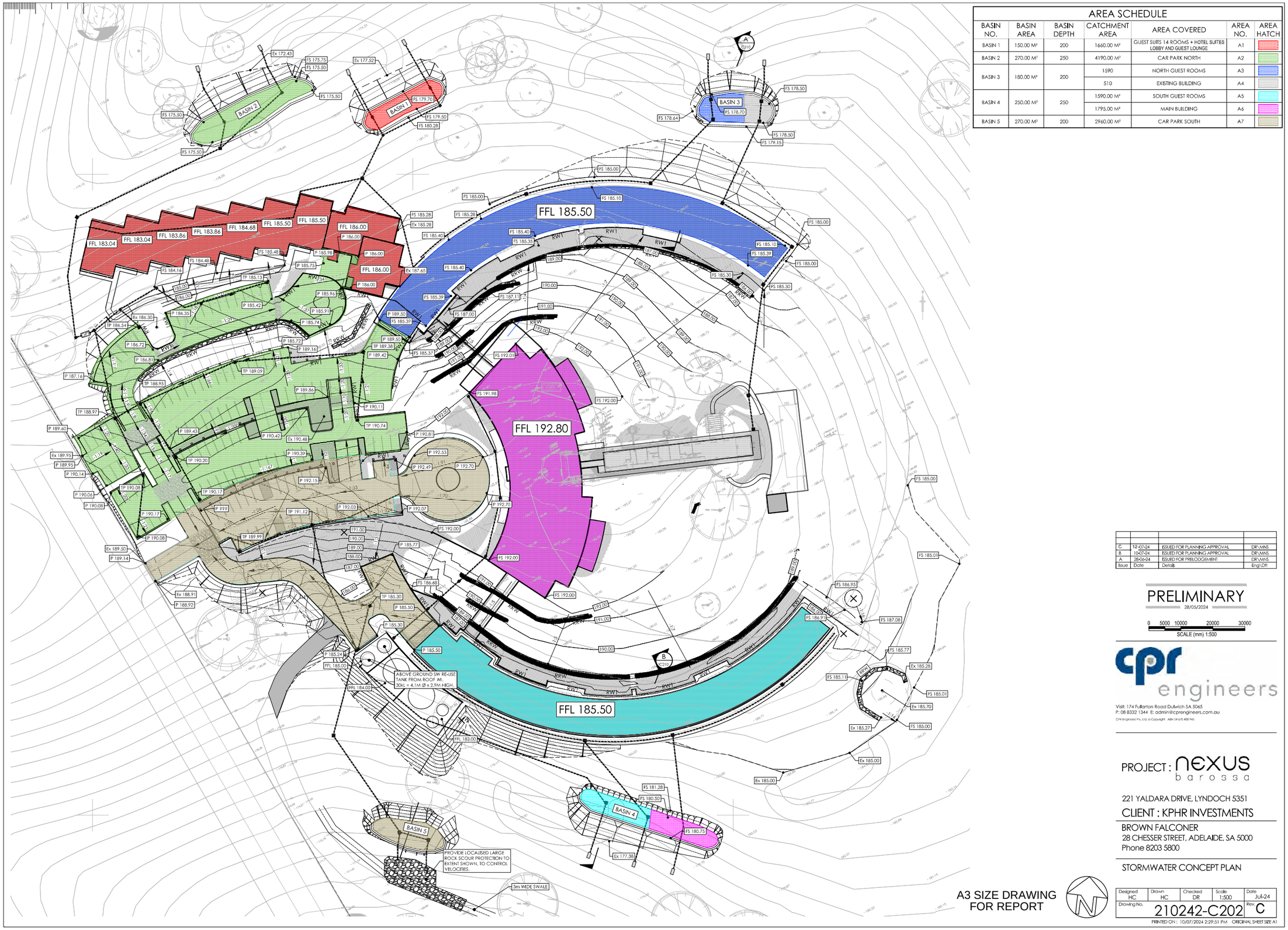

AREA SCHEDULE

BASIN NO.	BASIN AREA	BASIN DEPTH	CATCHMENT AREA	AREA COVERED	AREA NO.	AREA HATCH
BASIN 1	150.00 M²	200	1660.00 M²	GUEST SUITS 14 ROOMS + HOTEL SUITES LOBBY AND GUEST LOUNGE	A1	
BASIN 2	270.00 M²	250	4190.00 M²	CAR PARK NORTH	A2	
BASIN 3	180.00 M²	200	1590	NORTH GUEST ROOMS	A3	
			510	EXISTING BUILDING	A4	
BASIN 4	250.00 M²	250	1590.00 M²	SOUTH GUEST ROOMS	A5	
			1795.00 M²	MAIN BUILDING	A6	
BASIN 5	270.00 M²	200	2960.00 M²	CAR PARK SOUTH	A7	

Issue	Date	Details	Eng\Dft
C	12-07-24	ISSUED FOR PLANNING APPROVAL	DR\MNS
B	10-07-24	ISSUED FOR PLANNING APPROVAL	DR\MNS
A	28-06-24	ISSUED FOR PRELODGEMENT	DR\MNS

PRELIMINARY

28/05/2024

0 5000 10000 20000 30000

SCALE (mm) 1:500

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PROJECT : nexus barossa

221 YALDARA DRIVE, LYNDOCH 5351

CLIENT : KPHR INVESTMENTS

BROWN FALCONER
28 CHESSER STREET, ADELAIDE, SA 5000
Phone 8203 5800

STORMWATER CONCEPT PLAN

A3 SIZE DRAWING FOR REPORT

Designed	Drawn	Checked	Scale	Date
HC	HC	DR	1:500	Jul-24
Drawing No.	210242-C202		Rev.	C

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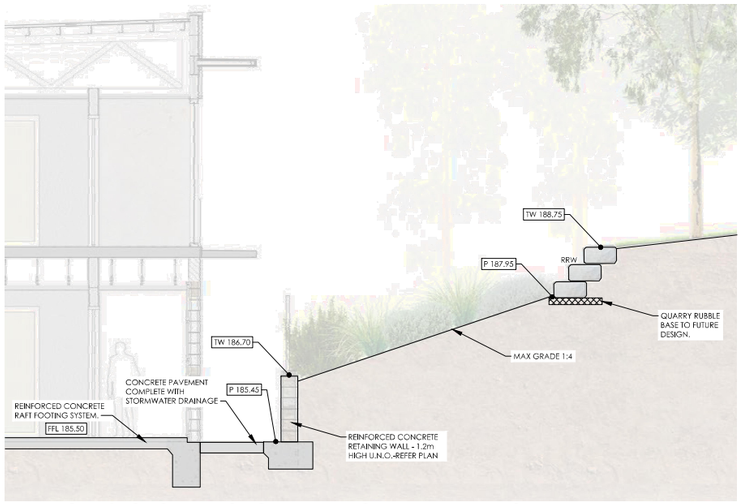
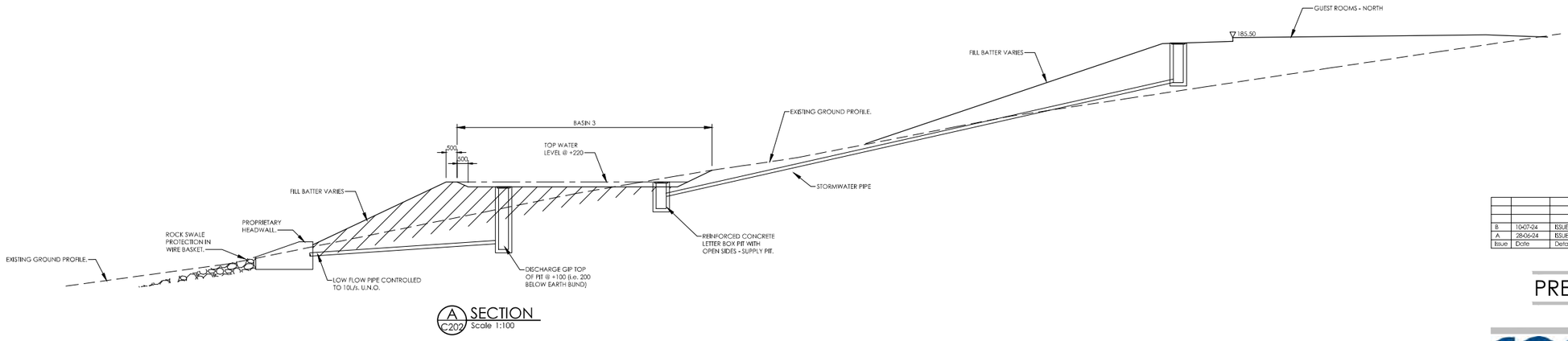
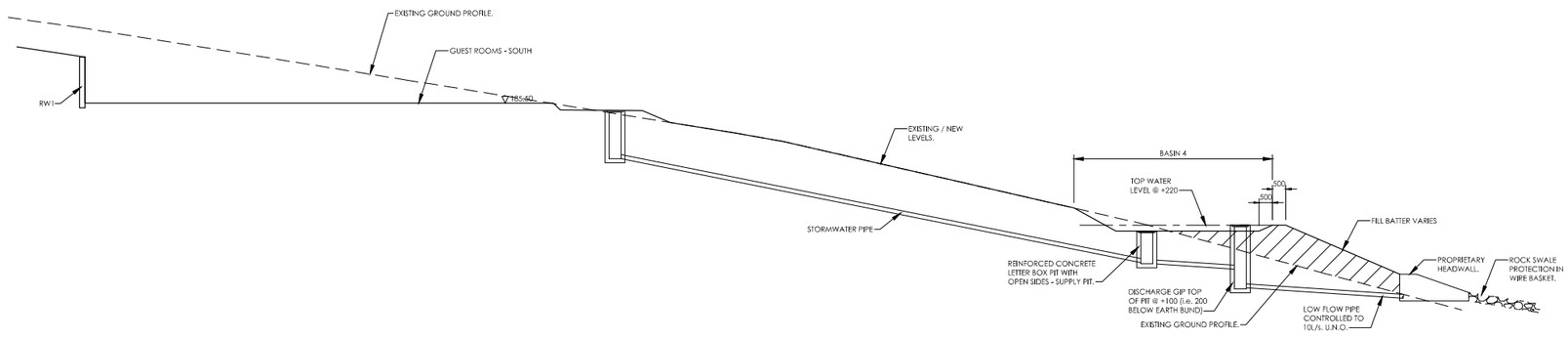
10 20 50
SCALE BAR UNITS IN MILLIMETRES



TYPICAL SECTION THROUGH BUILDING AND RETAINING WALL
SCALE 1:50



A SECTION C202 Scale 1:100



B SECTION C202 Scale 1:100

A3 SIZE DRAWING FOR REPORT

B	10-07-24	ISSUED FOR PLANNING APPROVAL	DR\TAC
A	28-06-24	ISSUED FOR PREBLODGEMENT	DR\MNS
Issue	Date	Details	Eng\Dft

PRELIMINARY
10/07/2024

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PROJECT : nexus barossa

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CLIENT : KPHR INVESTMENTS

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CIVIL SECTIONS

Designed	Drawn	Checked	Scale	Date
DR	MNS	-	1:100	Jul-24
Drawing No.	210242-C210			Rev. B

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Appendix C - CPR Engineers Sketches of Existing and New Catchment areas 210242 - SK1

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Job No: 210242
Page: SW1
Date : 10/07/24
Design: DR

BAROSSA PAVILLIONS

Pre-DEVELOPMENT - REMAINDER OF THE SITE - 1 IN 20 YEAR ARI EVENT

Roof Plan Area 0 m^2
Roof Pitch 5 degrees
Run-Off Coefficient 1

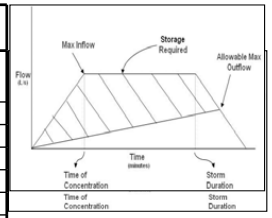
Pre-development Area 10997
Run-Off Coefficient 0.2

Pavement Catchment 0 Bit/Conc pavement
Run-Off Coefficient 0.9
total site 10997 m2

Storm Design Recurrence Interval 20 years
Time of Concentration 10.0 minutes
Max Allowable Outflow 50.29 L/s

Based on (AR&R 1987)

Duration (Minutes)	Intensity (mm/h)	Inflow (L/s)	Inflow Volume (m^3)	Max Storage (m^3)
5	112	68.44	20.53	
10	82.3	**50.29**	**30.18**	
15	66.5	40.64	36.58	
20	56.4	34.47	41.36	
25	49.3	30.13	45.19	
30	44.1	26.95	48.51	
35	40	24.44	51.33	
40	36.7	22.43	53.83	
50	31.8	19.43	58.30	
55	29.9	18.27	60.30	
60	28.2	17.23	62.04	
65	26.7	16.32	63.64	
70	25.5	15.58	65.45	
75	24.3	14.85	66.83	
80	23.3	14.24	68.35	
85	22.4	13.69	69.81	
90	21.5	13.14	70.95	
Minimum Tank Size			**0.00**	m^3



Outflow from Site in Pre developed state
Discharge from site from boundaries

= 50.29 L/s Shared over 2 BASINS
OR AVE 25.15 L/s
WITHIN ALLOWANCE OF 20L/s PER OUTLET

Outlet Orifice Design		
Approximate head above outlet	0.05	m water
Max allowable outflow	0.050294444	m^3/s
Discharge Velocity	0.99	m/s
2 DISCHARGE POINTS		
Approx Pipe area - PER DISCH PT	25389.580	mm^2
Approx Pipe Diameter	179.80	mm

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BASIN #1 **GUEST SUITES 14 ROOMS + HOTEL SUITES LOBBY AND GUEST LOUNGE**

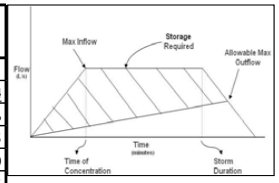
POST-DEVELOPMENT - REMAINDER OF THE SITE - 1 IN 100 YEAR ARI EVENT

Roof Area	1660 m²	**Pervious Area**	0	Name	Nature	Area
Roof Pitch	2 degrees	**Run-Off Coefficient**	0.4	A1	Central Facility Roof North	0
Run-Off Coefficient	1					
		Pavement Area	0			
		Run-Off Coefficient	0.9			

Storm Design Recurrence Interval	20	years
Time of Concentration	10.0	minutes
Max Allowable Outflow	20.000	L/s

Based on (AR&R 1987)

Duration (Minutes)	Intensity (mm/h)	Inflow (L/s)	Inflow Volume (m³)	Max Storage (m³)
5	112	52.70	15.81	6.81
10	**82.3**	**38.73**	**23.24**	**11.24**
15	66.5	31.29	28.16	13.16
20	56.4	26.54	31.85	13.85
25	49.3	23.20	34.80	13.80
30	44.1	20.75	37.35	13.35
35	40	18.82	39.53	12.53
40	36.7	17.27	41.45	11.45
50	31.8	14.96	44.89	8.89
55	29.9	14.07	46.43	7.43
60	28.2	13.27	47.77	5.77
65	26.7	12.56	49.00	4.00
70	25.5	12.00	50.40	2.40
75	24.3	11.43	51.46	0.46
80	23.3	10.96	52.63	-1.37
85	22.4	10.54	53.76	-3.24
90	21.5	10.12	54.63	-5.37



13.80 m3 of storage looks like:

area of basin	depth	% Void ?	Volume	
150	0.2	100%	30	PROVIDED

WITHIN ALLOWANCE OF 10L/s PER OUTLET
20L/s per Basin

Minimum Tank Size	**13.85**	**m³**

Outlet Orifice Design		
Approximate head above outlet	1	m water
Max allowable outflow	0.02	m³/s
Discharge Velocity	4.43	m/s
Approx Pipe area	4515.236	mm²
Approx Pipe Diameter	75.82	mm

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BASIN #2 **Car Park North**

POST-DEVELOPMENT - REMAINDER OF THE SITE - 1 IN 100 YEAR ARI EVENT

Roof Area	0 m^2	**Pervious Area**	0
Roof Pitch	2 degrees	**Run-Off Coefficient**	0.4
Run-Off Coefficient	1		
		Pavement Area	4190
		Run-Off Coefficient	0.9

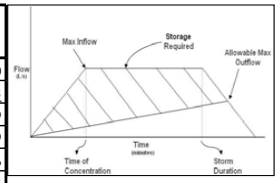
Catchment areas Master

Name	Nature	Area
A1	Central Facility Roof North	1660
A2	Car Park North	4190

Storm Design Recurrence Interval	20	years
Time of Concentration	10.0	minutes
Max Allowable Outflow	20.000	L/s

Based on (AR&R 1987)

Duration (Minutes)	Intensity (mm/h)	Inflow (L/s)	Inflow Volume (m^3)	Max Storage (m^3)
5	112	117.32	35.20	26.20
10	**82.3**	**86.21**	**51.73**	**39.73**
15	66.5	69.66	62.69	47.69
20	56.4	59.08	70.89	52.89
25	49.3	51.64	77.46	56.46
30	44.1	46.19	83.15	59.15
35	40	41.90	87.99	60.99
40	36.7	38.44	92.26	62.26
50	31.8	33.31	99.93	63.93
55	29.9	31.32	103.36	64.36
60	28.2	29.54	106.34	64.34
65	26.7	27.97	109.08	64.08
70	25.5	26.71	112.19	64.19
75	24.3	25.45	114.54	63.54
80	23.3	24.41	117.15	63.15
85	22.4	23.46	119.67	62.67
90	21.5	22.52	121.61	61.61



2 OUTLETS AT 17.5l/S EACH

62 m3 of storage looks like:

area of basin	depth	% Void ?	Volume
270	0.25	100%	67.5

WITHIN ALLOWANCE OF 10L/s PER OUTLET
20L/s per Basin

Minimum Tank Size	**64.36**	m^3

Outlet Orifice Design		
Approximate head above outlet	1	m water
Max allowable outflow	0.02	m^3/s
Discharge Velocity	4.43	m/s
Approx Pipe area	4515.236	mm^2
Approx Pipe Diameter	75.82	mm

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BASIN #3 **NORTH GUEST ROOMS + EXISTING BUILDING**
A3 + A4 POST-DEVELOPMENT - REMAINDER OF THE SITE - 1 IN 100 YEAR ARI EVENT

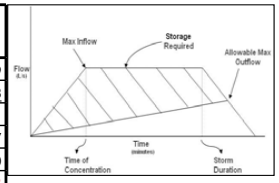
Roof Area	2100 m²	**Pervious Area**	0		
Roof Pitch	2 degrees	**Run-Off Coefficient**	0.4		
Run-Off Coefficient	1				
		Pavement Area	0		
		Run-Off Coefficient	0.9		

Catchment areas Master

Name	Nature	Area
A1	Central Facility Roof North	1660
A2	Car Park North	4190
A3	**NORTH GUEST ROOMS**	1590
A4	EXISTING GLASSHOUSE	510

Storm Design Recurrence Interval 20 years
Time of Concentration 10.0 minutes
Max Allowable Outflow 20.000 L/s Based on (AR&R 1987)

Duration (Minutes)	Intensity (mm/h)	Inflow (L/s)	Inflow Volume (m³)	Max Storage (m³)
5	112	66.64	19.99	10.99
10	**82.3**	**48.97**	**29.38**	**17.38**
15	66.5	39.57	35.61	20.61
20	56.4	33.56	40.27	22.27
25	49.3	29.33	44.00	23.00
30	44.1	26.24	47.23	23.23
35	40	23.80	49.98	22.98
40	36.7	21.84	52.41	22.41
50	31.8	18.92	56.76	20.76
55	29.9	17.79	58.71	19.71
60	28.2	16.78	60.40	18.40
65	26.7	15.89	61.96	16.96
70	25.5	15.17	63.72	15.72
75	24.3	14.46	65.06	14.06
80	23.3	13.86	66.54	12.54
85	22.4	13.33	67.97	10.97
90	21.5	12.79	69.08	9.08



2 outlets of 12.5 L/s each

23 m3 of storage looks like:

area of basin	depth	% Void ?	Volume	
180	0.2	100%	36	Option 1

WITHIN ALLOWANCE OF 10L/s PER OUTLET
20L/s per Basin

Minimum Tank Size	**23.23**	**m³**

Outlet Orifice Design		
Approximate head above outlet	1	m water
Max allowable outflow	0.02	m³/s
Discharge Velocity	4.43	m/s
Approx Pipe area	4515.236	mm²
Approx Pipe Diameter	75.82	mm

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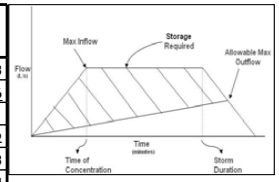
BASIN #4 **NORTH GUEST ROOMS + EXISTING BUILDING**
A5 + A6 POST-DEVELOPMENT - REMAINDER OF THE SITE - 1 IN 100 YEAR ARI EVENT

Roof Area	3385 m^2	**Pervious Area**	0
Roof Pitch	2 degrees	**Run-Off Coefficient**	0.4
Run-Off Coefficient	1		
		Pavement Area	0
		Run-Off Coefficient	0.9

Storm Design Recurrence Interval 20 years
Time of Concentration 10.0 minutes
Max Allowable Outflow 20.000 L/s Based on (AR&R 1987)

Duration (Minutes)	Intensity (mm/h)	Inflow (L/s)	Inflow Volume (m^3)	Max Storage (m^3)
5	112	107.43	32.23	23.23
10	**82.3**	**78.94**	**47.36**	**35.36**
15	66.5	63.78	57.41	42.41
20	56.4	54.10	64.92	46.92
25	49.3	47.29	70.93	49.93
30	44.1	42.30	76.14	52.14
35	40	38.37	80.57	53.57
40	36.7	35.20	84.48	54.48
50	31.8	30.50	91.50	55.50
55	29.9	28.68	94.64	55.64
60	28.2	27.05	97.37	55.37
65	26.7	25.61	99.88	54.88
70	25.5	24.46	102.73	54.73
75	24.3	23.31	104.88	53.88
80	23.3	22.35	107.27	53.27
85	22.4	21.49	109.58	52.58
90	21.5	20.62	111.36	51.36

Minimum Tank Size **55.64 m^3**



56 m3 of storage looks like:

area of basin	depth	% Void ?	Volume
250	0.25	100%	62.5

WITHIN ALLOWANCE OF 10L/s PER OUTLET
20L/s per Basin

Outlet Orifice Design	
Approximate head above outlet	1 m water
Max allowable outflow	0.02 m^3/s
Discharge Velocity	4.43 m/s
Approx Pipe area	4515.236 mm^2
Approx Pipe Diameter	75.82 mm

SUMMARY OF CATCHMENT AREAS

Catchment areas Master

	Name	Nature	DETENTION REQUIRED BASIN AREA Area m2	AVE DEPTH m	VOLUME ACHIEVED m3
BASIN #1	A1	Central Facility Roof North	1660	0.2	30
BASIN #2	A2	Car Park North	4190	0.25	67.5
BASIN #3	A3	**NORTH GUEST ROOMS**	1590	0.2	36
BASIN #3	A4	Existing Glass House Bldg	510		
BASIN #4	A5	SOUTH GUEST ROOMS	1590	0.25	62.5
BASIN #4	A6	MAIN BUILDING	1795	0.25	

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Page:	SW6
Date :	10/07/24
Design:	DR

BASIN #5 **CAR PARK SOUTH + MAIN BUILDING**

A6 POST-DEVELOPMENT - REMAINDER OF THE SITE - 1 IN 100 YEAR ARI EVENT

Roof Area	m^2	**Pervious Area**	0
Roof Pitch	2 degrees	**Run-Off Coefficient**	0.4
Run-Off Coefficient	1		
		Pavement Area	2960
		Run-Off Coefficient	0.9

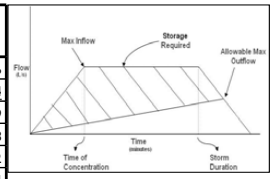
Storm Design Recurrence Interval	20	years
Time of Concentration	10.0	minutes
Max Allowable Outflow	20.000	L/s

Based on (AR&R 1987)

Duration (Minutes)	Intensity (mm/h)	Inflow (L/s)	Inflow Volume (m^3)	Max Storage (m^3)
5	112	82.88	24.86	15.86
10	**82.3**	**60.90**	**36.54**	**24.54**
15	66.5	49.21	44.29	29.29
20	56.4	41.74	50.08	32.08
25	49.3	36.48	54.72	33.72
30	44.1	32.63	58.74	34.74
35	40	29.60	62.16	35.16
40	36.7	27.16	65.18	35.18
50	31.8	23.53	70.60	34.60
55	29.9	22.13	73.02	34.02
60	28.2	20.87	75.12	33.12
65	26.7	19.76	77.06	32.06
70	25.5	18.87	79.25	31.25
75	24.3	17.98	80.92	29.92
80	23.3	17.24	82.76	28.76
85	22.4	16.58	84.54	27.54
90	21.5	15.91	85.91	25.91

Minimum Tank Size	**35.18**	**m^3**

Outlet Orifice Design		
Approximate head above outlet	1	m water
Max allowable outflow	0.02	m^3/s
Discharge Velocity	4.43	m/s
Approx Pipe area	4515.236	mm^2
Approx Pipe Diameter	75.82	mm



35 m3 of storage looks like:

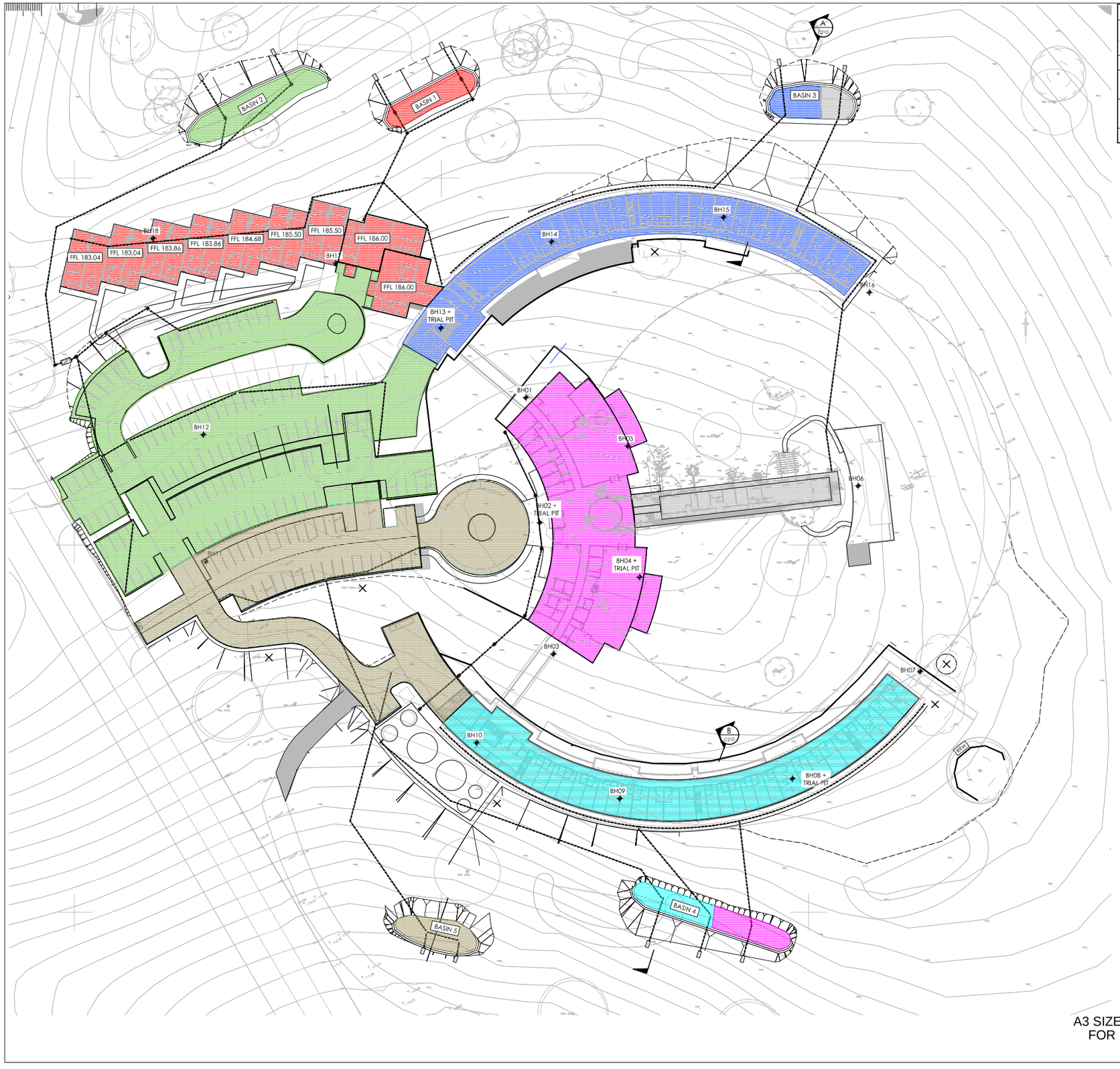
area of basin	depth	% Void ?	Volume
150	0.25	100%	37.5

WITHIN ALLOWANCE OF 10L/s PER OUTLET
20L/s per Basin

SUMMARY OF CATCHMENT AREAS

Catchment areas Master			CATCHMENT	DETENTION REQUIRED BASIN	AVE DEPTH	VOLUME ACHIEVED
	Name	Nature	AREA m2	Area m2	m	m3
BASIN #1	A1	Central Facility Roof North	1660	150	0.2	30
BASIN #2	A2	Car Park North	4190	270	0.25	67.5
BASIN #3	A3	**NORTH GUEST ROOMS**	1590	180	0.2	36
BASIN #3	A4	Existing Glass House Bldg	510			
BASIN #4	A5	SOUTH GUEST ROOMS	1590	250	0.25	62.5
BASIN #4	A6	MAIN BUILDING	1795		0.25	
BASIN #5	A7	CAR PARK SOUTH	2960	150	0.25	37.5
		TOTALS :		**1000**		**233.5**

Appendix D - CPR Engineers Stormwater Calculations.



AREA SCHEDULE

BASIN NO.	BASIN AREA	BASIN DEPTH	CATCHMENT AREA	AREA COVERED	AREA NO.	AREA HATCH
BASIN 1	150.00 M²	200	1660.00 M²	GUEST SUITS 14 ROOMS + HOTEL SUITES LOBBY AND GUEST LOUNGE	A1	
BASIN 2	270.00 M²	250	4190.00 M²	CAR PARK NORTH	A2	
BASIN 3	180.00 M²	200	1590 M²	NORTH GUEST ROOMS	A3	
			510 M²	EXISTING BUILDING	A4	
BASIN 4	250.00 M²	250	1590.00 M²	SOUTH GUEST ROOMS	A5	
			1795.00 M²	MAIN BUILDING	A6	
BASIN 5	270.00 M²	200	2960.00 M²	CAR PARK SOUTH	A7	

Issue	Date	Details	Drawn/Dlt
A	28-06-24	ISSUED FOR PRELODGEMENT	DR\MNS

PRELIMINARY
28/05/2024

0 5000 10000 20000 30000
SCALE (mm) 1:500

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Visit: 174 Fullarton Road Dulwich SA 5065
P: 08 8332 1344 E: admin@cprengineers.com.au
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PROJECT :

221 YALDARA DRIVE, LYNDOCH 5351

CLIENT : KPHR INVESTMENTS

BROWN FALCONER
28 CHESSER STREET, ADELAIDE, SA 5000
Phone 8203 5800

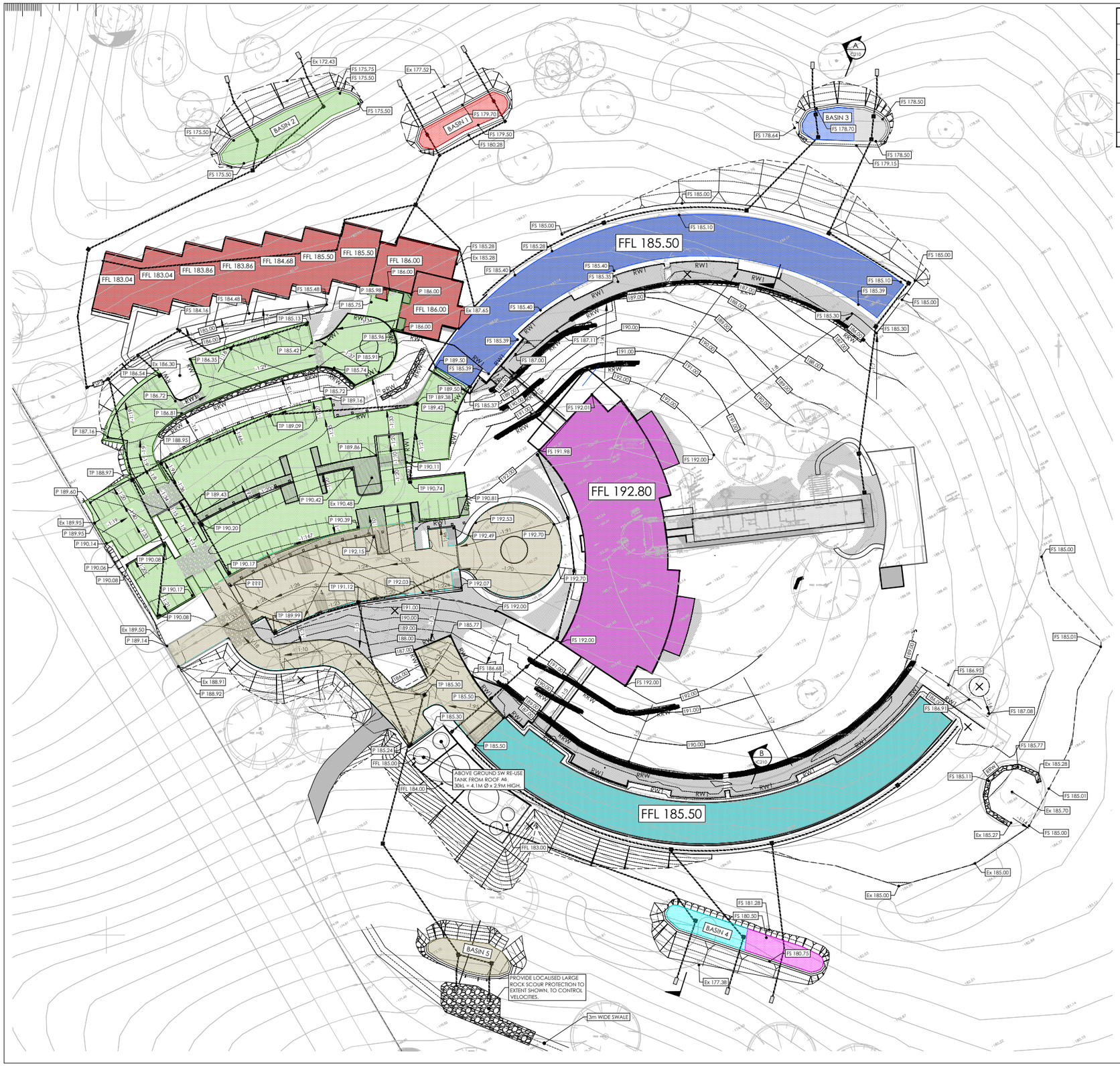
CATCHMENTS AREA PLAN

A3 SIZE DRAWING
FOR REPORT

Designed	Drawn	Checked	Scale	Date
HC	HC	DR	1:500	Jul-24

Drawing No. 210242-SK1 Rev. A

PRINTED ON : 2/07/2024 10:40:52 AM ORIGINAL SHEET SIZE A1



AREA SCHEDULE					
BASIN NO.	BASIN AREA	BASIN DEPTH	CATCHMENT AREA	AREA COVERED	AREA NO.	AREA HATCH
BASIN 1	150.00 M²	200	1660.00 M²	GUEST SUITS 14 ROOMS + HOTEL SUITES LOBBY AND GUEST LOUNGE	A1	
BASIN 2	270.00 M²	250	4190.00 M²	CAR PARK NORTH	A2	
BASIN 3	180.00 M²	200	1590	NORTH GUEST ROOMS	A3	
			510	EXISTING BUILDING	A4	
BASIN 4	250.00 M²	250	1590.00 M²	SOUTH GUEST ROOMS	A5	
			1795.00 M²	MAIN BUILDING	A6	
BASIN 5	270.00 M²	200	2960.00 M²	CAR PARK SOUTH	A7	

Issue	Date	Details	
C	12-07-24	ISSUED FOR PLANNING APPROVAL	DR\MNS
B	10-07-24	ISSUED FOR PLANNING APPROVAL	DR\MNS
A	28-06-24	ISSUED FOR PRELODGEMENT	DR\MNS

PRELIMINARY
28/05/2024

0 5000 10000 20000 30000
SCALE (mm) 1:500

cpr engineers
Visit: 174 Fullarton Road Dulwich SA 5065
P: 08 8332 1344 E: admin@cprengineers.com.au
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PROJECT : nexus barossa

221 YALDARA DRIVE, LYNDOCH 5351

CLIENT : KPHR INVESTMENTS

BROWN FALCONER
28 CHESSER STREET, ADELAIDE, SA 5000
Phone 8203 5800

STORMWATER CONCEPT PLAN

Designed	Drawn	Checked	Scale	Date
HC	HC	DR	1:500	Jul-24
Drawing No.	210242-C202		Rev.	C

PRINTED ON : 10/07/2024 2:29:51 PM ORIGINAL SHEET SIZE A1

LUCID CONSULTING AUSTRALIA

MEMORANDUM

To:	RCP		
From:	KYLE ROSENZWEIG	Reference:	21310-010
Project Name:	NEXUS HOTEL		
Subject:	UPDATED WASTEWATER TREATMENT	Date:	5 July 2024

The purpose of this memorandum is to provide a summary of the revised wastewater treatment and disposal to suit the updated development.

BASIS OF ENGINEERING CALCULATIONS

In accordance with AS1547, our calculations have considered the following parameters:

Nexus Hotel	Original Daily Flow (litres)	Revised Daily Flow (litres)
Staff	900	**1,200**
Guest	16,000	**20,400**
Restaurant	1,200	**1,500**
Bar Trade per day	500	**750**
Total	18,600	**23,850**

- Note – Original numbers above have been based on 30 staff and 160 guests. Revised numbers are based on 40 staff and 204 guests.

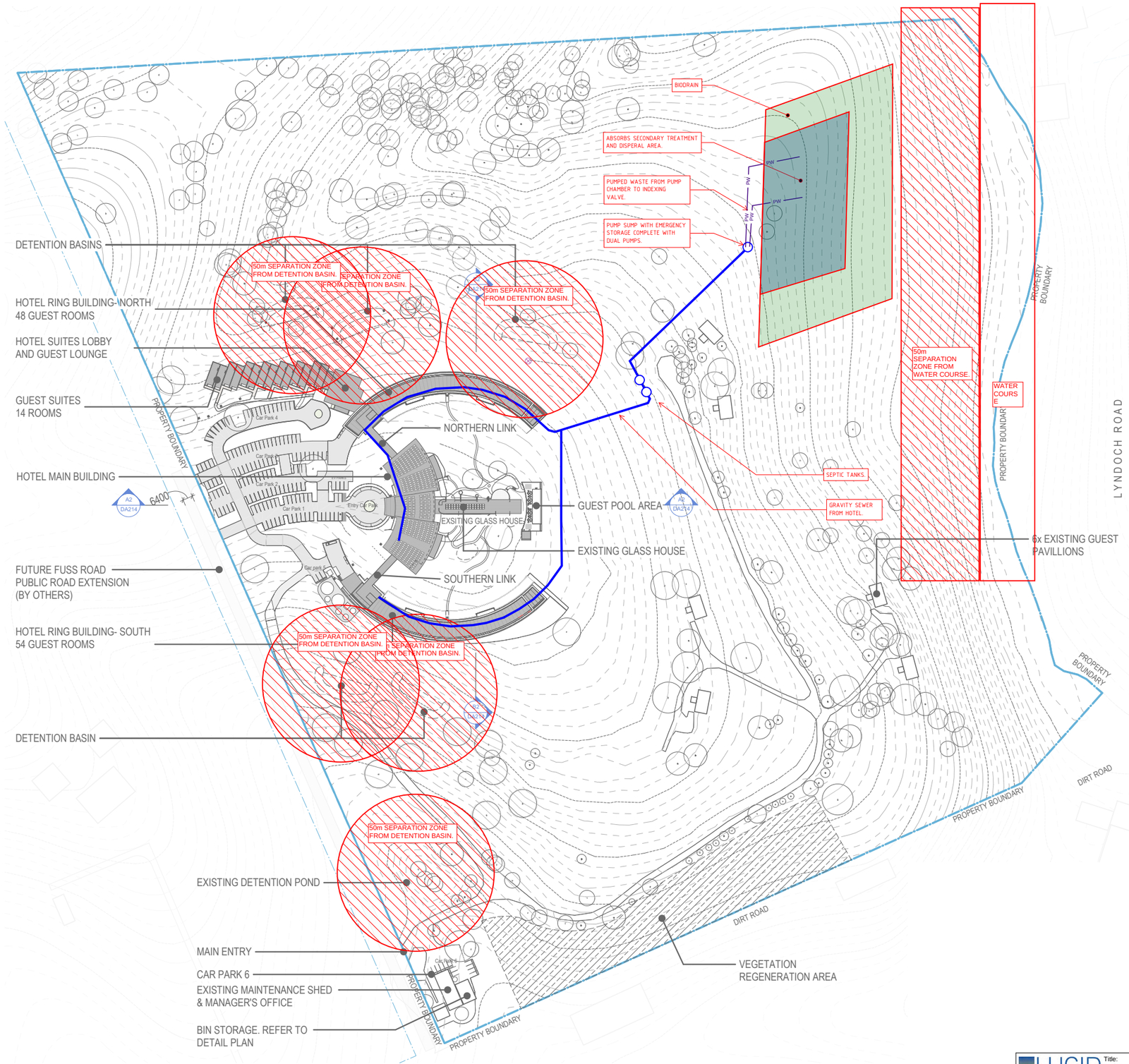
The revised daily wastewater flow has been estimated at approximately 23,850 Litres, this has been based on the total number of people at a peak periods that the facility will likely encounter.

WASTEWATER TREATMENT METHOD
The wastewater treatment method will remain as originally proposed however increased proportionally based in the increased demand.

Regards,
LUCID CONSULTING ENGINEERS

KYLE ROSENZWEIG
Associate

Level 6, 80 Flinders St, Adelaide
LCE21310
T: 08 8407 9700



SITE PLAN
1 : 1250

PLANNING CONSENT
ISSUED FOR PLANNING CONSENT
28/06/2024 6:30:22 PM

Rev.	Amendment	Date

PRELIMINARY
28/06/2024

nexus barossa

BROLA FALCONER
28 Chesser Street, Adelaide, SA 5000 Ph 08 8203 5800
15 Railway Road, Subiaco, WA 6008 Ph 08 6382 0303
ABN 65 007 846 586 brownfalconer.com.au

KPHR INVESTMENTS

NEXUS BAROSSA

SITE PLAN

LUCID CONSULTING AUSTRALIA
Level 6, 80 Flinders Street, Adelaide, SA 5032
Phone: (08) 8427 5700
Email:admin@lucidconsulting.com.au

Title:	SITE WASTEWATER CONCEPT - REV 3
Project:	NEXUS BAROSSA
Proj #:	21310
Engineer:	KR
Date:	5 JULY 2024

Scale	As indicated
Date	
Job No.	2021043
Dwg No.	3429 DA212
Rev:	A1 SHEET

Native Vegetation Clearance

Nexus Barossa Hotel Expansion

Data Report

Clearance under the *Native Vegetation Regulations 2017*

19/08/2024

Prepared by J. Skewes – EBS Ecology (NVC Accredited Consultant)

Nexus Barossa Hotel Expansion Native Vegetation Clearance Data Report

19/08/2024

Version 2

Prepared by EBS Ecology for Alto Adelaide Pty Ltd

Document Control					
Revision No.	**Date issued**	**Authors**	**Reviewed by**	**Date Reviewed**	**Revision type**
1	13/08/2024	J. Skewes (NVC Accredited Consultant) and B. Cox	A. Carpenter (NVC Accredited Consultant)	13/08/2024	Draft
2	19/08/2024	J. Skewes (NVC Accredited Consultant) and B. Cox	M. Louter (NVC Accredited Consultant)	19/08/2024	Final

Distribution of Copies			
Revision No.	**Date issued**	**Media**	**Issued to**
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Project Number: EX240615

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CITATION: EBS Ecology (2024) Native Vegetation Clearance Nexus Barossa Data Report. Report to Alto Adelaide Pty Ltd. EBS Ecology, Adelaide.

Cover photograph: *Eucalyptus odorata* (Peppermint Box) tree within the Project Area.

EBS Ecology
112 Hayward Avenue
Torrensville, South Australia 5031
T: 08 7127 5607
http://www.ebsecology.com.au
email: info@ebsecology.com.au

Glossary and abbreviations

%	Percent
<	Less than
>	More than
ALA	Atlas of Living Australia
BAM	Bushland Assessment Method
BDBSA	Biological Database of South Australia (maintained by DEW)
CFS	Country Fire Service
Clearance Area	Area where development will occur, and vegetation may be impacted.
DCCEEW	Department of Climate Change, Energy, the Environment and Water (Commonwealth)
DEW	Department for Environment and Water (South Australia)
EBS	Environment and Biodiversity Services Pty Ltd (trading as EBS Ecology)
EPBC Act	*Environmental Protection and Biodiversity Conservation Act 1999*
ha	Hectare(s)
IBRA	Interim Biogeographical Regionalisation of Australia
km	Kilometre(s)
LMR	Landscape Management Region
LSA Act	*Landscape South Australia Act 2019*
m	Metre(s)
mm	Millimetre(s)
MNES	Matters of National Environmental Significance (as defined under the EPBC Act)
Native vegetation	A plant or plants of a species indigenous to South Australia (including dead trees >600 mm diameter, and planted vegetation protected under the Native Vegetation Act such as SEB's or Heritage Agreements)
NatureMaps	Initiative of DEW that provides a common access point to maps and geographic information about South Australia's natural resources in an interactive online mapping format
NPW Act	*National Parks and Wildlife Act 1972*
NV Act	*Native Vegetation Act 1991*
NVC	Native Vegetation Council
NVIS	Native Vegetation Information System (from DCCEEW) – a comprehensive data system that provides information on the extent and distribution of vegetation types in Australian landscapes
PDI Act	*Planning, Development and Infrastructure Act 2016*
Pers. Comms.	Personal communications
PMST	Protected Matters Search Tool (under the EPBC Act; maintained by DCCEEW)
Project	Extension of ecotourism establishment and associated accommodation.
Project Area	Total area of 30 ha area where the development is proposed, which occurs within the Barossa Valley, South Australia
RCP	Resource Co-ordination Partnership Pty Ltd

Rd	Road
SA	South Australia(n)
Search Area	5 km buffer of the Project Area considered in the desktop assessment database searches
SEB	Significant Environmental Benefit
sp.	Species
spp.	Species (plural)
ssp.	Sub-species
STAM	Scattered Tree Assessment Method
TBS	Total Biodiversity Score
UBS	Unit Biodiversity Score
TEC	Threatened Ecological Community
var.	Variety (a taxonomic rank below that of species and subspecies, but above that of form)
WoNS	Weeds of National Significance

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Attachments

Attachment 1 - Scattered Tree Assessment Scoresheet (excel format)

Attachment 2 – Spatial data package (shapefiles)

1. APPLICATION INFORMATION

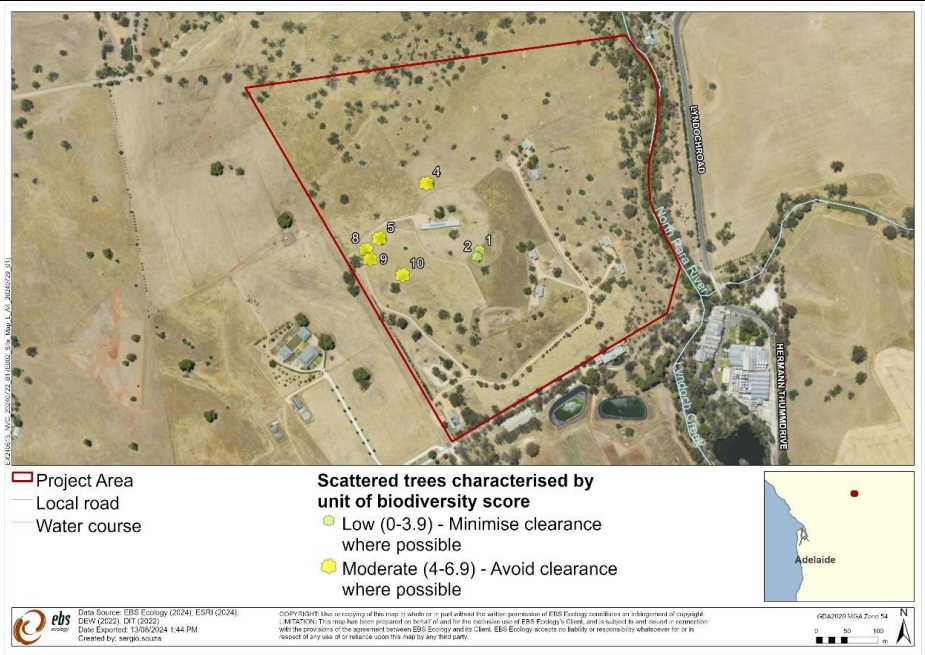
Details of the native vegetation clearance applicant are summarised in Table 1 with a summary of the proposed clearance provided in Table 2.

Table 1. Application details.

Applicant:	Alto Adelaide Pty Ltd ABN 71 609 751 528 PO Box 801 Tanunda SA 5352		
Key contact:	Karl Roth Managing Director Wonganella Constructions E: karl@wonganellaconstructions.com.au M: 0416 031 058		
Landowner:	Karl Roth KPHR Investments Pty Ltd PO Box 93, Lyndoch SA 5351		
Site Address:	221 Yaldara Drive Lyndoch SA 5351		
Local Government Area:	The Barossa Council	**Hundred:**	Barossa
Title ID:	CT/5718/899	**Parcel ID**	H105200 S461

Table 2. Summary of the proposed clearance.

Purpose of clearance:	Clearance required for the redevelopment and extension of an ecotourism facility and associated accommodation.
Native Vegetation Regulation:	Regulation 12 (33) - New dwelling or building
Description of the vegetation under application:	Predominantly exotic grassland that has been heavily grazed with emergent scattered native trees throughout. 7 large mature *Eucalyptus odorata* (Peppermint Box) are present within the impact footprint. Two of the trees are in good condition and five are in fair condition.
Total proposed clearance – area (ha) and/or number of trees:	7 scattered trees are proposed to be cleared.
Level of clearance:	Level 3
Overlay (Planning and Design Code):	Native Vegetation Overlay

Map of proposed Clearance Area:	
Mitigation Hierarchy:	<u>Avoidance</u> Project design was finalized following the 2021 ecological survey conducted by EBS Ecology. Where possible, the Project design avoids remnant native vegetation and incorporates native flora species. For instance, the carparking area was designed specifically to retain Tree 6 and Tree 7 which are two large remnant *Eucalyptus* spp. Tree 3, which occurs within the 10-20 m fire protection zone, will also be retained. <u>Minimisation</u> Complete avoidance of all native vegetation was not possible due to topographical constraints. The design footprint has been placed to avoid clearance of remnant trees as far as practicable. At least five other native remnant trees within the Clearance Area are being retained. Minimisation measures will be implemented during construction such as clearly delineating clearance areas prior to clearing and stockpiling of soil away from scattered trees. <u>Rehabilitation</u> The proponent has focused on the restoration and rehabilitation of the Project Area through a continued effort to revegetate the Project Area with species native to the region. More specifically, landscape design has involved the prioritisation of planting *Eucalyptus odorata* trees to offset the trees that require removal and planting species that are associated with Peppermint Box Woodland.
SEB Offset proposal	Payment of **$27,949.60** into the Native Vegetation Fund

2. PURPOSE OF THE CLEARANCE

2.1. Description

EBS Ecology (EBS) have been engaged by Resource Co-ordination Partnership Pty Ltd (RCP) on behalf of Alto Adelaide Pty Ltd (Alto) to complete a native vegetation clearance assessment for a proposed ecotourism venture located at 221 Yaldara Drive Lyndoch, South Australia (the Project).

Development will require the clearance of seven native trees for installation of access roads, to facilitate the construction of a hotel building and associated infrastructure. The location of the Project, referred hereafter as the Project Area, is provided in Figure 1 and in Figure 2.

EBS were previously contracted by RCP to assist in the delivery of a site Due Diligence and Feasibility study whereby three *Eucalyptus odorata* (Peppermint Box) trees were assessed (EBS 2021).

2.2. Background

The Project Area encompasses a 30 ha property located within the Barossa Valley, approximately 2.5 km northeast of the Lyndoch town center.

Current and surrounding land use

Historically, the Project Area has been cleared for agricultural purposes, primarily for livestock grazing. Livestock grazing has not been the principal use of the Project Area since 2004 when the property was designated as accommodation.

In 2004 a development application (DA 960/00410/04) was approved for the construction of the six separate buildings for tourist accommodation purposes. This matter was approved upon appeal to the Environment Resources and Development Court. In 2010 a subsequent development approval (DA 960/00381/11) was approved for the construction of the glasshouse building, which at the time was to be used as a dwelling. At some point during the intervening period the glasshouse has become available for hire for tourist accommodation purposes.

The proponent has designated 4 hectares of the Project Area as a nature sanctuary where sheep grazing has (for seven years) and continues to be excluded. In addition, the proponent has designated 2 ha of the property as a wildlife rehabilitation area in partnership with Barossa Wildlife Rescue.

Previous works undertaken

In 2021 EBS completed a native vegetation assessment within the Project Area where redevelopment of existing ecotourism infrastructure and accommodation was proposed (EBS 2021). The Project Area was found to have a non-native, heavily grazed understorey. Consequent to the lack of native understorey and midstorey vegetation, the Scattered Tree Assessment Method (STAM) was used to assess remnant *Eucalyptus odorata* trees requiring clearance. The trees assessed were in fair to good condition, and removal was determined to require a payment of $14,369.13 into the Native Vegetation Fund.

Administrative boundaries

The Project Area is located within the Hundred of the Barossa (105200) and within the Northern and Yorke Land Management Region (LMR). The relevant Local Government Area (LGA) is the Barossa Council. Additionally, the property occurs within the Ngadjuri Nation Active Native Title Claim area (Federal Court Number SAD304/2011, Application File Number SC2011/002).

Bioregions

The Interim Biogeographical Regionalisation of Australia (IBRA) identifies geographically distinct bioregions based on common climate, geology, landform, native vegetation and species information. The bioregions are further refined into subregions and environmental associations.

The Project Area falls under the Mount Lofty Ranges Sub-region of the Flinders Lofty Block Bioregion and the Rosedale association. The Mount Lofty Ranges Sub-region is characterised by hard pedal duplex, grey siliceous loams or sandy soils on undulating hilly high plains vegetated by *Eucalyptus* spp.

Native vegetation remnancy figures for IBRA subregions and environmental associations are useful for setting regional landscape targets. Approximately 15% of the Mount Lofty Ranges Sub-region native veg remains and 5% of the IBRA Association, of which 11% is protected National Parks and Wildlife reserves and private Heritage Agreements under the *Native Vegetation Act 1991* (NV Act).

2.3. General location map

Figure 1. General location of Project Area in Lyndoch, SA (Map 1 of 2).

Figure 2. General location of Project Area (Map 2 of 2).

2.4. Details of the proposal

Clearance to enable the redevelopment and expansion of a previously approved ecotourism venture is proposed. This will include but is not limited to:

- A hotel containing 102 rooms (previously approved for 80 rooms). The hotel will be single-storey and will have a circular design around the lower elevations of the hill;
- A revised lobby building incorporating restaurant, conference room, lobby, reception and housekeeping areas;
- Minor internal refurbishment of the Glasshouse to include a restaurant and function centre;
- Walking paths, access tracks; and
- An amended entranceway, carparking and a loading bay.

In combination with the data collected during the native vegetation assessment completed in 2021 (EBS 2021), a total of 10 trees have been surveyed in the Project Area. The information collected during 2021 assessment was used by the proponent to influence Project design.

A clearance report is required for clearance of seven of the assessed trees which require removal for road access and infrastructure development consequent to topographical constraints within the Project Area.

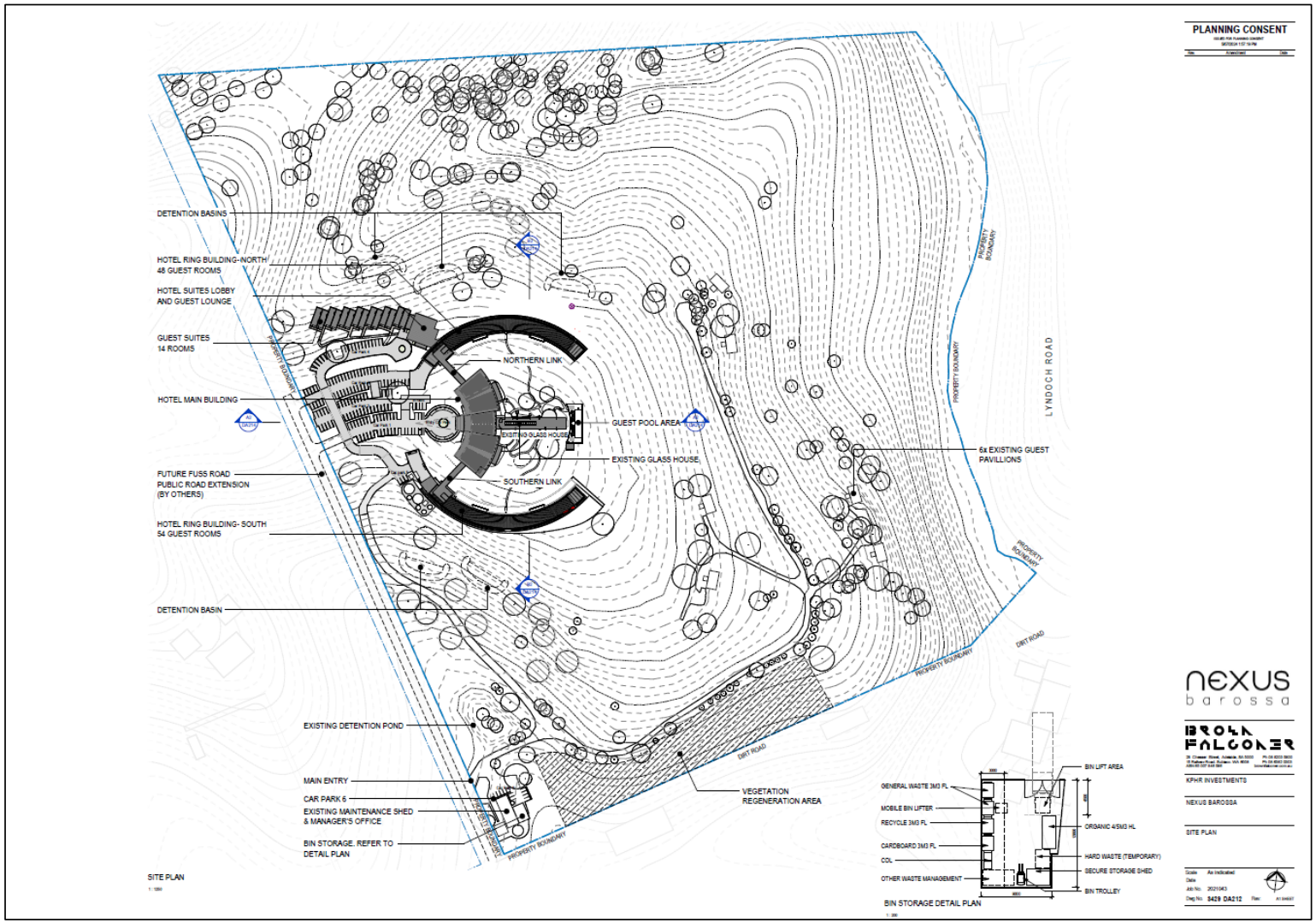


Figure 3. Project concept plan (provided to EBS by N. Wilson 14/08/24).

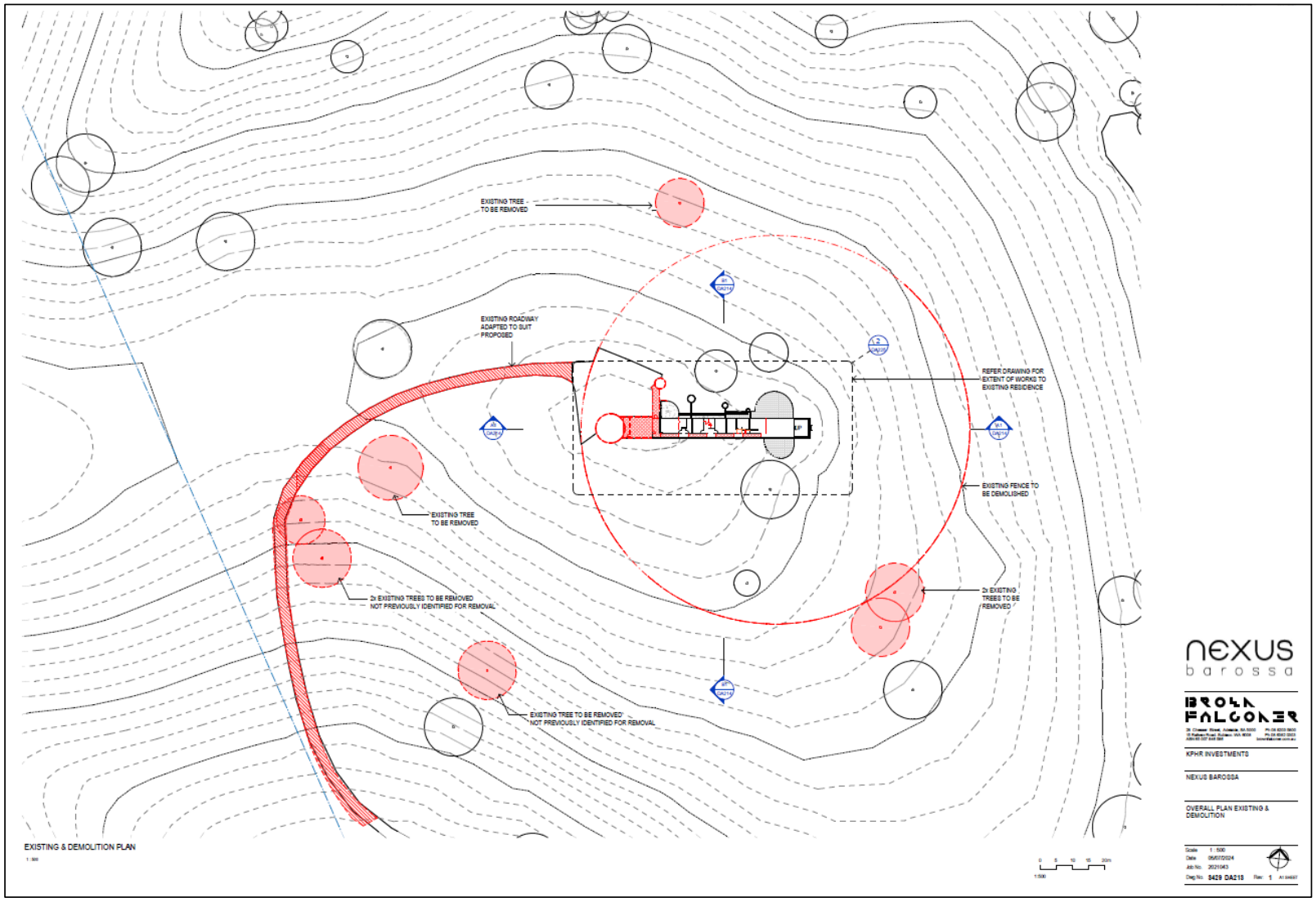


Figure 4. Concept plan identifying native vegetation that requires removal (provided to EBS by N. Wilson 15/08/24).

2.5. Approvals required *or* obtained

Environment Protection and Biodiversity Conservation Act 1999 **(EPBC Act)** – No Matters of National Environmental Significance (MNES) are likely to be significantly impacted because of the Project and therefore a referral to the Commonwealth is not required for this Project.

Native Vegetation Act 1991 **(NV Act)** – This data report is supplied as a requirement to clear native vegetation for the purpose of a Development Application. No previous native vegetation approvals are associated with this Project.

National Parks and Wildlife Act 1972 **(NPW Act)** – EBS Ecology has the required flora collection permit (K25613-23).

Landscape South Australia Act 2019 **(LSA Act)** – A permit to transport Declared weeds on a public road is likely to be required for this Project.

The field survey recorded two Declared weed species within the Project Area (Section 3.1.2). Under the LSA Act, landholders have a legal responsibility to manage declared pest plants and animals and prevent land and water degradation (Appendix 1). Any permit to allow its road transport or sale can only be issued by the Chief Executive of the Department for Environment and Water (DEW) or their delegate pursuant to Section 197.

Planning, Development and Infrastructure Act 2016 **(PDI Act)** – Development Approval is required for this Project. Planning consent has been granted for the removal of the four *Eucalyptus odorata* trees assessed in 2021 (Development Application (DA) number: 21018528). Planning consent is currently under assessment for the removal of the additional three *Eucalyptus odorata* trees assessed in 2024 (DA number: 24021139).

Aboriginal Heritage Act 1988 – Approval will be required if any sites, objects or remains are uncovered during the works. A 'stop work' procedure should be in place in the event that any cultural sites objects or remains are uncovered during construction works.

2.6. Native Vegetation Regulation

Regulation 12 (33) New dwelling or building

Clearance for a new building, dwelling or ancillary development provided that any relevant consent has been provided under the **Development Act 1993.*

**Development Act has been superseded by the PDI Act.*

2.7. Development Application information (if applicable)

The Project Area is located within the Rural Planning Zone of the *Planning and Design Code.* The Project Area is located within the following Overlays:

- Character Preservation
- Hazards (Bushfire)
- Hazards (Flooding)
- Native Vegetation
- Water Protection Area
- Water Resources

No Development Approval is in place because building consent has not been granted at this stage.

3. METHODS

3.1. Flora assessment

The flora assessment was undertaken by NVC Accredited Consultant J. Skewes on 9/07/21 and a follow up survey was completed on 23/07/24 in accordance with the Scattered Tree Assessment Method (STAM) (NVC 2020).

3.1.1. Scattered Tree Assessment Method

The STAM is derived from the *Scattered Tree Clearance Assessment in South Australia: Streamlining, Guidelines for Assessment and Rural Industry Extension* report (Cutten and Hodder 2002). The STAM is suitable for assessing scattered trees in the following instances:

- Individual scattered trees (i.e. canopy does not overlap). The spatial distribution of trees may vary from approaching what would be considered their original distribution (pre-European) through to single isolated trees in the middle of a paddock; or
- Dead trees (when a dead tree is considered native vegetation); or
- Clumps of trees (contiguous overlapping canopies) if the clump is small (approximately <0.1 ha); and
- For both scattered trees and clumps:
    - The ground layer comprises wholly or largely of introduced species;
    - Some scattered colonising native species may be present, but represent <5% of the ground cover; and
    - The area around the trees consists of introduced pasture or crops.

Details of the scattered tree Point Scoring System are outlined in the *Scattered Tree Assessment Manual* (NVC 2020).

The numbers of uncommon and threatened scattered tree using fauna species entered into the Scattered Tree Scoresheet were calculated by cross-referring the BDBSA data extract and the lists of scattered tree using fauna in the *Scattered Tree Assessment Manual* (NVC 2020). The resource use of each species identified was considered when determining each tree's suitability for threatened fauna species (e.g. species that only use hollows in scattered trees were only assigned to scattered trees containing hollows).

3.1.2. Provisional list of threatened ecosystems

The *Provisional List of Threatened Ecosystems* (Department for Environment and Heritage 2005) was reviewed to determine whether any vegetation associations impacted meet the criteria for listing as a threatened ecosystem at the state level.

3.2. Fauna assessment

A desktop assessment was undertaken to determine the potential for any threatened fauna species and Threatened Ecological Communities (TECs) to occur within the Project Area. This included species listed under both the EPBC Act and the NPW Act.

The search was undertaken by applying a 5 km buffer around the Project Area, referred to as the Search Area. The following databases were searched to obtain records of threatened species:

- Protected Matters Search Tool (PMST). Report generated by the Department of Climate Change, Energy, Environment and Water (DCCEEW) to identify any MNES that may or are known to occur in the search Area.
- Biological Database of South Australia (BDBSA). Data extract obtained from the Department for Environment and Water (DEW) that identifies the location of historical records of flora and fauna in the Search Area.

Opportunistic observations of fauna occurring within the Project Area were recorded while on site, and habitat was assessed for signs of fauna (scats, tracks, traces), and the value of habitat within the Project Area was qualitatively assessed, with species of national and state significance in mind.

3.2.1. Protected Matters Search Tool report

A PMST report was generated on 07/08/24 to identify flora, fauna and TECs listed under the EPBC Act as threatened or migratory (DCCEEW 2024). Only species and TECs identified in the PMST report as known to occur within the Search Area were assessed for their likelihood of occurrence within the Project Area.

Those species that are listed in Appendix 4 of the Scattered Tree Assessment Manual (NVC 2020) as scattered tree using wildlife have been entered in the STAM scoresheet.

3.2.2. Biological Database of South Australia data extract

A data extract from the Biological Database of South Australia (BDBSA) was obtained from DEW to identify flora and fauna species that have been recorded within 5 km of the Project Area (26/07/24 Recordset number: DEWNRBDBSA240723-1.).

The BDBSA is comprised of an integrated collection of species records from the South Australian Museum, conservation organisations, private consultancies, Birds SA, Birdlife Australia and the Australasian Wader Study Group, which meet DEW's standards for data quality, integrity and maintenance.

All threatened fauna identified by the BDBSA extract were entered into the scoresheets for the purposes of calculating the threatened fauna score, conservation significance score and Significant Environmental Benefit (SEB) obligations of the clearance. As per advice from NVC on 7 August 2024, species assessed as unlikely to occur in the Project Area have been removed from the STAM scoresheets with justification included in this report as to why the species are unlikely to occur.

3.2.3. Field survey

Fauna was opportunistically surveyed whilst conducting the flora survey. Fauna was recorded through direct observation or through signs such as burrows, feather-spots, calls, scats, scratch marks and nests. Given the small size of the site, a GPS location was not recorded for each observation.

3.2.4. Likelihood of occurrence

Threatened species and TECs that were identified by the desktop assessment were assessed for their likelihood of occurrence in the Project Area. All species with historical records since 1995 with a spatial reliability of <1 km and species listed as 'known to occur' by the PMST report were assessed.

The assessment was based on recency or records, habitat preferences and the results of the field survey, with criteria for the likelihood of occurrence described in Table 3. Marine, wetland and aquatic species were not assessed, as the clearance does not impact these or associated habitats.

Table 3. Criteria for the likelihood of occurrence of threatened species within the Project Area.

Likelihood	Criteria
Highly Likely/Known	Recorded in the last 10 years, the species does not have highly specific niche requirements, the habitat is present and falls within the known range of the species distribution or; The species was recorded as part of field surveys.
Likely	Recorded within the previous 20 years, the area falls within the known distribution of the species and the area provides habitat or feeding resources for the species.
Possible	Recorded within the previous 20 years, the area falls inside the known distribution of the species, but the area provides limited habitat or feeding resources for the species. Recorded within 20 - 40 years, survey effort is considered adequate, habitat and feeding resources present, and species of similar habitat needs have been recorded in the area.
Unlikely	Recorded within the previous 20 years, but the area provides no habitat or feeding resources for the species, including perching, roosting or nesting opportunities, corridor for movement or shelter. Recorded within 20 - 40 years; however, suitable habitat does not occur, and species of similar habitat requirements have not been recorded in the area. No records despite adequate survey effort.

3.2.5. Limitations

Flora and fauna records were retrieved from the PMST and BDBSA extract. The BDBSA only includes verified flora and fauna records submitted to DEW or partner organisations. It is recognised that information is imperfectly captured, and it is possible that significant species may occur in the Project Area that are not reflected by database records. Although much of the BDBSA data has been through a variety of validation processes, the lists may contain errors and should be used with caution. DEW gives no warranty that the data is accurate or fit for any particular purpose of the user or any person to whom the user discloses the information.

3.2.6. Spatial data limitations

All spatial data has been captured or converted to the following coordinate reference system.

Datum: Geocentric Datum of Australia 2020 (GDA2020).

Projection: Map Grid of Australia 2020 (MGA2020), Zone 54

All location coordinates listed in this report are expressed using this system. Spatial data converted from other coordinate reference systems may have accuracy limitations.

4. ASSESSMENT OUTCOMES

4.1. Vegetation assessment

4.1.1. General description of the vegetation, the site and matters of significance

A consequence of historic grazing, the Project Area is dominated by exotic grassland with sparse patches of remnant *Eucalyptus odorata.* NatureMaps identified the overall Land Type as being non-arable hills and rises with shallow stony soil and variable rock outcrop (DEW 2024a). The northern portion of the Project Area comprises a *Eucalyptus odorata* Grassy Woodland which disperses into scattered trees; this area will not be impacted by the Project. A portion of the North Para River traverses the eastern edge of the Project Area. In addition, there are two unnamed watercourses of Stream Order 1, and two farm dams present within the Project Area.

Proposed clearance will be concentrated to the lower slope of a small hill on which an existing building (the Glasshouse) currently sits atop (~190 m elevation). Vegetation in the proposed Clearance Area is consistent with highly modified non-native pasture subject to dryland grazing by sheep (*Ovis aries*) elsewhere in the Project Area.

The Declared weed *Echium plantagineum* (Salvation Jane) was present in the understorey beneath the *Eucalyptus odorata* and an *Olea europaea* (European Olive) tree was found to be adjacent to the assessed scattered trees. No flora species listed as threatened under the EPBC Act or NPW Act were observed within the Project Area during the field assessment.

A total of 13 fauna species were observed within the Project Area during the field survey, consisting of 11 birds, the sheep kept on site and evidence of Rabbit (*Oryctolagus cuniculus*) diggings (Appendix 2). Of the bird species observed, none are listed under the EPBC Act or NPW Act. No active bird nests were observed; however, large hollows were present within several individual *Eucalyptus odorata* trees in the Project Area.

4.1.2. Details of the scattered trees proposed to be impacted

During the field assessment, a total of 10 scattered trees were assessed with the STAM methodology. Seven remnant scattered *Eucalyptus odorata* trees are proposed to be impacted as they sit within the clearance footprint (which includes the Country Fire Service (CFS) clearance zone) required for fire safety.

The location of the impacted scattered trees and their biodiversity value is indicated on the map in Figure 6 . Scattered native trees were mostly healthy, with little to moderate dieback, although there was evidence of heavy grazing on bases of trees which has inhibited tree regrowth (Section 4.1.4). Details of scattered trees under application are provided in Table 4 to Table 10. Scattered trees being removed all have a low to moderate biodiversity value (Figure 5).

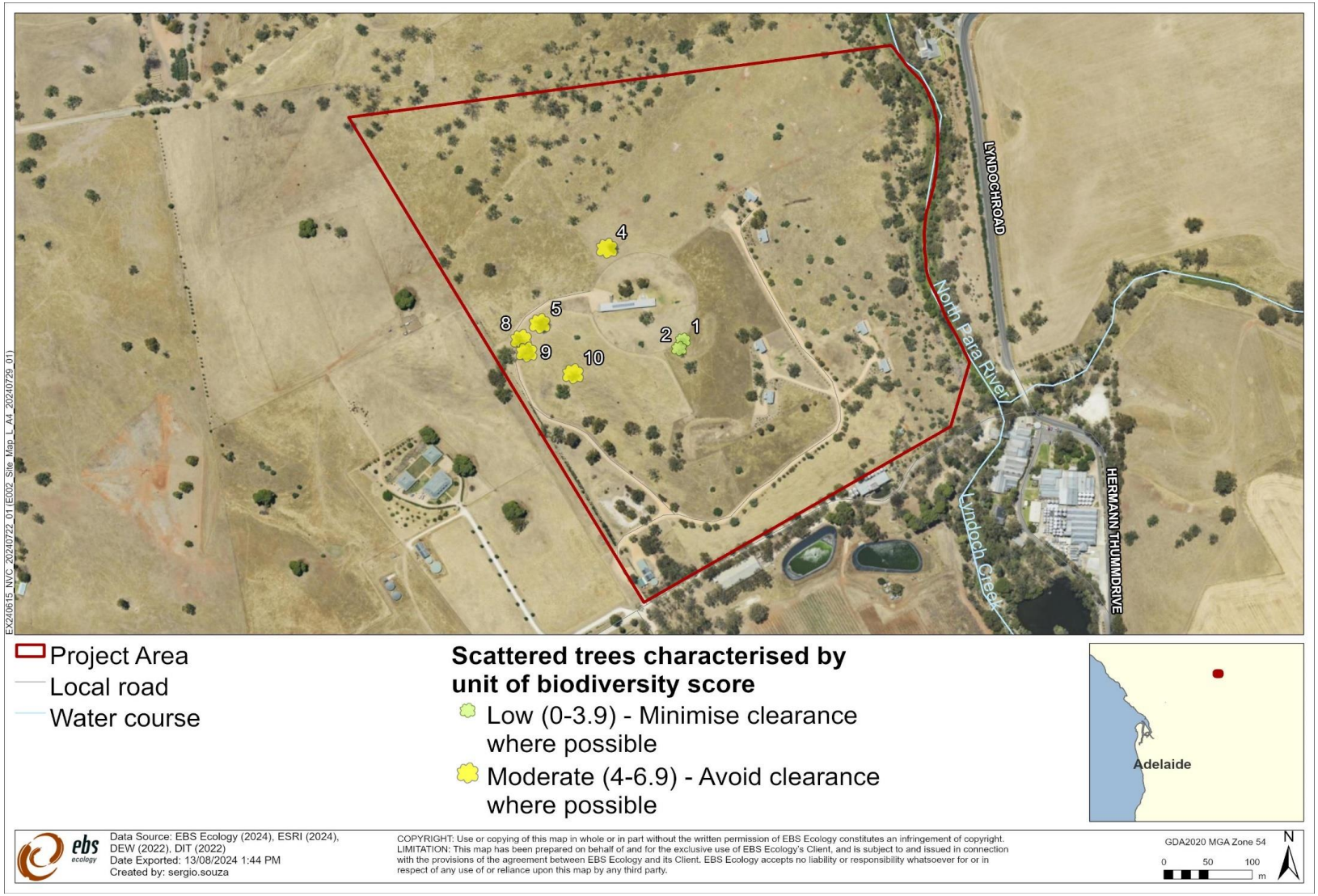


Figure 5. Biodiversity score of scattered trees proposed to be cleared.

Table 4. Summary of Tree 1.

Tree ID – Tree 1	
Tree spp. – *Eucalyptus odorata*	
Number of Trees – 1	
Height (m) –8	
Hollows – 2 small	
Diameter (cm) – 58.6	
Canopy Dieback (%) –5	
Total Biodiversity Score –3.85	

- Mature tree.
- No nests present at the time of surveying.
- The central trunk split into two stems above 1 m.
- Substantial dieback of canopy indicates poor health followed by regeneration.
- The tree may provide foraging and roosting habitat for numerous common bird species.
- Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.

Table 5. Summary of Tree 2.

Tree ID – Tree 2	
Tree spp. – *Eucalyptus odorata*	
Number of Trees – 1	
Height (m) –7.5	
Hollows – 3 medium and 3 small	
Diameter (cm) –40.7	
Canopy Dieback (%) – 50	
Total Biodiversity Score –2.1	

- Mature tree.
- Five stems at 1 m above ground with evidence of a sixth central stem being dead and absent.
- Numerous dead limbs present.
- Large, spreading, low lignotuber base.
- No nests present at the time of surveying.
- Substantial dieback of canopy indicates poor health followed by regeneration.
- The tree may provide foraging and roosting habitat for numerous common bird species.
- Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.

Table 6. Summary of Tree 4.

Tree ID – Tree 4	
Tree spp. – *Eucalyptus odorata*	
Number of Trees – 1	
Height (m) –11	
Hollows – 3 large, 1 medium and 2 small	
Diameter (cm) –57	
Canopy Dieback (%) –20	
Total Biodiversity Score –6.01	

- Mature tree.
- Three stems at 1 m above ground with diameters of 57cm, 45 cm and 30 cm.
- No nests present at the time of surveying.
- Minimal dieback of canopy indicates good health.
- The tree may provide foraging and roosting habitat for numerous common bird species.
- Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.

Table 7. Summary of Tree 5.

Tree ID – Tree 5	
Tree spp. – *Eucalyptus odorata*	
Number of Trees – 1	
Height (m) –12	
Hollows 1 medium and 1 small	
Diameter (cm) –52	
Canopy Dieback (%) – 10	
Total Biodiversity Score –6.61	

- Mature tree.
- Six stems at 1 m above ground with diameters of 52cm, 50cm, 48cm, 47cm, 45cm and 40cm.
- No nests present at the time of surveying.
- Minimal dieback of canopy indicates good health.
- The tree may provide foraging and roosting habitat for numerous common bird species.
- Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.

Table 8. Summary of Tree 8.

Tree ID – Tree 8 **Tree spp. – *Eucalyptus odorata*** **Number of Trees – 1** **Height (m) –9** **Hollows –3 medium and 1 small** **Diameter (cm) –77** **Canopy Dieback (%) –5** **Total Biodiversity Score –6.57**	
• Mature tree. • Single stemmed. • No nests present at the time of surveying. • Minimal dieback of canopy indicates good health. • The tree may provide foraging and roosting habitat for numerous common bird species. • Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.	

Table 9. Summary of Tree 9.

Tree ID – Tree 9 **Tree spp. – *Eucalyptus odorata*** **Number of Trees – 1** **Height (m) –9** **Hollows – 1 large, 1 medium and 2 small** **Diameter (cm) –65.6** **Canopy Dieback (%) –15** **Total Biodiversity Score –4.72**	
• Mature tree. • Single stemmed. • No nests present at the time of surveying. • Minimal dieback of canopy indicates good health. • The tree may provide foraging and roosting habitat for numerous common bird species. • Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.	

Table 10. Summary of Tree 10.

Tree ID – Tree 10 **Tree spp. – *Eucalyptus odorata*** **Number of Trees – 1** **Height (m) –8** **Hollows –1 medium and 2 small** **Diameter (cm) –** **Canopy Dieback (%) –** **Total Biodiversity Score –4.37**	
• Mature tree. • Single stemmed. • No nests present at the time of surveying. • Some dieback of canopy indicates moderate health. • The tree may provide foraging and roosting habitat for numerous common bird species. • Provides suitable habitat for 12 uncommon bird species, 14 NPW listed bird species, two EPBC listed bird species and one EPBC listed mammal species.	

4.1.3. Site map showing areas of proposed impact

Native vegetation under application and the proposed impact of the Project are shown on the map below (Figure 6). Note that tree numbers assigned in the tables above and Figure 6 are represented in the attached STAM scoresheet in column AE (Optional: Unique tree ID). .

Figure 6. Trees proposed to be cleared and retained within the Project Area according to Project design.

4.1.4. Photo log

A photo log across the Project Area is provided below.

Figure 7. Remnant *Eucalyptus* sp. that will be retained within the proposed car parking area.

Figure 8. Example of medium sized hollow in a *Eucalyptus odorata* within the Project Area.

Figure 9. Example of revegetation being undertaken by the proponent within the Project Area.

Figure 10. Vegetation on the western edge of the existing track that will be retained when the road is built.

Figure 11. Example of planted vegetation within the Project Area.

Figure 12.Representative image taken north of the existing Glasshouse building showing dominant vegetation association within the Project Area.

Figure 13. Example of multi stemmed *Eucalyptus odorata* within the Project Area.

Figure 14. Example of heavily grazed regrowth on a *Eucalyptus odorata* stump.

4.2. Threatened Ecological Communities

The database searches indicated that two TECs might occur within the Project Area (Table 11):

- Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia (PBGW); and
- Iron-grass Natural Temperate Grassland of South Australia (INTG).

Neither TEC will be impacted by the Project.

Table 11. Assessment for the presence of Threatened Ecological Communities in the Project Area.

Threatened Ecological Community	Conservation Status	Definition	PMST likelihood	Assessment
Peppermint Box (*Eucalyptus odorata*) Grassy Woodland of South Australia (PBGW)	Critically Endangered	PBGW is restricted to SA and consists of an open to dense woodland dominated by *Eucalyptus odorata* and typically occurs with other tree species including *E. leucoxylon*, *E. microcarpa* or *E. porosa.* Canopy height comprises low trees, generally 5-10m tall with an understorey comprised of diverse native grasses and herbs including *Austrostipa* sp., *Lomandra* sp. and *Acacia pycnantha.* (DEWHA 2008b; Turner 2012). This TEC can be categorised under three different condition classes (A, B and C), based on remnant patch size and native species diversity and composition. Class C does not make up the TEC but is of sufficient biodiversity value to target for restoration (DEWR 2007; Turner 2012).	Likely	Not present within the proposed Clearance Area.
Iron-grass Natural Temperate Grassland of South Australia (INTG)	Critically Endangered	INTG is endemic to SA and consists of tussock-forming perennial grasses, Iron-grasses (*Lomandra effusa* and/or *L. multiflora ssp. dura)* and a low presence (<10%) of trees and tall shrubs (DEWR 2007; Turner 2012). This TEC can be categorised under three different condition classes (A, B and C), based on patch size, native species diversity and composition, and tussock density. Class A and Class B, make up this TEC, while Class C does not make up the TEC but is of sufficient biodiversity value to target for restoration (DEWR 2007; Turner 2012, DEWHA 2008b).	May	Not present within the Project Area.

The PBGW TEC extends from the southern Flinders Ranges to Lake Alexandrina, where remaining patches typically occur on gentle to moderate slopes, hilltops and adjacent plains in rainfall areas between 310 and 610 millimetres (mm) per year. Understory vegetation primarily consists of native grass and herb species. Understorey varies across the TEC's range, from dense and diverse to sparse and non-diverse. Typical associated species include *Rytidosperma* spp. (Wallaby Grass), *Austrostipa* spp. (Spear Grass), *Lomandra* spp. (Iron-grass), *Dianella revoluta* (Black-anther Flax Lily). The sparse shrub layer primarily comprises *Bursaria spinosa* (Sweet Bursaria) and *Acacia pycnantha* (Golden Wattle).

Native vegetation adjacent to the Project Area has been quantified as the PBGW TEC and so, vegetation within the Project Area was assessed against the relevant listing criteria (Table 12). Due to the degraded, highly grazed non-native understorey where clearance will take place, assessed vegetation does not qualify for listing as PBGW TEC as it does not meet the required native plant species diversity indicators.

Table 12. Condition classes for Peppermint Box Grassy Woodland of South Australia.

Condition Class	Minimum size	Diversity of native plant species[1]	No. of broad-leaved herbaceous species in addition to identified disturbance resistant species[2]	No. of perennial grass species[1]
Listed Ecological Community				
A	≥ 0.1 ha	> 30	≥ 10	≥ 5
B	≥ 1 ha	> 15	≥ 3	≥ 2
Degraded patches amenable to rehabilitation				
C		> 5	No minimum	≥ 1

[1] As measured in a 50 m x 50 m quadrat (or equivalent area)
[2] The following species are identified as disturbance resistant species: *Ptilotus spathulatus* forma *spathulatus*; *Sida corrugata*; *Oxalis perennans*; *Convolvulus augustissimus*; *Euphorbia drummondii*; and *Maireana enchylaenoides*.

4.3. Threatened species assessment

4.3.1. Threatened fauna

No threatened fauna species were recorded during the field survey (Appendix 1).

The Protected Matters Search Tool (PMST) identified 19 EPBC listed threatened fauna species and six migratory fauna species that potentially occur within the Project Area. Of these, four were identified by the BDBSA search as being recorded within the Search Area since 1995 with <1km reliability. In addition, the BSBSA search identified 32 NPW listed threatened fauna species being recorded within the Search Area.

Of the species identified by the database searches, 12 were assessed as possible, likely or highly likely to occur in the Project Area, according to the criteria listed in section 3.2.4 and their use of scattered trees for habitat. Species which are not listed in the STAM manual as utilizing scattered trees, are considered unlikely to occur despite presence of nearby records. These species are listed in Table 13. The full likelihood of occurrence assessment for all species is provided in Appendix 2.

There were 29 scattered tree using species identified by the desktop assessment, 12 of which are categorized as uncommon in the MLR region, 13 are listed only under the NPW Act and four are listed under the EPBC Act and the NPW Act (Appendix 3). Where suitable features were present, these species have been added to the STAM scoresheet.

Table 13. Likelihood of occurrence of threatened species identified in the desktop assessment. The data source and threat levels are described in the table footer.

Scientific Name	Common Name	Conservation status		Data Source	Last Sighting (year)	Scattered tree using species	Likelihood of Occurrence in Project Area
		EPBC Act	NPW Act				
Falco peregrinus macropus	Peregrine Falcon		R	2	2020	P/H/N/w/r	Highly likely
Falco subniger	Black Falcon		R	2	2006	P/N/s	Likely
Falcunculus frontatus frontatus	Eastern Shriketit		R	2	2012	F/w	Likely
Gerygone olivacea olivacea	White-throated Gerygone		R	2	1999	P/F/s	Possible
Hieraaetus morphnoides	Little Eagle		V	2	2011	P/w	Possible
Lophoictinia isura	Square-tailed Kite		E	2	2017	P/s	Likely
Neophema elegans elegans	Elegant Parrot		R	2	2011	P/H/s	Possible
Oriolus sagittatus sagittatus	Olive-backed Oriole		R	2	2015	P/F/s	Likely
Petroica boodang boodang	Scarlet Robin		R	2	2021	P/w	Highly likely
Pteropus poliocephalus	Grey-headed Flying-fox	VU	R	1,2	2020	F/s	Possible
Trichosurus vulpecula	Common Brushtail Possum		R	2	2000	F/N	Possible
Zanda funerea whiteae	Yellow-tailed Black Cockatoo		V	2	2013	P/H/w	Possible

Conservation status

EPBC Act: (*Environment Protection and Biodiversity Conservation Act 1999*). NPW Act (*National Parks and Wildlife Act 1972*). Conservation Codes: CE: Critically Endangered. EN/E: Endangered. VU/V: Vulnerable. R: Rare. Mi: listed as migratory under the EPBC Act. Ma: listed as marine under the EPBC Act.

Source of Information

1. **EPBC Act Protected Matters Report (DCCEEW 2024) – 5 km buffer applied to Project Area.**
2. **Biological Database of South Australia data extract (DEW 2024b) - 5 km buffer applied to Project Area.**
3. **Recorded during the field survey.**

Scattered Tree Using Species

Resource use: P = Perching / roosting , N = Nesting, H = Hollow using, F = Feeding

Habitat / status: w = woodland birds that occasionally use adjacent scattered trees, r = species that can reside in scattered trees, s = seasonal (waterbirds, seasonal, nomadic

4.3.2. Threatened flora

No threatened flora species were recorded during the survey.

The Protected Matters Search Tool (PMST) identified 16 EPBC listed threatened flora species. Of these, five were identified by the BDBSA search as being recorded within the Search Area since 1995 with <1km reliability and an additional EPBC listed species was identified. The BSBSA search identified 10 exclusively NPW listed threatened flora species being recorded within the Search Area.

An onsite inspection found that none of these species were likely to occur within the Project Area, as it comprised a highly degraded and heavily grazed non-native understorey. There was no native shrub or ground layer present within the Project Area, and native vegetation to be cleared was assessed as being scattered trees only. The full likelihood of occurrence assessment for all species identified in the desktop assessment is provided in Appendix 2.

4.4. Cumulative impacts

When exercising a power or making a decision under Division 5 of the Native Vegetation Regulations 2017, the NVC must consider the potential cumulative impact, both direct and indirect, that is reasonably likely to result from a proposed clearance activity.

Direct impacts of the proposal include the complete removal of seven scattered trees. All construction access and earthworks fall within the extent of the Clearance Area.

Indirect impact that may occur as a result of the development includes but is not limited to:

- Noise generation during construction which may impact fauna species in the area.
- Altered hydrology and reduced infiltration of water within the Project Area as a result of increase in non-permeable surfaces, which may alter the species composition and reduce existing vegetation health.
- Disruption of vegetation root zone through adding fill, soil compaction or accidental severing of roots.
- Weed spread and infestation during and following construction which will reduce condition of native vegetation in the area.
- Further isolation of individual scattered trees reducing their ecological function and viability.
- Permanent and ongoing disturbance to local native fauna species due to increased human activity in the area.
- Traffic during construction which may temporarily impact fauna species in the area.
- Subsequent vegetation clearance that may eventuate if CFS deem Tree 3 as a hazard or if the tree within the carpark will require trimming (noting, the clearance for future stages of a development does not need to be assessed as part of this application, only discussed to provide the NVC with the full context of the proposed clearance).
- Increase in native flora species diversity and cover consequent to revegetation efforts taking place in the Project Area.

- Increase in native fauna species diversity consequent to revegetation efforts taking place in the Project Area; and
- Reduction of invasive species flora and fauna consequent to revegetation and land management efforts taking place in the Project Area.

4.5. Addressing the Mitigation Hierarchy

When exercising a power or making a decision under Division 5 of the Native Vegetation Regulations 2017, the NVC must have regard to the mitigation hierarchy. The NVC will also consider, with the aim to minimize, impacts on biological diversity, soil, water and other natural resources, threatened species or ecological communities under the EPBC Act or listed species under the NPW Act.

a) Avoidance – outline measures taken to avoid clearance of native vegetation

The Project Area was chosen according to the property being historically used for grazing stock and existing ecotourism development. The Clearance Area chosen consists of a more degraded portion of the Project Area. The Clearance Area was chosen to avoid areas with higher ecological value, such as the woodland and vegetation bordering the North Para River which occurs on the eastern border of the Project Area.

Project design was finalized following the 2021 ecological survey conducted by EBS Ecology. Where possible, the Project design avoids remnant native vegetation and incorporates native flora species. For instance, the carparking area was designed specifically to retain Tree 6 and Tree 7 which are two large remnant *Eucalyptus* spp. (Tree 6 and 7). Tree 3 which occurs within the 10-20 m fire protection zone but will also be retained (see Appendix 5 for detail).

b) Minimization – if clearance cannot be avoided, outline measures taken to minimize the extent, duration and intensity of impacts of the clearance on biodiversity to the fullest possible extent (whether the impact is direct, indirect or cumulative).

Complete avoidance of all native vegetation was not possible due to topographical constraints and / or unavoidable impact to tree root zone. The design footprint has been placed to avoid clearance of remnant trees as far as practicable. At least three other native remnant trees, surveyed in 2021, have been retained, with additional remnant native trees in the vicinity being retained, as evidenced by aerial imagery.

Minimisation measures will be implemented during construction and may include:

- Use of the existing tracks or disturbed areas for machinery access and equipment storage.
- Utilising existing access tracks and disturbed areas for driving and parking of vehicles.
- Construction contractor working under an approved Weed, Pest and Disease Management Plan.
- Construction contractor working under an approved Vegetation Management Plan.
- Establishment of no-go zones for areas of sensitive vegetation, or vegetation to be avoided during clearance.
- Tree Protection Zone assessments to avoid unnecessary impacts to vegetation outside of the impact area.

c) Rehabilitation or restoration – outline measures taken to rehabilitate ecosystems that have been degraded, and to restore ecosystems that have been degraded, or destroyed by the impact of clearance

that cannot be avoided or further minimized, such as allowing for the re-establishment of the vegetation.

The proponent has focused on the restoration and rehabilitation of the Project Area through a continued effort to revegetate the Project Area with species native to the region. More specifically, landscape design has involved the prioritisation of planting *Eucalyptus odorata* trees to offset the trees that require removal and planting species that are associated with Peppermint Box Woodland. A full list of species planted within the Project Area is available in Appendix 4.

Since acquiring the property, the proponent has been dedicated to enhancing and preserving the local landscape and wildlife. The previous owner had already planted approximately 200 trees along the western boundary, and over the years, the proponent has added an additional 500 plantings. These efforts have been concentrated in areas inaccessible to livestock to ensure the success of the plantings. Furthermore, exclusion fencing has been applied to over 4 ha (approximately 10 acres) in the northern gullies, where extensive existing native Peppermint Box (*E. odorata*) trees now serve as a natural sanctuary for local wildlife by preventing grazing.

Additionally, the proponent has donated a fenced 2-ha (5-acre) parcel of land equipped with shelters to Barossa Wildlife on a nominal $1 per year lease. This sanctuary will play a vital role in rehabilitating and releasing rescued native wildlife such as kangaroos, koalas, wombats, birds, and reptiles. It will also serve as an educational and fundraising hub to promote community awareness about the importance of wildlife conservation. The proponent advises that a significant investment in wildlife conservation, totalling over $60,000 on site alone, have been made at the site (*pers comms*. Karl Roth).

d) Offset – any adverse impact on native vegetation that cannot be avoided or further minimized should be offset by the achievement of a significant environmental benefit that outweighs that impact.

The NVC will only consider an offset once avoidance, minimization and restoration have been documented and fulfilled. The SEB Policy explains the biodiversity offsetting principles that must be met.

The proponent is looking to offset the loss of these trees (in addition to payment into the Fund if required) by implementing plans for native vegetation restoration in the adjacent gully, in support of a nature walk and overall landscaping package. Management of the gully on the property which consists of higher quality Peppermint Box Grassy Woodland vegetation, may include exclusion fencing to reduce grazing, weed management, and the potential to implement a Heritage Agreement to protect it from future clearance applications and improve the quality of the existing vegetation.

4.6. Principles of Clearance (Schedule 1, *Native Vegetation Act 1991*)

The Native Vegetation Council will consider Principles 1(b), 1(c) and 1(d) when assigning a level of Risk under Regulation 16 of the Native Vegetation Regulations. The Native Vegetation Council will consider all the Principles of clearance of the Act as relevant, when considering an application referred under the Planning, Development and Infrastructure Act 2016.

The clearance is assessed against the Principles of Clearance as set out in Table 14.

Table 14. Assessment against the Principles of Clearance.

Principle of clearance	Considerations
Principle 1(a) – it comprises a high level of diversity of plant species	**Relevant information** Diversity was low within the Clearance Area. No native understorey or midstorey species were present within the Clearance Area, with understorey vegetation comprising of exotic species.
	Assessment against the principles Native plant species diversity score <10. Not at variance.
	Moderating factors that may be considered by the NVC None applicable.
Principle 1(b) – significance as a habitat for wildlife	**Relevant information** No threatened fauna species were recorded during the field survey. A total of 12 threatened fauna species were identified by the desktop assessment as being possible, likely or highly likely to occur within the Project Area. Numerous common fauna species are likely to use scattered trees within the Project Area. Of the 12 species identified, the desktop assessment determined that there is one EPBC listed threatened fauna species that may use scattered trees, 11 NPW listed threatened species and 12 uncommon species. **EPBC listed fauna** Vulnerable • Grey-headed Flying-fox **NPW listed fauna** Rare • Peregrine Falcon • Black Falcon • Eastern Shriketit • White-throated Gerygone • Elegant Parrot • Olive-backed Oriole • Scarlet Robin • Common Brushtail Possum Vulnerable • Little Eagle • Yellow-tailed Black Cockatoo Endangered • Fork-tailed Kite Average Fauna Habitat Score – 1.80 Average Biodiversity Score – 4.89 Total Biodiversity Score -34.22
	Assessment against the principles All trees are seriously at variance because they provided suitable habitat for EPBC listed and NPW listed threatened species and have a fauna habitat score >1.2.

Principle of clearance	Considerations
	Moderating factors that may be considered by the NVC *Impact Significance* – It is unlikely that clearance of these five trees would have a significant impact on any species, by leading to a decrease in their population size, fragmenting their population, or impacting critical habitat. There are many other scattered trees of equal or higher habitat value in the area. *Non-essential habitat* – No trees are considered essential habitat, as all are considered seasonal or woodland inhabiting birds which may only use scattered trees from time to time (i.e. not residing in tree for all habitat resources). *Common species* - The vegetation provides habitat for native species that are relatively common, and the area of clearance is not considered essential habitat to maintain the local population.
Principle 1(c) – plants of a rare, vulnerable or endangered species	**Relevant information** No threatened flora species were detected during the field survey. As vegetation within the Clearance Area is highly degraded, it is unlikely that threatened flora species were present but undetected.
	Assessment against the principles Threatened flora score of 0. Not at variance.
	Moderating factors that may be considered by the NVC None applicable.
Principle 1(d) – the vegetation comprises the whole or part of a plant community that is Rare, Vulnerable or endangered	**Relevant information** Vegetation within the Clearance Area did not meet the criteria to be considered as PBGW TEC.
	Assessment against the principles No Rare, Vulnerable or Endangered communities are present within the Clearance Area. Not at variance.
	Moderating factors that may be considered by the NVC None applicable.
Principle 1(e) – it is significant as a remnant of vegetation in an area which has been extensively cleared	**Relevant information** The Project Area contains one IBRA Subregion, namely Mount Lofty Ranges. The Mount Lofty Ranges have largely been cleared as due for residential development and agriculture, with remnant vegetation consisting of mostly woodlands and grasslands. Approximately 15% of the Mount Lofty Ranges Sub-region native veg remains and 5% of the IBRA Association. Total Biodiversity Score - 34.22
	Assessment against the principles Total Biodiversity score 5-500. Sub-region remnancy >10-30% Association remnancy 3-10% All trees are seriously at variance.
	Moderating factors that may be considered by the NVC The clearance of the Project Area may be considered insignificant as the clearance is small in relation to the rest of the Project Area and a large part of the Project Area has and continues to be revegetated. *Quality of remnant* – Native vegetation within the Clearance Area is highly degraded and without intervention is unlikely to persist.
Principle 1(f) – it is growing in, or in	**Relevant information** The Clearance Area is not near a wetland or waterbody. The North Para is east of the Clearance Area.

Principle of clearance	Considerations
association with, a wetland environment	**Assessment against the principles** No wetland within the Clearance Area. Not at variance.
	Moderating factors that may be considered by the NVC None applicable.
Principle 1(g) – it contributes significantly to the amenity of the area in which it is growing or is situated	**Relevant information** Vegetation within the Clearance Area does not provide amenity value to the public. The Clearance Area is highly degraded.
	Assessment against the principles In determining if clearance is at variance with the principles, the NVC will have regard to the Local Council's recommendations (if any) in relation to the application.
	Moderating factors that may be considered by the NVC None applicable.

Principles of Clearance (h-m) will be considered by comments provided by the local NRM Board or relevant Minister. The Data Report should contain information on these principles where relevant and where sufficient information or expertise is available.

4.7. Risk assessment

The *Guide for applications to clear native vegetation* (NVC 2020) sets out how the risk level of a clearance application is assessed. This is summarised in Table 15.

The risk level of this clearance application is presented in Table 16. The table indicates that this is a Level 3 clearance, due to escalating matters.

Table 15. Risk assessment for native vegetation clearance applications in the agricultural regions of South Australia.

	Patches - clearance	**Trees - clearance**	**Escalating matters** Clearance assessment will be raised to the next level if;
Level 1	**0.05ha** or less	**5 trees** or less	The site contains a listed species or contains a threatened community under either the NP&W Act or EPBC Act Or Clearance of any trees of the specified circumference.
	And clearance does not involve **any** trees with a trunk circumference measured at 1m above the ground of (for multi stemmed trees, measure the largest trunk/stem): 50cm or more.		
Level 2	**>0.05 ha to 0.5ha**	**6 - 20 trees**	Clearance is seriously at variance with Principle of Clearance 1(b), 1(c) or 1(d).
Level 3	Total Biodiversity Score of less than or equal to **250**		Clearance is seriously at variance with Principle of Clearance 1(b), 1(c) or 1(d).
Level 4	Total Biodiversity Score of greater than **250**		

Table 16. Summary of the level of risk associated with the application.

Total clearance	No. of trees	7
	Area (ha)	-
	Total biodiversity Score	34.22
Seriously at variance with principle 1(b), 1(c) or 1 (d)		1(b)
Risk assessment outcome		Level 3

5. CLEARANCE SUMMARY

Clearance summary tables for the clearance application are shown in Table 17 (scattered trees). The summary tables indicate the SEB points and SEB payment obligations of the clearances.

The total SEB obligations of the clearance are summarised in Table 18.

Table 17. Clearance summary and total SEB obligations for scattered trees impacted by the Project.

Tree Number	Number of Trees	Fauna Habitat Score	Threatened Flora Score	Biodiversity Score	Loss Factor	SEB Points Required	SEB Payment
1	1	**1.8**	**0**	3.85	1	4.04	$3,142.59
2	1	**1.8**	**0**	2.10	1	2.20	$1,713.80
4	1	**1.8**	**0**	6.01	1	6.31	$4,904.79
5	1	**1.8**	**0**	6.61	1	6.94	$5,401.43
8	1	**1.8**	**0**	6.57	1	6.90	$5,366.05
9	1	**1.8**	**0**	4.72	1	4.95	$3,852.69
10	1	**1.8**	**0**	4.37	1	4.59	$3,568.26
Scattered Tree SEB Total				**34.22**			

Table 18. Summary of the total SEB obligations of the clearance.

	Total Biodiversity score	Total SEB points required	SEB Payment	Admin Fee	Total Payment
Application	34.22	35.93	$26,492.51	$1,457.09	**$27,949.60**
Economies of Scale Factor				**0.5**	
Rainfall (mm)				**494**	

6. SIGNIFICANT ENVIRONMENTAL BENEFIT

A SEB is required for approval to clear under Division 5 of the *Native Vegetation Regulations 2017*. The NVC must be satisfied that as a result of the loss of vegetation from the clearance that an SEB will result in a positive impact on the environment that is over and above the negative impact of the clearance.

ACHIEVING AN SEB

☐ Establish a new SEB Area on land owned by the proponent.

☐ Use SEB Credit that the proponent has established.

☐ Apply to have SEB Credit assigned from another person or body.

☐ Apply to have an SEB to be delivered by a Third Party.

☒ Pay into the Native Vegetation Fund.

PAYMENT SEB

If a proponent proposes to achieve the SEB by paying into the Native Vegetation Fund, summary information must be provided on the amount required to be paid and the manner of payment:

The total SEB offset required for the clearance of seven trees is **$27,949.60**, which includes a $1,457.09 administration fee.

If the proponent wishes to make the payment in stages, details of those stages, including clear dates or milestones in which payments will be made. Noting, for staged payments, payments must be received prior to clearance occurring, therefore staged payments are only suitable for projects where the clearance will occur in a staged manner.

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8. APPENDICES

Appendix 1 - Fauna species recorded by the field survey

Common Name	Scientific Name	Conservation Status	
		EPBC Act	NPW Act
Blue Bonnet	*Northiella haematogaster*		
Crested Pigeon	*Ocyphaps lophotes*		
Crimson Rosella	*Platycercus elegans*		
European Rabbit*	*Oryctolagus cuniculus*		
Galah	*Eolophus roseicapilla*		
Magpie	*Gymnorhina tibicen*		
New Holland Honeyeater	*Phylidonyris novaehollandiae*		
White-faced Heron	*Egretta novaehollandiae*		
White Plumed Honeyeater	*Lichenostomus penicillatus*		
Willy Wagtail	*Rhipidura leucophrys*		
Sheep*	*Ovis aries*		
Raven	*Corvus* sp.		

Conservation Status: EPBC Act (*Environment Protection and Biodiversity Conservation Act 1999*). NPW Act: South Australia (*National Parks and Wildlife Act 1972*). Conservation codes: CE: Critically Endangered. EN/E: Endangered. VU/V: Vulnerable. R: Rare.

Appendix 2 – Likelihood of occurrence assessment

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Likelihood of occurrence within Project Area
		Aus	SA					
FLORA								
Acacia iteaphylla	Flinders Ranges Wattle		R	2		2004	Naturally occurs in the FR, across to the GR, and on the EP. Naturalised beyond its native range in some parts of south-eastern and southern SA. Grows mainly among rocky outcrops on hillsides or along rocky creeks in valleys.	Unlikely - Not recently recorded within the Search Area and suitable habitat not present within the Project Area.
Austrostipa tenuifolia	-		R	2		2004	Found on the Eyre Peninsula, Mount Lofty Ranges, the Murray and the upper South-east in South Australia, growing sandy soils in grassland or grassy woodland associated with *Callitris* or *Allocasuarina*. Also found in Western Australia and Victoria.	Unlikely - Not recently recorded within the Search Area and associated species are not present within the Project Area.
Caladenia argocalla	White-beauty Spider-orchid	EN		1	Known		Endemic to the MLR region of SA. Occurs in intact grassy woodlands often with *E. leucoxylon* (Blue Gum) and *Allocasuarina verticillata* (Drooping Sheoak). Usually grows on a gentle slope with a southerly aspect and in clay loam soils. Flowering from late September to October.	Unlikely - Not recorded within the Search Area.
Caladenia concolor	Crimson Spider-orchid, Maroon Spider-orchid	VU		1	May		The Crimson Spider-orchid is currently known from a variety of woodland and open forest habitats, usually within Box-Ironbark ecosystems, and often among low heathy shrubs. Soils are generally sand and clay loams that are often gravelly or stony and always well. It does not occur in the Basalt Land systems.	Unlikely - Not recorded within the Search Area.
Caladenia rigida	Stiff White Spider-orchid	EN		1	Likely		Inhabits ridge tops and hillslopes in grey-brown loam often associated with coarse quartzite gravel or	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Likelihood of occurrence within Project Area
		Aus	SA					
							sandstone pebbles. Vegetation is usually an open-forest with a relatively open understorey of low shrubs and sedges (Quarmby 2010).	
Caladenia tensa	Greencomb Spider-orchid, Rigid Spider-orchid	EN		1	Likely		Aeolian sand deposits in *Callitris, E. leucoxylon* Woodland and *Melaleuca uncinata* mallee in MDD bioregion. Winter active geophyte, with long narrow leaf emerging, followed by 1-2 flowers (TSSC 2016a).	Unlikely - Not recorded within the Search Area.
Caladenia xanthochila	Yellow-lip Spider-orchid	EN	E	2		2022	The yellow-lip spider-orchid occurs in Shallow Sands Woodland and Alluvial Terraces Herb-rich Woodland Ecological Vegetation Classes on Quaternary alluvial or wind deposits in the Murray-Darling Depression bioregion (Todd 2000). The dominant species in these Ecological Vegetation Classes is *Eucalyptus leucoxylon* (yellow gum) with an understorey containing *Astroloma conostephioides* (flame heath), *Stackhousia monogyna* (creamy *stackhousia*), *Dodonaea viscosa* (sticky hop-bush), *Acacia pycnantha* (golden wattle), *Calytrix alpestris* (snow myrtle), *Haloragis* spp. (raspwort) and *Hydrocotyle hirta* (hairy pennywort) (Duncan et al., 2010).	Unlikely - Recently recorded within the Search Area but preferred habitat not present within the Project Area.
Corybas dentatus	Toothed Helmet-orchid, Finniss Helmet-orchid	VU	E	1, 2	Known	2011	Occurs in damp, grey, sandy soils under Callistemon sp. or under bracken in woodland of *Eucalyptus baxteri* and native pines (Jones 1991b).	Unlikely - Recorded within the Search Area <20 years and suitable habitat present within the Project Area.
Corybas unguiculatus	Small Helmet-orchid		R	2		2009	Usually found in coastal regions and adjacent ranges; mainly in heathland and heathy forest but also around swamp margins and depressions.	Unlikely - Recorded within the Search Area <20 years but suitable habitat not present within the Project Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Likelihood of occurrence within Project Area
		Aus	SA					
Cyperus sanguinolentus	Dark Flat-sedge		R	2		2004	Grows in swamps, on roadsides and stream banks; widespread on coast and tablelands.	Unlikely - Recorded within the Search Area <20 years but suitable habitat not present within the Project Area.
Dianella longifolia var. grandis	Pale Flax-lily		R	2		2004	Occurs under a variety of overstorey *Eucalypt* species but is a grassy woodland specialist, e.g., Blue Gum, Candlebark, Manna Gum, Stringybark and Grey Box.	Unlikely - Recorded within the Search Area <20 years, but not observed in Project Area.
Diuris behrii	Behr's Cowslip Orchid		V	2		2011	Found in the southern Flinders Ranges and the Mount Lofty Ranges with a few records from Eyre Peninsula growing in native grassland, open woodland and grassy forest; grows on more fertile soils, especially amongst *Themeda* sp. (Kangaroo Grass) and *Triodia* on gentle slopes and flats (SSCC 2018).	Unlikely - Recorded within the Search Area <20 years but suitable habitat not present within the Project Area.
Dodonaea procumbens	Trailing Hop-bush	VU	V	1	May		Occurs in low-lying, often winter-wet areas in woodland, low open forests, healthland and grasslands, on sands and clays. Recorded in open River Red Gum (*Eucalyptus camaldulensis*), Pink Gum (*Eucalyptus fasciculosa*) and Blue Gum (*Eucalyptus leucoxylon*) woodlands in low lying areas and in native grasslands (DCCEEW 2023d).	Unlikely - Not recorded within the Search Area.
Eucalyptus fasciculosa	Pink Gum		R	2		2020	Woodland or as an emergent low shrubland on soil of low fertility. It is mainly found in the south-east of South Australia, in the MLR, Barossa Valley and on KI (ALA 2023). Restricted to almost entirely SA. With small range in western Vic. SA: MU SL KI SE. Often in poorer sandy soils, in woodland or as an emergent in low shrublands. Commonly associated with *E. baxteri, E. cosmophylla, E. diversifolia, E.*	Unlikely - Recorded <10 years within the Search Area and suitable habitat present but not observed during the field survey.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Likelihood of occurrence within Project Area
		Aus	SA					
							leptophylla and E. leucoxylon (Nicolle, 2013)	
Euphrasia collina subsp. osbornii	Osborn's Eyebright	EN		1	May		Generally the plant occurs in mallee scrub but is also found in forests, woodlands and coastal heath. At Innes NP the plants grow in mixed mallee ecosystems dominated by Coastal White Mallee (*Eucalyptus diversifolia*).	Unlikely - Not recorded within the Search Area.
Glycine latrobeana	Clover Glycine, Purple Clover	VU	V	1	May		Inhabits native grasslands, dry sclerophyll forests, woodlands and low open woodlands, typically with a grassy ground layer, and growing on undulating plains. Prefers gentle south-west facing ridge slopes and lower south facing river valley slopes (Carter and Sutter 2010).	Unlikely - Not recorded within the Search Area.
Maireana excavata	Bottle Fissure-plant		V	2		2009	Localized but reasonably common in grassland of the less dry southern regions.	Unlikely - Recorded within the Search Area <20 years but suitable habitat not present within the Project Area..
Olearia pannosa ssp. pannosa	Silver Daisy-bush	VU	V	1, 2	Known	1996	Endemic to SA, scattered throughout agricultural areas. Occurring in sandy flat areas and in hilly rocky areas in woodland or mallee, including overlapping with Peppermint Box Grassy Woodland of SA (DOE 2013). Widespread but rare species occurring on the FP, YP and in 2 main sub populations on the EP in South Australia. Found in association with *Eucalyptus* spp. such as *Eucalyptus phenax* ssp. *phenax* (DAWE, 2021l).	Unlikely - Not recorded within the Search Area.
Prasophyllum fecundum	Self-pollinating Leek-orchid		R	2		2009	SA: EP YP SL SE. In mallee heathland, native pine and Pink Gum woodland or on rocky outcrops in the Lower North wheat belt on sandy or loamy soils.2 Recorded from Sandy Creek CP on sandy soil under *Callitris gracilis*.	Unlikely - Recorded within the Search Area <20 years but suitable habitat not present within the Project Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Likelihood of occurrence within Project Area
		Aus	SA					
Prasophyllum pallidum	Pale Leek-orchid	VU	R	1, 2	Known	2022	Pale Leek-orchid is known singly or in groups in better soils of woodland and grassy open forest. Recorded in woodlands and forests dominated by *Eucalyptus leucoxylon*, *E. goniocalyx, E. fasciculosa, E. microcarpa, Callitris gracilis/Eucalyptus fasciculosa*, and *Allocasuarina verticillata* (Bates 2009).	Unlikely - Recorded within the Search Area <10 years but suitable habitat not present within the Project Area.
Prasophyllum pruinosum	Plum Leek-orchid	EN	E	1, 2	Known	2022	It has been recorded in the Adelaide and MLR region from eight geographically isolated and distinct locations, which extend from the Barossa Valley to Belair NP. Preferred habitat includes open woodland and grassy forest, in the open or in the shelter of broom-like shrub growing in fertile loams, usually with other leek-orchids (Bates, 2009).	Unlikely - Recorded <10 years within the Search Area but suitable habitat not present within the Project Area.
Pterostylis psammophila	Two-bristle Greenhood	CR	E	1, 2	Known	2022	The two-bristle greenhood is only known from two populations near Lyndoch in the Barossa Valley, north of Adelaide, South Australia	Unlikely - Recorded <10 years within the Search Area but suitable habitat not present within the Project Area.
Pterostylis sp. Hale (R.Bates 21725)	Hale Dwarf Greenhood	EN		1	May		Hale Dwarf Greenhood is broadly described as occurring in mallee on Eyre Peninsula and the Murraylands, and in heathy woodland in the Mount Lofty Ranges. Specific location descriptions include (SA DEH 2008c; Willson & Bignall 2009.	Unlikely - Not recorded within the Search Area.
Ptilotus erubescens	Hairy-tails		R	2		2009	Occurs in SA in FR, NL, MU, SL and SE where it occurs in fertile soils in grassland, woodland and scrubland communities but not in mallee (Royal Botanic Gardens Victoria 2020).	Unlikely - Recorded within the Search Area <20 years but suitable habitat not present within the Project Area.
Senecio macrocarpus	Large-fruit Fireweed, Large-fruit Groundsel	VU	V	1	May		In South Australia, Large-fruit Fireweed occurs most commonly in depressions in low lying closed sedgeland but may occur in	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Likelihood of occurrence within Project Area
		Aus	SA					
							sedgeland, herbland, low shrubland to low open woodland where competition from understorey plants is low. The soils range from clay to loamy sand. (Department of Climate Change, Energy, the Environment and Water, 2023c)	
Swainsona pyrophila	Yellow Swainson-pea	VU	R	1	May		Found in Mallee vegetation communities on a variety of soil types including well-drained sands, sandy loams and heavier clay loams. It is usually found after fire growing in association with *Eucalyptus incrassata* (Ridge-fruited Mallee), *E. socialis* (Beaked Red Mallee), *E. brachycalyx* (Gilja), *E. gracilis* (Yorrell), and *E. oleosa* (Red Mallee) mid mallee woodland over *Melaleuca uncinata* (Broombush) tall shrubland (Tonkin and Robertson 2010).	Unlikely - Not recorded within the Search Area.
Thelymitra matthewsii	Spiral Sun-orchid	VU	E	1	Likely		Favours open forests and woodlands in well-drained sand and clay loams. It is a post-disturbance coloniser that is usually found in open areas around old quarries and gravel pits, on road verges, disused tracks and animal trails. In SA, it is known from three fairly old collections from KI and in SW of Keith. It has recently been found to occur south of Meningie, and on western KI. Open ground layer is common (Duncan 2010). In SA it is known from three fairly old collections from Kangaroo I. and SW of Keith. It favours open forests and woodlands in well-drained sand and clay loams (Department of Climate Change, Energy, the Environment and Water, 2023c).	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
FAUNA									
AVES									
Actitis hypoleucos	Common Sandpiper	Mi (W)	R	1	Likely		Varied coastal and interior wetlands: narrow muddy edges of billabongs, river pools, mangroves, among rocks reefs and rocky beaches (Morcombe 2021). Habitat is banks, rocks and sandy beaches near water. Found in coastal or inland wetlands, both saline or fresh (Birdlife 2022).	No	Unlikely - Not recorded within the Search Area.
Anhinga novaehollandiae novaehollandiae	Australasian Darter		R	2		2016	This species prefers smooth, open waters, for feeding, with tree trunks, branches, stumps or posts fringing the water, for resting and drying its wings. Most often seen inland, around permanent and temporary water bodies at least half a metre deep, but may be seen in calm seas near shore, fishing (Birdlife 2022).	No	Unlikely - Suitable habitat not present within the Project Area.
Anseranas semipalmata	Magpie Goose		E	2		2001	Mainly found in shallow wetlands (less than 1 m deep) with dense growth of rushes or sedges.	No	Unlikely - Not recently recorded within the Search Area and suitable habitat not present within the Project Area.
Aphelocephala leucopsis	Southern Whiteface	VU		1	Likely		Wide range of open woodlands and shrublands with an understorey of grasses or shrubs, or both. These areas are usually in habitats dominated by acacias or eucalypts on ranges, foothills and lowlands, and plains (Birdlife Australia 2023).	P/H/w	Unlikely - Not recorded within the Search Area.
Apus pacificus	Fork-tailed Swift	Mi (Ma)		1	Likely		Widespread but almost exclusively aerial. Mostly occur over inland plains, over cliffs and beaches and sometimes well out to sea or in dry or open habitats (DCCEEW 2023d).	No	Unlikely - vagrant record, not known to occur in the region. Not a scattered tree using species.
Botaurus poiciloptilus	Australasian Bittern	EN	E	1	May		Widespread but almost exclusively aerial. Mostly occur over inland plains, over cliffs and beaches and sometimes well out to sea or in dry or open habitats (DCCEEW 2023d).	No	Unlikely - Not recorded within the Search Area.
Calidris acuminata	Sharp-tailed Sandpiper	Mi (W)		1	Likely		Occurs in coastal and sub coastal SE South Australia in or over water in tall reedbeds, sedges, rushes, lignum and occasionally in	No	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
							saltmarsh (Pizzey and Knight, 2007). Occurs in freshwater wetlands and, rarely, in estuaries or tidal wetlands, favouring areas with tall dense, vegetation (DCCEEW 2023d).		
Calidris ferruginea	Curlew Sandpaper	CE, Mi (W)	E	1	May		Inhabits tidal mudflats, salt marshes and shallow fresh, brackish or saline wetlands and flood waters. (Pizzey and Knight 2007). Movements occur during the non-breeding period where birds appear to be dispersive, moving to temporary or flooded wetlands and leaving them when they dry. On migration, they forage and roost on rocky and sandy beaches, freshwater habitats and inland saltwater habitats (DCCEEW 2023d).	No	Unlikely - Not recorded within the Search Area.
Calidris melanotos	Pectoral Sandpiper	VU		1	May		In Australia, Curlew Sandpipers occur around the coasts and are also quite widespread inland, though in smaller numbers. Curlew Sandpipers mainly occur on intertidal mudflats in sheltered coastal areas, such as estuaries, bays, inlets and lagoons, and also around non-tidal swamps, lakes and lagoons near the coast, and ponds in saltworks and sewage farms. They are also recorded inland, though less often, including around ephemeral and permanent lakes, dams, waterholes and bore drains, usually with bare edges of mud or sand. They occur in both fresh and brackish waters. Occasionally they are recorded around floodwaters (DCCEEW 2023). Curlew Sandpipers mainly occur on intertidal mudflats in sheltered coastal areas, such as estuaries, bays, inlets and lagoons. They occur in both fresh and brackish waters (Morcombe 2021).	No	Unlikely - Not recorded within the Search Area.
Cereopsis novaehollandiae novaehollandiae	Cape Barren Goose		R	2		2000	In Australasia, the Pectoral Sandpiper prefers shallow fresh to saline wetlands. The species is found at coastal lagoons, estuaries, bays, swamps, lakes, inundated	No	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
							grasslands, saltmarshes, river pools, creeks, floodplains and artificial wetlands.		
Corcorax melanorhamphos	White-winged Chough		R	2		2023	Mostly inhabits small, windswept and generally uninhabited offshore islands, but ventures to adjacent mainland farming areas in search of food in summer (Birdlife Australia 2023). Offshore islands, usually granite, in areas of pasture, tussock grass or low heathy scrub (BIB 2023).	No	Possible - Recorded within the Search Area <40 years and farmland habitat present within the Project Area.
Coturnix ypsilophora australis	Brown Quail		V	2		2012	Prefers drier forests, woodlands of Eucalyptus sp., crops and pastures (Pizzey and Knight 2007)	No	Unlikely - Not recently recorded and suitable habitat not present within the Project Area.
Falco hypoleucos	Grey Falcon	VU		1	Likely		The Grey Falcon of inland Australia is widely but sparsely distributed in woodland, shrubland and grassland in the arid and semi-arid zones, especially wooded watercourses, of mainland Australia.	No	Unlikely - Not recently recorded and suitable habitat not present within the Project Area.
Falco peregrinus macropus	Peregrine Falcon		R	2		2020	Found everywhere from woodlands to open grasslands and coastal cliffs - though less frequently in desert regions. This species prefers open habitats such as grasslands, tundra and meadows and nests on cliff faces and in crevices (Pizzey and Knight 2013).	No	Unlikely - Not recorded within the Search Area and no suitable habitat occurs.
Falco subniger	Black Falcon		R	2		2006	Occurs on plains, grasslands, foothills, timbered watercourses and crops (Pizzey and Knight 2007). This species is found along tree-lined watercourses and in isolated woodlands, mainly in arid and semi-arid areas (BirdLife Australia, ND).	P/H/N/w/r	Highly likely - Recently recorded and suitable habitat present within the Project Area.
Falcunculus frontatus frontatus	Eastern Shriketit		R	2		2012	Eucalyptus woodlands and forest, within a wide range of woodland/forest communities. Prefers dense grasslands, often on the edges of open forests, and bracken (Birdlife Australia 2023).	P/N/s	Likely - Recorded within the Search Area <20 years and suitable habitat present within the Project Area.
Gallinago hardwickii	Latham's Snipe	VU		1	May		Latham's snipe feed in soft mudflats or shallow water typically at night, early morning, or evening	F/w	Likely - Recorded within the Search Area <20 years and suitable habitat

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
									present within the Project Area.
Gerygone olivacea olivacea	White-throated Gerygone		R	2		1999	Prefers trees and saplings in open forests and woodlands, lightly timbered hills and scrub regrowth. Sometimes found in trees along watercourses (Pizzey and Knight 2013).	No	Unlikely - Not recorded within the Search Area and no suitable habitat occurs.
Grantiella picta	Painted Honeyeater	VU	R	1	Likely		Sparsely distributed from southern Victoria and south-eastern SA to far northern QLD and eastern Northern Territory Forest, woodland, dry scrub, often with abundant mistletoe. (Birdlife International 2021). Forest, woodland, dry scrub, often with abundant mistletoe. Dependent on mistletoe berries (Morecombe eGuide 2020).	P/F/s	Possible - Recorded within the Search Area <40 years and suitable habitat present within the Project Area.
Hieraaetus morphnoides	Little Eagle		V	2		2011	Occurs in sparse populations in eastern South Australia where it prefers grasslands and grassy woodlands but will inhabit a range of habitats from coastal, sub-coastal and inland areas, right through to semi-arid zones (Birdlife Australia 2022). Widespread over diverse habitats; forest, woodland, open scrub, tree-lined watercourses of interior Australia such as the Murray River. Prefers areas where open country intermixes with wooded or forested hills, as in farmland, irrigated land (Morcombe, 2021).	No	Unlikely - Not recorded within the Search Area.
Leipoa ocellata	Malleefowl	VU	V	1	Likely		In SA, the Malleefowl is distributed from the south-east, north to the Murray-Mallee region and west to Streaky Bay. Occupies shrublands and low woodlands that are dominated by mallee vegetation. It also occurs in other habitat types including eucalypt or native pine Callitris woodlands, Acacia shrublands, or coastal heathlands (Benshemesh 2007). Inhabits semi-arid regions of southern Australia. In SA, the Malleefowl is distributed from the south-east, north to the Murray-Mallee region and west to Streaky Bay. Occupies shrublands and low woodlands that are dominated by mallee	P/w	Possible - Recorded within the Search Area <20 years and suitable habitat present within the Project Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
							vegetation. It also occurs in other habitat types including eucalypt or native pine Callitris woodlands, Acacia shrublands, or coastal heathlands. (DAWE 2021m).		
Lophoictinia isura	Square-tailed Kite		E	2		2017	The Square-tailed Kite ranges along coastal and subcoastal areas from south-western to northern Australia, Queensland, NSW and Victoria. Found in a variety of timbered habitats including dry woodlands and open forests. Shows a particular preference for timbered watercourses (Pizzey and Knight 2013). Found in a variety of timbered habitats including dry woodlands and open forests. Shows a particular preference for timbered watercourses. (NSW Government Environment and Heritage 2014)	No	Unlikely - Not recorded within the Search Area and no suitable habitat occurs.
Melanodryas cucullata cucullata	Hooded Robin	EN	R	1, 2	Known	2017	Utilises woodland of eucalypt, mallee, mulga; coastal heath; semi cleared farmland. Sub-populations in SA are recorded from the Barossa, Monarto, Onkaparinga River, Ashbourne, Port Willunga areas as well as isolated records from elsewhere in the hills and Fleurieu. Requires large remnants (>50 ha) with open areas, young eucalypts or shrubs for nesting and numerous perches for foraging (DEH, 2008). Occurs across south-eastern Australia, most of NSW, VIC and south-eastern SA. South-eastern subspecies found in Eucalypt woodland and mallee and Acacia shrubland (Willson and Bignall 2009).	P/s	Likely - Recorded within the Search Area <20 years and suitable habitat present within the Project Area.
Motacilla cinerea	Grey Wagtail	Mi (T)		1	May		European and Asian species. Migrates south in winter, usually to Indonesia and NG. Rarely reaches Australia, but when it does, favours habitat near freshwater streams, also mown grass, ploughed land or near sewage ponds (Morcombe eGuide 2023).	No	Unlikely - Recorded within the Search Area <20 years, however there is no suitable habitat in the Project Area, and the species is not known to utilise scattered trees.
Motacilla flava	Yellow Wagtail	Mi (T)		1	May		Open country near swamps, salt marshes, sewage ponds, grassed surrounds to	No	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
							airfields, bare ground. Occasionally on drier inland plans (Morcombe eGuide 2023).		
Myiagra cyanoleuca	Satin Flycatcher	Mi (T)	E	1	Likely		Known inhabitant of forest, woodland, mangroves and coastal heath scrub. Prefers dense, wet gullies of heavy eucalypt forest in breeding season (Morcombe, 2011). Heavily vegetated gullies in eucalypt-dominated forests and taller woodlands, and on migration, occur in coastal forests, woodlands, mangroves and drier woodlands and open forests (DCCEEW 2023d).	No	Unlikely - Not recorded within the Search Area.
Myiagra inquieta	Restless Flycatcher		R	2		2008	Found throughout northern and eastern mainland Australia, as well as in south-western Australia. The Restless Flycatcher is found in open forests and woodlands and is frequently seen in farmland (Birdlife Australia 2023). Occupies open forests, woodlands and mallee, inland coastal scrubs (Pizzey and Knight 2007).	No	Unlikely - Not recorded within the Search Area.
Neophema chrysostoma	Blue-winged Parrot	VU	V	1	Likely		This species mainly occurs in Tasmania and Victoria, particularly in southern Victoria and the midlands and eastern areas of Tasmania however sparser populations are also found in western New South Wales and eastern South Australia, extending to south-west Queensland and occasionally into the Northern Territory. Prefers grasslands and grassy woodlands but will inhabit a range of habitats from coastal, sub-coastal and inland areas, right through to semi-arid zones (Birdlife Australia 2023).	No	Unlikely - Recorded within the Search Area <20 years, however there is no suitable habitat in the Project Area, and the species is not known to utilise scattered trees.
Neophema elegans elegans	Elegant Parrot		R	2		2011	The Elegant Parrot occurs in eastern parts of South Australia, north to the Flinders Ranges and west to the Eyre Peninsula. It can be found in a wide variety of habitats, including grasslands, shrublands, mallee, woodlands and thickets, bluebush plains, heathlands, saltmarsh and farmland (Birdlife Australia 2023).	P/H/w	Unlikely - Not recorded within the Search Area, minimal preferred habitat.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
Oriolus sagittatus sagittatus	Olive-backed Oriole		R	2		2015	Occurs in SE SA and is a vagrant visitor to the rest of the state where it lives in forests, woodlands and rainforests, as well as well-treed urban areas, particularly parks and golf courses (Pizzey and Knight 2013).	P/H/w	Possible - Recorded within the Search Area <20 years and suitable habitat present within the Project Area.
Petroica boodang boodang	Scarlet Robin		R	2		2021	This species occurs in foothill forests, woodlands and watercourses. In autumn-winter, they occur in more open habitats such as river red gum woodlands, golf courses, parks, orchards and gardens (Birdlife Australia 2023). Eucalypt woodlands and forests. Breeds in Eucalypt forest, but not in adjacent grasslands even though individuals occupy this habitat during the non-breeding season (DEW 2008b).	P/F/s	Likely - Recorded within the Search Area <20 years and suitable habitat present within the Project Area.
Podiceps cristatus australis	Great Crested Grebe		R	2		2004	Found almost exclusively on lakes, larger lagoons and swamps, reservoirs and bays or inlets (Pizzey and Knight 2007).	P/w	Highly likely - Recently recorded and suitable habitat present within the Project Area.
Polytelis anthopeplus monarchoides	Regent Parrot	VU	V	1	May		The eastern Regent Parrot occurs in the lower Murray-Darling basin region of South Australia, New South Wales and Victoria. The Regent Parrot breeds almost entirely in River Red Gum forest and woodland, and all known breeding colonies are located along the Murray River. Typically occur within 100 km of the River in non-breeding season and can forage in mallee habitats (Baker-Gabb & Hurley 2011).	No	Unlikely - Not recently recorded within the Search Area and suitable habitat not present within the Project Area.
Rostratula australis	Australian Painted Snipe	EN	E	1	Likely		Occurs in shallow freshwater (occasionally brackish) wetlands, both ephemeral and permanent, such as lakes, swamps, claypans, inundated or waterlogged grassland/saltmarsh, dams, rice crops, sewage farms and bore drains, rushes and reeds, low scrub, Muehlenbeckia spp. (lignum), open timber or samphire (DCCEEW 2023d).	P/H/w	Unlikely - Not recorded within the Search Area.
Spatula rhynchotis	Australasian Shoveler		R	2		2016	Prefers fresh and saline lakes and well-vegetated freshwater wetlands. Also occurs	No	Unlikely - Not recorded within the Search Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
							in coastal inlets, floodwaters and sewage ponds (Morcombe 2021). Wetlands with areas of open water and dense aquatic vegetation such as swamps, freshwater lakes ephemeral floodwaters. They also inhabit estuaries and tidal flats, with brackish to saline water (Mdahlem 2022).		
Stagonopleura guttata	Diamond Firetail	VU	V	1, 2	Known	2023	Diamond firetails occur in eucalypt, acacia or casuarina woodlands, open forests and other lightly timbered habitats, including farmland and grassland with scattered trees (Higgins et al. 2007). They prefer areas with relatively low tree density, few large logs, and little litter cover but high grass cover (Antos et al. 2008).	No	Unlikely - Suitable habitat not present within the Project Area.
Tringa glareola	Wood Sandpiper		R	2		2016	Prefers the muddy margins of wetlands, tidal mudflats and salt marshes (Pizzey and Knight 2013).	No	Unlikely - Recently recorded, however not known to utilsie scattered trees, and grassland habitat in Project Area is non-native and is highly degraded.
Tringa nebularia	Common Greenshank	Mi (W)		1	Likely		This species is found in a wide variety of inland wetlands and sheltered coastal habitats of varying salinity. It occurs in sheltered coastal habitats, typically with large mudflats and saltmarsh, mangroves or seagrass. Habitats include embayments, harbours, river estuaries, deltas and lagoons and are recorded less often in round tidal pools, rock-flats and rock platforms. The species uses both permanent and ephemeral terrestrial wetlands, including swamps, lakes, dams, rivers, creeks, billabongs, waterholes and inundated floodplains, claypans and saltflats. It will also use artificial wetlands, including sewage farms and saltworks dams, inundated rice crops and bores (Higgins & Davies, 1996).	No	Unlikely - Suitable habitat not present within the Project Area.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
Turnix varius varius	Painted Buttonquail		R	2		2014	These birds range almost continuously, in appropriate habitat, from about the Atherton Tableland in Qld, round the coast to the EP and north to the southern Flinders Ranges in SA, avoiding only the driest regions of Qld and NSW. Temperate and eastern tropical forests and woodlands form the habitats of this species (Morcombe 2021).	No	Unlikely - Not recorded within the Search Area.
Zanda funerea whiteae	Yellow-tailed Black Cockatoo		V	2		2013	Eucalyptus forests and woodlands. Plantations of Eucalyptus and introduced Pinus sp. (Pizzey and Knight 2013). Coastal heath, woodland and forest. Increasingly recorded in pine plantations and trees in urban and rural areas (Birds SA 2023b).	No	Unlikely - Recorded within the Search Area <20 years, however there is no suitable habitat in the Project Area, and the species is not known to utilise scattered trees.
Zapornia tabuensis	Spotless Crake		R	2		2016	Mostly found in well vegetated freshwater wetlands with rushes and reeds. Will also frequent muddy areas, reedbeds or wetlands (DEH, 2008).	P/H/w	Possible - Recorded within the Search Area <20 years and potentially suitable habitat present within the Project Area.
Zoothera lunulata halmaturina	South Australian Bassian Thrush Southern FR, MLR, KI	EN	V	1, 2	May	2020	The subspecies mostly inhabits damp eucalypt forest or woodland. Its habitat consists of densely forested areas and gullies, usually with a thick canopy overhead, a thick understorey of small trees and tall shrubs, and leaf-litter below. On Kangaroo Island they occur within mature mallee eucalypt woodland (DCCEEW 2023).	No	Unlikely - Suitable habitat not present within the Project Area.
REPTILES									
Aprasia pseudopulchella	Flinders Ranges Worm-lizard	VU		1	Likely		Known from the FR of SA, extending south to the western slopes and northern and central MLR. The species inhabits open woodland, native tussock grassland, riparian habitats, and rocky isolates, preferring stony or clay soils with a stony / rocky surface, but has also been found sheltering in soil beneath sones and rotting stumps (Commonwealth Government, 2008). The Flinders Ranges Worm-lizard is known from the Flinders Ranges of South Australia,	No	Unlikely - Recorded within the Search Area <40 years and grassy woodland present within the Project Area, however, the site does not have a rocky substrate suitable for shelter.

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
							extending south to the western slopes and northern and central Mount Lofty Ranges. It occurs in open woodland, native tussock grassland, riparian habitats and rocky isolates (DEWHA 2008b).		
Egernia cunninghami	Cunningham's Skink		E	2		2007	Found in rocky outcrops with large crevices in higher rainfall open woodland. Within the Mount Lofty Ranges the preferred broad vegetation groups are Grassy Woodland, Coastal and Heathy Forest (DEH, 2008).	No	Unlikely - Not recently recorded and rocky outcrop not present within the Project Area.
Tiliqua adelaidensis	Pygmy Bluetongue	EN	E	1	May		Fragmented populations known from across the mid-north of SA, with unknown population size. Occurs in a variety of habitats, ranging from highly degraded grasslands to grasslands of high biodiversity, sparse to moderate coverage, preferably on lower slopes. The species uses empty spider burrows (trapdoor, wolf spider) as refuges and basking sites and requires these to occur in moderate abundance in the landscape. Historically (pre-1992), the species was found in chenopod and mallee scrublands with compacting or crusty sand soils associated with hollow mallee lignotubers and near surface limestone sheets (Duffy et al. 2012).	No	Unlikely - Not recorded within the Search Area and not within current known range of the species.
MAMMALS									
Isoodon obesulus obesulus	Southern Brown Bandicoot	EN	V	1	May		This species prefers dense ground cover, tall grass and low shrubbery. They live near swamps and rivers as well as in thick scrub in drier areas. They make their nests on the ground and in logs. The nests consist of sticks, leaves, grass, and soil (TSSC 2016d).	No	Unlikely - Not recorded within the Search Area.
Pteropus poliocephalus	Grey-headed Flying-fox	VU	R	1, 2	Likely	2020	Grey-headed Flying-foxes forage up to 40 km from their roost at Botanic Park each night. Food plants are typically planted trees, both native and exotic, that provide fruit or a rich source of nectar (DAWE 2021b).	F/s	Possible - Recently recorded and suitable seasonal foraging habitat present within the Project Area. The Project Area is not within the critical foraging radius within

Scientific name	Common name	Conservation status		Source of information	PMST likelihood	Last sighting (year)	Habitat	Scattered tree using species	Likelihood of occurrence within Project Area
									20km of a known bat camp.
Trichosurus vulpecula	Common Brushtail Possum		R	2		2000	Utilises various woodland habitats and suburban environs. Feeds on flowers, fruit, buds and leaves of native vegetation. Requires hollows (within dead or alive tree) or on ground for daytime nesting (Strahan & van Dyck 2008). Anywhere where trees with suitable hollows occur, including open forests and woodlands but also urban areas and cities. The species can be common in urban areas (Strahan, 2004). One of the best-known marsupials; found in most treed environments, including cities, towns and farmland (Menkhorst and Knight 2004).	F/H/w/r	Possible - Recorded within the Search Area <40 years and suitable habitat present within the Project Area.

Conservation status

EPBC Act (*Environment Protection and Biodiversity Conservation Act 1999*). NPW Act (*National Parks and Wildlife Act 1972*). Conservation Codes: CE: Critically Endangered. EN/E: Endangered. VU/V: Vulnerable. R: Rare. Mi: listed as migratory under the EPBC Act. Ma: listed as marine under the EPBC Act.

Source of Information

1. **EPBC Act Protected Matters Report (DCCEEW 2024) – 5 km buffer applied to Project Area.**
2. **Biological Database of South Australia data extract (DEW 2024b) - 5 km buffer applied to Project Area.**
3. **Observed during the field survey.**

Scattered Tree Using Species

Resource use: P = Perching / roosting , N = Nesting, H = Hollow using, F = Feeding
Habitat / status: w = woodland birds that occasionally use adjacent scattered trees, r = species that can reside in scattered trees, s = seasonal (waterbirds, seasonal, nomadic

Appendix 3 - Scattered tree using fauna recorded within the Search Area (DEW 2024b) that are defined as being scattered tree using species (NVC 2020).

Scientific name	Common name	EPBC Act t	NPW Act	MLR	Resource use	Habitat / status	Comment
AVES							
Acanthiza chrysorrhoa	Yellow-rumped Thornbill			NT	P,N	w/r	
Acanthiza nana	Yellow Thornbill			NT	P,F	w	
Chrysococcyx basalis	Horsfield's Bronze Cuckoo			NT	P	s	
Falco peregrinus	Peregrine Falcon		R	RA	P,H,N	w/r	
Falco subniger	Black Falcon		R	RA	P,N	s	
Falcunculus frontatus	Eastern Shriketit		R	RA	F	w	
Gerygone fusca	Western Gerygone		R		P,F	s	
Gerygone olivacea	White-throated Gerygone		R	RA	P,F	s	
Hieraaetus morphnoides	Little Eagle		V	EN	P	w	
Melanodryas cucullata	Hooded Robin	EN	R				Habitat suitable
Melithreptus brevirostris	Brown-headed Honeyeater			NT	P,F	w	
Melithreptus gularis	Black-chinned Honeyeater		V	CR	P,F	w	
Melithreptus lunatus	White-naped Honeyeater			NT	P,F	w	
Microeca fascinans	Jacky Winter		R	CR	P	w	
Neophema chrysostoma	Blue-winged Parrot	VU	V	VU	P,H	w	
Neophema elegans	Elegant Parrot		R	VU	P,H	w	
Oriolus sagittatus	Olive-backed Oriole		R	RA	P,F	s	
Pachycephala rufiventris	Rufous Whistler			NT	P,F	w/s	
Pardalotus punctatus	Spotted Pardalote			NT	P,F	w/s	
Petrochelidon nigricans	Tree Martin			NT	P,H	w/s	
Petroica boodang	Scarlet Robin		R	VU	P	w	
Plectorhyncha lanceolata	Striped Honeyeater		R	EX	P,F	w	
Psephotus haematonotus	Red-rumped Parrot			NT	P,H	w/r	
Rhipidura leucophrys	Willie Wagtail			NT	P,N,F	w/r	
Stagonopleura guttata	Diamond Firetail	V	VU	VU	P,N	w	
Todiramphus sanctus	Sacred Kingfisher			NT	P,H	w	

Zanda funerea	Yellow-tailed Black Cockatoo		V	VU	P,H	w	
Zosterops lateralis	Silvereye			NT	P,F	w/s	
MAMMALIA							
Pteropus poliocephalus	Grey-headed Flying-fox	VU	R				Habitat suitable

NPW Act: E = Endangered, V = Vulnerable, R = Rare
EPBC Act: Ex = Extinct, CR = Critically endangered, EN = Endangered; VU = Vulnerable
MLR: LC = Least Concern (Common), NT = Near Threatened (Uncommon), RA = Rare, VU = Vulnerable, EN = Endangered, CR = Critically Endangered
Resource use: P = perching/roosting, N = nesting, H = using hollow for nesting/roosting, F = feeding
Habitat/status: s = seasonal (includes waterbirds using trees near seasonal wetlands, seasonal and nomadic species), w = woodland birds that occasionally use adjacent scattered trees, r=species that can reside in scattered trees.

Appendix 4 – Native species planted during revegetation efforts within the Project Area.

Common name	Scientific name
Acacia paradoxa	Kangaroo Thorn
Acacia pycnantha	Golden Wattle
Acacia retinodes	Wirilda
Allocasuarina verticillata	Drooping Sheoak
Atriplex semibaccata	Berry Saltbush
Bursaria spp.	-
Callitris gracilis	Southern Cyprus Pine
Calytrix tetragona	Common Fringe Myrtle
Dianella revoluta	Blue Flax-lily
Dodonaea viscosa	Sticky Hop Bush
Enchylaena tomentosa	Ruby Saltbush
Eucalyptus leucoxylon	Blue Gum
Eucalyptus microcarpa	Grey Box
Eucalyptus odorata	Peppermint Box
Eucalyptus viminalis	Rough Bark Manna Gum
Lomandra longifolia	Basket Grass
Olearia ramulosa	Twiggy Daisy Bush

Appendix 5 – Vegetation assessed but not under application.

Tree #	Tree spp.	No. of trees	Height (m)	Hollows	Diameter (cm)	Canopy dieback (%)	Biodiversity Score
3	*Eucalyptus odorata*	1	8	2 small, 1 medium	72	15	4.59
6	*Eucalyptus leucoxylon*	1	12	2 small	79.80	15	3.76
7	*Eucalyptus odorata*	1	7.5	4 small, 1 medium and 1 large	122.50	20	6.48

EBS Ecology
112 Hayward Avenue
Torrensville, SA 5031
www.ebsecology.com.au
t. 08 7127 5607

Visual Assessment of Proposed Nexus Suites

Nexus Barossa

JULY 2024

VISUAL ASSESSMENT OF PROPOSED NEXUS SUITES
NEXUS BAROSSA

PREPARED FOR

KPHR Investments Pty Ltd

PREPARED BY

James Hayter

Director, Oxigen

oxigen

Landscape Architecture | Urban Design | Urban Planning

Adelaide
98-100 Halifax Street, Adelaide SA 5000

Oxigen Pty Ltd
ABN 22 107 472 284
Telephone +61 8 7324 9600
Email jhayter@oxigen.net.au

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Introduction

BACKGROUND

I prepared Visual Assessment reports in October 2021, and then again in August 2022, to assess an amended application in relation to a proposal to develop land at 221 Yaldara Drive, Lyndoch, SA.

The proponent now proposes further works comprising a revision to the main building, accommodation blocks comprising multiple units, a carpark and access road, and landscaping. The proponent has subsequently requested that I assess the visual implications of these works based on my original visual assessments carried out in 2021 and 2022.

The proposal is described in documents provided by the proponent, comprising:

- Architectural plans prepared by Brown Falconer. Drawing Numbers 3429 DA201, DA 210, DA 211, DA 212, DA 213, DA 214, DA 215, DA 216, DA 217, DA 218, DA 220, DA 221, DA 222, DA 223, DA 224, DA 225, DA 230, DA 231, DA 232, DA 233, DA 234, DA 235, DA 240, DA 241, DA 280, DA 281, DA 281, DA 283, DA 284, DA 285.
- Landscaping concept plans prepared by GD Studia. Issue D dated 11.07.2024.

My assessment utilises the same 30 viewpoints identified during my previous visual assessments. Within my area of expertise, I have considered the likely visibility of the proposed development from these locations.

Methodology

INSPECTION

My report is a desk top study only - I have not reinspected the site or the viewpoints. My original inspection occured on 3 October 2021, checking the locations again on 8 October and 17 October. I have assumed that the viewpoints originally identified are still applicable, and that no significant changes have occured in the landscape (buildings, roads or vegetation) since then. I have been able to confirm this to some extent by reference to NearMaps accessed in July 2024.

PHOTOGRAPHY

I have utilised the same photographs taken from the identified viewpoints included within my October 2021 report.

VISUAL ASSESSMENT

My analysis within the October 2021 report that is again reflected in this report dated July 2024 indentifies:

> Location - location of photo viewpoint.
> Description - description of the existing view.
> Visibility - description of the subject site's visibility from the viewpoint.
> Significance - my opinion on the viewpoint's significance considering the existing landscape character and visibility (ie. whether the viewpoint is likely to affect many people, such as from a main road, or a lesser number, such as from a minor road).
> Likely Visual Impact - my opinion on the potential impact of future development on the visual amenity of the locality.
> Image - photograph from the viewpoint towards the subject site.

I have considered the same criteria in my analysis of the visual effect of the proposed development, providing additional commentary in relation to the viewpoints where the development is likely to be seen from that particular viewpoint.

DISTANCES AND ELEVATION

The data included within my October 2021 report is unchanged.

REPORT FORMAT

This report is best read as a PDF file. If read as a hard copy, it should be printed with facing pages.

Broad Locality

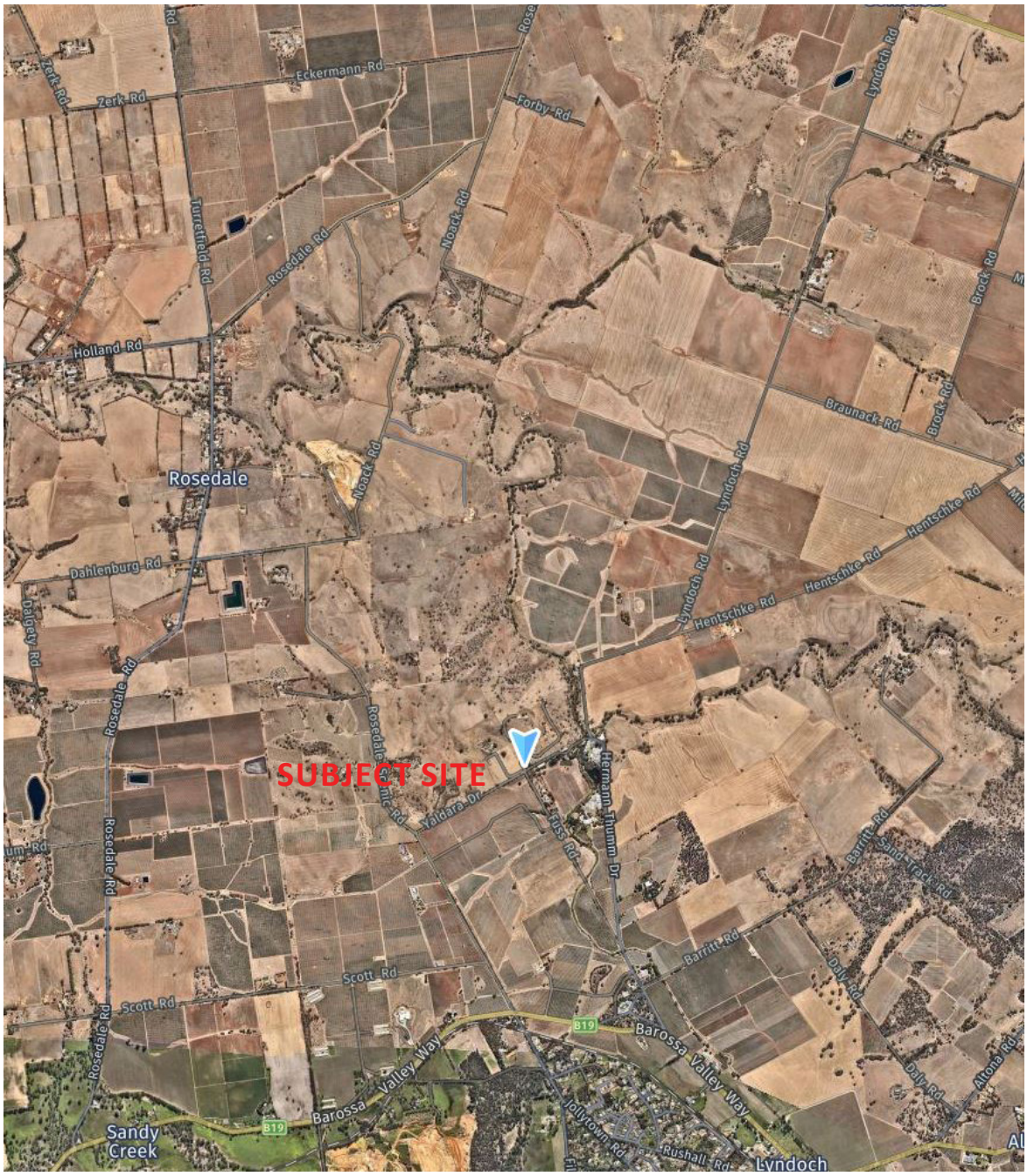


FIGURE 1: BROAD LOCALITY.
SUBJECT SITE AT 221 YALDARA DRIVE (NEAR MAPS)

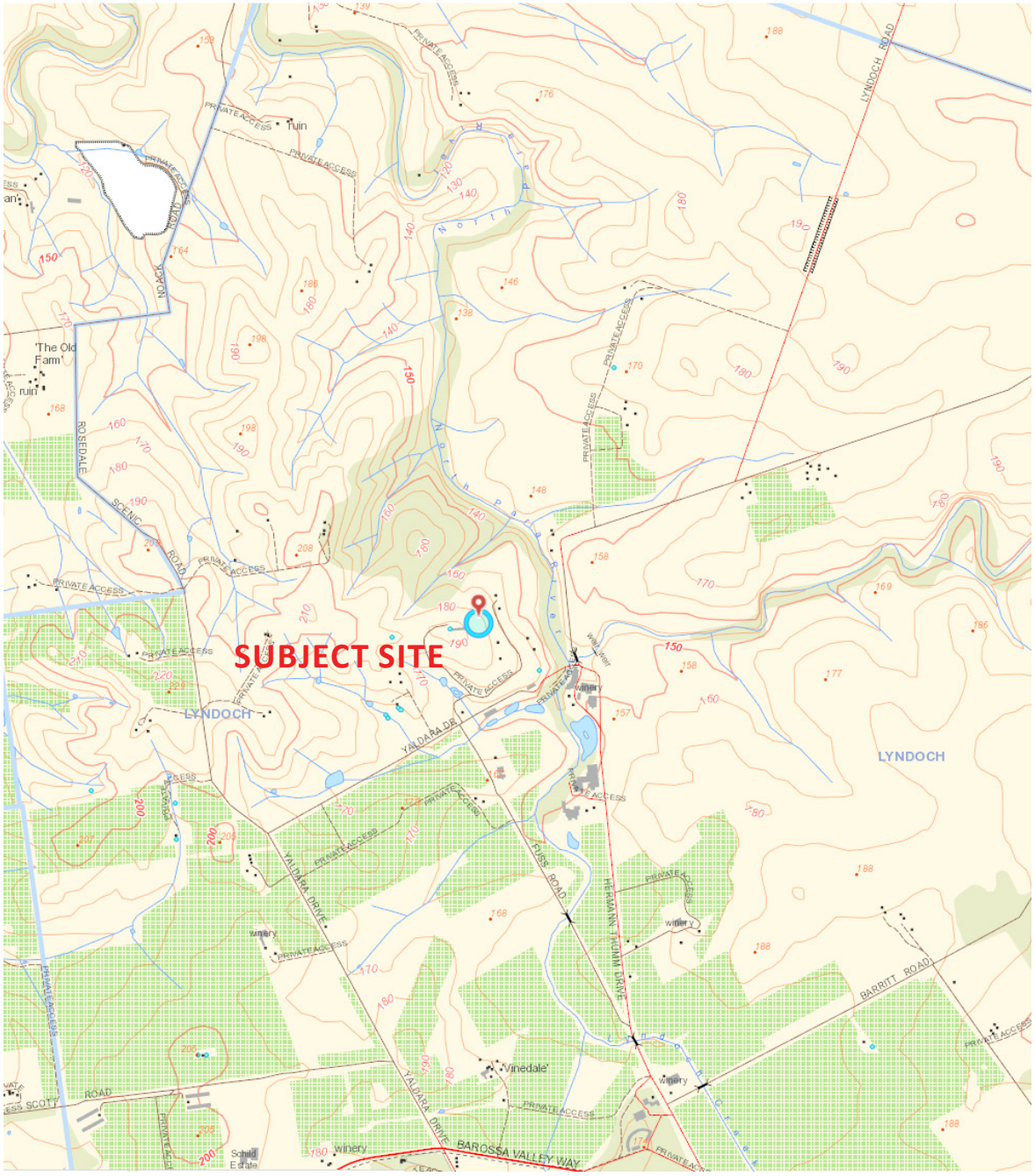


FIGURE 2: BROAD LOCALITY.
TOPOGRAPHY (NATURE MAPS)

Site Description

The subject site is described as Section 461 in Hundred Plan 105200 and referred to as 221 Yaldara Drive, Lyndoch SA 5351. A former residential building currently sits within the site which, I understand, is to be retained and incorporated into the development. The former residence sits on the high point within the subject site (elevation approximately 190m Nature Maps), being accessed by an unsealed road leading from near the intersection of Fuss Road and Yaldara Drive. I understand the access road is to be retained in the same location.

Apart from the existing former residence and six free-standing accommodation pavilions, the site exists as open paddock with a scattering of native trees. The MasterPlan Planning Report (July 2024) identifies the historic use of the land for agriculture, primarily the grazing of livestock (sheep).

FIGURE 3: EXISTING SITE (BROWN FALCONER)

FIGURES 4 + 5: SITE AERIAL + PHOTO OF EXISTING FORMER RESIDENCE TO BE INCORPORATED INTO THE DEVELOPMENT (IMAGES PROVIDED BY BROWN FALCONER)

Proposed Development

Proposed built form

The extent of new built form is illustrated on plans, elevations and illustrations (Planning Consent Amendment - Nexus Hotel and Suites) prepared by architects Brown Falconer. Generally, the proposed new built form comprises three distinct parts - central main building and lobby which sit at an elevation of 198400 or maximum height above ground level of 5.6m, accommodation suites at an elevation of 190800 or maximum height above ground level of 10.6m, and accommodation ring buildings at an elevation of 193900 or maximum height above ground level of 8.1m. I understand the proposal to be a two storey development with the central main building and lobby located at the high point of the site. Both the central main building and lobby and accommodation ring buildings are constructed as a slab on ground whilst the accommodation suites are elevated. The accommodation ring buildings are accessed via bridges from the central main building and lobby. Other works proposed as part of the development include earthworks, minor widening and spray surfacing of the existing internal access track, carpark, removal of seven native trees and landscaping.

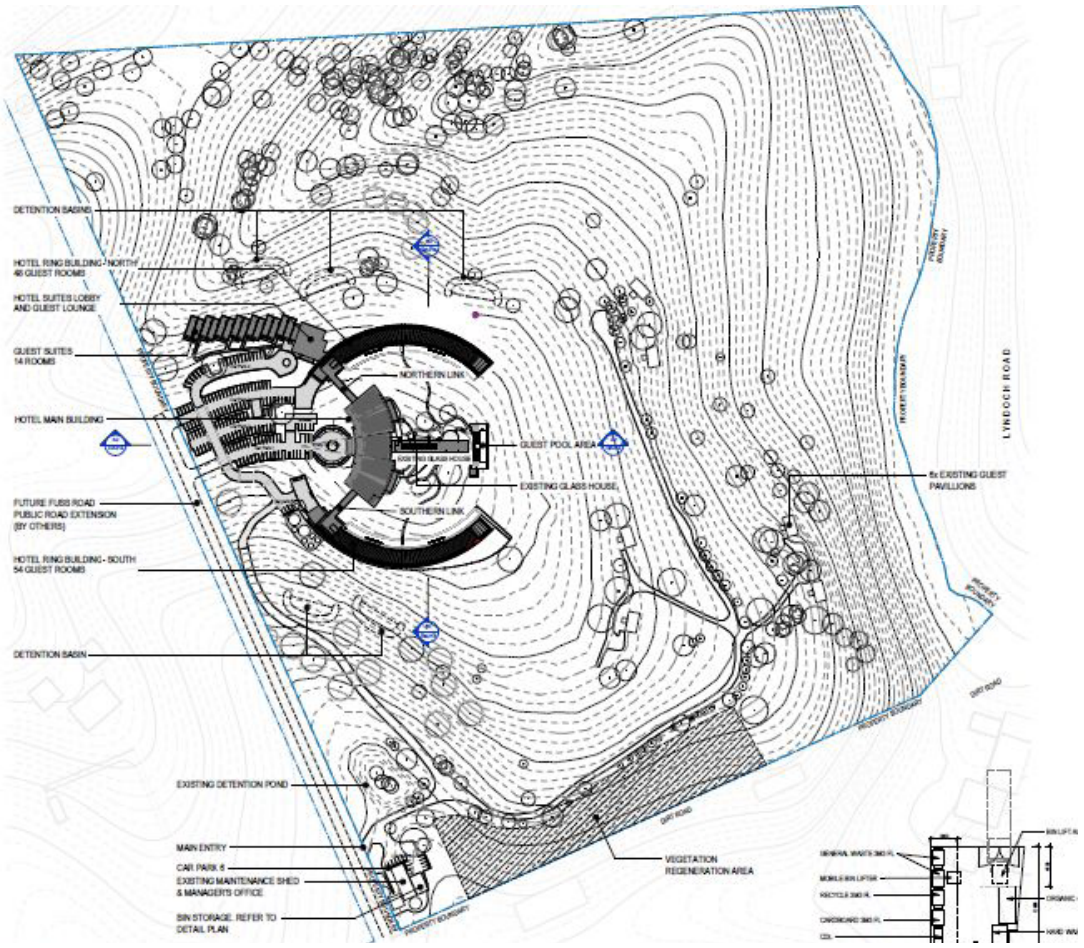


FIGURE 6: PROPOSED SITE PLAN (BROWN FALCONER, DEVELOPMENT APPLICATION)

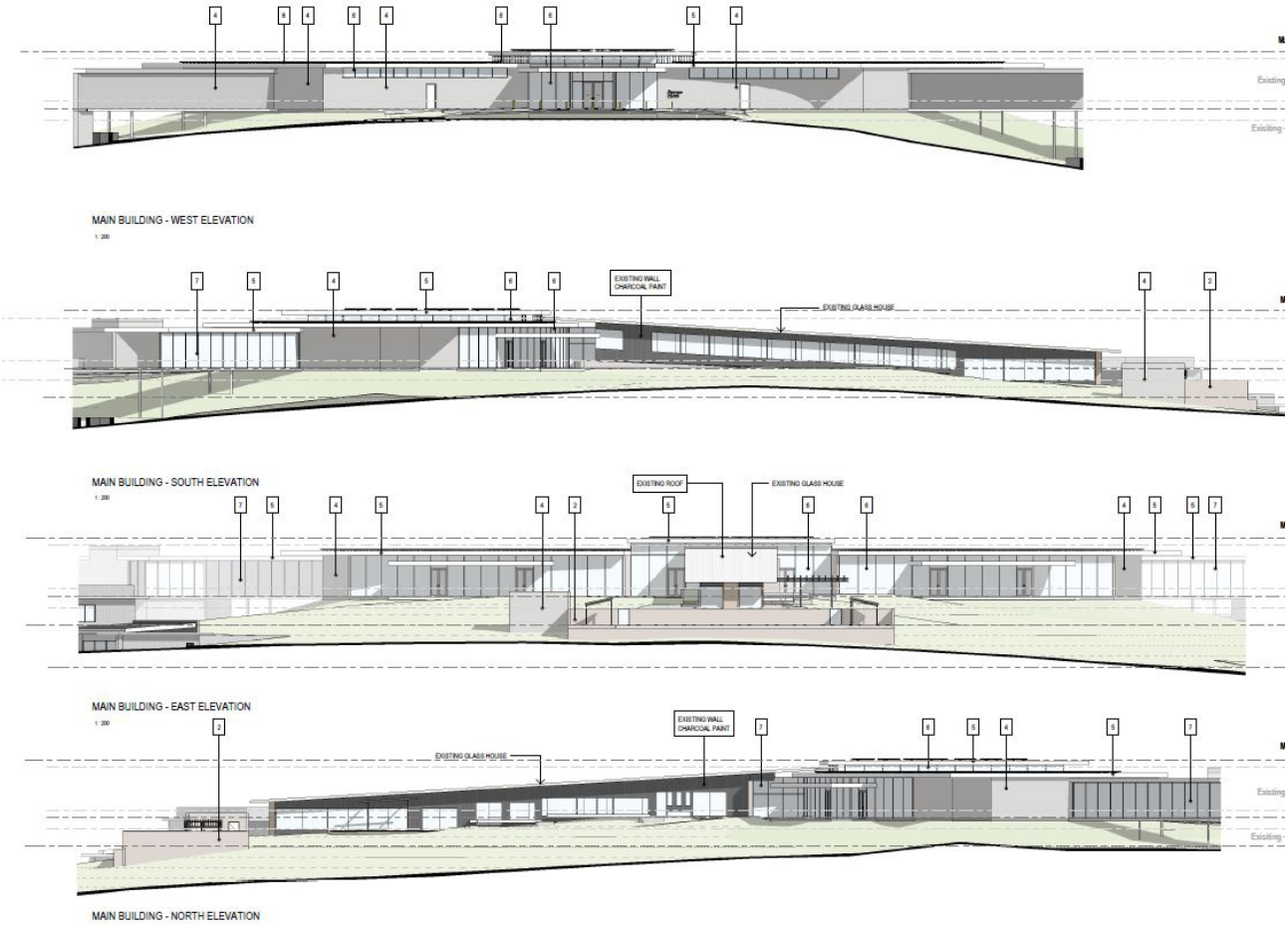


FIGURE 7: BUILDING ELEVATIONS (BROWN FALCONER, DEVELOPMENT APPLICATION)

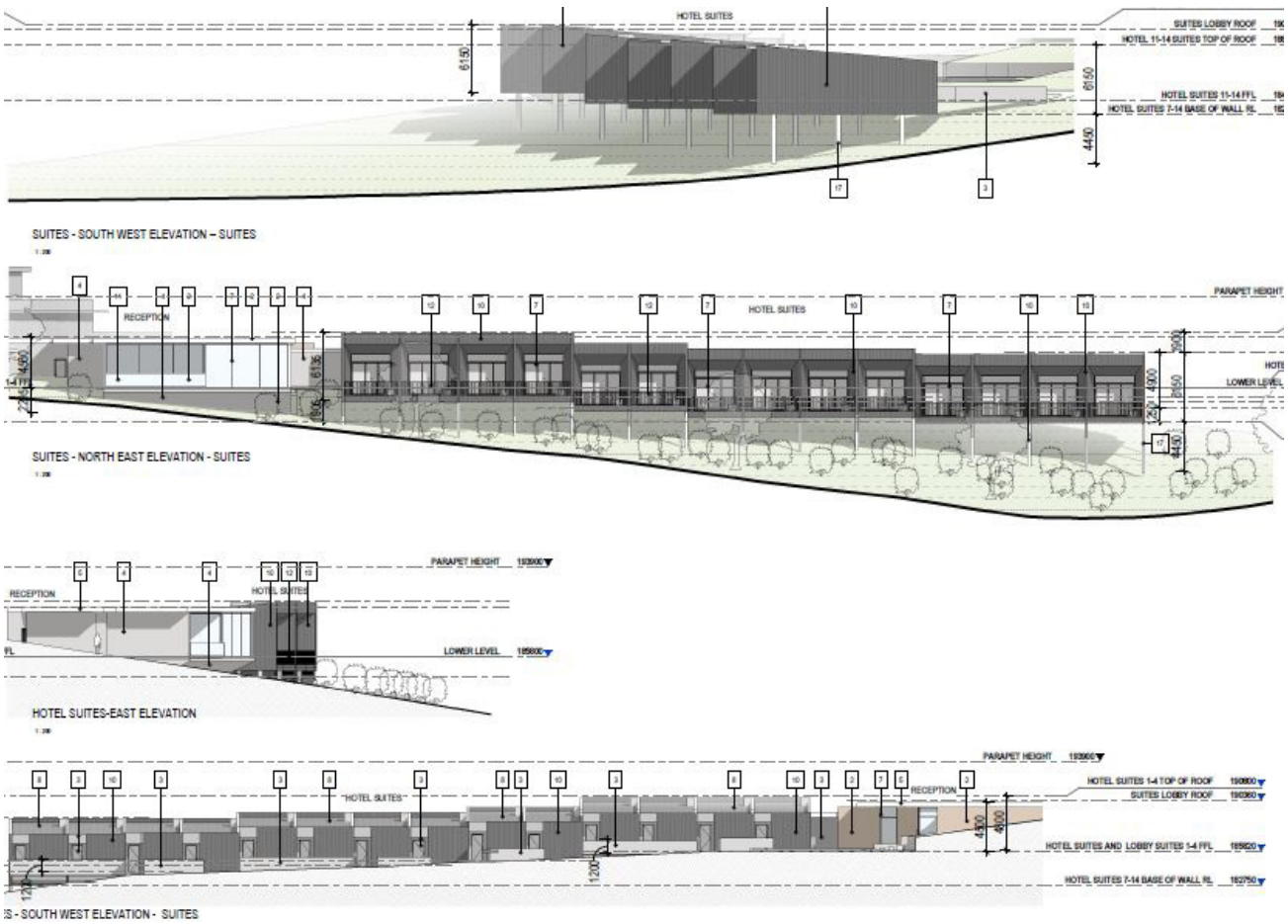


FIGURE 8: ACCOMMODATION UNITS - ELEVATIONS (BROWN FALCONER, DEVELOPMENT APPLICATION)

Proposed Landscaping

The extent of new landscaping is illustrated on plans and illustrations (GD Studia Nexus Barossa Landscape Concept Design Report - Planning Consent Amendment Issue D 11.07.2024). Seven existing native trees are proposed for removal. A comprehensive landscape plan is proposed - of particular importance to this visual assessment is the proposed planting on the eastern and northern slopes outside the perimeter of the accommodation ring building. Trees are also proposed within the circle of the accommodation ring building and within the proposed carpark. I understand that the tree species proposed are indigenous to the Barossa.

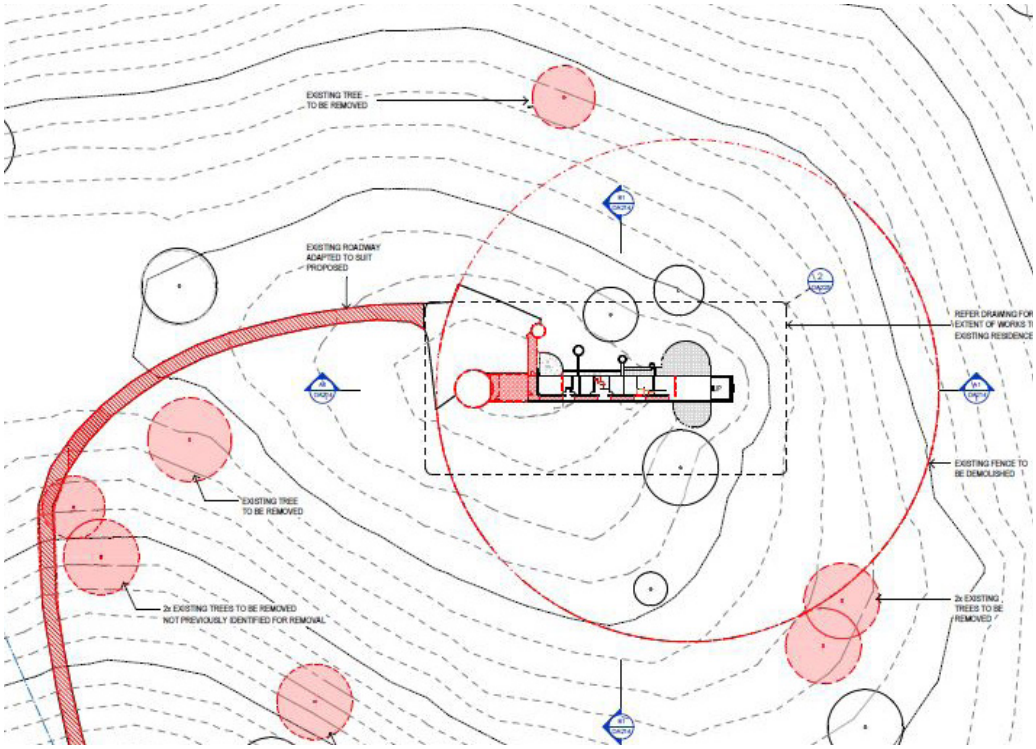


FIGURE 9: PROPOSED TREE REMOVALS (BROWN FALCONER, DEVELOPMENT APPLICATION)

North

FIGURE 10: SITE LANDSCAPE MASTER PLAN (GD STUDIA)

North

FIGURE 11: DETAIL LANDSCAPE MASTER PLAN (GD STUDIA)

Viewpoints

I have utilised the same viewpoints identified in my 2021 and 2022 reports as the basis for analysis of the current proposed development. These viewpoints are included in this report as Figure 13. For each viewpoint, I have further assessed the likely visual impact of the proposed development utilising the same view and criteria, renaming "LIKELY VISUAL IMPACT" to "LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT" for each viewpoint.

FIGURE 12: RADIUS DISTANCE TO SUBJECT SITE

Attachment 1

FIGURE 13: VIEWPOINTS

Attachment 1

Viewpoint 1

LOCATION	Rosedale Road.
DESCRIPTION	Viewpoint is adjacent to the Pindarie Winery and intersection with Gomersal Road. Distance to the subject site is 5.0km with the viewpoint sitting at an elevation 30m higher than the site.
VISIBILITY	The subject site is only just visible in the distance, with the view obstructed by verge planting in the foreground. This appears to be the extreme point at which the subject site might be viewed. Very low visibility.
SIGNIFICANCE	Medium. Rosedale Road is a commuter and tourist route in the Barossa.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 01

Viewpoint 2

LOCATION	Noack Road.
DESCRIPTION	Views directly south across the North Para River valley align with the subject site. The elevation of both is approximately 180m. The subject site lies approximately 3.5km from the viewpoint.
VISIBILITY	The subject site is visible in the distance sitting on an elevated hill but below higher topography behind. It does not sit on the open skyline. Very low visibility.
SIGNIFICANCE	Noak Road is an unsealed and minor road. Significance is therefore low.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 02

Viewpoint 3

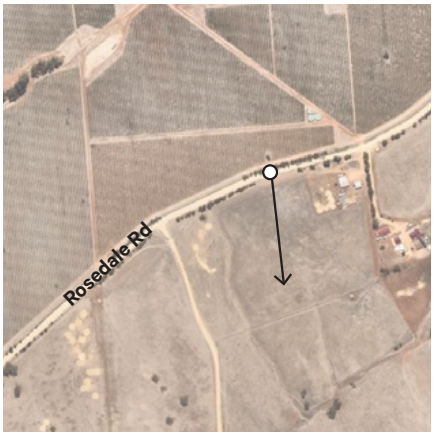
LOCATION	Harvey Road.
DESCRIPTION	Views directly south across the North Para River valley align with the subject site. Distance to the subject site is 3.0km with the viewpoint sitting at an elevation of 155m.
VISIBILITY	The subject site is visible in the distance sitting on an elevated hill but below higher topography behind. It does not sit on the open skyline. Very low visibility.
SIGNIFICANCE	Harvey Road is an unsealed and minor road. Significance is therefore low.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance and minor road status.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 03

Viewpoint 4

LOCATION	Rosedale Road.
DESCRIPTION	Viewpoint is on Rosedale Road. Distance to the subject site is 3.6km with the viewpoint sitting at an elevation of 180m.
VISIBILITY	Views are directly south over Gomersal Creek and the North Para River valley. The foreground is open grazed and cropped paddock. Very low visibility due to distance.
SIGNIFICANCE	Medium given Rosedale is a sealed road used by commuters and tourists.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance.



VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 04

Viewpoint 5

LOCATION	Rosedale Road.
DESCRIPTION	Viewpoint is on Rosedale Road looking south over the North Para River valley. The subject site is visible from limited viewpoints along Rosedale Road. Generally, Rosedale Road sits at a similar or slightly higher elevation than the subject site. Distance to the subject site is 3.4km with the viewpoint sitting at an elevation of 150m.
VISIBILITY	Views are directly south over the North Para River valley. The foreground is open grazed and cropped paddock. Very low visibility.
SIGNIFICANCE	Medium given Rosedale is a sealed road used by commuters and tourists.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 05

Viewpoint 6

LOCATION	Lyndoch Road.
DESCRIPTION	Viewpoint adjacent to the intersection with Gomersal Road. This viewpoint sits approximately 30m higher in elevation than the subject site which is viewed over an open landscape. Distance to the subject site is 5.3km with the viewpoint sitting at an elevation of 220m.
VISIBILITY	The subject site is just visible over the open landscape. Very low visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 06

Viewpoint 7

LOCATION	Lyndoch Road.
DESCRIPTION	Viewpoint adjacent to Braunach Road. Distance to the subject site is 4.5km with the viewpoint sitting at an elevation of 185m.
VISIBILITY	The orientation of Lyndoch Road is towards the subject site with visibility influenced by the topography of the road which rises to a series of crests (site visible) and troughs (site not visible). Very low visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 07

Viewpoint 8

LOCATION	Lyndoch Road.
DESCRIPTION	Viewpoint approximately 200m south of intersection with Braunach Road. Distance to the subject site is 2.7km with the viewpoint sitting at an elevation of 190m.
VISIBILITY	Visibility increases as the distance to the subject site reduces. The site sits on top of a ridge line and is viewed against an open skyline. Low visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and location on subject site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 08

Viewpoint 9

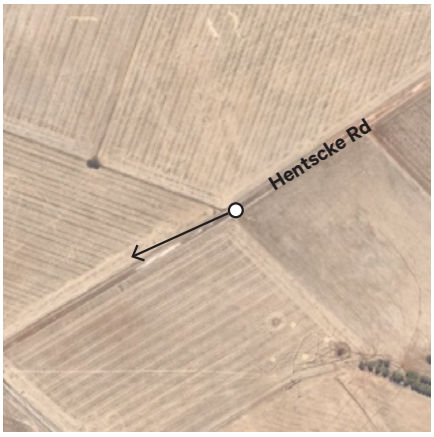
LOCATION	Lyndoch Road.
DESCRIPTION	Viewpoint before a rise in the road and intersection with Hentschke Road. Distance to the subject site is 1.3km with the viewpoint sitting at an elevation of 160m.
VISIBILITY	Orientation of the road gives visibility on the driver's side towards the subject site which is viewed across an open landscape in an elevated position. The site sits on a ridge line with an open skyline behind. Low visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and location on subject site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 09

Viewpoint 10

LOCATION	Hentschke Road.
DESCRIPTION	Hentschke Road is an unsealed, minor road connecting Gomersal Road to Lyndoch Road. This section of Hentschke Road is only usable by 4-wheel drive vehicles when wet. Viewpoint is on a crest before the elevation falls to Milde Road. Distance to the subject site is 3.0km with the viewpoint sitting at an elevation of 190m.
VISIBILITY	Open views to the subject site. Low visibility.
SIGNIFICANCE	Low given the road is unsealed and typically used only in dry weather.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and location on subject site.



VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 10

Viewpoint 11

LOCATION	Hentschke Road.
DESCRIPTION	Hentschke Road is an unsealed, minor road connecting Gomersal Road to Lyndoch Road. This section of Hentschke Road is only usable by 4-wheel drive vehicles when wet. Viewpoint is past the crest with the subject site visible within an open landscape. Distance to the subject site is 2.2km with the viewpoint sitting at an elevation of 180m.
VISIBILITY	Open views to the subject site. Low visibility.
SIGNIFICANCE	Low given the road is unsealed and typically only used in dry weather.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and minor status of road.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 11

Viewpoint 12

LOCATION	Hentschke Road.
DESCRIPTION	Hentschke Road is an unsealed, minor road connecting Gomersal Road to Lyndoch Road. This section of Hentschke Road is only usable by 4-wheel drive vehicles when wet. Viewpoint is on a crest before the elevation falls to Milde Road. Distance to the subject site is 1.6km with the viewpoint sitting at an elevation of 165m.
VISIBILITY	Medium - open views to the subject site.
SIGNIFICANCE	Low given the road is unsealed and typically used only in dry weather.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and minor status of road.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 12

Viewpoint 13

LOCATION	Lyndoch Road.
DESCRIPTION	Viewpoint adjacent to the intersection with Hentschke Road. The orientation of the road for a straight section from this viewpoint on is directly towards the subject site which sits elevated and in direct view. Distance to the subject site is 1.0km with the viewpoint sitting at an elevation of 155m.
VISIBILITY	The subject site becomes more visible from the intersection of Hentschke Road towards the site. From this viewpoint, the site sits on an elevated point with little foreground vegetation obscuring views resulting in a medium degree of visibility. Medium visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Medium visual impact.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 13

Viewpoint 14

LOCATION	Lyndoch Road.
DESCRIPTION	Views travelling south-west along Lyndoch Road are orientated directly towards subject site. Distance to the subject site is 0.8km with the viewpoint sitting at an elevation of 145m.
VISIBILITY	The subject site sits at an elevated point with an open skyline behind. The site is clearly visible and in the direct line of sight of motorists. Scattered trees on the rising ground between the viewer and the site break the views. Medium visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Medium visual impact.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 14

Viewpoint 15

LOCATION	Lyndoch Road.
DESCRIPTION	Views travelling south-west along Lyndoch Road are orientated directly towards subject site. Distance to the subject site is 0.65km with the viewpoint sitting at an elevation of 145m.
VISIBILITY	The subject site sits at an elevated point with an open skyline behind. The site is clearly visible and in the direct line of sight of motorists. Scattered trees on the rising ground between the viewer and the site break the views. As expected, the views are more prominent the closer the viewer is to the site resulting in a medium visibility.
SIGNIFICANCE	Medium due to the status of Lyndoch Road as a major commuter and tourist route.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Medium visual impact.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 15

Viewpoint 16

LOCATION	Lyndoch Road
DESCRIPTION	Close in view to the subject site although views are perpendicular to the line of travel along the road with some screening provided by existing vegetation adjacent to the road. Distance to the subject site is 0.45km with the viewpoint sitting at an elevation of 145m.
VISIBILITY	Medium due to angle of viewing and presence of existing vegetation.
SIGNIFICANCE	Medium due to proximity. Proposed development sits on a high point with open skyline behind.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Medium noting that the view is not continuous but viewed through vegetation between the road and viewer. The proposal sits lower down the slope than the ridge and to the right of this view.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 16

Viewpoint 17

LOCATION	Barritt Road.
DESCRIPTION	The viewpoint is before gates across this section of road which is designated as a No Through Road. Distance to the subject site is 2.4km with the viewpoint sitting at an elevation of 190m.
VISIBILITY	Views towards the subject site are across open paddocks. The site sits lower than the ridge behind and on the skyline, reducing visual impact to very low.
SIGNIFICANCE	This section of Barritt Road is marked as a No Through Road. Vehicle traffic is anticipated to be small. Low significance.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 17

Viewpoint 18

LOCATION	Barrritt Road.
DESCRIPTION	The viewpoint is on elevated ground at the right angle turn of Barritt Road to the north-west. Distance to the subject site is 2.8km with the viewpoint sitting at an elevation of 210m.
VISIBILITY	Views towards the subject site are across open paddocks. The site sits lower than the ridge behind and on the skyline, reducing visual impact to very low.
SIGNIFICANCE	This section of Barritt Road is marked as a No Through Road. Vehicle traffic is anticipated to be small. Low significance.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance and location on subject site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 18

Viewpoint 19

LOCATION	Barritt Road.
DESCRIPTION	The viewpoint looks over open paddocks to the North Para River corridor and subject site beyond. Distance to the subject site is 2.4km with the viewpoint sitting at an elevation of 200m.
VISIBILITY	Views towards the subject site are across open paddocks. The site sits lower than the ridge behind and on the skyline, reducing visual impact. Low visibility.
SIGNIFICANCE	Barritt Road is an unsealed road that links to Daly Road and a No Through Road at its eastern end. Low because of sparse traffic and distance to the subject site.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and status of road.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 19

Viewpoint 20

LOCATION	Barritt Road.
DESCRIPTION	Viewpoint is located close to and east of viewpoint 1. Distance to the subject site is 2.0km with the viewpoint sitting at an elevation of 170m.
VISIBILITY	There are views to the subject site along the length of Barritt Road although visibility is affected by large trees in the background which break or screen views. Low visibility.
SIGNIFICANCE	Barritt Road is an unsealed road that links to Daly Road and a No Through Road at its eastern end. Low because of sparse traffic and distance to the subject site.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and status of road.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 20

Viewpoint 21

LOCATION	Barritt Road.
DESCRIPTION	Viewpoint lies just after crossing of Lyndoch Creek. Distance to the subject site is 1.9km with the viewpoint sitting at an elevation of 165m.
VISIBILITY	The subject site is visible on a high point when viewed across vineyards. The view is specific to the location and becomes partly screened by large trees in the middle ground as you move along Barritt Road to viewpoint 22. Low visibility.
SIGNIFICANCE	Barritt Road is an unsealed road that links to Daly Road and a No Through Road at its eastern end. Low because of sparse traffic and distance to the subject site.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and location on subject site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 21

Viewpoint 22

LOCATION	Barossa Valley Way.
DESCRIPTION	This section of the Barossa Valley Way runs between Sandy Creek and Rowland Flat. The subject site is visible from a short section of road in a location approximately where the off road cycle trail crosses the Barossa Valley Way. Distance to the subject site is 2.0km with the viewpoint sitting at an elevation of 170m.
VISIBILITY	The subject site sits on top of a high point in the distance with an open skyline behind. Very low visibility due to distance.
SIGNIFICANCE	High. Barossa Valley Way is a major tourist and access route to the Barossa linking major towns. Additional significance to this view is given by the presence of the off road cycle route which is also a major tourist corridor and attraction.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Very low given distance and location on subject site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 22

Viewpoint 23

LOCATION	Fuss Road.
DESCRIPTION	Location adjacent to the intersection of Fuss Road and Hermann Thumman Road. Distance to the subject site is 1.6km with the viewpoint sitting at an elevation of 160m.
VISIBILITY	When viewed from this viewpoint, the subject site sits higher than adjacent land and on the skyline. Views are over vineyards broken by trees and other vegetation in the foreground resulting in a low visibility.
SIGNIFICANCE	Low. Whilst Fuss Road is an unsealed, minor road, Hermann Thumman Road is sealed and well trafficed. Whilst on the skyline, distance to the subject site diminishes its significance.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and location on subject site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 23

Viewpoint 24

LOCATION	Hermann Thumm Drive.
DESCRIPTION	Sealed road linking the Barossa Valley Highway and Lyndoch Road and passing adjacent to the Yaldara Winery complex. Distance to the subject site is 1.1km with the viewpoint sitting at an elevation of 160m.
VISIBILITY	The subject site is visible from occasional viewpoints along Hermann Thumm Drive. From these viewpoints the site sits on a high point with the Yaldara Winery and associated buildings in the middle distance. Views in the foreground are open and over vineyards resulting in a low visibility.
SIGNIFICANCE	Medium. Views from sealed roads are given higher priority given the anticipated increased traffic than unsealed roads. Whilst located at a topographical high point, the considerable distance to the subject site diminishes its significance.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 24

Viewpoint 25

LOCATION	Fuss Road.
DESCRIPTION	Travelling north along Fuss Road towards the subject site the site becomes closer and more visible. However, views are less open and direct, being blocked by existing trees in the foreground and middle ground. Distance to the subject site is 1.0km with the viewpoint sitting at an elevation of 160m.
VISIBILITY	From points along Fuss Road the subject site sits on a high point with open sky behind. Low visibility.
SIGNIFICANCE	Low. Fuss Road is an unsealed, minor road. Given the still considerable distance to the subject site and presence of vegetation that blocks views, significance is considered to be low.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and and presence of existing vegetation.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 25

Viewpoint 26

LOCATION	Fuss Road.
DESCRIPTION	Fuss Road becomes steep at its northern end leading down to a minor tributory of Lyndoch Creek. Planted eucalypts line the road. Distance to the subject site is 0.68km with the viewpoint sitting at an elevation of 155m.
VISIBILITY	The subject site is closer in view sitting against an open skyline. Existing trees block views except for occasional broken views. Low visibility.
SIGNIFICANCE	Low. Fuss Road is an unsealed, minor road.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance. Whilst the proposed development is closer and viewed against an open skyline, the existing trees effectively block views.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 26

Viewpoint 27

LOCATION	Rosedale Scenic Road.
DESCRIPTION	Views across open paddocks to the subject site. Distance to the subject site is 1.0km with the viewpoint sitting at an elevation of 220m.
VISIBILITY	There are occasional views from the scenic drive towards the subject site where the topography allows and vegetation is replaced with open paddocks. Rosedale Scenic Road sits considerably higher in elevation than the subjecct site and where views are opened they look directly down on the site. Medium visibility.
SIGNIFICANCE	Medium given the designation as a scenic road.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Medium given the wide panorama and open views to the proposed development.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 27

Viewpoint 28

LOCATION	Intersection of Yaldara Drive and Rosedale Scenic Road.
DESCRIPTION	Viewpoint sits at the same elevation as the subject site. The site is viewed initially over an open paddock (modified landform) and then dense vegetation. Distance to the subject site is 1.0km with the viewpoint sitting at an elevation of 195m.
VISIBILITY	Given the distance to the subject site and the extent of middle distance vegetation, the subject site is only just visible above the tree line. Low visibility.
SIGNIFICANCE	Medium given the designation as a scenic road.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low given distance and existing vegetation.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 28

Viewpoint 29

LOCATION	Yaldara Drive.
DESCRIPTION	Yaldara Road is an unsealed minor road. Views are across open paddocks with some clumped tree planting. A lower ridgeline in the foreground obscured part of the view to the subject site. Distance to the subject site is 0.6km with the viewpoint sitting at an elevation of 165m.
VISIBILITY	The subject site sits on a high point with an open skyline behind when viewed from Yaldara Drive. Medium visibility.
SIGNIFICANCE	Low due to status of Yaldara Drive as an unsealed, minor road.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Low due to ridgeline in foreground and distance to the site.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 29

Viewpoint 30

LOCATION	Yaldara Drive.
DESCRIPTION	Location adjacent to entry road approximately at the intersection of Fuss Road and Yaldara Drive. Adjacent to Barossa Pavilions. Distance to the subject site is 0.32km with the viewpoint sitting at an elevation of 170m.
VISIBILITY	High given proximity and exposure of the subject site on a high point with open sky behind. Views to the site are broken by vegetation in the foreground.
SIGNIFICANCE	Low due to status of Yaldara Drive as an unsealed, minor road.
LIKELY VISUAL IMPACT OF PROPOSED DEVELOPMENT	Medium given the proximity of the proposed development.

VIEWPOINT LOCATION

PHOTOGRAPH FROM VIEWPOINT 30

Visual Assessment Summary

The table below summarises the visual assessment included in this report, considering visibility, significance and likely visual impact from each viewpoint.

Viewpoint	Location	Visibility of subject site (low, medium, high)	Significance (low, medium, high)	Likely visual impact of proposed development (very low, medium, high)
1	Rosedale Rd	Very Low	Medium	Very low
2	Noack Rd	Very Low	Low	Very Low
3	Harvey Rd	Very Low	Low	Very Low
4	Rosedale Rd	Very Low	Medium	Very Low
5	Rosedale Rd	Very Low	Medium	Low
6	Lyndoch Rd	Very Low	Medium	Very Low
7	Lyndoch Rd	Very Low	Medium	Very Low
8	Lyndoch Rd	Low	Medium	Low
9	Lyndoch Rd	Low	Medium	Low
10	Hentschke Rd	Low	Low	Low
11	Hentschke Rd	Low	Low	Low
12	Hentschke Rd	Medium	Low	Low
13	Lyndoch Rd	Medium	Medium	Medium
14	Lyndoch Rd	Medium	Medium	Medium
15	Lyndoch Rd	Medium	Medium	Medium
16	Lyndoch Rd	Medium	Medium	Medium
17	Barritt Rd	Very Low	Low	Very Low

Viewpoint	Location	Visibility of subject site (low, medium, high)	Significance (low, medium, high)	Likely visual impact of proposed development (very low, low, medium, high)
18	Barritt Rd	Very Low	Low	Very Low
19	Barritt Rd	Low	Low	Low
20	Barritt Rd	Low	Low	Low
21	Barritt Rd	Low	Low	Low
22	Barossa Valley Way	Very Low	High	Very Low
23	Fuss Rd	Low	Low	Low
24	Hermann Thumm Dr	Low	Medium	Low
25	Fuss Rd	Low	Low	Low
26	Fuss Rd	Low	Low	Low
27	Rosedale Scenic Rd	Medium	Medium	Medium
28	Intersection of Yaldara Drive and Rosedale Scenic Road	Low	Medium	Low
29	Yaldara Dr	Medium	Low	Low
30	Yaldara Dr	High	Low	Medium

Conclusion

On the basis of this visual assessment of the proposed development, I consider it will have a low overall visual impact on the broader locality of the subject site, noting that:

- The maximum height of the proposed development is well below the approved height of the hotel.
- Views taken from sealed roads are given more status than views from unsealed ones. I note that the proposed development is unlikely to be viewed from the Barossa Valley Way given the location on the north (away-facing) side of the overall development.
- Views from as far away as the intersection of Gomersal Road and Rosedale Road, a distance of 5km, were identified. I have given these views a low or very low rating given the distance to the subject site.
- Often views are 'glimpsed' rather than continuous.
- Some roads, all unsealed, were dead-end roads. These include Barritt Road, which is sign posted as a No Through Road after the intersection with Daly Road, and Harvey Road which is an extension of Noack Road which, itself, leads off the sealed Rosedale Road. Both Noack Road and Harvey Road are unsealed, minor roads.
- I placed particular attention in identifying views from Rosedale Scenic Road. I did not find significant views from this road apart from a focused view adjacent to the intersection with Yaldara Drive and another further north just over a crest in the road. These viewpoints are identified in the assessment.
- Generally, views are effected by distance, topography and vegetation. I found in my assessment that it was often a combination of these factors that influenced my assessment. For example, a close in view might not have a high impact because of existing road verge vegetation.
- Many of the long distance views to the subject site were open with the visual impact determined by distance and topography.

In determining the likely visual impact of the development on views, I note:

- The development comprises two and three storey elements.
- Generally, there is articulation in the building form. Whilst the extension to the main reception and common facilities building increases the building footprint of this component, the fourteen accommodation units are separated.
- Generally, I understand from the information provided by the architect and landscape architect that materials sympathetic to the rural character of the locality.
- That the proposed new driveway and carpark is proposed to be sealed (spray sealed). I note that unsealed roads, which are typical of a rural locality, are more visually prominent within this locality than sealed ones.
- GD Studia illustrate new tree planting, including planting on the northern slopes leading up to the high point on the site and minimal tree planting within the proposed carpark. Insufficient detail on location and species is provided and I am not able to assess the added visual screening this vegetation may offer. I have therefore ignored it from my assessment, noting that new planting and general efforts to revegetate the open paddock comprising the subject site will assist in reducing the visual impact of development.

> In preparing this report, I have not made my assessments specifically against the provisions of the Planning and Development Code or the Character Preservation District Overlay under the Planning and Design Code.

Please let me know if I can assist further in matters relating to this visual assessment.

JAMES HAYTER

BArch, MLA, MLAUD, FAILA, FAIA, ASLA, M.ICOMOS
Registered Landscape Architect AILA | Member No. 265
Registered Architect AIA | Member No. 2337
Accredited Professional - Planning Level 2 Registration No. APP20230018

Director, Oxigen | Landscape Architects + Urban Designers
Professor, School of Architecture and Built Environment, University of Adelaide

oxigen

98 - 100 Halifax Street
Adelaide SA 5000 Australia

+618 7324 9600

design@oxigen.net.au
www.oxigen.net.au

Details of Representations

Application Summary

Application ID	24021139
Proposal	Variation to Application ID 21018528 - Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas, and alteration of car parking design and configuration
Location	221 YALDARA DR LYNDOCH SA 5351

Representations

Representor 1 - Jared Siviour

Name	Jared Siviour
Address	PO Box 944 LYNDOCH SA, 5351 Australia
Submission Date	12/08/2024 01:05 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 Refer to the attached letter	

Attached Documents

Siviour-Representation-221-Yaldara-Drive-August-2024-1394471.pdf

12 August 2024

The Barossa Council
43-51 Tanunda Road
Nuriootpa SA 5355

To whom it may concern

Representation – Application ID 24021139
221 Yaldara Drive, Lyndoch

Introduction

My wife and I are the owners of 526 Lyndoch Road, Lyndoch and provide this representation regarding Application ID 24021139 for:

> *'Variation to Application ID 21018528 – Various building design and amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor area, and alternation of car parking design and configuration'.*

Our land adjoins the subject land, sharing a boundary of approximately 400 metres at the midpoint of the North Para River.

As you are aware we made written and in-person representations in relation to the original application ID 21018528 and subsequent variation application ID 22022572. As you may recall our points of challenge were:

- Inappropriate scale and nature of tourist accommodation
- Land use conflicts
- Visual impacts
- Impacts to the amenity to our property

We maintain our previous positions of challenge, but will not reiterate these in this representation.

We set out below the factors that the Council and Assessment Panel should consider in the assessment of this variation application.

Areas of Concern

There are two matters which we ask the Council and the Assessment Panel consider further in their assessment:

1. Increase in intensity - The application proposes the increase of:
    - accommodation (increasing room numbers from 80 to 102 with 2 additional suites, increasing guests from 184 to 232);
    - a combined number of "customers for dinning purposes" to 336 people, comprising:

- a larger function centre (increasing the number of customers from 120 to 160); and
- a larger restaurant (increasing the number of customers from 90 to 176),

2. Increasing the height of the accommodation causing negative visual impacts.

In essence, our position is that the development outcomes of Planning and Design Code (the *Code*) are being compromised for the applicant to achieve financial economies of scale and should be assessed as being seriously at variance with the Code.

1. Increase in Intensity

Guidance Subsequent to original development approval

As the Council is aware, following approval of this development, the Supreme Court of South Australia has provided guidance on an almost identical application in terms of proposed tourist accommodation of comparable size and type in the Rural Zone within the Council area[1]. The Supreme Court determined that, among other findings, tourist accommodation not associated with the primary use of the land for primary production or primary production related industry, regardless of its size, should have been determined as being seriously at variance with the Rural Zone of the Code.

Complexities

From reviewing the relevant case law there does not appear to be any definitive determination based on the unique circumstances of this development variation (i.e. initial approval should have otherwise been determined as seriously at variance with the Code and a substantial variance to the original approval is increasing the intensity), making the issue extremely complex to navigate. Accordingly, we respectfully submit that the Council must obtain independent, specialist legal advice to assist it and the Assessment Panel to navigate this matter to reach a lawful determination.

Reassessment of the development against the Code

As a first point of consideration, we would suggest that the combination of:

- the Supreme Court guidance;
- the development not yet commencing; and
- the substantial degree of variation of the development from the original approval,

may obligate the Council and Assessment Panel to now reassess the entire development as a fresh application as opposed to a variance.

Assessment of the variances

If the above issue can be addressed, it would be prudent for the Council and Assessment Panel to then understand how the variance should be assessed.

We note that the application on page 21 and 22 attempts to limit the assessment of the amendment of the design. However, our interpretation of the relevant case law from Holds[2] is that "*the extent of*

[1] Gerber Super Pty Ltd v The Barossa Assessment Panel [2023] SASC 154
[2] Holds & Ors v The City of Port Adelaide Enfield & Ors [2011] SASC 226

the variation must … be assessed against the applicable Development Plan in the same way that an application for a new development would."[3] and that "*Importantly, the original approval confers a right to proceed with the original development not a different one."*[4]

The Holds' case in summary considered the application of section 39 of the *Development Act 1993*, being an equivalent clause to s128 of the *Planning, Development and Infrastructure Act 2016* (the *PDI Act*). In that case the variance improved the development to bring it into greater conformity of the Development Plan and therefore was accepted. This variation is different in that it is not improving the development outcomes, and is instead reducing these by increasing intensity for financial gain.

In our view the variation is not in accordance with Performance Outcomes 6.3 and 6.5 of the Rural Zone of the Code, as the varied elements of development are not associated the use of the land for primary production or primary production related value adding industry, nor the desired requirements of small scale tourist accommodation, including through:

- DPF 6.3 (b)(i) "where in a new building, does not exceed a total floor area of 100m2"; or
- DPF 6.5(b) "do not result in more than 75 persons for customer dining purposes".

In addition to the above points, because there is a change in intensity as a result of the increased room capacity and increase in the dining customers, this potentially results in a change in use of the land per section 4(1)(d) of the PDI Act. This was a point contemplated by the Environment, Resource and Development Court[5] against the relevant Code, but was not determined as that case assessed a change of hours as opposed to a change in intensity and neither party had placed any reliance on it in the proceedings. However, in this application there is a substantial change in intensity and the Code does provide guidance on intensity in the form of DPF 6.3 (b)(i) and DPF 6.5(b).

We submit that above assessments leads to a conclusion that the Council and Assessment Panel cannot approve a more intensive development now it is aware developments of this type are seriously at variance with the Rural Zone of the Code. Accordingly, this development can only proceed either in the form of:

- the original approved development; or
- an alternative development to what is proposed, provided that improves on the development outcomes through less intensity.

Again, we recommend the Council and Assessment Panel obtain independent, specialist legal advice on these complex issues.

2. Increase of height causing negative visual impacts

The subject land is covered by the Character Preservation (Barossa Valley) Act 2012 and the Character Preservation District Overlay within the Code.

There are a number of Performance Outcomes within the Character Preservation District Overlay relating to 'Built Form and Character in the Rural Areas':

[3] Holds & Ors v The City of Port Adelaide Enfield & Ors [2011] SASC 226 at 40
[4] Holds & Ors v The City of Port Adelaide Enfield & Ors [2011] SASC 226 at 45
[5] PC Infrastructure Pty Ltd v City of Mitcham Council Assessment Panel [2023] SAERDC14 at 38

PO 3.1 Preservation of existing natural features including topography, watercourses and mature trees.

PO 3.2 Buildings and structures do not interrupt views of the skyline through measures including being sited below ridgelines.

PO 3.3 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.

PO 3.4 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.

PO 3.5 Buildings and structures are grouped to create compact clusters well set back from public roads.

PO 3.6 Development mitigates the need for long, steep access roads that require excessive grading or removal of vegetation.

The variation fails to adequately harmonise with the natural features of the landscape and interrupts views of the skyline given its location above the spur/ridge, particularly from Lyndoch Road and the surrounds, including our house (PO 3.2 of the Character Preservation District Overlay). This is caused by an increase in height from 7.0m to 8.1m (DPF criteria under PO 6.4 of the Rural Zone proposes a maximum height of 7.0m).

From the original application that was approved, the following was represented by the applicant in respect to why the original application for single story accommodation is compliant, why it was designed to be sited below the ridgeline, and acknowledging the key intent of, and adherence to, the development provisions (key text highlighted in bold by us):

"A development of this nature and in this location will undoubtably ***present itself as a notable visual element within the landscape****; however, on this issue we do not consider that the intent of the relevant P&D Code policies is to prohibit such development but* ***rather is to ensure such development is integrated with the landscape*** *and provides a positive contribution to the character of the area.*

The proposed development has been carefully designed and sited to integrate with the landscape. ***A single storey design was chosen which limits the vertical scale of the development****. The siting and layout of the development utilises a geometric ring layout which* ***sits below the crest/ridgeline of the site and is cut into the topography of the land****."*[6]

*"****It is noted that a key intent of the relevant provisions is for development to be sited below ridgelines****.*

….

When viewed from areas external from the site, the development as a whole does not dominate the landscape. ***Given its low vertical scale and careful siting and layout, the built form mirrors the prevailing topographical conditions of the land, as demonstrated in figure*** *4"*[7]

[6] Page 27 of Application ID 21018528
[7] Page 28 of Application ID 21018528

Below is the picture of building from figure 4 in the July 2021 application that was approved:

Below is the revised picture of the approved building on page 127 of the current application that is being used to compare the original design to the new design. The revised picture appears to have changed the representation of the development in height and dominance. We ask the Council uses the original picture (which it based its approval on) as the reference point when assessing the visual dominance of the new design:

Below is the new design the subject of this variation application:

We contend that if the development is approved, it should only be on the basis that the height of 7.0m, which can be reasonably achieved by changing the design to a single storey and/or cutting into the land in order to meet the development outcomes. Development outcomes of the Code should not be compromised for financial gain.

We thank you for reviewing our representation.

We confirm that we wish be heard by the Assessment Panel with respect to the matters raised in this representation.

Please contact me if you have any queries.

Yours faithfully

Jared Siviour

Representations

Representor 2 - Barossa Region Residents' Association

Name	Barossa Region Residents' Association
Address	PO Box 327 TANUNDA SA, 5352 Australia
Submission Date	13/08/2024 10:07 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 Please refer attached	

Attached Documents

Statement-of-Representation-DA-24021139-Barossa-Region-Residents-Association-1395263.pdf

BRRA Inc.
BAROSSA REGION RESIDENTS' ASSOCIATION
Conserving our unique character and heritage since 1987
ABN 11 622 342 11 PO Box 327 Tanunda SA 5352
www.brra.org.au

13 August 2024

Senior Planner
The Barossa Council

To whom it may concern,

Re: Variation to Application 24021139, 221 Yaldara Drive, Lyndoch

We appreciate the opportunity to submit this Statement of Representation on behalf of Barossa Region Residents' Association in respect of the Variation to Application ID 21018528: *Various building design amendments resulting in an increase in 24 accommodation rooms, internal configuration changes providing for an increase in some commercial floor areas, and alteration of car parking design and configuration.*

We understand that the proposed development seeks significant changes to the recently approved tourism development 24021139, and that these major changes are being considered and assessed simply as a Variation.

These include:

- changes to the approved built form
- changes to the footprint of the primary accommodation building and lobby
- a net increase of 22 accommodation rooms from 80 to 102 hotel rooms
- a net increase of two additional accommodation suites
- reconfiguration of some activities in the main Lobby Building including a net increase in floor area, comprising a 123 square metre increase in floor area to the function / conference room, and a 167 square metre increase in floor area to the restaurant

We submit that collectively, the abovementioned changes represent a major change from the current approval, rather than a simple Variation.

We do not support the assessment of these changes as a discreet Variation, but request that the entire project be re-submitted and assessed holistically.

Yours sincerely,

Committee
Barossa Region Residents' Association

28 August 2024

Mr. Jake Boswell
Assessment Officer - Planning
The Barossa Council
PO Box 867,
Nuriootpa SA 5355

Our Ref: 52205LET08

Dear Jake

Application ID 24021139 - Response to Representations

MasterPlan (SA) Pty Ltd have been engaged by the applicant, KPHR Investments, to assist in the preparation of a response to the representations received during public notification for Development Application 24021139.

The application underwent public notification from 24 July 2024 to 13 August 2024, during which time a total of two (2) representations were received. Both of the representors have indicated a desire to be heard by the Council Assessment Panel (CAP) in support of their representations.

Table 1 below provides a summary of the representations received.

Table 1: Summary of Representations

Representor	Address	Position	Planning Concerns	CAP
Representor 1. Mr. Jared Siviour	PO Box 944, LYNDOCH SA, 5351	Opposes	• Procedural concerns • Consideration of the development afresh • Increase in intensity • Increase in height • Land use concerns • Change in land use • Visual impact • Variation in 3D visualisation	Yes
Representor 2. Barossa Region Residents' Association (BRRA)	PO Box 327, TANUNDA SA, 5352	Opposes	• Procedural concerns • Consideration of the development afresh	Yes

33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
www.masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au

Response to Representor 1 – Mr. Jared Siviour

Representor 1 has raised two primary areas of concern, the first being "*intensity*" and the second being "*visual impacts*".

Our response attempts to follow the structure of the representation in order to appropriately address each of the considerations raised with coherency.

Intensity

Under the topic of intensity, the representor has raised issue with the procedural processing of the application, contending that the application should be considered afresh, as an entirely new development and asserts that the assessment should not be constrained to only those elements being varied.

They have referenced various items of case law from the South Australian Supreme Court and the Environment, Resources and Development Court. These matters comprise:

- *Geber Super Pty Ltd v The Barossa Assessment Panel [2023] SASC 154* (Geber).
- *Holds & Ors v The City of Port Adelaide Enfield & Ors [2011] SASC 226* (Holds).
- *PC Infrastructure Pty Ltd v City of Mitcham Council Assessment Panel [2023] SAERDC14* (PC Infrastructure).

Consideration of the Development Afresh

Representor 1 asserts that the proposed variation should be considered afresh as a standalone application for new development. The representor forms this view on the basis of three considerations, being:

- Guidance from the Supreme Court;
- the development having not yet commenced; and
- the degree of variation proposed.

Procedural requirements for a variation application are contained in the *Planning, Development and Infrastructure Act 2016,* specifically Section 128 Sub-clause (1) and (2).

> *128—Variation of authorisation*
>
> *(1) Subject to subsection (2), a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation).*

(2) An application to which subsection (1) applies—

(a) may only be made if the relevant authorisation is still operative; and

(b) will, for the purposes of this Part, but subject to any exclusion or modification prescribed by the regulations and any other provision made by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation;

and

(c) in a case where the development to which the development authorisation previously given was classified by the Planning and Design Code as restricted development—must also be dealt with as restricted development if any representations were made under section 110(2)(b), unless the Commission (as the relevant authority) determines that no such representation related to any aspect of the development that is now under consideration on account of the application for variation and that, in the circumstances, the level of notification and consultation envisaged by section 110 is not required; and

(d) unless otherwise approved by the relevant authority, cannot seek to extend the period for which the relevant authorisation remains operative.

The clauses under Section 128 of the *Planning, Development and Infrastructure Act 2016* provide a clear and evident right for an individual with the benefit of development authorisation previously given to seek a variation of that authorisation.

Whether or not a development has yet to commence is not a relevant consideration.

The clearly articulated purpose of the variation process is to facilitate a practical and sensible approach to assessing a revision to an approved development without subjecting elements of the development that have been settled by previous authorisations to a repeat assessment.

The first question which must be considered on an application to vary a development authorisation is whether, as a matter of fact and degree, the development proposed by the application is a variation of the approved development or an application for a different development. The relevant authority has verified the application as a variation to the previous development authorisation obtained under the Act. We agree with that determination.

Section 128 (2)(b) expressly excludes the consideration of elements and aspects of the development or authorisation from being considered as part of the application, if those elements are not part of the proposed variations.

To that extent, the proposed development does not seek to amend the essential nature of the development authorisation previously given which comprises of the same function and use, predominately the same access, servicing and infrastructure arrangements, predominately the same development siting and layout, and a built form of equivalent architectural language and expression as the previous development authorisation.

Representor 1 has referenced the change in "*intensity*" as justification for their view that the proposal results in a new development. The assertion is that the degree of variance proposed here results in a development outcome that is so manifestly different from that which was originally approved that it cannot be considered as a variation and must be construed as an entirely new development outcome.

We strongly disagree with that characterisation.

Which aspects of the approval are specifically intended to be captured by the term "*intensity*" in this context is not made clear.

If it refers to built form, the proposed changes maintain consistency with the previously approved scheme in terms of layout, materiality, architectural form, and siting. Notably, the on-ground building footprint has decreased from 10,257 square metres to 7,872 square metres, a 2,385-square-metre decrease (or a 23 per cent reduction).

If "*intensity*" refers to quantitative aspects, such as building height and floor area, the changes do not represent a significant enough alteration that it could be determined to be a different development. Refer to discussion under the heading **Assessment of the Amendments**.

If the concern is about amenity effects, the proposal includes expert assessments in visual impact, acoustic impact, and traffic and parking impact, all of which conclude that the proposal does not significantly change the effect of the development on the locality. Other technical assessments of wastewater and stormwater infrastructure also conclude that these systems can sufficiently accommodate the proposed changes without substantial revision to the previously established management approaches.

We find that the changes to the proposal are reasonable and discreet in the context of the existing approval and do not significantly alter the intensity to a degree that could be considered to change the essential nature of the development from what has been previously approved.

In accordance with Sub-section (2)(a), where a relevant authorisation is still operative, the applicant has the right to seek a variation. The original authorisation relevant to this matter is still operative, and the applicant is exercising their right to vary the authorisation accordingly.

Guidance from the Supreme Court

The representor has referenced Supreme Court guidance as a justification for why the application should be considered afresh, and/or determined to be "*seriously at variance*". The guidance referred to here is the Geber decision.

The connection between the Geber decision and the representors objection to the variation process is not coherently explained in their submission, other than an assertion that this case law creates complexity.

We disagree that the Geber decision creates complexity here. The authorisation overturned in that matter was not a variation application. The procedural controls relevant to a variation application are not considered in that matter or any useful guidance to these circumstances offered.

The Geber decision relates to an approval for the establishment of a standalone tourism development on an undeveloped parcel of rural land, a distinctly different context to this development and this site, upon which tourism development has been the primary commercial use since 2004.

The Geber decision provides limited useful guidance, as it is based on the consideration of land use, an issue that is resolved under the previous authorisations for this development. The decision of the authority against those existing authorisations is not open to consideration and the subsequent Geber decision can not retroactively invalidate these existing approvals, which are settled.

The representor has asserted that the Geber decision should lead the authority to conclude that any variation to this approval, should be deemed "*seriously at variance*".

As the Assessing Officer and Panel members will be aware, a threshold issue for it to consider in the ordinary course of an assessment is whether or not a proposed development is "*seriously at variance*" with the Planning and Design Code ('the Code').

The Council's Assessment Panel in determining the original application considered and formed the opinion on this question, resolving that the proposed development was **not** "*seriously at variance*" having regard to the context of the site and all other relevant matters before the Panel including the provisions of the Code. The determination and authorisation of the original development authorisation was not challenged to a higher authority.

The role of this assessment is to consider the proposed variations through this lens, and the extent of the proposed variations against the Code policy. It is not the role of this assessment to consider the underlying justifications for the approved tourist accommodation development. Further consideration of the appropriate approach to assessment in these circumstances is provided below under the following heading, **Assessment of the Amendments**.

Assessment of the Amendments

Planning, Development and Infrastructure Act 2016 Section 128 Section Sub-section (2)(b) specifically confines the consideration of a variation to *"the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation)".*

Where a proposal is treated as an application to vary an approved development, the next step must be to identify the elements of the proposed development which are not comprehended by the original approval. Those elements will comprise the extent of the proposed variation, and the development for which authorisation is sought.

The assessment of this application is therefore limited to those elements of the proposal that are altered. That is not in contention.

The proposed variation seeks to undertake the following targeted amendments:

- Reduce the overall on-ground footprint of the development from 10,257 square metres to 7,872 square metres.
- Reconfigure the accommodation ring to separate the form of this building and create an additional level of accommodation to both wings.
- Reconfigure the accommodation suites into a more efficient amalgamated arrangement and provide an additional two suites within a similar footprint as previously approved.
- Increase the net accommodation on-site by 24 rooms.
- Increase the height of the main hotel accommodation to 8.1 metres or by one building level.
- Reconfiguration of some of the activities in the main Lobby Building including a net increase in floor area comprising:
  - a 123 square metre increase in floor area to the function/conference room; and
  - a 167 square metre increase in floor area to the restaurant.
- Relocate the swimming pool to adjacent the existing glass house building.
- Reconfigure the parking layout and number of car parks provided.
- Substantially reduce the extent of earthworks, retaining and alteration of the landform from the previously approved scheme.

We have not sought to constrain the assessment to only design considerations, as asserted. The application has thoroughly documented all changes, including the activity levels and provides an assessment of these changes against policies of the Code and the effect of these changes on the locality.

The representation references compliance with Rural Zone Designated Performance Feature (DPF) policies 6.3 (b)(i) and 6.5(b):

- DPF 6.3(b)(i) – *Tourist accommodation … in relation to the area used for accommodation … where in a new building, or buildings, does not exceed a cumulative total floor area of 100m^2*
- DPF 6.5(b) – *Function venues … do not result in more than 75 persons for customer dining purposes.*

The representor asserts that if the proposed variation worsens the performance of the development against these policies, it should be determined to be "*seriously at variance*", in accordance with the Geber case law.

Where a proposal involves a variation to an existing or approved development, the extent of the proposal's variance, must be judged in the context in which the project is approved to be implemented.

The Holds' decision provides the following relevant guidance here:

> *Plainly enough, the extent of the proposed variation cannot be assessed in the abstract. It must be assessed in the context of the development which has been approved ...*
>
> *... An application to vary a development approval, which proposes to increase the height or mass of a building, cannot be sensibly addressed in the abstract. It must be considered against the dimensions of the building which has been approved. It is meaningless to assess an increase in the height of a building by say, one metre, without reference to the already approved or existing height.*[1]

The relevant consideration therefore is the differential from what has been previously approved, and whether that differential results in a materially different outcome from what is approved.

Furthermore, in the matter of *Courtney Hill Pty Ltd v SAPC* (1990) 59 SASR 259, the Court held that where an existing development is non-complying but has existing use rights, the extension to that use must be assessed in the context of the existing development. In those circumstances, the Court held that, even if impact of the extension was substantial, the existing status of the development will reduce the seriousness of any additional non-conformance produced by the extension.

It is appropriate and reasonable to adopt the same approach in these circumstances.

Table 2 and **Table 3** below outline the difference in accommodation floor area (excluding circulation, services and back of house) and function venue occupancy levels, as relevant to the consideration of DPF 6.3 and 6.5.

Table 2: Calculated Accommodation Floor Areas Approved v Proposed

Accommodation	Approved (m^2)	Proposed (m^2)	Difference (m^2)	%
Suite accommodation rooms	1,032	1,134	+102	+ 9 %
Main hotel accommodation rooms	2,965	3,634	+669	+ 18 %
Total	**3,997**	**4,768**	**+771**	**+ 19 %**

Table 3: Function/Conference room area and capacity change Approved v Proposed

Element	Approved Area (m^2)	Approved Occupancy	Proposed Area (m^2)	Proposed Occupancy
Function/Conference	225 m^2	120 pax	348 m^2	160 pax

In respect to the area dedicated to accommodation rooms, the total room area is proposed to increase from approximately 3,997 square metres in the approved scenario to approximately 4,768 square metres in the proposed. This represents a 19 percent increase.

[1] *Holds & Ors v The City of Port Adelaide Enfield & Ors [2011] SASC 226 at 38*

In respect to the function/conference room facilities, an increase in floor area of 123 square metres is proposed. The increase in floor area results in a theoretical increase in capacity in the order of 40 persons.

When considering the variance produced by these amendments, it is of primary importance to note that the existing approval already exceeds the DPF criteria outlined above. The relevant authority has therefore previously considered this DPF criteria and has determined that a degree of variance from these parameters is acceptable. The reasoning and justification for that determination is beyond the scope of this variation.

The change in variance proposed as part of this development is not quantitatively significant in the context of the existing authorisation and has been demonstrated in the accompanying technical reports to be consistent in impact to what has been previously accepted and endorsed. As such, whilst the proposed changes may be non-conforming with the DPF criteria, they remain a reasonable and acceptable variance when considered in the context of what has been previously approved.

Visual Impact and Variation in 3D Visualisation

Under the topic of visual impact, the representor has considered the performance of the revised proposal against a number of provisions of the Rural Zone and the Character Preservation District (Not in Township) Overlay. They contend that the proposed increase in height is contrary to these provisions. They have also sought clarification in respect to the 3D visualisations provided in previous applications and in the current documentation.

The representor has taken the view that the proposed variation fails to adequately harmonise with the natural features of the landscape and will interrupt views of the skyline.

Expert assessment of the visual impact of the revised design has been prepared by Landscape Architect, James Hayter and accompanies this response.

This assessment considers the potential visibility of the amended proposal from various viewpoints within the wider and immediate locality of the site. Consistent with our findings, the assessment concludes that the development will have a **low overall visual impact on the broader locality**. This represents the same category of visual impact as the previously approved tourism accommodation development.

Accordingly, the only expert advice on this issue concludes that, notwithstanding the proposed addition of the second storey of accommodation, the visual impact of the built form on the locality is not changed.

In respect to the clarification sought on the 3D visualisations, the image presented in the original application has been updated in the current application to reflect a greater level of detail and subsequent changes that have occurred since it was originally prepared. For instance:

- The accommodation suites and associated lobby building have been added.

- A more fine-grained depiction of the materiality of the building has been provided (i.e. the blurred visualisation of the building has been removed).
- Landscaping has been added to appropriately represent this important element in the actual visual presentation of the development.

The 3D visualisation has not been adjusted to produce a more favourable outcome, but to provide an accurate and updated comparative representation of the approved and proposed scenarios.

Representor 2 – Barossa Region Residents Association

A brief representation has been submitted by the Barossa Region Residents Association (BRRA), which submits that:

> *... collectively, the abovementioned changes represent a major change from the current approval, rather than a simple Variation.*
>
> *We do not support the assessment of these changes as a discreet Variation, but request that the entire project be re-submitted and assessed holistically.*

We consider that this issue has been responded to above. The variation pathway is the appropriate and correct process by which to consider these changes to the established and operative authorisation for this development.

Closure

We trust that this letter appropriately responds to the matters raised in the two (2) opposing representations received.

Please keep us informed of a time and date for the Council Assessment Panel (CAP) meeting so that we can arrange to be in attendance to respond to any verbal representations to the CAP.

Yours sincerely

Nick Wilson
MasterPlan SA Pty Ltd

Referral Snapshot

Development Application number:
24021139

Consent:
Planning Consent

Relevant authority:
The Barossa Council

Consent type for distribution:
Planning

Referral body:
Native Vegetation Council

Response type:
Schedule 9 (3)(11) Native Vegetation Overlay

Referral type:
Direction

Response date:
16 Sept 2024

Advice:
With comments, conditions and/or notes

Condition 1
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.

Condition 2
Native Vegetation and trees retained in close proximity to the construction activity zone are to be protected with barriers (i.e. fencing or flagging) in accordance with the Australian Standard for Protection of Trees on Development Sites AS 4970-2009.

Condition 3

Construction vehicles, equipment, stockpiled materials or excavated soil are not to be stored or placed within the Tree Protection Zone of retained trees.

Advisory Note 1
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 2024/3239/960.

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

Nil.

8. REPORTS – PANEL UPDATES

Nil.

9. REPORTS – OTHER BUSINESS

9.1 Variation to Barossa Assessment Panel Delegations - Updates to Legislation

INTRODUCTION
The *Planning, Development and Infrastructure Act 2016* (PDI Act) confers powers directly on:

- Council as a Council, Designated Authority and Designated Entity
- Council as a Relevant Authority
- **the Barossa Assessment Panel as a Relevant Authority; and**
- the Assessment Manager as a Relevant Authority.

These powers are separated into four Instruments of Delegation, Instruments A – D.

Relevant Authorities, including the Barossa Assessment Panel, may delegate their powers and functions pursuant to Section 100 of the PDI Act. Used well, delegations improve effectiveness and efficiency by allowing the day-to-day operations and administration to be carried out by staff, who have the relevant expertise and experience to deal with such matters.

Council's Delegation Register and instruments are based on Local Government Association (LGA) templates. The LGA has recently issued an update to its delegation instruments under the PDI Act, amending Instruments A, B, C and D.

This report seeks the Panel's consent to authorise amendments to Instrument C – delegations from the Barossa Assessment Panel (BAP) to the Assessment Manager.

A copy of the amendments to Instrument C – delegations, is contained in ***Attachment 1***.

DISCUSSION
The LGA's delegation framework has been reviewed and updates have been identified in the PDI Act and Planning and Design Code (PD Code).

<u>New Provision</u>
- New provision relating to Outline Consent

<u>Changed Provision</u>
- Power to provide notice of a decision on an application via the SA Planning Portal

CONCLUSION
The Barossa Assessment Panel now has the opportunity to consider these new provisions identified through legislative amendments for delegation to the Assessment Manager under Instrument C, being the Instrument of delegation under the *Planning Development and Infrastructure Act 2016*.

RECOMMENDATION
That the Barossa Assessment Panel:

(1) In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016*, the powers and functions under

Instrument C and specified in the proposed Instruments of Delegation contained in Attachment 1 of the report entitled "Variations to Barossa Assessment Panel Delegations – Updates to Legislation" are hereby delegated from 3 September 2024, to the position of Assessment Manager except where otherwise indicated in the Attachment, subject to the conditions and limitations specified in the proposed Instrument of Delegation.

(2) Such powers and functions may be further delegated by the Assessment Manager in accordance with Section 100(2)(c) of the *Planning. Development and Infrastructure Act 2016*, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Amendments to the Delegations Register - 3 September 2024 ⇩

INSTRUMENT C – INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL

NEW PROVISIONS

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
737006	State Planning Commission Practice Direction 18 Outline Consent	cl5(1)(b)	68. Circumstances in Which Outline Consent May be Granted 68.1The power pursuant to clause 5(1)(b) of the State Planning Commission Practice Direction 18 Outline Consent (PD18) to provide advice to an applicant that if the application were to be for planning consent, the council would request the Minister to give notice under Section 94(1)(g) of the PDI Act.	

CHANGED PROVISIONS

#	Delegation Source	Provision	Item Delegated	Conditions & Limitations
326489	Planning, Development and Infrastructure (General) Regulations 2017	r57(4)(a)	~~37~~41.Notice of Decision (Section 126(1)) ~~37~~ 41.1The power pursuant to Regulation 57(2)(b) of the General Regulations to provide notice via the SA Planning Portal and to determine if necessary to give notice to the applicant in some other way determined to be appropriate by the delegate. 41.2The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	

10. REPORTS – CONFIDENTIAL

Nil.

11. NEXT MEETING

Tuesday 5 November 2024 commencing at 5.00 pm

12. CLOSURE OF MEETING

The Presiding Member will declare the meeting closed.