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, 5 November 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

2.2 Apologies

2.3 Absent

3. CONFIRMATION OF MINUTES

RECOMMENDATION

That the minutes of the Barossa Assessment Panel meeting held on Tuesday 1 October 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 24017958 - 37-39 Angas Street Tanunda

APPLICANT:	Mark Kwiatkowski from Adelaide Planning and Development Solutions Pty Ltd on behalf of the Applicant Metcalf Group (SA) Development
REPRESENTORS:	Helen Szuty Matthew Halman

APPLICATION DETAILS

PROPOSAL	Construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7m in total height)
APPLICANT	Metcalf Group (SA) Developments
OWNER	Metcalf Group (SA) Developments
APPLICATION NO	24017958
CERTIFICATE(S) OF TITLE	CT 5625/673 CT 5625/678
AREA	2,331 sqm
CURRENT USE	Residential – land is currently vacant
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.13 – 18 July 2024
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Neighbourhood Zone
OVERLAYS	Character Preservation District (Township) Hazards (Bushfire - Urban Interface) (Urban Interface) Hazards (Flooding - Evidence Required) Native Vegetation Prescribed Water Resources Area Water Protection Area
APPLICATION TYPE	Code Assessed - Performance Assessed
PUBLIC NOTIFICATION	Notified – Sign Required
REFERRALS	Nil
PREVIOUS APPLICATIONS	24017937 – Land Division – 2 into 3 (Torrens Title)
ASSESSING OFFICER	Paul Vivian (Planning Consultant)
RECOMMENDATION	That Planning Consent be GRANTED subject to Reserved Matters and Conditions

INTRODUCTION

The applicant is seeking Development Approval for the "*Construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7m in total height)*" at 37-39 Angas Street, Tanunda.

The subject site is located within the Neighbourhood Zone where residential development is the predominant envisaged form of development. The Neighbourhood Zone does not include an applicable Accepted, Deemed to Satisfy (DTS) or Restricted Pathway for supported accommodation. The proposed development was therefore classified as Performance Assessed development and was publicly notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016*. Two representations were received during the notification period and both have 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 the representors have indicated a desire to be heard in support of their representation.

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

The proposed supported accommodation will be a NDIS managed facility and can house up to eight people with high physical support needs. The proposed layout is a battle-axe form of development with an elongated driveway handle providing access to the rear allotment. Development Approval was issued in October 2024 for a land division application (DA 24017937) for the creation of three Torrens Title allotments. The proposal accords with the site areas and indicative crossover locations established by this approval. The dwellings are single storey with compliant side and rear setbacks. The height of earthworks does not exceed 900 mm above natural ground level.

The proposal is considered to be appropriate and is recommended for the granting of Planning Consent, subject to Reserved Matters and Conditions.

SITE AND LOCALITY

The subject site comprises two allotments with a street address of 37-39 Angas Street, Tanunda. The site is regular in shape with a street frontage of 36.58 metres and a total depth of 63.73 metres. The two allotments have a total area of 2,331 sqm.

The subject site previously contained a single storey detached dwelling and associated outbuildings/structures that have now been demolished. All vegetation has been removed from the site.

There is existing access to water, gas, electricity services and potential to re-connect to Council's Community Wastewater Management System subject to Council approval.

There are no easements or other known restrictions on the subject land. All land adjacent the site is located within the same Neighbourhood Zone.

The locality comprises:

- A residential neighbourhood formed by low rise dwelling stock set on landscaped allotments.
- A mix of dwelling ages with evidence of more recent replacement detached dwellings and slightly higher density infill development (such as a six dwelling land division at the corner of First Avenue and Angas Street and two battle-axe development at 7 and 9 Angas Street).
- A grid road pattern providing longer north-south views along Angas Street and limited views beyond neighbouring dwellings to the west or east thus confining the visual locality to a more oblique shape.

Most dwellings are single storey with front setbacks of eight metres or greater and established site landscaping.

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



Figure 1: Zone Map – subject site in red

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 11***.

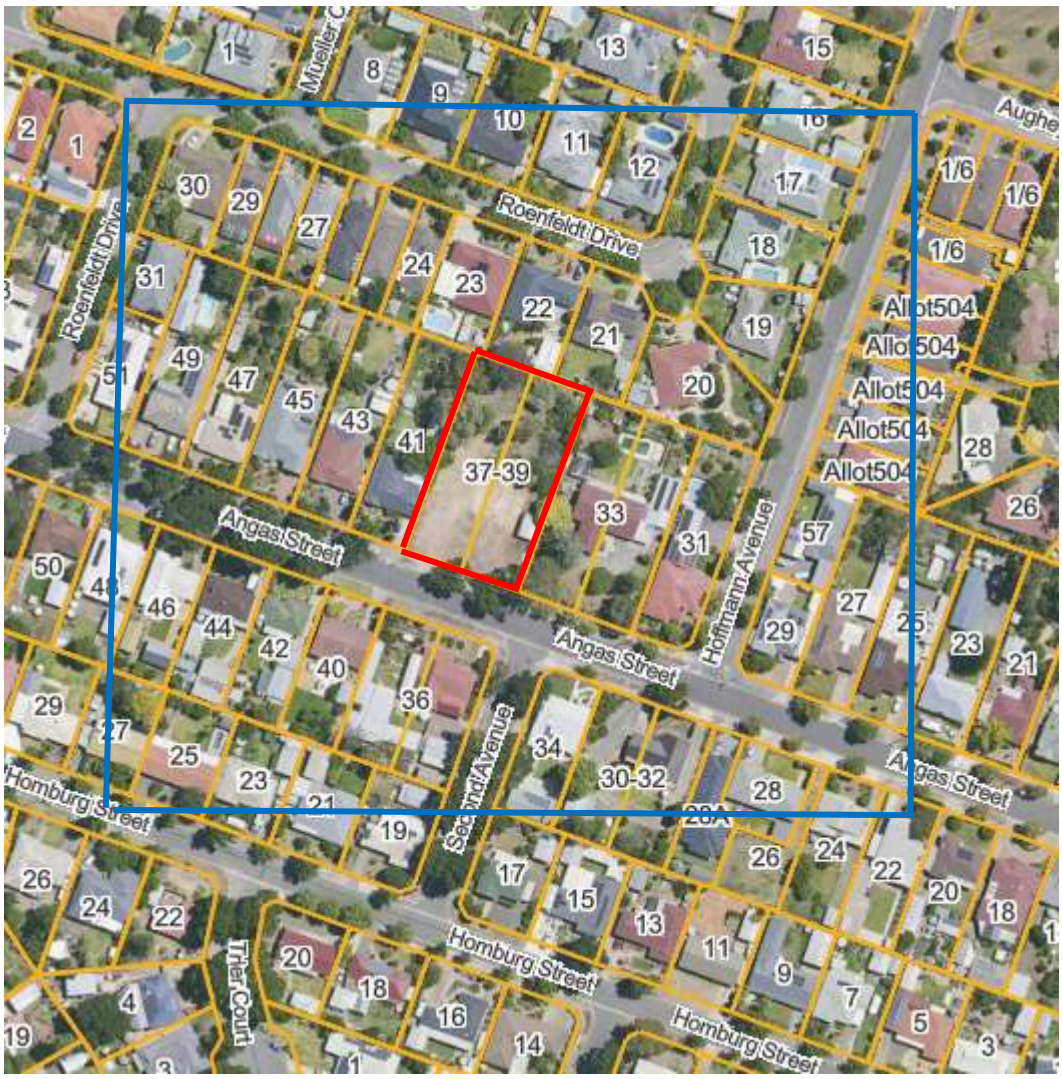


Figure 2: *Aerial – Locality, subject site in red, locality in blue*



Figure 3: *Aerial – Site*



Figure 4**:** *Angas Street looking north-west along street frontage*



Figure 5: *Angas Street looking north-east along street frontage*



***Figure 6**: Angas Street looking north into subject site*



***Figure 7:** Front of site facing north-east towards the rear*



***Figure 8**: Front of site facing north towards the rear*



***Figure 9**: Rear of site facing south-west towards the front*



***Figure 10**: Rear of site facing south-east towards the front*



***Figure 11:** Rear of site facing south towards the front*

PROPOSAL
The applicant is seeking to construct three supported accommodation buildings (the buildings) to be used as housing for disabled persons with high physical support needs.

The development will operate as NDIS housing on a 24 hour care basis. This means that there will be one to two staff members for up to eight residents during daytime hours and typically one staff present at night time.

The proposed use as support accommodation aligns with the definition in Part 7 – Land Use Definitions of the Planning and Design Code which *"Means premises in which residential accommodation is provided to persons requiring/together with regular medical and/or personal care assistance, but does not include home care."*

The proposed buildings are essentially dwellings, albeit certain design elements must comply with NDIS requirements including:

- Step free access
- Size of bedrooms and bathrooms
- Dedicated bedroom for staff
- Letterbox access

Each building is single storey and has its own garaging, vehicle access, private open space and space for waste bins.

Dwellings 1 and 2 have frontage to the street while dwelling 3 is arranged in a battle-axe formation aligned with site arrangements approved by DA 24017937. This land division application was granted Development Approval on the 10 October 2024.

In respect to the floor plans, the three buildings have two/three resident bedrooms each with an ensuite, living room and breakout space, laundry and staff bedroom.

The site previously contained established vegetation, however all extant landscaping has been removed. Replacement landscaping is proposed primarily comprising small non-indigenous trees and low-medium level plantings.

As part of the battle-axe driveway design, landscaping is shown on the plans along both sides of the new driveway.

The alignment for services for power, water, CWMS and telecommunications is subject to final design. The plans indicatively show the CWMS connection and stormwater discharge through to Angas Street.

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

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

The proposed development does not have an applicable Accepted, Deemed to Satisfy or Restricted Pathway in accordance with Tables 1, 2 and 4 of the Neighbourhood Zone. Therefore, the application is subject to the Performance Assessed (Table 3) assessment Pathway.

PUBLIC NOTIFICATION

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

Supported accommodation is separately defined in the Planning and Design Code and is not considered to be a dwelling for public notification designation purposes. Supported accommodation is not listed as an exemption in Table 5 and therefore the application is not excluded from public notification.

The table below provides details of the public notification process:

Representations:	Two representations were received during the public notification period as follows: • Helen Szuty • Matthew Halman No late representations were received.
Person wishing to be heard:	Of the two representations received, two wish to be heard as follows: • Helen Szuty • Matthew Halman
Applicant	Mark Kwiatkowski from Adelaide Planning and Development Solutions Pty Ltd on behalf of the Applicant Metcalf Group (SA) Development, wishes to appear to respond to representations.
Time period for Public Consultation	6 September 2024 to 27 September 2024

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

Summary of Representations Representor/s	**Applicant's Response**
• *General support for proposal but concerns regarding:* - *Combined 2.7 metre height of fence and retaining wall and resultant visual and shadow impact.* - *Potential overlooking if adjacent new neighbour ground level is higher than our property.* - *Height of fence forward of our dwelling and potential impact on sightlines when exiting property.*	• *Retaining wall has been kept below one metre in height. In terms of impact on access to light and ventilation, the wall will create negligible impact on 41 Angas Street noting, the wall will be well separated from the existing dwelling.* • *We anticipate fencing will sit at the top of the new retaining wall proposed and resolve any incidental overlooking. Client would also consider landscaping to assist with*

- *Loss of trees and flora/fauna.*

- *General support for proposal but questions regarding:*
  - *Operational matters such as number of residents, nature of family visits, access to parks and open spaces, emergency vehicle access and resident vehicle ownership.*
  - *General accordance with Zone Desired Outcomes.*

maintaining privacy. This can be resolved between parties separate to the application.

- *Changes can be made to the existing fence, to further support sightlines from the driveway of 41 Angas Street and dwelling 1 - note this has been changed in updated drawings submitted to Council.*
- *The assessment identified the vegetation existing on the land has been planted and therefore, is not identified as native vegetation, pursuant to the Native Vegetation Act 1991. New trees will be planted.*
- *Accommodation is proposed for up to eight residents with two staff during the day and one at night. Family will be able to visit residents and there is sufficient on-street parking. No residents will drive a vehicle.*
- *Supported accommodation is listed as an envisaged form of development in DPF 1.1.*

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

REFERRALS

External

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

Internal

The following internal advice has been received from staff:

Engineering Services	*Council's engineer has advised that:* • *All CWMS infrastructure design to be defined and approved at the time of land division.* • *Stormwater computations to be provided to demonstrate detention requirements are met.* • *Recommends 12 standard conditions to be incorporated in any Planning Consent.*

ASSESSMENT
Please refer to the following link, the Planning and Design Code extract for this proposal, dated 18 July 2024, Version 2024.13.

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 proposed development seeks the construction of three supported accommodation buildings which is consistent with the intent of the Neighbourhood Zone for residential development. The scale, form and design has been considered with context to the subject site characteristics and surrounding locality and is considered appropriate for the site. The division of the subject land into three allotments has been approved and the application aligns with the approved site area. For these reasons, the application is not considered to be Seriously at Variance.

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

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

The proposal is located within a township and will not negatively impact on the visual landscape of the district and/or the surrounding locality, having regard to the form and design of the buildings, building densities and proposed site arrangements. It will have no impact on existing viticultural, agricultural and associated industries, nor the existing scenic and tourism attributes within Tanunda or the district.

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

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

Land Use

Neighbourhood Zone	
Desired Outcomes	
DO1	*Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.*

Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 *Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.*	*DTS/DPF 1.1* *Development comprises one or more of the following:* *(a) Ancillary accommodation* *(b) Child care facility* *(c) Community facility* *(d) Consulting room* *(e) Dwelling* *(f) Educational facility* *(g) Office* *(h) Outbuilding* *(i) Recreation area* *(j) Retirement facility* *(k) Shop* *(l) Supported accommodation.*

The proposal is seeking to construct three supported accommodation buildings that will provide housing for up to eight people with high support physical needs and associated staff. DPF 1.1 (l) specifically references supported accommodation as a residential form of development that helps achieve Performance Outcome (PO) 1.1. The proposed development therefore supports the primary intent of the zone for residential purposes.

Site Areas and Frontages

Neighbourhood Zone	
Site Dimensions and Land Division	
PO 2.1 *Allotments/sites created for residential purposes are consistent with the density and dimensions expressed in any relevant Minimum Site Area Technical and Numeric Variation and Minimum Frontage Technical and Numeric Variation, or are otherwise generally consistent with the prevailing pattern of development in the locality and suitable for their intended use.*	***DTS/DPF 2.1*** *Development will not result in more than one dwelling on an existing allotment* *Or* *Allotments/sites for residential purposes accord with the following:* *(a) where allotments/sites are connected to mains sewer or a Community Wastewater Management System:* *i. site areas (or allotment areas in the case of land division) are not less than the following (average site area per dwelling, including common areas, applies for group dwellings or dwellings within a residential flat building):* *Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 400 sqm; row dwelling is 350 sqm; group dwelling is 400 sqm; residential flat building is 400 sqm.* *ii. Site frontages are not less than:*

	Minimum frontage for a detached dwelling is 15 metres; semi-detached dwelling is 12 metres; row dwelling is 10 metres; group dwelling is 25 metres; residential flat building is 25 metres.
PO 2.2 *Development results in sites suitable for their intended purpose.*	*DTS/DPF 2.2* *Where the site of a dwelling does not comprise an entire allotment:* *a. The balance of the allotment accords with site area and frontage requirements specified in DTS/DPF 2.1* *b. If there is an existing dwelling on the allotment that will remain on the allotment after completion of the development it will not contravene:* *i. Private open space requirements specified in Design Table 1 - Private Open Space* *ii. Car parking requirements 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.*

The three supported accommodation buildings are to be constructed on allotments measuring:

Dwelling 1 - 642 sqm with a 15.2 metre street frontage
Dwelling 2 - 639 sqm with a 15.2 metre street frontage
Dwelling 3 - 1,050 sqm with a 6.8 metre street frontage (comprising the driveway width to the battle-axe allotment)

These allotments were approved under DA 24017937. The delegated assessment report for this land division application notes that site area and frontage width of the three allotments meet or exceed the minimum of 500 sqm and 15 metre frontage zone guidelines, except for the battle-axe allotment where the front boundary width is a variation. This was considered acceptable in the land division assessment as there are other examples in the local area and that battle-axe allotments are a feature in the township cadastre. On this basis, the proposed supported accommodation will be constructed on approved Torrens Title allotments that satisfy DTS/DPF 2.2 (a).

Site Coverage

Neighbourhood Zone	
Site Coverage	
PO 3.1 *Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.*	*DTS/DPF 3.1* *The development does not result in site coverage exceeding 60% of the site area.*

The site coverage of the proposed development is:

Dwelling 1 - 39%
Dwelling 2 - 37.5%
Dwelling 3 - 22%

The proposed site coverage for each supported accommodation is therefore well below the Planning and Design Code guideline of 60%.

Building Height

Neighbourhood Zone	
Building Height	
PO 4.1 *Building height is consistent with the maximum height expressed in any relevant Building Height Technical and Numeric Variation, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.*	*DTS/DPF 4.1* *Building height (excluding garages, carports and outbuildings) is no greater than:* *(a) The following:* *Maximum building height is one level* *(b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - two building levels up to a height of nine metres.* *In relation to DTS/DPF 4.1, in instances where:* *(a) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - two building levels up to a height of nine metres.* *(b) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.*

The proposed buildings are single storey and comply with DTS/DPF 4.1.

Building Setbacks

Neighbourhood Zone	
Primary Street Setback	
PO 5.1 *Buildings are set back from primary street boundaries consistent with the existing streetscape.*	*DTS/DPF 5.1* *Buildings setback from the primary street boundary in accordance with the following table:* *Development context* *There is an existing building on both abutting sites sharing the same street frontage as the site of the proposed building.* *Minimum Setback*

	The average setback of the existing buildings. *<u>Development context</u>* *There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is not on a corner site.* *<u>Minimum Setback</u>* *The setback of the existing building.* *<u>Development context</u>* *There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is on a corner site.* *<u>Minimum Setback</u>* *(a) Where the existing building shares the same primary street frontage – the setback of the existing building.* *(b) Where the existing building has a different primary street frontage – five metres.* *<u>Development context</u>* *There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.* *<u>Minimum Setback</u>* *Five metres* *For the purposes of DTS/DPF 5.1:* *(a) the setback of an existing building on an abutting site to the street boundary that it shares with the site of the proposed building is to be measured from the closest building wall to that street boundary at its closest point to the building wall and any existing projection from the building such as a verandah, porch, balcony, awning or bay window is not taken to form part of the building for the purposes of determining its setback.* *(b) any proposed projections such as a verandah, porch, balcony, awning or bay window may encroach not more than 1.5 metres into the minimum setback prescribed in the table.*

The forward most façade of the proposed street facing buildings are setback 10,5 metres from the front boundary with the garages setback an additional two metres. The western neighbouring dwelling is setback approximately 10 metres from the front boundary with the eastern neighbour further setback at around 18 metres.

The proposed front setbacks are considered to accord with DTS/DPF 5.1and meet PO 5.1 as:

- The single storey buildings sufficiently align with the existing western neighbour and provide an appropriate contextual relationship to the eastern neighbour due to the stepped garage setback and the visual separation provided by the battle-axe driveway and existing side setback to the neighbouring dwelling.
- The proposed buildings align with other newer dwellings in Angas Street providing an appropriate streetscape fit.

Neighbourhood Zone	
Side Boundary Setback	
PO 8.1 *Buildings are set back from side boundaries to provide:* *(a) separation between buildings in a way that complements the character of the locality.* *(b) access to natural light and ventilation for neighbours.*	*DTS/DPF 8.1* *Building walls are set back from the side boundary in accordance with the following:* *(a) On sites greater than 800 sqm:* *i. at least 1900 mm* *ii. for a wall that is south facing and the wall height exceeds three metres measured from the lower of natural or finished ground level - at least 1.9 metres from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds three metres from the lower of natural or finished ground level.*

The subject site has a total area of 2,331 sqm and DTS/DPF8.1 applies. All buildings are setback from existing or future (such as between dwelling 1 and 2) boundaries at least 1,900 mm. This meets PO 8.1.

Neighbourhood Zone	
Rear Boundary Setback	
PO 9.1 *Buildings are set back from rear boundaries to provide:* *(a) separation between buildings in a way that complements the character of the locality.* *(b) access to natural light and ventilation for neighbours.* *(c) private open space.* *(d) space for landscaping and vegetation.*	*DTS/DPF 9.1* *Building walls (excluding ancillary buildings and structures) are set back from the rear boundary at least:* *(b) if the size of the site is 301 sqm or more:* *i. four metres in relation to the ground floor of the building.* *six metres in relation to any second building level of the building.* *ii. six metres plus an additional one metre setback added for every one metre height increase above a wall height of seven metres.*

The proposed single storey dwellings will have rear setbacks as follows:

Dwelling 1 – 7.7 metres
Dwelling 2 – 9.48 metres
Dwelling 3 – 4.7 metres to site's northern rear boundary and 9.6 metres from rear of dwelling to closest boundary (ie. western boundary).

All proposed rear setbacks meet DTS/DPF 9.1.

The proposed side and rear setbacks of the new 'battle-axe' rear single storey building provides sufficient space adjacent to existing boundaries to minimise visual impact on neighbouring properties and meets the criteria set out in PO 9.1 (a) to (d).

Overall, the proposed development is reasonably consistent with the relevant provisions of the Neighbourhood Zone.

Design & Appearance

The following assessment provisions are contained within the 'Design', General Section of the Planning and Design Code.

Front elevations and passive surveillance	
PO 17.1 *Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.*	*DTS/DPF 17.1* *Each dwelling with a frontage to a public street:* *(a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4 metres.* *(b) has an aggregate window area of at least 2 sqm facing the primary street.*
PO 17.2 *Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.*	*DTS/DPF 17.2* *Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.*

The proposed buildings adopt a relatively unadorned façade treatment with a mix of render finishes, timber front door and metal sheet roofing. The dwellings incorporate an appropriate 25 degree roof pitch in Colorbond cladding, that is reflective of the character of single storey dwellings in the locality. Each street facing building has a front window in excess of 2 sqm and a front door that is visible from Angas Street.

Outlook and amenity	
PO 19.1 *Living rooms have an external outlook to provide a high standard of amenity for occupants.*	*DTS/DPF 19.1* *A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.*

Living rooms within each building face to areas of private open space, thereby providing for a high level of amenity for the occupants of the dwelling.

Garage appearance	
PO 20.1 *Garaging is designed to not detract from the streetscape or appearance of a dwelling.*	*DTS/DPF 20.1* *Garages and carports facing a street:* *(a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling.* *(b) are set back at least 5.5 metres from the boundary of the primary street.*

	(c) have a garage door/opening not exceeding seven metres in width. *(d) have a garage door/opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.*
PO 20.2 *Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and the appearance of common driveway areas*	*DTS/DPF 20.2* *Each dwelling includes at least 3 of the following design features within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:* *(a) a minimum of 30% of the building wall is set back an additional 300mm from the* *(b) building line* *(c) a porch or portico projects at least 1m from the building wall* *(d) a balcony projects from the building wall* *(e) a verandah projects at least 1m from the building wall* *(f) eaves of a minimum 400mm width extend along the width of the front elevation* *(g) a minimum 30% of the width of the upper-level projects forward from the lower* *(h) level primary building line by at least 300mm* *(i) a minimum of two different materials or finishes are incorporated on the walls of* *(j) the front building elevation, with a maximum of 80% of the building elevation in a single material or finish*

The proposed garaging comprises a 3.8 metre single width door under the main roof of the building and a design response that complies with DTS/DPF 14.1 (a) to (d). The garages are well integrated into the proposed facades and will not detract from the appearance of the dwellings.

The proposed buildings provide a degree or façade articulation and comply with DTS/DPF 20.2 in that:

- At least 30% of building wall is setback 300 mm from the building line
- Eaves of a minimum 400 mm width extend along the width of the front elevation
- Minimum of two different materials or finishes are incorporated on the walls of the front building elevation

Massing	
PO 20.2 *The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.*	*DTS/DPF 20.2* *None are applicable*

The proposed single storey buildings each have an approximate total height of 5.2 metres. They have a massing that will not be incongruous in the streetscape plus relatively large street setbacks. The visual massing of each building is acceptable.

Overall, the proposed design and appearance is considered to be acceptable.

Cut and Fill

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 natural topography.*	*DTS/DPF 8.1* *Development does not involve any of the following:* *(a) excavation exceeding a vertical height of one metre.* *(b) filling exceeding a vertical height of one metre.* *(a) a total combined excavation and filling vertical height of two metres or more.*

The subject land has a slight decline from Angas Street with the lowest point of the site being in the north-western corner which is approximately 400-500 mm below footpath level. In order to address stormwater disposal and other site engineering matters the application proposes a series of perimeter retaining walls:

- Eastern boundary - up to 500 mm retaining wall commencing mid way along the boundary
- Northern boundary - between 500 mm (north-eastern corner) to 900 mm retaining wall (at north-western corner)
- Western boundary – 900 mm high retaining wall along side boundary of building 3 lowering to 300 mm for rest of western boundary towards Angas Street (front boundary)

There is also a proposed 500 mm high retaining wall along a section of internal boundary between buildings 1 and 2.

The proposed earthworks do not result in any combined excavation and filling of two metres or more, nor individual cut or fill exceeding a vertical height of one metre. This complies with DTS/DPF 8.1.

The representor at 41 Angas Street raised concern with the potential combined height of retaining wall and fencing of 2.7 metres along their common boundary. The applicant's planning consultant considers that the proposed wall and fencing is well separated from the existing dwelling and will have negligible impact on access to light and ventilation for the occupiers of 41 Angas Street. Given the proposed retaining wall is less than one metre and the height of the fence is a standard 1.8 metres (in part proposed to meet PO 9.1 – Fences and Walls) it is considered that the visual impact is acceptable and not unduly excessive in this locality. It is agreed with the planning consultant that the orientation and combined fencing height will not conflict with the relevant overshadowing guidelines in the Planning and Design Code.

Battle-Axe Development

Design in Urban Areas	
Group dwelling, residential flat buildings and battle-axe development	
Amenity	
PO 31.2 *The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.*	*DTS/DPF 31.2* *None are applicable.*
PO 32.3 *Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.*	*DTS/DPF 32.3* *None are applicable.*
PO 32.4 *Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.*	*DTS/DPF 32.4* *Dwelling sites/allotments are not in the form of a battle-axe arrangement.*

The proposed development configuration aligns with the approved land division incorporating two buildings that front onto Angas Street and the rear site in the form of the battle-axe allotment. This maximises the number of buildings facing the street as sought by PO 22.3.

The rear building is single storey and is well setback from all neighbouring boundaries which minimises perceived building bulk and allows for access, light filtration, and improved amenity within and adjacent to the sites. There are no proposed buildings or structures on a boundary that further maintains a sense of space for neighbouring properties.

It is noted that the rear allotment measures 1,050 sqm which exceeds the zone site area guideline of 500 sqm. It is considered appropriate that this allotment is larger to further minimise its interface impact with adjacent properties.

Character Preservation District Overlay (Township)

Character Preservation District Overlay (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	
Land Use and Intensity	
PO 1.2 *Residential development located in townships to reinforce settlement patterns within the district and support the continuation of primary production on land outside townships.*	*DTS/DPF 1.2* *Residential development located within designated township areas of the Character Preservation District Overlay.*
Built Form and Character	
PO 2.1 *Development occurring at the edge of townships is sympathetic to the rural landscape and reinforces a clear transition*	*DTS/DPF 2.1* *None are applicable.*

between townships and rural landscape through measures including: *(a) being of a low scale* *(b) orientating residential development towards the rural area* *(c) ensuring visual separation from the rural area through landscaping and road reserves.*	
PO 2.2 *Development contributes to and maintains the historic identity and character of townships through appropriate:* *(a) form* *(b) scale* *(c) siting* *(d) design* *(e) landscaping.*	*DTS/DPF 2.2* *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 subject site is located within the designated township area of the Character Preservation District Overlay.

The subject site is located within an established residential neighbourhood within the township and has no visual relationship with rural lands outside the town boundaries or key scenic/tourist routes or nodes.

The proposal has demonstrated an appropriate form, scale, siting, design and incorporation of landscaping provision to the site so as not to offend the intent and principles of the Character Preservation District. The proposal, including the rear building in a battle-axe arrangement, sufficiently maintains streetscape character.

The proposed earthworks required will not exceed 1.5 metres from natural ground level.

Overall, the proposed development is considered to be reasonably consistent with the Character Preservation District Overlay.

Landscaping

Design in Urban Areas	
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.*

<table>
<tr><td></td><td colspan="2">(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.</td></tr>
<tr><td colspan="3">Relevant Performance Outcomes/Designated Performance Features</td></tr>
<tr><td colspan="3">All development</td></tr>
<tr><td colspan="3">Landscaping</td></tr>
<tr><td>PO 3.1
Soft landscaping and tree planting are incorporated to:

• minimise heat absorption and reflection
• maximise shade and shelter
• maximise stormwater infiltration
• enhance the appearance of land and streetscape</td><td colspan="2">DTS/DPF 3.1
None are applicable</td></tr>
<tr><td>PO 22.1
Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</td><td colspan="2">DTS/DPF 22.1
Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with:

(a)
<table><tr><th>Site area (or in the case of residential flat building or group dwelling(s), average site area) (m^2)</th><th>Minimum percentage of site</th></tr><tr><td><150</td><td>10%</td></tr><tr><td>150-200</td><td>15%</td></tr><tr><td>>200-450</td><td>20%</td></tr><tr><td>>450</td><td>25%</td></tr></table>
(a) at least 30% of any land between the primary street boundary and the primary building line.</td></tr>
</table>

The proposal provides substantive areas of soft landscaping and tree planting to provide shade, reduce heat load, and enable stormwater infiltration in the rear grassed areas. The proportion of soft landscaping varies between 34% and 40% which exceeds the 25% minimum.

Within the front setback area of buildings 1 and 2, there is a minimum of 30% soft landscaping as targeted in Design in Urban Areas DPF 22.1(b).

Overall, the proposal provides adequate soft landscaping in strategic locations to reduce heat absorption and reflection, offer shade and shelter, support stormwater infiltration and biodiversity, and improve the appearance of the property and streetscape, fulfilling PO 22.1.

In addition, plantings are proposed along both sides of the internal battle-axe driveway to reduce its visual impact and diminish the effect of the 'gun-barrel' driveway that can emerge with this type of formation. Fencing is also designed to taper down to 1.2m along the driveway to improve sightlines.

Privacy

Overlooking/Visual Privacy (in building 3 storeys or less)	
PO 10.1 *Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.*	*DTS/DPF 10.1* *Upper-level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:* *(b) are permanently obscured to a height of 1.5 metres above finished floor level and are fixed or not capable of being opened more than 200 mm.* *(c) have sill heights greater than or equal to 1.5 metres above finished floor level.* *(d) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500 mm from the window surface and sited adjacent to any part of the window less than 1.5 metres above the finished floor level.*
PO 10.2 *Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.*	*DTS/DPF 10.2* *One of the following is satisfied:* *(a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15 metres wide in all places faced by the balcony or terrace* *or* *(b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:* *i. 1.5 metres above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land* *or* *ii. 1.7 metres above finished floor level in all other cases.*

The proposed buildings are single storey in nature and therefore PO 10.1 and 10.2 do not apply. The neighbour at 41 Angas Street raised concern that a dwelling set higher than their property may allow for overlooking into their private spaces. The proposed dwellings 1 and 2 are between 300 mm to 900 mm higher than the ground level at 41 Angas Street. Adverse overlooking is prevented by the construction of a replacement 1.8 metre high fencing installed at the top of the new retaining walls. This will maintain an acceptable level of privacy between residential properties.

Overshadow

Interface between Land Uses	
Desired Outcomes	
DO1	*Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.*
Relevant Performance Outcomes/Designated Performance Features	
Overshadowing	
PO 3.1 *Overshadowing of habitable room windows of adjacent residential land uses in:* *(a) a neighbourhood-type zone is minimised to maintain access to direct winter sunlight* *(b) other zones is managed to enable access to direct winter sunlight.*	*DTS/DPF 3.1* *North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least three hours of direct sunlight between 9.0 0am and 3.00 pm on 21 June.*
PO 3.2 *Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:* *(a) a neighbourhood type zone is minimised to maintain access to direct winter sunlight.* *(b) other zones is managed to enable access to direct winter sunlight.*	*DTS/DPF 3.2* *Development maintains two hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:* *(a) for ground level private open space, the smaller of the following:* *i. half the existing ground level open space* *or* *ii. 35 sqm of the existing ground level open space (with at least one of the area's dimensions measuring 2.5 metres).* *(b) for ground level communal open space, at least half of the existing ground level open space.*
PO 3.3 *Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:* *(a) the form of development contemplated in the zone.* *(b) the orientation of the solar energy facilities* *(c) the extent to which the solar energy facilities are already overshadowed.*	*DTS/DPF 3.3* *None are applicable.*

The proposed buildings are single storey and have a modest level of massing. They are sufficiently sited away from side and rear boundaries to avoid any adverse shadowing of habitable rooms, primary areas of private open space or rooftop solar generation.

Private Open Space

Design	
Private Open Space	
PO 21.1 *Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.*	*DTS/DPF 21.1* *Private open space is provided in accordance with Design Table 1 - Private Open Space.*
PO 21.2 *Private open space is positioned to provide convenient access from internal living areas.*	*DTS/DPF 21.2* *Private open space is directly accessible from a habitable room*

Each building has private open space provision that exceeds the 60 sqm minimum area (for allotments in excess of 301 sqm) set out in *Table 1 – Private Open Space*. In addition, each building has an area of private open space with a minimum dimension of 3 metres and an area of at least 16 sqm directly accessible from a main living space. Overall, this aspect of the development is acceptable.

Hazards (Flooding – Evidence Required) Overlay

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*

The proposed buildings will have FFLs between 253.65 and 254.15 metres Australian Height Datum (AHD) level whereby the stormwater is proposed to be discharged to Angas Street with a top of kerb level of 253.49 metres AHD level. This will allow for the FFL's to be around 300 mm above the point of discharge to the street, pursuant to DTS/DPF 1.1 and facilitating gravity stormwater discharge from the site to the street.

Native Vegetation Overlay

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.*

The applicant has provided a Declaration stating that no native vegetation under the *Native Vegetation Act 1991* is proposed to be removed.

A vegetation assessment was undertaken by Enviro Environmental which identified at the time of inspection that:

- All native vegetation had been previously cleared from the site prior to its earlier subdivision for housing.
- There is no native vegetation pursuant to the *Native Vegetation Act 1991.*

- There were numerous native and exotic species including mature River Red Gums that have been planted following construction of the former dwelling.

The site has now been cleared and all existing vegetation was removed.

Given the above, the proposed development will not impact any native vegetation as defined under the *Native Vegetation Act 1991*.

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:* *(b) 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.* *(c) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.*

An electricity declaration has been provided in accordance with DTS/DPF 1.1(a) to inform this application.

Vehicular Access

Design in Urban Areas	
Carparking, access and manoeuvrability	
PO 33.3 *Residential driveways that service more than one dwelling are designed to allow safe and convenient movement*	*DTS/DPF 33.3* *Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:* *(a) have a minimum width of 3 metre* *(b) for driveways servicing more than 3 dwellings:* *i. have a width of 5.5 metres or more and a length of 6 metres or more at the kerb of the primary street* ***ii.*** *where the driveway length exceeds 30 metres, incorporate a passing point an east every 30 metres with a minimum width of 5.5 metre and a minimum length of 6 metres.*
PO 33.4 *Residential driveways that service more than one dwelling or a dwelling on a battle-axe site are designed to allow passenger vehicles*	*DTS/DPF 33.4* *Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter*

to enter and exit and manoeuvre within the site in a safe and convenient manner	*and exit the garages or parking spaces in no more than a three- point turn manoeuvre*

Three crossovers are required for the proposed development. Indicative crossover locations were established in the land division approval. The proposed crossovers in this application match these agreed locations.

The proposed driveways will not exceed a gradient of 1 in 40 and will have suitable driveway angles to safely access the subject site.

The proposed battle-axe driveway identified to the subject site has a total width of six metres which exceeds the envisaged three metres. The additional width provides for landscaping along either side and greater accessibility and manoeuvrability from Angas Street to the subject site.

The proposed battle-axe driveway has a nominated 4 metre width at the front boundary and a total length in excess of 30 metres. This is acceptable for a driveway servicing only one property and does not conflict with DTS/DPF 33.3.

Council's engineers have not raised any concerns with the proposed driveway and it aligns with the indicative crossover location established in the land division Development Approval.

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	
Sightlines	
PO 3.1 *Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians*	*None are applicable*
Movement Systems	
PO 5.1 *Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:* *(a) availability of on-street car parking* *(b) shared use of other parking areas* *(c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared* *(d) the adaptive reuse of a State or Local Heritage Place.*	*DTS/DPF 5.1* *Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:* *(a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area* *(b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply 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.

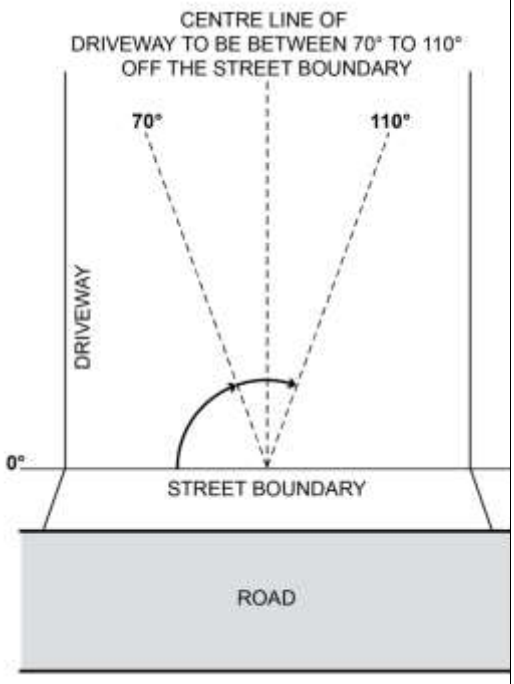
The proposal features a single width garage with an internal length of 6.38 metres and a width of 4.59 metres, accessed by a 3.8 metre wide garage door. This meets the requirements of Design in Urban Areas DPF 19.1 for a single-width enclosed parking space. Additionally, the uncovered parking spaces on each driveway meet the minimum dimensions specified in DPF 19.2, with lengths of 5.4 metres and widths of 2.4 metres.

Table 1 of this module, which sets the standard approach to car parking provisions, seeks '0.3 spaces per bed for supported accommodation". This generates a demand of 0.9 spaces per supported accommodation building.

The proposal comprises one undercover parking space per building with sufficient space for one off-street parking per 'house'. This satisfies PO 5.1.

The applicant has amended the proposal to show a tapered side boundary fence (forward of the dwellings) with a maximum height of 1.2 metres at the front boundary. This helps to address a request from a representor and also ensures appropriate sightlines can be maintained for vehicles exiting the property.

Transport, Access and Parking	
Car parking, access and manoeuvrability	
PO 23.1 *Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.*	*DTS/DPF 23.1* *Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):* *(a) single width car parking spaces:* *i. a minimum length of 5.4 metres per space.* *ii. a minimum width of three metres.* *iii. a minimum garage door width of 2.4 metres.* *(b) a minimum garage door width of 2.4 metres* *i. a minimum garage door width of 2.4 metres* *ii. a minimum garage door width of 2.4 metres* *iii. a minimum garage door width of 2.4 metres*
PO 23.2 *Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.*	*DTS/DPF 23.2* *(a) Uncovered car parking spaces have:* *(a) a minimum length of 5.4 metres* *(b) a minimum garage door width of 2.4 metres* *(c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5 metres*
PO 23.3	*DTS/DPF 23.3*

Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.	*(b) Driveways and access points on sites with a frontage to a public road of ten metres or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.*
PO 23.4 *Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.*	*DTS/DPF 23.4* *Vehicle access to designated car parking spaces satisfy (a) or (b):* *(a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land*
PO 23.5 *Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.*	*DTS/DPF 23.5* *Driveways are designed and sited so that:* *(a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping* *(b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:*  *(c) if located to provide access from an alley, lane or right of way - the alley, land or right or way is at least 6.2 metre wide along the boundary of the allotment/site.*

PO 23.6 *Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.*	*DTS/DPF 23.6* *Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:* *(a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number).* *(b) minimum car park length of 5.4 metres where a vehicle can enter or exit a space directly.* *(c) minimum carpark length of six metres for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.*

The enclosed vehicle parking area within each garage comfortably exceeds the minimum internal dimensions of 3 metre width and 5.4 metre length with garage door widths of 2.4 metres per garage door.

Uncovered spaces can be suitably accommodated within the large, proposed driveway area and meet minimum dimension standards (albeit dwelling three requires manoeuvring to enter and exit in a forward direction).

On-street car parking availability will be slightly altered due to the introduction of one additional crossover. As stated above, the location of access points was agreed as part of the land division application. There will be sufficient space for at least two on-street car parking spaces within the site frontage. It is noted that Angas Street does not suffer from over parking or parking stress and there is a good supply of off-street parking due to large front setbacks.

Waste Storage

Design in Urban Areas	
Waste storage	
PO 24.1 *Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.*	*DTS/DPF 24.1* *None are applicable.*

There is ample location to store waste bins away from public view due to compliant side setbacks and proposed paving around the curtilage of all dwellings (that allows for storage and easy transportation to the kerbside for collection).

Wastewater Disposal

Infrastructure and Renewable Energy Facilities	
Desired Outcomes	
DO 1	*Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.*

Relevant Performance Outcomes/Designated Performance Features	
Water Supply	
PO 11.2 *Dwellings are connected to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the intended use. Where this is not available an appropriate rainwater tank or storage system for domestic use is provided.*	*DTS/DPF 11.2* *A dwelling is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the development. Where this is not available it is serviced by a rainwater tank or tanks capable of holding at least 50,000 litres of water which is:* *(a) exclusively for domestic use* *(b) connected to the roof drainage system of the dwelling.*
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.* *(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.*	*DTS/DPF 12.1* *Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:* *(a) the system is wholly located and contained within the allotment of development it will service; and* *(b) the system will comply with the requirements of the South Australian Public Health Act 2011.*
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.*	*DTS/DPF 12.2* *Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.*

The subject site has mains water available to the allotment.

The CWMS connection via Angas Street is subject to separate consent from Council pursuant to the *Local Government Act 1999.*

A wastewater application will be lodged with Council. It is recommended that a Reserved Matter be included in the Consent, if granted, that wastewater approval be obtained prior to the granting of Development Approval.

Site Contamination

Site Contamination	
Desired Outcomes	
DO 1	*Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.*
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* *(c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form)* *(d) (not applicable).*

The proposal is not considered to constitute a change in the use of land to a more sensitive use as the land has up until recently been occupied by a dwelling, consistent with the current proposed development. Therefore, the proposal is not a change of use in accordance with Practice Direction 14 – Site Contamination.

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

Hazards (Bushfire - Urban Interface) (Urban Interface)
Proposal does not seek to land division or the creation of a road.

Prescribed Water Resources Area
The proposed use is serviced by mains water and will not impact on surface water, watercourses or wells.

Water Protection Area
The proposal does not involve activities with the potential to harm or impact on water supply.

CONCLUSION
The proposal involves the construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7 metres in total height) at 37-30 Angas Street, Tanunda.

The application was subject to a 'Performance Assessed' assessment and public notification. The application was notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and was subject to receipt of two representations, of which both have requested to be heard by the Panel.

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

considered the potential impacts of the three single storey supported accommodation buildings on the subject site and identified that they comply with the majority of quantitative guidelines and will achieve an appropriate streetscape fit into the locality.

The assessment has found the proposed development is reasonably consistent with the intent of the Desired Outcomes and Performance Outcomes of the Neighbourhood Zone and applicable Overlays and General Development Policies.

In conclusion, the proposal has demonstrated reasonable compliance with the relevant provisions of the Planning and Design Code.

With the consideration to the assessment within this report, this application is considered to warrant the granting of Planning Consent, subject to Reserved Matters and conditions.

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. 24017958 by Metcalf Group (SA) Development to undertake the Construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7 metres in total height) at 37-39 Angas Street Tanunda (CT 2625/673 and CT 6525/678) subject to the following Reserved Matters, Conditions and advisory notes:

Reserved Matters

(1) The applicant shall lodge and have approved by the relevant authority an application to install a wastewater system pursuant to the provisions of the *South Australian health Act 2011* and *South Australian Public Health (Wastewater) Regulations 2013.*

(2) The stormwater drainage design shall include Stormwater Calculations that evidence appropriate on-site detention to manage downstream flood risk. The Stormwater Calculations shall achieve all of the following:

(a) Detention shall be provided to limit the 5% AEP post-development peak discharge to the 5% AEP pre-development peak discharge from the site, or the maximum point discharge to the street up to a 10% AEP event shall be 12L/sec; 1% AEP event shall be 20L/sec, whichever is the lesser.

Council Conditions

(1) The development shall be undertaken in accordance with the plans and documentation (as amended) accompanying the application, unless varied by the following conditions:

- Planning Statement by APDS, Version 1.0, dated 18 June 2024;
- Site and Drainage Plan by KP Austruct, project no. 24/153, drawing no. SD1, issue P1, dated 13 June 2024;
- Vegetation Assessment Data Report by EnviRO Environmental, dated 5 March 2024;
- Application document set by Mavtect Designs, job no. 24-034, revision D, dated 3 October 2024.

(2) Prior to occupation, the building authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of council.

(3) Storm water disposal systems must be fully installed at the completion of the construction of the buildings, in accordance with the Approved Civil & Siteworks Plan. Adequate measures shall be deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of the relevant authority.

(4) All external building materials shall:

- Be muted and non-reflective in nature; and
- Where metal cladding is used, it shall have a pre-colour treated finish; and
- Be in accordance with the approved plans; and
- Be new materials and maintained in good condition at all times.

(5) The landscaping depicted on the approved plans shall be established within six (6) months from the date of substantial completion and shall be maintained and nurtured at all times thereafter, with any diseased or dying plants replaced in a timely manner.

(6) The hereby approved supported accommodation shall contain a maximum of eight (8) residents at any one time consisting of the following:

- Dwelling 1 - Maximum of 3 residents
- Dwelling 2 - Maximum of 2 residents
- Dwelling 3 - Maximum of 3 residents

(7) The hereby approved supported accommodation shall not exceed a maximum of one (1) staff members per building at any one time.

(8) Prior to occupation, the access driveways (ie. between the property boundary and the kerb line) must be constructed in accordance with the approved Civil and Siteworks Plan and *Council's Standards and Requirements for the Design, Construction and Development of Infrastructure Assets.* The driveways must be sealed with approved durable material such as concrete, bricks, pavers or asphalt and match into existing footpath and road verge levels, to the satisfaction of Council.

Advisory Notes

(1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

(2) This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

(3) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years. in which case the approval will not lapse).

(4) Any variation of this approved development and/or the conditions of consent will require a separate request and approval by the relevant authority. Approval of this application does not necessarily imply that future requests for variations would be approved. Any future request will be assessed by having regard to the relevant rules and requirements in force at the time any request is lodged.

(5) The adjoining owner should be advised of the proposed work on the boundary and issues such as access to perform work, removal of fences, finished levels and retaining walls should be resolved before building work commences. This approval does not create an automatic right to access neighbouring land.

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

It is recommended that where mechanical equipment is proposed to be used to construct retaining walls, and where the dwelling may impede access for that equipment, the retaining walls be constructed prior to preparing the footings.

(7) 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.

(8) 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.

(9) You are advised that construction or alteration of any footpath, kerb, gutter or crossover on Council land will require a permit, under the *Local Government Act 1999* from Council's Works and Engineering Services. It is illegal to undertake work on Council land without permission.

If the existing entranceway (driveway cross-over) is to be removed it must be re-instated with kerb and gutter, including appropriate restoration of the footpath and verge, to Council's standard specification. Please contact Council's Works and Engineering Services to confirm the required standards. Driveway cross-overs which affect a pedestrian footpath should maintain the level of the footpath or be consistent with the proposed footpath levels in instances where the footpath has not been constructed. When final Development Approval is applied for this should be shown on the plans. Please note that construction is to be in accordance with the *Disability Discrimination Act* and relevant Australian Standards.

Further enquiries should be directed to the Works and Engineering team on 8563 8444.

(10) 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.

(11) 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.

(12) 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.

(13) 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.

(14) The applicant is advised that any retaining works to exceed greater than one vertical metre constitutes development, and requires development approval in its own right.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Application and Associated Documentation ⇩
Attachment 2 Representations Received ⇩
Attachment 3 Applicants Response to Representations ⇩

Development Locations

Location 1

Location reference
37-39 ANGAS ST TANUNDA SA 5352

Title Ref
CT 5625/673

Plan Parcel
D6331 AL12

Additional Location Information

Council
THE BAROSSA COUNCIL

Location 2

Location reference
37-39 ANGAS ST TANUNDA SA 5352

Title Ref
CT 5625/678

Plan Parcel
D6331 AL13

Additional Location Information

Council
THE BAROSSA COUNCIL

Zone Overlays

Zones
- Neighbourhood

Sub-zones
(None)

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

Variations
- Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 12m; row dwelling is 10m; group dwelling is 25m; residential flat building is 25m)
- Minimum Site Area (Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 400 sqm; row dwelling is 350 sqm; group dwelling is 400 sqm; residential flat building is 400 sqm)
- Maximum Building Height (Levels) (Maximum building height is 1 level)

Application Contacts

Applicant(s)

Stakeholder info
Metcalf Group (SA) development
133 KING WILLIAM ROAD
UNLEY
SA
5061
[redacted]

Contact

Stakeholder info
Mr Mark Kwiatkowski
[redacted]

Invoice Contact

Stakeholder info
Metcalf Group (SA) development
133 KING WILLIAM ROAD
UNLEY
SA
5061
[redacted]

Land owners

Stakeholder info
Metcalf Group (SA) development
133 KING WILLIAM ROAD
UNLEY
SA
5061
[redacted]

Nature Of Development

Nature of development
The construction of three single storey detached dwellings for supported accommodation

Development Details

Current Use
Residential

Proposed Use
Residential

Development Cost
$2,919,262.00

Proposed Development Details
The construction of three single storey detached dwellings for supported accommodation

Element Details

You have selected the following elements

New housing - $2,919,262.00

- Dwelling
- Student accommodation

New House

Is there a brush fence within 3m of the proposed house?
No

Are you proposing to add or modify a driveway?
Yes

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?
No

Consent Details

Consent list:
- Planning Consent
- Building Consent

Have any of the required consents for this development already been granted using a different system?
No

Planning Consent

Apply Now?
Yes

Who should assess your planning consent?
Assessment panel/Assessment manager at The Barossa Council

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

Building Consent

Do you wish to have your building consent assessed in multiple stages?
No

Apply Now?
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
APDS Planning Statement - Construction of sup ported accomodation Neighbourhood Zone.pdf	Planning Report	18 Jun 2024 5:40 PM
Data Report - Tanunda.pdf	Technical Report - Native Vegetation	18 Jun 2024 5:40 PM
Stormwater Attachments - Planning (SSD & RWT). pdf	Engineering Certification	18 Jun 2024 5:40 PM
24- 034_37- 39 Angas St_PD_REV A_140524.pdf	Engineering Certification	18 Jun 2024 5:40 PM
24- 153 - Site & Drainage Plan - Planning (P1).pdf	Engineering Certification	18 Jun 2024 5:40 PM
37- 39 Angas CWMS Options.png	Engineering Certification	18 Jun 2024 5:40 PM
24094 PROPOSAL PLAN.pdf	Detailed Elevations	18 Jun 2024 5:40 PM

Application Created User and Date/Time

Created User
epn.kwiatkow@sa.gov.au

Created Date/Time
18 Jun 2024 5:39 PM

Planning Statement

THE CONSTRUCTION OF THREE SINGLE STOREY DETACHED DWELLINGS FOR SUPPORTED ACCOMMODATION

37-39 ANGAS STREET, TANUNDA

Town Planning Specialists
Planning Private Certifiers

Prepared for **Metcalf Group (SA) Development**

Report prepared by Adelaide Planning and Development Solutions

Contact Mark Kwiatkowski

Phone 0499 933 311

Email mark@adelaideplanning.com.au

Town Planning Specialists
Planning Private Certifiers

PLANNING REPORT

Lead Consultant	ADELAIDE PLANNING AND DEVELOPMENT SOLUTIONS (APDS)
In association with	MAVTECT DESIGNERS

Project Manager Mark Kwiatkowski
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Document History and Status

Version	Date	Author
Version 1.0	18 June 2024	Mark Kwiatkowski APDS

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1.0 Application Overview

Applicant	Metcalf Group (SA) Development
Property Address	37 - 39 Angas Street, Tanunda
Description of land (CT)	Volume 5625 Folio 673 and Volume 6525 Folio 678
Site area (total)	584 square metres
Zone	Neighbourhood Zone
Sub-zone	NA
Overlays	Character Preservation District (Township) Hazards (Bushfire - Urban Interface) Hazards (Flooding - Evidence Required) Native Vegetation Prescribed Water Resources Area Water Protection Area
Existing land use	Residential (vacant land)
Development proposal	The construction of three single storey detached dwellings for supported accommodation
Assessment pathway	Code Assessed – Performance Assessed
Procedural matters - Notification	At discretion of council.
Referrals	Nil
Relevant Authority	Barossa Council
Primary contact person	Mark Kwiatkowski Mark@adelaideplanning.com.au 0499 933 311

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2.0 Introduction

This Planning Report has been prepared by Adelaide Planning and Development Solutions (APDS) on behalf of Metcalf Group (SA) development.

The proposal is for the construction of three 'Detached Dwellings' for supported accommodation at 37 - 39 Angas Street, Tanunda, which is within the Neighbourhood Zone.

The following documents accompany this application report:

- Proposal Plans by Mavtect Designs
- Site Drainage Plan by KP Austruct Consulting Engineers

In preparing this planning statement, I can confirm that I have reviewed the Proposal Plans by Mavtect Designs, the Site Drainage Plan by KP Austruct Consulting Engineers along with the relevant provisions of the Planning and Design Code.

I have also inspected the subject land and locality.

This report provides a description of the subject land and locality, current land uses on site and an analysis of the relevant Planning and Design Code provisions in relation to the proposed development.

For reasons outlined below, this proposal displays a high degree of planning merit to warrant planning consent.

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3.0 Subject Land and Locality

3.1 Subject Land



Figure 1 Subject land shown above in green

The subject site has a street address of 37 - 39 Angas Street, Tanunda and comprises two allotments identified within Certificate of Title Volume 6247 Folio 166.

The site is a reasonably regular shaped allotment with a level topography and a total combined site area of 2331 square metres. The site has a frontage of 36.58 metres to Angas Street, and a depth of 63.73 metres.

The site has been cleared with the dwelling already been demolished.

The subject land is vacant and there are no Regulated trees or declared native vegetation under the *Native Vegetation Act 1991* within the site.

There are no easements or encumbrances on the site.

The subject land has connection to all services (water, gas, electricity, telecommunications). The site will need to be connected to the council CWMS scheme utilsing the existing connection point to the rear of the site and connection to the line along Angas Street.

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3.2 Locality



Figure 2 Locality Plan (subject site in blue)

The locality has a low-rise, low-density residential character comprising a mix of older single storey dwellings and older dwellings mixed with some more recent forms of residential development constructed to a higher architectural standard. The area is currently undergoing regeneration.

There are other examples of dwellings to there r o the allotment along Angas Street to the east as shown in the above locality.

All of the allotments surrounding the subject site within the locality are within the Neighbourhood Zone and as such, there are no conflicting adjacent zones.

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4.0 Proposal

4.1 Nature of Development

The land is currently an established vacant residential allotment.

The proposal is for the construction of three 'Detached Dwellings' for supported accommodation at 37 - 39 Angas Street, Tanunda, which is within the Neighbourhood Zone.

Supported accommodation is defined in Part 7 – Land Use Definitions of the Code as:

"Supported accommodation means premises in which residential accommodation is provided to persons requiring/together with regular medical and/or personal care assistance but does not include home care."

The proposal therefore comprises of the following elements:

- Dwelling
- Supported accommodation.

The NDIS housing (High Physical Support Housing) facility will operate 24 hours a day, 7 days a week. There will generally per dwelling be 1 staff on site during the daylight hours with one staff member who stays with the residents overnight.

The relevant staffing standards for this type of facility are one staff member to 8 residents during the night time and one staff member to 4 residents during the day time. On this basis, the proposal provides adequate staffing ratios.

Staff will travel to the facility in a private vehicle noting there is at least 4 on-site car parking spaces provided

The quantitative design aspects of the proposal are further summarised below and depicted in the architectural drawings by Mavtect Designs.

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More specifically the land use proposal will have the following key characteristics:

Criteria	Proposal	P&D Code	Compliance with DPF criteria
Site area	Dwelling 1: 642 m² Dwelling 2: 639 m² Dwelling 3: 1050 m²	**Detached dwelling** - 500m²	Yes
Allotment frontage	Dwelling 1: 15.2 metres Dwelling 2: 15.2 metres Dwelling 3: 6.8 metres	**Detached dwelling**: 15m	Yes
Site coverage	Dwelling 1: 39% Dwelling 2: 37.5% Dwelling 3: 22%	60%	Yes
Setbacks	Dwelling 1 and 2 Front setback 10 metres. Dwelling 3 Rear setback 4.7 metres Dwelling 1 Side setback 1.9m – 2.39m Dwelling 2 Side setback 2.43m – 1.9 m Dwelling 3 Side setback 9.6m – 10.66m	Average of adjoining properties 4 metres On boundary and 0.9 metres	Minor variation Yes Yes
Private Open Space	Dwelling 1: 34% Dwelling 2: 35% Dwelling 3: 32% Includes 16sqm with a minimum dimension of 3m directly accessible from the main living space.	for sites ≥301m² Including 16 sqm with a minimum dimension of 3m accessible from a living room.	Yes
Soft Landscaping	Dwelling 1: 34% Dwelling 2: 36% Dwelling 3: 40% Both front dwellings have over 30% of the front yard dedicated to soft landscaping	25% at least 30% of any land between the primary street boundary and the primary building line.	Yes
Car parking	Dwelling 1: Single garage plus one uncovered Dwelling 2: Double garage plus 1 uncovered Dwelling 3: one parking space	Detached dwelling: 0.9 spaces per dwelling	Yes

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5.0 Procedural Matters

5.1 Relevant Authority

The proposed development is within the Barossa Council who is also the relevant planning authority as per the *Planning, Development, and Infrastructure Act 2016*. On this basis, the application will be lodged with, and assessed by, the Barossa Council.

5.2 Assessment Pathway

The applicable zone is the 'Neighbourhood Zone.' No sub-zones apply to the land.

As outlined in the Neighbourhood Zone, the 'Detached Dwelling' proposal and Supported Accommodation:

- Is not classified as 'Accepted' development.
- Does not meet the criteria for 'Code Assessed - Deemed to Satisfy' development as it will result in more than 1 dwelling on an existing allotment.
- Is not classified as 'Impact Assessed - Restricted' development.

As the proposal is not Accepted, Deemed to Satisfy or Restricted, the default assessment pathway is Performance Assessed, which requires an assessment against the relevant policies within the Planning and Design Code.

5.3 Notification

Table 5 – Procedural Matters (PM) – Notification of the Neighbourhood Zone, lists classes of development that are performance assessed but do not need to be notified. Table 5 (3) identifies 'dwelling' as a kind of development that is excluded from notification.

As such, the proposal is excluded from notification.

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6.0 Planning Assessment

6.1 Overlays

The following overlays apply to the land in addition to the zone provisions:

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

As the buildings are not for affordable housing and there is no native vegetation on the site, the Affordable Housing and Native vegetation *Overlays* do not apply.

The relevant parts of the *Hazards (Flooding - Evidence Required) and Bushfire* overlays have been addressed in section 6.4 below with respect to the proposal.

In relation to the Character Preservation District overlay, the proposal results in a built form which maintains the historic identity and character of townships through appropriate, form, scale, siting, design and landscaping.

6.2 Zone Policies

The subject site is located within the Neighbourhood Zone. As such, the relevant assessment provisions that apply to the proposed Detached Dwellings for supported accommodation have been addressed in section 6.4 below.

6.3 General Development Policies

The following General Development Policies are applicable to the Detached Dwelling for supported accommodation proposal:

- *Clearance from Overhead Powerlines*
- *Design in Urban Areas*
- *Infrastructure and Renewable Energy Facilities*
- *Interface between Land Uses*
- *Transport, Access, and Parking*

Each of the applicable General Development Policies have been addressed in section 6.4 below.

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6.4 Key Planning Considerations

An assessment against the relevant Planning and Design Code assessment provisions has highlighted the following key planning considerations which are discussed in detail below:

- Land use and density
- Design - Private open space and soft landscaping
- Access and Parking
- Siteworks and Drainage
- Native vegetation

6.4.1 Land Use and Density

Desired Outcome 1 of the Neighbourhood Zone asks for:

'Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.'

The proposal will provide three dwellings for supported accommodation on the site with site areas and a form which is in the range of what is considered to provide a form of housing which supports a range of needs and complements the existing local context. As such, it is considered the proposal is consistent with the desired outcome for the Neighbourhood Zone.

A 'Dwelling' is a land use that is explicitly listed in **Designated Performance Feature (DPF) 1.1(d)** of the Neighbourhood Zone as an anticipated form of development in the zone. The proposed use of the land is therefore appropriate, will sit comfortably on the underutilised land and is consistent with the newer forms of housing development in the locality.

The performance outcome ('PO') within the Zone advises the following:

PO 1.1 Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.

Supported accommodation is a form of development which is envisaged within the zone, as further highlighted by DPF 1.1. The relatively low scale of the proposed supported accommodation dwellings is considered to be compatible with a low-density residential character and consistent with the Character Preservation District.

The nature of the land use and any resulting impacts from the land use would be no different to what is generally anticipated from a residential land use, for example, if a single storey detached dwellings were to be built on the existing allotment.

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It is therefore considered that the proposed supported accommodation is a suitable land use within the Zone, providing access to high quality care for high care patients at a scale which is sympathetic to the locality.

Site Area and Frontage

The relevant zone assessment provision is:

Performance Outcome 2.1 *Allotments/sites created for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood, with higher densities closer to public open space, public transport stations and activity centres.*

The subject site of the proposed detached dwelling for supported accommodation has an allotment areas of 642 m^2 639m^2 and 1050m^2 which meets the 500m^2 anticipated in related **DPF 2.1** for detached dwelling allotments. **DPF 2.1** also asks for allotments to have a site frontage of 12 metres which is met by the front allotments of the proposal. The rear allotment has an access width of 6.8 metres providing a driveway along the eastern side of the allotment which allows for a driveway which is consistent with other similar forms of development along Angas Street.

In response to the Performance Outcome (**PO**) 2.1, the overall proposal offers a form of low-medium density residential development which is compatible with newer forms of development in the locality and maintains a consistent allotment pattern and dimension. While the proposal does not offer higher densities than that envisaged in the zone, the site is conveniently located nearby open space, shops, and local services.

As such, it is considered that the land use as supported accommodation and density is appropriate given its compliance with the zone's objective and assessment provisions and that it will reinforce the residential style land use envisaged in the zone, respond to the local context, is nearby local services and facilities and is consistent with other newer forms of development in the locality.

Site cover

PO 3.1 *Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.*

The proposal achieves suitable side setbacks and sufficient rear setbacks to allow for access to sunlight and airflow to the proposed dwellings and neighbouring sites. The dwelling for supported accommodation is single storey, will be visually unobtrusive and have been designed to reflect other newer forms of dwellings in the locality. The single storey dwelling for supported accommodation will not cast unreasonable shadow onto adjacent private open space areas and living rooms on adjacent land and are an appropriate form

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and scale of development in the zone. As such it is considered that the proposal maintains an attractive outlook for neighbouring sites and is consistent with PO 3.1.

6.4.2 Design

Building Design

The relevant 'Design in Urban Areas' general provisions include the following:

PO 8.1 *Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.*

PO 17.1 *Dwellings incorporate windows facing primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.*

PO 17.2 *Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.*

PO 18.1 *Living rooms have an external outlook to provide a high standard of amenity for occupants.*

PO 20.1 *Garaging is designed to not detract from the streetscape or appearance of a dwelling.*

PO 20.2 *Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and the appearance of common driveway areas.*

The supported accommodation dwellings have been engineered to work with the natural topography and minimise any cut, fill or retaining walls and are able to achieve Stormwater Management Overlay PO 1.1 relating to the provision of rainwater tanks.

Each of the supported accommodation dwellings contains articulated elements, a variety of materials and large windows to the front facade to provide visual interest and integration when viewed from the surrounding area.

The supported accommodation dwelling provides suitable side setbacks and adequate front and rear setbacks to provide separation between the site boundaries, which minimises building bulk and allows for access, light filtration, and improved amenity within and adjacent to the sites.

The supported accommodation dwellings contains large windows and front doors that face the street to allow for passive surveillance and interaction with the street. There is also a front entry porch which provides separation from the public realm and define the front entry.

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The proposed development is considered to have a character that is compatible with surrounding land uses is not considered to adversely impact future development of the locality and or detrimentally impact upon any existing surrounding development within the Neighbourhood Zone.

Considering the age and condition of the existing dwellings in the locality, the proposal is expected to greatly improve the character and amenity of the area.

Soft landscaping

The relevant Performance Outcome is Design in Urban Areas:

PO 22.1 *Soft landscaping is incorporated into development to:*

a) minimise heat absorption and reflection

b) contribute shade and shelter

c) provide for stormwater infiltration and biodiversity

d) enhance the appearance of land and streetscapes.

The dwelling provides sufficient areas of land to be able to meet the 25% soft landscaping criteria. The supported accommodation dwelling provides adequate areas of soft landscaping for tree planting in the front yard to provide shade and reduce heat load, stormwater infiltration in the rear grassed areas and the front landscaping will enhance the appearance of the dwelling to the street.

A minimum 30% soft landscaping envisaged by Design in Urban Areas DPF 22.1(b) is also able to be provided within the front setback area of the detached dwelling.

In this case, the overall proposal is able to provide adequate soft landscaping in appropriate locations to minimise heat absorption and reflection; contribute shade and shelter; provide for stormwater infiltration and biodiversity; and enhance the appearance of land and streetscapes and achieves PO 22.1.

Urban Tree Canopy Overlay

The relevant Performance Outcome is Urban Tree Canopy Overlay:

PO 1.1 *Trees are planted or retained to contribute to an urban tree canopy.*

'Manchurian Pear trees are proposed to be planted in front and rear yards of the supported accommodation dwellings and are expected to reach a mature height of 4 metres. As such, it is considered that PO 1.1 is satisfied, as planting trees will contribute to the living amenity of occupants and the appearance of the development to the street, while maintaining the overall urban tree canopy in the area.

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Private open space

Design in Urban Areas Table 1 - Private Open Space asks for 24m2 private open space (for sites <301m^2) and 60m^2 private open space (for sites ≥301m^2) including 16sqm (and a minimum dimension on 3m) that is provided behind the building line with direct accessibility from a living room.

The proposal provides sufficient areas of private open space for the dwelling.

As such, the useable and well dimensioned private open space areas available to each of the dwellings will meet the needs of the occupants and satisfy Design in Urban Areas **PO 21.1**.

6.4.3 Access and Parking

Car parking

The relevant car parking provisions include:

*Transport, Access, and Parking **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.

*Design **PO 19.1** Enclosed car parking spaces are of dimensions to be functional, accessible, and convenient.*

*Design **PO 19.2** Uncovered parking spaces are of a size and dimensions to be functional, accessible, and convenient.*

Table 1 - General Off-Street Car Parking Requirements asks for '0.3 spaces per bedroom for supported accommodation.'

There is therefore a theoretical demand of 0.9 spaces for supported accommodation for each dwelling.

The proposal provide one covered car parking space within the single garage plus one uncovered parking spaces on the driveway in front of the Garage for dwellings 1 and 2 and one undercover parking space for dwelling 3. On this basis, it is considered that the proposal provides sufficient parking and meets the requirements of Table 1 - General Off-Street Car Parking Requirements and satisfies PO 5.1.

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The proposal includes a single width garage which has a minimum internal length of 6.38 metres, a width of 4.59 metres and is accessed by a garage door that is 3.8 metres in width which is adequate to satisfy Design in Urban Areas DPF 19.1 for a single width enclosed car parking space. The uncovered parking spaces on each of the driveways also meets the minimum requirements of 5.4 metres in length and 2.4 metres in width that is specified in DPF 19.2.

Vehicle movements

The relevant Design in Urban Areas provision includes:

PO 19.3 *Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking.*

PO 19.4 *Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.*

PO 19.5 *Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.*

PO 19.6 *Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.*

Design DPF 19.3 asks for driveways and access points for allotments with '*a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site'*. The site as a whole has a frontage of 36.58 metres in width and therefore the DPF does not apply.

The proposal satisfies PO 19.3 as the proposed new driveway will facilitate safe and convenient access, will not require the removal of any street trees or infrastructure and will leave sufficient space for landscaping and waste collection. Further, the width of the proposed driveway is consistent with other newer forms of development in the street. As such, the proposed access points are considered appropriate and meet PO 19.3.

The proposed new driveway has been designed by an engineer and have an appropriate slope which will enable safe and convenient movements to and from the site and to the on-site car parking spaces.

The placement of the driveway enables on street parking opportunities for vehicles along Angas Street, in front of the dwelling.

For the reasons stated above, the proposed vehicle access and car parking arrangements are considered to satisfy the most pertinent provisions of the Planning and Design Code.

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6.4.4 Siteworks and Drainage

The relevant Performance Outcomes are:

Hazards (Flooding – Evidence Required) Overlay ***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.*

Design **PO 8.1** asks that *'Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.'*

Infrastructure and Renewable Energy Facilities **PO 11.2** asks that *'Dwellings are connected to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the intended use. Where this is not available an appropriate rainwater tank or storage system for domestic use is provided.'*

The development of the allotment will accommodate a suitable, engineer designed stormwater management system to council's satisfaction, which will ensure that there are minimal impacts on landform and drainage systems, will not result in any flooding, or lead to or result in the exploitation or pollution of a water resource. The stormwater system will be in accordance with the council's requirements and may be conditioned accordingly. Further information regarding stormwater calculations and the proposed system is provided in the engineering documentation.

The dwelling has been designed to work with the moderate slope of the land and the proposal will not exceed excavation or filling of land or retaining exceeding 1 metre in height in accordance with *Design* DPF 8.1.

The proposed new dwellings area able to be connected to the existing SA Water infrastructure for the supply of water.

6.4.5 Waste Collection

Ample space is available for the storage of waste behind the building line to the side of the dwelling as sought by PO 1.5 of the design module which advises that:

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.

Standard onsite waste collection practices by Council will remain in place and unchanged by this proposal.

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6.4.5 Native vegetation

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.

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.

- A Vegetation Assessment report from EnviRO Environmental should be read in conjunction with the plans and the planning statement. The findings of the report indicate
- All indigenous native vegetation has been removed with the block planted with numerous mature native and exotic specimens. Two (2) mature specimens of the indigenous species, Eucalyptus camaldulensis (River Red Gum) are present. These specimens are not remnant vegetation having been planted following residential subdivision of the land.
- No native vegetation under the Native Vegetation Act 1991 is required to be cleared with a planned development.
- No Weeds of National Significance or Declared Weeds under the Landscape South Australia Act 2019 were observed.

On this basis, the proposal meets the above criteria in relation to Native vegetation on the site.

7.0 Conclusion

The proposal is for the construction of three 'Detached Dwellings' for supported accommodation at 37 - 39 Angas Street, Tanunda, which is within the Neighbourhood Zone.

Supported accommodation is a form of development which is envisaged within the zone, as further highlighted by DPF 1.1. The relatively low scale of the proposed supported accommodation is considered to be compatible with a low-density residential character. The nature of the land use and any resulting impacts from the land use would be no different to what is generally anticipated from a residential land use, for example, if three single storey detached dwellings were to be built on the existing allotments.

It is therefore considered that the proposed supported accommodation is a suitable land use within the Zone, providing access to high quality care for high care patients at a scale which is sympathetic to the locality.

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The proposal will result is dwellings which will sit comfortably on the site and in the locality and will result in a form and height which is in keeping with other newer development in the locality. The proposal is considered to be of a nature and scale that it will not detrimentally impact on the amenity of adjoining and nearby properties and has been designed to integrate with the established residential area.

The proposal as a whole provides adequate private open space to meet the needs of future occupants.

The design of the dwellings considers the site topography and minimizes the need for cut, fill and retaining and provides adequate soft landscaping and tree planting to satisfy the relevant provisions.

Overall, the proposed development is consistent with the Planning and Design Code in so far that the proposal:

- is in accordance with the state interests reflected in the relevant overlays;
- is in accordance with the Desired Outcomes and Performance Outcomes of the Neighbourhood Zone;
- is in accordance with the Performance Outcomes of the relevant General Development provisions; and
- will not have any adverse impacts on the amenity of the locality, the future development of the locality or detrimentally impact upon any surrounding development.

After careful consideration of the proposed development and having regard to the relevant Assessment Provisions of the Planning and Design Code, it is my opinion, that the application represents an appropriate form of development in the context of the unique circumstances of the subject land and locality. For all these reasons, Planning Consent is warranted.

We look forward to your support of this proposal. If you have any further questions regarding this application or require additional information, please contact me on 0499 933 311.

Yours sincerely,



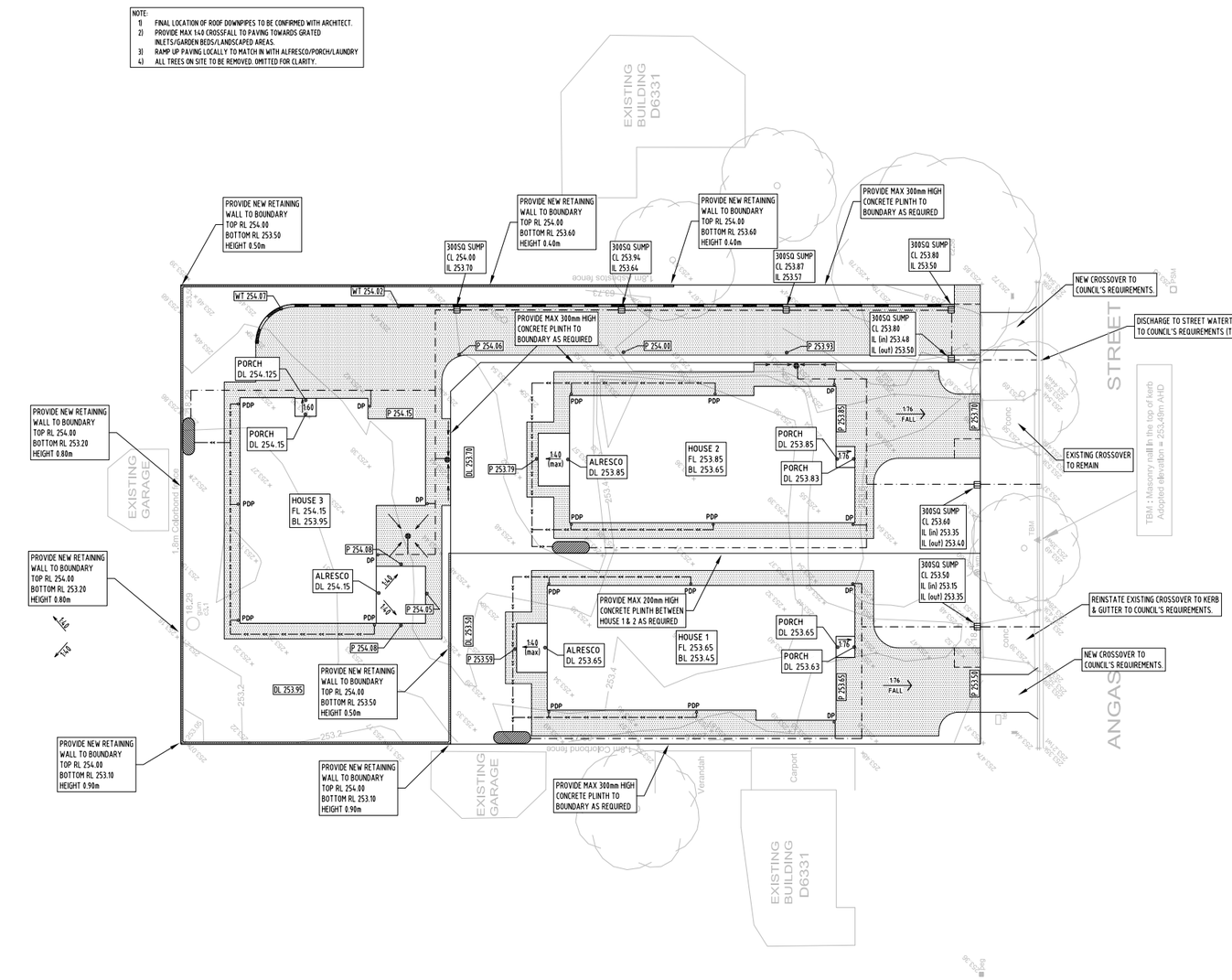
Mark Kwiatkowski MPIA CPP
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DENOTES 4,000L RAINWATER TANK FOR RETENTION, PLUMBED TO ONE W.C. AND LAUNDRY COLD WATER OUTLETS OR HOT WATER SERVICE IN ACCORDANCE WITH THE DESIGNATED PERFORMANCE FEATURE WITHIN THE STORMWATER MANAGEMENT OVERLAY OF THE PDI ACT. REFER TO ATTACHMENT 'RWT'.

NOTE: A MINIMUM 60% OF ROOF STORMWATER TO BE DISCHARGED TO RAINWATER TANK VIA A SEALED SYSTEM (REFER TO ATTACHMENT 'SSD'). TANK OVERFLOW, REMAINING ROOF AND ALL SURFACE STORMWATER TO BE DISCHARGED TO STREET WATERTABLE VIA A GRAVITY SYSTEM.

NOTE:
1) FINAL LOCATION OF ROOF DOWNPIPES TO BE CONFIRMED WITH ARCHITECT.
2) PROVIDE MAX 1:40 CROSSFALL TO PAVING TOWARDS GRATED INLETS/GARDEN BEDS/LANDSCAPED AREAS.
3) RAMP UP PAVING LOCALLY TO MATCH IN WITH ALFRESCO/PORCH/LAUNDRY
4) ALL TREES ON SITE TO BE REMOVED. OMITTED FOR CLARITY.



NOTES

1. This is an Engineering detail survey with the boundaries shown being indicative only. It is not, and should not be used as a boundary identification survey.
2. ~~Soil Classification for this site is **H1-D**. Flexible stormwater and sewer connections **are required** for this site. Refer to attachment FCD for details when required. Where a site is classed as a problem site 'P' due to excessive fill and increased movement due to trees, flexible stormwater connections are always to be used.~~
3. Provide lagging to all pipe penetrations through footing beams as follows:
   i) soil classification S, M, H1: 20mm
   ii) soil classification H2, E: 40mm
4. All perimeter paving and stormwater drainage to be completed by owner/builder within 6 months of the completion of the building.
5. All stormwater pipes subject to pedestrian traffic to have minimum 150mm cover, with pipes subjected to vehicular load to have 300mm. If required cover cannot be achieved, pipe to be encased in 100mm thick concrete or covered with a 5mm thick galvanised RHS sleeve or plate.
6. Stormwater pipes to have a minimum fall of 1:200 with sewer pipes having minimum 1:60 fall.
7. It is the responsibility of the owner/builder/plumber to ensure that there is sufficient fall from the dwelling/s to the street sewer connection point based on the finished floor levels on this plan, prior to the beginning of works on site. All care but no responsibility taken by design Engineer.
8. Stormwater disposal to be in accordance with council stormwater guidelines.
9. Where excavating on or near boundaries, care is to be taken as to not undermine the existing structure. Refer to Engineer if in doubt.

LEGEND

DESIGN

- 100.00 — Design contour
- 100.00 — Design spot level
- Ø90 uPVC stormwater pipe
- Ø100 uPVC sealed stormwater pipe (refer to SSD)
- Sewer pipe
- Direction of flow
- PDP — Ø90 PVC downpipe
- DP — Selected downpipe
- Grated trench
- (top) — Max 1:2 batter
- 150K — 150 high kerb & gutter
- Retaining wall
- Borehole
- 300 sq grated sump (uno)
- 100 dia. grated inlet
- Inspection point
- Paving (refer to 'PDT')

SURVEY/EXISTING

- 100 — Contour
- × 99.97 — Spot level
- TBM (Temporary Bench Mark)
- Stobie pole
- Sewer IP
- WM (Water Meter)
- ETSA
- GM (Gas Meter)
- Telstra/Comms pit
- SEP (Side Entry Pit)
- Peg

ABBREVIATION

FL	Floor level
BL	Bench level
DL	Design level
P	Paving level
TK	Top of kerb
WT	Watertable
TRW	Top of ret.wall
BRW	Bottom of ret.wall
RWH	Retaining wall height
CL	Sump cover level
IL	Pipe invert level

PLANNING APPROVAL
NOT FOR CONSTRUCTION

ISSUE	DATE	COMMENTS/REMARKS
P1	13.06.2024	Issued for planning approval

KP AUSTRUCT Consulting Engineers

6 CRITTENDEN ROAD, FINDON SA 5023
PH: 08 8448 2900

MAVTECT DESIGNS
PROPOSED DWELLINGS FOR: METCALF GROUP
AT: No.37-39 ANGAS STREET TANUNDA

DRAWING TITLE: SITE AND DRAINAGE PLAN

SCALE	DRAWN	ENGINEER	DATE
1:200	S.T.	S.T.	JUN' 2023

CHECKED	PROJECT No.	DRAWING No.	ISSUE	SHEET SIZE
-	24/153	SD1	P1	A1

IMAGES ARE ILLUSTRATIVE ONLY

MAVTECT
DESIGNS

ANGAS SREET SDA

37-39 ANGAS ST, TANUNDA

DRAWING CONTENTS

No.	SHEET
PL01	PROPOSED SITE PLAN (OVERALL)
PL02	DEMOLITION SITE PLAN
PL03	PROPOSED FLOOR PLAN (H1)
PL04	HOUSE 1 - ELEVATIONS 1
PL05	HOUSE 1 - ELEVATIONS 2
PL06	PROPOSED FLOOR PLAN (H2)
PL07	HOUSE 2 - ELEVATIONS 1
PL08	HOUSE 2 - ELEVATIONS 2
PL09	PROPOSED FLOOR PLAN (H3)
PL10	HOUSE 3 - ELEVATIONS 1
PL11	HOUSE 3 - ELEVATIONS 2
PL12	RETAINING WALL ELEVATIONS

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SCALE 0 2 4 6 8 10 METRES

AREA SCHEDULE - HOUSE 1

APPROX PROPOSED SITE AREA = 641m²
APPROX PRIVATE OPEN SPACE AREA =217.5m² (34%)
APPROX SOFT LANDSCAPING AREA = 223m² (34%)

NAME	AREA
LIVING	208.8 m²
GARAGE	31.0 m²
ALFRESCO	9.5 m²
PORCH	2.5 m²
TOTAL BUILDING AREA	251.9 m²

AREA SCHEDULE - HOUSE 2

APPROX PROPOSED SITE AREA = 639m²
APPROX PRIVATE OPEN SPACE AREA = 229m² (35%)
APPROX SOFT LANDSCAPING AREA = 235m² (36%)

NAME	AREA
LIVING	196.1 m²
GARAGE	30.6 m²
ALFRESCO	10.5 m²
PORCH	2.4 m²
TOTAL BUILDING AREA	239.6 m²

AREA SCHEDULE - HOUSE 3

APPROX PROPOSED SITE AREA = 1050m²
APPROX PRIVATE OPEN SPACE AREA = 340m² (32%)
APPROX SOFT LANDSCAPING AREA = 425m² (40%)

NAME	AREA
LIVING	188.3 m²
GARAGE	30.4 m²
ALFRESCO	17.9 m²
PORCH	2.4 m²
TOTAL BUILDING AREA	239.0 m²

HATCHED AREA (RED) DENOTES 1540mm x 2070mm HARD-STANDING SURFACE AREA FOR LETTERBOX ACCESS *AS REQUIRED BY NDIS DESIGN STANDARDS (S16.2)*. MAX 1:40 FALL, REFER TO ENGINEERS DRAWINGS.

INDICATIVE LANDSCAPING SCHEDULE

	COMMON NAMES	HEIGHT
NEW FENCE	1800MM (H) COLORBOND GOOD NEIGHBOUR FENCE WITH CONCRETE SLEEPER BELOW - MAX HEIGHT 2100MM (H)	1.8M - 2.1M
	TREES	
	CREPE MYRTLE MANCHURIAN PEAR SILVER BIRCH GINKGO BILOBA MAGNOLIA GLANDIFLORA	2-4M MATURE HEIGHT 2M SPREAD 10SQM SOIL AREA AROUND TREE
	BUSHES	
	VIRBURNUM PITTOSPURUM WESTRINGA GEM BUXUS GREEN VELVET EMERALD & GOLD	<1.8M
	GRASSES & GROUND COVERS	
	DIANELLA BREEZE SNOW MAIDEN LITTLE RUBY LICORICE PLANT	<1M
	KIKUYU GRASS	
	SELECTED CONCRETE SURFACE	
	SELECTED PAVING	
	SELECTED PERMEABLE PAVING	
	SELECTED TIMBER DECKING	
	SWIMMING POOL	

APPROX 4700 | 10220 | 4580 | 44230

63.73 m INDICATIVE BOUNDARY

NEW FENCE TO TAPER TO 1.2M HIGH AT FRONT OF BOUNDARY

EXISTING STOBIE POLE LOCATION. APPROX 1230

3000 PROPOSED CROSSOVER

DRIVEWAY
1:40 (MAX) GRADIENT
(REFER TO ENGINEERS DOCUMENTATION)

39.85 m INDICATIVE BOUNDARY

NEW FENCE TO TAPER TO 1.2M HIGH AT FRONT OF BOUNDARY

3.37 m INDICATIVE BOUNDARY

12.82 m INDICATIVE BOUNDARY

15.20 m INDICATIVE BOUNDARY

36.58 m INDICATIVE BOUNDARY

21.50 m INDICATIVE BOUNDARY

42.23 m INDICATIVE BOUNDARY

15.20 m INDICATIVE BOUNDARY

APPROX 3080 TO EX. TREE

EXISTING CROSSOVER

EXISTING CROSSOVER TO BE RETAINED - NO WORKS.

PROPOSED DWELLING (HOUSE 3) FL 254.15

PROPOSED DWELLING (HOUSE 2) FL 253.85

PROPOSED DWELLING (HOUSE 1) FL 253.65

GARAGE | POR | ALFRESCO | MAX 1:40 TO PERIMETER PATH | 1:40 (MAX) GRADIENT | RT.E | E.3 | N.1 | N.2 | N.3 | W.1 | W.2 | W.3 | RT.K | RT.S | RT.W | S.1 | S.2 | S.3 | E.1 | E.2 | RWT | MB | HWS | CL | G | WM | LB | (A/C UNITS) | NEW FENCE | EXISTING FENCE | RT=0.4H | RT=0.5H | RT=0.8H | RT=0.9H | APPROX 9620 | APPROX 9480 | APPROX 7700 | 16650 | 6380 | 1460 | 10000 | 11500 | 22750 | 10870 | 5930 | 3000 EASEMENT

SITE LEGEND:

BOUNDARY
PROPOSED AREAS
PROPOSED TERRACE / ALFRESCO / PORCH
RT - RETAINING WALLS *(REFER TO ENGINEERS DETAILS)*

RWT RAINWATER TANK *(REFER TO ENGINEERS DETAILS)*
MB ELEC / GAS METER BOX LOCATION (TBC)
WM WATER METER LOCATION (TBC)
PV SOLAR INVERTER
G GATE LOCATION
DP DOWNPIPE LOCATIONS *(REFER TO ENGINEERS DETAILS)*
A/C AIR CONDITIONER UNIT LOCATIONS (NOM) (TBC)
HWS HOT WATER SYSTEM NOMINAL LOCATION
LB LETTER BOX LOCATION
- *LETTER BOX TO BE LOCATED ON HARD STANDING SURFACE (1540mm x 2070mm AREA) IN COMPLIANCE WITH NDIS DESIGN STANDARDS WITH A MAXIMUM 1:40 GRADIENT FALL.*
- *LETTER BOX SELECTION MUST BE LOCKABLE.*
- *LETTER BOX TO CLIENT SELECTION - REFER TO CLIENT SELECTIONS SCHEDULE. (MINNIMUM HEIGHT BETWEEN 600 - 1100 AFFL)*

CL CLOTHES LINE LOCATION (NOM)
BIN INDICATIVE BIN LOCATION
EX. DENOTES EXISTING
NOM NOMINAL
TBC TO BE CONFIRMED
COS CONFRIM ON SITE

- SITEWORKS AND DRAINAGE IN STRICT ACCORDANCE WITH CIVIL DRAWINGS DESIGN AND DETAILS
- FLOOR LEVELS INDICATIVE ONLY - REFER TO ENGINEERS DOCUMENTATION
- LANDSCAPE AREAS TO INCORPORATE IRRIGATION FEED ON TIMER FROM MAINS.

ANGAS STREET

APPROX 9870 TO EX TREE

PROPOSED 3000 CROSSOVER

APRX. 220 CLEAR OF SURVEYED TELSTRA PIT

EXISTING STOBIE POLE LOCATION. APPROX 1540

PROPOSED SITE PLAN

SCALE : 1 : 200

BOUNDARY LINES SUBJECT TO LAND DIVISION APPROVAL.
- ALL BOUNDARY DIVISIONS ARE SHOWN INDICATIVELY ONLY.
- ALLOTMENT AND LAND DIVISION SUBJECT TO SEPARATE APPLICATION.

HATCHED AREA (RED) DENOTES 1540mm x 2070mm HARD-STANDING SURFACE AREA FOR LETTERBOX ACCESS *AS REQUIRED BY NDIS DESIGN STANDARDS (S16.2)*. MAX 1:40 FALL, REFER TO ENGINEERS DRAWINGS.

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: PROPOSED SITE PLAN (OVERALL)
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 200 @ A3 DRAWN: CM

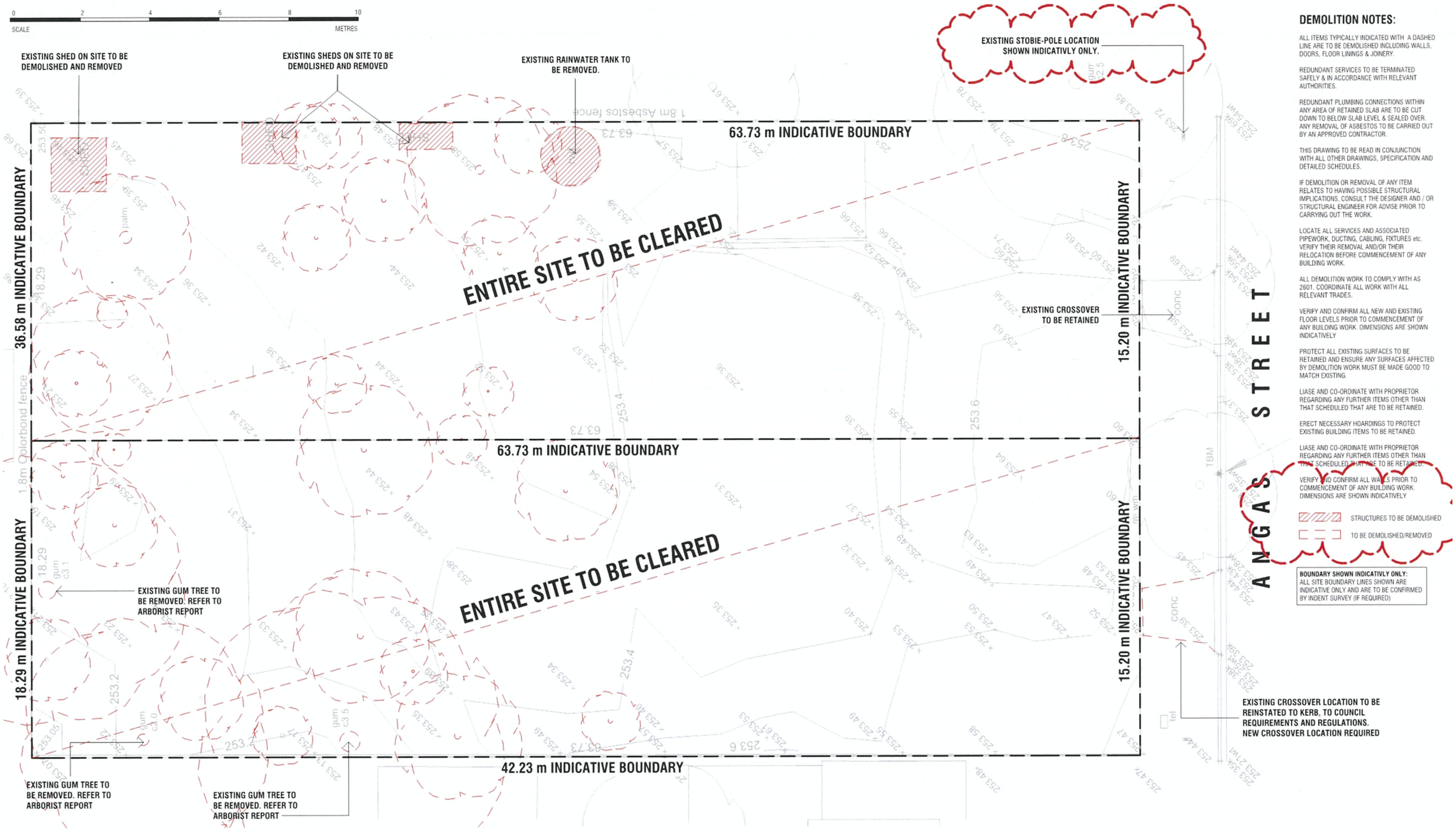
REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

REVISION: D
DRAWING No: PL01
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C:\Users\Cara\MyCloud\Mavtect Designs\Projects 3 Mavtect - 2024\0324-034_Metcalf_37-39 Angas St Tanunda\02 Architectural\24-034 - 37-39 Angas St Tanunda_ACTIVE.rvt

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DEMOLITION NOTES:

ALL ITEMS TYPICALLY INDICATED WITH A DASHED LINE ARE TO BE DEMOLISHED INCLUDING WALLS, DOORS, FLOOR LININGS & JOINERY.

REDUNDANT SERVICES TO BE TERMINATED SAFELY & IN ACCORDANCE WITH RELEVANT AUTHORITIES.

REDUNDANT PLUMBING CONNECTIONS WITHIN ANY AREA OF RETAINED SLAB ARE TO BE CUT DOWN TO BELOW SLAB LEVEL & SEALED OVER. ANY REMOVAL OF ASBESTOS TO BE CARRIED OUT BY AN APPROVED CONTRACTOR.

THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS, SPECIFICATION AND DETAILED SCHEDULES.

IF DEMOLITION OR REMOVAL OF ANY ITEM RELATES TO HAVING POSSIBLE STRUCTURAL IMPLICATIONS, CONSULT THE DESIGNER AND / OR STRUCTURAL ENGINEER FOR ADVISE PRIOR TO CARRYING OUT THE WORK.

LOCATE ALL SERVICES AND ASSOCIATED PIPEWORK, DUCTING, CABLING, FIXTURES etc. VERIFY THEIR REMOVAL AND/OR THEIR RELOCATION BEFORE COMMENCEMENT OF ANY BUILDING WORK.

ALL DEMOLITION WORK TO COMPLY WITH AS 2601. COORDINATE ALL WORK WITH ALL RELEVANT TRADES.

VERIFY AND CONFIRM ALL NEW AND EXISTING FLOOR LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORK. DIMENSIONS ARE SHOWN INDICATIVELY

PROTECT ALL EXISTING SURFACES TO BE RETAINED AND ENSURE ANY SURFACES AFFECTED BY DEMOLITION WORK MUST BE MADE GOOD TO MATCH EXISTING.

LIASE AND CO-ORDINATE WITH PROPRIETOR REGARDING ANY FURTHER ITEMS OTHER THAN THAT SCHEDULED THAT ARE TO BE RETAINED.

ERECT NECESSARY HOARDINGS TO PROTECT EXISTING BUILDING ITEMS TO BE RETAINED.

LIASE AND CO-ORDINATE WITH PROPRIETOR REGARDING ANY FURTHER ITEMS OTHER THAN THAT SCHEDULED THAT ARE TO BE RETAINED.

VERIFY AND CONFIRM ALL WALLS PRIOR TO COMMENCEMENT OF ANY BUILDING WORK. DIMENSIONS ARE SHOWN INDICATIVELY

DEMOLITION SITE PLAN

SCALE : 1 : 200

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE:
DEMOLITION SITE PLAN
PROJECT STAGE: CONCEPT
DRAWING SCALE: As indicated @ A3 DRAWN: CM

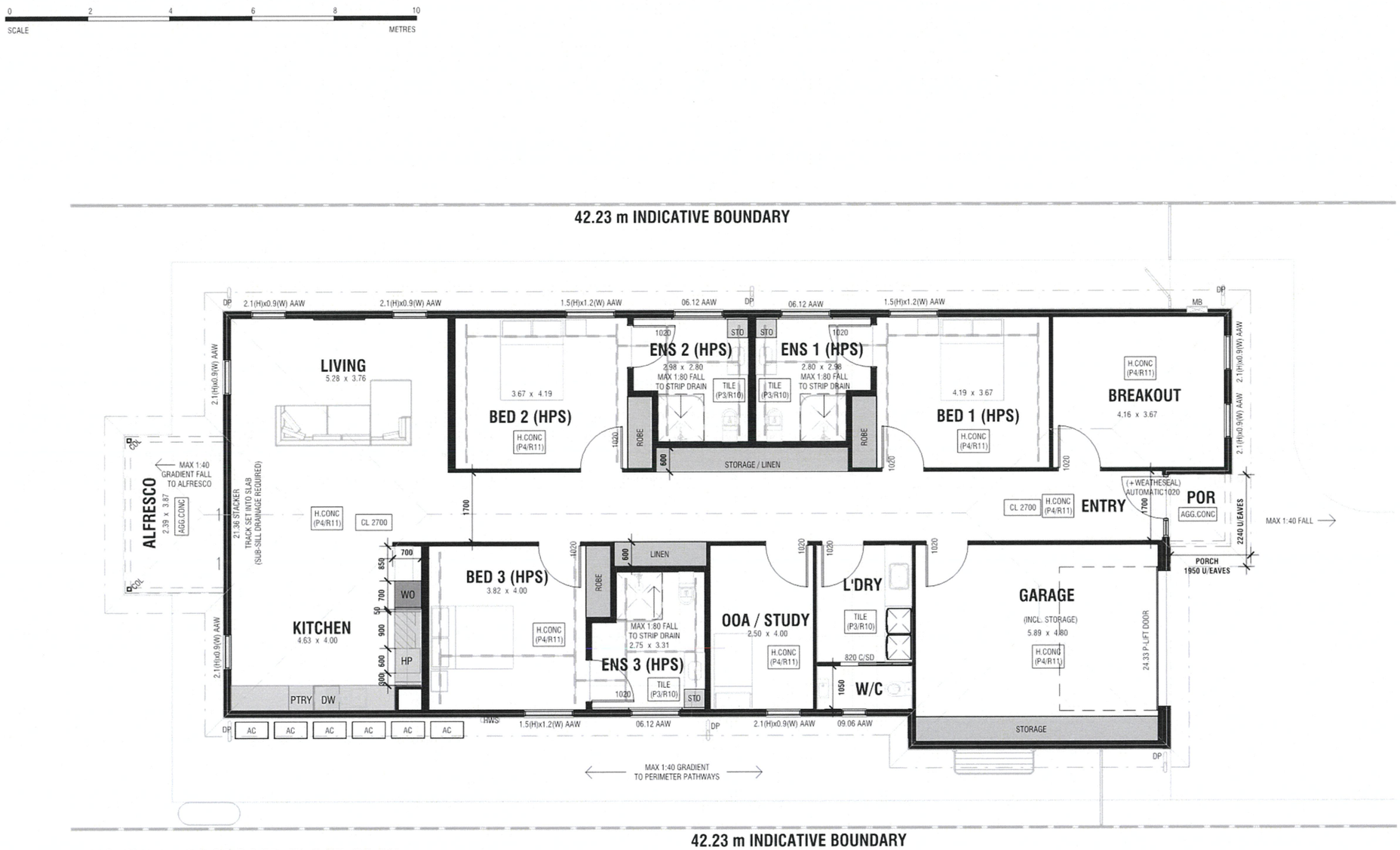
REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

REVISION: D
PRINT IN COLOUR
DRAWING No: PL02
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HOUSE 1 - PROPOSED FLOOR PLAN

SCALE : 1 : 100

GENERAL PLAN NOTES:

DIMENSIONS INDICATED ARE FROM FACE OF FRAME WORK AND BRICK WORK. CONFIRM ALL DIMENSION SETTOUTS ON SITE PRIOR TO UNDERTAKING WORKS. OVERALL EXTERNAL DIMENSIONS MAY INCLUDE FINISHED WALL MATERIALS - USE AS A GUIDE PENDING MATERIAL VARIANCES.

PROVIDE WEATHER SEALS TO ALL EXTERNAL DOORS

2400(H) INTERNAL DOORS AND SLIDING DOORS

FIXTURES, FITTINGS AND FINISHES WITHIN ALL NEW AREAS TO BE SELECTED BY OWNER. LOCATION AND SETOUTS TO BE COORDINATED BY BUILDER / CONTRACTOR AS REQUIRED.

MAINS SERVICES INCLUDING WATER, POWER ETC. TO BE COORDINATED BY BUILDER IN STRICT ACCORDANCE WITH RELEVANT AUTHORITIES REGULATIONS.

DISTRIBUTION BOARDS AND HOT WATER SERVICE TO BE COORDINATED BY BUILDER / CONTRACTOR

INTERNAL DOOR TO SANITARY COMPARTMENTS
DOOR TO SANITARY COMPARTMENTS (WC, ENSUITE, BATHROOMS) TO OPEN OUTWARDS, SLIDE OR BE EASILY REMOVED (REMOVABLE HINGES) FROM THE OUTSIDE OF THE COMPARTMENT.

JOINERY - REFER TO INTERIOR DESIGNERS DRAWINGS FOR DETAILS

WALLS WHERE GLAZING PRESENT. REFER TO TIMBER FRAMING FOR MORE DETAILS

CONTROL JOINTS AS PER ENGINEER'S DOCUMENTATION

FINISHED FLOOR LEVEL NEW TILES / PAVERS SET ON TOP OF EXISTING SLAB ON GROUND. FFL TO RAISE ACCORDINGLY. ENSURE LEVEL THRESHOLD INTO WET AREAS. REBATE SLIDING DOORS WHERE POSSIBLE

WALL TYPES:

- EXTERNAL WALLS
- INTERNAL WALLS
- PROPOSED IN-BUILT JOINERY

FLOOR PLAN LEGEND:

EX.	DENOTES EXISTING
C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
A/C	UNIT A/C REGISTER LOCATION (TBC)
COL.	COLUMN - AS PER ENGINEERS SPECIFICATION
S.DN	SETDOWN - NOMINATED DEPTHS
F	FRIDGE
UBF	U/BENCH FRIDGE
SS	STAINLESS STL SINK
DW	DISHWASHER
UBO	U/BENCH OVEN
WO	WALL OVEN
HP	HOT PLATE
RH	RANGEHOOD
OHC	O/HEAD CBRDS
WM	WASH MACHINE
DR	DRYER
T	L'DRY TROUGH
P	TOILET PAN
VB	VANITY BASIN
HB	HAND BASIN
TR	TOWEL RAIL - HEATED
BH	BATH - SET IN HOB
BF	BATH - FREESTANDING
SHR	SHOWER HEAD
SHM	SHOWER MIXER
TV	TV LOCATION
C/B	CUPBOARDS
B/H	BULKHEAD
FT	FLOOR TRAP
S/L	SELECTED SKYLIGHT
BBQ	BBQ - OWNER SELECTION

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: **PROPOSED FLOOR PLAN (H1)**
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

REVISION: D
PRINT IN COLOUR
NOT FOR CONSTRUCTION

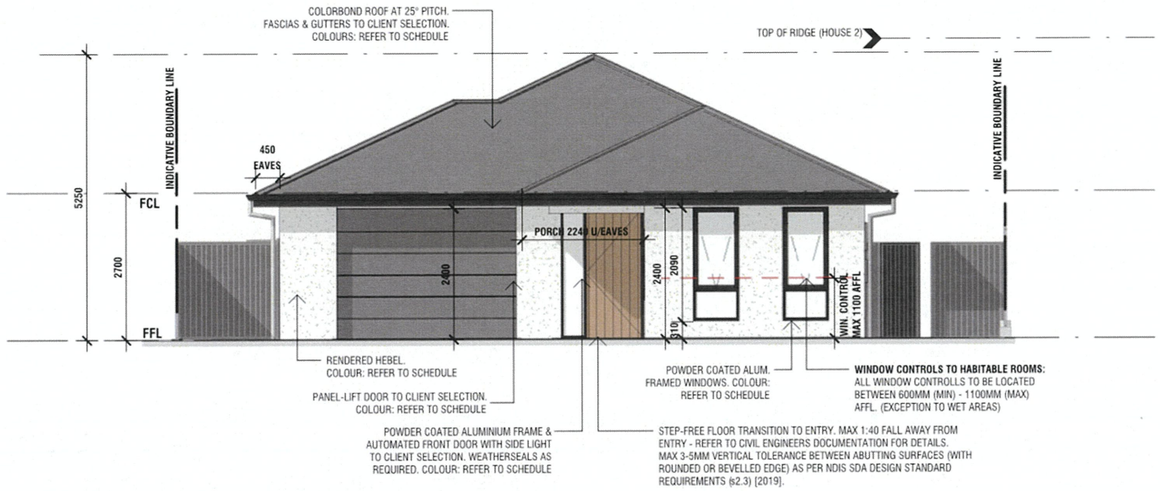
DRAWING No: **PL03**

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0 2 4 6 8 10
SCALE METRES



NORTH ELEVATION (HOUSE 1 - FRONT)

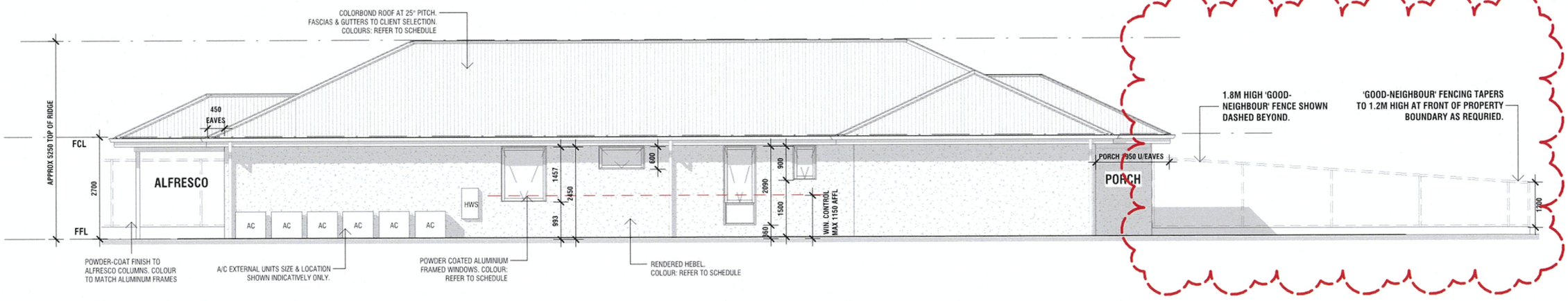
SCALE : 1 : 100

MATERIALS AND FINISHES SCHEDULE

WALLS	TYPE / COLOUR
HEBEL CLADDING WALL - RENDERED	RENDER FINISH - DULUX 'NATURAL WHITE'
ROOFING	**TYPE / COLOUR**
METAL SHEET ROOF	COLORBOND 'WOODLAND GREY'
FASCIA / GUTTERS / BARGES	COLORBOND 'MONUMENT'
DOWNPIPES / CAPPINGS	TO MATCH WALL COLOUR
DOORS / WINDOWS	**TYPE / COLOUR**
ALUMINIUM FRAMED	POWDERCOAT FINISH 'BLACK'
ALUM. FRAMED SOLID CORE TIMBER FRONT DOOR (AUTOMATED)	TASMANIAN OAK (SEALED)
GARAGE DOOR - PANEL LIFT DOOR - TO CLIENT SELECTION	'WOODLAND GREY' OR SIMILAR APPROVED

ELEVATION LEGEND:

C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
RWT	RAINWATER TANK
A/C	UNIT A/C REGISTER LOCATION (TBC)
B/H	BULKHEAD



EAST ELEVATION (HOUSE 1)

SCALE : 1 : 100

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: HOUSE 1 - ELEVATIONS 1
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

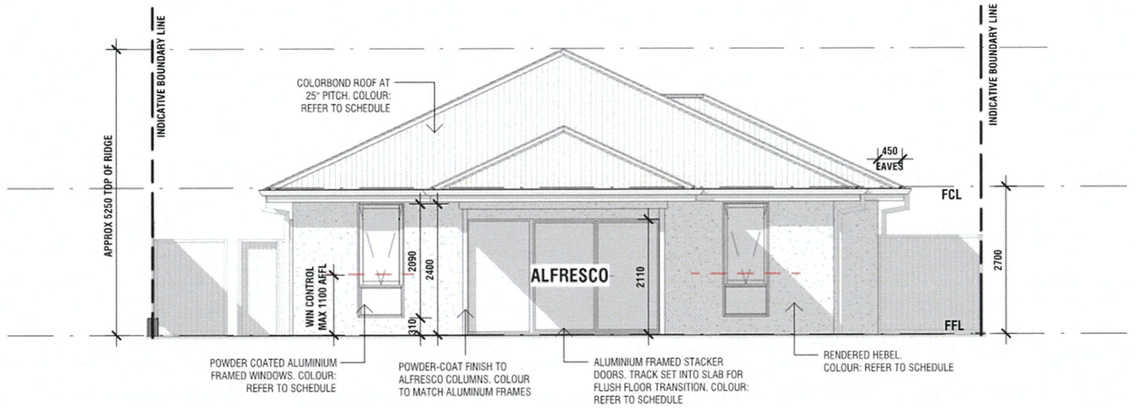
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DRAWING No: PL04
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0 2 4 6 8 10
SCALE METRES



SOUTH ELEVATION (HOUSE 1 - REAR)

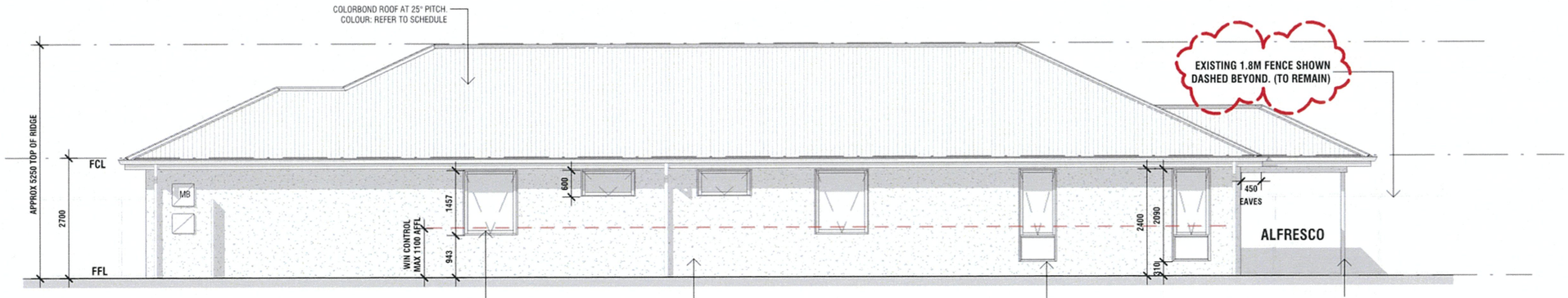
SCALE : 1 : 100

MATERIALS AND FINISHES SCHEDULE

WALLS	TYPE / COLOUR
HEBEL CLADDING - RENDER FINISH	'NATURAL WHITE' (OR SIMILAR APPROVED)
HEBEL CLADDING - FEATURE RENDERED FINISH	- MID GREY (OR SIMILAR APPROVED)
ROOFING	**TYPE / COLOUR**
METAL SHEET ROOF	COLORBOND 'WOODLAND GREY'
FASCIA / GUTTERS / BARGES	COLORBOND 'MONUMENT'
DOWNPIPES / CAPPINGS	TO MATCH WALL COLOUR
DOORS / WINDOWS	**TYPE / COLOUR**
ALUMINIUM FRAMED	POWDERCOAT FINISH 'BLACK'
ALUM. FRAMED SOLID CORE TIMBER FRONT DOOR (AUTOMATED)	TASMANIAN OAK (SEALED)
GARAGE DOOR - PANEL LIFT DOOR - TO CLIENT SELECTION	'WOODLAND GREY' OR SIMILAR APPROVED

ELEVATION LEGEND:

C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
RWT	RAINWATER TANK
A/C	UNIT A/C REGISTER LOCATION (TBC)
B/H	BULKHEAD



WEST ELEVATION (HOUSE 1)

SCALE : 1 : 100

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: HOUSE 1 - ELEVATIONS 2
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

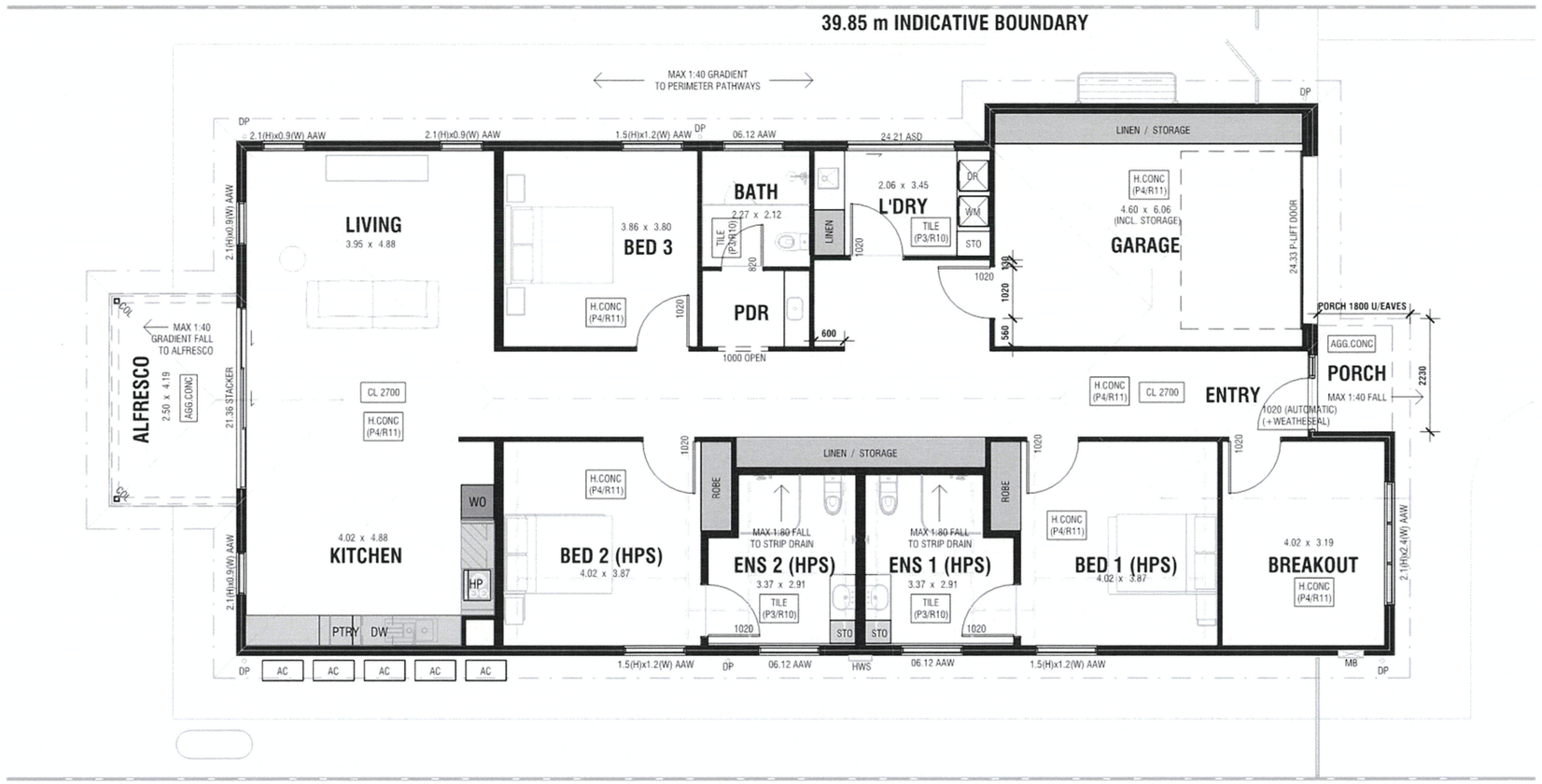
REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

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0 2 4 6 8 10
SCALE METRES



HOUSE 2 - PROPOSED FLOOR PLAN

SCALE : 1 : 100

GENERAL PLAN NOTES:

DIMENSIONS INDICATED ARE FROM FACE OF FRAME WORK AND BRICK WORK. CONFIRM ALL DIMENSION SETTOUTS ON SITE PRIOR TO UNDERTAKING WORKS. OVERALL EXTERNAL DIMENSIONS MAY INCLUDE FINISHED WALL MATERIALS - USE AS A GUIDE PENDING MATERIAL VARIANCES.

PROVIDE WEATHER SEALS TO ALL EXTERNAL DOORS

2400(H) INTERNAL DOORS AND SLIDING DOORS

FIXTURES, FITTINGS AND FINISHES WITHIN ALL NEW AREAS TO BE SELECTED BY OWNER. LOCATION AND SETOUTS TO BE COORDINATED BY BUILDER / CONTRACTOR AS REQUIRED.

MAINS SERVICES INCLUDING WATER, POWER ETC. TO BE COORDINATED BY BUILDER IN STRICT ACCORDANCE WITH RELEVANT AUTHORITIES REGULATIONS.

DISTRIBUTION BOARDS AND HOT WATER SERVICE TO BE COORDINATED BY BUILDER / CONTRACTOR

INTERNAL DOOR TO SANITARY COMPARTMENTS
DOOR TO SANITARY COMPARTMENTS (WC, ENSUITE, BATHROOMS) TO OPEN OUTWARDS, SLIDE OR BE EASILY REMOVED (REMOVABLE HINGES) FROM THE OUTSIDE OF THE COMPARTMENT.

JOINERY - REFER TO INTERIOR DESIGNERS DRAWINGS FOR DETAILS

WALLS WHERE GLAZING PRESENT. REFER TO TIMBER FRAMING FOR MORE DETAILS

CONTROL JOINTS AS PER ENGINEER'S DOCUMENTATION

FINISHED FLOOR LEVEL NEW TILES / PAVERS SET ON TOP OF EXISTING SLAB ON GROUND. FFL TO RAISE ACCORDINGLY. ENSURE LEVEL THRESHOLD INTO WET AREAS. REBATE SLIDING DOORS WHERE POSSIBLE

WALL TYPES:

- EXTERNAL WALLS
- INTERNAL WALLS
- PROPOSED IN-BUILT JOINERY

FLOOR PLAN LEGEND:

EX.	DENOTES EXISTING
C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
A/C	UNIT A/C REGISTER LOCATION (TBC)
COL.	COLUMN - AS PER ENGINEERS SPECIFICATION
S.DN	SETDOWN - NOMINATED DEPTHS
F	FRIDGE
UBF	U/BENCH FRIDGE
SS	STAINLESS STL SINK
DW	DISHWASHER
UBO	U/BENCH OVEN
WO	WALL OVEN
HP	HOT PLATE
RH	RANGEHOOD
OHC	O/HEAD CBRDS
WM	WASH MACHINE
DR	DRYER
T	L'DRY TROUGH
P	TOILET PAN
VB	VANITY BASIN
HB	HAND BASIN
TR	TOWEL RAIL - HEATED
BH	BATH - SET IN HOB
BF	BATH - FREESTANDING
SHR	SHOWER HEAD
SHM	SHOWER MIXER
TV	TV LOCATION
C/B	CUPBOARDS
B/H	BULKHEAD
FT	FLOOR TRAP
S/L	SELECTED SKYLIGHT
BBQ	BBQ - OWNER SELECTION

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE:
PROPOSED FLOOR PLAN (H2)
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

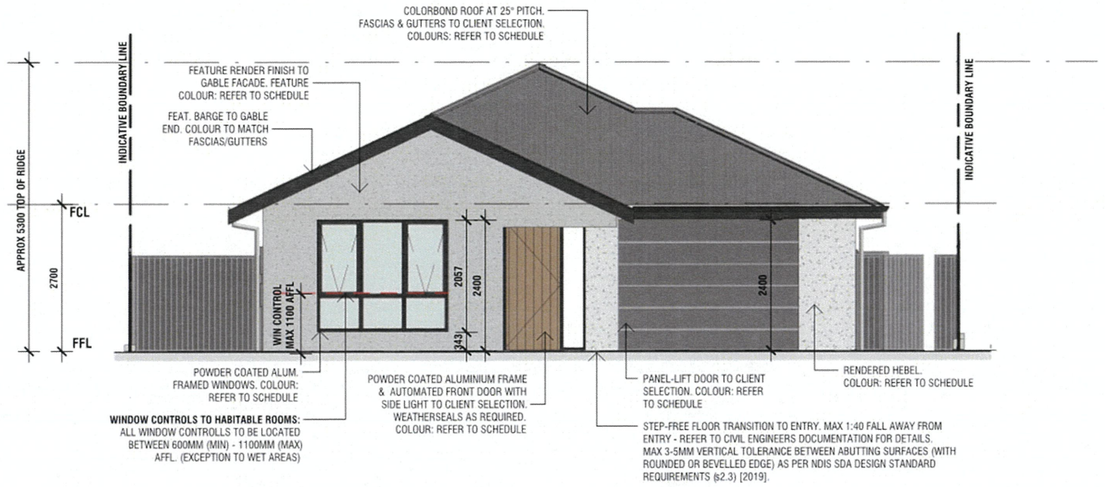
REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

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0 2 4 6 8 10
SCALE METRES



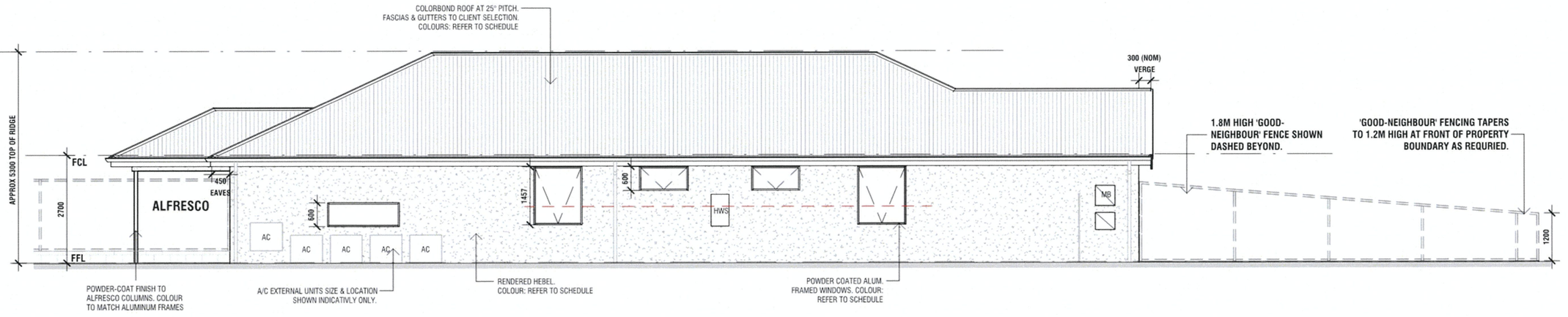
NORTH ELEVATION (HOUSE 2 - FRONT)
SCALE : 1 : 100

MATERIALS AND FINISHES SCHEDULE

WALLS	TYPE / COLOUR
HEBEL CLADDING - RENDER FINISH	'NATURAL WHITE' (OR SIMILAR APPROVED)
HEBEL CLADDING - FEATURE RENDERED FINISH	- MID GREY (OR SIMILAR APPROVED)
ROOFING	**TYPE / COLOUR**
METAL SHEET ROOF	COLORBOND 'WOODLAND GREY'
FASCIA / GUTTERS / BARGES	COLORBOND 'MONUMENT'
DOWNPIPES / CAPPINGS	TO MATCH WALL COLOUR
DOORS / WINDOWS	**TYPE / COLOUR**
ALUMINIUM FRAMED	POWDERCOAT FINISH 'BLACK'
ALUM. FRAMED SOLID CORE TIMBER FRONT DOOR (AUTOMATED)	TASMANIAN OAK (SEALED)
GARAGE DOOR - PANEL LIFT DOOR - TO CLIENT SELECTION	'WOODLAND GREY' OR SIMILAR APPROVED

ELEVATION LEGEND:

C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
RWT	RAINWATER TANK
A/C	UNIT A/C REGISTER LOCATION (TBC)
B/H	BULKHEAD



EAST ELEVATION (HOUSE 2)
SCALE : 1 : 100

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: HOUSE 2 - ELEVATIONS 1
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

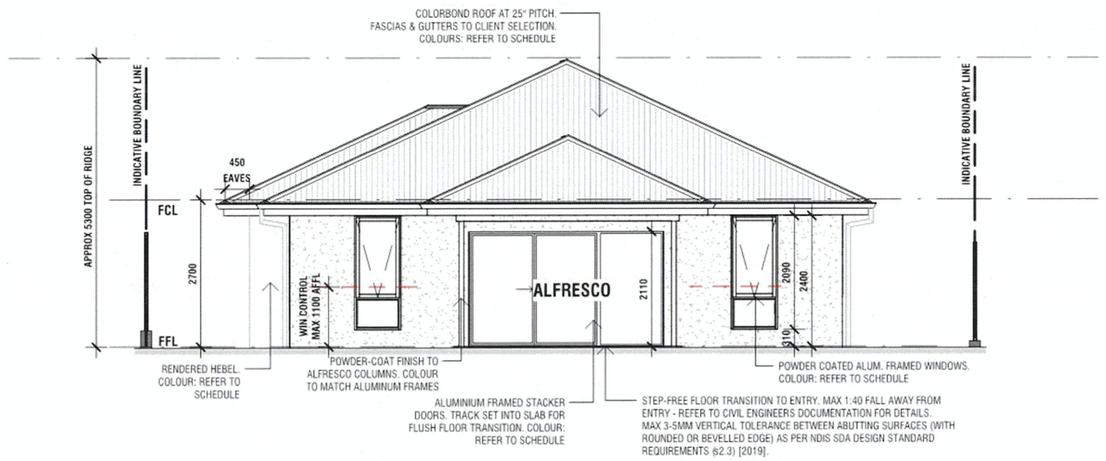
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0 2 4 6 8 10
SCALE METRES



SOUTH ELEVATION (HOUSE 2 - REAR)

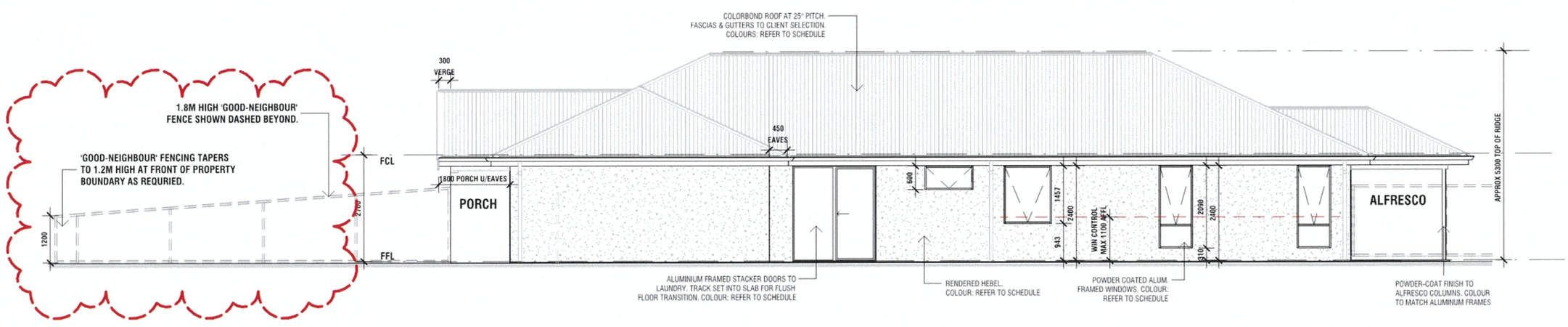
SCALE : 1 : 100

MATERIALS AND FINISHES SCHEDULE

WALLS	TYPE / COLOUR
HEBEL CLADDING - RENDER FINISH	'NATURAL WHITE' (OR SIMILAR APPROVED)
HEBEL CLADDING - FEATURE RENDERED FINISH	- MID GREY (OR SIMILAR APPROVED)
ROOFING	**TYPE / COLOUR**
METAL SHEET ROOF	COLORBOND 'WOODLAND GREY'
FASCIA / GUTTERS / BARGES	COLORBOND 'MONUMENT'
DOWNPIPES / CAPPINGS	TO MATCH WALL COLOUR
DOORS / WINDOWS	**TYPE / COLOUR**
ALUMINIUM FRAMED	POWDERCOAT FINISH 'BLACK'
ALUM. FRAMED SOLID CORE TIMBER FRONT DOOR (AUTOMATED)	TASMANIAN OAK (SEALED)
GARAGE DOOR - PANEL LIFT DOOR - TO CLIENT SELECTION	'WOODLAND GREY' OR SIMILAR APPROVED

ELEVATION LEGEND:

C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HW/U	HOT WATER UNIT
RWT	RAINWATER TANK
A/C	UNIT A/C REGISTER LOCATION (TBC)
B/H	BULKHEAD



WEST ELEVATION (HOUSE 2)

SCALE : 1 : 100

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: HOUSE 2 - ELEVATIONS 2
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

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GENERAL PLAN NOTES:

DIMENSIONS INDICATED ARE FROM FACE OF FRAME WORK AND BRICK WORK. CONFIRM ALL DIMENSION SETTOUTS ON SITE PRIOR TO UNDERTAKING WORKS. OVERALL EXTERNAL DIMENSIONS MAY INCLUDE FINISHED WALL MATERIALS - USE AS A GUIDE PENDING MATERIAL VARIANCES.

PROVIDE WEATHER SEALS TO ALL EXTERNAL DOORS

2400(H) INTERNAL DOORS AND SLIDING DOORS

FIXTURES, FITTINGS AND FINISHES WITHIN ALL NEW AREAS TO BE SELECTED BY OWNER. LOCATION AND SETOUTS TO BE COORDINATED BY BUILDER / CONTRACTOR AS REQUIRED.

MAINS SERVICES INCLUDING WATER, POWER ETC. TO BE COORDINATED BY BUILDER IN STRICT ACCORDANCE WITH RELEVANT AUTHORITIES REGULATIONS.

DISTRIBUTION BOARDS AND HOT WATER SERVICE TO BE COORDINATED BY BUILDER / CONTRACTOR

INTERNAL DOOR TO SANITARY COMPARTMENTS
DOOR TO SANITARY COMPARTMENTS (WC, ENSUITE, BATHROOMS) TO OPEN OUTWARDS, SLIDE OR BE EASILY REMOVED (REMOVABLE HINGES) FROM THE OUTSIDE OF THE COMPARTMENT.

JOINERY - REFER TO INTERIOR DESIGNERS DRAWINGS FOR DETAILS

WALLS WHERE GLAZING PRESENT. REFER TO TIMBER FRAMING FOR MORE DETAILS

CONTROL JOINTS AS PER ENGINEER'S DOCUMENTATION

FINISHED FLOOR LEVEL NEW TILES / PAVERS SET ON TOP OF EXISTING SLAB ON GROUND. FFL TO RAISE ACCORDINGLY. ENSURE LEVEL THRESHOLD INTO WET AREAS. REBATE SLIDING DOORS WHERE POSSIBLE

WALL TYPES:

- EXTERNAL WALLS
- INTERNAL WALLS
- PROPOSED IN-BUILT JOINERY

FLOOR PLAN LEGEND:

EX.	DENOTES EXISTING
C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
A/C	UNIT A/C REGISTER LOCATION (TBC)
COL.	COLUMN - AS PER ENGINEERS SPECIFICATION
S.DN	SETDOWN - NOMINATED DEPTHS
F	FRIDGE
UBF	U/BENCH FRIDGE
SS	STAINLESS STL SINK
DW	DISHWASHER
UBO	U/BENCH OVEN
WO	WALL OVEN
HP	HOT PLATE
RH	RANGEHOOD
OHC	O/HEAD CBRDS
WM	WASH MACHINE
DR	DRYER
T	L'DRY TROUGH
P	TOILET PAN
VB	VANITY BASIN
HB	HAND BASIN
TR	TOWEL RAIL - HEATED
BH	BATH - SET IN HOB
BF	BATH - FREESTANDING
SHR	SHOWER HEAD
SHM	SHOWER MIXER
TV	TV LOCATION
C/B	CUPBOARDS
B/H	BULKHEAD
FT	FLOOR TRAP
S/L	SELECTED SKYLIGHT
BBQ	BBQ - OWNER SELECTION

HOUSE 3 - PROPOSED FLOOR PLAN

SCALE : 1 : 100

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE:
PROPOSED FLOOR PLAN (H3)
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
A	14.06.24	FOR PLANNING APPROVAL
B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
C	13.08.24	COUNCIL RFI
D	03.10.24	COUNCIL RFI 2

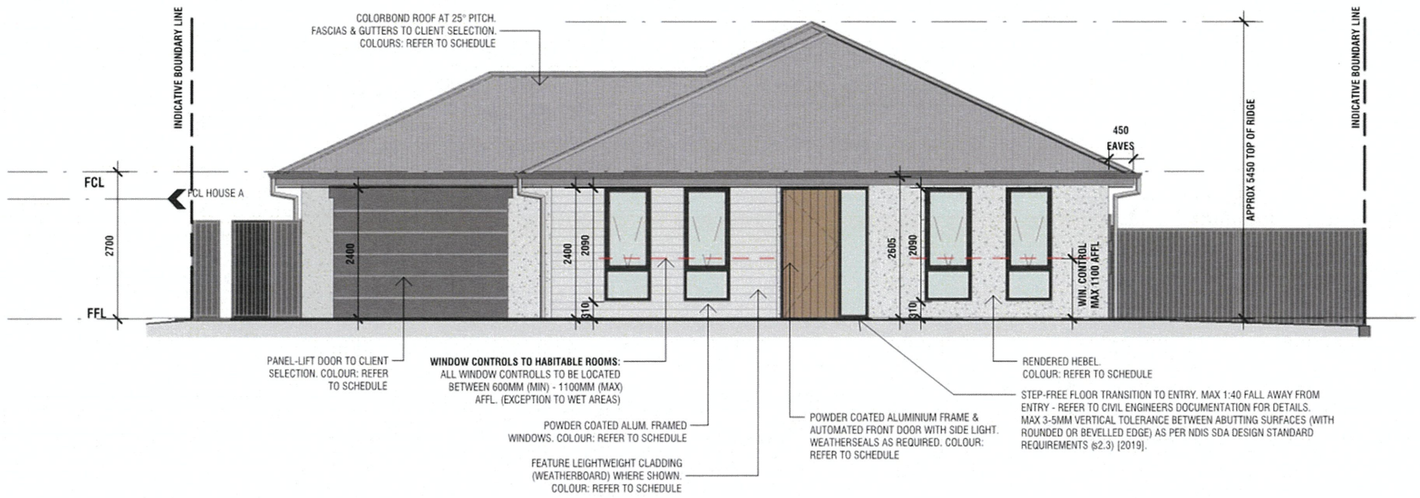
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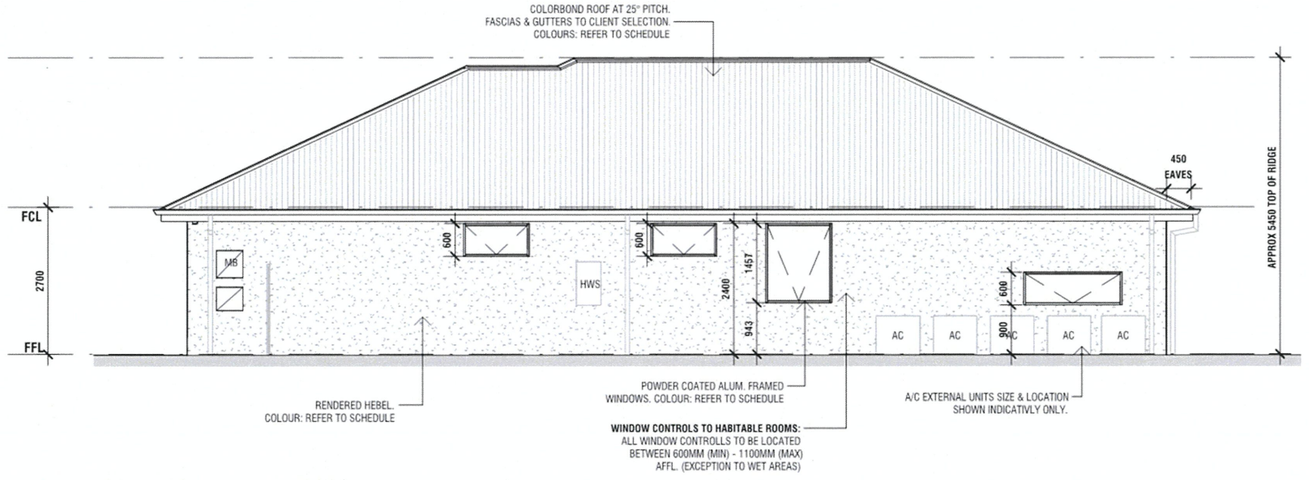
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0 2 4 6 8 10
SCALE METRES



WEST ELEVATION (HOUSE 3 - FRONT)
SCALE : 1 : 100



SOUTH ELEVATION (HOUSE 3)
SCALE : 1 : 100

MATERIALS AND FINISHES SCHEDULE

WALLS	TYPE / COLOUR
HEBEL CLADDING WALL - RENDERED	RENDER FINISH - DULUX 'NATURAL WHITE'
LIGHTWEIGHT CLADDING (WEATHERBOARD)	PAINT FINISH - 'NATURAL WHITE' (OR SIMILAR APPROVED)
ROOFING	**TYPE / COLOUR**
METAL SHEET ROOF	COLORBOND 'BLUEGUM'
FASCIA / GUTTERS / BARGES	COLORBOND 'BLUEGUM'
DOWNPIPES / CAPPINGS	TO MATCH WALL COLOUR
DOORS / WINDOWS	**TYPE / COLOUR**
ALUMINIUM FRAMED	POWDER-COAT FINISH - BLACK
ALUM. FRAMED SOLID CORE TIMBER FRONT DOOR (AUTOMATED)	TASMANIAN OAK (SEALED)
GARAGE DOOR - PANEL LIFT DOOR - TO CLIENT SELECTION	'BASALT' OR SIMILAR APPROVED TO MATCH ROOF

ELEVATION LEGEND:

C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
RWT	RAINWATER TANK
A/C	UNIT A/C REGISTER LOCATION (TBC)
B/H	BULKHEAD

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: HOUSE 3 - ELEVATIONS 1
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

REV	DATE	NOTES
	24.05.24	PRELIM PLANNING REVIEW
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D	03.10.24	COUNCIL RFI 2

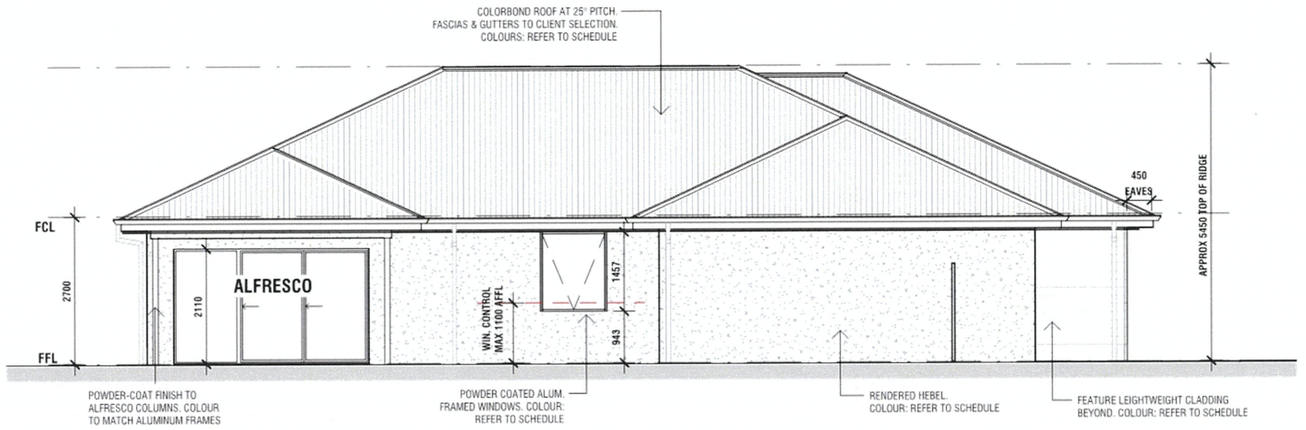
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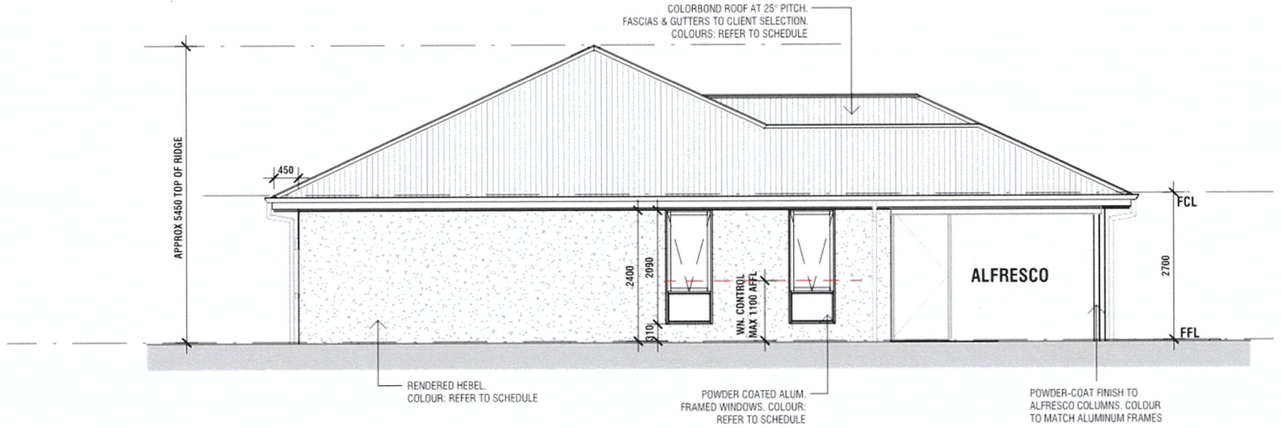
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0 2 4 6 8 10
SCALE METRES



NORTH ELEVATION (HOUSE 3)

SCALE : 1 : 100



EAST ELEVATION (HOUSE 3 - REAR)

SCALE : 1 : 100

MATERIALS AND FINISHES SCHEDULE

WALLS	TYPE / COLOUR
HEBEL CLADDING WALL - RENDERED	RENDER FINISH - DULUX 'NATURAL WHITE'
LIGHTWEIGHT CLADDING (WEATHERBOARD)	PAINT FINISH - 'NATURAL WHITE' (OR SIMILAR APPROVED)
ROOFING	**TYPE / COLOUR**
METAL SHEET ROOF	COLORBOND 'BLUEGUM'
FASCIA / GUTTERS / BARGES	COLORBOND 'BLUEGUM'
DOWNPIPES / CAPPINGS	TO MATCH WALL COLOUR
DOORS / WINDOWS	**TYPE / COLOUR**
ALUMINIUM FRAMED	POWDER-COAT FINISH - BLACK
ALUM. FRAMED SOLID CORE TIMBER FRONT DOOR (AUTOMATED)	TASMANIAN OAK (SEALED)
GARAGE DOOR - PANEL LIFT DOOR - TO CLIENT SELECTION	'BASALT' OR SIMILAR APPROVED TO MATCH ROOF

ELEVATION LEGEND:

C.O.S	CONFIRM ON SITE
DP	DOWNPIPE - AS PER ENGINEERS SPEC
DPS	DOWNPIPE SPREADER - AS PER ENGINEERS SPEC
M/B	ELEC/GAS METER BOX LOCATION
HWU	HOT WATER UNIT
RWT	RAINWATER TANK
A/C	UNIT A/C REGISTER LOCATION (TBC)
B/H	BULKHEAD

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE:
HOUSE 3 - ELEVATIONS 2
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

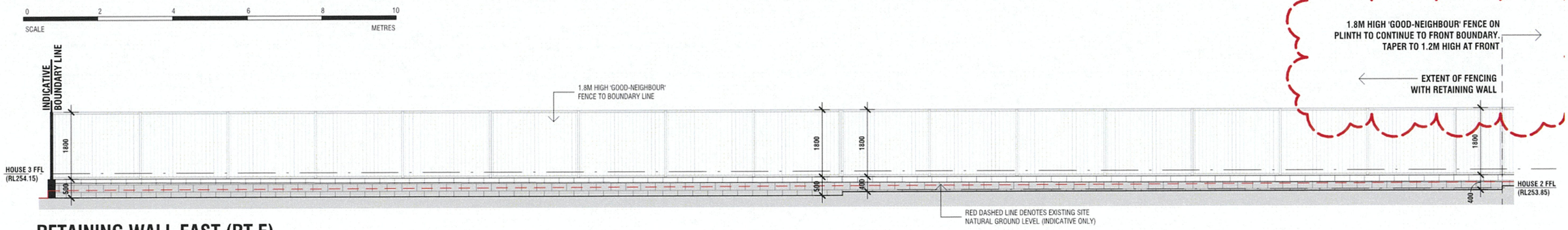
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B	03.07.24	RETAINING WALL ELEVATIONS / COUNCIL RFI
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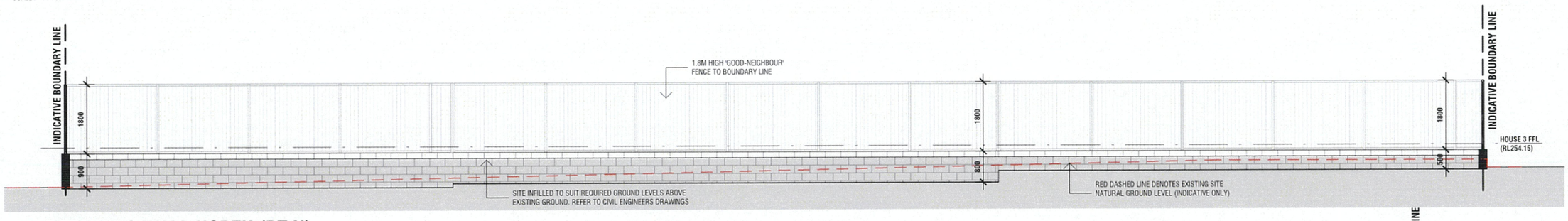
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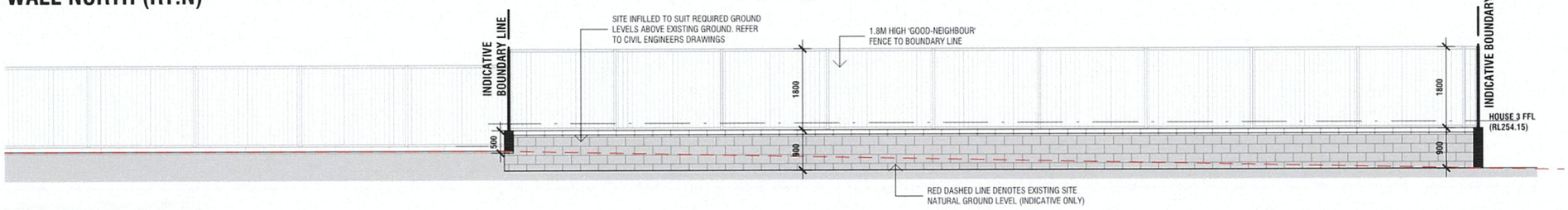
RETAINING WALL EAST (RT.E)

SCALE : 1 : 100



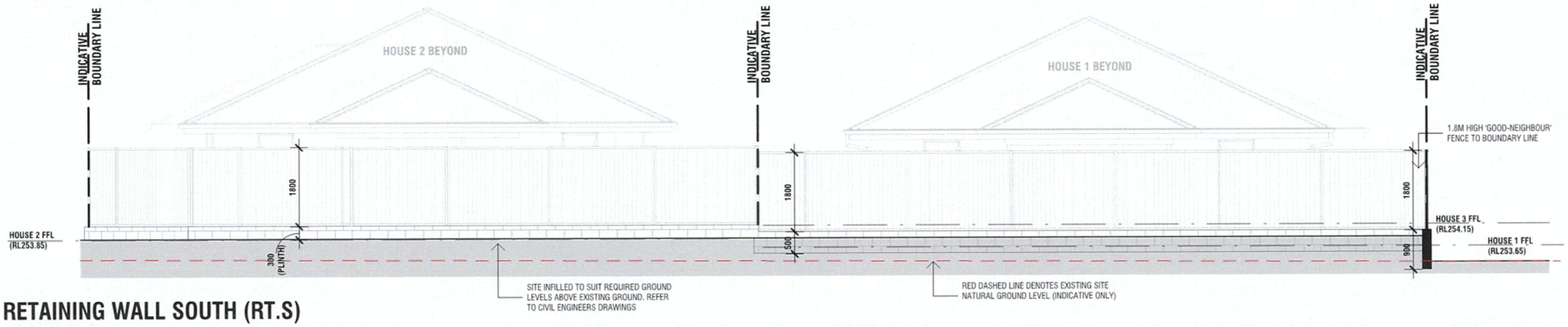
RETAINING WALL NORTH (RT.N)

SCALE : 1 : 100



RETAINING WALL WEST (RT.W)

SCALE : 1 : 100



RETAINING WALL SOUTH (RT.S)

SCALE : 1 : 100

MAVTECT DESIGNS

CLIENT: METCALF GROUP
ADDRESS: 37-39 ANGAS ST, TANUNDA
PROJECT: ANGAS SREET SDA
JOB No: 24-034

DRAWING TITLE: RETAINING WALL ELEVATIONS
PROJECT STAGE: CONCEPT
DRAWING SCALE: 1 : 100 @ A3 DRAWN: CM

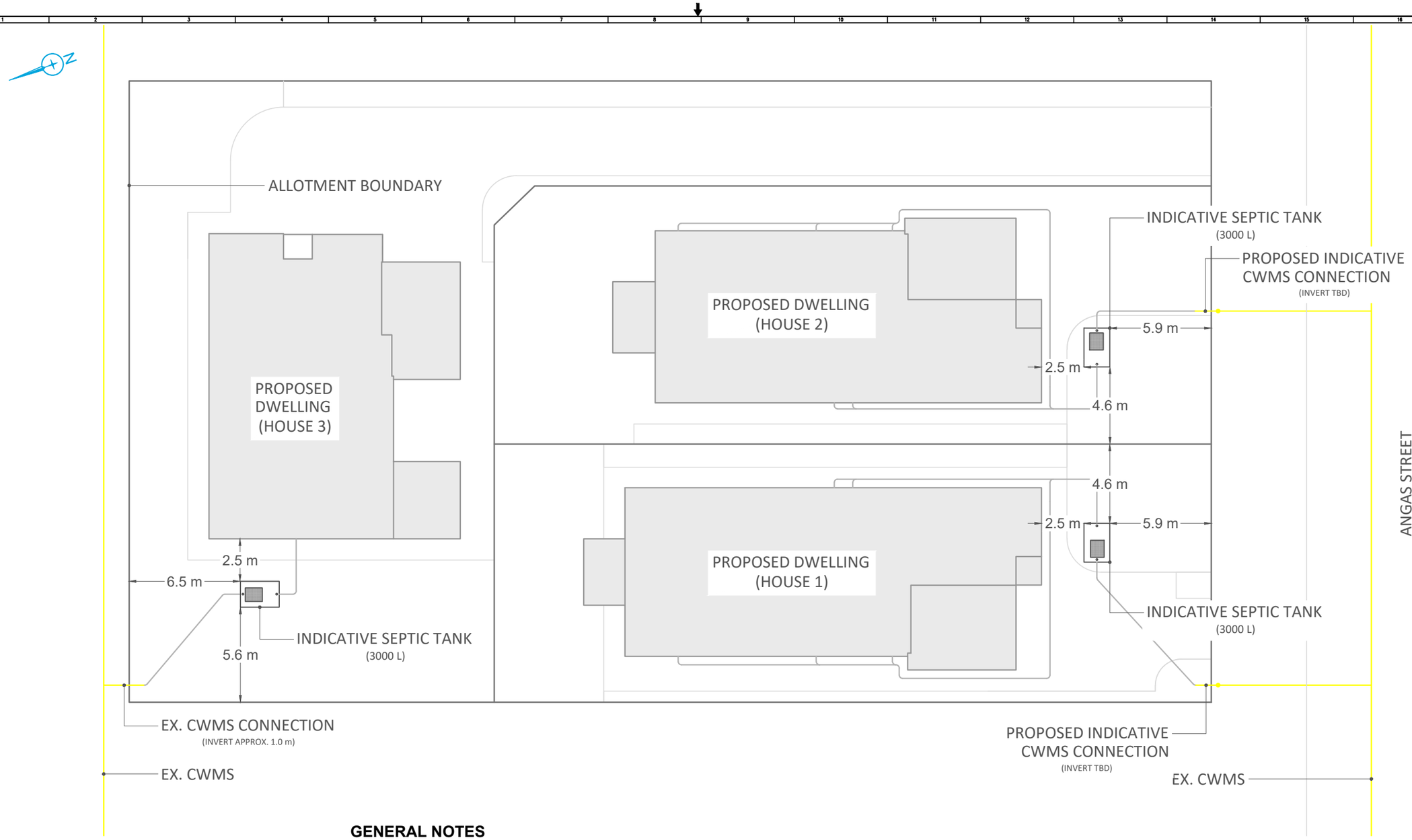
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GENERAL NOTES

- ALL SANITARY DRAINAGE TO BE IN ACCORDANCE WITH AS/NZS3500 BY A SUITABLY LICENSED AND QUALIFIED PLUMBER.
- DRAIN ALIGNMENTS ARE INDICATIVE ONLY
- BOUNDARIES SHOWN ARE INDICATIVE ONLY - TO BE CONFIRMED BY THE OWNER OR BY LICENSED SURVEYOR WHERE REQUIRED.
- ALL COMPONENTS OF THESE INDICATIVE WASTEWATER SYSTEMS TO MEET THE REQUIREMENTS OF THE SA PUBLIC HEALTH (WASTEWATER) REGULATIONS 2013, ON-SITE WASTEWATER MANAGEMENT SYSTEMS CODE, AND ALL RELEVANT MANUFACTURER RECOMMENDATIONS.
- NOT FOR CONSTRUCTION

A - ISSUED FOR REVIEW ☑
B - ISSUED FOR APPROVAL ☐
C - ISSUED FOR CONSTRUCTION ☐
D - AS BUILT ☐

DRAWING DETAILS : SANITARY DRAINAGE PLAN

Drawn Date :	22/08/2024
Scale :	1:300
Sheet No. :	1/1
Project No.	WL5146
Drawing No.	DR-DWG-001

Description of Revision	Date	No.
First Issue	22/08/2024	R0

PROJECT NAME & ADDRESS

ON-SITE WASTEWATER SYSTEM
INDICATIVE SEPTIC TANK LOCATIONS
37-39 ANGAS STREET
TANUNDA

GENERAL NOTES

1. COPYRIGHT OF THESE DRAWINGS ARE VESTED IN WATERLAB.
2. ALL DIMENSIONS SHALL BE CHECKED ON SITE.
3. ANY DISCREPANCIES SHALL BE REPORTED TO THE WASTEWATER CONSULTANT FOR CLARIFICATION.
4. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
5. THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ASSOCIATED SPECIFICATIONS, DOCUMENTS AND REPORTS.
6. DRAIN AND RISING MAIN ALIGNMENTS ARE INDICATIVE ONLY

FIRM NAME

waterlab
On-site and Decentralised Wastewater Management Consultancy

CLIENT

METCALF GROUP (SA)

Vegetation Assessment

37-39 Angas St, Tanunda

Data Report

Clearance under the *Native Vegetation Regulations 2017*

5th March 2024

Prepared by EnviRO Environmental, NVC accredited consultant Rohan Calley



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1. Application information

Application Details

Applicant:	C/O Homburg Real Estate		
Key contact:	Rohan Semmler C/O Homburg Real Estate 88 Murray Street Tanunda SA 5352 Mob: 0419 141 997 Email: rohan@homburg.com.au		
Landowner:	n/a		
Site Address:	37-39 Angas Road TANUNDA SA 5352		
Local Government Area:	Barossa Council	Hundred:	Moorooroo
Title ID:	CT5625/678 CT5625/678	Parcel ID	D6331AL13 D6331AL12

Summary of proposed clearance

Purpose of clearance	Assessment of vegetation to determine if native vegetation is present.
Block size (m2)	2330 m2
Native Vegetation Regulation	Schedule 1; Regulation 12, Clause 33, House or Buildings ***NOT APPLICABLE – No Native vegetation present***
Description of the vegetation under application	Approximately 2330m2 of existing residential land located in Tanunda, SA. All indigenous native vegetation has been removed with the block planted with numerous mature native and exotic specimens. Two (2) mature specimens of the indigenous species, *Eucalyptus camaldulensis* (River Red Gum) are present. These specimens are not remnant vegetation having been planted following residential subdivision of the land. No native vegetation under the Native Vegetation Act 1991 is required to be cleared with a planned development. No Weeds of National Significance or Declared Weeds under the Landscape South Australia Act 2019 were observed.
Total proposed clearance - area (Ha) and number of trees	No native vegetation present that requires clearance approval.
Level of clearance	n/a
Overlay (Planning and Design Code)	**Zones** Neighbourhood - N **Overlays** Character Preservation District - Township *The Character Preservation District Overlay seeks to recognise, protect and enhance the special character of Character Preservation Districts.* Hazards (Bushfire - Urban Interface) *The Hazards (Bushfire - Urban Interface) Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.* Hazards (Flooding - Evidence Required) *The Hazards (Flooding - Evidence Required) Overlay adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.* Native Vegetation *The Native Vegetation Overlay seeks to protect, retain and restore areas of native vegetation.* Prescribed Water Resources Area *The Prescribed Water Resources Area Overlay seeks to ensure the sustainable use of water in prescribed water resource areas.* Water Protection Area *The Water Protection Area Overlay seeks to safeguard South Australia's public water supplies by protecting regionally and locally significant surface and underground water resources from pollution.* **Variations** Minimum Frontage *Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 12m; row dwelling is 10m; group dwelling is 25m; residential flat building is 25m* Minimum Site Area *Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 400*

	sqm; row dwelling is 350 sqm; group dwelling is 400 sqm; residential flat building is 400 sqm Maximum Building Height (Levels) *Maximum building height is 1 level*

Aerial of proposed development at 37-39 Angas Street, Tanunda. Blue outline is entire block to be assessed. The yellow circle highlights the only indigenous native specimens (2) to be present *Eucalyptus camaldulensis* (River Redgum). These 2 specimens required more in-depth assessment to determine remnancey. Further investigation determined that both trees, as with all vegetation on the block, have been planted.

All vegetation present is exempt from Native Vegetation Council clearance regulations.



SEB Offset proposal	n/a

2. Assessment Details

2.1 Description

The purpose of the assessment was to determine whether any vegetation located on the property at 37-39 Angas Street, Tanunda, is remnant native vegetation that would require clearance approval under the *Native Vegetation Act 1991*, or the *Native Vegetation Regulations 2017*.
A Bushland Assessment Method survey was conducted on 28th February 2024.

3. Assessment Outcomes

3.1 Flora Assessment

General description of the vegetation, the site and matters of significance

The property at 37-39 Angas Street, Tanunda has been a residential home for more than 60 years.
A desktop assessment with aerial imagery provided by South Australian Dept. Environment determined the greater Tanunda region showed the site was historically cleared and used as vineyards dating back to 1949. (Fig 1). Later aerial imagery in the 1980s depicts vegetation having been planted on the perimeter of the block (Fig 2). The original residence has since been demolished, leaving the block vacant.
The vegetation assessment found a variety of exotic and non-indigenous native trees, shrubs and groundcovers across the property, such as *Grevillea robusta* (Silky Oak), *Corymbia citriodora* (Lemon-scented Gum) and *Eucalyptus sideroxylon* (Red Ironbark), being species native to eastern Australia (Fig 3). Two specimens of *Eucalyptus camaldulensis* (River Redgum) were present, located 2m in from the western boundary. These trees potentially could have been remnant specimens, given the larger of the trees had a circumference of 347 cm and a height of 20m (figure 4). The second tree had a circumference of 120 cm and a height of 16m. Figure 5 displays both trees.

Given the location and age of the trees, the history of the property and in consultation with Peter Farmer (Dept Environment, Native Vegetation Assessment Branch) it has been determined that these *Eucalyptus camaldulensis* trees are not remnant vegetation and have been planted and are exempt from Native Vegetation Council clearance regulations.

While this is the case, retention is highly recommended (in particular the larger of the 2 specimens).

No Weeds of National Significance or Declared Weeds under the Landscape South Australia Act 2019 were observed.

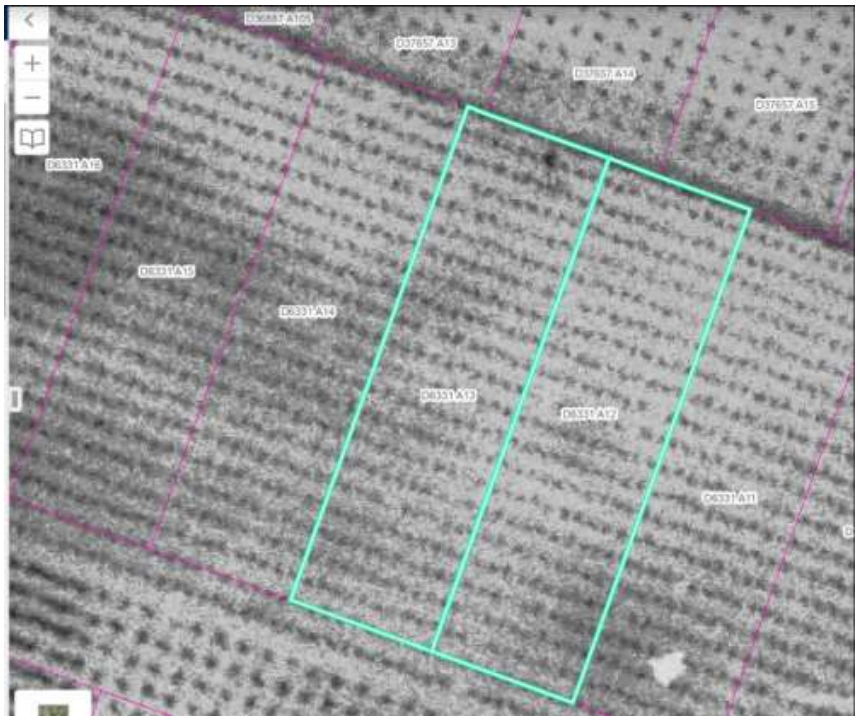


Figure 1. Historic aerial image, taken 1949. Block location overlaid. Note entire area is planted vineyard. *(Image courtesy of Dept. Environment).*



Figure 2. Historic aerial image, taken 1980. Block location overlaid. Boundary planting evident *(Image courtesy of Dept. Environment).*



Figure 3. Exotic natives *Corymbia citriodora* (Lemon-scented Gum) and *Eucalyptus sideroxylon* (Red Ironbark).



Figure 4. *Eucalyptus camaldulensis* (River Redgum). Tree measured a 347cm circumference, 20 m in height. Planted.

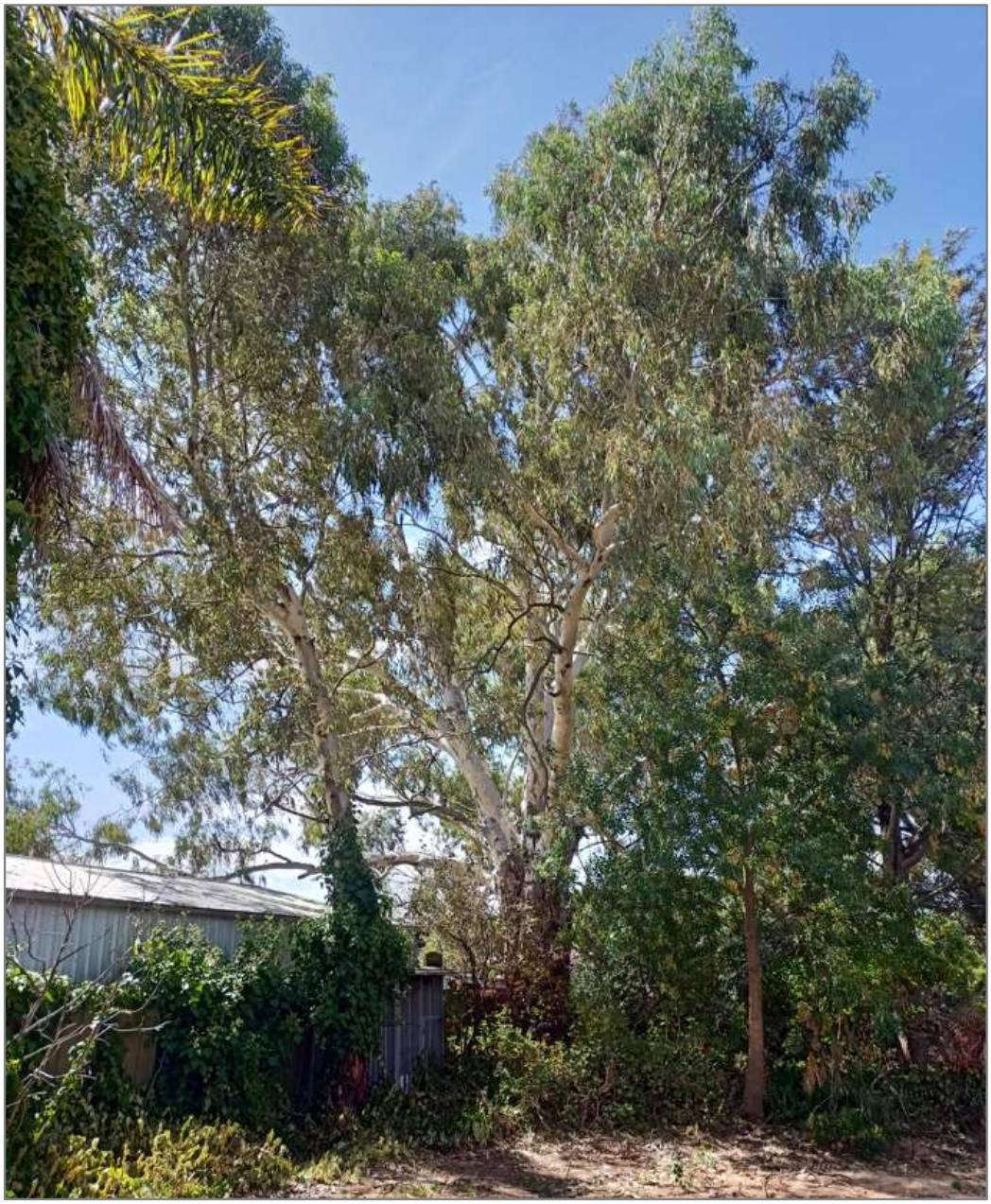


Figure 5. Image of the 2 *Eucalyptus camaldulensis* (River Redgum) on the property. Note *Grevillea Robusta* (Silky Oak) to the right of the larger Redgum. All planted.

6. Significant Environmental Benefit

A Significant Environmental Benefit (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

Indicate how the SEB will be achieved by ticking the appropriate box and providing the associated information:

- **No SEB payment required, no native vegetation is present or will be disturbed.**

Details of Representations

Application Summary

Application ID	24017958
Proposal	Construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7m in total height)
Location	37-39 ANGAS ST TANUNDA SA 5352

Representations

Representor 1 - Matthew Halman

Name	Matthew Halman
Address	[redacted]
Submission Date	24/09/2024 09:07 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 support the development with some concerns

Reasons
Whilst we are generally accepting of this development we have some concerns that we would like to have addressed from the perspective of being its western neighbours: - We are concerned about the height of our shared fence which appears to reach heights of 2.7m including a retaining wall. We are particularly concerned about the height forward of (south of) our shed, as anything above the current 1.8m fence will impact light and livability into our house and rear entertaining areas. - We also would be concerned if the house(s) alongside of ours sits higher than ours and would therefore overlook our yard - we would like the fence height at the start of the drive (near Angas Street) to be lower for a distance to enable improved safety and visibility while exiting the driveways. - the gums on the shared fence line have pushed through the fence and also lifted our shed floor, so we are concerned for the process of removal to ensure no damage to our property. - we have a dog and are concerned for its safety during the process of fence replacement. - we would like to ensure appropriate notice and process, to enable us to preserve the garden on our side of the fence line. - we have concern regarding the costs to us of replacing our shared fence as proposed. - we are worried that the proposal includes the removal of all of the existing native trees, as they are currently the habitat of many fauna/birds and we are concerned for the mitigation of this impact.

Attached Documents

Representations

Representor 2 - Helen Szuty

Name	Helen Szuty
Address	[redacted]
Submission Date	26/09/2024 08:01 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons Refer attached	

Attached Documents

Representations-HelenSzutyDevelopmentApplication24017958-9336188.pdf

REPRESENTATION ON DEVELOPMENT APPLICATION 24017958 – HELEN SZUTY

My position is – I support the development with some concerns (detail below).

I wish to be heard in support of my position by appearing personally.

LAND USE AND DENSITY

"PO 1.1 Predominantly residential development with complementary non-residential uses that support an active, convenient and walkable neighbourhood"

I have no objection to the site being utilised for supported accommodation, NDIS Housing (High Physical Support Housing), however, it is important to me to understand how many people are envisaged to be living on site and what disabilities these residents are likely to have which necessitates that the facility operate 24 hours a day, 7 days a week. Is it envisaged that more than one resident will occupy a bedroom in each of the 3 houses in the proposed development?

I would also like some clarification of the proposed staffing of the facility: "there will generally per dwelling be 1 staff on site during the daylight hours with 1 staff member who stays with the residents overnight." What happens in circumstances where staffing cannot be provided (for some reason) either during the day or at night? No information has been provided in the application about whether or not proposed residents will have some or any interaction, support or care from family members.

It is unclear to me how the proposed residents with high physical support needs will be able to enjoy an active, convenient and walkable neighbourhood.

ACCESS AND PARKING

"PO 2.1 Allotments/sites created for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood,

with higher densities closer to public open space, public transport stations and activity centres."

Again, it is unclear to me how the proposed residents with high physical support needs will be able to access public open space, public transport stations and activity stations from this location without transport options being available.

"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 regards 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 19.1 Enclosed car parking spaces are of dimensions to be functional, accessible and convenient."

"PO 19.2 Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient."

What are the 'most pertinent' provisions of the Planning and Design Code in relation to Access and Parking? I am unsure as to whether emergency vehicles will have adequate access to the proposed facility.

I note that the facility will have 4 on site car parking spaces provided, which seems to indicate that the proposed residents will not have vehicles of their own.

There is limited on street parking available in Angas Street nearby the proposed development. The proposed development is located almost directly opposite Second Avenue Tanunda. Angas Street in Tanunda is a busy thoroughfare between Barossa Valley Way and Langmeil Road. There is also regular traffic accessing Angas Street from Hoffmann Avenue, Homburg Street and Roenfeldt Drive in the near vicinity of the proposed development.

CONCLUSION

At this stage, I am not convinced that the proposed development is in accordance with the Performance Outcomes of the relevant General Development Provisions and am not convinced that the proposed development will not have any adverse impacts on the amenity of the locality, the future development of the locality or detrimentally impact upon any surrounding development.

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Mr Aaron Curtis
Assessment Manager
Development Services

By Email: acurtis@barossacouncil.sa.gov.au

RE: Response to Representation

Development Application Number:	DA 24017958
Proposed Development:	Construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7m in total height)
Subject Land:	37-39 Angas Street, Tanunda SA 5352

1.0 Introduction

Adelaide Planning and Development Solutions (APDS) has been engaged by the applicant to provide a response to the representations received following public notification of a Performance Assessed development application at 37-39 Angas Street, Tanunda, which is within the Neighbourhood Zone.

In preparing this response, I confirm that I have visited the subject land and locality, had regard to the representations and the relevant Assessment Provisions of the SA Planning and Design Code.

This response should be considered in addition to the Proposal Plans and relevant information provided to Council that all form part of the application documentation.

For the reasons I will detail below, I am of the view, that the proposal for the 'construction of three (3) supported accommodation buildings with associated combined fence and retaining wall structures (up to 2.7m in total height), results in a development that warrants Planning Consent.

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e: hello@adelaideplanning.com.au I ph: 0499933311 I w: www.adelaideplanning.com.au

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2.0 Representation

During the public notification period, two (2) representations were received against the proposal, both of which indicated representors would like to address their representation at the decision-making hearing. The table provides details of the names of the representors, their addresses, whether they wish to be heard and whether they support or oppose the proposal.

Name of representor	Address of representor	Wishes to be heard by CAP	In support or opposing
Matthew Halman	**41 Angas Street, TANUNDA**	**Yes**	**Support the development with some concerns**
Helen Szuty	**PO Box 180, TANUNDA**	**Yes**	**Support the development with some concerns**

3.0 Consideration of representations

Having reviewed the representations, the concerns raised in the representations specifically relate to:

- concern for the combined height of the fence and retaining wall at 2.7 metres
- overlooking created by the level changes
- desire for the fence height at the start of the driveway for dwelling 1 to be lowered to improve visibility and safety when vehicles are exiting the driveways (from the subject land and abutting properties)
- notice of when construction will begin
- the proposal results in the removal of all existing native trees
- how many people are to live onsite, what sorts of disabilities will they have and how will staffing work
- will the residents have some interaction with their families
- how does the proposal accord with POs 1.1 and 2.1 of the Zone
- will emergency vehicles be able to access the dwellings/ supported accommodation
- proposal does not satisfy the requirements of the Planning and Design Code and will create adverse amenity impacts as a result.

4.0 Approach to Assessment

Part 1 – Rules of Interpretation of the Planning and Design Code (the Code) provides clarity on how to interpret the policies in the Code. Of particular note 'Designated Performance Features' (DPF) assist Councils to interpret Performance Outcomes (PO).

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The Rules of Interpretation clearly state that a DPF provides a guide but does not need to necessarily be satisfied in order for a certain development to meet the PO i.e. the outcome can be met in another way:

In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). **A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies** (emphasis added).

It is with the above assessment approach in mind that has guided this response to the representations.

5.0 Response to representations

5.1 Concern of the combined height of the fence and retaining wall at 2.7 metres

The representor, who resides at 41 Angas Street, is concerned with the extent and height of the retaining proposed to support the development.

To provide clarity, the retaining that is proposed against the western boundary (shared boundary with 41 Angas Street) is to start in line with the rear of the outbuilding that exists in the rear yard of 41 Angas Street and extend to the northern rear boundary. The retaining is to graduate to a height of 900mm.

With regard to DPF 8.1 'Earthworks and Sloping Land' – General Development Policies – retaining of fill and excavation is sought to be minimised and kept to below 1 metre, with which the proposal complies. In terms of impact on access to light and ventilation, the wall will create negligible impact on 41 Angas Street noting, the wall will be well separated from the existing dwelling.

5.2 Overlooking created by the level changes

The extent of earthworks to support the development is contemplated by the Code, with respect to the above commentary. We anticipate fencing will sit at the top of the new retaining proposed and resolve any incidental overlooking. The provisions of the Code related to overlooking only speak to mitigation measures for upper storey windows and balconies. Either way, we do not foresee an issue requiring being addressed.

For the benefit of good neighbourly relations, if it is perceived there will be some incidental overlooking created with the development then our client would consider landscaping to assist with maintaining privacy. This can be resolved between parties separate to the application.

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Although not relevant to the planning assessment, any new fencing required to support the development, will be constructed/ installed at the cost to my client.

5.3 Desire for the fence height at the start of the driveway for dwelling 1 to be lowered to improve visibility and safety when vehicles are exiting the driveways (from the subject land and abutting properties)

The new crossover to service dwelling 1 is to be located right next to the existing crossover/ invert that will be reinstated as part of the development.

Angas Street is a lower order street that has a speed limit of 50km/ hour. The new access to service dwelling 1 appears to have satisfactory sightlines to ensure vehicles can enter and exit the carriageway in a safe and convenient manner.

If the representor desires for changes to be made to the existing fence, to further support sightlines from the driveway of 41 Angas Street and dwelling 1, then this can be resolved separately to the application.

5.4 Notice of when construction will begin

In accordance with Section 139 of the *Planning, Development and Infrastructure Act 2016* and Regulation 64 of the *Planning, Development and Infrastructure Regulations 2017*, a developer must give notice of the intention to perform work and the nature of that work to adjoining landowners at least 20 business days before the work commences.

Our client intends to notify adjoining landowners of building work in accordance with these requirements and to identify temporary fencing measures, with the intent of creating minimal disturbance.

5.5 The proposal results in the removal of all existing trees

The subject land is captured within the Native Vegetation Overlay.

DO 1 of the Overlay states '*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*'.

To support the application, Enviro Environmental have prepared a Native Vegetation Assessment detailed in their report dated 5 March 2024. The assessment identified the vegetation existing on the land has been planted and therefore, is not identified as native vegetation, pursuant to the *Native Vegetation Act 1991*.

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Whilst a number of trees will be removed to facilitate the development as part of the proposal, multiple trees are to be planted in support of each dwelling to provide shade, contribute to soft landscaping provision, to enhance the appearance of the development and to offset the removal of the existing trees.

5.6 How many people are to live onsite, what sort of disabilities will they have and how will staffing work

Across the three dwellings there will be accommodation for as many as 8 residents staying at any one time, for short to long periods. These disabled persons will have high physical support needs. They will need help with day-to-day activities (including cooking, dressing, completing chores) to assist with their independent living. None of the residents will drive. The only persons accessing the dwellings will be staff and family of the residents.

Two staff will be present across the three dwellings throughout the day and one staff member will stay overnight to ensure there is always 24 hour assistance available for the residents.

As is noted in the Planning Report prepared by APDS, the carparking demand of 0.9 spaces per every three residents is easily met as multiple parking spaces are available at each dwelling.

5.7 Will the residents have interaction with their families

Families will be able to visit the residents as they will reside in the dwellings for potentially lengthy periods of time (although not permanently). The offstreet carparking provision is sufficient to support any visits by families that will occur from time to time for short periods.

The site also has a large frontage with several onstreet parks retained in front of the site that could also be used by visitors. This would be the same if the dwellings were occupied by individual families.

5.8 How does the proposal accord with POs 1.1 and 2.1 of the Zone

A representor purports that the proposal does not accord with Performance Outcome 1.1 and 2.1 of the Neighbourhood Zone.

In terms of the land use, supported accommodation is explicitly listed as an envisaged form of development in DPF 1.1. With respect to PO 1.1, supported accommodation is likened to residential type uses, given dwellings are to be used and the potential amenity impacts are virtually the same (noting, these are anticipated and acceptable).

The accommodation is also conveniently located within proximity to the Township Main Street Zone and will function in a manner that is sympathetic to the residential context. `

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For these reasons, the proposal also accords with PO 1.1.

Although no land division is proposed as part of the application, the dwellings are to be developed on sites that well exceed the minimum sought allotment size of 500 square metres and frontage of 15 metres, as per DPF 2.1 of the Zone.

With regard to PO 2.1, in the absence of meeting the numerical tests of DPF 2.1, sites/ allotments '*should be generally consistent with the prevailing pattern of development in the locality and suitable for their intended use*.' We are confident the proposal supports the pattern of development in the locality that is characterised by large front setbacks and well presented front gardens, allotments in a rectangular shape, with some examples of battle-axe arrangements. The allotments are also of suitable configuration, size, and frontage to support a residential use and supported accommodation.

5.9 Will emergency vehicles be able to access the dwellings/ supported accommodation

The dwellings will be easily accessible for emergency vehicles that are standard B99 vehicles. The staff that work with the residents are also well trained to manage any emergency situations.

5.10 The proposal does not satisfy the requirements of the Planning and Design Code and will create adverse amenity impacts as a result

As is discussed above, the proposed supported accommodation is envisaged and entirely appropriate in the Neighbourhood Zone. It is land use that will function similar to residential uses in terms of amenity impacts that are anticipated.

Other measures of the Code relative to carparking, design, landscaping, vegetation removal and access are also suitably resolved with the proposal.

Accordingly, and on balance, the proposal is considered to meet the requirements of the Planning and Design Code and warrants the grant of Planning Consent.

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6.0 Conclusion

For the reasons expressed in the response to representation, the proposal in our opinion, represents a desirable proposal use sought by the Neighbourhood Zone; and is in accordance with the relevant general and overlay provisions of the Planning and Design Code, considering the unique circumstances of the subject land and locality.

For the reasons contained within this response, the proposed development satisfies the relevant provisions of the Planning and Design Code in relation to the issues raised by the representors.

Therefore, it is contended that the proposal is in keeping with the intent of relevant provisions of the Planning and Design Code and results in an appropriate form of development that warrants support.

Please confirm when this proposal will be considered by the Council Assessment Panel and the date and time of the meeting.

A representative shall attend at this meeting in support of the proposal.

Should you have any queries or require any further information or clarification with any components of this response, please do not hesitate to contact me by email at mark@adelaideplanning.com.au

Yours sincerely,



Mark Kwiatkowski MPIA CPP

Director/ Urban and Regional Planner

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6.2 24029182 - 614a Balmoral Road Cockatoo Valley

APPLICATION DETAILS

PROPOSAL	Variation to DA 23015775 - Demolition and replacement of dormitories H and F (instead of being temporarily relocated) and removal of conditions 14 and 15
APPLICANT	Daniel Evans
OWNER	Christadelphian Bible Camp
APPLICATION NO	23015775
CERTIFICATE(S) OF TITLE	CT 5897/233
AREA	15.4 hectares
CURRENT USE	Short Term Accommodation – Christian Bible Camp
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.17 – 12 September 2024
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Rural Living
OVERLAYS	Character Preservation District Gas and Liquid Petroleum Pipelines Hazards (Bushfire - Medium Risk) Hazards (Flooding - Evidence Required) Native Vegetation Prescribed Water Resources Area Water Resources
APPLICATION TYPE	Code Assessed – Performance Assessed
PUBLIC NOTIFICATION	Nil
REFERRALS	Nil
PREVIOUS APPLICATIONS	1976 – 2 toilet blocks, 2 dormitories and one kitchen/dining room 1976 - 2 dual-room wooden classroom blocks to be used as teaching rooms 1976 - a 'Galeprufe' shed 1983 – pergola 1987 – Council advises Hebron that they have no objection to the site accommodating up to 350 people 1988 - camp site facility consisting of a substantial dining room extension, two dormitories and a new toilet block 1989 – recreation hall – APPEALED – consent upheld by Planning Tribunal 1989 - dining room extension, dormitories and an ablution block 1991 - 5 dormitory buildings, 3 ablution buildings, 1 storage shed, car parking and landscaping, 6

	gazebos – REFUSED – APPEALED – refusal upheld by Planning Tribunal 1994 – sound proofing of recreation hall 966/246/94 – caretaker's residence 966/D032/05 – land division 1996 – ablution block 966/6118/1996 – tractor & implement shed 960/756/1998 – garage 960/756/1998 – carport in associated with caretaker's residence 960/47/2006 – 10 shelters for discussion groups and Sunday School Classes 960/622/06 – ablution block 960/934/08 – new accommodation block to replace existing – REFUSED 960/396/2013 - replacement of existing dormitory accommodation - APPEALED – Consent upheld by ERD Court – Lapsed 5 Sept 2017 960/592/2018 - Demolition and Replacement Dormitory Accommodation and Classrooms (5 accommodation cabins and 2 classrooms) in association with existing camp site facility – Deemed Complying
ASSESSING OFFICER	Paul Vivian (Planning Consultant)
RECOMMENDATION	That Planning Consent by GRANTED subject to Reserved Matters and Conditions

INTRODUCTION

The landowner seeks Development Approval for "*Variation to DA 23015775 - Demolition and replacement of dormitories H and F (instead of being temporarily relocated) and removal of conditions 14 and 15.*"

The site is located within the Rural Living Zone. The proposed variation is subject to Performance Assessment. The variation application was not notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016*.

This application is subject to a decision of the Barossa Assessment Panel on the basis that the Barossa Assessment Panel was the Relevant Authority for the previous Development Application 23015775.

Pursuant to Regulation 65(4) of the *Planning, Development and Infrastructure (General) Regulations 2017*, an application for variation of an earlier consent shall be determined by the same Relevant Authority.

The proposal to remove relocation of the existing dormitory buildings during construction of the approved replacement buildings is considered to be a minor matter and does not have any material planning effect on the outcomes of the approved development or long term impact on the locality. The removal of the two conditions is warranted as legal advice has confirmed the conditions are not enforceable. Planning Consent is considered to be warranted, subject to proposed changes to the Reserved Matters and Conditions.

BACKGROUND

The proposal is for a variation to Development Application 23015775 that was presented to the Barossa Assessment Panel at the 3 October 2023 and 5 December 2023 panel meetings. DA 23015775 sought amendments to Development Application 960/592/2018 which was approved by The Barossa Council on 26 October 2020. This application comprised the *'Demolition and Replacement of Dormitory Accommodation and Classrooms (Five accommodation cabins and two classrooms) in association with existing camp site facility"*. Based on legal advice from the Council's lawyer during the assessment of application 960/592/2018, the development was determined to be a Complying form of development. This meant that no planning assessment was undertaken and the application was granted Planning Consent subject to one condition.

DA 23015775 sought amendments to application 960/592/2018 comprising the temporary re-location of former Dormitories H and F (housing up to 60 beds) and construction of three replacement dormitories:

- Building B to contain 36 beds and additional bathroom facilities,
- Building F to contain 30 beds, and altered bathroom facilities and
- Building H to contain 32 beds and altered bathroom facilities.

It was acknowledged at the outset of assessment for DA 23015775 that the site contained five dormitory buildings, two classroom buildings, a recreation hall, a kitchen and dining hall, two ablution blocks and numerous small ancillary buildings, as well as a caretaker's residence.

In a confidential report presented to the Barossa Assessment Panel on 7 November 2023, it was outlined that the existing lawful use of the site includes:

1. A camp site for bible study purposes.
2. Accommodation buildings housing persons overnight for a maximum of 144 persons.
3. Toilet/shower block facilities, two classrooms, a dining room for up to 350 persons with an associated kitchen.
4. Lawful existing use for a recreation hall for up to 350 persons which may be lawfully used for meetings of members of the Christadelphian faith, which meetings may include activities of a religious nature, including but not limited to, activities such as church type services and bible studies. Buildings, other than the dormitories, may not be used for accommodation purposes.
5. The subject land may also be used for an unlimited number of occasions each year. Persons attending, who are not accommodated as part of the 144 persons in the dormitories, may stay overnight in caravans or tents. The subject land may also be used for large marquees on occasions. The subject land may be used to accommodate up to 350 persons at any one time.
6. No persons, other than members of Hebron, may use the subject land for camping or related purposes, save and accept for the caretaker and workers employed by the caretaker or Hebron's Board of Management.

Prior to the granting of consent for DA 23015775 the existing relevant conditions of use that applied to the site were as follows:

1989 Recreation Hall Approval

1. *The recreation hall hereby approved shall:*

    a. *Not be used for serving or consumption of meals.*
    b. *Not be used for the provision of sleeping accommodation.*
    c. *Be used only by people of the Christadelphian faith and their immediate families.*
    d. *Shall be sound proofed or insulated, to the reasonable satisfaction of the Council, to such extent as is necessary to ensure that noise from within the hall does not become a nuisance or an annoyance to the occupiers of abutting land.*
    e. *Be constructed in accordance with the provisions of the Building Act, 1971, and all regulations made thereunder, and*
    f. *Be constructed in accordance with the plans and details submitted with and forming part of the application, namely the Site Development Plan dated 27 November 1988, prepared by Brighton Building Designers, and the letters from the applicant either dated or received by the Council on the 24 November, 1988 and the 20 January, 1989.*

2. *The recreation hall and all other buildings on the site shall be painted a beige colour. The paint used on all buildings shall be the same shade. All such paintwork shall be maintained in good condition.*

3. *No alcoholic liquor (other than wine used for sacramental purposes) shall be either supplied or consumed on any portion of the land.*

4. *There shall be no smoking on the land.*

5. *No lighting on the land shall shine on or cause any annoyance to the occupiers of abutting land by reason of glare, light spill or otherwise.*

6. *The applicant shall submit, to the Council, a landscaping plan providing for the establishment of a dense planting of trees and shrubs sufficient to provide a screen of all buildings on the camp site when viewed from abutting land. Such landscaping plan shall be to the reasonable satisfaction of the council and may include plantings already established on the land. Such landscaping shall be established and shall be maintained in good health and condition.*

In an appeal against DA 960/396/2013 which sought approval for new buildings to provide dormitory accommodation, the Environment Resources and Development Court examined existing use rights, extant conditions and prepared a set of 16 conditions that were to be applied to this application. The Planning Consent for this application lapsed in 2017 and the conditions applied by the Court were not enforceable against the land. DA 960/592/2018 was ostensibly the same development as that approved for DA 960/396/2013. As the application was deemed Complying, these 16 conditions could not be incorporated in the Development Approval for DA 960/592/2018.

The Planning Consent for DA 960/592/2018 has not lapsed. Condition 27 of DA 23015775 extended the timeframe for DA 960/592/2018 as follows:

> *"This consent, when approved, will also extend the time frame for 960/592/2018. The approval will then lapse 3 years from the operative date of the Development Approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse)."*

In the December 2023 Barossa Assessment Panel report for DA 23015775, planning staff stated that *"Representors have raised concerns regarding the existing use and amenity impacts such as noise, light, trespass, smoke and dust. While there is no change or intensification of land use proposed the conditions applied to 960/396/2013 by the Environment, Resources and Development Court have been reiterated in the recommendation for this proposal as many of them appear to directly address the potential amenity impacts of the existing use."*

As per the recommendations in the Barossa Assessment Panel report, the Panel resolved to grant planning consent for DA 23015775 with one Reserved Matter and 27 conditions. The conditions incorporated the set of conditions from the Environment, Resources and Development Court (ERD Court) decision for DA 960/396/2013 and additional conditions relating to the proposed temporary relocation of Dormitories H and F and changes to the approved dormitories.

SITE AND LOCALITY

The site comprises an irregular shaped allotment located at 614a Balmoral Road, Cockatoo Valley. It is positioned on the southern side of the road within an established rural living area characterised primarily by small acreage rural lifestyle allotments with varying levels of animal keeping and horse keeping activities. The site sits quite low within Cockatoo Valley with two watercourses passing through the site, being Seven Mile Creek and Yettie Creek.

The visual locality is defined by a low intensity of built form development punctuated by stands of vegetation with relatively short vistas available due to the terrain and vegetation. The closest township is Lyndoch which is located 3.7 kilometres north-east of the subject land.

The site has an area of approximately 15.4 hectares. As previously mentioned, the site contains five dormitory buildings, two classroom buildings, a recreation hall, a kitchen and dining hall, two ablution blocks and numerous small ancillary buildings, these buildings are all clustered in the southern portion of the site. To the north of the site adjoining Balmoral Road is the caretaker's residence.

Stands of planted mature vegetation are clustered within the site and concentrated mostly in the south (around the accommodation buildings), and along the water courses, the eastern boundary and the central driveway.

The primary vehicle access is via a single driveway from Balmoral Road. Balmoral Road has a 6.5 metre wide verge that contains mature vegetation. The internal driveway comprises compacted rubble that provides access to existing car parking areas for the accommodation buildings and the caretaker's residence. The car parks are generally informal with cleared, level areas providing space for vehicle manoeuvring.

The locality comprises substantially of rural lifestyle allotments on small acreages. Uses include residential, animal keeping, horse keeping and home activities.

The topography of the locality is undulating. The subject site being somewhat flatter due to being in the bottom of the valley with a slope of 1 in 10 at its steepest point, but generally approximately 1 in 50 slope. There are limited views to and from the accommodation buildings from external to the site.

Figure 1 below contains a Zone map.

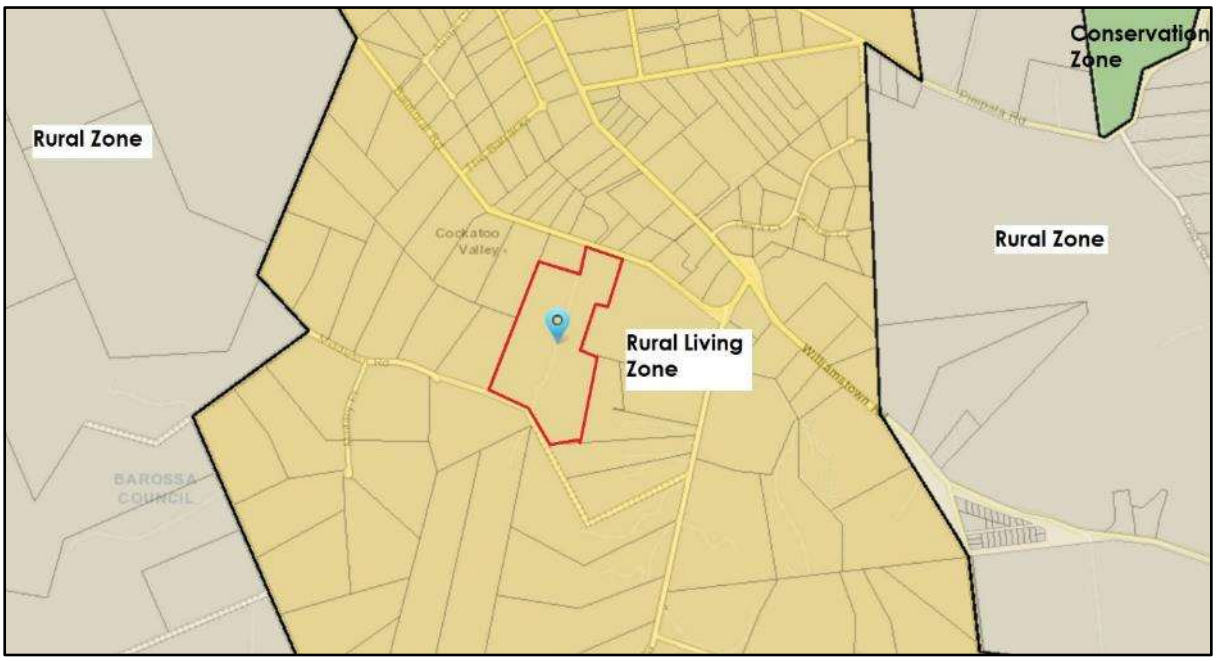


Figure 1: *Zone Map and Locality*

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 14.***



Figure 2: *Aerial view of site*



Figure 3: *Subject Site in Red, Locality in Blue*



Figure 4: *Site Photo – Dormitory H, now to be demolished and directly replaced as part of this variation (i.e. no temporary relocation)*



Figure 5: *Site Photo – Dormitory F, now to be demolished and directly replaced as part of this variation (i.e. no temporary relocation)*



Figure 6: *Site Photo – Dormitory C, already replaced*



Figure 7: *Site Photo – Dormitory D, already replaced*



Figure 8: *Site Photo – Former Dormitory A, approved to be changed to classroom as a part of 960/592/2018*



Figure 9: *Site Photo – Former Classroom B, approved to be changed to dormitory as a part of 960/592/2018. This building was subject to amendment to change internal layout as part of DA 23015775*



Figure 10: *Site Photo – Former Dormitory E, approved to be changed to classroom as a part of DA 960/592/2018*



Figure 11: *Site Photo – Woodshed and firepit*

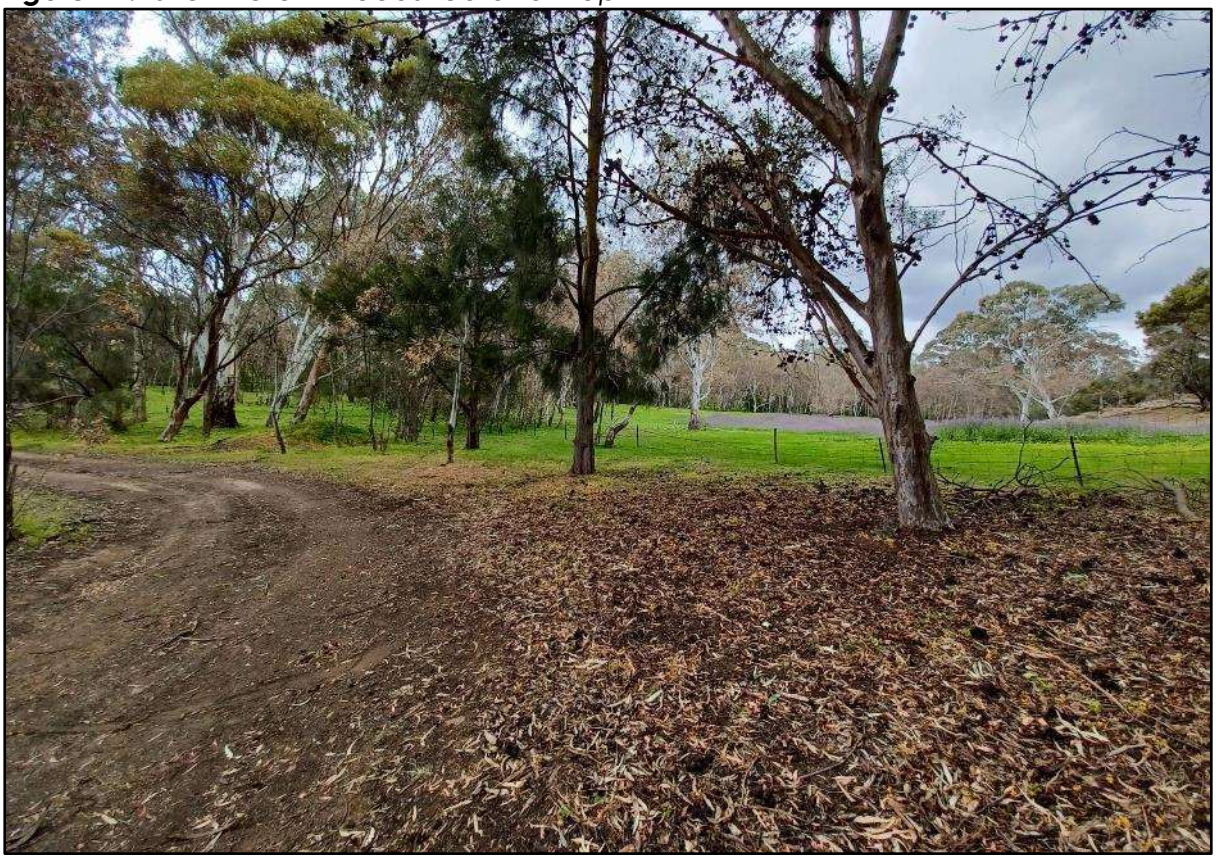


Figure 12: *Site Photo – View south from southern fire track loop towards 58 Goldfields Road*



Figure 13: *Site Photo – View of former temporary relocation area (not required as both dormitories will no longer be relocated)*



Figure 14: *Site Photo – site of installation of new waste water system (approved by SA Health)*

PROPOSAL
The proposal seeks to vary the Planning Consent granted to DA No. 23015775 by removing:

- the temporary relocation of Dormitories H and F; and
- Planning Consent conditions 14 and 15

Conditions 14 and 15 state:

> ***Condition 14***
> *Gatherings for the purpose of worship, biblical education and/or meditation involving more than 50 people in a single group shall only occur:*
>
> *a. Within the dining hall or gymnasium; and*
> *b. Shall be limited to the hours of 7.00 am to 10.00 pm.*
>
> ***Condition 15***
> *Gatherings in outdoor areas for the purpose of worship or biblical education involving 50 people or less in a single group shall only occur between the hours of 7.00 am to 9.00 pm. Gatherings in outdoor areas for the purpose of meditation involving 50 people or less in a single group may occur up to 11.00 pm.*

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

Attachment 2 contains a copy of the Planning Consent decision for DA 23015775 and ***Attachment 3*** contains the stamped plans associated with DA 23015775.

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

PUBLIC NOTIFICATION
The variation application was not subject to public notification in accordance with Table 5 – Procedural Matters – Notification of the Rural Living Zone, noting that demolition is excluded from public notification within Column A of Table 5 and the deletion of conditions 14 and 15 is not 'development' in its own right.

DA 23015775 was subject to public notification. There were 12 representations received with six representors originally requesting to be heard. For information, the location of each representor in respect to that application is shown below.

Figure 15 below indicates representors' locations in relation to the subject site.



Figure 15: *Representors' properties indicated with blue stars*

REFERRALS

External

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

Internal

There were no internal referrals undertaken to this application.

ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, dated 12 September 2024, Version 2024.17.

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.

Given that the development involves a variation to an already approved use, where the proposal to temporarily relocate two dormitories has been withdrawn and the removal of two non-valid conditions is being sought, the changes are considered minor in terms of impact in the assessment context of the site. In summary, the proposal is not deemed to be Seriously at Variance with the 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 as listed below:

(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.

As detailed above, the use of the site as a bible camp is an existing authorised use. The proposal does not increase the number of people accommodated in the dormitories or the floor area nor does it change the siting, management procedures or any other elements of the approved development pursuant to 960/592/2018 and variation DA 23015775. Demolition of the non-heritage listed dormitory buildings has been approved and this application simply seeks to remove their temporary relocation while construction occurs. As such, the proposal will not adversely impact the character values of the Character Preservation 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 below under the headings:

Rural Living Zone	
Desired Outcomes	
DO1	*A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low intensity rural activities and home-based business activities that complement that lifestyle choice.*
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 *Residential development with complementary ancillary non-residential uses that do not place additional demands on services and infrastructure, and compatible with a secluded semi-rural or semi-natural residential character.*	*DTS/DPF 1.1* *Development comprises one or more of the following:* (a) *Agricultural building* (b) *Animal Keeping* (c) *Carport* (d) *Consulting Room* (e) *Detached Dwelling* (f) *Dwelling addition*

	(g) *Farming* (h) *Horse keeping* (i) *Kennel* (j) *Light Industry* (k) *Office* (l) *Outbuilding* (m) *Shelter/Stable*

The proposed development does not alter the approved scheme for the site other than removing the temporary relocation of the two existing dormitories prior to their demolition and removal from the site. The proposed variation therefore complies with Performance Outcome 1.1.

Siting, Design and Appearance

Built Form and Character	
PO 2.2 *Non-residential buildings are designed and sited to minimise visual impact on the surrounding locality 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 2.2* *Non-residential buildings and structures:* *do not exceed 100 sqm in total floor area* (a) *are set back from all allotment boundaries by at least 25 metres* (b) *if clad in sheet metal, it is pre-colour treated or painted in a nonreflective colour* (c) *have a building height that is no greater than 1 building level and 6 metres* (d) *have a wall height is no greater than 3 metres.*

DA 23015775 was approved with consent to temporarily relocate two existing dormitory buildings during the construction of the new buildings. However, the applicant has since resolved to amend their proposal by eliminating the need for relocation and instead requiring the demolition of the existing dormitories before constructing the approved replacement buildings.

The proposal is considered to comply with Performance Outcome 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*	*DTS/DPF 3.2* *None are applicable.*

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.*	*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 clusterswell 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.*

The subject site is located within the rural area (ie not in township) in reference to the *Character Preservation (Barossa Valley) District*, as defined within Section 3 of the *Character Preservation Act 2012*.

DA 960/592/2018 and 23015775 were assessed as being compliant with the Desired Outcome and the Performance Outcomes of the Character Preservation Overlay and this proposal does not alter this conclusion in any respect.

Gas and Liquid Petroleum Pipelines Overlay

Gas and Liquid Petroleum Pipelines Overlay	
Desired Outcomes	
DO1	*Management of risk to public safety, the environment and security of energy supply from the encroachment of development on strategic gas and liquid petroleum pipelines.*
Relevant Performance Outcomes/Designated Performance Features	
Land Use and Intensity	
PO 1.1 *Community exposure to a potential hazard from the failure of a gas or liquid petroleum pipeline is mitigated by locating development that may accommodate or result in large congregations of people, buildings for housing and / or caring for vulnerable people and community facilities outside areas that pose an unacceptable risk to protect life.*	*DTS/DPF 1.1* *Development satisfies one of the following:* (a) *it does not comprise:* (i) *childcare facility* (ii) *caravan and tourist park* (iii) *educational facility* (iv) *buildings comprising 3 or more building levels.* (v) *land division creating allotments under 1ha for residential purposes (except where the existing allotment is less than* (vi) *1ha)* (vii) *prison* (viii) *residential park*

	(ix) *retirement facility* (x) *student accommodation* (xi) *supported accommodation.* (xii) *shop or shops with a gross leasable floor area of 1000 sqm or greater* (xiii) *tourist accommodation* (xiv) *stadium* (b) *a class of development referred to in part (a), or any combination thereof, which will occur in accordance with an agreement under section 123 of the Planning, Development and Infrastructure Act, 2016*

The two dormitory buildings were not located within the Overlay. It is noted that the Department for Energy and Mining has not objected to the development.

The proposed development satisfies the relevant provisions of the Gas and Liquid Petroleum Pipelines Overlay.

Wastewater Disposal

Design	
Relevant Performance Outcomes/Designated Performance Features	
All development	
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.*

The previous development application 960/592/2018 was associated with an approval (from SA Health) to upgrade the site's overall waste management system. The applicant will still need to address the Reserved Matter prior to Development Approval being issued.

On this basis, subject to the Reserved Matter, Performance Outcome 6.1 is satisfied.

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* *(a) a report prepared in accordance with Regulation 18(2)of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.*

The applicant provided a declaration in DA 23015775 in accordance with DPF 1.1(a). Therefore, Performance Outcome 1.1 is deemed to have been met.

Interface between Land Uses

Interface between Land Uses	
Desired Outcomes	
DO1	*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 1.2 *Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended*	*DTS/DPF 1.2* *None are applicable.*

to accommodate sensitive receivers is designed to minimise adverse impacts.	

In the assessment of DA 23015775, representors raised concerns regarding the existing use and amenity impacts such as noise, light, trespass, smoke and dust. In the December 2023 Barossa Assessment Panel Report staff wrote that "*there is no change or intensification of land use proposed and the conditions applied to 960/396/2013 by the Environment, Resources and Development Court have been reiterated in the recommendation for this proposal as many of them appear to directly address the potential amenity impacts of the existing use.*"

This included conditions 14 and 15 that state:

> *Condition 14*
> *Gatherings for the purpose of worship, biblical education and/or meditation involving more than 50 people in a single group shall only occur:*
>
> *a. Within the dining hall or gymnasium; and*
> *b. Shall be limited to the hours of 7.00 am to 10.00 pm.*
>
> *Condition 15*
> *Gatherings in outdoor areas for the purpose of worship or biblical education involving 50 people or less in a single group shall only occur between the hours of 7.00 am to 9.00 pm. Gatherings in outdoor areas for the purpose of meditation involving 50 people or less in a single group may occur up to 11.00 pm.*

In support of their application, legal advice has been submitted from Botten Levinson outlining that:

- The lawful existing use of the land is for a camp site for bible study purposes. This existing use does not comprise any limitation on the frequency, location or timing of gatherings that are ancillary to this lawful existing use of the land.
- A Council Assessment Panel can impose conditions on a consent pursuant to section 127 of the *Planning, Development and Infrastructure Act 2016* (PDI Act).
- There is a limitation to the power to impose conditions. Case law has established that a valid condition must, amongst other things, relate to the development proposed and the land involved.
- A variation application is not an opportunity for a Panel to undertake a full assessment.
- DA No. 23015775 was limited to the built form and practical logistics of replacing the existing buildings on the land which facilitate the lawful existing use – not hours of operation, location or capacity limits for biblical/worship gatherings.

The legal advice concludes that "*Conditions 14 and 15 do not properly relate to the development comprised in Development Application No. 23015775. These conditions go beyond the extent of the variation to make the development something other than what was originally proposed. The short point is that these conditions are invalid and unenforceable and improperly imposed*".

Staff sought opinion from Council's legal advisor who agreed with the submission from the Botten Levinson. These conditions do not fairly and reasonably relate to the development as a matter of law. DA 23015775 did not concern any element of gatherings and, as such, the conditions are not lawful. As such, the applicant's request to remove conditions 14 and 15 must succeed.

In summary, there was an aspiration from Council staff to introduce the recommended set of conditions prepared by the ERD Court for DA 960/396/2013. These could not be applied to DA 960/592/2018 as it was a complying form of development (under the superseded procedures of the *Development Act 1993* and associated *Regulations*). While the validity of conditions is typically a matter of fact and degree it is determined from legal advice that the retention of Conditions 14 and 15 in the consent is not lawful. On this basis, staff recommend they be removed as per the applicant's request. On this basis, condition 17 also needs to be amended to remove the reference to condition 15.

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 therisk 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 floorlevel at least 300 mm above:* (a) *the highest point of top of kerb of the primary street* *(a) or* (b) *the highest point of natural ground level at the primary street boundary where there is no kerb.*

The buildings have been approved for demolition. They will now be replaced by the approved new dormitories. This has manifestly no assessment implication for flood hazard risk and is acceptable.

The relevant Performance Outcome 1.1 has been achieved.

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*	*DTS/DPF 1.1* *None are applicable.*

where modification is required for essential access or maintenance purposes.	

There are no alterations proposed for either watercourse that pass through the land as part of this variation application.

Performance Outcome 1.1 is therefore satisfied.

Transport, Car Parking and Access

Transport, Access and Parking	
Desired Outcomes	
DO1	*A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.*
Relevant Performance Outcomes/Designated Performance Features	
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.*	*DPF 1.4* *All vehicle manoeuvring occurs on site.*
Vehicle Access	
PO 3.1 *Safe and convenient access minimises impact or interruption on the operation of public roads.*	*DPF 3.1* *The access is:* *(a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or,* *(b) not located within six metres of an intersection of two or more roads or a pedestrian activated crossing.*
Access for People with Disabilities	
PO 4.1 *Development is sited and designed to provide safe, dignified and convenient access for people with a disability.*	*DTS/DPF 4.1* *None are applicable.*
Vehicle Parking Rates	
PO 5.1 *Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:* *(a) availability of on-street car parking.* *(b) shared use of other parking areas.* *(c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared.* *(d) the adaptive reuse of a State or Local Heritage Place.*	*DPF 5.1* *Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:* *(a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements.* *(b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas.* *(c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.*

Table 1 - General Off-Street Car Parking Requirements	One car parking space per accommodation unit/guest room

There are no changes to the approved site access, car parking or other transport related matters as part of this variation application.

The proposal therefore satisfies the relevant Performance Outcomes in respect to access and car parking.

Site Contamination

General Development Policies	
Site Contamination	
Desired Outcomes	
DO1	*Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.*
Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 *Ensure land is suitable for use when land use changes to a more sensitive use.*	*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.* *(c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form).* *(d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following:* *(ii) a site contamination audit report has been prepared under Part 10A of the Environment Protection Act 1993 in relation to the land within the previous five years which states that–* *A. site contamination does not exist (or no longer exists) at the land; or,* *B. the land is suitable for the proposed use or range of uses (without the need for any further remediation); or,* *C. where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development) and,*

	(ii) no other class one activity or class two activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).

Practice Direction 14 – Site Contamination Assessment 2021 has been previously considered in context of this proposal. The proposal does not introduce a more sensitive land use as the use is existing.

The application satisfies Performance Outcome 1.1 through achievement of DPF1.1(a).

Therefore, the proposal satisfies Desired Outcome 1 and Performance Outcome 1.

CONCLUSION
The application was subject to 'Performance Assessment'.

This report has provided a background context and legal reasons why conditions 14 and 15 may be removed from the Planning Consent. The applicant has also decided not to temporarily relocate the two existing dormitory buildings prior to construction of their approved replacement buildings. This has negligible planning impact and does not alter the nature of existing land use or the final built form of the approved development.

Given all of the above, Planning Consent is considered to be warranted, subject to recommended Reserved Matters and Conditions.

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. 24029182 by Daniel Evans on behalf of Christadelphian Bible Camp Inc for *Variation to DA 23015775 - Demolition and replacement of dormitories H and F (instead of being temporarily relocated) and removal of conditions 14 and 15* at

614a Balmoral Road, Cockatoo Valley (CT 5897/233) subject to the following reserved matters, conditions and advisory notes:

Reserved Matters

(1) The applicant shall lodge and have approved by the relevant authority an application to install a wastewater system pursuant to the provisions of the *South Australian Public Health Act 2011* and *South Australian Public Health (Wastewater) Regulations 2013*.

Council Conditions

(1) The development shall be undertaken in accordance with the attached endorsed plans and documentation accompanying the application as amended and including:

a. Letter prepared by Daniel Evans on behalf of the Christadelphian Bible Camp Inc – dated 27 October 2023
b. Email prepared by Kevin Casey, dated 22 June 2023
c. Site Plan, prepared by Kevin Casey Design, Drawing No ADA-001, Rev B, dated 21 June 2023
d. Partial Site Plan, prepared by Kevin Casey Design, Drawing No ADA-002, Rev B, dated 21 June 2023
e. Cut and Fill Plan F & H, prepared by Kevin Casey Design, Drawing No ADA-003, Rev A, dated 25 March 2023
f. Bld B Cut and Fill, prepared by Kevin Casey Design, Drawing No ADA-004, Rev A, dated 25 March 2023
g. Drainage Plan, prepared by Kevin Casey Design, Drawing No ADA-005, Rev A, dated 25 March 2023
h. Floor Plan Building B, prepared by Kevin Casey Design, Drawing No ADA-101, Rev A, dated 25 March 2023
i. Floor Plan Building H, prepared by Kevin Casey Design, Drawing No ADA-103, Rev C, dated 21 June 2023
j. Floor Plan Building F, prepared by Kevin Casey Design, Drawing No ADA-102, Rev C, dated 21 June 2023
k. Elevations Block B, prepared by Kevin Casey Design, Drawing No ADA-201, Rev B, dated 25 March 2023
l. Elevations Block F, prepared by Kevin Casey Design, Drawing No ADA-202, Rev A, dated 25 March 2023
m. Elevations Block H, prepared by Kevin Casey Design, Drawing No ADA-203, Rev A, dated 25 March 2023

unless varied by the following conditions.

(2) Prior to occupation, the buildings authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of council.

(3) All external building materials shall:

a. Be muted and non-reflective in nature; and
b. Where metal cladding is used, it shall have a pre-colour treated finish; and

c. Be in accordance with the approved plans; and
d. Be new materials and maintained in good condition at all times.

(4) All stormwater from buildings, paving and from areas that immediately surround the perimeter of the building shall be disposed of in a manner that does not result in entry of water into the building, or affect the stability of the building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

(5) Storm water disposal systems must be fully installed at the completion of the construction of the building with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of the relevant authority.

(6) Disturbed surfaces including any exposed batters as a result of excavation on the land shall be revegetated and stabilised within three months of the completion of the development, to the satisfaction of Council.

(7) 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) All five existing dormitories shall be completely demolished/removed prior to the new approved dormitories being occupied.

(9) No more than 144 persons shall be accommodated within the approved dormitory accommodation at any one time.

(10) Car parking and van parking shall be restricted to the designated car parking area as shown on the site plan.

(11) The use and any associated activities carried out on the site shall not have an unreasonable detrimental effect on the amenity of the locality by reason of noise, smell, fumes, smoke, soot, ash or dust.

(12) The subject land is located within a Medium Bushfire Risk or an area within an urban interface area that is within 500 metres of a high bushfire risk area. The following shall be met, prior to occupation of the replacement dormitories, and shall be maintained at all times thereafter:

i. A dedicated and independent water supply shall be available at all times for firefighting purposes which;
ii. Is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles (safe and convenient access shall be provided), and Comprises a minimum of 2000 litres of water where the property is connected to mains water, or 5000 litres in any other case (Any rainwater tank used for this purpose should be dedicated entirely for firefighting and shall be of non-combustible materials).
iii. The provision of the dedicated water supply for fighting purposes shall comply with the Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements.

(13) The nominated asset protection zone shall be generally clear of vegetation and maintained to minimise the spread of fire between areas of hazardous vegetation and habitable buildings.

~~(14) Gatherings for the purpose of worship, biblical education and/or meditation involving more than 50 people in a single group shall only occur:~~

~~a. within the dining hall or gymnasium; and~~
~~b. shall be limited to the hours of 7.00 am to 10.00 pm.~~

~~(15) Gatherings in outdoor areas for the purpose of worship or biblical education involving 50 people or less in a single group shall only occur between the hours of 7.00 am to 9.00 pm. Gatherings in outdoor areas for the purpose of meditation involving 50 people or less in a single group may occur up to 11.00 pm.~~

(16) Organised outdoor activities involving sporting-type activities (such as volleyball, cricket, football and soccer) and games may take place between the hours of 8.00 am and 9.00 pm. Any such activities shall not take place between the Recreational Hall and the eastern-most boundary of the subject land. Organised outdoor activities will only involve people of the Christadelphian faith (students and members) and their immediate family.

(17) Outdoor fires may only occur subject to condition~~s 15,~~ 16 and this condition as follows:

a. a fire of no more than two square metres in area and contained within an appropriately designed containment device (including but not limited to a brazier, gas heater, etc) may occur in the area adjacent the dining hall;
b. a single bonfire of any size may be lit in the area adjacent to the creek, near the western boundary of the subject land, noting that this restriction does not apply to the fires in (17)a above;
c. no outdoor fire may be lit on total fire ban days unless in accordance with fire ban restrictions;
d. the fires described above may only occur whilst the camp site is occupied for the purposes of a Bible Camp by people (students or members) of the Christadelphian faith and their immediate families;
e. all fires must be extinguished by 11.00 pm;

save that nothing herein contained prevents fires for land management purposes provided they comply with the relevant fire regulations (including being a suitable distance from any buildings on the subject land or adjacent land).

(18) PA systems and amplification shall not be used outside of any buildings after 8.00 pm except for the purposes of implementing the fire action plan (for example evacuation warnings).

(19) All development is to be maintained in a serviceable condition and in good repair with conditions being inspected by or on behalf of the Applicant on a regular basis and repairs conducted in a timely manner.

(20) Fencing is to be maintained in a serviceable condition and in good repair inspected on a regular basis by or on behalf of the Applicant and repairs conducted in a timely manner. Fencing is to be of post and wire construction and maintained to a standard to prevent trespass onto neighbouring properties. Nothing herein contained affects the rights available to any landowner pursuant to the *Fences Act*.

(21) The dormitory accommodation shall only be used by people (students or members) of the Christadelphian faith and their immediate families.

(22) Caravans and tents shall only be present on the subject land during Camps or events and shall only be occupied by people (students or members) of the Christadelphian faith and their immediate families.

(23) A responsible person shall be assigned before each Camp. The responsible person shall be provided in advance with all conditions relevant to any activities conducted at the site and have overall responsibility for enforcing adherence to these Conditions by all Camp users. The responsible person shall be required to provide a written statement in advance of that Camp which evidences they have read, understood and will adhere to these requirements.

(24) Buildings other than the dormitories, caravans and tents shall not be used for any form of sleeping accommodation.

(25) Before the use of any new dormitory commences, it's corresponding former building shall have been demolished or otherwise removed from the site.

(26) Prior to occupation of the dormitories, the underfloor area of the building shall be enclosed and shall be painted in the same or a complementary colour to the building, to the reasonable satisfaction of council. The cladding shall be maintained for the life of the dormitories.

(27) This consent, when approved, will also extend the time frame for 960/592/2018. The approval will then lapse 3 years from the operative date of the Development Approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Planning Advisory Notes

(1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

(2) This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

(3) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has

been substantially or fully completed within those 3 years. in which case the approval will not lapse).

(4) 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.

(5) 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.

(6) 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.

(7) You are advised that construction or alteration of any footpath, kerb, gutter or crossover on Council land will require a permit, under the *Local Government Act 1999* from Council's Works and Engineering Services. It is illegal to undertake work on Council land without permission.

If the existing entranceway (driveway cross-over) is to be removed it must be re-instated with kerb and gutter, including appropriate restoration of the footpath and verge, to Council's standard specification. Please contact Council's Works and Engineering Services to confirm the required standards.

Driveway cross-overs which affect a pedestrian footpath should maintain the level of the footpath or be consistent with the proposed footpath levels in instances where the footpath has not been constructed. When final Development Approval is applied for this should be shown on the plans. Please note that construction is to be in accordance with the Disability Discrimination Act and relevant Australian Standards.

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

(9) Construction shall not take place on any Sunday or Public Holiday or after 7.00 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.

(10) The applicant is advised that this consent does not permit anyone to clear, remove limbs or trim native vegetation. Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the Native Vegetation Act 1991, https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide . Any specific queries regarding the clearance,

removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation should be undertaken after first notifying the Native Vegetation Council of intended works.

(11) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the Environment Protection (Noise) Policy 2007, and such that any resulting noise is not considered a nuisance, to the satisfaction of Council, including any existing infrastructure.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Application and Associated Documentation ⇩
Attachment 2 Planning Consent Decision Notice - DA 23015775 ⇩
Attachment 3 Planning Consent Stamped Plans - DA 23015775 ⇩

Development Locations

Location 1

Location reference
614A BALMORAL RD COCKATOO VALLEY SA 5351

Title Ref
CT 5897/233

Plan Parcel
D45942 AL201

Additional Location Information

Council
THE BAROSSA COUNCIL

Zone Overlays

Zones
- Rural Living

Sub-zones
(None)

Overlays
- Character Preservation District
- Gas and Liquid Petroleum Pipelines
- Hazards (Bushfire - Medium Risk)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Water Resources Area
- Water Resources

Variations
- Minimum Site Area (Minimum site area is 4 ha)

Application Contacts

Applicant(s)

Stakeholder info
Mr Daniel Evans
[redacted]

Contact

Stakeholder info
Botten Levinson Lawyers
28 FRANKLIN STREET
ADELAIDE
SA
5000
Tel. 0411554253

Mobile. 82129777
sm@bllawyers.com.au

Invoice Contact

Stakeholder info
Mr Daniel Evans
[redacted]

Land owners

Stakeholder info
Christadelphian Bible Camp Inc
[redacted]

Nature Of Development

Nature of development
Variation of Development Application 23015775
See attached letter re variations Clause 9.1 and 9.2

Development Details

Current Use
Camp Site Facility

Proposed Use
Camp site Facility

Development Cost
$1.00

Proposed Development Details
Variation of Development Application 23015775
See attached letter re variations Clause 9.1 and 9.2

Element Details

You have selected the following elements

Tourist accommodation - $0.00

Camp ground - $0.00

Septic/Sewer information submitted by applicant

Does this development require a new septic system or amendment to an existing septic system? i.e. septic tank and / or wastewater 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

Consent Details

Consent list:
- Planning Consent
- Building Consent

Have any of the required consents for this development already been granted using a different system?
No

Planning Consent

Apply Now?
Yes

Who should assess your planning consent?
Assessment panel/Assessment manager at The Barossa Council

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

Building Consent

Do you wish to have your building consent assessed in multiple stages?
No

Apply Now?
No

Consent Order

Recommended order of consent assessments
1. Planning Consent

Do you have a pre-lodgement agreement?
No

Declarations

Electricity Declaration

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

Native Vegetation Declaration

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
Variation Application letter - 28.08.24.pdf	Correspondence - General	6 Sept 2024 1:22 PM

Application Created User and Date/Time

Created User
kevin.casey

Created Date/Time
6 Sept 2024 1:22 PM

BOTTEN LEVINSON Lawyers

Our ref: SM/212228

28 August 2024

The Barossa Council
PO Box 867
NURIOOTPA SA 5355

By email: development@barossa.sa.gov.au

Dear Sir/Madam

Variation to DA No. 23015775 – 614A Balmoral Road, Cockatoo Valley

This firm acts for Hebron Christadelphian Bible Camp Incorporated, the (i) owner of the land at 614A Balmoral Road, Cockatoo Valley (**the land**), and (ii) beneficiary of the development comprised in DA No. 960/592/2018, as varied by DA No. 23015775.

Our client seeks to vary the planning consent granted to DA No. 23015775 by removing:

1. the temporary relocation of Dormitories H and F; and

2. planning consent conditions 14 and 15.

We write in support of this variation application.

Background

1. The Land is comprised in Certificate of Title Volume 5897 Folio 233.

2. The Land has been the subject of various development applications and subsequent authorisations.[1]

3. Broadly, the lawful existing use of the Land can be described as a camp site for bible study purposes. This existing use does **not** comprise any limitation on the frequency, location or timing of gatherings that are ancillary to this lawful existing use of the land.[2]

4. On 26 October 2020, development approval was granted to Development Application No. 960/592/2018 described as "*Demolition and Replacement Dormitory Accommodation and Classrooms (5 accommodation cabins and 2 classrooms) in association with existing camp site facility*" (**the original approval**). This did **not** involve any change to the lawful existing use of the land.

[1] See *Hebron Christadelphian Bible Camp Inc v The Barossa Council & Anor; Loughhead v The Barossa Council & Anor* [2016] SAERDC 31 at [10]; Development Application No. 960/592/2018 and Development Application No. 23015775.
[2] See *Hebron Christadelphian Bible Camp Inc v The Barossa Council & Anor; Loughhead v The Barossa Council & Anor* [2016] SAERDC 31 at [10] and [134]-[[137]. It is noted that this decision related to the planning consent granted to DA 960/396/2013 which was not pursued by our client and which has now lapsed.

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BL Lawyers Pty Ltd trading as Botten Levinson Lawyers ABN 36 611 397 285 ACN 611 397 285
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5. The original approval was granted subject to only one condition, namely:

> *The Development shall be undertaken in accordance with the plans and documentation (as amended) accompanying the application, unless varied by the following conditions.*

6. On 5 December 2023, the Barossa Council Assessment Panel granted planning consent to Development Application No. 23015775, described as:

> *Amendments to 960/592/2018 - Demolition and Replacement Dormitory Accommodation and Classrooms (5 accommodation cabins and 2 classrooms) in association with existing camp site facility; Amendments include temporary Re-location of former Dormitories H & F (housing up to 60 beds), construction of three replacement dormitories: Building B to contain (8 additional beds) a total of 36 beds and additional bathroom facilities, Building F to contain 30 beds and additional bathroom facilities and Buildings [sic] H to contain (2 additional beds) a total of 32 beds and additional bathroom facilities; re-located former Dormitories H & F to be demolished and/or removed from the site at completion of replacement buildings.*
>
> (**the variation consent**).

7. The application the subject of the variation consent did **not** comprise any change in the existing lawful use of the Land.

8. The variation consent was granted subject to 29 conditions and 2 reserved matters. In particular, Conditions 14 and 15 state as follows:

> ***Condition 14***
>
> *Gatherings for the purpose of worship, biblical education and/or meditation involving more than 50 people in a single group shall only occur:*
>
> *a. Within the dining hall or gymnasium; and*
>
> *b. Shall be limited to the hours of 7.00am to 10.00pm.*
>
> ***Condition 15***
>
> *Gatherings in outdoor areas for the purpose of worship or biblical education involving 50 people or less in a single group shall only occur between the hours of 7.00am to 9.00pm. Gatherings in outdoor areas for the purpose of meditation involving 50 people or less in a single group may occur up to 11.00pm.*

Proposed variation

9. Our client now proposes to amend the variation consent as follows:

   9.1 remove the temporary relocation of Dormitories H and F such that these dormitories will now simply be demolished and replaced; and

9.2 remove Conditions 14 and 15 on the basis that these conditions are invalid

(**proposed variation**).

Conditions 14 and 15 are invalid and unenforceable

10. The Council Assessment Panel was of course permitted to impose conditions on the variation consent pursuant to section 127 of the *Planning, Development and Infrastructure Act 2016* (**PDI Act**). The power to impose conditions is broadly expressed but it is not unlimited.[3] The limitations of the power have been the subject of extensive judicial consideration.

11. It is axiomatic that, in order to be enforceable, a condition must first be a valid condition.

12. The case law has established a number of criteria that must be satisfied in order for a condition to be valid. These criteria include that a condition must, amongst other things, relate to the development proposed and the land involved.[4]

13. Conditions 14 and 15 do **not** relate to the development proposed in the variation application and, consequently, are invalid and unenforceable.

Conditions 14 and 15 do not relate to the development proposed

14. Development Application No. 23015775, being a variation to the original approval, did not contemplate any change of use to the Land nor any change to the capacity and operation of the Land within that use.

15. Section 128(b) of the PDI Act states that an application to vary a development application previously granted –

> *…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.*

16. A variation application is not an opportunity for the relevant authority "*to undertake a full assessment and analysis on a range of planning factors that do not change from one approval or consent to another…*"[5] Put simply, the scope of a variation application is the extent to which a consent or approval is being varied.

17. The extent of the variation proposed in DA No. 23015775 was limited to the built form and practical logistics of replacing the existing buildings on the Land which facilitate the lawful existing use. That application did not seek consent for particular hours of operation, location or capacity limits for biblical/worship gatherings on the Land and it was **not** lawfully open to the Council Assessment Panel to consider this in granting the variation consent.

[3] *District Council of Lower Eyre Peninsula v Allen* [2007] SASC 333, 150 [10], referred to in *Naiama Pastoral Company Pty Ltd v District Council of Yankalilla (No. 1)* [2020] SAERDC 5.
[4] *District Council of Lower Eyre Peninsula v Allen* [2007] SASC 333.
[5] *Parrella v City of Burnside* [2003] SAERDC 111 at [17].

18. The limit on capacity, location and hours of operation for gatherings on the Land imposed by Conditions 14 and 15 sought to confine the proposed development such that it became something other than what was intended by the original proposal. In other words, the condition sought to convert the proposal to something different from the one applied for. It is impermissible for a relevant authority to seek to modify a development by use of conditions.

19. The decision of the Full Court of the Supreme Court in *McKenzie Constructions v DAC & Kipa Freeholds Pty Ltd* provides that a condition will be invalid if it seeks to confine the proposed development in such a way.[6]

20. The Full Court accepted the reasoning of the Debelle J at first instance that:

> *The power to impose conditions is not provided to enable a planning authority to alter the nature of the proposal and hedge it about with conditions which are unworkable, unenforceable, and seek to confine the development in a kind of strait jacket which will constrain the development from being used in the ordinary way.*[7]

21. The Panel sought, in effect, to alter the nature of the development by way of Conditions 14 and 15 and was, with respect, wrong to do so.

22. For these reasons, Conditions 14 and 15 are invalid and unenforceable and should be removed from the planning consent granted for Development Application No. 23015775.

Conclusion

Conditions 14 and 15 do not properly relate to the development comprised in Development Application No. 23015775. These conditions go beyond the extent of the variation to make the development something other than what was originally proposed. The short point is that these conditions are invalid and unenforceable and improperly imposed.

The appropriate course is for conditions 14 and 15 to be removed from the planning consent pursuant to the further application made by our client.

Yours faithfully



Syd McDonald
BOTTEN LEVINSON
Mob: 0411 554 253
Email: sm@bllawyers.com.au

[6] *McKenzie Constructions v DAC & Kipa Freeholds Pty Ltd* (1999) 74 SASR 539, per Bleby J at [41].
[7] *Kipa Freeholds & ANOR v Development Assessment Commission & ANOR* No. SCGRG-98-1429 Judgment No. S53 [1999] SASC 53, at [39].

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PlanSA

DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

Name: Daniel Evans
Postal address: 40 COULLS ROAD BANKSIA PARK SA 5091
Email: drevans98@bigpond.com

IN REGARD TO:

Development application no.: 23015775	Lodged on: 30 Jun 2023
Nature of proposed development: Amendments to 960/592/2018-Demolition and Replacement Dormitory Accommodation and Classrooms (5 accommodation cabins and 2 classrooms) in association with existing camp site facility; Amendments include temporary Re-location of former Dormitories H & F (housing up to 60 beds), construction of three replacement dormitories: Building B to contain (8 additional beds) a total of 36 beds and additional bathroom facilities, Building F to contain 30 beds and additional bathroom facilities and Buildings H to contain (2 additional beds) a total of 32 beds and additional bathroom facilities; re-located former Dormitories H & F to be demolished and/or removed from the site at completion of replacement buildings	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 614A BALMORAL RD COCKATOO VALLEY SA 5351		
Title ref.: CT 5897/233	**Plan Parcel:** D45942 AL201	**Council:** THE BAROSSA COUNCIL

DECISION:

Decision type	**Decision** (granted/refused)	**Decision date**	**No. of conditions**	**No. of reserved matters**	**Entity responsible for decision** (relevant authority)
Planning Consent	Granted	5 Dec 2023	29	2	Assessment Panel at The Barossa Council
Building Consent	Still Required				To be Determined
Development Approval - Planning Consent; Building Consent	Still Required				The Barossa Council

FROM THE RELEVANT AUTHORITY: Assessment Panel - Section 93 at The Barossa Council
Date: 8 Dec 2023

RESERVED MATTERS

Planning Consent

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval:

This form constitutes the form of a decision notification under section 126(1) of the Planning, Development and Infrastructure Act 2016, as determined by the Minister for Planning for the Purposes of regulation 57(1) of the Planning, Development and Infrastructure (General) Regulations 2017. Published: 7 July 2022.

Government of South Australia
Department for Trade and Investment

Reserved Matter 1
The applicant shall lodge and have approved by the relevant authority an application to install a wastewater system pursuant to the provisions of the South Australian Public Health Act 2011 and South Australian Public Health (Wastewater) Regulations 2013.

Reserved Matter 2
The applicant shall submit and have approved a disability access plan for the site, in accordance with the Disability Discrimination Act 1992 and National Construction Code.

CONDITIONS

Planning Consent

Condition 1
The development shall be undertaken in accordance with the attached endorsed plans and documentation accompanying the application as amended and including:

a. Letter prepared by Daniel Evans on behalf of the Christadelphian Bible Camp Inc – dated 27 October 2023
b. Email prepared by Kevin Casey, dated 22 June 2023
c. Site Plan, prepared by Kevin Casey Design, Drawing No ADA-001, Rev B, dated 21 June 2023
d. Partial Site Plan, prepared by Kevin Casey Design, Drawing No ADA-002, Rev B, dated 21 June 2023
e. Cut and Fill Plan F & H, prepared by Kevin Casey Design, Drawing No ADA-003, Rev A, dated 25 March 2023
f. Bld B Cut and Fill, prepared by Kevin Casey Design, Drawing No ADA-004, Rev A, dated 25 March 2023
g. Drainage Plan, prepared by Kevin Casey Design, Drawing No ADA-005, Rev A, dated 25 March 2023
h. Floor Plan Building B, prepared by Kevin Casey Design, Drawing No ADA-101, Rev A, dated 25 March 2023
i. Floor Plan Building H, prepared by Kevin Casey Design, Drawing No ADA-103, Rev C, dated 21 June 2023
j. Floor Plan Building F, prepared by Kevin Casey Design, Drawing No ADA-102, Rev C, dated 21 June 2023
k. Elevations Block B, prepared by Kevin Casey Design, Drawing No ADA-201, Rev B, dated 25 March 2023
l. Elevations Block F, prepared by Kevin Casey Design, Drawing No ADA-202, Rev A, dated 25 March 2023
m. Elevations Block H, prepared by Kevin Casey Design, Drawing No ADA-203, Rev A, dated 25 March 2023
unless varied by the following conditions.

Condition 2
Prior to occupation, the buildings authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of council.

Condition 3
All external building materials shall:

a. Be muted and non-reflective in nature; and
b. Where metal cladding is used, it shall have a pre-colour treated finish; and
c. Be in accordance with the approved plans; and
d. Be new materials and maintained in good condition at all times.

Condition 4
All stormwater from buildings, paving and from areas that immediately surround the perimeter of the building shall be disposed of in a manner that does not result in entry of water into the building, or affect the stability of the building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.

Condition 5
Storm water disposal systems must be fully installed at the completion of the construction of the building with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of the relevant authority.

Condition 6
Disturbed surfaces including any exposed batters as a result of excavation on the land shall be revegetated and stabilised within three months of the completion of the development, to the satisfaction of Council.

Condition 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.

Condition 8
All five existing dormitories shall be completely demolished/removed prior to the new approved dormitories being occupied.

Condition 9
No more than 144 persons shall be accommodated within the approved dormitory accommodation at any one time.

Condition 10
Car parking and van parking shall be restricted to the designated car parking area as shown on the site plan.

Condition 11
The use and any associated activities carried out on the site shall not have an unreasonable detrimental effect on the amenity of the locality by reason of noise, smell, fumes, smoke, soot, ash or dust.

Condition 12
The subject land is located within a Medium Bushfire Risk or an area within an urban interface area that is within 500 metres of a high bushfire risk area. The following shall be met, prior to occupation of the replacement dormitories, and shall be maintained at all times thereafter:

i. A dedicated and independent water supply shall be available at all times for firefighting purposes which;
ii. Is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles (safe and convenient access shall be provided), and Comprises a minimum of 2000 litres of water where the property is connected to mains water, or 5000 litres in any other case (Any rainwater tank used for this purpose should be dedicated entirely for firefighting and shall be of non-combustible materials).
iii. The provision of the dedicated water supply for fighting purposes shall comply with the Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements.

Condition 13
The nominated asset protection zone shall be generally clear of vegetation and maintained to minimise the spread of fire between areas of hazardous vegetation and habitable buildings.

Condition 14
Gatherings for the purpose of worship, biblical education and/or meditation involving more than 50 people in a single group shall only occur:

a. within the dining hall or gymnasium; and
b. shall be limited to the hours of 7.00 am to 10.00 pm.

Condition 15
Gatherings in outdoor areas for the purpose of worship or biblical education involving 50 people or less in a single group shall only occur between the hours of 7.00 am to 9.00 pm. Gatherings in outdoor areas for the purpose of meditation involving 50 people or less in a single group may occur up to 11.00 pm.

Condition 16
Organised outdoor activities involving sporting-type activities (such as volleyball, cricket, football and soccer) and games may take place between the hours of 8.00 am and 9.00 pm. Any such activities shall not take place between the Recreational Hall and the eastern-most boundary of the subject land. Organised outdoor activities will only involve people of the Christadelphian faith (students and members) and their immediate family.

Condition 17
Outdoor fires may only occur subject to conditions 15, 16 and this condition as follows:

a. a fire of no more than two square metres in area and contained within an appropriately designed containment device (including but not limited to a brazier, gas heater, etc) may occur in the area adjacent the dining hall;

b. a single bonfire of any size may be lit in the area adjacent to the creek, near the western boundary of the subject land, noting that this restriction does not apply to the fires in (17)a above;

c. no outdoor fire may be lit on total fire ban days unless in accordance with fire ban restrictions;

d. the fires described above may only occur whilst the camp site is occupied for the purposes of a Bible Camp by people (students or members) of the Christadelphian faith and their immediate families;

e. all fires must be extinguished by 11.00 pm;

save that nothing herein contained prevents fires for land management purposes provided they comply with the relevant fire regulations (including being a suitable distance from any buildings on the subject land or adjacent land).

Condition 18
PA systems and amplification shall not be used outside of any buildings after 8.00 pm except for the purposes of implementing the fire action plan (for example evacuation warnings).

Condition 19
All development is to be maintained in a serviceable condition and in good repair with conditions being inspected by or on behalf of the Applicant on a regular basis and repairs conducted in a timely manner.

Condition 20
The perimeter of the property shall be fenced to prevent trespass with signage at intervals of at least 25m warning occupants not to trespass neighbouring land. Where new boundary fencing is required (where boundaries are presently unfenced), the new fencing shall be established, prior to occupation of the dormitory accommodation (hereby approved). Fencing is to be maintained in a serviceable condition and in good repair inspected on a regular basis by or on behalf of the Applicant and repairs conducted in a timely manner. Fencing is to be of post and wire construction and maintained to a standard to prevent trespass onto neighbouring properties. Nothing herein contained affects the rights available to any landowner pursuant to the Fences Act 1975.

Condition 21
The dormitory accommodation shall only be used by people (students or members) of the Christadelphian faith and their immediate families.

Condition 22
Caravans and tents shall only be present on the subject land during Camps or events and shall only be occupied by people (students or members) of the Christadelphian faith and their immediate families.

Condition 23
A responsible person shall be assigned before each Camp. The responsible person shall be provided in advance with all conditions relevant to any activities conducted at the site and have overall responsibility for enforcing adherence to these Conditions by all Camp users. The responsible person shall be required to provide a written statement in advance of that Camp which evidences they have read, understood and will adhere to these requirements.

Condition 24
Buildings other than the dormitories, caravans and tents shall not be used for any form of sleeping accommodation.

Condition 25
Before the use of any new dormitory commences, it's corresponding former building shall have been demolished or otherwise removed from the site.

Condition 26
Prior to occupation of the dormitories, the underfloor area of the building shall be enclosed and shall be painted in the same or a complementary colour to the building, to the reasonable satisfaction of council. The cladding shall be maintained for the life of the dormitories.

Condition 27
This consent, when approved, will also extend the time frame for 960/592/2018. The approval will then lapse 3 years from the operative date of the Development Approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Condition 28
All recommended actions under the disability access plan, approved under the Reserved Matter, shall be implemented, prior to occupation of the dormitory accommodation (hereby approved).

Conditions imposed by DEM - Development Near Pipelines under Section 122 of the Act

Condition 29
Should the relevant authority resolve to grant planning consent to the application, the relevant authority is directed to include as part of the condition the following conditions:

1. Vibrating equipment must not be used within 10 metres of the Pipeline unless vibration monitoring is installed to demonstrate that vibration remains below 50mm/s peak particle velocity at the surface above the Pipeline.

ADVISORY NOTES

Planning Consent

Advisory Note 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.

Advisory Note 2
This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 3
Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years. in which case the approval will not lapse).

Advisory Note 4
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.

Advisory Note 5
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.

Advisory Note 6
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.

Advisory Note 7
You are advised that construction or alteration of any footpath, kerb, gutter or crossover on Council land will require a permit, under the Local Government Act 1999 from Council's Works and Engineering Services. It is illegal to undertake work on Council land without permission.

If the existing entranceway (driveway cross-over) is to be removed it must be re-instated with kerb and gutter, including appropriate restoration of the footpath and verge, to Council's standard specification. Please contact Council's Works and Engineering Services to confirm the required standards.

Driveway cross-overs which affect a pedestrian footpath should maintain the level of the footpath or be consistent with the proposed footpath levels in instances where the footpath has not been constructed. When final Development Approval is applied for this should be shown on the plans. Please note that construction is to be in accordance with the Disability Discrimination Act and relevant Australian Standards.

Advisory Note 8
The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Note 9
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.

Advisory Note 10
The applicant is advised that this consent does not permit anyone to clear, remove limbs or trim native vegetation. Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the Native Vegetation Act 1991, https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide . Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation should be undertaken after first notifying the Native Vegetation Council of intended works.

Advisory Note 11
Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the Environment Protection (Noise) Policy 2007, and such that any resulting noise is not considered a nuisance, to the satisfaction of Council, including any existing infrastructure.

Advisory Notes imposed by DEM - Development Near Pipelines under Section 122 of the Act

Advisory Note 12
DEM requests the following advisory notes be included in any decision notification form issued by the relevant authority, should it determine to grant development authorisation to the application:

1. The proposed development is within the vicinity of the Port Campbell to Adelaide Pipeline (PCA). The applicant is reminded that under section 93 of the Petroleum and Geothermal Energy Act 2000 (PGE Act), a person must not interfere with activities regulated under the PGE Act which are lawfully conducted under a licence.

2. The South Australian section of the PCA is licenced to SEA Gas. Direct contact with SEA Gas on this matter should be through Michael Jarosz on (08) 8236 6836 or via email at development.application@seagas.com.au.

3. From the information provided, DEM understands that there may be construction work (such road upgrade works, excavation or installation of above ground infrastructure/fencing) associated with this development in close proximity to the pipeline. DEM reminds the applicant of the requirement to undertake a Before You Dig Australia (BYDA) enquiry prior to commencement of activities. Through the BYDA process, the pipeline operator

will confirm if the installation must be attended by a representative, and any other conditions for safe work near the pipeline.

4. The applicant is reminded that a Pipeline easement is contained within the vicinity of the application. The applicant must conduct activities pursuant to the conditions of the easement. In particular the Applicant must not undertake any of the following activities without the prior consent of SEA Gas: a. Excavate, dig, drill or change the contour of the easement land; b. Construct or erect any building or other permanent structure on the easement land; c. Plant or cultivate trees on the easement land; or d. Conduct any activity which constitutes a nuisance or hindrance to the exercise by SEA Gas of its rights under the Grant of Easement

CONTACT DETAILS OF CONSENT AUTHORITIES

Name: The Barossa Council	Type of consent: Planning
Telephone: 08 8563 8444	Email: development@barossa.sa.gov.au
Postal address: PO Box 867, Nuriootpa SA 5355	

From: Kevin Casey
To: Development
Subject: [EXTERNAL] Plan ID 23015775 Attn Jennifer Lennon
Date: Thursday, 22 June 2023 9:10:47 AM
Attachments: image003.png
ADA-103 Building H Floor Plan 614A Balmoral Road Cockatoo Valley Issue C.pdf
ADA-102 Building F Floor Plan 614A Balmoral Road Cockatoo Valley Issue C.pdf
ADA-001 Full Site Plan 614A Balmoral Road Cockatoo Valley Issue B.pdf
ADA-002 Partial Site Plan 614A Balmoral Road Cockatoo Valley Issue B.pdf
191107-003D Hebron Site Effluent Disposal Assessment 7 Aug 2020.pdf
Septic Approval WWI-10667 18 August 2020.pdf

CAUTION: This Message originated outside your organization. Treat all attachments and hyperlinks with suspicion.

Hello Jennifer,

Please find attached amended plans in reference to your request for addition documentation for amendments to DA 960/592/2018 dated 07/06/2023

a. Car location shown of ADA-001
b. Location of Septic system is ADA-002, also attached is info re septic system
c. Unfortunately Eric has shown 2 different labels on the amendment of 2020. On sheet 1 he has Building A as a dorm and building B as a classroom, on sheet 2 he has Building A as a classroom and building B as a dorm, his floor plans however are correct and align with sheet 2.
d. Bunk bedding noted
e. It is planned to commence relocation as soon as the necessary approvals are finalise and to cease using them approx. 2 months after Cert of Occupancy given, this will allow final fitout of bedding, curtains etc which is done by volunteers, then the buildings will be either on-sold or demolished and removed from site.
f. Notes added to ADA-001 & 002

Any other questions please contact me directly.

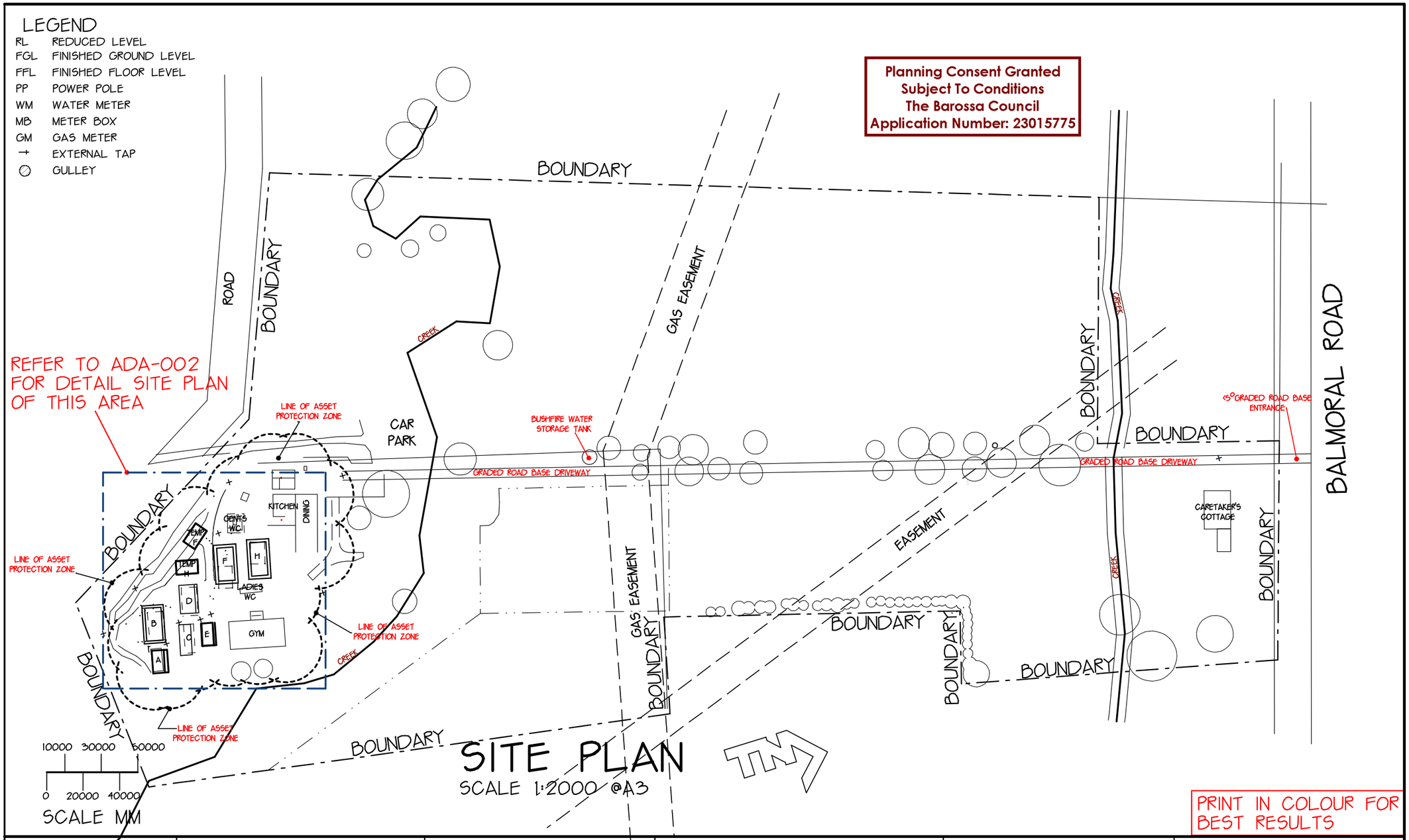
Kind regards

Kevin Casey
Director

KEVIN CASEY DESIGN

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

'we design buildings not just draw plans'
combining client needs + the site + the environment + creativity + expertise
to produce an exceptional space



KEVIN CASEY DESIGN
BUILDING + INTERIOR DESIGNERS

Notes.

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IF IN DOUBT, ASK!

Client: HEBRON BIBLE CAMP
614A BALMORAL RD.,
COCKATOO VALLEY

Project: PROPOSED REPLACEMENT BUILDING. B'LD B,F & H
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

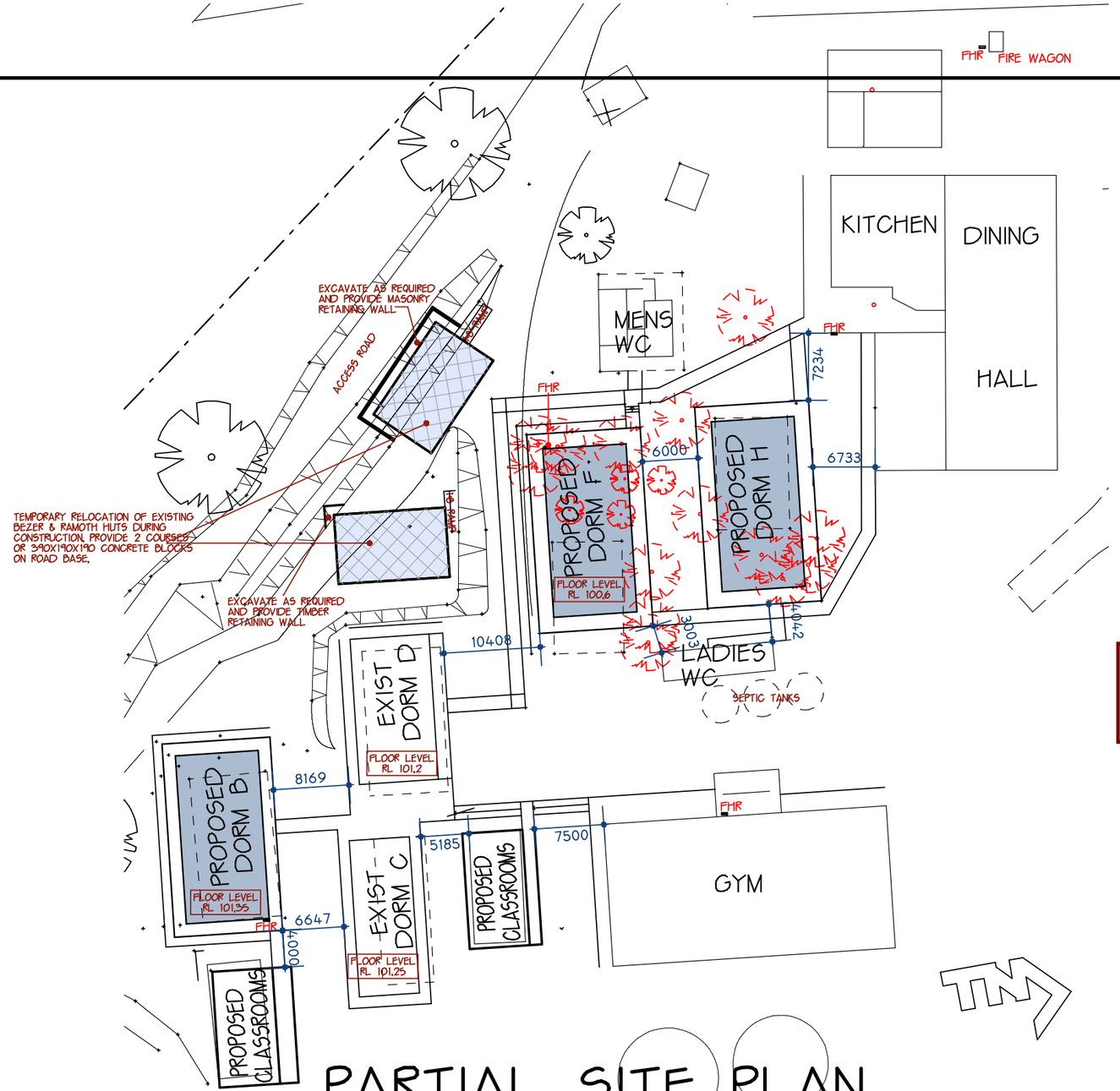
Drawing title: SITE PLAN	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-001	Issue: B

Issue:

#	Description	Date
A	AMENDED COUNCIL SUBMISSION	250523
B	ASSET PROTECTION ZONE & ASSOCIATED NOTES ADDED	210623

LEGEND

RL	REDUCED LEVEL
FGL	FINISHED GROUND LEVEL
FFL	FINISHED FLOOR LEVEL
PP	POWER POLE
WM	WATER METER
MB	METER BOX
GM	GAS METER
⊣	EXTERNAL TAP
⊘	GULLEY
	TREE TO BE REMOVED
FHR	FIRE HOSE REEL



PARTIAL SITE PLAN

SCALE 1:500 @A3

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

REDRAWN

REFER TO SHEET ADA-003 & 004 FOR LEVELS AND CUT & FILL FOR BUILDINGS B, F, AND H.

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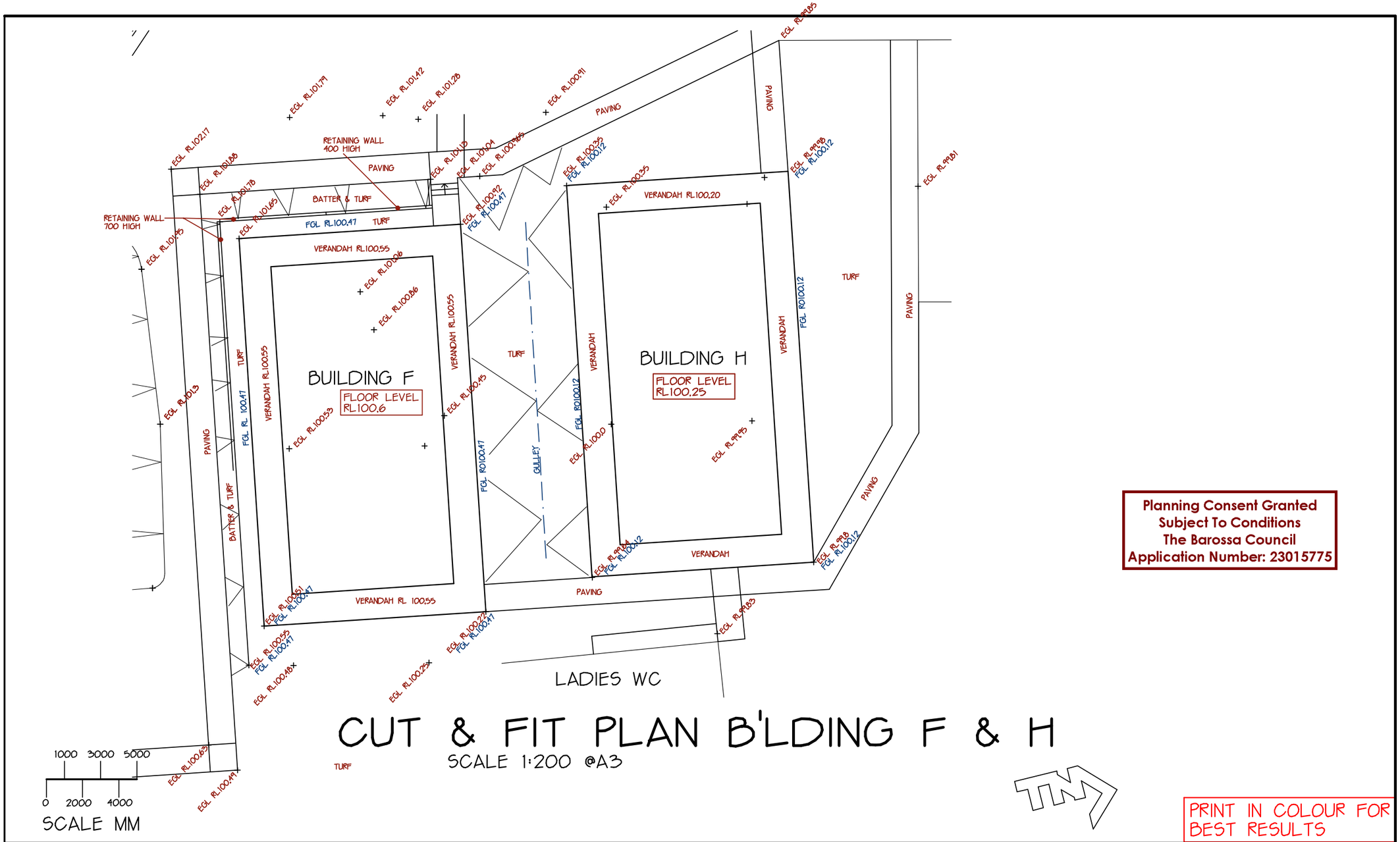
Project:
PROPOSED REPLACEMENT BUILDING. B'LD B,F & H
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title:	PARTIAL SITE PLAN
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-002	Issue: B

Issue:

#	Description	Date
A	AMENDED COUNCIL SUBMISSION	250523
B	FIRE HOSE REELS ADDED	250523



CUT & FIT PLAN B'LDING F & H

SCALE 1:200 @A3

Planning Consent Granted
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The Barossa Council
Application Number: 23015775

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HEBRON BIBLE CAMP
614A BALMORAL RD.,
COCKATOO VALLEY

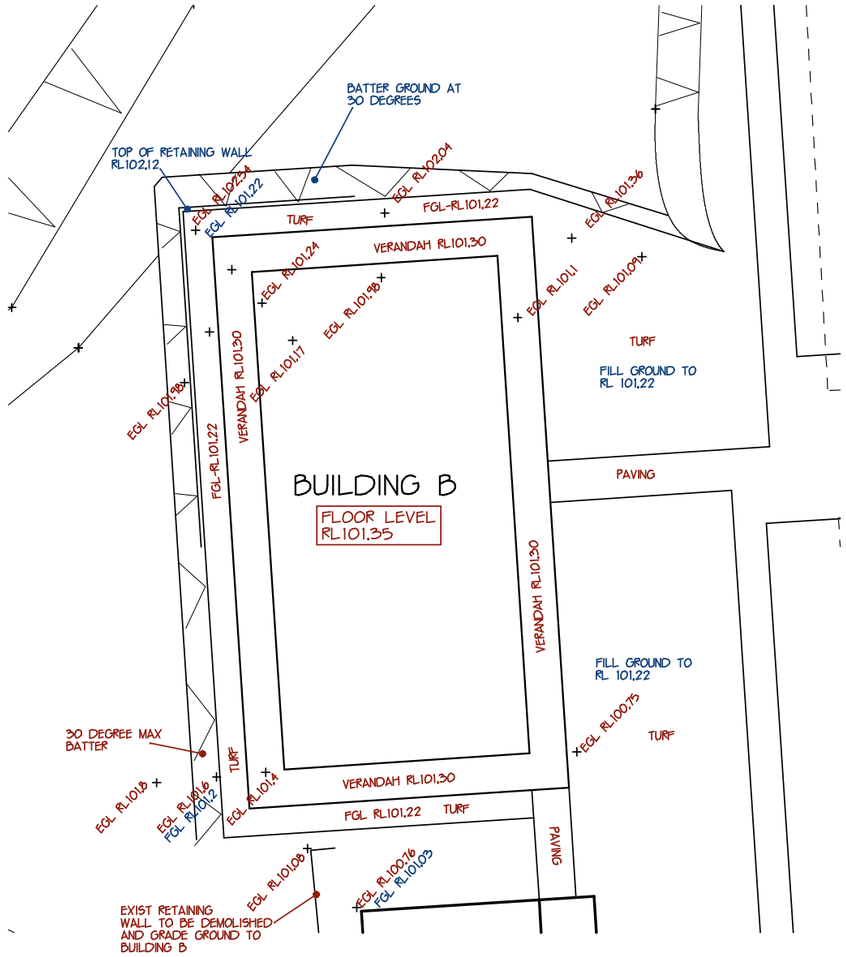
Project:
PROPOSED REPLACEMENT BUILDING. B'LD B,F & H
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title: CUT & FILL PLAN F & H	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-003	Issue: A

Issue:

#	Description	Date
A	AMENDED COUNCIL SUBMISSION	250523



2000 6000 1000
0 4000 8000
SCALE MM

BUILDING B CUT & FILL

SCALE 1:200 @A3

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Application Number: 23015775**

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Project:
PROPOSED REPLACEMENT BUILDING. B'LD B,F & H
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

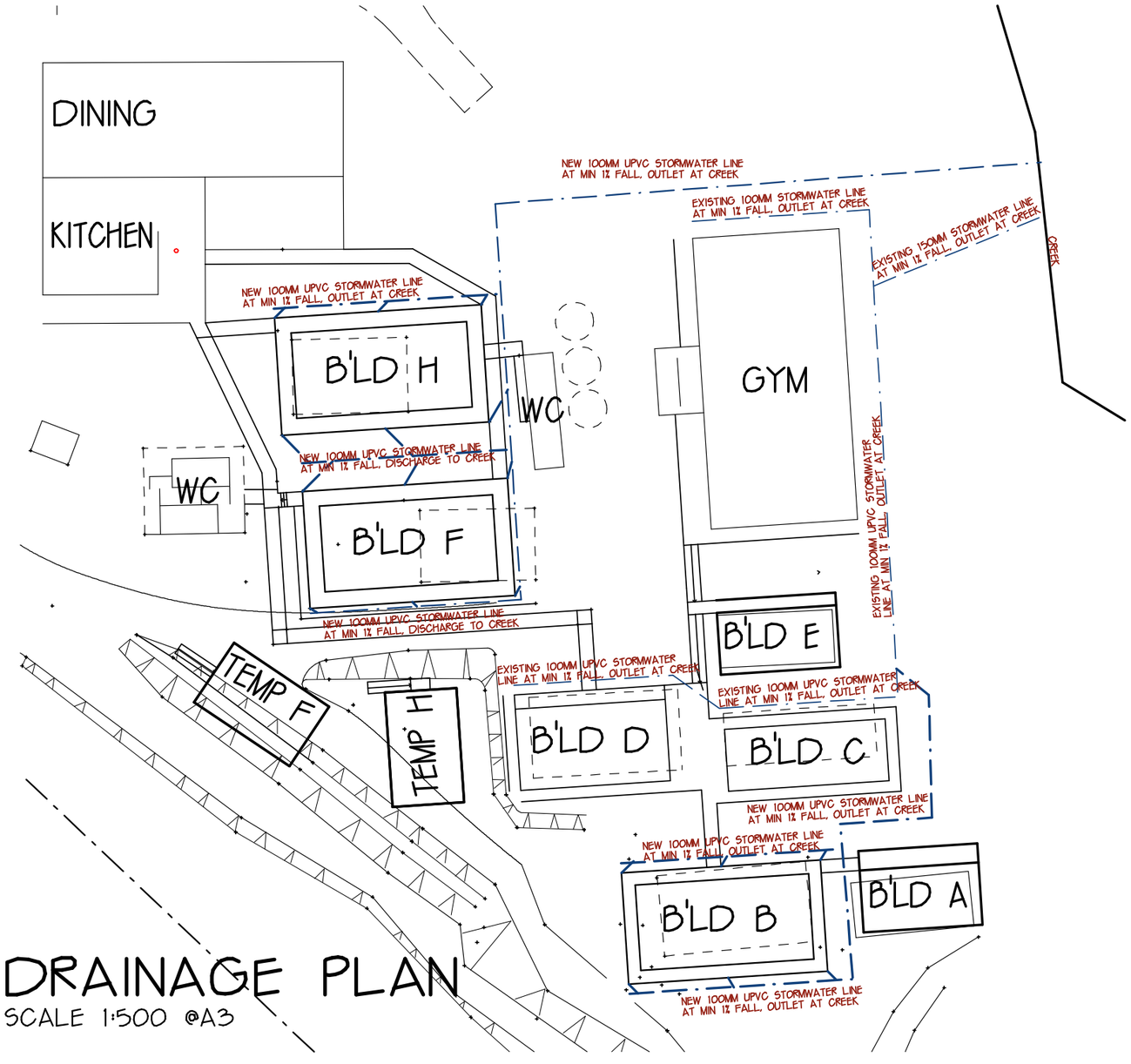
Drawing title: B'LD B CUT & FILL	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-004	Issue: A

Issue:

#	Description	Date
A	AMENDED COUNCIL SUBMISSION	250523

LEGEND

RL	REDUCED LEVEL
FGL	FINISHED GROUND LEVEL
FFL	FINISHED FLOOR LEVEL
PP	POWER POLE
WM	WATER METER
MB	METER BOX
GM	GAS METER
⊣	EXTERNAL TAP
○	GULLEY
-----	EXISTING DRAINAGE LINE
———	PROPOSED DRAINAGE LINE
DP	DOWN PIPE
▨	SURFACE PIT



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Application Number: 23015775

2500 7500 12500
0 5000 10000
SCALE MM

DRAINAGE PLAN
SCALE 1:500 @A3

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COCKATOO VALLEY

Project:
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614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title: DRAINAGE PLAN	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-005	Issue: A

Issue:

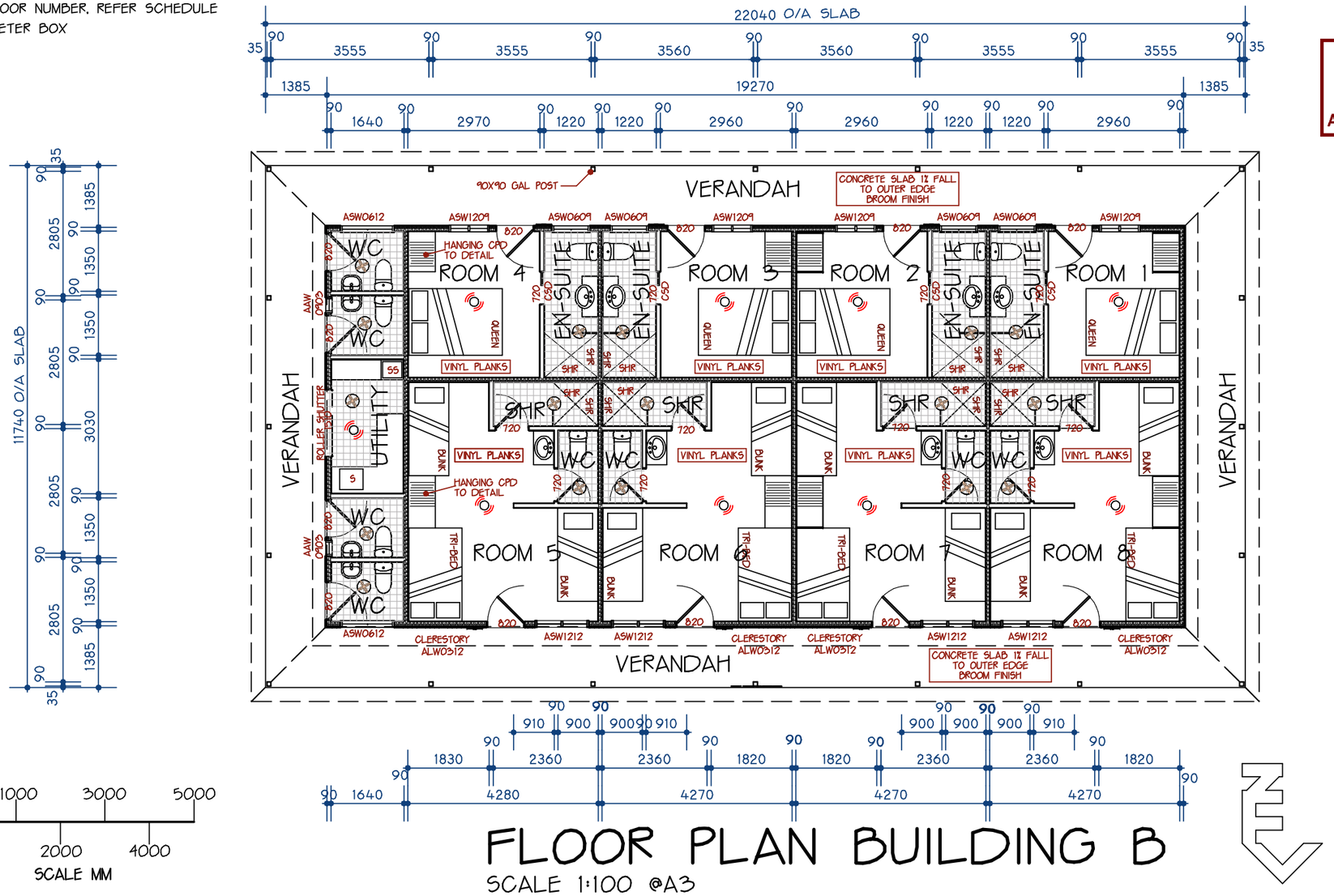
#	Description	Date
A	AMENDED COUNCIL SUBMISSION	250523

LEGEND

RL REDUCED LEVEL
FGL FINISHED GROUND LEVEL
FFL FINISHED FLOOR LEVEL
(W1) WINDOW NUMBER REFER SCHEDULE
(D1) DOOR NUMBER, REFER SCHEDULE
MB METER BOX

AERIAL MAINS
(HW)/(HWW) HOT WATER SYSTEM
GM GAS METER
EXTERNAL TAP
DP DOWN PIPE
SMOKE ALARM
EXHAUST FAN
CEILING FAN
FLOOR WASTE
LINEAR FLOOR GRATE
S.O. STUD OPENING
INTERNAL 60/60/60 STUD WALL
INTERNAL STUD WALL
EXTERNAL STUD WALL
LINE OF ROOF ABOVE

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The Barossa Council
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1000 3000 5000
0 2000 4000
SCALE MM

FLOOR PLAN BUILDING B

SCALE 1:100 @A3

REDRAWN

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COCKATOO VALLEY

Project:
PROPOSED REPLACEMENT BUILDING. B'LD B, F & H
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title: FLOOR PLAN BUILDING B	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-101	Issue: A

Issue:

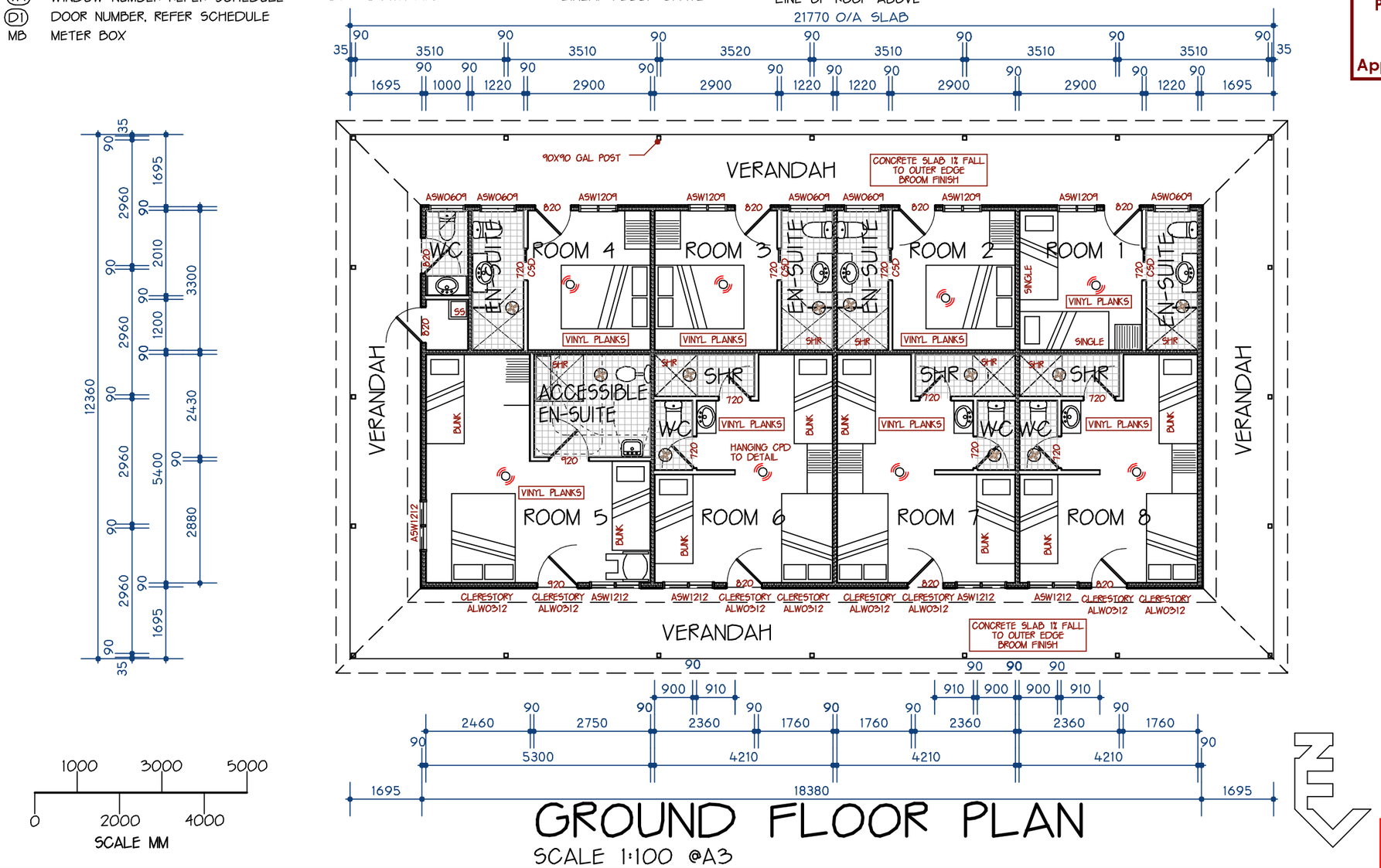
#	Description	Date
A	AMENDED DA SUBMISSION	250323

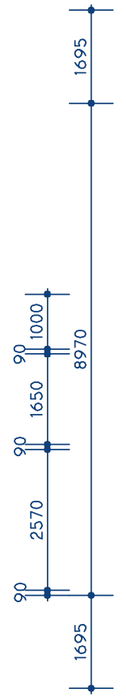
LEGEND

RL REDUCED LEVEL
FGL FINISHED GROUND LEVEL
FFL FINISHED FLOOR LEVEL
(W1) WINDOW NUMBER REFER SCHEDULE
(D1) DOOR NUMBER. REFER SCHEDULE
MB METER BOX

AERIAL MAINS
HW / HRW HOT WATER SYSTEM
GM GAS METER
EXTERNAL TAP
DP DOWN PIPE
SMOKE ALARM
EXHAUST FAN
CEILING FAN
FLOOR WASTE
LINEAR FLOOR GRATE
S.O. STUD OPENING
INTERNAL 60/60/60 STUD WALL
INTERNAL STUD WALL
EXTERNAL STUD WALL
LINE OF ROOF ABOVE

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775





GROUND FLOOR PLAN

SCALE 1:100 @A3

REDRAWN

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COCKATOO VALLEY

Project:
PROPOSED REPLACEMENT BUILDING. B'LD H
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

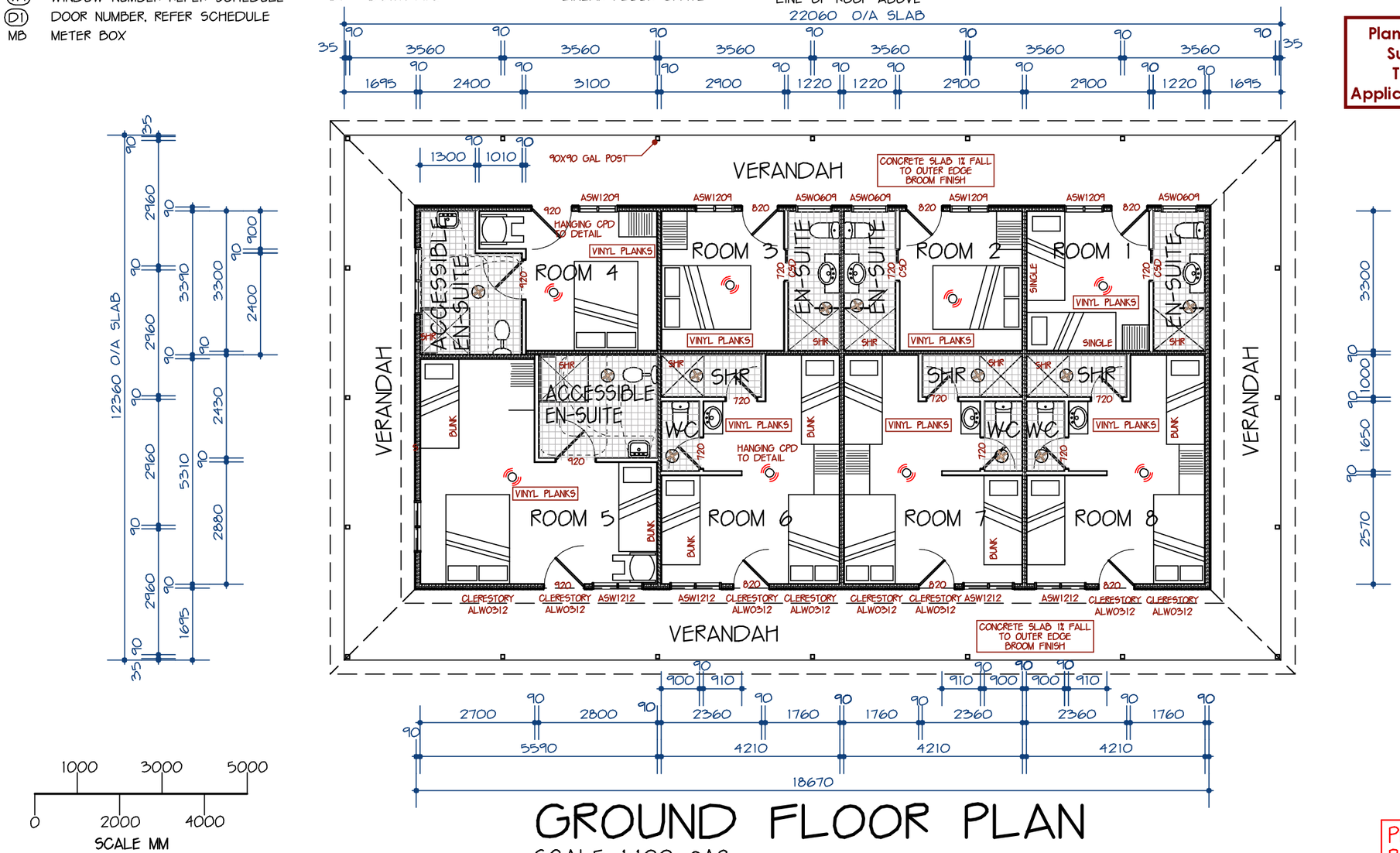
Details:
Drawing title: FLOOR PLAN BUILDING H
Drawn by: KEVIN CASEY
Date: MARCH 2023
Project No: 4040
Scale: AS SHOWN
Drawing No: ADA-103
Issue: C

Issue:

#	Description	Date
A	CLIENT REVIEW	070618
B	AMENDED DA SUBMISSION	250323
C	BUNK BEDS NOMINATED	210623

LEGEND

RL	REDUCED LEVEL
FGL	FINISHED GROUND LEVEL
FFL	FINISHED FLOOR LEVEL
(W1)	WINDOW NUMBER REFER SCHEDULE
(D1)	DOOR NUMBER. REFER SCHEDULE
MB	METER BOX
— ——	AERIAL MAINS
HW / CHW	HOT WATER SYSTEM
GM	GAS METER
→	EXTERNAL TAP
DP	DOWN PIPE
	SMOKE ALARM
	EXHAUST FAN
	CEILING FAN
	FLOOR WASTE
	LINEAR FLOOR GRATE
S.O.	STUD OPENING
	INTERNAL 60/60/60 STUD WALL
	INTERNAL STUD WALL
	EXTERNAL STUD WALL
	LINE OF ROOF ABOVE



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Subject To Conditions
The Barossa Council
Application Number: 23015775

REDRAWN

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GROUND FLOOR PLAN

SCALE 1:100 @A3

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HEBRON BIBLE CAMP
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COCKATOO VALLEY

Project:
PROPOSED REPLACEMENT BUILDING. B'LD F
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title:	FLOOR PLAN BUILDING F
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: AS SHOWN
Drawing No: ADA-102	Issue: C

Issue:

#	Description	Date
A	CLIENT REVIEW	070618
B	AMENDED DA SUBMISSION	250323
C	NOTES ADDED RE BUNKS	210623

LEGEND

E	E PREFIX MEANS EXISTING
RL	REDUCED LEVEL
FGL	FINISHED GROUND LEVEL
NGL	NATURAL GROUND LEVEL
MB	METER BOX
GM	GAS METER
DP	DOWNPIPE, PAINT FINISH
GUT	ZINCALUME GUTTER, COLORBOND FINISH

CLADDING

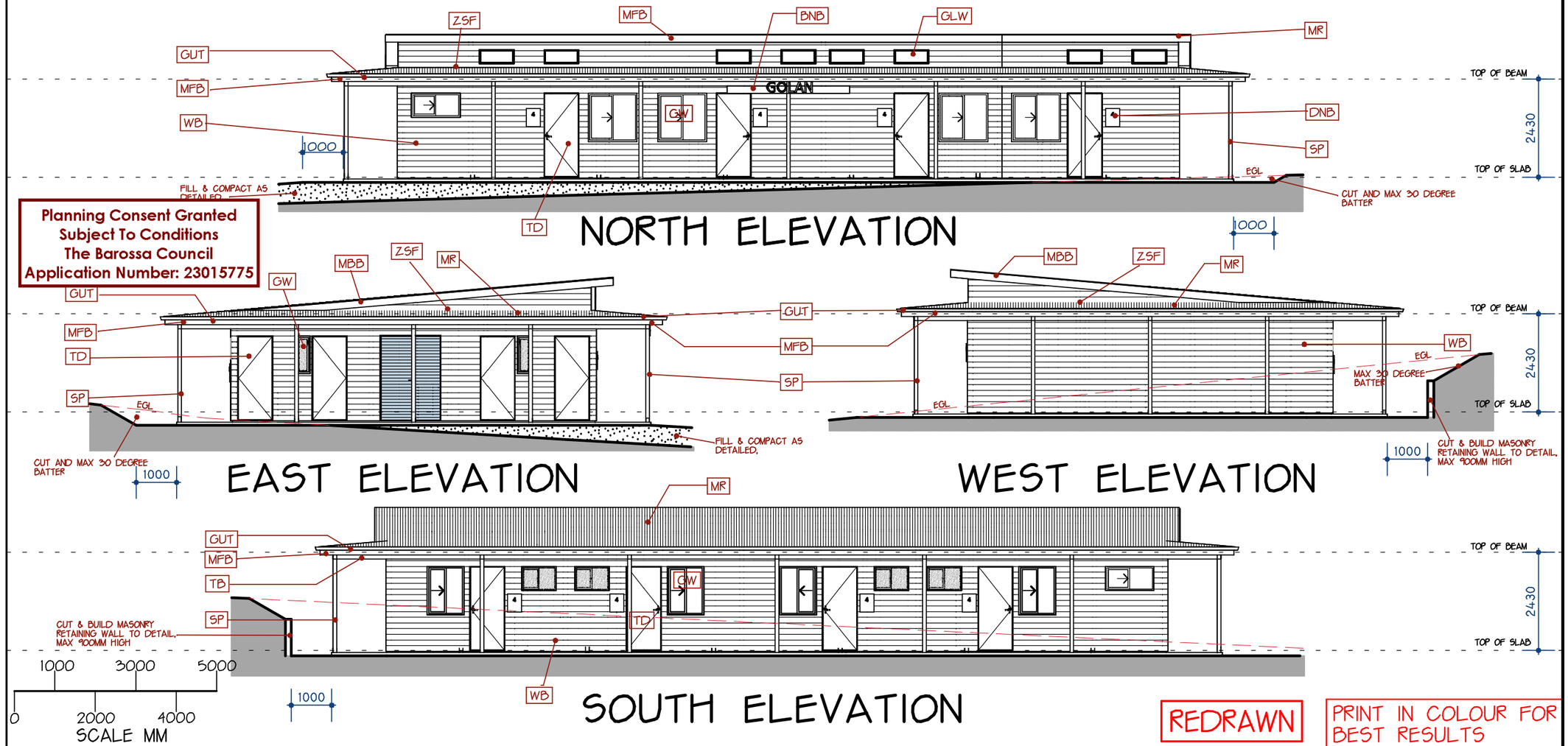
WB	WEATHERTEX SHADOWOOD OVER BREATHERGRADE SISALATION 20MM CAVITY. PAINT FINISH
GW	GLAZED WINDOW, SLIDING ALUMINIUM FRAMED POWDERCOAT FINISH
GLW	GLAZED WINDOW, LOUVRED ALUMINIUM FRAMED POWDERCOAT FINISH
TD	FLUSH SOLID CORE DOOR. PAINT FINISH
CB	70X20 TIMBER CORNER BATTEN AS DETAILED. PAINT FINISH
SP	90X90 GAL POST TO DETAIL. PAINT FINISH

ROOFING

MR	CORRUGATED ZINCALUME STEEL ROOF SHEETING OVER 55MM FOIL BACKED INSULATION BLANKET. COLORBOND FINISH.
ZSF	ZINCALUME STEEL FLASHING, COLORBOND FINISH.
GD	GLAZED DOOR, TIMBER FRAMED, PAINT FINISH

TRIM

MFB	180X31 ZINCALUME STEEL FASCIA, COLORBOND FINISH
MBB	180X31 ZINCALUME STEEL FASCIA, COLORBOND FINISH
DP	90MM DIA UPVC DOWNPIPE. PAINT FINISH.
GUT	115X85 ZINCALUME STEEL QUAD GUTTER, COLORBOND FINISH
TB	240X45 DAR H3 TIMBER BEAM TO DETAIL. PAINT FINISH.
BNB	BUILDING NAME BOARD TO DETAIL
DNB	DOOR # BOARD TO DETAIL



Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

REDRAWN

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COCKATOO VALLEY

Project:
PROPOSED REPLACEMENT BUILDING. B'LD B
614A BALMORAL RD.,
COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title: ELEVATIONS BLOCK B	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: 1:100 @ A3
Drawing No: ADA-201	Issue: B

Issue:

#	Description	Date
A	AGM PRESENTATION	160323
B	AMENDED DA SUBMISSION	250323

LEGEND

E	E PREFIX MEANS EXISTING
RL	REDUCED LEVEL
FGL	FINISHED GROUND LEVEL
NGL	NATURAL GROUND LEVEL
MB	METER BOX
GM	GAS METER
DP	DOWNPIPE, PAINT FINISH
GUT	ZINCALUME GUTTER, COLORBOND FINISH

CLADDING

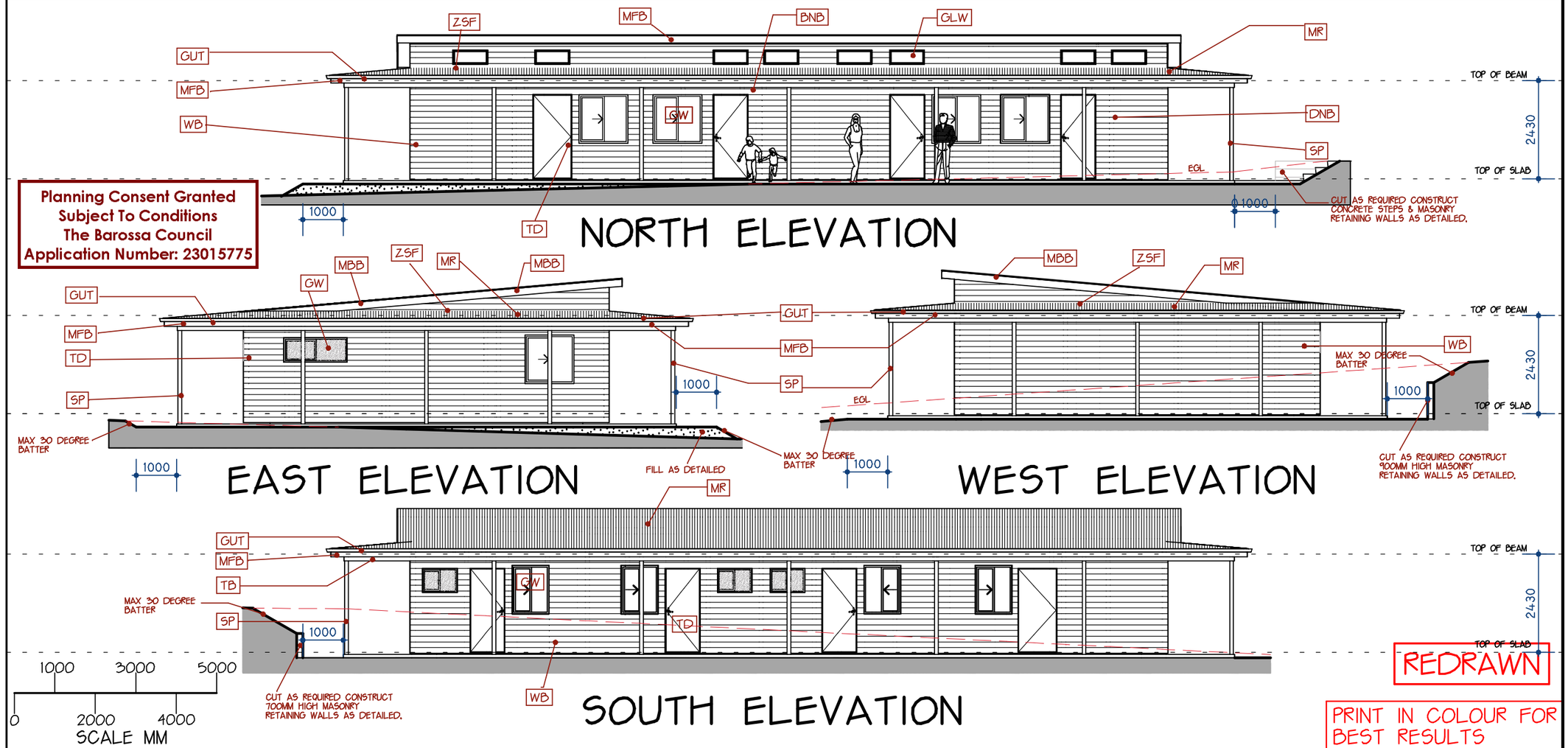
WB	WEATHERTEX SHADOWOOD OVER BREATHERGRADE SISALATION 20MM CAVITY. PAINT FINISH
GW	GLAZED WINDOW, SLIDING ALUMINIUM FRAMED POWDERCOAT FINISH
GLW	GLAZED WINDOW, LOUVRED ALUMINIUM FRAMED POWDERCOAT FINISH
TD	FLUSH SOLID CORE DOOR. PAINT FINISH
CB	70X20 TIMBER CORNER BATTEN AS DETAILED. PAINT FINISH
SP	90X90 GAL POST TO DETAIL. PAINT FINISH

ROOFING

MR	CORRUGATED ZINCALUME STEEL ROOF SHEETING OVER 55MM FOIL BACKED INSULATION BLANKET. COLORBOND FINISH.
ZSF	ZINCALUME STEEL FLASHING, COLORBOND FINISH.
GD	GLAZED DOOR, TIMBER FRAMED, PAINT FINISH

TRIM

MFB	180X31 ZINCALUME STEEL FASCIA, COLORBOND FINISH
MBB	180X31 ZINCALUME STEEL FASCIA, COLORBOND FINISH
DP	90MM DIA UPVC DOWNPIPE. PAINT FINISH.
GUT	115X85 ZINCALUME STEEL QUAD GUTTER, COLORBOND FINISH
TB	240X45 DAR H3 TIMBER BEAM TO DETAIL. PAINT FINISH.
BNB	BUILDING NAME BOARD TO DETAIL
DNB	DOOR # BOARD TO DETAIL



Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

REDRAWN

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THESE PLANS SHALL BE READ IN CONJUNCTION WITH SPECIFICATION.
IF IN DOUBT, ASK!

Client:
HEBRON BIBLE CAMP
614A BALMORAL RD., COCKATOO VALLEY

Project:
PROPOSED REPLACEMENT BUILDING. B'LD F
614A BALMORAL RD., COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title: ELEVATIONS BLOCK F	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: 1:100 @ A3
Drawing No: ADA-202	Issue: A

Issue:

#	Description	Date
A	AMENDED DA SUBMISSION	250323

LEGEND

E	E PREFIX MEANS EXISTING
RL	REDUCED LEVEL
FGL	FINISHED GROUND LEVEL
NGL	NATURAL GROUND LEVEL
MB	METER BOX
GM	GAS METER
DP	DOWNPIPE, PAINT FINISH
GUT	ZINCALUME GUTTER, COLORBOND FINISH

CLADDING

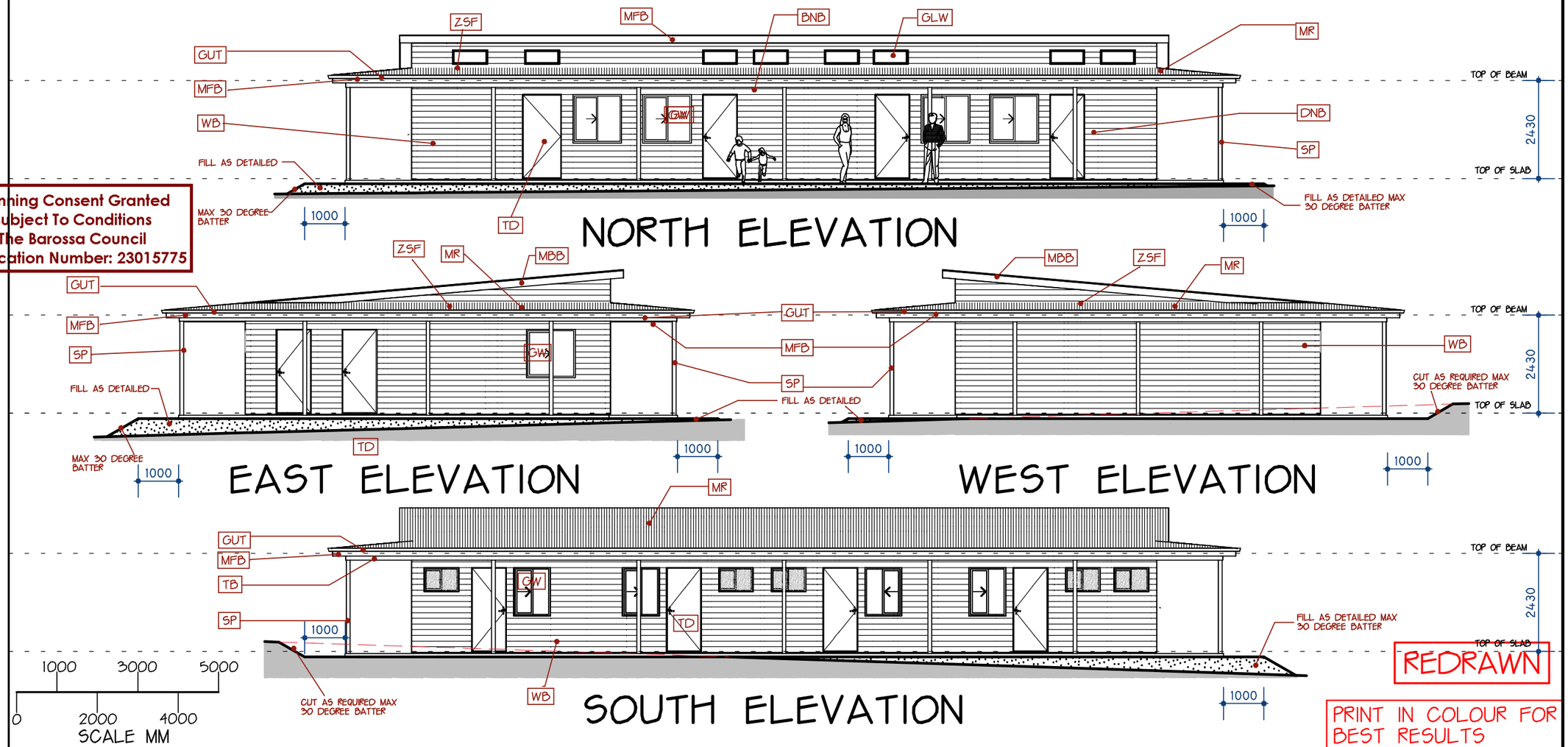
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Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

REDRAWN

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Client:
HEBRON BIBLE CAMP
614A BALMORAL RD., COCKATOO VALLEY

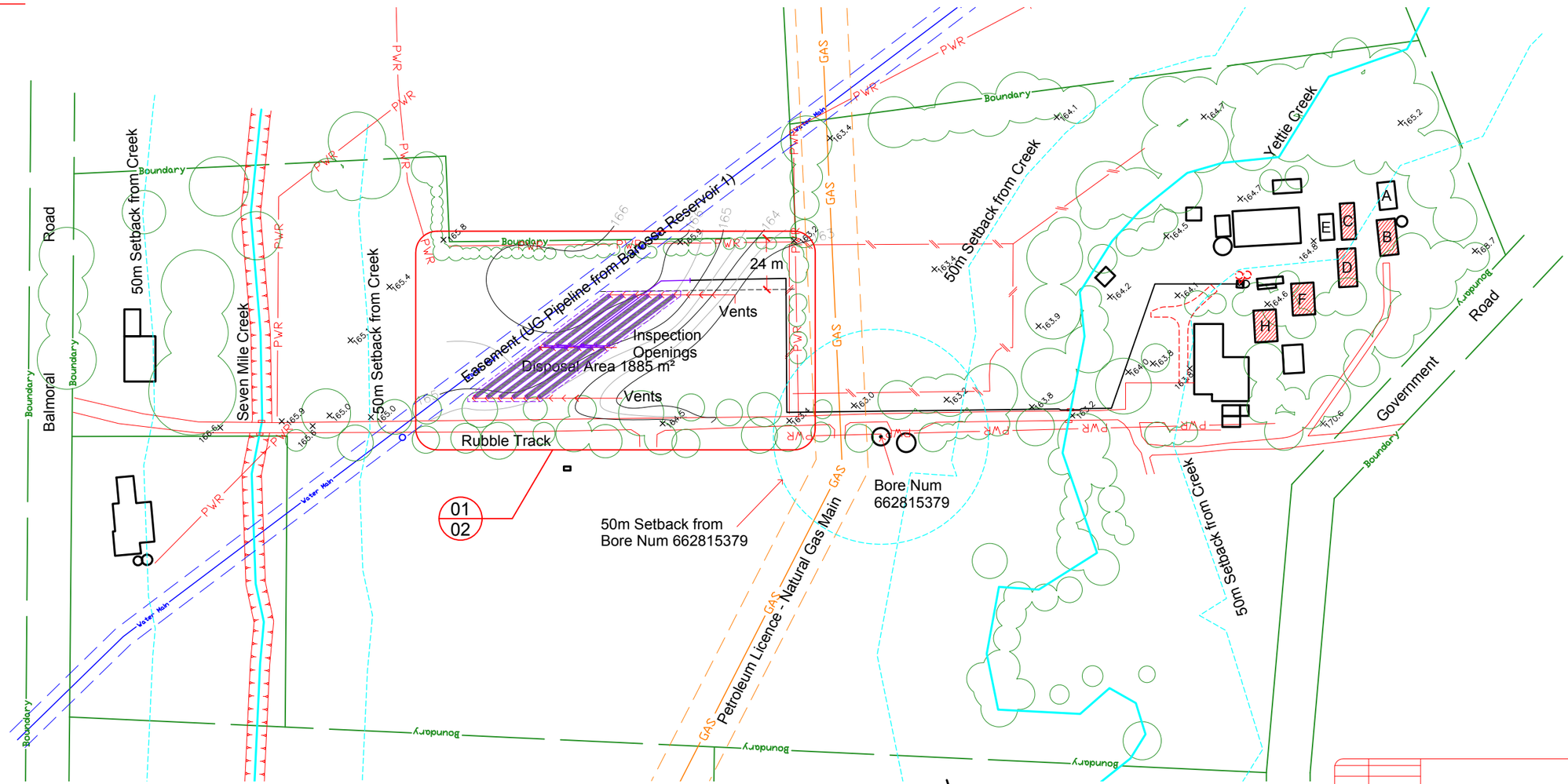
Project:
PROPOSED REPLACEMENT BUILDING. B'LD H
614A BALMORAL RD., COCKATOO VALLEY
LOT 201 DP 45942

Details:

Drawing title: ELEVATIONS BLOCK H	
Drawn by: KEVIN CASEY	Date: MARCH 2023
Project No: 4040	Scale: 1:100 @ A3
Drawing No: ADA-203	Issue: A

Issue:

#	Description	Date
A	AMENDED DA SUBMISSION	250323



01 SITE PLAN
\- 1:2000

Title Details:

Street Address: 614A BALMORAL RD
Suburb: COCKATOO VALLEY
Postcode: 5351
Property Details:
Council: THE BAROSSA COUNCIL
Hundred: BAROSSA
Valuation Number: 9693307005
Title Reference: CT5897/233
Plan No. Parcel No.: D45942A201

Notes:

1. Cadastral infromation from SAPPA (South Australian Property and Planning Atlas)
2. The location of boundarys, easments, infrastructure and watercourses infromation sourced from Location SA Map Viewer
3. This is a single parcel that has been expanded since the original approval for 616 Balmoral Rd.
4. The new Disposal Field overlay the exisitng disposal feild that did no comply with the previous approval.
5. The Distribution box and Aggregate from the existing field may be reused.

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

Rev.	Date	Amendments	Dr	Ch
B	06/04/20	Design Revised, Inlets moved to centre of trench	LM	RG
A	03/02/20	Issued For Review	LM	RG

Hebron
Christadelphian Bible Camp Inc
614B Balmoral Rd,
Cockatoo Valley SA 5351

Factor UTB
SEPARATING WATER FROM WASTE
305A UNLEY ROAD, MALVERN SA AUSTRALIA 5061
Tel: +61 (08) 8271 6044, Email: Enquiries@factorutb.com.au

Issued For Review

Do not scale drawing - all dimensions to be verified on site - if discrepancies occur, confirm dimensions and levels on site with engineer before commencing work.

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Project
Wastewater Treatment System
616 Balmoral Road, Cockatoo Valley, SA, 5351

Drawing
Site Plan

Drawn LM
Engineer RG

Date: 21 Jan 2020
Scale: 1:100 @ A3

Job No. 191107
Dwg No. 01
Rev. B

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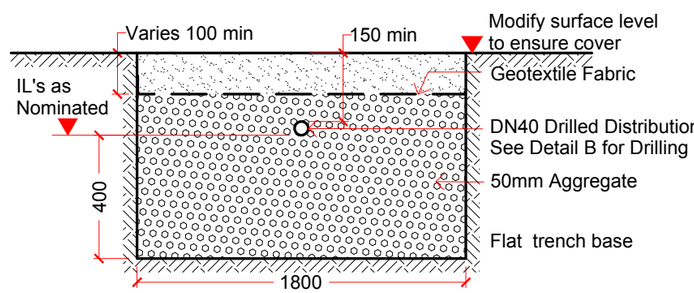
Notes:

1. The new Disposal Field overlays the existing disposal field that did no comply with the previous approval.
2. The Existing Field is to be removed. The trench contents including the gravel are to be removed from the area and disposed of. The old trenches are then to be backfilled with sand.
3. The levels on the plan are calculated using interpolation of existing site data. The contractor is to amend the levels to comply with the trench details and provide even distribution of wastewater
4. Existing System shown in green dashed.
5. Location of Existing Services has not been verified. Constructor to verify location before commencing work.

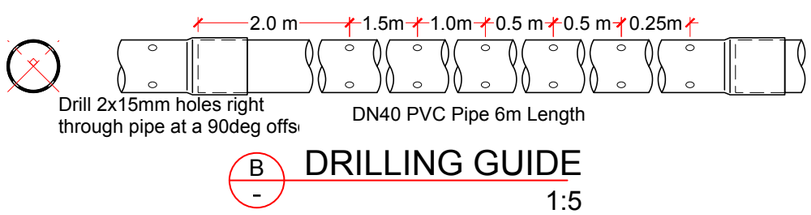
Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

Boundary
PWR
Water Main
Easement (UG Pipeline from Barossa Reservoir 1)
Soil can be moved from this area
RL 166.0
IL 164.90
IL 164.83
IL 164.76
IL 164.69
IL 164.62
IL 164.55
Vents
24 m
Join to existing Rising Main
New RL 164.50 min
RL 164.00
Existing Rising Main From Pump Station
50m Setback from Bore Num 662815379
2 Port Indexing Valve
FIMCO F6002F
Existing Trenches to be removed
See Notes
51.34 m
RL 165.00
81 m
Inspection Openings
6 Port Indexing Valve
FIMCO F6006F
Disposal Area 1885 m²
1.8 m Trench
39 m
1.8 m Spacing
Vents
Additonal Soil to be
placed to maintain cover
RL 164.75
RL 164.00
New RL 164.50 min
Rubble Track
33.85 m

01 - DISPOSAL FIELD 1:500



02 - SOAKAGE TRENCH DETAILS at 2.4m Spacing 1:20



B - DRILLING GUIDE 1:5

1:20 0 0.2 0.4 0.6 0.8 1 METRE
1:500 0 5 10 15 20 25 METRES

\\Server\shared\Projects\2019_Projects\191107 - Christadelphian Camp\Drawings\191107 Site C.tcw

Rev.	Date	Amendments	Dr	Ch
C	30/07/20	Note abour existing feild removal added	LM	RG
B	27/07/20	Design Revised, Inlets moved, Indexing Valves Added	LM	RG
A	03/02/20	Issued For Review	LM	RG

Hebron
Christadelphian Bible Camp Inc
614B Balmoral Rd,
Cockatoo Valley SA 5351

Factor UTB
SEPARATING WATER FROM WASTE
305A UNLEY ROAD, MALVERN SA AUSTRALIA 5061
Tel: +61 (08) 8271 6044, Email: Enquiries@factorutb.com.au

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Project
Wastewater Treatment System
616 Balmoral Road, Cockatoo Valley, SA, 5351

Drawing: Disposal Field
Drawn: LM
Engineer: RG
Date: 21 Jan 2020
Scale: 1:100 @ A3
Job No. 191107
Dwg No. 02
Rev. C

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

Yettie Creek

Shed

51.28 m Closest Point Setback

Shed

Shed

Shed

Recreation Hall

Tank

Boundary

Classroom A

Classroom E

Dormitory C

Dormitory B

Tank

Dormitory D

New Septic Tank 20kL

New Emergency Overflow Storage Tank 2 x 20kL In Ground

50m Setback from Creek

Pump Shed

Existing Rising Main to Disposal Field

WC & Showers

Dormitory F

See Drawings 191107-05,-06,-07,-08 for Drainage Plumbing Layouts of new Buildings

Existing Septic Tank 20kL

Grease Trap Condition to be checked

Dormitory H

Locations of exisiting pipes are assumed and are to be confirmed by the Plumbing Contrator

Toilet & Showers

83.79 m Effective Setback Downslope to watercourse

Access For Pumpout

Dining Hall

Kitchen

Caravan Park

Shed

Laundry

Shed

Rubble Track

PWR

Rubble Track

Boundary

\\Server\shared\Projects\2019_Projects\191107 - Christadelphian Camp\Drawings\191107 Site C.tcw

01
-

EXTERNAL SEWER PLAN
1:500

N

LEGEND
Existing Sanitary Drain
New Sanitary Drain
New I.O. on Sanitary Drain

Rev.	Date	Amendments	Dr	Ch
G	07/08/20	2nd Emergnecy Overflow Storage Tank Added	LM	RG
F	05/08/20	Storage Tank Removed, Septic Tanks in Series	LM	RG
E	30/07/20	Storage Tanks Added	LM	RG
D	08/07/20	Overflow Tank Added	LM	RG
C	06/04/20	Dormitory IOs and Pipes Detailed	LM	RG
B	02/03/19	Dorm D Drains Split between new and old tanks	LM	RG
A	03/02/20	Issued For Review	LM	RG



Hebron
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614B Balmoral Rd,
Cockatoo Valley SA 5351

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Issued For Review

Project
Wastewater Treatment System
616 Balmoral Road, Cockatoo Valley, SA, 5351

Drawing
Sewer Plan

Drawn LM
Engineer RG

Date: 21 Jan 2020
Scale: 1:100 @ A3

Job No. 191107

Dwg No. 03

Rev. G

HEBRON
CHRISTADELPHIAN BIBLE CAMP INC.

DATE 27/10/2023

Re: Hebron Development No: 15775/2023

Attention: Barossa Council Senior Assessment Officer

Dear Janine,

We would like to thank you for all the work you have put in so far to considering our current application and the opportunity to address and clarify matters raised at the DAP meeting dated 3rd October 2023. We would like to also thank the neighbours for their feedback as to their concerns, as feedback is not often provided. While we have already responded to their submissions prior to the DAP meeting, we acknowledge that some of their concerns may have come from the Camp's users, and some may not. The following is a response to your letter dated 11 October 2023 in which we clarify the items raised.

The nature of the use of the site has not changed over the last 35 years and doesn't plan to in the foreseeable future. It's a Campsite for Christadelphians, with a Biblical focus. That said, it is used by people of all ages, and activities do include sports, games etc, both inside and outside.

The total number of persons permitted on the site at any one time is 350. The number of persons house overnight in the accommodation buildings is 144. Both of these numbers have been clarified several times over the years.

The Campsite has a handbook for users which is added to from time to time. It includes Rules which are to be read out to the attending group at the start of each camp. Many of them go over and beyond the reasonable rights use of the land in a restrictive sense, and the rights use of all our neighbours, but are tailored to help keep good relations with neighbours. They include the following from the handbook:

THE FOLLOWING ARE NOT PERMITTED AT HEBRON

- Pets
- Firearms / fireworks or accelerants for fires
- Alcohol, Cigarettes, Vaping (e-cigarettes) or smoking in any form.
- Trail Bikes, quad bikes or similar Off Road Vehicles
- Music that can be heard by neighbours
- Stockwhips, Megaphones or Whistles used in open air
- Portable fan heaters

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

- There is to be absolutely NO trespassing onto neighbouring properties at any time.

- Take care at all times to avoid any aggravation to the neighbours, and to avoid frightening the stock in neighbouring paddocks.

- Noise levels around the campsite must be greatly reduced after 10pm.

Due to the comments about drones from over three years ago, which we don't know if the alleged drones came from the campsite, the committee has decided to ban drone use from the site except for special authorisation from the camp committee or the caretaker, which

would only be for camp group photos in the lawned area near the current buildings or for inspecting gutters of the Gym building.

The Committee of Management for the campsite has had a meeting since the October DAP meeting, and decided implement the following actions with the aim to help prevent any alleged wrongdoings to add to the handbook the restriction on use of drones.

- Survey rear boundary of approximately 150 metres adjacent new road constructed by the Council in 2023 and construct a post and wire fence.
- Fix up any damaged fences on the remaining 200m of southern fencing, The remaining 1600mm of fencing we understand to be in good condition, but will be double checked in the next few weeks.
- Add some more screening trees to areas where trees have died or where neighbours make direct view into the main camp area to reduce the direct transmission of sound.
- Take additional measures to ensure that the self-imposed campsite rules are understood and obeyed consistently, and if there are breaches, provide prompt feedback to the persons responsible and their hosts so they are not repeated.

With regards to one neighbour's concerns about the traffic level and speed on Balmoral Rd, while we don't want to add this to our development, we have observed a lot of through traffic passing by. Seeing there are a significant number of new dwellings and hence driveways entering that short section of Balmoral Rd, if a neighbour wanted to suggest to either the Barossa Council or the relevant department a reduction in the speed limit, we would support that, for the safety of all residents.

We hope this clarifies the uncertainty that the DAP panel may have had on 3rd October, and if you have any further questions regarding the buildings and the site in general, we would like to hear from you.

Also, if there has been an alleged incident that one of our neighbours has concerns about it would be appreciated if the camp caretaker was informed of this as soon as possible (not months or years later) so the committee may follow up and where necessary take action

Kind regards, Daniel Evans

Christadelphian Bible Camp Secretary

Planning Consent Granted
Subject To Conditions
The Barossa Council
Application Number: 23015775

6.3 24016043 - 1312 Barossa Valley Way Lyndoch

APPLICANT:	Jordan Hunt of Future Urban on behalf of the Applicant, Autra Resort Pty Ltd
REPRESENTORS TO BE HEARD:	Emily Stabolidas Phillip Olner Christopher Stabolidas Cathy Wills on behalf of the Barossa Region Residents Association Brett Collins Khalee Field Richard Hall and also representing Margaret Paton and Christopher Parkes

APPLICATION DETAILS

PROPOSAL	Construction of six (6) tourist accommodation buildings and associated vehicular access, car parking and landscaping
APPLICANT	Autra Resort Pty Ltd
OWNER	BFW Holding Pty Ltd
APPLICATION NO	24016043
CERTIFICATE(S) OF TITLE	CT 6296/847 CT 6296/848
AREA	75,772 sqm
CURRENT USE	Primary Production (vineyard), Detached Dwelling, Cellar Door and two agricultural buildings
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.10 - 6 June 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) Limited Land Division Native Vegetation Prescribed Water Resources Area Traffic Generating Development Urban Transport Routes Water Protection Area
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified – No Sign Required
REFERRALS	Commissioner of Highways
PREVIOUS APPLICATIONS	960/529/2003 – Barrel Store 960/61/2012 – Land Division

	960/546/2019 – Additions and alterations to an existing winery – expansion from a maximum of 50 tonne/annum processing to a maximum of 500 tonne/annum processing; construction of three additional winery buildings, 3 x 61kl rain water tanks, associated earthworks and retaining walls up to 2.4m high (lapsed) 960/28/2020 – Installation of one x single-sided advertising display 960/224/2020 – Installation of a free-standing pylon sign; advertising cellar door 23014800 – Land Division – Boundary Realignment (3 into 3)
ASSESSING OFFICER	Paul Vivian (Consultant)
RECOMMENDATION	That Planning Consent be GRANTED subject to Reserved Matters and Conditions

INTRODUCTION

The applicant seeks Development Authorisation for "*Construction of six (6) tourist accommodation buildings and associated vehicular access, car parking and landscaping*" at 1312 Barossa Valley Way, Lyndoch.

The proposal was determined to be Performance Assessed in nature and requiring public notification. The application was also subject to referral to the Commissioner of Highways.

Public Consultation commenced on the 31 July 2024 and concluded on the 20 August 2024, whereby 16 representations were received with nine wishing to be heard. The applicant has provided a response to the representations.

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 the representors have indicated a desire to be heard in support of their representation.

The original application comprised two elements, one being the tourist accommodation, comprising seven (7) accommodation buildings and the second being the construction of a large agricultural building. Based on staff feedback and concerns raised by the representors the applicant has amended the application by removing one tourist building, reducing the number of visitor car parking spaces and omitting the agricultural building from the application (an existing shed will be retained).

There is existing viticultural activity on the subject land operated by Burge Family Winemakers. The viticultural land holdings have reduced in size since the sale and division of adjoining viticultural land to facilitate the expansion of the Lyndoch Recreation Park to the south-east. Notwithstanding, the subject land retains the balance of vineyards and the proposed tourist accommodation is in association with the primary use of the land for rural production. This meets Desired Outcome (DO) 1.1 of the Rural Zone.

The primary concerns with the original application were the proposed number of tourist accommodations and their combined floor area, the elongated (non-compact) form of tourist development and adverse impact on the rural character. The proposed agricultural building was significantly oversized, had limited boundary setbacks and was proportionally too large in scale on this relatively small viticultural allotment.

The applicant has outlined the challenging economic realities of winemaking since 2019 and the need to diversify economic revenue by introducing a further enterprise on the land in the nature of tourist accommodation which is a form of value adding anticipated in the Rural Zone.

The amended proposal satisfactorily addresses concerns raised during assessment and public notification, in particular, the achievement of a more compact form of development, reduction in the overall footprint of accommodation, improvements to landscaping and removal of the large agricultural building. The revised application before the Panel is considered to be, on balance, sufficiently consistent with the provisions of the Planning and Design Code to warrant grant of Planning Consent.

SITE AND LOCALITY

The subject land covers an area of 7.75 hectares and has an irregular shape, with a curving southeastern boundary that borders former vineyard property once owned by Burge Family Winemakers (now part of the Lyndoch Recreation Park redevelopment). The site is currently owned and managed by BFW Holding Pty Ltd.

The site has an approximate frontage to Barossa Valley Way of 274 metres and a maximum depth of almost 230 metres. The site is bound to the north-west by a vineyard, to the south/south-west by a rail corridor and the rear yards of properties facing Potter Lane, to the north and north-east across Barossa Valley Way by vineyards and Kies Cellar Door and to the south-east by future expansion of the Lyndoch Recreation Park.

Barossa Valley Way is a two-way, two-lane arterial roadway under the care and control of the Department for Infrastructure and Transport (DIT).

The locality is considered to extend across Barossa Valley Way incorporating the rural properties between the arterial road and Lyndoch Creek and to extend east and west of the site to incorporate existing vineyards and the Lyndoch Recreation Park. There is a physical interface with the rail corridor and Bevilaqua Terrace/Potter Lane to the south and nearby dwellings, many with a view onto the subject land. There is potential for dwellings within close proximity to the site to be affected by noise, lighting, traffic or other impacts. Therefore, they form part of the assessment locality.

There is a signed entry onto Barossa Valley Way and an existing internal driveway that links the existing 200 square metre cellar door, detached dwelling and the two agricultural outbuildings already located on the subject land. The site contains a mix of mature trees and vegetation set amongst the existing vines.

The detached dwelling is setback approximately 120 metres from the front boundary with the cellar door set slightly closer to the street. The cellar door is served by informal car parking. A line of mature vegetation along the rear boundary frames the property

in views from the Barossa Valley Way and is further exemplified by the gentle rise in topography from the front to the rear of the site.

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

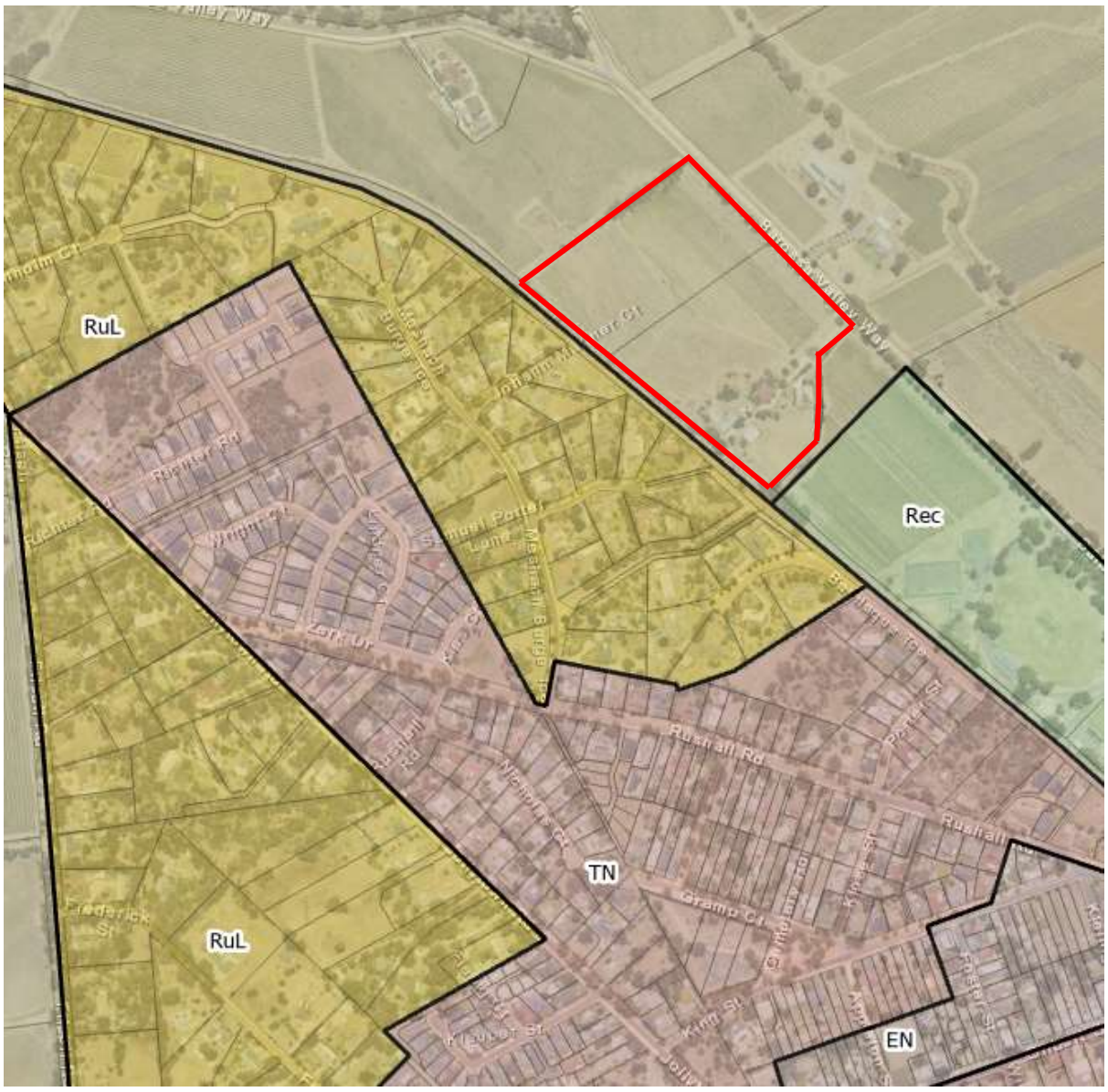


Figure 1: *Zone Map and Locality*

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

Figure 4 provides a legend for the site photos provided in ***Figure 5*** to ***Figure 21.***



Figure 2: *Aerial – Locality, subject site in red*



Figure 3: *Aerial – Site*



Figure 4: *Legend for Site Photo Reference Plan*



Figure 5: *Barossa Valley Way looking south – Number 1 on Legend*



Figure 6: *Barossa Valley Way looking south – Number 2 on Legend*



Figure 7: *Barossa Valley Way looking south-east – Number 3 on Legend*



Figure 8: *Barossa Valley Way looking west – Number 4 on Legend*

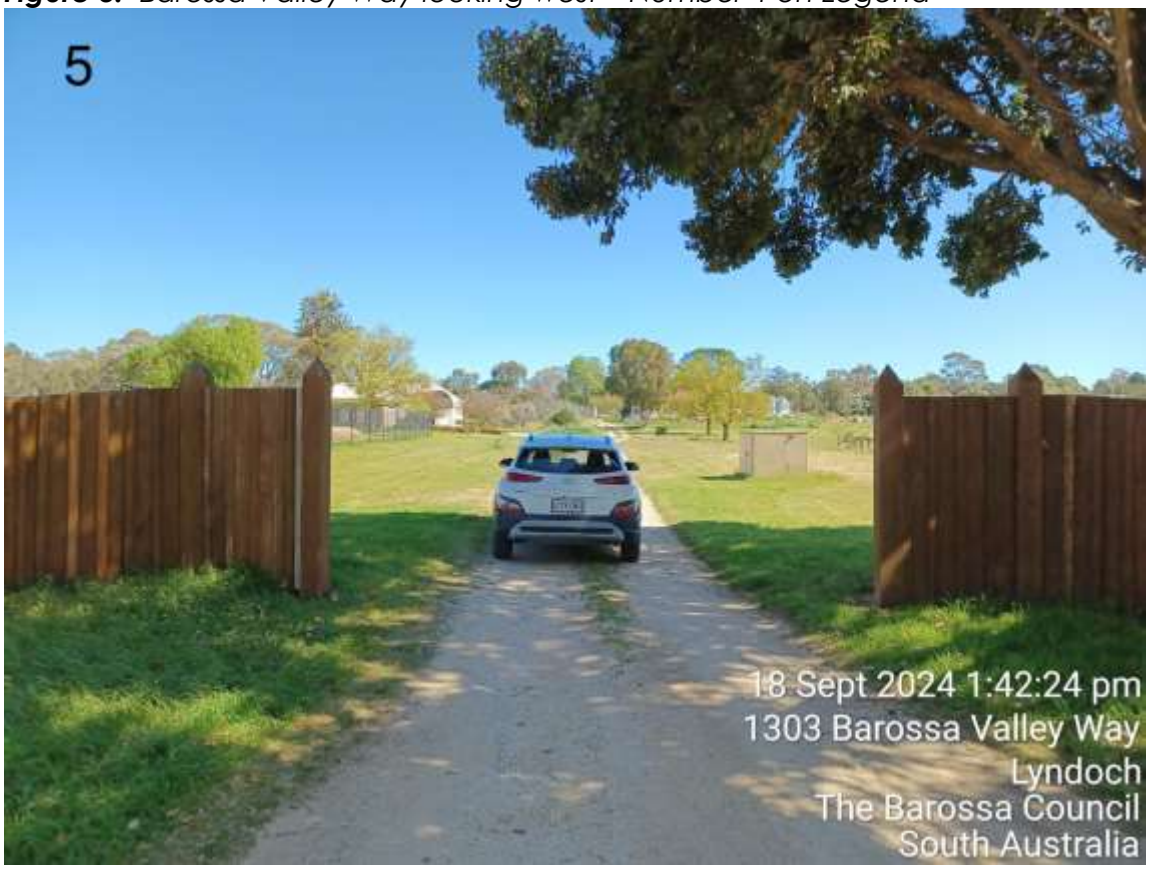


Figure 9: *Barossa Valley way looking down driveway (south) – Number 5 on Legend*



Figure 10: *Existing driveway looking south-west – Number 6 on Legend*



Figure 11: *Existing driveway looking south-east to cellar door – Number 7 on Legend*



Figure 12: *Existing driveway looking south – Number 8 on Legend*



Figure 13: *Rear of site looking south-east toward the adjoining rail line – Number 9 on Legend*



Figure 14: *Rear of site looking north toward proposed agricultural building location – Number 10 on Legend*



Figure 15: *Rear of site looking west toward the adjoining rail line – Number 11 on Legend*



Figure 16: *Rear of site looking north-east over proposed cabins 1, 2 and 3 – Number 12 on Legend*



Figure 17: *Internal to site looking south-west toward the rear of property – Number 13 on Legend*



Figure 18: *Rear of site looking east over proposed cabins 4 and 5 – Number 14 on Legend*



Figure 19*: Rear of site looking east over proposed cabins 6 and 7 – Number 15 on Legend*



Figure 20: *Western rear corner of subject site facing east – Number 16 on Legend*



Figure 21: *Rear of subject site facing south toward residential properties – Number 17 on Legend*

PROPOSAL
The amended proposal includes:

- The construction of six tourist accommodation buildings (cabin) comprising a rectangular floorplan each with a small living/sleeping area and separate bathroom. The buildings measure 11.3 metres x 2.2 metres (24.9 sqm) with a height of 2.8 metres, except for one cabin that is DDA compliant and has a slightly larger footprint of 30.3 sqm. Each cabin is set on stilts approximately 200 mm above natural ground level. A small deck is attached to each cabin.
- The cabins will be clad in contemporary exterior wall linings compromising a mix of aluminium 'cedar' finished cladding and dark grey finishes with a dark grey pre-finished metal roof. New landscaping is proposed around each cabin primarily comprising ground covers and low to medium height shrubs.
- Widening of the existing access point onto Barossa Valley Way and extension of existing single width driveway internally within the site to provide vehicle access to each unit.
- A car parking space next to each unit and ten visitor car parking spaces located along the main driveway to the existing cellar door and entry point.
- Removal of some existing non-native trees and replacement landscaping and trees (including Jacaranda trees).

The applicant outlines that the units will be managed as follows:

- *"Each cabin will be capable of accommodating two people at any one time and available to rent for a period of two to five days; the accommodation cabins will be advertised via an online booking platform, such as 'Booking.com' or 'Stayz', with check-in arrangements and customer access details provided as part of an electronic welcome pack.*
- *The facility will have a check-in time of 2.00 pm and a check-out time of 10.00 am, with alternative check-in and check-out times being negotiable with advanced notice.*
- *A manager will be appointed to manage the facility, answer any queries from guests and report any technical issues to the Applicant (the manager will not, however, reside within the confines of the facility).*
- *Cleaning staff will be appointed to clean and service the accommodation cabins (the cleaning staff will not, however, reside within the confines of the facility".*

Attachment 1 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 categorised as 'Performance Assessed' in nature in accordance with Table 3 of the Rural Zone, Planning and Design Code:

- Tourist Accommodation

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)*
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*

The proposal was subject to public notification, due to the floor area of tourist accommodation exceeding DTS/DPF 6.3(b) and not meeting setback criteria in 6.4(a) respectively. The Rural Zone, DTS/DPF 6.3(b) and 6.4 are contained below for reference:

Performance Outcome	*DTS/DPF*
DTS/DPF 6.3(b)	*(a) In relation to the area used for accommodation:* *(b)* *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.*
DTS/DPF 6.4	*(c) Tourist accommodation in new buildings:* *(d)* *(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.*

The table below provides details of the public notification process:

Representations: 16 representations were received (note one submission was a repeat and one was signed by one person with the attached submission signed by another representor).

- Emily Stabolidas
- Phillip Olner
- Christopher Stabolidas
- Barossa Region Residents Association
- Brett Collins
- Khalee Field
- Belinda Wilton
- Nick Wilton
- Ebony Wilton
- Brody Wilton
- Carol Lapanowoski
- Simon Lapanowoski
- Richard Hall
- Margaret Paton
- Christopher Parkes

No late representations were received.

Person wishing to be heard:	Of the 16 representations received, nine wish to be heard as follows: • Emily Stabolidis • Phillip Olner • Christopher Stabolidis • Cathy Wills, Barossa Region Residents Association • Brett Collins • Khalee Field • Richard Hall • Margaret Paton (represented by Richard Hall) • Christopher Parkes (represented by Richard Hall)
Applicant	Jordan Hunt of Future Urban on behalf of the Applicant Autra Resort Pty Ltd wishes to appear to respond to representations.
Time period for Public Consultation	31 July 2024 to 20 August 2024

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

Summary of Representations Representor/s	***Applicant's Response***
• *Potential use of tourist accommodation units as dwellings (particularly as allotment is less than the 25 hectare minimum for a dwelling).*	• *Proposal is not for dwellings and any use would breach the Planning, Development and Infrastructure Act 2016 and could result in enforcement proceedings.*
• *Size, scale and setback of agricultural building and what it may be used for (concern that true use is not declared). Allotment is too small for an agricultural building as less than 10 hectares in area. Proposal is twice the 500 sqm guideline.*	• *The outbuilding has been removed from the application.*
• *Proposed tourist accommodation exceeds 100 square metres in floor area.*	• *Acknowledged that tourism development will exceed 100 square metres however it is considered that they have a modest footprint, minimal internal facilities and sited to not prejudice ongoing site activities. Also design and colour selection will enhance character of the locality.*
• *A development of this size has the potential to 'dwarf' the existing vineyard, and concern is that the primary purpose of the land will*	• *It is clear that the proposed tourist accommodation cabins are directly associated with the primary production use of the land, that they*

become tourist accommodation, rather than a functioning vineyard.	*are an envisaged form of development within the Rural Zone, that they are a crucial economic value-add to the existing business, and that they will provide an additional authentic visitor experience for tourists of the Barossa Region.*
• *Adverse amenity impacts including noise, light spill and dust.*	• *The units are not expected to generate significant noise as they are orientated to the vineyards, setback substantial distance from boundaries and sensitive receivers, designed for maximum of two people in each unit and noise generation commensurate with residential use. Lighting will be in accordance with Australian Standard ('AS') 4282 – 1997 and conformance with AS 4282 – 1997. Dust impact mitigated by property maintenance of the driveway and number of car parks has been reduced.*
• *Adverse visual impact of tourist accommodation and agricultural building.*	• *The proposed units will not be highly visible or result in unreasonable visual amenity impacts upon the adjacent properties or the broader locality. The siting of each cabin has been explicitly chosen to not prejudice the functional and productive requirements of the existing winery and cellar door, whilst minimising disturbance on the natural topography of the land. Further, the architectural drawings and detailed landscape plan demonstrate the Applicant's commitment to not only preserve, but substantially enhance, the character of the locality, with the end result being a low-impact tourism development.*
• *Potential outlook impacts and loss of views.*	• *The Planning and Design Code does not include any policies which seek to protect or maintain borrowed views over another property. Notwithstanding this, because of the siting of the cabins, it is not anticipated that views will be significantly impacted or obstructed by the proposal.*

• *Potential loss of property values.*	• *Loss of property values is generally not a matter for planning consideration and representors have not submitted evidence or expert advice in support of comments.*

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

In response to the representations, the applicant has amended the proposal by removing the agricultural building (and retaining the existing shed), reducing the number of tourist accommodation cabins from seven to six, increasing the clustering of the cabins and reducing the number of visitor parking spaces from 25 to 10.

The applicant engaged Botten Levinson to provide a legal opinion if the proposed amendments should be re-notified pursuant to Regulation 35(3) of the *Planning, Development and Infrastructure (General) Regulations 2017 (Regulations*).

This legal advice states that "*Put simply, where amendments to an application have been made post public notification of a proposal, and those amendments are not substantial, the relevant authority may proceed to determine the application without re-notifying the application*".

The question of whether the proposed amendments are 'substantial' for this legal opinion were outlined as:

- *"The application in its original form is for tourist accommodation and an ancillary agricultural building to be used for on-site storage of machinery associated with the existing vineyard/cellar door. The amended application is for tourist accommodation and the retention of all existing buildings (including the shed) on the land.*
- *All of the changes that have been made to the proposal are within the realms of what might ordinarily be expected as a result of the public notification."*

The legal advice suggests the amendments are not substantial in the context of Regulation 25 and no re-notification is required. Council staff have reviewed the matter and concur with the legal opinion such that the application need not be re-notified. The applicant has consented to the amended documentation being made available to all representors to inform their opinion of the extent of changes. Council advised all representors of the amended drawings on 24 October 2024.

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 referred to:

Commissioner of Highways	*The Commissioner of Highways does not object to the proposed development. Directs three conditions to be placed on a Planning Consent, if granted.*

A copy of the referral response is contained in ***Attachment 4***.

Internal
The following internal advice has been received from staff:

Works and Engineering Services	• *Council's Engineering Services Department have indicated support to the initial design, noting further detailed design work is required.* • *Measures should be in place to ensure no water discharging into adjacent properties.* • *The intersection within the allotment, closest to the existing cellar door will need to be revised to clearly delineate traffic movements.* • *Requests stormwater computations to be provided for review.*
Environmental Health Services	• *The wastewater management design is detailed and overall seems appropriate. However, a detailed assessment will be conducted, if Planning Consent is granted, subject to Reserved Matter which requires the applicant submits for approval a wastewater application.*
Consultant Architect	• *Council's Consultant Architect provided feedback on the original proposal. The advice expressed concerns with the built form, elongated arrangements, size of the agricultural building and collective impact on the character of the locality.* • *Council's Consultant Architect has reviewed the amended proposal and is supportive of the reduced distance between each building to create a closer clustering and reduced visual impact. The advice expresses some concern that the proposed decks have balustrades (unlike the earlier versions) that draw greater attention and is considered detrimental to the appearance of the buildings. In*

	addition, the black charred timber elevational treatments have been removed and replaced by timber like cladding, which has reduced the visual interest of the façade. • *The introduction of a canopy over the entry doors or similar form of projection would help to better articulate the buildings.* • *No comment on landscaping as not familiar with all proposed species.*

Council staff have further liaised with the Consulting Architect and subject to further design iteration to improve the level of articulation and appearance of the buildings, the consultant would be satisfied with the proposal. This matter is further discussed in the assessment section of this report.

ASSESSMENT
Please refer to the following link, the Planning and Design Code extract for this proposal, Version 2024.10 dated 6 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 proposed development is located on land currently utilised for primary production. The proposal therefore complies with DO 1.1 and 1.2 and Performance Outcome (PO) 1.1 of the Rural Zone.

The key assessment issues relate to the size, siting and design of the proposed tourist accommodation development. On balance, there are sufficient reasons to support Planning Consent being granted. The proposal does not give rise to a fundamental land use issue such as that identified in the Geber Supreme Court judgement, given the nexus of this proposal with primary production. As such, the application is not considered to be Seriously at Variance with the Planning and Design Code.

Character Preservation (Barossa Valley) Act 2012
Pursuant to Section 6(2) of the *Character Preservation (Barossa Valley) Act 2012*, having regard to the Objects of the Act, it is recommended that the Panel determine that the proposed development does adversely impact the character values of the district:

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

(e) the scenic and tourism attributes of the district.

The following comments are made against each of the five character values:

(a) *the rural and natural landscape and visual amenity of the district:*
The proposed development which now comprises six cabins is considered to have an acceptable impact on the rural and natural landscape and visual amenity of the district. This takes into account the reduced number of tourist accommodation cabins and their smaller combined floor area, the more compact form of tourist development, proposed landscaping and removal of the proposed large agricultural outbuilding. Council's consultant architect recommends further design iteration to improve the level of articulation and appearance of the buildings. This can be achieved as a Reserved Matter and ensures appropriate protection of the rural and natural landscape and visual amenity of the district.

(b) *the heritage attributes of the district*
The heritage attributes of the district in context of this rural area are underpinned by the planting of vines, the construction of open fencing, stone walls and old farm buildings and farm dwellings. The proposal will maintain the existing Bungalow dwelling on the site and will now retain the existing agricultural building, rather than seeking its removal and replacement with a structure three times larger. The proposal is considered to have minimal impact on the heritage attributes of the district.

(c) *the built form of the townships as they relate to the district*
The proposed development is not in a township albeit sits at the interface of the Lyndoch township boundary. Representors objected to the size, siting, design and scale of the original proposal. It is considered that the amended proposal addresses these concerns in that the proposal has modest scale of buildings that are more compacted in their clustering, will be subordinate to the primary use of the land for viticulture and forms an appropriate built form in this locality, having regard to setbacks from the township, the railway corridor separating the site to the township and the existing and proposed landscaping to this interface.

(d) *the viticultural, agricultural and associated industries of the district*
The proposed development is associated with existing primary production on the subject land. The proposed linear form of the tourist accommodation will impact a relatively small area of available land for primary production. Overall, viticulture will remain spatially the primary use on the site.

(e) *the scenic and tourism attributes of the district*
The proposed development will have an acceptable impact on the scenic attributes of the district. This is primarily borne from the large setback from Barossa Valley Way whereby the proposed single storey, modestly sized cabins sit behind extensive vineyards when viewed from the road and further landscaping is proposed along the Barossa Valley Way boundary to reinforce the existing street tree plantings in this locality.

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:* *(b)Agricultural building* *(s) Shop* *(v) Tourist accommodation*

The subject land is currently utilised for primary production activities, residential purposes (a detached dwelling) and value adding in the form of a cellar door.

DO2 envisages diversification of existing businesses to generate economic activity albeit with a caveat to support, protect and maintain the productive value of rural land.

The subject land has a longstanding history of viticultural activity with the majority of the site under vines. The vineyard was historically larger and extended further to the south-east. However, this is now severed as that portion of land was sold to The Barossa Council and forms part of the Lyndoch Recreation Park (now under development). Despite the ongoing use of a detached dwelling and a cellar door on the property, primary production is arguably the predominant land use.

As reinforced in *Geber Super Pty Ltd v The Barossa Assessment Panel* [2023] SASC 154 the development of tourist accommodation should be ancillary to primary production use of the land. The proposal is compliant in this matter and tourist accommodation is listed in DPF 1.1 as envisaged supporting and value adding land uses. The proposal therefore is considered to accord with PO 1.1.

Design and Appearance

Shops, Tourism and Function Venues	
PO 6.3 *Tourist accommodation is associated with the primary use of the land for primary production or primary production related value adding*	*DTS/DPF 6.3* *Tourist accommodation:* *(a) is ancillary to and located on the same allotment or an adjoining allotment used*

industry to enhance and provide authentic visitor experiences.	*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 7 metres above natural ground level.*

The proposed tourist accommodation is associated with a primary production use of the land as sought by DPF 6.3(a).

The proposed tourist accommodation comprises six cabins that have a combined floor area in order of 179 square metres plus attached decking.

The proposed floor area of the six cabins exceeds the 100 square metre criteria in DPF 6.3(b). Council staff expressed initial concerns at early stages of assessment that the level of non-compliance was considered to contravene with the intent of DPF 6.3(b) and the proposed design, number and linear arrangement of their layout further reinforced concerns with the application. The applicant has addressed this matter by reducing the number of cabins and repositioning them closer together to reduce the overall footprint of the tourist accommodation development. Each cabin is modest in scale between 24 sqm to 30 sqm with only one bed area.

The development will be operated as a single facility in accordance with DPF 6.3(c).

Turning to Character Preservation Overlay, PO 3.5 and Tourism Development Overlay PO 1.2, there is direction that multi-unit buildings and structures should be in compact clusters. The objective of this principle is to reduce visual impact on the landscape and minimise the potential loss of productive land.

The initial tourist development featured 20 metre spacing between the cabins, spanning a total length of approximately 190 metres. This layout did not create a compact or clustered design, resulting in an extended visual impact of the development and extensive built form impact to Barossa Valley Way.

The cabins are now set between 10 metres to 15 metres apart and the cluster extends for an approximate length of 110 metres. In addition, the number of cabins encroaching within the 40 metre rear setback has been reduced to two.

It is considered that the reduced rear setback of part of the tourist accommodation development will not have a significant visual impact on nearby residential properties due to the low profile of the units, existing screen landscaping and mounding and the

extended separation distance due to the siting of the Barossa Valley railway line, situated between the site and closest residential properties on Potter Lane.

Council's consultant architect initially raised concerns about the potential adverse visual impact of the proposed tourist accommodation on the district's landscape character. These concerns have been somewhat alleviated by removal of one cabin, clustering of the remaining units more closely, reducing the linear extent of the development, and maintaining the modest scale of the buildings. The architect notes the removal of the black charred timber cladding in the revised design and the addition of balustrades to each deck. However, the architect suggests further enhancements, such as the introduction of a canopy over the entry doors. Given the simple design of the buildings, it is believed that some minor modifications could be made to the buildings to improve their appearance to meet Council's architect expectations. For example, arbors fixed to portion of the deck with vines planted over them could provide for further visual interest to the facades.

It is considered that the balustrades are not a significant design issue given the distance of each building from the front boundary. Their silhouette against the façade of each building when viewed from the road and safety comfort they provide for occupiers (noting that a balustrade is only required under the National Construction Code where it exceeds a height of one metre above ground level). The applicant has confirmed their willingness to consider cladding changes and introduce some additional built form elements to improve articulation as suggested above.

It is recommended that the resolution of this design matter can addressed as a Reserved Matter.

Overall, it is considered that the amended proposal adequately complies with DPF 6.3(b) and DPF 6.4(a)and on balance meets PO 6.3.

Tourism Development

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 *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.*

The applicant considers that the cabins will serve a local tourism demand, in particular, when the Lyndoch Recreation Reserve expansion is completed.

The proposed linear arrangement enables each unit to maximise views and maintain guest privacy for each building. The proposed cabins are arranged in a linear manner curving around the edge of the vineyard with each building separated by between 10 to 15 metres. The amended proposal seeks an acceptable balance between clustering and maintenance of guest privacy. Additional landscaping is proposed

around the curtilage of each cabin to further assist in 'bedding' the scheme into its immediate rural context.

This revised arrangement of tourist accommodation buildings is considered to conform with PO 1.2.

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 natural topography.*	*DTS/DPF 8.1* *Development does not involve any of the following:* *(a) excavation exceeding a vertical height of one metre.* *(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*	*DTS/DPF 8.4* *None are applicable.*

natural drainage lines and includes onsite drainage systems to minimise erosion.	
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.*

The portion of the subject land where the proposed cabins are located has slight crossfall, however, given the modest footprint of each cabin a suitable site can be prepared with no substantial requirement for soil retention. The cabins will sit approximately 200 mm above ground level on steel stumps.

In addition, a driveway will be constructed through the site to service the units, located behind the units. The civil plans indicate the driveway will have a slope not exceeding 1 in 20, which comfortably complies with PO 8.2.

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.*

Desired Outcomes for the Character Preservation District speak of protecting the special character of the area and ensuring long term use of rural land for primary production and value adding enterprises.

As identified earlier, the amended proposal sufficiently aligns with the above mentioned POs, notably PO 3.4 and PO 3.5 in relation to the bulk, scale, architectural design quality and linear formation (a more compact arrangement) of the development.

The proposed development will not interrupt views of the skyline, pursuant to PO 3.2, having regard to the siting of the buildings below any ridgeline and being silhouetted with existing buildings and vegetation on the site.

The buildings will be sited in part at the edge of existing area of vines and in this regard, the proposal will slightly reduce the footprint of vines on the site, albeit not substantially, noting the buildings are to be sited at the edge of the vineyard. The vines and proposed landscaping surrounding the buildings together with additional tree planting adjacent Barossa Valley Way, will ensure the landscaping complements the built form outcome.

Some refinements in the building articulation to the façade are desired and such is proposed to be requested as a Reserved Matter.

In summary, the proposed development will not detract from the rural and natural landscape and visual amenity of the district in a manner that achieves DO 1.1.

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.*	DTS/DPF 2.1 Development operating within the following hours: *(Nil Applicable)*

(b) measures to mitigate offsite 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.*	
Activities Generating Noise or Vibration	
PO 4.1 *Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*	*DTS/DPF 4.1* *Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.*
PO 4.2 *Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:* *(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers.* *(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers.* *(c) housing plant and equipment within an enclosed structure or acoustic enclosure.* *(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.*	*DTS/DPF 4.2* *None are applicable.*
PO 4.4 *External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.*	*DTS/DPF 4.4* *Adjacent land is used for residential purposes.*
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.*

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

The following interface impacts have been considered against the above mentioned DO1 and POs.

Noise impact
Noise from the site may emanate from the following sources:

- Guest and visitor noise
- Car park activities
- Passenger vehicle movement

The applicant has not submitted an Environmental Noise Assessment report. Nearby representors have objected to potential noise from the proposed tourist accommodation and liken their potential impact to a series of dwellings. Representors consider the number and concentration of units would result in intrusive noise impacts.

It is noted that DPF 6.3(b) seeks new development no greater than 100 square metres or 150 square metres in a repurposed building plus boundary setbacks of no less than 40 metres. The proposed six units have a combined total around 179 square metres and at least four of the six units are setback at least 40 metres from the rear boundary. Increased separation between the units and sensitive residential receivers is provided due to the railway line, however, there is still potential for noise intrusion when the cabins are occupied. The applicant suggests that noise levels will not exceed that associated with residential development. Given the small size of each unit there may be an inbuilt restriction on the number of guests (albeit there are no suggested controls on the number of visitors), noting the buildings would not be conducive to large gatherings such as parties. While the proposal is not accompanied by an acoustic report, it is expected that typical occupation of tourists would likely be similar to occupation in manner of a dwelling, which thereby would likely comply with the *Environment Protection (Noise) Policy*, subject to comment below regarding traffic.

Traffic Noise
Traffic movements have been estimated by Phil Weaver & Associates as being up to eight trips per hour during peak periods. This is considered to be low and unlikely to result in significant amenity impact (although there are no restrictions on late night movements which could cause noise impacts due to low background environmental noise in evening periods), however this is expected to be low due to the small number of proposed cabins. Traffic noise is unlikely to be substantially greater than that of vehicles travelling at higher speed along the adjacent Barossa Valley Way. A condition requiring compliance with the general guidelines of the *Environment Protection (Noise) Policy* is recommended to be included in any consent, if granted.

Light Spill
No Visual Lighting Advice assessment has been provided by the applicant. 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. It is considered appropriate that a Condition of Consent be imposed upon the Planning Consent to ensure future compliance with the above mentioned Australian Standards.

For this application it is noted that the proposal is for single storey units clustered together in a linear manner. It is considered that with careful light placement, control of LUX settings and additional screening, light spill can be mitigated to meet PO 6.1.

Privacy Impact
The single storey nature of the proposed cabins, retained vegetation and 'buffer' created by the rail corridor will likely limit direct overlooking into adjoining properties. Views are desired predominantly out toward Barossa Valley Way which further diminishes the impact upon privacy upon existing uses in the township.

Impacts to Occupants of proposed tourist accommodation
The proposal has also considered the impact of the facility upon occupants within the facility on-site (which are also sensitive receivers). With regard to the on-site sensitive receivers the most likely impacts will be:

- Heavy vehicle usage
- Machinery (including frost fans)
- Spray drift
- Dust/smoke
- Odour

A lesser weighting is typically applied to on-site sensitive receivers on the development site, potentially due to the transient nature of the individuals and their knowledge of the form of accommodation they are booking and intending to stay in, who will be attending the site and generally staying for less than a week. Further, the owner of the site/operator will ultimately be responsible for ensuring that guests can enjoy a pleasant stay during their occupation and it is incumbent upon them to manage impacts that may impinge upon enjoyment for visitors.

Spray drift and other listed impacts are likely to occur at various times during the year, but given the transient nature of the receivers, ongoing primary production on the site is unlikely to have an unreasonable impact upon visitor amenity. The owner/operator of the facility will have in their best interests to maintain a high level of amenity and comfort for occupants.

It is further noted that the location of the site is in close proximity to the township of Lyndoch (and the upgraded recreation park). As a result, it is expected that occupants would experience similar level of amenity to that experienced by residents of nearby dwellings in the township.

In summary, it is anticipated the proposed development will result in some change to the nature of use on the site but having regard to the design of the development and its consideration of sensitive receivers, the small scale and low level of occupation, new landscaping and the setbacks of buildings to sensitive receivers, it is concluded

that the proposal will not have an unreasonable impact upon sensitive receivers and therefore fulfils the above POs.

Effluent Disposal

General Development Policies	
Design	
On-site Waste Treatment Systems	
PO 6.1 *Dedicated onsite 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 onsite car parking or result in less onsite 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	
DO1	*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 offsite impacts from noise, air and dust emissions.*	*DTS/DPF 1.1* *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) cntaining 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.*

The site is not connected to mains sewer or a Community Waste Management Scheme.

Council's Environmental Health Officer has not raised concerns regarding the capacity for the land to accommodate a wastewater system, noting the site is not subject to watercourses or inundation.

A wastewater application would need to be submitted, if Planning Consent were granted. The final location for the wastewater system would need to be identified, and it is possible this area may impact upon the available area of vines, but this would be subject to final design.

The applicant has indicated it would be willing for this aspect to be treated as a reserved matter if the Panel were of a mind to grant Planning Consent.

The proposal would therefore satisfy PO 1.1.

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*	*DTS/DPF 1.2* *None are applicable.*

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.*	
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 will be cleared as a result of this application.

The subject land has been used for primary production for an extended period of time and the land has been cleared for viticultural purposes. Non-native species have been planted along the street frontage and the main internal driveway. The proposal requires the removal of some mature vegetation and their replacement is proposed with similar non-native species in the front half of the site.

The proposal is not considered to conflict with PO 1.1 and 1.2. It is suggested that a detailed Landscaping Plan be submitted as a Reserved Matter and that additional native species of tree planting be incorporated into the final scheme, in addition to the proposed non-native plantings as indicated on the landscape concept plan.

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*		*DTS/DPF 2.1* *None are applicable.*

buildings on stilts.	
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, student accommodation and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.*	*DTS/DPF 3.1* *None are applicable.*
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 applicant has provided a detailed Bushfire Risk Assessment, prepared by SA Bushfire Solutions. The Risk Assessment outlines the following measures which propose to ensure bushfire risk is minimised:

- The units will be constructed on the flatter portions of the land to minimise bushfire risk as sought by PO 3.1.
- The sites selected for the accommodation cabins are well-removed from any significant and/or dense vegetation which is considered hazardous and likely to result in an unacceptable bushfire risk as sought by PO 3.2.
- The buildings have no eaves and infill cladding will be included at the base of each cabin to limit the likelihood of burning debris being trapped against or underneath these structures. This meets PO 2.1.
- Firefighting and emergency personnel will be able to:
  - access the accommodation cabins and their curtilage via the access point which connects to Barossa Valley Way.
  - enter and exit the land in a forward direction.
  - tap into the dedicated firefighting water supply (10,000L) via a hardstand area which is sited within six metres of the water tank as well as dedicated fire tanks.
  - draw surplus water from the Lyndoch township's mains water supply.

The proposed bushfire measures are considered to satisfy the above mentioned POs.

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 three metres (four 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 six metres and length of 17 metres every 200 metres (Figure 5).* *x. provide overhead clearance of not less than four 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 firefighting 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 direct access to the sealed Barossa Valley Way. The on-site road network is designed with regard to the abovementioned CFS access requirements in respect to the internal road width, geometry and materials and provision for turn-around area for CFS fire fighting appliance. Conditions of Consent are recommended to reinforce these requirements and ensure ongoing maintenance.

Overall, the proposed development addresses the majority of the relevant POs in respect to bushfire risk.

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.*

The tourist accommodation units are set at least 300 mm above top of kerb of Barossa Valley Way. This aspect of the development satisfies DO 1 and PO 1.1.

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 (e) or* *ii. a holding tank and its subsequent removal off-site on a regular basis.*	*DTS/DPF 32.1* *None are applicable.*

A Civil and Siteworks Plan has been provided for the site and has been reviewed by Council's Works and Engineering Services.

The development proposes to collect stormwater from the accommodation units and surface areas and run them into:

- A swale for all surface water
- 2 x 9,000 litre rainwater tanks for the agricultural building
- 1 x 1,000 rainwater tanks for each unit. Excess runoff into open ground

Council's Engineering Services Department have indicated support to the initial design, noting stormwater computations are required to demonstrate compliance with Council's detention volume, if the application were to be granted Planning Consent. This is proposed to be addressed as a Reserved Matter.

Subject to detailed design, the proposal satisfies the above-mentioned POs.

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.*

The proposed site is located adjacent the State maintained Barossa Valley Way and is designated by way of Overlays in the Planning and Design Code as follows:

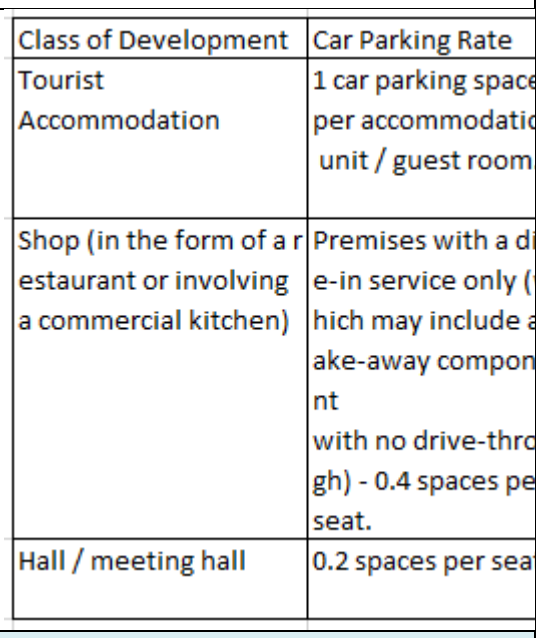
- Traffic Generating Development
- Urban Transport Routes

The Commissioner of Highways reviewed the original proposal and did not object to the application including the proposed widening of the existing access point onto Barossa Valley Way to accommodate simultaneous two-way vehicle movement. The applicant's traffic consultant identifies that the proposed tourist accommodation will generate less than three additional peak hour trips. This is considered minor and according to the applicant's traffic consultant will "*not result in adverse traffic impacts on the adjacent road network in terms of additional vehicular trip generation, given the proposed upgrade of the existing site access point to accommodate simultaneous two-way vehicle movements to and from the site.*" Council's Works and Engineering Services Department concur with this analysis and support the proposal subject to implementation of detailed design works for the access point.

The proposal does not conflict with Rural Zone PO 2.1 or the relevant Traffic Generating Development and Urban Transport Routes POs.

Car Parking

Transport, Access and Parking	
Desired Outcomes	
DO1	*A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.*
Relevant Performance Outcomes/Designated Performance Features	
Access for People with Disabilities	
PO 4.1 *Development is sited and designed to provide safe, dignified and convenient access for people with a disability.*	*DTS/DPF 4.1* *None are applicable.*
Vehicle Parking Rates	
PO 5.1 *Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced onsite rate such as:* *(a) availability of on-street car parking.*	*DTS/DPF 5.1* *Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:* *(a) Transport, Access and Parking Table 1 General Off-street Car Parking Requirements.*

(b) 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.*	*(b) Transport, Access and Parking Table 2 -Off-street Vehicle Parking Requirements in Designated Areas.* *(c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.*
Table 1 - General Off-Street Car Parking Requirements	

Class of Development	Car Parking Rate
Tourist Accommodation	1 car parking space per accommodatio unit / guest room
Shop (in the form of a r estaurant or involving a commercial kitchen)	Premises with a di e-in service only (hich may include a ake-away compon nt with no drive-thro gh) - 0.4 spaces pe seat.
Hall / meeting hall	0.2 spaces per sea

Vehicle Parking Areas	
PO 6.1 *Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.*	*DTS/DPF 6.1* *Movement between vehicle parking areas within the site can occur without the need to use a public road.*
PO 6.2 *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.*	*DTS/DPF 6.2* *None are applicable.*
PO 6.4 *Pedestrian linkages between parking areas and the development are provided and are safe and convenient.*	*DTS/DPF 6.4* *None are applicable.*
PO 6.5 *Vehicle parking areas that are likely to be used during non -daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.*	*DTS/DPF 6.5* *None are applicable.*
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.*
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.*

The development proposes one car parking space per cabin plus 10 visitor spaces located close to the existing cellar door and adjacent the main driveway through the site (that will be widened to accommodate for two way movement at the front boundary). Each tourist accommodation car parking space is accessed via a new internal driveway extending further into the site with the two-way passing areas in order to provide safe internal movement to each cabin and satisfy AS/NZS 2890.1:2004 dimensional requirements.

Based upon the Planning and Design Code's carparking requirements as contained in Table 1 – General Off-Street Car Parking Requirements, a total of one space per guest room is required. A total of six car parking spaces is therefore required to meet Table 1.

Currently, there is no formal car parking designated for the cellar door. However, there is available space in front of the cellar door and near the driveway where new car parking is proposed. The plan includes new marking of part of the parking area to designate 10 visitor spaces, which can serve both the cellar door and the proposed tourist accommodation, if required.

The applicant has submitted a traffic consultant report which concludes that the parking requirements for the tourist accommodation are fully satisfied. The proposed addition of 16 parking spaces, including one accessible space, is deemed sufficient to meet the anticipated demand.

This aspect of the proposal satisfies the relevant POs.

Services and Amenities

The subject land is located on Council's approved waste collection route. The applicant engaged Colby Phillips Advisory to prepare a waste management plan for the proposed tourist accommodation. Based on a discussion with Council, the applicant proposes to:

- Utilise Council's waste collection services. Based on Waste Resource Generation Rates in the South Australian Better Practice Guide utilise five 240L bins – two general waste, two recycling and one organic.
- Store bins within a screened bin enclosure, 30 metres from the nearest building.
- Present for collection on the soft shoulder of Barossa Valley Way in accordance with Council's Waste Management Service Policy.

Smaller bins would be provided in each unit for general waste, recycling and organics which are then transferred to the larger collection bins. This will rely on a system of disposal dependent on both guests and cleaning staff.

The advice from Colby Phillips only considers waste generated from the tourist accommodation component. It is likely that the detached dwelling, cellar door and on-site primary production also generate waste streams, of which some may be need to be accommodated for by Council's waste collection services.

There is no mention regarding LPG, linen services or other activities as part of the operation of a tourist accommodation, however, these facilities will be small in scale and the operator can determine appropriate arrangements for these matters.

It is considered that appropriate waste management arrangements are proposed to support the development.

Site Contamination

General Development Policies	
Site Contamination	
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 *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 subject land is used for primary production and also contains a detached dwelling and a cellar door.

Practice Direction 14 sets out the processes in relation to the assessment of potential site contamination when land use changes to a more sensitive use. Under Table 1: Land Use Hierarchy, tourist accommodation is listed as a more sensitive land use (item 4) to primary production (item 6). However, the existing dwelling is listed as the most sensitive land use (item 1).

Typically a land use sensitivity classification is taken to be that of the most sensitive uses to which the proposed development relates. Given the site contains an existing dwelling, therefore the proposal does not introduce a more sensitive use onto the site than the existing residential use.

Based on legal advice and referral experience with the EPA, Council staff do not consider that the proposal constitutes a 'more sensitive use'. Therefore, the proposal satisfies DTS 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.

DTS 1.1, clause (a) has been met and therefore the related PO 1.1 will be achieved.

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

Limited Land Division
The proposed development does not incorporate any form of land division.

Water Protection Area
The proposed Development is not considered to impact the quality of water discharged from the site, subject to the implementation of a stormwater management plan.

CONCLUSION
The applicant seeks Development Authorisation for "C*onstruction of six (6) tourist accommodation buildings and associated carparking*" at 1312 Barossa Valley Way, Lyndoch.

The application was determined to be 'Performance Assessment' in nature and requiring public notification. The application was subject to receipt of 16 representations with nine wishing to be heard. The application was also subject to referral to the Commissioner of Highways.

There is an existing viticultural activity on the subject land operated by Burge Family Winemakers. The viticultural land holdings have reduced in size since the sale and division of adjoining viticultural land for the expansion of the Lyndoch Recreation Park to the south-east. Notwithstanding, the subject land retains the balance of vineyards and both the tourist accommodation and agricultural building are in association with the primary use of the land for rural production. This meets Desired Outcome (DO) 1.1 of the Rural Zone.

The primary concerns with the original proposal were the proposed number of tourist accommodations and their combined floor area, the elongated (non-compact) form of tourist development, design and overall adverse impact on the rural character. The proposal has been amended to address these concerns and it is considered that the amended proposal achieves a better balance of incorporating a new value adding business to the site while minimising adverse impact on local amenity and the Character Preservation District. Some refinements to the façade elevation of the buildings are desired and are proposed to be addressed as Reserved Matters.

On balance, the application is considered appropriate and Planning Consent is recommended, subject to Reserved Matters and Conditions.

RECOMMENDATION 1

Seriously at Variance
The Barossa Assessment Panel, having considered the application, resolves that the development proposal 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 the proposed development does not adversely impact 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 APPROVE Planning Consent for Application No. 24016043 by Atura Resort Pty Ltd to undertake *Construction of six (6) tourist accommodation buildings and associated carparking* at 1312 Barossa Valley Way Lyndoch (CT 6296/847 and 6296/848) subject to the following Reserved Matters, Conditions and advisory notes:

Reserved Matters
Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016,* the Relevant Authority reserves its decision in relation to the following matters and delegates authority to the Assessment Manager to resolve the Reserved Matters:

(1) The applicant shall lodge and have approved by the relevant authority an application to install a wastewater system pursuant to the provisions of the *South Australian Public Health Act 2011* and *South Australian Public Health (Wastewater) Regulations 2013.*

(2) The 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, generally as per the Landscaping Concept Plan, prepared by LCS Landscapes;
b) Incorporate plantings to give effect to the final elevation plans (see Reserved Matter 4);
c) Final nominated species to be used, inclusive of some native species of tree planting (in addition to non-native species);
d) Pot sizes, noting advanced growth trees shall be used;
e) Irrigation and maintenance methods, including protection of plantings from vehicles;
f) Retention of existing native vegetation.

(3) The stormwater drainage design shall include final Stormwater Management Plan and Stormwater Calculations. The plan shall adopt and achieve all of the following:

a) Detention shall be provided to limit the 5% AEP post-development peak discharge to the 5% AEP pre-development peak discharge from the site, or the maximum point discharge to the street up to a 10% AEP event shall be 12L/sec; 1% AEP event shall be 20L/sec, whichever is the lesser.

(4) Final elevation plans for approval, which shall demonstrate additional design elements to the facades of each accommodation building to provide for enhanced visual interest (such as an open style arbor or pergola over the decking to allow for vine growth and additional façade materials comprising neutral colours which blend with the surrounding rural landscape).

Council Conditions

(1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 23028433 except where varied by the conditions listed below.

- Cover Page, Nic Design Studio, 16 October 2024, N-24085_SD000
- Site Plan, Nic Design Studio, 16 October 2024, N-24085_SD001
- Proposed Cabin Plan, Elevations & Sections, Nic Design Studio, 16 October 2024, N-24085_SD002
- Proposed DDA Cabin Plan, Elevations & Sections, Nic Design Studio, 16 October 2024, N-24085_SD003
- Interior Finish Impressions, Nic Design Studio, 16 October 2024, N-24085_SD004
- View Study, Nic Design Studio, 16 October 2024, N-24085_SD005
- View Study – Photos, Nic Design Studio, 16 October 2024, N-24085_SD006
- View Study – Photos, Nic Design Studio, 16 October 2024, N-24085_SD007
- View Study – Photos, Nic Design Studio, 16 October 2024, N-24085_SD008
- Bushfire Risk Assessment, SA Bushfire Solutions, October 2024
- Landscape Masterplan, LCS Landscapes, 11 October 2024, Revision B
- Landscape Site Plan, LCS Landscapes, 11 October 2024, Revision B
- Project Elements & Plant List, LCS Landscapes, 11 October 2024, Revision B
- Covering Submission/Letter, LCS Landscapes, 15 October 2024
- Traffic & Parking Statement, Phil Weaver & Associates, 11 October 2024
- Figure 2 – Simultaneous MRV Entry / B99 Exit & MRV Internal Turn-around Phil Weaver & Associates, File 24-093, 11 October 2024
- Figure 3 – Simultaneous B99 Entry / B99 Exit & Typical Accommodation Parking Space B85 Access, File 24-093, 11 October 2024
- Civil Plan, TMK, DWG No, 2404076_C1/PJ, 17 October 2024
- Civil Plan, TMK, DWG No, 2404076_C2/PJ, 17 October 2024
- Civil Plan, TMK, DWG No, 2404076_C3/PJ, 17 October 2024
- Civil Plan, TMK, DWG No, 2404076_C4/PJ, 17 October 2024
- Civil Plan, TMK, DWG No, 2404076_C5/PJ, 17 October 2024
- Civil Plan, TMK, DWG No, 2404076_C6/PJ, 17 October 2024
- Civil Plan, TMK, DWG No, 2404076_C7/PJ, 17 October 2024
- Civil Details, TMK, DWG No, 2404076_C8/PJ, 17 October 2024
- Waste Management Plan, Colby Phillips, 10 October 2024

(2) Prior to occupation, the buildings authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of council, pursuant to the Reserved Matter.

(3) External building materials of the accommodation buildings and decking shall:

a. Subject to the Reserved Matter, be in accordance with the approved plans; and
b. Be of non-reflective materials; and
c. Be of new materials and maintained in good condition at all times.

(4) Storm water disposal systems must be fully installed at the completion of the construction of the buildings, in accordance with the approved plans. Adequate measures shall be deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of the relevant authority.

(5) The landscaping depicted on the approved plans, pursuant to the Reserved Matter, shall be established, prior to commencement of the use (as hereby approved) and shall be maintained and nurtured at all times thereafter, together with established vegetation proposed to be retained, with any diseased or dying plants replaced in a timely manner.

(6) All driveway access, internal roadways and vehicle manoeuvring areas shall be constructed with all-weather crushed aggregate (or similar authorised alternative) 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 and vehicle manoeuvring areas shall be maintained in good condition at all times.

(7) All car parking spaces associated with the development herein shall be provided with wheel-stops delineating each space, and shall be finished in a manner consistent with *AS2890.*

(8) The internal intersection within the allotment, closest to the existing cellar door, shall provide for a clear priority of traffic movement for the main driveway (ie. serving the tourist accommodation units) and provide for a clearly delineated and safe path of travel for vehicles.

(9) The open sides of the structures authorised herein shall not be enclosed on any side with any solid material, roller door, or the like.

(10) All waste material shall be stored in covered containers screened from view and shall be regularly removed from the site.

(11) 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.

(12) 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*.

(13) 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.

(14) A dedicated and independent water supply shall be available at all times for firefighting purposes, in accordance with the Hazards (Medium Bushfire Risk) Overlay and the Approved Bushfire Risk Assessment which:

(a) Is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles (safe and convenient access shall be provided), and

(b) Comprises a minimum of 2000 litres of water where the property is connected to mains water, or 5000 litres in any other case. (Any rainwater tank used for this purpose should be dedicated entirely for firefighting and shall be of non-combustible materials).

(15) Prior to commencement of use, safe and convenient access/egress shall be provided to the accommodation buildings for fire-fighting vehicles and shall be maintained at all times thereafter as follows:

(a) Connected to an all-weather public road;
(b) Constructed with a formed, all-weather surface;
(c) Constructed away from hazardous vegetation such as overhanging limbs and continuous cover of thick vegetation;
(d) Located such that the need to clear native vegetation or a significant tree is avoided;
(e) Have a minimum formed width of at least 3 metres (or 4 metres in steeper terrain);
(f) Have a gradient of not more than 16 degrees (ie. a maximum slope of 1:3.5) at any point along the road or driveway;
(g) Allow fire-fighting vehicles to travel in a continuous forward movement by constructing curved roads and driveways with curves that have a minimum external radius of 12.5 metres;
(h) Allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by incorporating:

iii. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres;

(i) Incorporate passing bays with a minimum formed width of 6 metres (or 7 metre in steeper terrain), including the road or driveway width and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the road or driveway. Where it is necessary to provide adequate visibility, such as the nearest point to a public road or other passing bay, passing bays may be required at intervals of less than 200 metres.

Commissioner of Highways Conditions

(16) All access to the development shall be gained in accordance with the Site Plan produced by Yogo Design & Consulting Pty Ltd, Drawing No. AA001, Revision L, dated 30/05/2024. The access shall be sealed in accordance with this plan.

(17) All vehicles shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

(18) The largest vehicle permitted on-site shall be restricted to an 8.8 metre Medium Rigid Vehicle.

(19) Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

(20) All signage associated with the development shall be located within the subject property.

(21) Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of Barossa Valley Way. In addition, longitudinal drainage of Barossa Valley Way shall be maintained (including any required trafficable headwalls) adjacent and across the access in order to minimise the impact on the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

(22) No water or other substances shall be directed toward or drained onto the adjacent railway land, nor any installations that may cause backflow or wash that cause water impact.

(23) No services shall be installed in or under the railway corridor without the prior approval of the asset owner.

(24) Suitable fencing is to be erected and maintained along the boundary of the rail corridor at the applicant's expense.

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 three years (in which case the approval will not lapse).

(4) 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.

(5) 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.

(6) 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.

(7) You are advised that construction or alteration of any footpath, kerb, gutter or crossover on Council land will require a permit, under the *Local Government Act 1999* from Council's Works and Engineering Services. It is illegal to undertake work on Council land without permission. If the existing entranceway (driveway cross-over) is to be removed it must be re-instated with kerb and gutter, including appropriate restoration of the footpath and verge, to Council's standard specification. Please contact Council's Works and Engineering Services to confirm the required standards. Driveway cross-overs which affect a pedestrian footpath should maintain the level of the footpath or be consistent with the proposed footpath levels in instances where the footpath has not been constructed. When final Development Approval is applied for this should be shown on the plans. Please note that construction is to be in accordance with the *Disability Discrimination Act* and relevant Australian Standards.

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

(9) Construction shall not take place on any Sunday or Public Holiday or after 7.00 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.

(10) The applicant is advised that this consent does not permit anyone to clear, remove limbs or trim native vegetation. Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the *Native Vegetation Act 1991*,

https://www.environment.sa.gov.au/topics/nativevegetation/interactive-guide . Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council. The applicant is advised that any proposal to clear, remove limbs or trim native vegetation should be undertaken after first notifying the Native Vegetation Council of intended works.

(11) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the Environment Protection (Noise) Policy 2007, and such that any resulting noise is not considered a nuisance, to the satisfaction of Council, including any existing infrastructure.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Application and Associated Documentation ⇩
Attachment 2 Applicants Response to Representations ⇩
Attachment 3 Representations Received ⇩
Attachment 4 Commissioner of Highways Referral Response ⇩

1312 BAROSSA VALLEY WAY LYNDOCK TOURIST ACCOMMODATION

1312 BAROSSA VALLEY WAY, LYNDOCK, SA5351

ARCHITECTURAL DRAWINGS SD

DRAWING NO.	DRAWING TITLE	REV.
SD000	COVER PAGE	PA_A
SD001	SITE PLAN	PA_A
SD002	PROPOSED CABIN PLAN, ELEVATIONS & SECTIONS	PA_A
SD003	PROPOSED DDA CABIN PLAN, ELEVATIONS & SECTIONS	
SD004	INTERIOR FINISH IMPRESSIONS	PA_A
SD005	VIEW STUDY	PA_A
SD006	VIEW STUDY - PHOTOS	PA_A
SD007	VIEW STUDY - PHOTOS	PA_A
SD008	VIEW STUDY - PHOTOS	PA_A

Grand total: 9



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drawing	scale	date	drawing no.	revision
1312 BAROSSA VALLEY WAY, LYNDOCK — COVER PAGE	@A1	2024-10-16	N-24085_ SD000	PA_A

NIC DESIGN STUDIO

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1 SITE PLAN
Scale 1 : 1000

FIRE WATER TANK

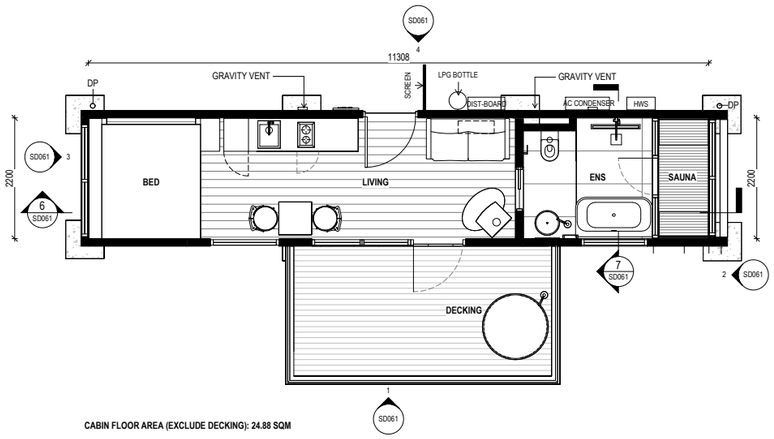
INGROUND SEPTIC TANK

NIC DESIGN STUDIO

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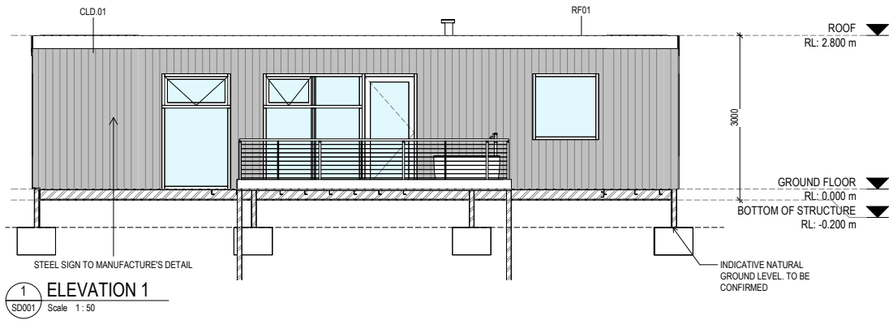
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1312 BAROSSA VALLEY WAY, LYNDOCK	drawing: SITE PLAN	scale: 1 : 1000@A1	date: 2024-10-16	drawing no.: N-24085_ SD001	revision: PA_A

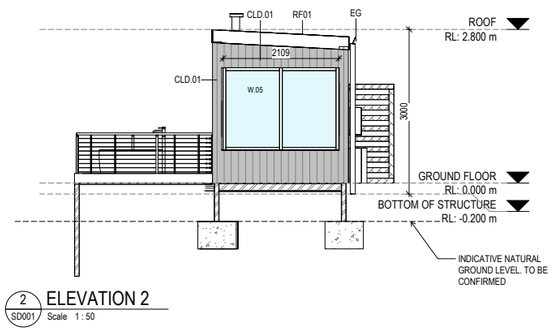


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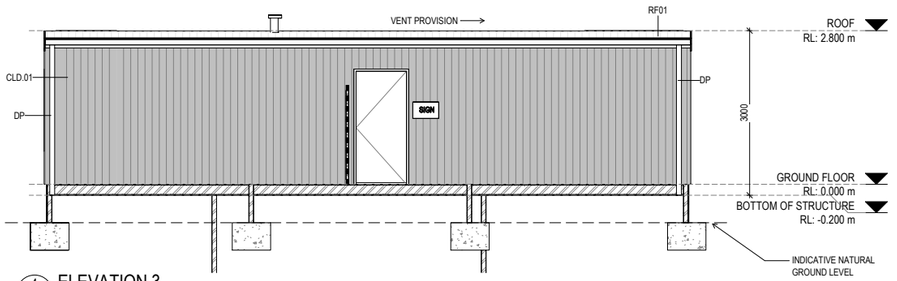
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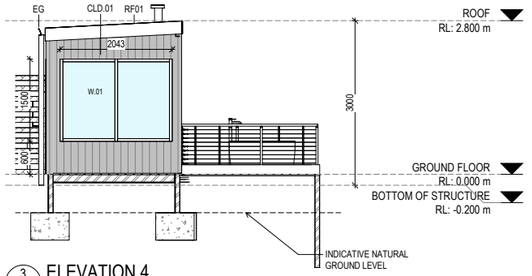
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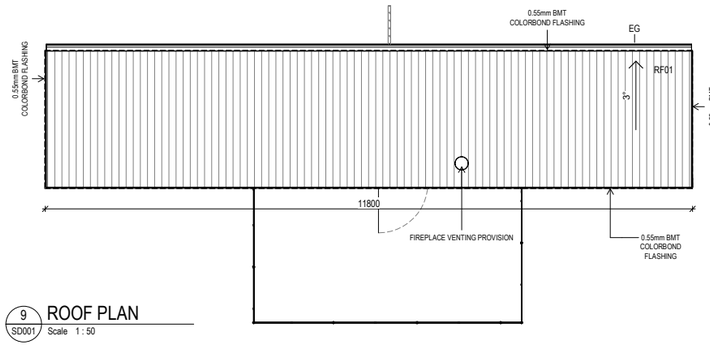
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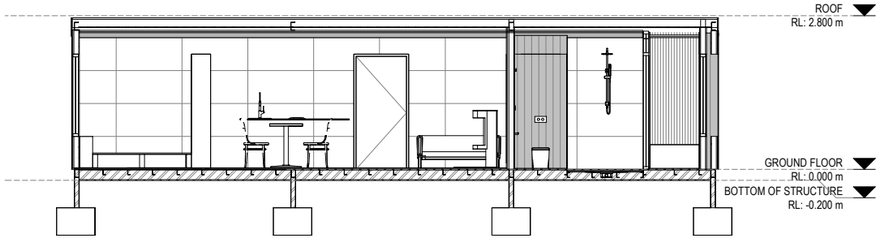
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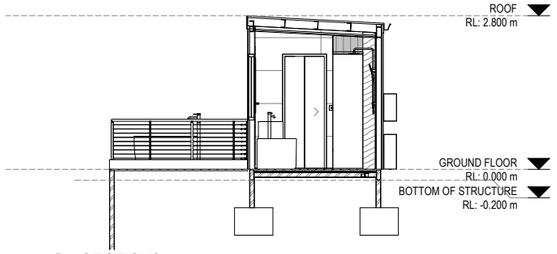
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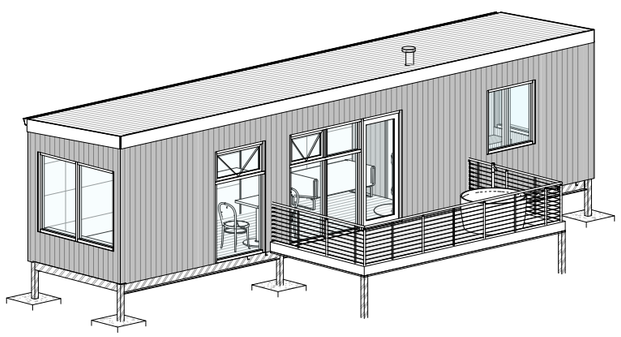
9 SD001 ROOF PLAN
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6 SD061 SECTION1
Scale 1 : 50



7 SD061 SECTION3
Scale 1 : 50



GLAMPING CABINS 3D VIEW

MATERIAL SELECTION SCHEDULE

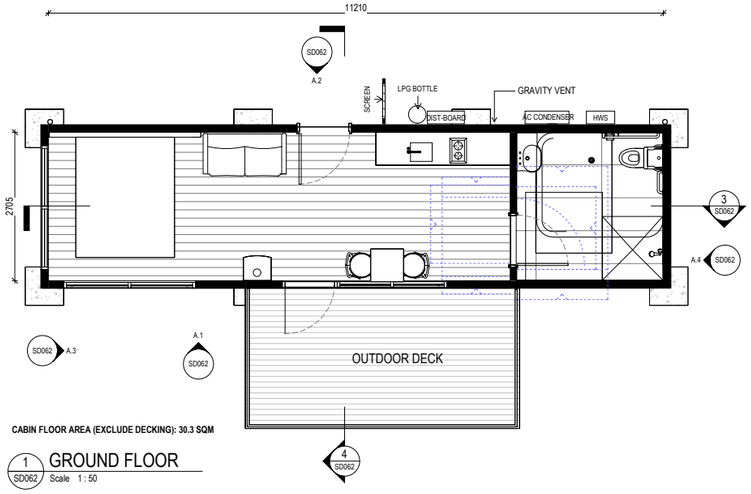
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	drawing	scale	date	drawing no.	revision
1312 BAROSSA VALLEY WAY, LYNDOCK	PROPOSED CABIN PLAN, ELEVATIONS & SECTIONS	As Indicated @A1	2024-10-16	N-24020_ SD002	PA_A

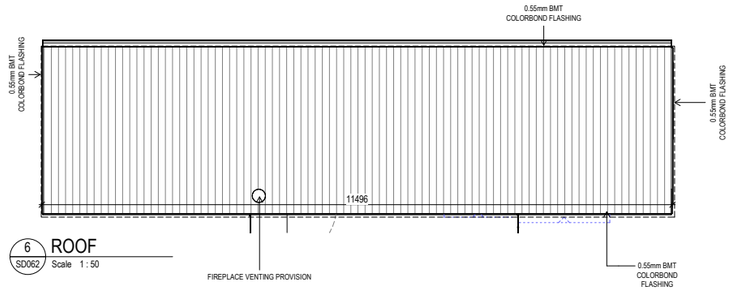
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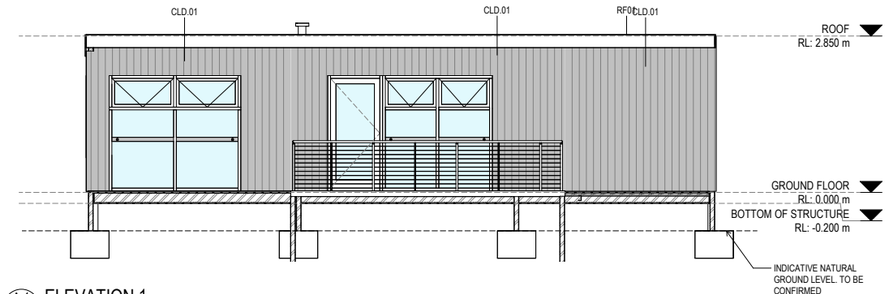


CABIN FLOOR AREA (EXCLUDE DECKING): 30.3 SQM

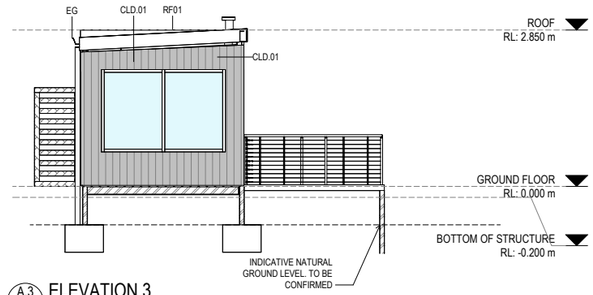
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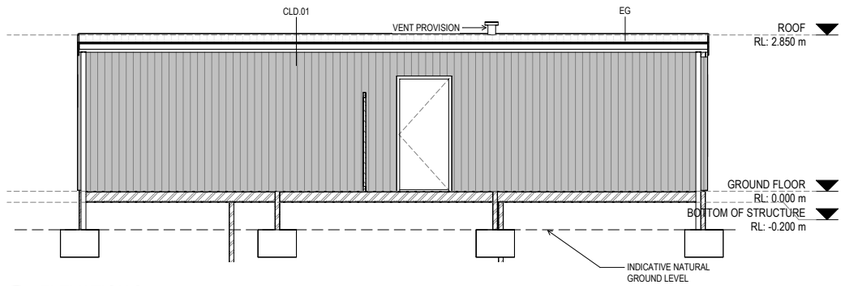
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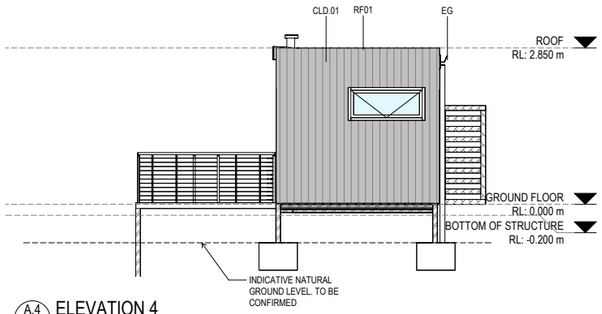
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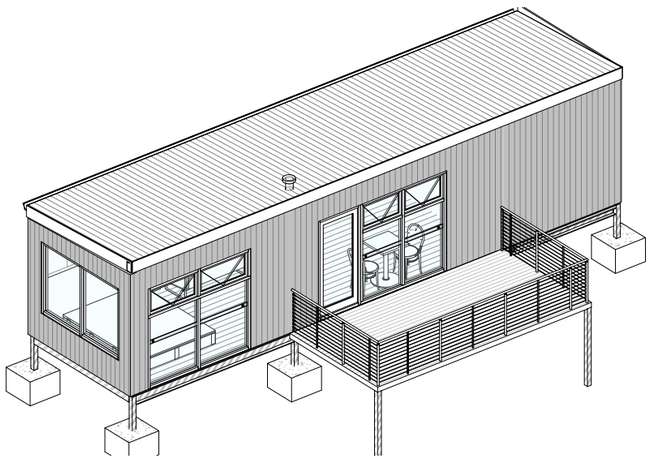
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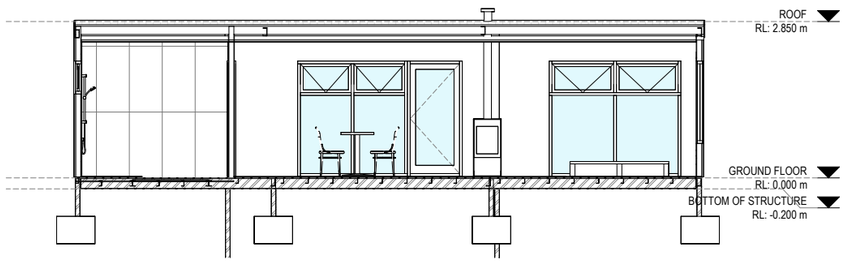
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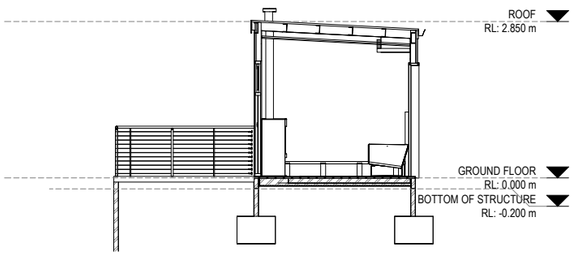
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DDA GLAMPING CABINS 3D VIEW



3 SD062 SECTION1
Scale 1 : 50



4 SD062 SECTION2
Scale 1 : 50

MATERIAL SELECTION SCHEDULE

	CLD.01	RF	
IMAGE			
DESCRIPTION	MODINEX ALUSELEKTA CHANNEL CLADDING - CEDAR OR SIMILAR	COLORBOND ROOF - MONUMENT OR SIMILAR.	ALUMINUM FRAME WINDOW POWDER COAT FINISH - MONUMENT

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Kangaroo Island Modular Resort

drawing: PROPOSED DDA CABIN PLAN, ELEVATIONS & SECTIONS
scale: As Indicated @A1
date: 2024-10-16
drawing no.: N-24020_ SD003
revision: PA_A

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1312 BAROSSA VALLEY WAY, LYNDOCK

drawing: INTERIOR FINISH IMPRESSIONS

scale: @A1

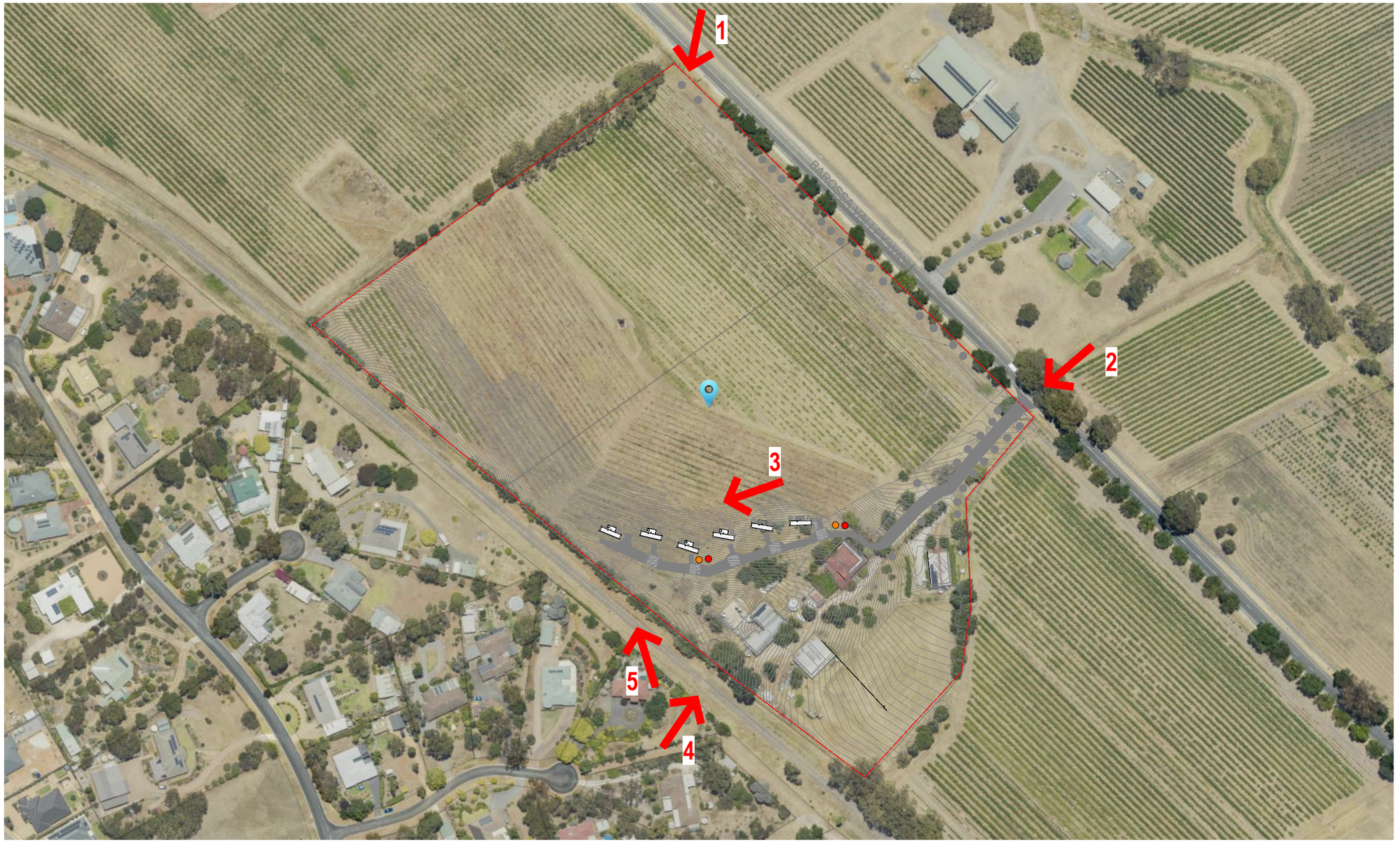
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drawing no.: N-24085_ SD004

revision: PA_A

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1 LOCATION PLAN
Scale 1 : 1000

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1312 BAROSSA VALLEY WAY, LYNDOCK	drawing: VIEW STUDY	scale: 1 : 1000@A1	date: 2024-10-16	drawing no.: N-24085_ SD005	revision: PA_A

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VIEW ALONG BAROSSA VALLEY WAY LOOKING SOUTH (CABINS VISIBLE)



VIEW AT ENTRANCE OF SITE LOOKING SOUTH/WEST (CABINS VISIBLE)

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1312 BAROSSA VALLEY WAY, LYNDOCK	VIEW STUDY - PHOTOS	@A1	2024-10-16	N-24085_ SD006	PA_A

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VIEW FROM VINE YARD LOOKING WEST (CABINS VISIBLE)



VIEW FROM RAILWAY LOOKING NORTH/EAST (CABINS NOT VISIBLE)

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1312 BAROSSA VALLEY WAY, LYNDOCK	VIEW STUDY - PHOTOS	@A1	2024-10-16	N-24085_ SD007	PA_A

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VIEW FROM RAILWAY LOOKING NORTH/WEST (CABINS NOT VISIBLE)

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1312 BAROSSA VALLEY WAY, LYNDOCK	VIEW STUDY - PHOTOS	@A1	2024-10-16	N-24085_ SD008	PA_A

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1312 Barossa Valley Way, LYNDOCH
Bushfire Risk Assessment
October 2024



SA BUSHFIRE SOLUTIONS

DOCUMENT CONTROL

Version	Date	Description	By	Review	Approved
V1	18 April	First draft	Brett Stephens	AUTA Group	AUTA Group
V2	15 May 2024	Second draft	Brett Stephens		
V3	15 October 2024	Draft Three	Brett Stephens		

DISCLAIMER AND INFORMATION STATEMENT

SA Bushfire Solutions have compiled this report and the information in this report is current as of the date of publication. Any Bushfire Emergency Management Plan or Bushfire Response Plan is current only at the date of issue as it is up to you to maintain the Australian Standard AS3959:2018 (or equivalent) and AS3745:2018 (or equivalent) for the property and/or building. Failure to maintain the property and/or building to these standards may compromise an insurance policy if it currently covers any of your assets or those of any third party that may be consequentially affected due to such failure. If not insured, and if you are seeking insurance, this report may not influence the decision of any insurer not to offer cover. To the extent permitted by law, SA Bushfire Solutions will not be held liable for any claims, demands, costs or expenses for any personal injury, property damage or death arising out of a failure by you to maintain the property and/or building to AS3959:2018 (or equivalent) and AS3745:2018 (or equivalent).

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Any fire safety work, including but not limited to planned burning, back burning and/or fire suppression, on any property or building is specifically excluded from this report.

*Where the term **"Bushfire prevention and mitigation related activities"** (or words to that effect) are used, this is to be defined as the clearance of vegetation under the South Australian State Government guidelines, including clearing and maintenance of existing fire breaks and/or fire access for firefighters under electricity pylons and properties that have been constructed to Australian Standard AS3959 and/or the National Construction Code.*

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Glossary of terms and abbreviations

Within the National Framework of Fire Risk Mitigation, the fire protection industry has placed fire outcomes into four main themes and areas of focus. These areas are:

Prevention: Prevention activities aim to minimise the occurrence of bushfires, particularly those of human origin, occurring during periods of extreme weather conditions.

Preparedness: Preparedness actions are undertaken in anticipation of fires. Effective preparedness arrangements are implemented to improve bushfire response performance.

Response: Bushfires are suppressed and managed to reduce the risk to human life, communities, essential and community infrastructure, industries, the economy, and the environment. The protection of human life will be assigned priority over all other considerations.

Recovery: Returning community, economic and business activities to a healthy state that results in a sustainable and economically viable community.

The bushfire risk assessment will largely deal with prevention, preparedness, and response. The following terms, abbreviations and acronyms have been used throughout this report.

Term	Meaning
AFAC	Australasian Fire and Emergency Service Authorities Council.
APZ	Asset Protection Zone – utilises extensive fuel management to provide the highest level of protection to human life, property, key community assets and critical infrastructure.
AS 3959 - 2018	Australian Standard 3959 – 2018 Construction of Buildings in Bushfire Prone Areas
BCA	Building Code of Australia
The Code	The Planning & Design Code
Bushfire	An unplanned fire in vegetation, including grassfires.
Bushfire Hazard	Materials that can fuel a fire
Bushfire Management	A systematic process that identifies and assesses assets and provides a range of treatments that contribute to the wellbeing of communities and the environment, that suffer the adverse effects of wildfire/bushfire.
BMA	Bushfire Management Area
BMC	Bushfire Management Committee
BMP	Bushfire Management Plan
BOM	Bureau of Meteorology.
Bushfire Prone Vegetation	Means continuous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, horticultural areas, vineyards and orchards
Bushfire Risk	The probability of a bushfire starting and spreading, but it can also be used to describe the likelihood of an asset, such as a building, being damaged or destroyed by a bushfire
Bushfire Threat	Potential bushfire exposure of an asset due to the proximity and type of a hazard, and the slope on which the asset is situated.
SACFS	South Australian Country Fire Service
SAMFS	South Australian Metropolitan Fire Service
COP	Code of Practice
CSIRO	Commonwealth Scientific and Industrial Research Organisation

Defendable Space	An area of managed vegetation around an asset is likely to be at risk from bushfire that protects it from direct flame contact and intense radiant heat, as well as providing an area where firefighters can defend the asset.
DEW	Department for Environment and Water
Fine Fuel	Dead plant matter less than 6mm in diameter
FDS	Fire Danger Season
Fuel Break	Synonymous with "firebreak"; any natural or constructed change in fuel characteristics, which affects fire behaviour so that fires burning into them can be more readily controlled. Fuel breaks will not stop a major bushfire but provide a fire control line from which to suppress a fire
Fuel Structure	The quantity, type and arrangement of fuel at different heights above the ground are usually separated into surface, near surface, elevated and bark.
FDI	Fire danger index
FBI	Fire Behaviour Index
FDR	Fire Danger Rating
AFDRS	Australia Fire Danger Rating System.
Hazard Reduction	Reducing fuel loads in any given area. Generally, by burning, mechanical, manual, or chemical means
Likelihood	The chance of a bush fire igniting and spreading.
Managed Vegetation	Combustible material that is permanently maintained in a minimal fuel state.
Minimum Fuel Condition	A condition where fine fuels are minimised to the extent that the passage of a fire will be prevented or severely restricted. This generally requires the removal of dead fine fuel and the control of live fuel, breaks in the continuity of any fuel, maintenance of a high moisture content in vegetation, or replacement of vegetation with roads, tracks, paths etc.
Major Bushfire	A bushfire that requires the attendance of multiple brigades or causes damage to property or injury to one or more persons.
Risk Acceptance	An informed decision to accept the consequences and the likelihood of a particular risk.
Risk Assessment	The overall process of risk identification, risk analysis and risk evaluation.
Risk Treatment	The process of selection and implementation of measures to modify risk.
Shelter in Place	A designated building or approved site that affords temporary shelter from bushfire.
SBCC	State Bushfire Coordination Committee
SAPPA	South Australia Property & Planning Atlas
NERAG	National Emergency Risk Assessment Guidelines published by the Attorney General's Department in 2009. Conforms to international standards for risk management AS/NZS ISO 31000:2009
OFH	Overall Fuel Hazard. Classes used to quantify OFH are Low, Moderate, High, Very High and Extreme
NCC	National Construction Code
Vulnerability	The susceptibility of an asset to the impacts of bushfire.

Table 1 - Glossary of terms and Abbreviations

Executive Summary

Recent evidence indicates a continued rise in bushfire risks across Australia, posing potentially significant threats to communities and residents. SA Bushfire Solutions was tasked with conducting a thorough Bushfire Risk Assessment, considering all internal and external factors, and devising a Bushfire Emergency Management Plan (BEMP) to enhance preparedness and protection for the 1312 BAROSSA VALLEY WAY cellar door and tourism facility in Lyndoch, South Australia.

The proposed mitigation strategies and Emergency Management Plan prioritise safeguarding against bushfire-related risks to people, property, assets, and the environment, with utmost emphasis on preserving human life. This document outlines potential risks to life, property, assets, infrastructure, and business continuity, offering recommendations for future expansion, infrastructure needs, and regulatory compliance based on risk assessment and analysis of potential bushfire scenarios and their impacts.

The recommendations in this report aim to minimise the likelihood and impact of bushfires, inform policy decisions, and provide strategic direction for future investments and planning, particularly focusing on protecting life and property from bushfire risks.

The qualitative Bushfire Risk Assessment assumes the implementation of all recommendations, supporting revised risk assessments, as does the Emergency Management Plan, which details organisational arrangements, systems, strategies, and procedures for bushfire response and management to reduce risks for staff and guests.

This plan is an integral part of the site's Emergency Management Plan, applicable to all staff, guests, and contractors, with a shared responsibility to familiarise themselves with the plan and act accordingly during emergencies. Despite prior bushfire incidents in the region, ongoing climate changes have led to increased bushfire fuels, necessitating heightened awareness and preparedness as the facility expands to accommodate more guests and activities, potentially impacting bushfire risks.

Purpose

SA Bushfire Solutions has been engaged by the AUTA Group, on behalf of the owners and directors of 1312 BAROSSA VALLEY WAY to identify the potential bushfire risks that the expansion of operations for the current facility may be exposed to within all operations and occupancy on the site. This has included.

- undertaking a site visit to assess the bushfire risk to life, and property.
- potential hindrance to suppression operations concerning the daily operations of the tourism facility.
- Informing the detailed and comprehensive qualitative Bushfire Risk Assessment and the Bushfire Emergency Management Plan (BEMP) for the new facility.

The Primary objective of the Bushfire Risk Assessment is to

- Identify the potential bushfire risks to Life and Property,
- Review the site and surrounds for the expansion and provide an analysis of potential bushfire scenarios that may impact additional locations' infrastructure and requirements.

The Primary objective of the BEMP is to

- Define the actions, roles, and responsibilities of all staff, guests, and contractors.
- Ensure all staff, guests, and contractors are appropriately and safely managed from the risks of bushfire.

The plan documents the organisational arrangements, systems, strategies, and procedures relating to the response and management of bushfires to ensure the bushfire risk and potential impacts are reduced for staff and guests.

This plan is authorised by the Emergency Control Organisation (ECO) for the site.

Methodology

The overall risk assessment process requires a consistent approach, and the methodology developed is found in the AS/NZS ISO 31000:2009 as incorporated into the National Emergency Risk Assessment Guidelines (NERAG).

A bushfire risk assessment must consider the wider landscape to define the bushfire environment and identify possible risks to the infrastructure and landholders. It is important to gather (and assess separately) information across many key inputs so that when the data is combined, we have the best indication of bushfire risk.

As part of the Bushfire Risk Assessment SA Bushfire Solutions has reviewed.

- Proposed plans for existing, and proposed infrastructure.
- Undertook detailed site assessments looking at;
  - Bushfire Fuels (Fuel Hazard Assessments)
  - Access and egress: (Fire Tracks and Fuel Breaks)
  - Bushfire History Analysis
  - Vegetation Management of the property and surrounds.
  - Water supply and availability across the sites.
  - Asset Protection Zones (APZs)

Fire Management Legislation Context

Fire Management in South Australia must take into consideration a range of legislation, policies, procedures, and guidelines that are relevant at Local, State and Federal levels. The following table summarises those relative to fire management in South Australia.

Legislation	***Key outcomes***
Fire and Emergency Services Act 2005	• Framework for Bushfire Management and Bushfire Emergency Response in South Australia
Emergency Management Act 2004	• Framework for emergency incident response and recovery
Native Vegetation Act 1991 ***National Parks and Wildlife Act 1972*** ***Crown Land Management Act 2009*** ***Natural Resources Management Act 2004***	• Framework for environmental management
Development Act 1993	• Framework to identify Bushfire prone areas and enactment of regulations for planning and building
Local Government Act 1999	• Framework for local Government districts to *"take measures to protect its area from natural and other hazards"*
Other Relevant Legislation, Codes and Regulations	*Native Vegetation Act 1991 (SA) Section 29* *Native Vegetation Regulations 2003 (SA) Section 5A-1 and 5(1)(zi)* *Environment Protection and Biodiversity Conservation Act 1999* *National Parks and Wildlife Act 1991 (SA)* *Wilderness Protection Act 1991 (SA)* *Crown Land Management Act 2009 (SA)* *Development Act 1993 Development Regulations 2008* *Natural Resources Management Act 2004*

Table 2 - Bushfire Legislation Summary Table

Bushfire Policy and Planning Context

South Australian Country Fire Service

The South Australian Country Fire Service (SACFS) is the Hazard leader for rural fire and has the responsibilities for the protection of Life, Property, and the Environment. The SACFS undertake this through.

- Legislation
- Operational Doctrine
- Public Information and Community Engagement
- Bushfire prevention activities
- Bushfire Management Planning

Planning and Design Code

The Planning and Design Code (The Code) is a single document that outlines planning requirements for all types of building work in South Australia. In 2016 the South Australian Government introduced the Planning, Development, and Infrastructure (PDI) Act to supersede the Development Act from 1993.

The Code came into effect on 19 March 2021, replacing all Development Plans across South Australia. The Code is the State's single planning rule book and contains planning policies for the assessment of a development application under the Planning, Development, and Infrastructure Act 2016.

The 1312 BAROSSA VALLEY WAY site is subject to the Assessment Provisions (AP) and corresponding Desired Outcomes (DO), and Performance Outcomes (PO) as defined by The Code for the Hazard Overlays – Bushfire.

Bushfire Management Committee (BMC)

South Australia has a two-tiered structure for bushfire management (as per Division 7 Fire and Emergency Services Act 2005)– a State Bushfire Coordination Committee (SBCC) and a Bushfire Management Committee (BMC) in each of the nine Bushfire Management Areas (BMAs) (refer to Figure 1).

The CFS has an established Bushfire Management Planning Unit whose role is to assist BMC in preparing Bushfire Management Area Plans (BMAP).

The BMCs have a critical role in landscape-scale bushfire risk assessment and a key role in ensuring a coordinated approach to the implementation of mitigation strategies amongst various organisations and agencies.

The State Bushfire Management Plan sets out the framework for bushfire management in South Australia and details the procedures for the preparation and implementation of the BMAPs including.

- Steps to identify assets at risk of bushfire.
- Assessment of bushfire risk to those assets.
- Options to treat the identified risks.
- A framework to implement risk mitigation programs.
- Expectations for monitoring and reporting risk treatments.
- A process for assessments and review.

Whilst CFS engage with all stakeholders to assist in the production of a BMAP, each organisation and landowner is responsible for the implementation of the risk treatments on land under their care and control.

Adelaide Mount Lofty Ranges Bushfire Management Committee

The Adelaide Mount Lofty Ranges Bushfire Management Committee (AMLRBMC) contribute to providing strategic direction for bushfire management planning and implementation in the BMA. The BMC follows an established process to identify bushfire risks and recommend treatment strategies in their pre-determined geographic area as per their legislative responsibilities.

The committee seeks to implement bushfire mitigation measures in a coordinated fashion and to apply the strategies across the landscape with a tenure-blind approach to managing bushfire risk. Unfortunately, the committee does not have the resources to identify and recommend treatment strategies for every individual property or local area.

Bushfire Protection Areas

Following the Canberra bushfires of January 2003, the State Government convened the Premier's Bushfire Summit, the aim of which was to review existing planning, environment and building safety regulations that were last amended 20 years earlier following the 1983 Ash Wednesday bushfires.

A bushfire hazard rating was calculated using the 'McArthur fire model'. Inputs to this include slope, aspect, weather (temperature and humidity) vegetation data (including fuel loads) and population growth.

The analysis of this data resulted in the current designated Bushfire Protection Areas across SA, divided into three distinct levels of bushfire risk (refer to Figure 2):

- General Bushfire Risk
- Medium Bushfire Risk
- High Bushfire Risk.

Some areas, generally townships and urban areas, with adequate fire protection measures that are defined as 'excluded' where it is not considered necessary to introduce specific bushfire planning or building requirements.

Areas still considered to be bushfire-prone but have a lower risk to lives and property, either due to environmental factors, adjacent fuel hazard or remoteness, are recognised as:

- Urban Interface areas
- Outback Bushfire Risk
- Regional Bushfire Risk

Following the May 2022 declaration by the State Government of a climate emergency, the necessity to update planning systems around bushfire risk formed the basis for the state-wide Bushfire Hazards Overlay Code Amendment.

This proposal, seeking to "update the spatial application of the bushfire hazard overlays to reflect recent bushfire hazard mapping, and review the policy contained in each of the overlays" was on consultation from November 2023 to April 2024. This amendment is currently under review for submission to the State Planning Commission.

Outcomes of the amendment will update mapping for the current six bushfire hazard overlays, likely including:

- The replacement of the High, General & Medium Risk Overlays with a single Bushfire Hazard Overlay
- Retention of the Outback and Urban Interface areas of the Overlay
- Removal of the Regional Bushfire Risk Overlay
- Updated policy framework for planning and development within the BMO

The spatial data used to generate the new bushfire hazard mapping for the Amendment is also intended to better reflect more current risks of bushfires by utilising more precise and relevant vegetation mapping and fuel modelling.

Code of Practice for Fire Management on Public Land in South Australia

The Code of Practice for Fire Management on Public Land in South Australia (CoP) recognises the Department for Environment and Water (DEW), Forestry SA and SA Water as the responsible Government agencies for managing fire on all public lands in South Australia. The Code also acknowledges the shared responsibility across the landscape with the SACFS, local Government and all private landholders to protect life, property, and environmental values through the management of fire.

The CoP contains overarching principles, performance measures and desired outcomes for Fire Management Programs, which complement the State Bushfire Management Plan. The CoP has been referenced to ensure a consistent approach to fire management is applied across the landscape.

Department for Environment and Water (DEW) Fire Management

DEW develop Fire Management Plans to guide fire management activities on public lands in high-fire-risk areas across South Australia.

The Fire Management Plans aim to assess the level of risk of a bushfire, identify objectives for fire management, outline strategies and propose works to increase the level of bushfire preparedness within the area outlined in the plan.

Adopted fire management plans remain current for ten years unless they are required to be reviewed due to a major fire, a change in policy, objectives or management direction, or on-ground works.

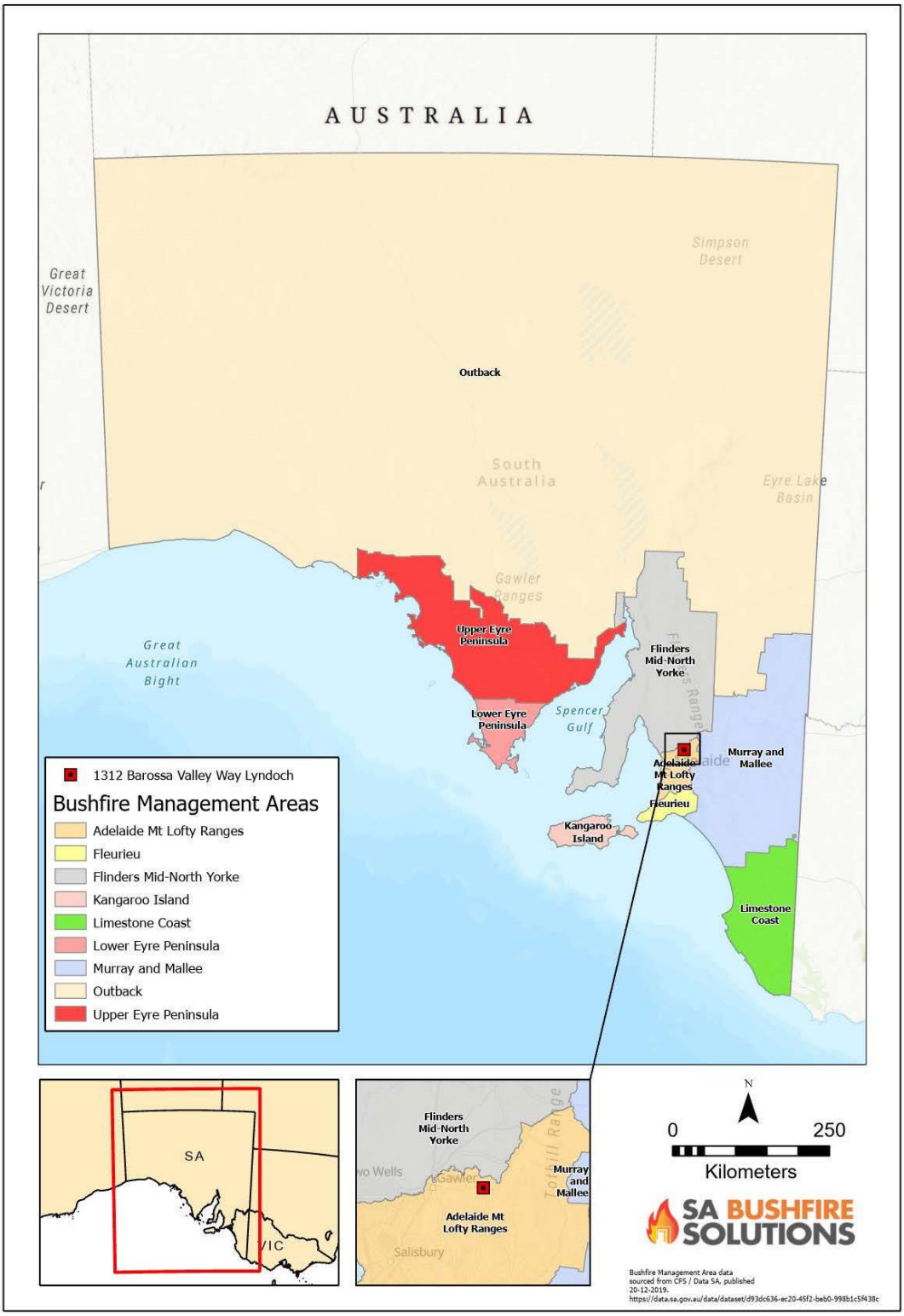


Figure 1 - Bushfire Management Areas

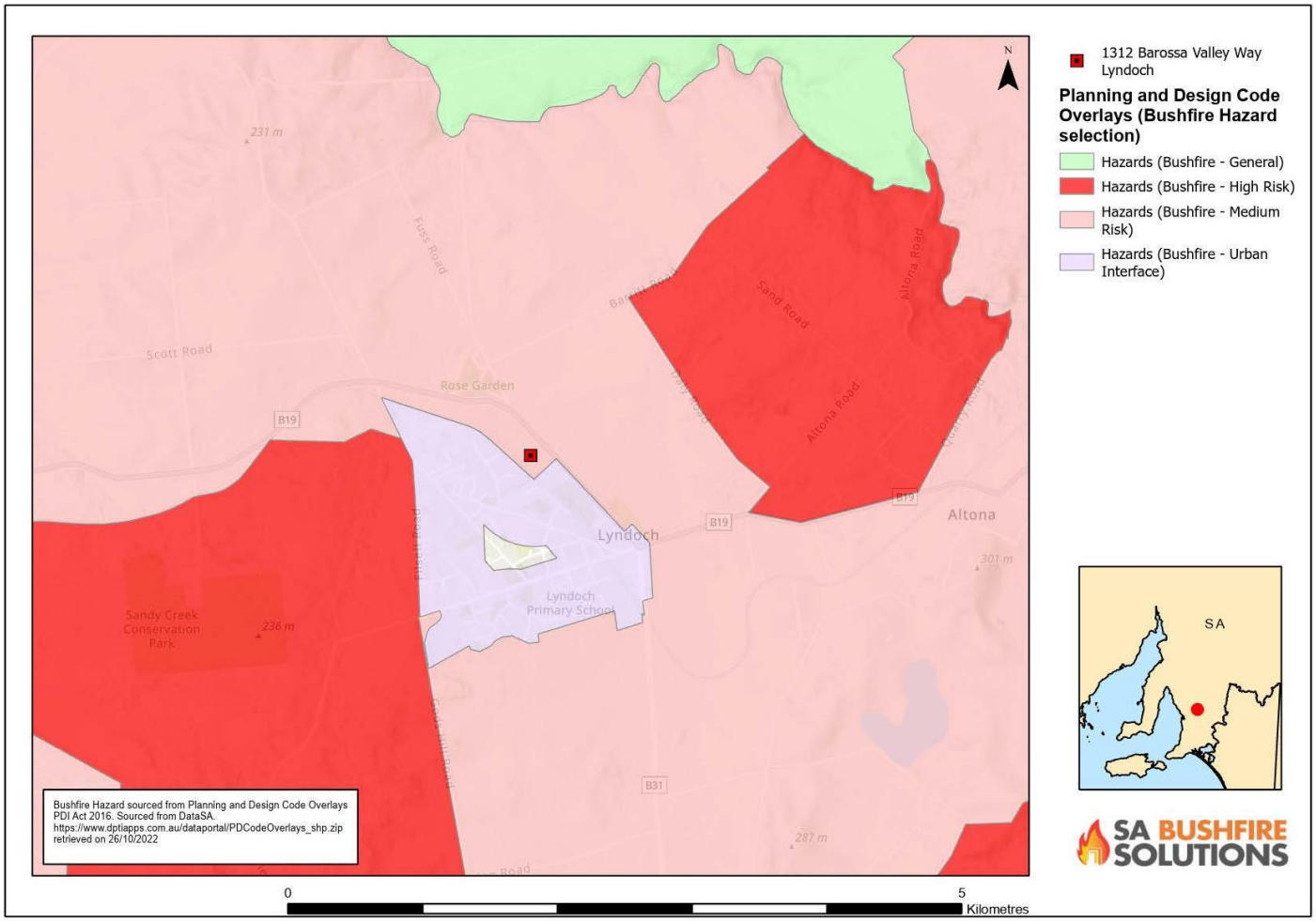


Figure 2 - Bushfire Protection Areas.

Building Codes and Policies

Bushfire Attack Level (BAL)

A Bushfire Attack Level (BAL) Assessment determines the bushfire attack level as defined in *AS3959-2018 Construction of Buildings in Bushfire Prone Areas* (AS 3959:2018) as a "means of measuring the severity of a building's potential exposure to ember attack, radiant heat, and direct flame contact" (refer to Figure 3). The Standard was adopted as part of the *Building Code of Australia* (BCA) on 1 May 2010.

The *AS 3959:2018 is* "primarily concerned with improving the ability of buildings in Designated Bushfire-Prone Areas to better withstand attack from bushfire thus giving a measure of protection to the building as well as its occupants. The survivability of buildings is also dependant on a combination of measures such as landscaping, water supplies, access & egress, building design and maintenance."

The standard combines scientific calculations with practical information on radiant heat exposure to an asset at the fire front based on fuel type, topography, and distance in metres to the asset.

The size of an Asset Protection Zone (APZ) is determined by a BAL assessment. A BAL assesses the interaction between classified vegetation, local topography and the distance between the proposed asset and vegetation, the BAL is a measurement of potential bushfire impact via ember attack, radiant heat, or direct flame contact.

Buildings constructed throughout Australia before the introduction of this Australian Standard are at greater risk from the effects of bushfire as they were not built to withstand potential bushfire impacts such as ember attack, radiant heat, and direct flame contact.

For the planned development at 1312 BAROSSA VALLEY WAY, "Indicative" BAL Assessments were conducted for the project areas. Reverse-engineering the designated setback distances to the local classified vegetation to determine the nominal BAL Flame Zone to 12.5 for each. See Appendix 3 for Nominal BAL advice.

Bushfire Refuge

The *Building Code of Australia* (BCA) is adopted by all State and Territory Governments as a mandatory performance-based code for the design and construction of *Class 1* to *Class 10* buildings. Whilst the BCA does not contain specific provisions relating to the design and construction of a Community Bushfire Refuge (refuge) or private bushfire shelter it does provide tables of ***acceptance criteria*** to comply with the identified performance requirements.

Noting the BCA performance and acceptance criteria for private or community bushfire refuges SA Bushfire Solutions recommends (to avoid confusion against the BCA standards) that any reference to buildings possibly called a ***"Bushfire refuge"*** is replaced with ***"sheltering in place building."***

Bushfire attack level	Radiant heat exposure (AS 3959) and levels of exposure	Description of Predicted bushfire attack and levels of exposure
BAL - LOW	Insignificant	The risk is very low, radiant heat on the building is insignificant to warrant specific construction requirements, however ember attack may still occur. If you are in a designated BPA, you must however construct to a minimum BAL 12.5
BAL – 12.5	0 to 12.5 kW/m2	Primarily risk of ember attack; risk of radiant heat is considered low
BAL - 19	12.5 to 19 kW/m2	Risk is considered moderate with increasing levels of ember attack and burning debris ignited by wind borne embers; increasing likelihood of exposure to radiant heat
BAL - 29	19 to 29 kW/m2	Risk is considered to be high with increasing levels of ember attack and burning debris ignited by wind borne embers; increasing likelihood of exposure to radiant heat
BAL - 40	29 to 40 kW/m2	Risk is considered to be very high. Increasing levels of ember attack and burning debris ignited by wind borne embers; increasing likelihood of exposure to radiant heat and some direct exposure to flames possible
BAL - FZ	40 kW/m2plus (Flame Contact)	Risk is considered to be extreme. Direct exposure to flames from fire front is likely in addition to high levels of radiant heat exposure and ember attack

Figure 3 - Bushfire Attack Level (BAL) Summary

Bushfire Environment

Bushfires in Australia

Both the continent of Australia and the state of South Australia are among the most fire-prone areas in the world. A history of catastrophic bushfires owing to the hot and dry conditions that characterise summer, the available bushfire fuels, and our choice to live and work in this high bushfire-risk environment.

The rate a bushfire can spread is a direct result of the weather, fuel hazard (including dryness, quantity, and arrangement) and the topography in which the fire is burning. The only factor possible to be modified is the bushfire fuel.

Bushfire safety is considered a shared responsibility between the Government (State and Local), the fire services, communities, and individuals. All parties are responsible for preparing before the fire season to protect themselves and their interests from bushfires.

Extreme fire conditions can occur in Australia when dry winters and springs allow bushfire fuels to become very dry.

Under this combination of conditions, fires can be expected to move quickly under the influence of strong, gusty north/north westerly winds. These fires can then move rapidly in a different direction when the subsequent south/westerly wind change arrives. Fires that start under these conditions can reach very high intensity, even in areas of relatively low fuel loads, and can be difficult to control until the weather conditions abate.

The higher the intensity of a bushfire is directly linked to its destructiveness and the more difficult it is to control. As the intensity increases so does the difficulty of containment and effective suppression. Very high-intensity fires with flame heights greater than ten metres are generally uncontrollable.

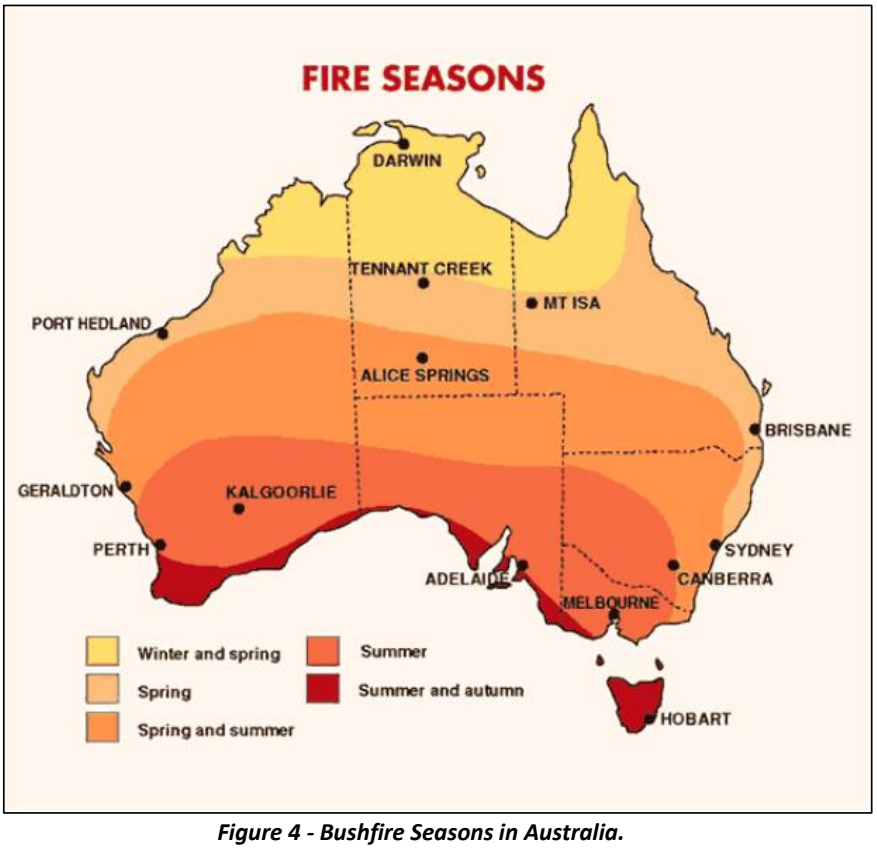


Figure 4 - Bushfire Seasons in Australia.

Bushfire History South Australia

South Australia has experienced many devastating bushfires owing to the hot dry conditions that characterise summer. Bushfires can occur from October through to May, but historically the most devastating have occurred in January and February.

The 2019/2020 season was the most recent significant bushfire season in South Australia with many bushfires impacting throughout the state including the fires at Cudlee Creek and Kangaroo Island.

Role of South Australian Fire Services

There are four major fire agencies in South Australia including the South Australian Metropolitan Fire Service (SAMFS), the South Australian Country Fire Service (SACFS), the Department for Environment and Water (DEW) and Forestry SA.

The SAMFS and SACFS, together with the SA State Emergency Services, are members of the South Australian Fire and Emergency Services Commission (SAFECOM), a Government organisation established to improve communication and coordination across the various emergency service sectors.

South Australian Metropolitan Fire Service (SAMFS)

The SAMFS provides a broad range of Emergency Services – fires, road crash rescue, gas leaks, chemical spills, rescues, structural collapse, animal rescue, storm damage, lockouts, flooding, smoke alarms and private alarms.

The MFS has 36 fire stations and over 1,000 personnel in Adelaide and across South Australia in major rural centres. It also has one marine vessel.

South Australian Country Fire Service (SACFS)

The SACFS is a community-based fire and emergency service that operates in rural and semi-urban South Australia. It is staffed by 144 staff and comprises over 428 rural fire brigades with, approximately 13,500 volunteers to manage our day-to-day operations.

The SACFS attends Bushfires and grass fires, Building and motor vehicle fires, Road crash rescue, and Hazardous Material Spills (HazMat).

Department for Environment and Water (DEW)

DEW is responsible for ensuring that South Australia's natural resources are managed productively and sustainably while improving the condition and resilience of the state's natural environment. They manage the state's public land (including Heritage & Crown lands) which consists of approximately 330 reserves that cover 21.7 percent of the state.

The Department is a registered CFS brigade and undertakes bushfire mitigation planning and works, supporting the CFS.

Forestry SA

Forestry SA manages 125,000 hectares of state-owned forest resources in South Australia. This consists primarily of softwood plantation but also includes 23,900 ha of Native Forest Reserves for nature conservation. Forestry SA lands are principally located in the Green Triangle Region (southeast coastal region), the Mount Lofty Ranges and the Mid-North Regions.

Bushfire fuels

Larger fuels burning during a bushfire do not contribute as significantly to bushfire behaviour as widely understood, with the quantity and arrangement of fine fuels significantly influencing the spread of bushfire.

Fine fuels, such as grass, leaves, pine needles, and small twigs that ignite easily and burn rapidly when dry, typically measure less than 6mm in thickness. The fine fuel load, measured in tonnes per hectare, serves as a practical indicator of bushfire hazard in areas with woody vegetation, balancing fuel buildup rates with factors like litter decomposition and fire occurrences.

Vegetation fuel is categorised into four layers, each affecting fire behaviour differently:

Surface fine fuels: leaves, bark, small twigs, and other fine fuel lying on the ground. These fuels provide the horizontal continuity that allows a bushfire to spread.

Near-surface fine fuels: grasses, low shrubs, bracken etc. (up to about .5 m above the ground surface) fuels in this layer will burn when the surface fuel layer burns and will increase bushfire intensity.

Elevated fuels: larger shrubs and small saplings with most of the fuel closer to the top of this layer and a clear gap between them and the surface fuels. These interact with the two-layer fuel layers to further increase bushfire intensity. They also contribute to the vertical continuity of fire that allows fire to 'climb' into the tree canopy.

Bark fuels: flammable bark on trees, saplings, and large bushes from ground level to the canopy. Loose fibrous bark on string-bark eucalypts and candle bark on some gums can generate large amounts of embers which can start spot fires ahead of the main fire front.

Understanding these fuel layers is vital for accurately assessing and managing bushfire risks.

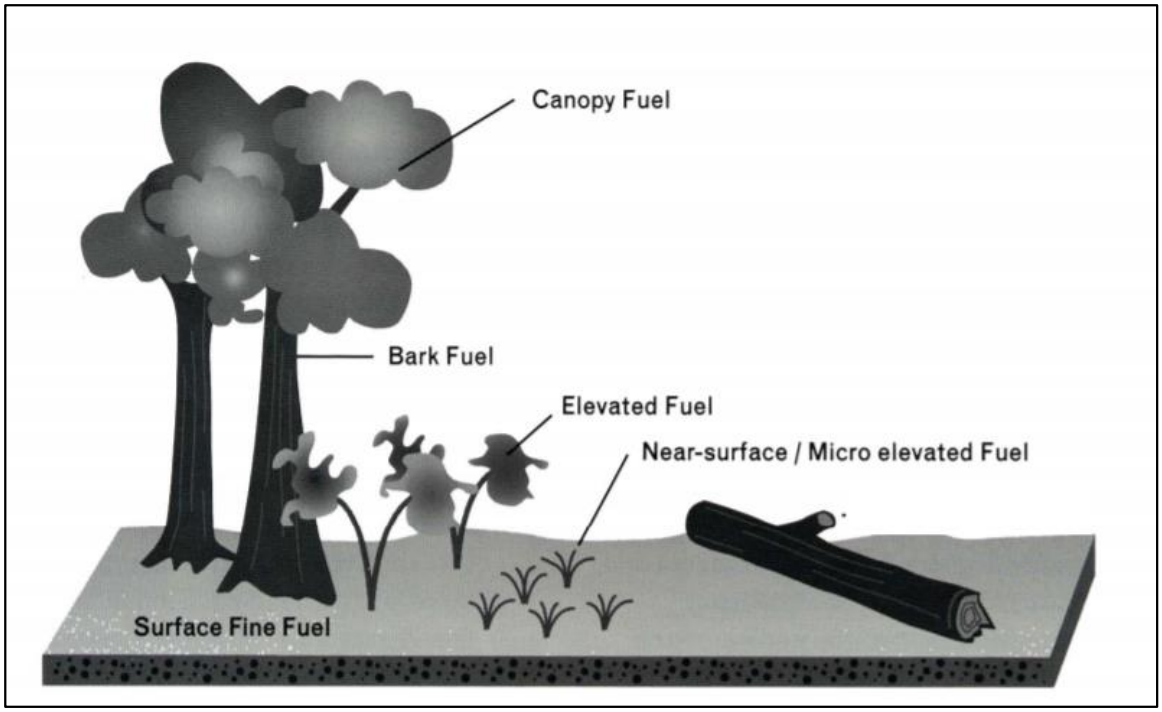


Figure 5 - Components of Vegetation Fuel Layers

Fire Behaviour

Fire direction and rate of spread (expressed in km/hr), flame height, fire intensity and ultimately controllability by the fire agencies are determined by climatic and weather conditions, topography, and available fuel in the area.

Days of higher fire risk are often typified by the passage of a cold front, which causes fires to spread rapidly and then change direction due to the wind change.

Fires can be expected to move quickly under the influence of strong, gusty north winds and can then move rapidly in a different direction when the subsequent south-westerly wind change arrives. Most of South Australia's catastrophic fires that have claimed lives and homes have been subject to this type of effect, with many fatalities resulting from people being trapped after the fire changed direction.

Fires that start under these conditions can reach a very high intensity, even in areas of relatively low fuel loads and can be difficult to control until the weather conditions abate.

Grass fires are predominantly wind-driven events and spread rapidly under the influence of strong winds. Grass fires burn at a lower intensity and flame height than forest fires and burn out quickly. Grass fires can often be quickly extinguished with water.

In contrast, woodland/forest fires have more fuel (leaf and bark litter on the ground, shrubs, grasses, trees etc) available for a fire to burn but travel slower. They can generate incredible amounts of heat energy and can even create their own weather under elevated fire weather conditions.

Bushfire intensity is a function of the heat content of the fuel, the quantity of fuel and the rate of spread of the bushfire.

Bushfire and Climate Change

The climate in South Australia is characterised by mild winters followed by hot and dry summers. The South Australian fire season typically occurs between the end of October and the start of May.

The CSIRO and Bureau of Meteorology (BOM) 'State of the Climate Report 2020' identified that "there has been an increase in extreme fire weather, and in the length of the fire season, across large parts of Australia since the 1950s, especially in southern Australia".

In May of 2022, the Government of South Australia declared a climate emergency, this followed reviews and analysis of the 2019/2020 "Black Summer" bushfire season.

The changing climate is increasing the frequency of extreme fire weather events and the size, scale, ferocity, and impact of bushfires. Such events pose a continuous challenge to agency fire suppression capacity and capability and an increased threat to life, property, and environmental assets.

All documented evidence suggests that South-Eastern Australia is one of the most bushfire-prone areas in the world and the associated risks from climate change indicate that it will only worsen. Recent data suggests that fuel loads across areas of South Australia have significantly increased due to the uncommon extreme weather patterns with the above-average rainfall switching rapidly to below-average rainfall, drying the available fuels and soil.

These effects of climate change are expected to.

- Affect fire regimes through its effects on temperature, rainfall, humidity, and wind.
- Warming and drying over much of Australia, especially South-Eastern Australia.
- An increase of 5 to 65% in the incidence of extreme fire danger days.
- Managing fire regimes to reduce risk to property, people and biodiversity will be increasingly challenging.

Community Notification

The SACFS provides information to support the community in understanding the Fire danger season, forecast fire weather, current and predicted fire impact locations, predicted bushfire behaviour and recommended actions you should take including advice on Bushfire Safer Places and Place of Last Resort locations.

Fire Danger Season

The Fire Danger Season (FDS) dates are set annually by the CFS Chief Officer based on recommendations from respective BMCs and extensive consultation.

These dates can range from the 1st of November to the 30th of April but may be varied according to seasonal conditions leading up to and during the summer months.

Fire Weather Warnings and Australian Fire Danger Rating System

The Bureau of Meteorology and the SACFS provide advice on forecast conditions that would make a fire unpredictable and difficult to control should a bushfire be ignited. This early advice is to assist the greater community plan for the predicted significant fire weather days.

To consider fire preparedness requirements and consequential actions to ensure timely advice to all affected parties, a review of BOM 4-day and daily fire weather forecasts should be observed.

There are several terms utilised when informing the community of the potential or current bushfire risk including.

- Australian Fire Danger Rating System (AFDRS)
- Fire Behaviour Index (FBI)
- Total fire bans
- Bushfire Warnings and Current Incidents
- Bushfire Alert Levels
- Lightening Activity Levels (LAL)

Fire weather forecasts can be available 4 days (up to 7 days) in advance, with the AFDRS routinely issued by 5 pm daily during the fire season.

AFDRS and Total Fire Ban information for days 2, 3 and 4 are preliminary forecasts and should be used as a guide only as these ratings may change based on both weather and non-weather-related factors. Total Fire Bans are officially declared after 4 pm the day prior.

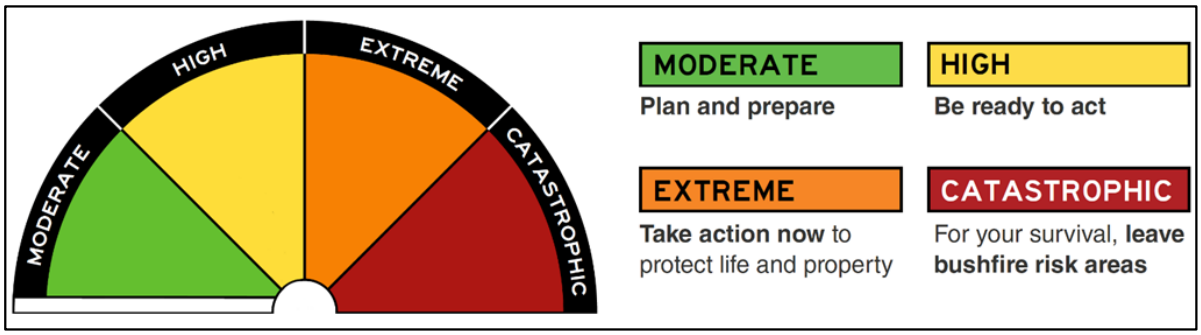


Figure 6 - Australian Fire Danger Rating System

Term	Description
Fire Danger Rating	The Australian Fire Danger Rating System indicates how bad a bushfire would be if one started. For up-to-date Fire Danger Rating predictions visit Fire Danger Ratings
Total Fire Bans	A Total Fire Ban is declared by SACFS on days when fires are likely to spread rapidly and could be difficult to control. There are restrictions on days of Total fire bans to prevent fires from starting. For up-to-date information on what activities, you can do on fire ban days visit; Total fire bans - What can I do?
Lightening Activity Levels (LAL)	Is a scale that describes lightning activity. LAL 1 No thunderstorms LAL 2 Isolated thunderstorms. Light rain will occasionally reach the ground. Lightning is very infrequent, with 1 to 5 cloud-to-ground strikes in a 5-minute period. LAL 3 Widely scattered thunderstorms. Light to moderate rain will reach the ground. Lightning is infrequent, with 6 to 10 cloud-to-ground strikes in a 5-minute period. LAL 4 Scattered thunderstorms. Moderate rain is commonly produced Lightning is frequent, with 11 to 15 cloud-to-ground strikes in a 5-minute period. LAL 5 Numerous thunderstorms. Rainfall is moderate to heavy. Lightning is frequent and intense, with greater than 15 cloud-to-ground strikes in a 5-minute period. LAL 6 Dry lightning (same as LAL 3 but without rain). This type of lightning has the potential for extreme fire activity and is normally highlighted in fire weather forecasts with a Red Flag Warning.

Table 3 – Fire Danger Ratings, Total Fire Ban and Lightning Activity Level warnings

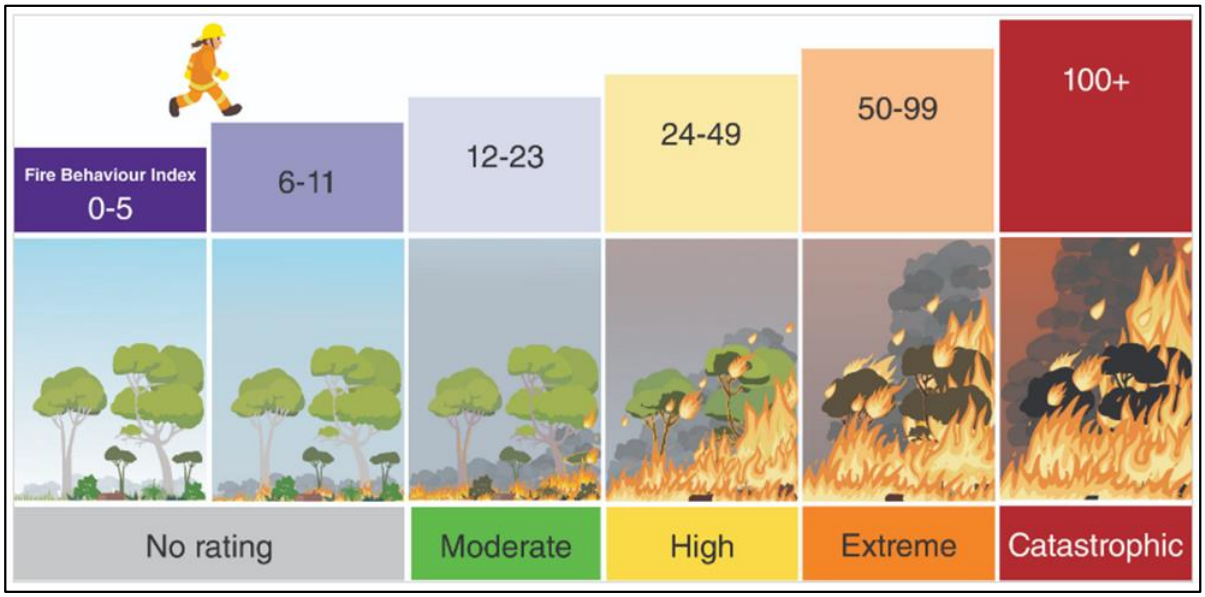


Figure 7 - Fire Behaviour Index within Australia

Bushfire Advice and Warning Messages

The SACFS provides information to support the community in understanding the current and predicted fire impact locations, predicted bushfire behaviour, possible impact areas, and recommended actions you should take. For up-to-date warnings visit SACFS Bushfire warnings and incidents. The terms utilised when informing the community of the potential or current bushfire risk include.

Bushfire Alert Level	Consideration	Action Plan
'ADVICE' 	**'Observe and review'** Operate with a heightened level of caution and focus on a high level of diligence and alertness.	Minimise unnecessary access to the site. Evacuate early.
WATCH' and ACT' 	**'Plan to Shelter in Place or evacuate'** A 'Watch and Act' message is received reporting a fire potentially threatening the sites and public safety. Prepare to shelter in place, Evacuation could be possible.	Prepare to move guests, staff and contractors to the assembly area and evacuation point. Evacuate early
'EMERGENCY WARNING' 	**'Evacuate or seek refuge'.** An 'Emergency Warning' message of an uncontrolled bushfire where the loss of life or threat to the sites is almost certain. Shelter in Place early before danger is present.	Shelter in Place is required. Move staff/guests/contractors to the Bushfire Shelter in Place location. Seek refuge in the Bushfire Shelter in Place location. Follow instructions and evacuate as instructed.

Table 4 –Action Plan for SACFS Bushfire Warning Messages.

Bushfire Safer Places & Last Resort Refuges

The SACFS have identified Bushfire Safer Places and Bushfire Last Resort Refuges for local Government areas across South Australia and encourages all residents or those travelling through bushfire-prone areas to ensure they have a well-prepared and practised bushfire plan.

Bushfire Safer Places and Last Resort Refuges will be used when your primary response plan has failed.

BUSHFIRE SAFER PLACE	Adelaide Metropolitan area, outer suburbs, and rural settlements	Use if you need to relocate early. Suitable for use during forecast fire weather or, bushfire. Likely subject to sparks, embers, and smoke
BUSHFIRE LAST RESORT REFUGE	Ovals, buildings in rural areas.	Use only if your plan has failed. It is not suitable for extended use and provides only limited protection during bushfire.

Table 5 - Bushfire Safer Place and Last Resort Refuge

Site Overview

The 1312 BAROSSA VALLEY WAY is in the Municipality of the Barossa Council and the Hundred of Barossa. The site occupies a single title (CT6296/848) at the address **Lot 1312 Barossa Valley Way, LYNDOCH**. The site is approximately 15km east of Gawler, 20km southwest of Nuriootpa, and an hour's drive from the Adelaide CBD (refer to Figure 8.)

Operational activities require the presence of onsite staff and contractors to support management, general and maintenance activities. The facility, an operating cellar door, vineyards, and short-stay accommodation, 1312 BAROSSA VALLEY WAY currently involves daily cellar door activities, cleaning, maintenance of the existing dwelling, viticulture infrastructure and grounds, as well as guest turnover for the heritage residence accommodation. Following the expansion, it can be expected that there will be a requirement for further maintenance, cleaning, guest services, and contractors. The predominant human presence affecting the site now and in the future is the guests and staff, who are regularly on site inside and outside of operating hours. The development of a large-scale sporting complex near the site is anticipated to increase the number of families and individuals in proximity to 1312 BAROSSA VALLEY WAY.

The property is 20 acres of commercial agriculture land, currently populated with cultivated vineyards, a cellar door, a heritage homestead "Draycott," machinery shedding, informal customer parking and gravel driveways. The land surrounding the property is a combination of commercial enterprise, agricultural properties, developed subdivisions, and common-use community space. The land and properties immediately surrounding 1312 BAROSSA VALLEY WAY are typical for the Barossa region, a tourism centre known for its cultivated beauty, agriculture, viticulture, and picturesque nature. The property is built on Barossa Valley Way, the main road connecting Gawler, Lyndoch, and Nuriootpa townships. The Sandy Creek Conservation Park, the closest area of classifiable bushland, lies just under 2km to the southwest.

The development intends to include the following operational infrastructure:

- 6 modular-style cabins:
  - 30 square metre, self-contained, single-bed accommodations with accompanying decking and amenities. (approx.50 square metres overall)
- a 1000 square metre machinery shed and accompanying:
  - concrete hardstand
  - minor amenities (i.e. WC)
  - 2x 22,700L water storage
- dedicated firewater storage.
  - water tank and associated pump/plumbing requirements per Ministerial Building Standard 008.
- expanded informal parking areas, unsealed x 23.
- gravel accessway and individual driveway for each cabin.
- Emergency Vehicle access and egress.

The greater Barossa area is surrounded by primary industry, with much of the land within the region being used for livestock, broadacre farming and viticulture. Central townships, Gawler, Lyndoch, and Nuriootpa, all contribute highly to the Barossa's value as a highly developed, commercial tourism centre.

The land adjacent to the property includes.

- **North** -Barossa Valley Way, the main road connecting Gawler to Nuriootpa, via Lyndoch and Tanunda, runs east-west from Adelaide and binds the property at 1312 BAROSSA VALLEY WAY southeast-northwest, supporting the front entry to the property. The greater surrounding area to the north is primarily agriculture and tourism, including several notable wineries and cellar doors such as Gomersal Wines and Chateau Yaldara. Other large commercial tourism locations such as Lyndoch Hill and the Barossa Valley Novatel encompass areas to the north.
- **East** – the adjacent land parcel to the southeast of the property (CT6296/849 - D133394 A3) which is home to unused vineyards, was acquired by the Barossa Council for the recently approved development of a community sporting precinct, an expansion of the existing Lyndoch Recreation Park infrastructure. The resulting large-scale

complex is going to significantly change the likelihood and impact of potential bushfire behaviour throughout the immediate area due to the elimination of the vines and related vegetation, and the Asset Protection Zone for the new infrastructure. In the larger northeastern area of the site, the small township of Altona, and the towns Tanunda and Nuriootpa are located along Barossa Valley Way. Larger areas of classifiable vegetation to the east include the DEW-managed Altona Conservation Park, 2 km from the site; and the Pewsey Vale Forest, Forestry SA's asset, which is 10 km from the development site.

- **South** – to the south of the site is the Lyndoch township, highly developed residential areas, and the location of a SACFS Bushfire Safer Place for the surrounding residents and communities. Further subdivisions of agricultural properties are approved for development to the west and south of the Lyndoch community. Running along the back boundary of, and separating residential Lyndoch from properties along Barossa Valley Way, is the inactive Gawler-Penrice rail line, an Aurizon asset and part of the now decommissioned Gawler to Angaston train line. Despite the decommission, regular maintenance of the track and surroundings is required as part of the land lease. Further to the south are the townships of Williamstown, Barossa and South Para reservoirs, and the Para Wirra Conservation Park.
- **West** –the general western exposure of the site is primarily to the township of Lyndoch, the small locality Cockatoo Valley, and then Gawler, following the Barossa Valley Way. The Sandy Creek Conservation Park is approximately 1.5km from the development along this corridor, as well as commercial farmland and a quarry. The properties to the immediate west of the site are predominantly operational vineyards, and to the northwest across the road, is the Lyndoch Hill accommodation and function centre. While these facilities both retain high levels of vegetation, vineyards, orchards, and cultivated gardens are considered to be low-threat vegetation due to their high moisture content and maintenance schedules.

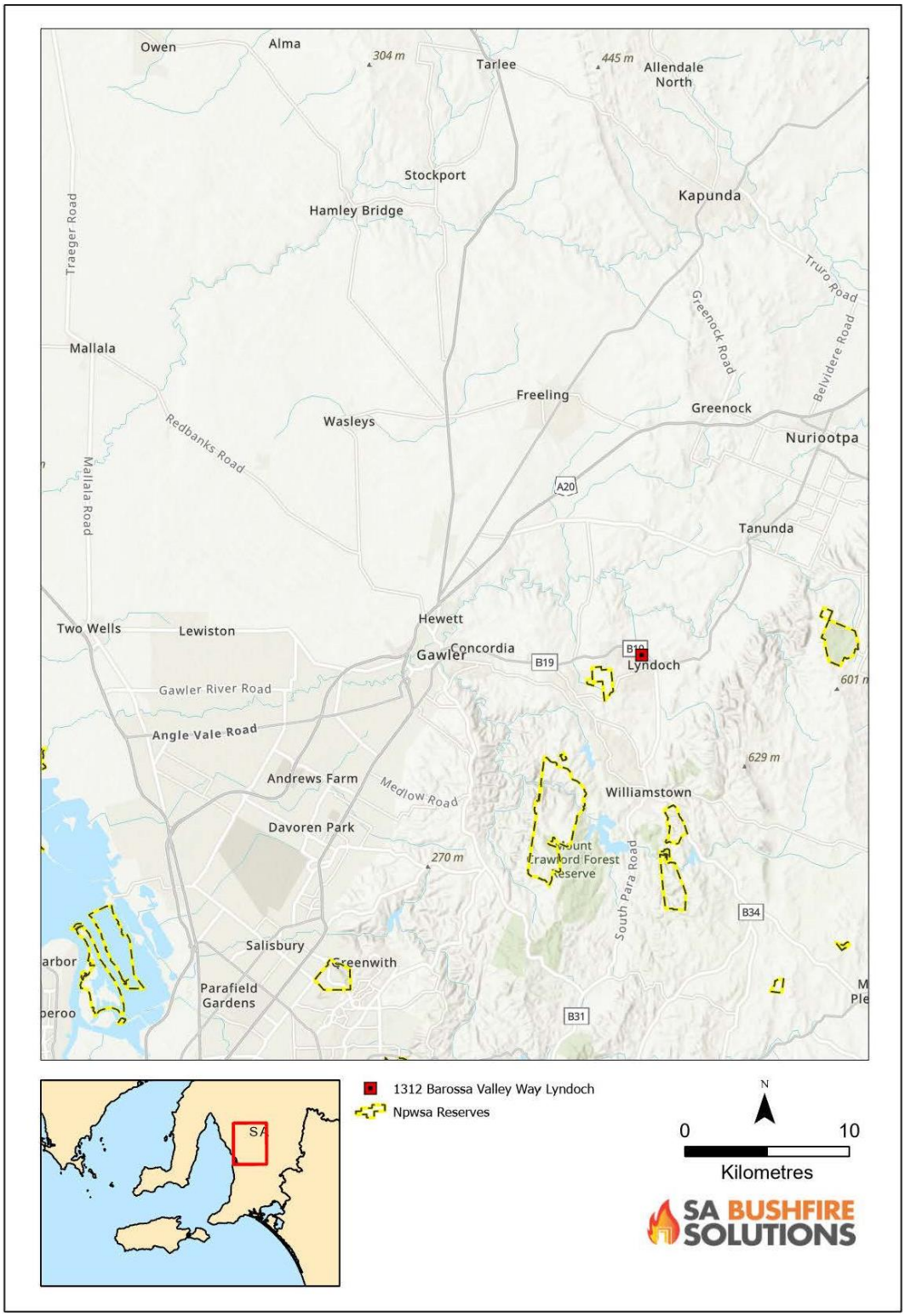


Figure 8 - Site Location

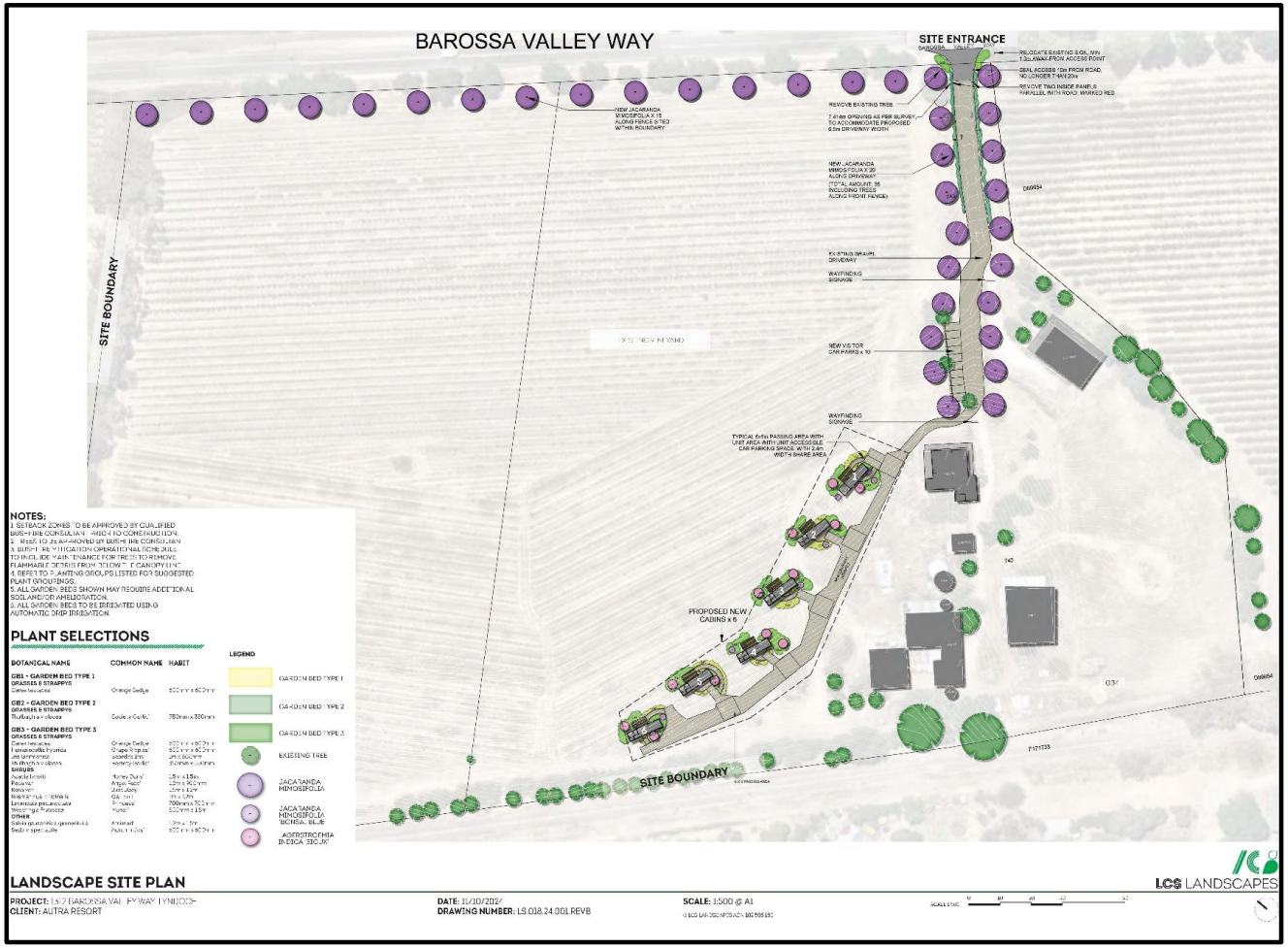


Figure 9 – Site Layout & Landscape Plan

Site Factors Contributing to Bushfire Risk

Existing land uses, human activity, and operational activities (including external factors) already pose a risk and contribute to the potential impacts of bushfires.

The proposed additional infrastructure, including ancillary buildings, is positioned within existing Asset Protection Zones, designated by existing structures, large-scale land clearing for project development and dedicated landscape architecture.

The implementation of appropriate mitigation strategies will depend on the design of suitable management practices, response procedures and effective communications between owners, their management and staff, and guests, particularly during the fire season.

Increased human activity often has the most potential to increase ignition likelihood primarily by increasing the likelihood of accidental ignition in the areas. This is a significant factor in areas where fuel loads can be higher than normal, such as with croplands and other seasonal agriculture.

Higher fuel loads can be observed when uncommon weather patterns cause unseasonable growth.

The following bushfire-related hazards and potential ignition sources have been identified:

- Accidental ignition (mechanical/equipment failure, farming or grounds activities, vehicle accidents, smoking, grinding, welding, lightning)
- Deliberate ignition (arson).
- Restricted or congested access and egress to safe areas
- Bushfire surrounding the sites.
- Extreme fire behaviour.
- Embers landing on the site.
- Inability to safely leave the property in the event of a bushfire or other emergency.
- Extreme fuel loads associated with:
  - commercial grassland areas where fuel hazard can exceed 4.5 tonnes per hectare (t/ha).
  - vineyards that have been decommissioned leading to high growth and low moisture.
- Vehicles driving through flammable vegetation.
- Increasing volume of human activity and vehicles accessing the areas.
- Construction incidents.
- Storage and use of flammable materials and fuels.
- Lack of sufficient water storage or access to designated fire water.

Fire Weather and Environment

The climate in South Australia is characterised by mild winters followed by hot and dry summers. Summers are mild to warm with average temperatures generally below 30°C. On rare occasions, a severe blast of heat from the deserts to the north can cause days of temperatures close to 40 °C.

The South Australian fire season typically occurs between the end of October and the start of May.

High temperatures, hot dry northerly winds, and sudden changes to wind direction due to a cool change provide the greatest fire weather risk.

Fire weather forecasts (provided by BOM) are provided for the Mount Lofty Ranges District. This area is bound in the north from Gawler to Nuriootpa and wraps around the Adelaide metro, from Munno Para to Port Willunga. It spans north to south encompassing the majority of the Adelaide Hills suburbs, from Mount Pleasant to Callington, Strathalbyn to Goolwa. The district then spans the entire south of the Fleurieu, with the southeasternmost point being the Lawari Conservation Park, where the Upper South East and Murrayland Districts meet. Weather patterns and conditions across this area can vary significantly and often conditions on the coast can be milder than those further inland.

The predominant wind direction in South Australia is west to southwest throughout the year and during summer north to northwest. Wind is highly variable and can be influenced by a wide range of factors including pressure patterns, time of day and surrounding terrain.

Extreme bushfire weather is associated with wind from the north and northwest. The northerly winds (often accompanied by High temperatures, increasing wind speed, and decreasing relative humidity) generally precede a southerly, south-westerly change.

These high temperatures, hot dry northerly winds, and sudden changes to wind direction can increase the spread rate of a bushfire and provide the greatest bushfire impact potential.

Dedicated Fire Water

In a designated bushfire-prone area, habitable dwellings must have access to a dedicated water supply for fire suppression. This is for use by the occupants and emergency services to minimise the spread and intensity of fire where necessary.

The availability of water is critical to enable fires to be suppressed quickly and effectively.

The site runs parallel to water mains running along Barossa Valley Way and have access via hydrant at the current main entrance to the cellar door. The infrastructure at the site for holding and accessing “dedicated fire water,” including access to the mains, will be updated to meet the requirements of the Ministerial Building Standard (MBS008). Requirements for fire-water tanks, hoses, pumps, and fittings vary in alignment with the MBS008 to maintain compliance to defend assets against wildfire threat.

This site requires 2000L of dedicated water supply, this water storage for fire suppression will need to be proposed, constructed of non-combustible materials, and have an Asset Protection Zone consistent with the surrounding vegetation to meet requirements for construction in bushfire-prone areas.

Topography & Vegetation

When assessing the overall bushfire risk, the interaction of vegetation and topography is used to predict fire behaviour and data that can determine preferred site locations for building envelopes based on locating infrastructure away from areas that pose an unacceptable bushfire risk.

For the proposed development at 1312 BAROSSA VALLEY WAY, the topography affecting the development has very little variance and is primarily level, within the property itself and the wider area. There is a slight crest to the west, where the township of Lyndoch sits at a slightly higher elevation than Barossa Valley Way, beyond the train line. Patches of tall trees occur along this area but have significant separation from any surrounding bushfire fuel with the train tracks behaving as a firebreak to the residential portion of Lyndoch.

Slope influences fire behaviour and potential fire spread as fires will burn faster uphill, especially when driven by prevailing winds. Aspect can also impact potential fire behaviour with south and east-facing slopes receiving less sunlight and potential drying of vegetation than the west and northern slopes.

Areas of cultivated gardens, vineyards, a driveway and carpark for the cellar door and homestead adjoin small areas of unused grassland which are managed by slashing within the property boundary. The surrounding landscape is also dominated by structured and purposeful landscape design, operating vineyards, and paddocks for grazing with slopes that vary very little and are considered flat to gently undulating (refer to Figure 10.)

Vegetation able to be classified under the AS 3959:2018 throughout the 1312 BAROSSA VALLEY WAY site and surrounds is grassland, which is clearly modified through slashing and grazing by livestock. Much of the immediate areas is currently planted with vines, many of which will be removed for this project and the proposed development on the neighbouring property, an expansion of the recreation area to a large sporting complex; and the 1312 BAROSSA VALLEY WAY project itself. Neighbouring allotments are either also managed garden areas or agricultural land (grazing paddocks or viticulture.) Most of the surrounding area is excluded from classification under the AS3959 :2018 due to the low levels and structure of available fuel being inconsistent with high bushfire risk. Though it is noted that, despite vineyards and orchards being excluded due to the high levels of moisture, these areas can still contribute bushfire risk to the tourist development.

Selected areas of the site will be landscaped with the intention of revegetation and for privacy screening of the dwellings. These areas will form deliberate areas of planted gardens, windbreaks and grassland kept to a minimum fuel load (see Figure 9.)

Few native species of large trees occur sporadically through the locality, a single row of planted trees on either side of the row form a windrow. Uniform vegetation and maintained gardens are prevalent within the residential area to the west with small areas of remnant vegetation scattered throughout.

The proximity of high-risk vegetation to habitable dwellings increases or decreases its contribution to the overall bushfire risk. Consideration of this proximity, to occupied spaces or areas used to store hazardous or flammable materials forms an evaluation of the Asset Protection Zones required to reduce this risk.

The site is primarily excludable vegetation, however, the vegetation and topography for this property are captured in the Appendices of this document and are based on grassland fuels on a zero-to-five-degree slope. The BAL assessments will give setback distances equivalent to nominal BAL ratings.

Vegetation immediately surrounding any habitable dwelling will be required to be kept to minimal fuel levels, with cultivated gardens and dirt or gravel carparks present in the immediate vicinity, eliminating fuel hazards. Vegetation management in the outer areas of the APZ will require thinning of retained vegetation to minimise available bushfire fuels and minimise connection to other proximal fuel sources.

Access tracks are formed throughout the property, to navigate the vines and for grounds and operations maintenance. Large, cleared sections, such as the train track can provide fuel breaks, and create areas intended to minimise and restrict fire spread. While overgrown, a firebreak is ineffective.

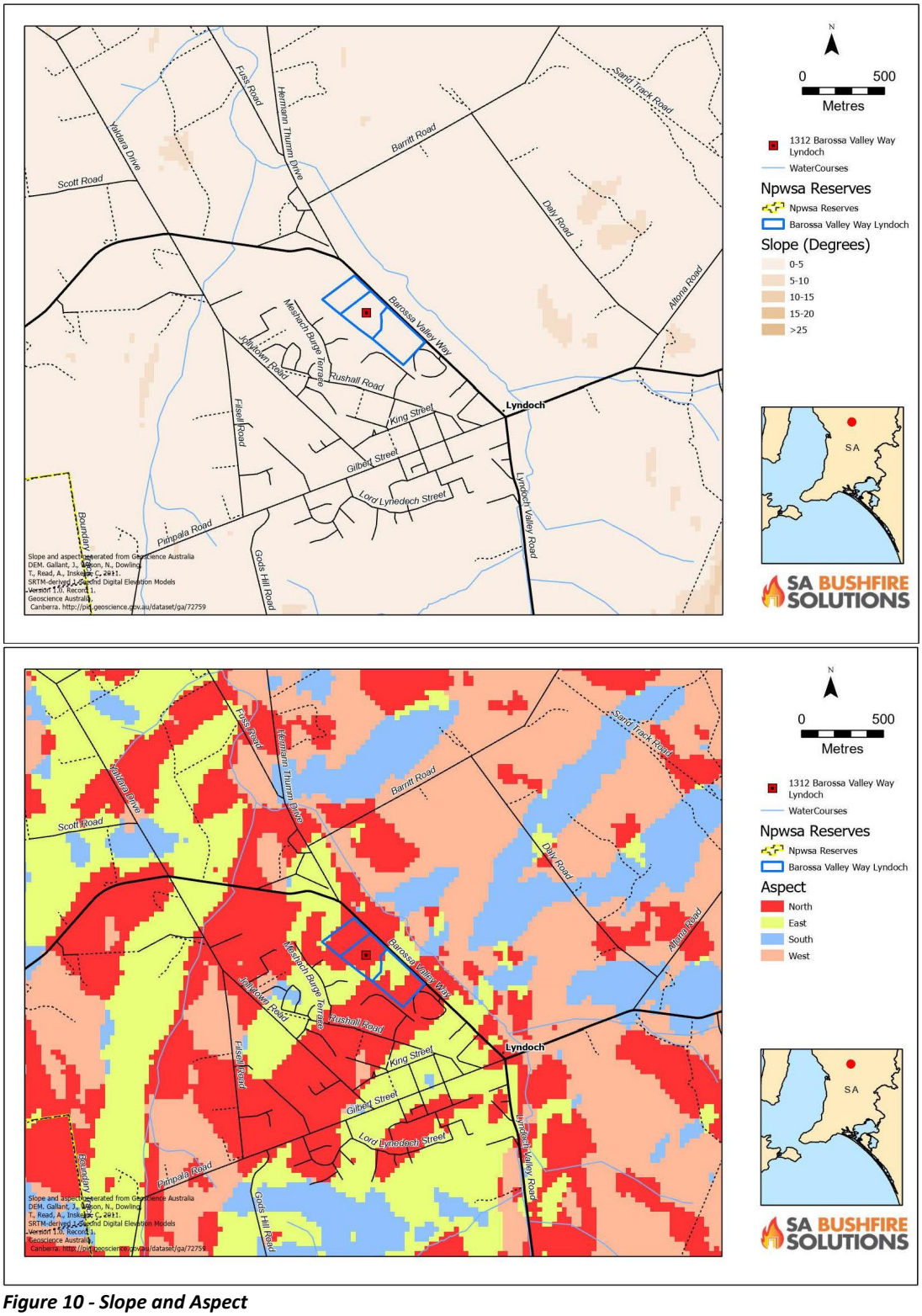


Figure 10 - Slope and Aspect

Adjacent Land Use and Assets and Infrastructure

The site is predominantly surrounded by agricultural lands used for viticulture, broadacre farming, and grazing livestock. Residential living, urban economy and other enterprises exist in the townships and cities nearby such as Nuriootpa and Gawler, the largest of the major cities located in the Barossa Region.

Smaller populated townships, such as Tanunda, Roseworthy, and Angaston are found frequently throughout the Barossa region, with tourism being an important industry in the area; Barossa wineries (such as Burge Family) being some of the most renowned in Australia (refer to Figure 12). Current infrastructure on the property includes, the cellar door, winemaking facilities, grassland paddocks, Vineyards, (both operational and non-operational) access tracks and old farming and winery assets, contribute to the existing infrastructure on the property.

Council owned recreational sports ground assets and infrastructure immediately adjacent to the property are high priority for vegetation management practises due to the high-level patronage. This asset management is only likely to increase in future with the complex undergoing a major expansion this year.

Access and Egress

The ability to move around the site quickly and safely is important for emergency services during bushfire suppression operations and for the efficient movement of vehicles and personnel during evacuation procedures.

Built infrastructure such as roads and tracks can increase the speed of fire response, allowing firefighters to suppress a fire safely and effectively before it reaches a maximum intensity and flame height, posing danger to life, property, and infrastructure. Access to dedicated fire water including mains water, and water stored in the tanks is critical.

Consideration for access and egress must include.

- Suitability for heavy (Emergency) vehicles all year round
- Access during potential congestion periods
- Ability to turn around.
- Access to water
- Secondary escape route
- Driveway length
- Access to 4WD-only roads or fire tracks.
- Access through fenced or gated private properties.

A good road and track network can:

- improve bushfire response times, which increase the likelihood of bushfires being suppressed in minimal time and to a minimal area.
- improve firefighter safety, by providing a safer platform from which firefighters can prepare for and fight bushfires.
- provide greater protection for assets.
- improve the speed of evacuation of the area, if required.
- create fire breaks to aid in bushfire mitigation and suppression.

Access and egress for emergency vehicles and personnel evacuation is adequate for the site at present. Additional design and construction requirements are addressed in the site plan.

The attributes considered in the design for access/egress for the additional dwellings meet the prescriptions within The Code.

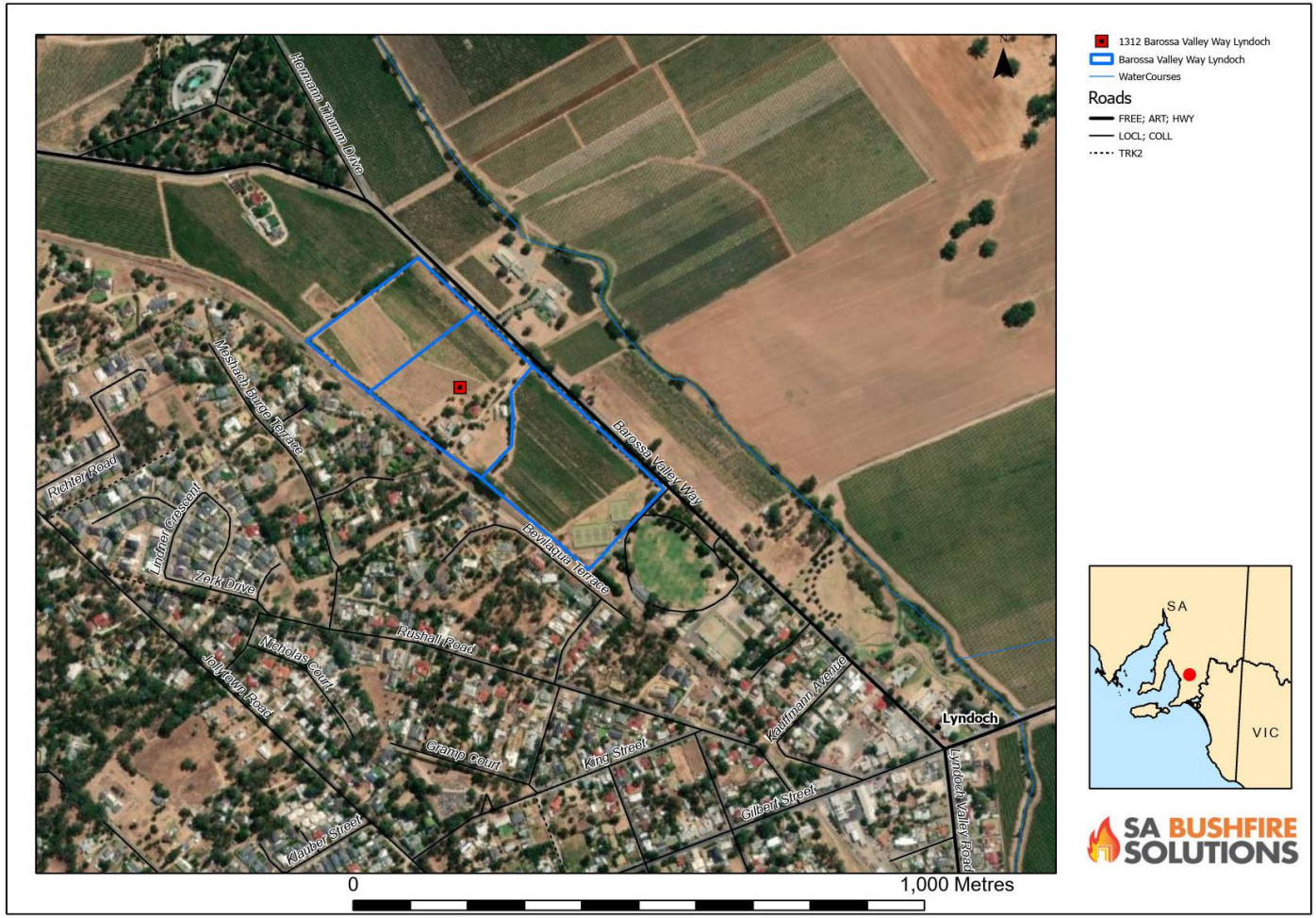


Figure 11 - Adjacent Public roads

Bushfire history Since 1931

South Australia has experienced many devastating bushfires owing to the hot dry conditions that characterise summer. Bushfire events often occur from October through to May, but historically the most devastating have occurred in January and February.

The analysis of previous fires indicates the path of the fires, locations of higher risk and the state of the recovery of the area post-fire. Bushfire history for the Mount Lofty Region can be seen in Figure 14. Further information on Bushfire History can be found via interactive maps on the DEW website.

Historical bushfire data shows no recent bushfire data on the property itself. However, the 2015 Pinery Fire affected the nearby surrounding areas. The bushfire, one of Australia's largest on record, burnt at least 86,000ha over a week throughout the Barossa and Lower Mid-North. Causing catastrophic damage to the community.

Though the immediate surrounding areas have minimal historical bushfire activity, other than the Pinery Fire, there have likely been fires throughout surrounding properties that have not been recorded on government or agency databases.

Building codes and policies

None of the existing dwellings on the property have been constructed to meet the current Australian Standard for the *Construction of Buildings in Bushfire-Prone Areas* (AS 3959:2018) or the Government of South Australia Ministerial Building Standard MBS 008 *Designated Bushfire-Prone Areas Additional Requirements* (MBS 008) to meet a specified Bushfire Attack Level (BAL) rating.

While the dwellings are not constructed to the Australian Standard, the Code recommends a nominal distance from 'hazardous vegetation' to site any habitable dwellings. The current facility footprint depicts an Asset Protection Zone conducive to a low nominal BAL. This is due to the primary impact of any bushfire behaviour coming from surrounding grassland vegetation. The setback distances, due to fuel mitigation strategies and vegetation management around the property, to these areas are sufficient. (see BAL table)

In the case of a bushfire event, a building to Shelter in Place should be determined to house guests for sheltering operations or to facilitate an efficient evacuation. The original homestead provides both a space large enough to occupy the maximum capacity of the facility and is located away from hazardous vegetation making it conducive to achieving the lowest BAL rating possible.

SA Bushfire Solutions recommends a 'plus one' method when developing an Emergency Management Plan – where the building is constructed to one BAL level higher than required by the adjacent classified vegetation. For example, where a building envelope's BAL rating is 12.5 to the identified hazardous vegetation, the dwelling is constructed to a BAL 19, to add a layer of conservatism to the emergency management strategies.

Any building constructed as part of a tourist development or any other infrastructure that may be occupied by personnel at any time will be subject to Performance Outcomes in The Code for the property for the Bushfire Hazard Overlays. Presently, this plan parcel is within the Medium Risk Overlay.

Bushfire scenarios

These scenarios are generic in nature and all events that occur within proximity to the 1312 BAROSSA VALLEY WAY site should be individually assessed as to their potential to impact the site (refer to Figure 15).

Type	Description
Embers land on the property and the building.	Bushfires in any surrounding areas of vegetation may impact the 1312 BAROSSA VALLEY WAY site through embers landing on and around the site and starting small fires. These fires may increase in size and under elevated fire danger conditions, quickly become uncontrollable.
Bushfire burning to the North, Northwest, of the property.	Elevated fire danger days with Northerly winds pose the greatest bushfire risk to the property. The potential scenario is that a bushfire starts in the farmland to the north and northwest of the property. A fire within (on or travelling through) grassland vegetation, which can have seasonally extreme fuel loads, can move more quickly and erratically (especially with slope) than other vegetation fires, and can quickly become uncontrollable. There are many grassland areas used for stock grazing and cropping on the properties to the north and northwest, though they are bound somewhat by the North Para River. However, the landscape would be sufficient to establish a bushfire capable of affecting the proposed tourism property. Many properties throughout this area are kept to low fuel conditions, however, and may have large areas of open space intended to provide fuel breaks
Bushfire burning to the east of the property.	Areas used for agriculture, viticulture and conservation are observed to the east of the property. Although this vegetation is known to provide high levels of fuel to drive a bushfire, the landscape is broken up by large townships and residential areas which would potentially inhibit the spread and intensity of a bushfire, and potentially mitigate the establishment of larger fires. It's likely that any bushfire that starts in the farmland, vineyards or Conservation Parks to the east would be limited by the landscape and would not be affected by more than ember attack and spot fires. The scenario where a bushfire starts in the grassland to the eastern side of the property poses a risk but is less likely to support or establish a bushfire burning through this area. With mostly flat topography and winds expected to take the fire away from the property.
Bushfire burning to the west and southwest of the property.	An established fire burning to the west or southwest could impact the property but is likely to be limited to ember attack and spot fires. Commonplace behaviour for bushfires in southeast Australia is a south-westerly wind change after a north or north-westerly influence generating increased fire behaviour within a highly connected landscape with high overall fuels. The potential risk is mitigated in this scenario due to the large amounts of infrastructure and low levels of fuel to the south and southwest of the property. A bushfire that starts in the Sandy Creek or Para Wirra Conservation Parks, or any of the grassland areas to the west or southwest of the property is mitigated by the highly disconnected areas of vegetation through the residential areas and large townships. Areas of continuous vegetation with limited infrastructure can support extreme fire behaviour, and conversely, the nature of the landscape in the surrounding areas, and much of the Barossa itself, breaks up the vegetation and is likely to result in preventing potential ignitions and slowing or stopping the spread of bushfire. The wooded areas of the nearby Conservation Parks are dense in structure from surface to canopy and can still result in significant ember attack which also could support fire spread.
Inability to leave the property.	The nearest Bushfire Safer Place is the Lyndoch township, and the closest Last Resort Refuge is at Curdnatta Recreation Park, both require travel via the Barossa Valley Way. This main road is unlikely to be threatened or impacted by bushfire to a point where access and egress options become limited via this route. A shelter-in-place option will be identified for the planned development.

Table 6 - Potential Bushfire Scenario

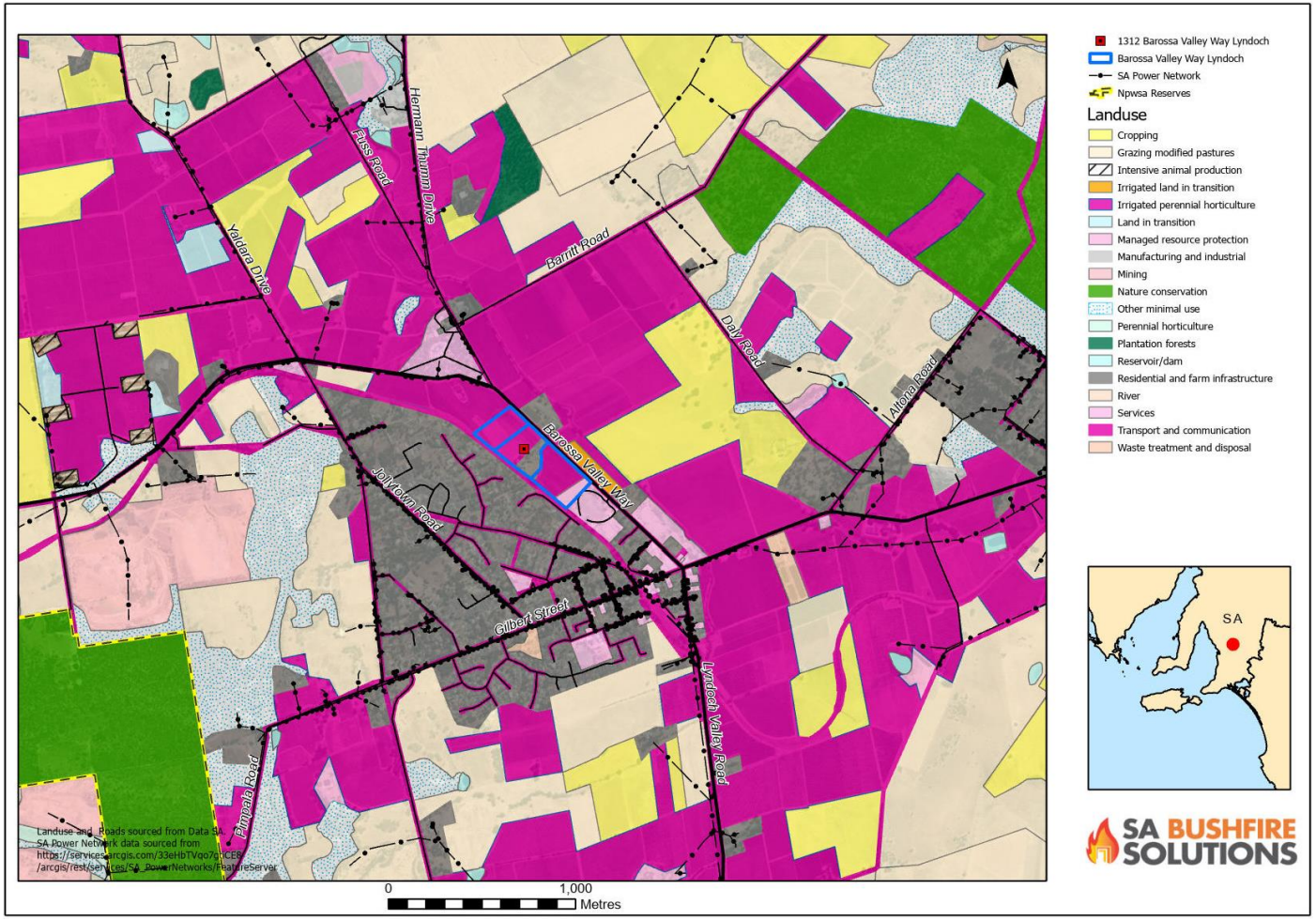


Figure 12 - Surrounding Land Use

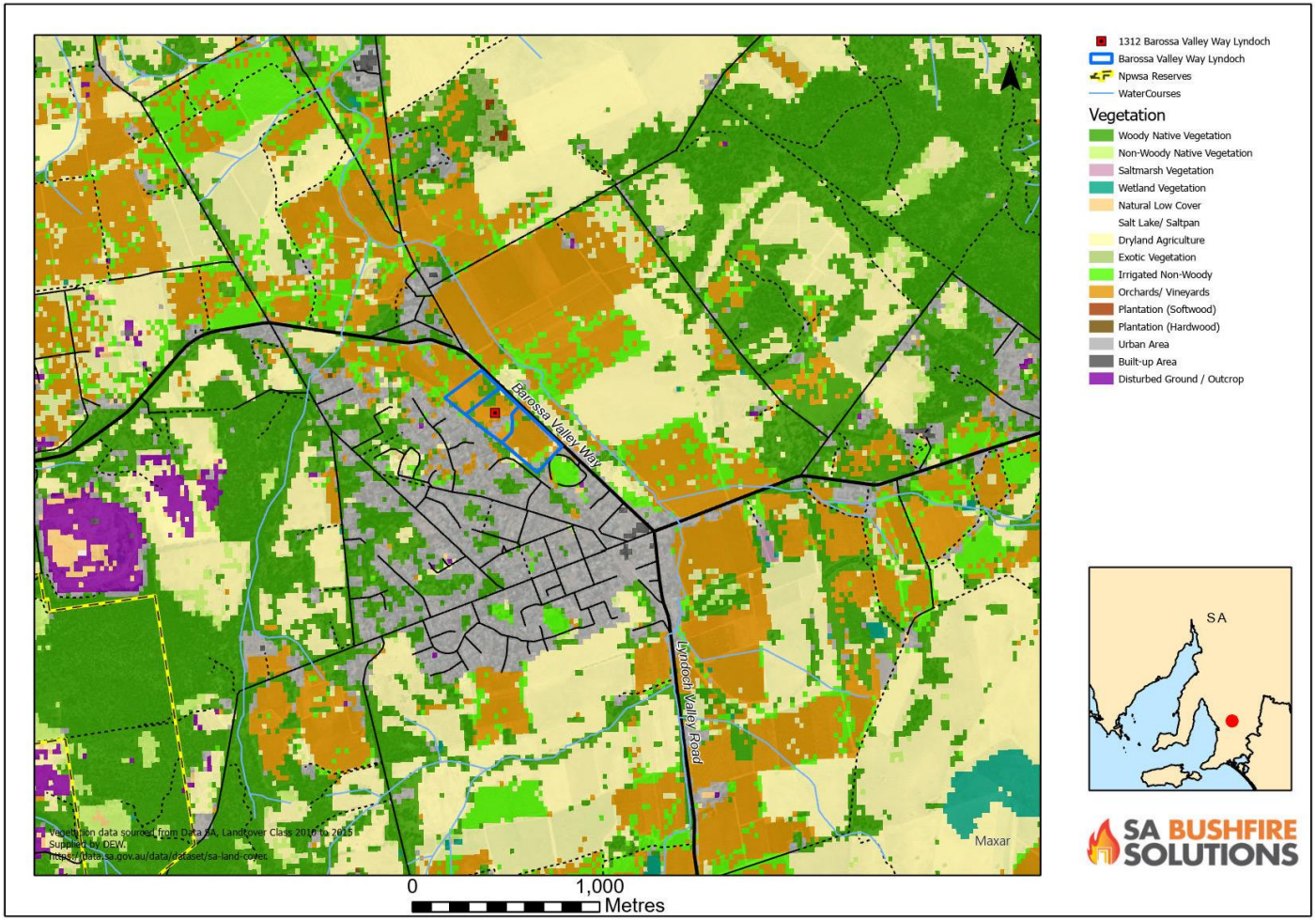


Figure 13 - Adjacent vegetation

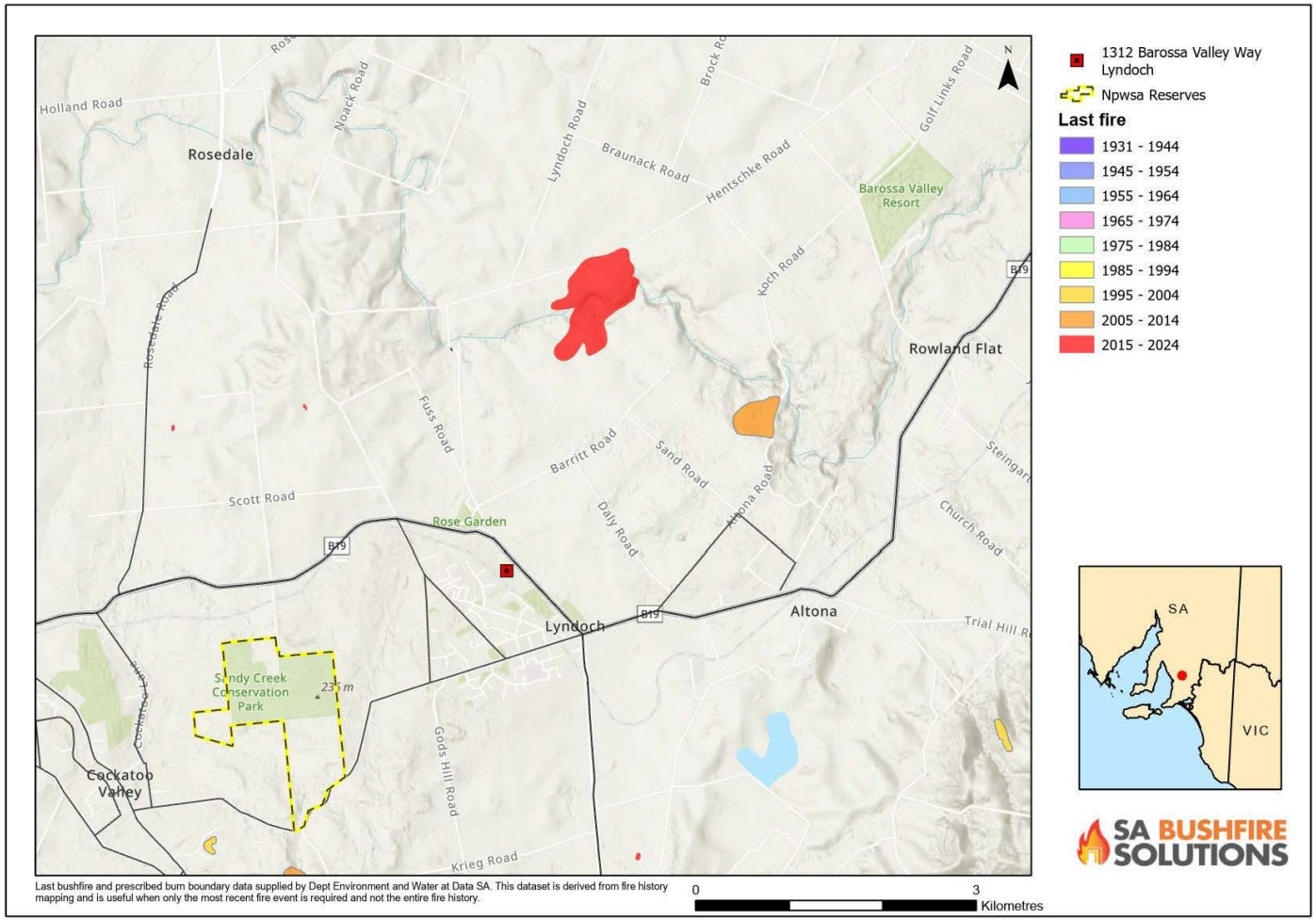


Figure 14 - Fire history map of the Barossa region since 1931.

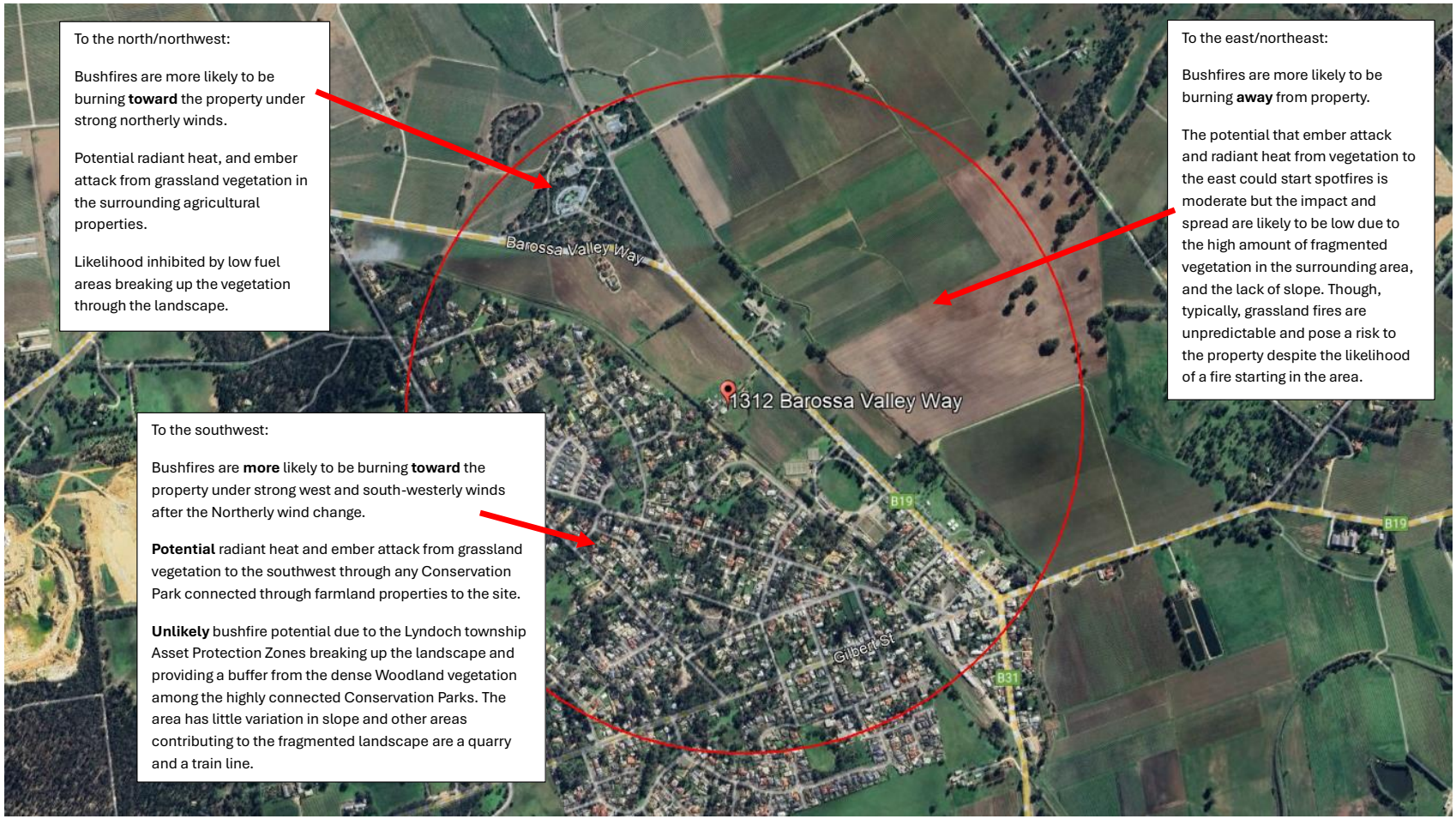


Figure 15 - Circle showing 1km from the site with potential bushfire approach scenario.

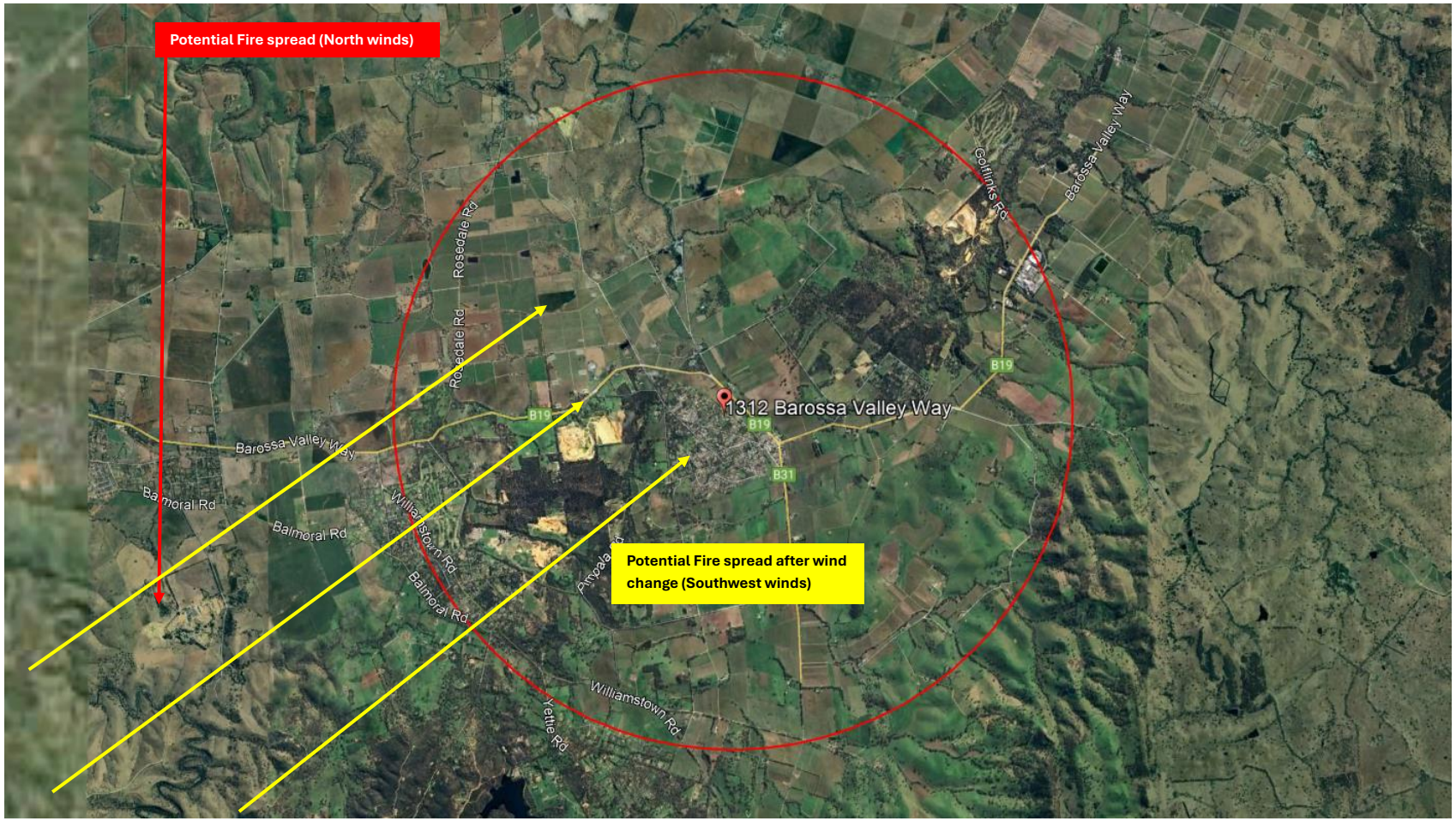


Figure 16 - Circle showing 5km from the site with typical bushfire behaviour approach scenario for southeast Australia

Bushfire Risk Assessment Overview

The bushfire risk assessment aims to assist owners, directors and stakeholders involved in the planned tourism development of the 1312 BAROSSA VALLEY WAY property, an expansion of the existing cellar door and short-stay accommodation at the Burge Family Winery at Lyndoch, one of Australia's much-loved winemakers. The property is sited within the Bushfire Hazard Overlay and this document conveys the contributing factors to bushfire risk for the project and the potential effect on the development itself and the tourism activities for the area.

The objectives are to make recommendations to mitigate the bushfire risk to ensure the clients achieve the priorities of protecting life, property, and the environment while informing the project teams on requirements for infrastructure and asset development within The Code for Bushfire Hazard Overlays.

While bushfire is a significant risk facing South Australia, it is also a natural part of the environment and many plant species rely on fire to regenerate. A variety of causes can ignite a bushfire; some bushfires result from natural events, such as lightning, while others may result from human activity and negligence.

The Bushfire Risk Assessment must also consider if the existing operational activities, policies and procedures and recommended mitigation strategies are likely to contribute to increasing the existing risk of a bushfire or inhibit any bushfire suppression operations carried out by the combatting authorities.

The detailed bushfire risk assessment is a function of the likelihood of an adverse event occurring, and the consequence of the event and involves identifying, analysing, evaluating, and treating the identified risks.

The overall risk assessment process requires a consistent approach. The methodology developed is found in the AS/NZS ISO 31000:2009 as incorporated into the National Emergency Risk Assessment Guidelines (NERAG).

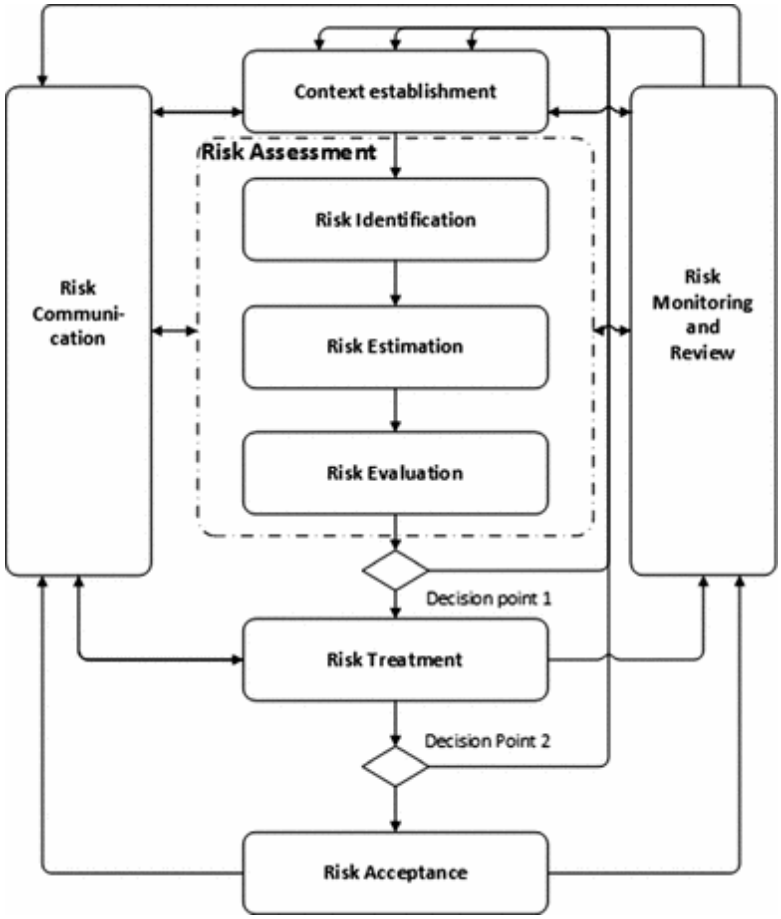


Figure 17 - Overview of AS/NZS ISO 31000-2009 process

Bushfire Likelihood

An assessment of the likelihood of a bushfire impacting assets considers factors such as the

- Potential for an unplanned fire to occur.
- Potential for this ignition to develop and exhibit significant fire behaviour.
- Potential for that fire to destroy assets.
- Potential for it to develop into a major fire.

Recommendations for bushfire mitigation actions may be determined by numerous approaches depending on the level of assessed risk. Strategies to lower bushfire risk are provided to ensure the risk from a bushfire is managed to an acceptable level. The mitigation measures, once implemented, will reduce the ability for a bushfire to ignite and spread into, through or from the area.

A likelihood scale refers to the potential of an unplanned fire beginning in the area and spreading to adjoining properties. An assessment of likelihood considers factors such as:

- Sources of ignition
- Usage
- History of ignitions
- Ability to spread through the area.

Likelihood scale frequency	Likelihood of a fire
Very likely	Almost certain: will definitely occur, and /or high level of recorded incidents; or there is a strong likelihood that the event will occur
Likely	High Probability it may occur; and/or some recorded incidents
Unlikely	It is not expected to occur, but it is not impossible

Table 7 - Bushfire Likelihood Assessment Table

Bushfire Consequence

Consequence refers to the potential seriousness of the damage that could result from a bushfire occurring in a specific area in proximity to people, infrastructure, and assets. In assessing the possible consequences, the assessment considers a variety of hazard, exposure and vulnerability factors including:

- Number of surrounding properties.
- Proximity of assets and infrastructure.
- The fuel levels present across the site.
- The level of access/egress for suppression actions or evacuation should a fire occur.

Impact scale consequence	Impact
Major	Significant consequences – major damage or effect. Loss of life and/or property. Significant injuries, hospitalisations, large number of displaced persons. Major impact on water quality and supply.
Moderate	Moderate loss of property (i.e. damage to fences), some medical treatment but no fatalities. Localised damage that can easily be rectified. Some impact on the environment with short to long-term effects.
Minor	Minor or negligible consequences or effects. No damage to property or persons. Small impact on the environment with no lasting effects.

Table 8 - Bushfire Consequence Assessment Table

Risk Rating Table

The risk rating table is used to combine likelihood and consequence to obtain a risk score. The risk score is used to aid decision-making by determining which areas have the greatest risk and potential consequences from bushfire.

The outcomes of the risk assessment are used to inform the recommendations that will be aimed at guiding management in reducing the bushfire risk to the site operations or any future development.

Risk ratings give information about the values that may be at risk from bushfire (life, property, and the environment), the likelihood that these values may be impacted by bushfire and the consequence of bushfire impact on these values.

In the context of the site, management will always need to balance bushfire risks with other values. However, in the broader context, the direction to appropriately respond to and manage bushfire risk is clearly enshrined in legislation and informed by bushfire royal commissions and inquiries.

The risk rating in this report may assist management to better understand its bushfire risk and to prioritise treatments based on the risk rating level.

As an example, a reduction in the available bushfire fuel reduces the overall fuel hazard and lowers the potential flame height and potential intensity of a bushfire. This activity is likely to reduce the potential bushfire impact on the property, increase suppression effectiveness for firefighters and offer a safer evacuation process for the owners, guests, and staff present.

RISK RATING TABLE			
LIKELIHOOD	CONSEQUENCE		
	Minor Minor or negligible consequences or effects. No damage to property or persons. Small impact on environment with no lasting effects.	**Moderate** Moderate loss of property, some medical treatment but no fatalities. Localised damage that can easily be rectified. Some impact on the environment with short to long-term effects	**Major** Significant consequences – major damage or effect. Loss of life and/or property. Significant injuries, hospitalisations, large number of displaced persons.
Very Likely: will definitely occur, and /or high level of recorded incidents; or there is a strong likelihood that the event will occur	Medium	Very High	Extreme
Likely: High probability it may occur; and/or some recorded incidents	Medium	High	Very High
Unlikely: It is not expected to occur, but it is not impossible	Low	Medium	High

Table 9 - Risk Rating Assessment Table

Qualitative Bushfire Risk Assessment

Risk to	Potential	Likelihood	Justification	Consequence	Risk Rating	Mitigation Strategies (Controls)	Revised Likelihood	Revised Consequence	Residual risk rating
LIFE, PROPERTY and ENVIRONMENT									
Any guests, on-site staff, contractors, or visitors. Landowners and family present on-site. Critical infrastructure (including equipment or machinery) Assets and materials Fire agencies and emergency services. General public Habitable buildings and other property assets. Heritage or historically important infrastructure. Community centres and large-scale tourism assets Wider landscape and surrounding community.	**A large high-intensity landscape bushfire in the surrounding landscape causing:** • Impact/destruction of assets, infrastructure, income/revenue • Loss of dwellings. • Loss of life • Loss of livelihood • Disruption to community connectivity, economy, and daily activities. • Environmental impacts **Accidental Ignition from** • Lightning, • Fires from adjacent properties, motor vehicle use / accidents, • Ignition by accidental proximal means (battery/fuel/flammables storage,) • ignorant actions e.g., smoking, fire started by hot works and general operations, vehicle components contacting vegetation while driving off-road, earthworks incidents. **Deliberate ignition from arson** **Potential loss of life/injury from** • entrapment in an open environment, entrapment in infrastructure including dwellings, entrapment on roads (within boundary and adjacent sites), bushfire response actions.	Likely	• Bushfire-prone areas • Multiple personnel on site. • Multiple accommodation cabins (distance) • Multiple road users may cause congestion. • 1 x identified shelter-in-place option at site. • Potential miscommunication of bushfire risks and response to any personnel. • The proximity of habitable dwellings to vegetation types where fuel loads can be extreme. • In the event of an intense bushfire, people's sense of direction can be affected, leading to panic and confusion. • Power, water, and mobile phone reception can be affected during bushfire events and alerts and warnings may not be received. • Sites may contain and store dangerous goods. • Sites may contain flammable goods. • Distance, time, and access options to travel back to the nominated bushfire safer place or last resort refuge. • Other incidents may overwhelm firefighting agencies their and ability to respond. • Accidents happen. • Fire behaviour can be extreme and unpredictable. • People may not always be with their vehicles and may be on the site, away from the accommodation. • People may be off-site within walking distance and away from their vehicle. • Guests/families may not all be together. • Cellar door customers will not be aware of what to do. • Language barrier where guests may not be native English speakers.	Major	Very High	• Develop a Bushfire Emergency Management Plan • Determine Primary and Secondary Response Actions for the site and incorporate them into a Bushfire Emergency Management Plan • All new buildings and structures will comply with Ministerial Standards for Building in Bushfire-Prone Areas and be built to a nominal BAL. • Ensure access to a suitable building on site to be used as a nominated Shelter-in-Place. • Establish "Inner" and "Outer" Vegetation management Zones around any assets. • Manage overall fuel hazards to achieve designated suitable Bushfire Attack Level (BAL) • Provide site-specific information (induction) to all guests, staff, visitors, contractors, and other personnel. • Consider a policy of "site closed" or "essential work only" on declared Catastrophic Fire Danger Days. • Staff have access to and attend required training commensurate to their role and responsibilities and exposure to bushfire risks. • Maintain accurate records of all staff training. • Ensure all fire equipment including hoses and fittings comply with CFS standards. • Collaborate with control agencies (planning, bushfire response, community engagement, education.) • Develop a business continuity plan. • Undertake annual Bushfire Audit (refer to' BMOS') • Ensure all vehicle access tracks are all-weather and maintained to the standards set in The Code. • Provide alternate routes to Safer Places/Last Resort. • Provide a waiver to all guests upon booking regarding the bushfire risk area. • Provide clear maps of routes to evacuation points/shelter-in-place areas in each dwelling. • Review flammables storage policies. • Review policies and procedures for viticulture works during the Fire Danger period. • Ensure all fire water appliances are compliant with The Code.	Likely	Moderate	High

Table 10 - Qualitative Bushfire Risk Assessment Table

Summary of recommendations

1. Develop a Bushfire Emergency Management Plan including roles and responsibilities of the Emergency Control Organisation to manage and respond to Bushfire risk.
2. Determine Primary and Secondary Response Actions and incorporate them into the Bushfire Emergency Management Plan
3. All buildings and structures will comply with the Ministerial Standard for Building in Bushfire-Prone Areas and be built to a nominal BAL.
4. Identify/Provide suitable building(s) onsite to be used as a nominated Shelter-in-Place.
5. Establish “Inner” and “Outer” Vegetation Management Zones around habitable buildings.
6. Manage overall fuel hazards to achieve designated suitable Bushfire Attack Level (BAL) for habitable dwellings and associated infrastructure.
7. Provide site-specific information (induction) to all staff, visitors, and contractors regarding bushfire risk and actions in the event of a bushfire.
8. Provide a “reader-friendly” induction and brief to all guests upon check-in regarding bushfire risk and actions in the event of a bushfire.
9. Provide a waiver to all guests upon booking regarding the bushfire risk area.
10. Consider a policy of “site closed” or “essential work only” on declared Catastrophic Fire Danger Days.
11. Staff and contractors have access to and attend required training commensurate to their role and responsibilities and exposure to bushfire risks.
12. Maintain accurate records of all staff training.
13. Determine the emergency management actions as they apply to the 1312 BAROSSA VALLEY WAY owners and onsite staff and management. Include this in the BEMP.
14. All fire equipment including hoses and fittings comply with CFS standards.
15. Collaboration with control agencies including planning, bushfire response, community engagement and education.
16. Develop a business continuity plan.
17. Develop/Undertake an annual Bushfire Audit (refer to Appendix 1: BMOS)
18. Ensure all vehicle access tracks are all-weather and maintained to the standards in The Code for Bushfire Overlay.
19. Provide alternate routes to Safer Places/Last Resort
20. Provide clear maps of routes to evacuation points/shelter-in-place areas in each dwelling and within the cellar door.
21. Review flammables storage policies.
22. Review policies and procedures for viticulture works during the Fire Danger period.
23. Ensure all fire water is compliant with The Code

Bushfire Emergency Management Plan

Purpose

This Bushfire Emergency Management Plan (BEMP) is focused on addressing the risks posed by a bushfire. The BEMP aligns with the Australian Standard 3745 - 2010 Planning for Emergencies in Facilities and is best practice. This plan must be read in conjunction with the bushfire risk assessment (see above) for the site that identifies the potential bushfire risks that the planned tourism facility 1312 Barossa Valley Way may be exposed to with all expected operations and occupancy on the site.

The reports focus on bushfire risk and considerations for suppression activities that follow the order of priority as stated in the Fire and Emergency Services Act, 2005 being the priority protection of "Life, Property and Environment". The report identifies the potential risks from bushfire and makes mitigation recommendations intended to provide a greater level of protection to guests and site owners to inform the BEMP.

The greatest bushfire threats are the people (guests, staff, and contractors and their actions) and the amount, configuration and arrangement of bushfire fuel and its ability to support fire spread under adverse fire weather conditions.

The BEMP is a sub-plan of the site's Emergency Management Plan and applies to all staff, guests, and contractors. It is the responsibility of all to become familiar with the plan and to act accordingly in the event of an emergency.

This plan is authorised by the Emergency Control Organisation (ECO) for the site. The ECO is responsible for the development, maintenance and exercising of this Bushfire Emergency Plan and all operations conducted within the site, this includes management of specific bushfire-related activities including:

- Key prevention and preparedness actions
- Evacuation and emergency response
- Communications planning
- Managing vegetation
- Bushfire weather monitoring
- Fire training

The primary objective of the BEMP is to ensure all staff, contractors and guests can shelter in place safely as a bushfire passes or they are able to be evacuated early from the site and are moved to another location away from the potential effects of bushfire.

The plan documents the organisational arrangements, systems, strategies, and procedures relating to the response and management of bushfires to ensure the bushfire risk and potential impacts are reduced for staff and guests.

Making decisions early with respect to forecast fire weather conditions and reported bushfires will ensure staff can direct the guests to the safest possible location prior to the impact of the bushfire. This is the most critical element to any bushfire response.

Emergency Control Organisation

Any emergency requires effective management to ensure the priority is the safety of anyone who can be adversely affected. The potential risks and consequences of bushfires are significant and need greater clarity in the emergency management planning documents.

The Responsible Organisation for the development, maintenance and coordination of emergency response is the Emergency Control Organisation (ECO) which includes directors, management, and onsite staff.

The ECO is a structured team that takes command to assist emergency services in responding to a bushfire and communicate with everyone. The ECO structure is based on the level of bushfire risk and the complexity of the site. The structure is also influenced by the likely number of staff and guests on the site at any one time.

ECO members have roles before, during and after emergencies and are required to ensure the Chief Warden is informed of the completion or non-completion of each of these tasks. ECO roles may include.

- Showing leadership.
- organise and supervise the safe movement of staff, visitors, and contractors.
- assist responding emergency services.
- communicate with everyone through the warden network.

The Responsible Organisation is also accountable for ensuring the Emergency Management Committee (EMC) meets annually and reviews the policies and procedures relevant to mitigating bushfire risk and managing response.

Chief Bushfire Warden

Only one person will be appointed as the Chief Warden (under the ECO) at any one time, the Chief Warden may also be the Chief Bushfire Warden and First Aid Officer. The Chief Warden is the Responsible Person, and is accountable for liaising with local emergency services, completing all preparedness activities and ensuring the plan is reviewed and updated annually and that it is recorded and stored responsibly.

It is the responsibility of the Chief Warden to ensure that the guests on site are aware of their responsibilities and are available to assist with the management of and response to an emergency. The Chief Warden will also ensure that at least one other person has been trained to fill the Chief Bushfire Warden role.

During a Bushfire emergency or forecast fire weather conditions at the site, The Chief Bushfire Warden has a range of options to determine the most appropriate method of keeping persons on-site safe from any potential danger.

The decision should always be based on a risk assessment that determines:

- The likely threat to life or threat of injury
- Staying is a greater risk than leaving.
- You can leave safely in a timely manner.

The following are to assist the Chief Warden in determining the most effective action during a bushfire emergency:

- Assessment of the bushfire location and the predicted impacts.
- The local fire weather conditions.
- The seriousness of the threat to human safety and evacuating occupants.
- The time expected before impact on the bushfire Shelter-in-place location or egress route.
- Available resources to evacuate all staff and guests.
- Travel time to the evacuation point and Bushfire Safer Place
- Safest travel routes
- Ability to liaise with and receive advice from emergency services.

Communication and Consultation

1312 BAROSSA VALLEY WAY will define the appropriate methods to communicate to employees, subcontractors, and guests information regarding Bushfire Emergency Management this may include notice Boards and other communication strategies such as an induction process (bushfire information pack) bushfire waiver (upon booking) and the 'reader-friendly' bushfire emergency protocol.

The 1312 BAROSSA VALLEY WAY cabins will have inductions in the 'welcome packs' provided at the beginning of the stays, and relevant notices should be always somewhere displayed or accessible to guests (i.e. in a lockbox located at the main entrance). Staff and contractors should always have access to the same information (i.e. a noticeboard). The setup and maintenance of these notification areas is the responsibility of the Site Manager or delegate.

The "notice board" will always display:

- WHS Policy,
- WHS Alerts & Bulletins; including Fire Danger Ratings (AFDRS), Total Fire Bans and Bushfire Warnings for the Mt Lofty Ranges
- Road Closures
- Emergency communication contacts
- Bushfire Emergency Plan
- Hazardous-goods register

The Bushfire Emergency Plan available will contain:

- Site Layout Plans
- Bushfire evacuation procedures
- Bushfire sheltering procedures.
- Access routes to evacuation points.
- Access routes to shelter-in-place area.
- First aid kit location(s).
- Fire protection equipment location.
- Emergency contacts list

The guest notices will include:

- Relevant Alerts & Bulletins; including Fire Danger Ratings (AFDRS), Total Fire Bans and Bushfire Warnings for the Mt Lofty Ranges
- Road Closures
- Emergency communication contacts
- 'Reader friendly' Bushfire Emergency Plan
- Document of instructions/designations on Total Fire Ban days.

The 'reader-friendly' Bushfire Emergency Plan available to the guests will contain:

- Site Layout Map
- Bushfire Evacuation Procedures.
- Bushfire Sheltering Procedures.
- Access routes to evacuation point.
- Access routes to shelter-in-place area.
- First aid kit location(s).
- Fire protection equipment location.
- Emergency contacts list

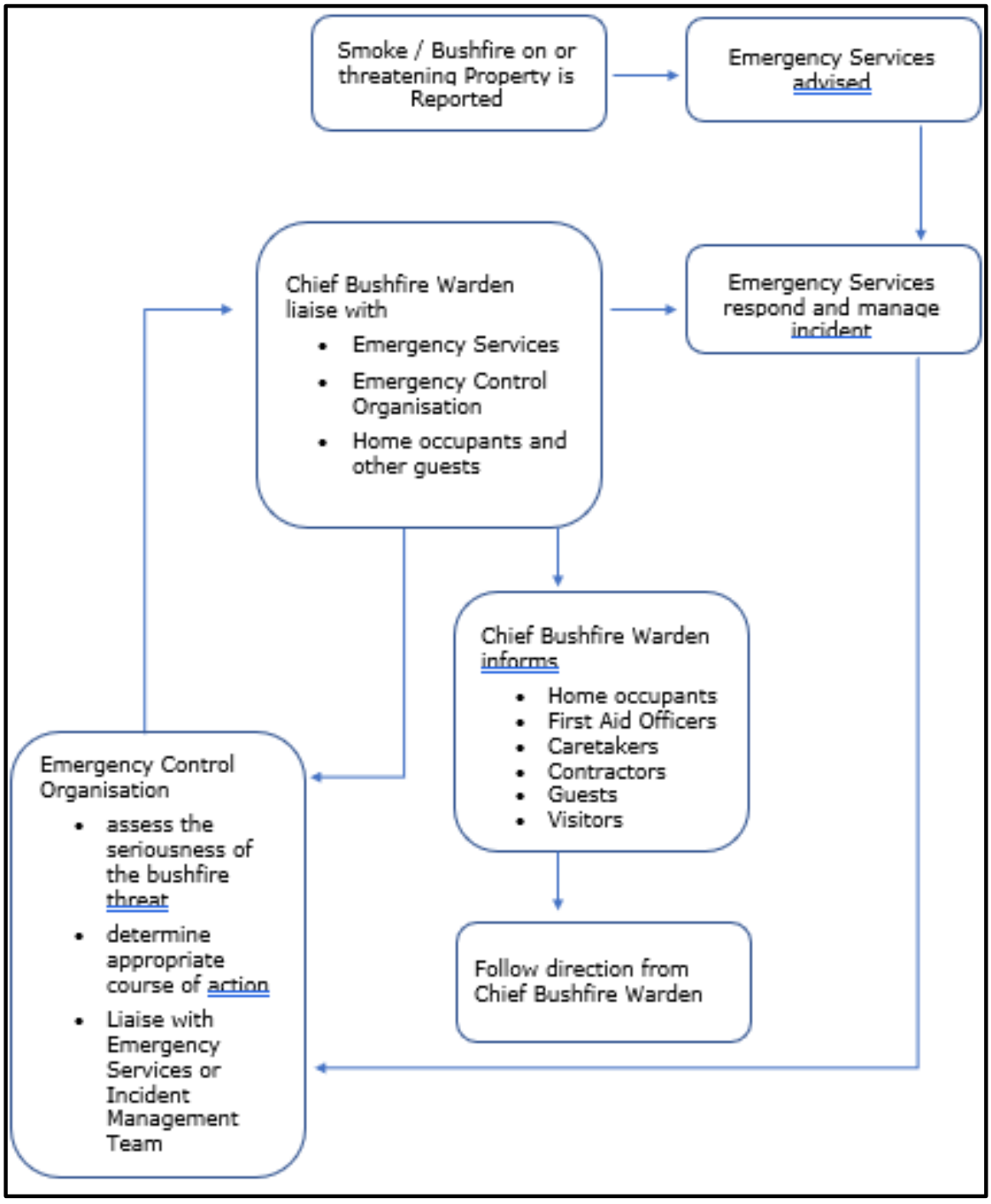


Figure 18 - ECO reporting Structure for Bushfire Emergencies

Bushfire Response Roles and Responsibilities

ECO Roles and Responsibilities "Pre-Bushfire Emergency"

Title	Role

Chief Bushfire Warden	• Take control of all preparedness and response functions and ensure people are allocated other roles.
	• Liaise with Emergency Services.
	• Carry out safety assessments including but not limited to:
	  ○ Maintaining vegetation around the sites.
	  ○ Ensuring pathways, and roads to safer locations are regularly maintained.
	  ○ Management of combustible materials including rubbish and excessive vegetation.
	  ○ Ensure smoking occurs in designated areas only.
	  ○ Ensure the designated Shelter in Place is prepared and ready for use.
	  ○ Ensure plant and Firefighting equipment is accessible and has been checked and operable.
	  ○ Access/egress points are unobstructed.
	• Maintain a list of training for ECO members.
	• Conduct induction training.
	• Conduct regular exercises.
	• Ensure all staff and guests are aware of their responsibilities.
	• Maintain the appropriate Bushfire Emergency App on their mobile phone and ensure it is set to receive alerts of fires in the local area.
	• Ensure Bushfire response procedures are current and reviewed annually.

Deputy Bushfire Warden	• Support the Chief Bushfire Warden in the delivery of their duties. • Carry out the preventative maintenance as per (BMOS) • Attend required training and Emergency Drills • Ensure the appropriate bushfire emergency app is installed on their mobile phone and is set to receive alerts of fires in the local area. ○ Alert SA, SA Fires, Australian Fires
First Aid Officer	• Ensure the First Aid equipment is fully stocked and current. • Ensure appropriate First Aid training has been maintained.

Table 11 - ECO Roles and Responsibilities "Pre-Bushfire Emergency"

ECO Roles and Responsibilities "During a Bushfire Emergency"

Title	Role
Chief Bushfire Warden	• Respond and take control providing leadership and direction. • Ascertain the nature of the bushfire emergency and implement appropriate action. • Ensure any site visitors and guests are kept fully informed and aware of the emergency. • Ensure that the emergency services are notified. • Determine if the response is to evacuate or shelter in place. • Initiate and oversee relevant response procedures. • Maintain welfare checks and ensure everyone is accounted for. • Ensure visitors and guests are kept fully informed and aware of the emergency. • Ensure the orderly flow of people whilst either evacuating or sheltering in place. • Ensure the emergency services are aware of the property address, the number of occupants and response procedures. • Brief emergency services personnel upon arrival. • In the event of an evacuation, ensure the vehicles are leaving the site safely. • Provide appropriate support if shelter-in-place is being undertaken.
Deputy Bushfire Warden	• Upon being notified of the bushfire emergency, immediately report to the Chief Bushfire Warden to receive direction. • Commence implementing the Bushfire Emergency Plan procedures (Evacuate or Shelter in Place) • Provide accurate and timely advice to the Chief Bushfire Warden and ensure the orderly and safe flow of people during evacuation or Shelter-in-place procedures. • Report completion of allocated tasks to the Chief Bushfire Warden. • Monitor Advice - Reduced Threat Messages
First Aid Officer	• Upon being notified of the bushfire emergency, immediately report to the Chief Bushfire Warden in person or via phone to receive directions. • Respond to any first aid emergency and provide support as required until an Ambulance arrives on site. • If an Ambulance is required, notify the Chief Bushfire Warden who will contact Emergency Services.

Table 12 - ECO Roles and Responsibilities "During a Bushfire Emergency"

ECO Roles and Responsibilities "Post Bushfire Emergency"

Title	Role
Chief Bushfire Warden	• When the emergency has been declared safe by the emergency services, inform the Deputy Bushfire Wardens as required. • If a Shelter in Place procedure was undertaken, facilitate the safe and orderly evacuation of the Shelter. • Ensure liaison with emergency services has occurred to advise the safest route. • If possible, organise a debrief with the ECO members and where appropriate with emergency service organisation representative/s.
Deputy Bushfire Warden	• Seek direction from the Chief Bushfire Warden. • In the event of the Shelter in Place procedure occurring, support the orderly departure from the facility and: o assess bushfire situation post-fire front. o assess if safe to move from Shelter in Place. o facilitate the orderly evacuation of the shelter in place. o monitor and provide support if required. o support and assess all staff, guests and vehicles for injury or damage. • Participate in any post-emergency debrief actions. o Monitor Advice - Reduced Threat Messages • All structural assets are to be checked by qualified personnel.
First Aid Officer	• Seek direction from the Chief Bushfire Warden. • Monitor and provide support if required. • All injuries to be referred to seek medical attention and to be appropriately recorded. • If possible, participate in any post-emergency debrief actions.

Table 13 - ECO Roles and Responsibilities "Post Bushfire Emergency"

Bushfire Response Actions

The Chief Bushfire Warden during a Bushfire emergency or forecast fire weather conditions at the site has a range of options to determine the most appropriate method of keeping staff, guests, contractors, and all other visitors safe from any potential danger.

The decision should always be based on a risk assessment that determines the following;

- The likely threat to life or threat of injury.
- Staying is a greater risk than leaving.
- You can leave safely and promptly.

The following points are to assist the Chief Bushfire Warden in determining the most effective action during a bushfire emergency:

- Assessment of the Bushfire location and predicted impacts.
- The local fire weather conditions.
- The time expected before impact on the bushfire Shelter in Place location or egress route before everyone can be safely evacuated to the Bushfire Safer Place.
- The seriousness of the threat to human safety and evacuating occupants.
- Available resources to evacuate everyone.
- Travel time to evacuation point and Bushfire Safer Place.
- Ability to liaise with and receive advice from emergency services.

A Bushfire Emergency Warning from SACFS may require immediate sheltering in place on the day with little or no warning and limited preparation time. There should be no expectation that Emergency Services will be available to support any firefighting activities.

Evacuation from the property to a Bushfire Safer Place or Last Resort Refuge will require travelling through other high bushfire risk areas and areas. If choosing to evacuate, the access routes must be considered based on known fire location or predicted fire spread.

IMMEDIATE FULL EVACUATION is	• this measure will be used to remove all personnel and occupants from the centre to a designated Bushfire Safer Place.
PRE-WARNED EVACUATION is	• this measure follows reliable information that prompts a decision to **possibly** undertake a controlled and managed evacuation.
SHELTER IN PLACE (NO EVACUATION) is	• This should be seen as the recommended Secondary response. • Leaving the property during a bushfire is likely to be considered unsafe. • Not enough time to safely move all staff, contractors, and guests offsite to a safe area.

Table 14 – Evacuation options

Primary Response

The recommended **Primary Action** in response to forecast fire weather conditions or a reported bushfire is to **evacuate early**.

Evacuation is the process of moving people from where they are at risk to another location that is an appropriate distance (following a route that is the quickest and safest) away from the effects of a bushfire to a safer location.

Leaving early is critical to ensuring occupants are not on the property when the bushfire danger becomes elevated and will ensure everyone is safe and free from the risk of injury and possibly fatal injuries.

Evacuation advice and direction will be provided by the Chief Bushfire Warden and communicated by the onsite deputy wardens or the Chief Warden to all staff and visitors.

A Bushfire Emergency Warning from SACFS may require immediate evacuation on the day with little or no warning and limited preparation time. There should be no expectation that emergency services will be available to support any evacuation activities. If in doubt, always choose the conservative approach that improves the survivability of the visitors.

Secondary Response

The recommended **Secondary Action** in response to forecast fire weather conditions or a reported bushfire for all sites is to **shelter in place**.

Sheltering in place is the process of moving people to a designated Bushfire Shelter in Place building that has been appropriately assessed and determined to be located away from high-risk vegetation. It will be constructed to Australian Standards to support the expected number of people and withstand the effects of bushfire attack from the classified vegetation.

The Chief Bushfire Warden will direct staff and guests to the depicted Shelter in Place building for the site where they will remain inside as the fire front passes.

Actions for Fire Danger Ratings

Fire Danger Rating	Fire Behaviour Index (FBI)	Action for 1312 BAROSSA VALLEY WAY
CATASTROPHIC	100+	**SITE CLOSED:** No one allowed on site. Fire danger rating is issued by BOM for the following day. Advice to be distributed by 1312 BAROSSA VALLEY WAY the day prior.
EXTREME	75-99	**SITE CLOSED:** No one allowed on site. Fire danger rating is issued by BOM for the following day. Advice is distributed by 1312 BAROSSA VALLEY WAY the day prior.
EXTREME	50-74	**SITE OPEN TO RESTRICTED NUMBERS:** **Chief Bushfire or Deputy Bushfire Warden will:** • Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline throughout the day. • Share all relevant information with the ECO. • Ensure preparations undertaken for potential evacuation or sheltering in place including prepositioning of any vehicles and preparation of designated shelter-in-place area. • Follow advice from Emergency Services **Deputy and Building Wardens will:** • Always remain in contact with the Chief Bushfire Warden **All staff and visitors will:** • Follow the direction of the Chief Bushfire warden or Emergency Services
HIGH	24-49	**SITE OPEN:** **Chief Bushfire or Deputy Bushfire Warden will:** • Undertake a risk assessment to determine day activities. **All staff and visitors will:** • Participate in risk assessment to determine day activities. • Follow the direction of the Chief Bushfire warden or Emergency Services
MODERATE	12-23	**OPEN:** Normal bushfire plan procedures apply

Table 15 - Actions for Forecast Fire Danger Ratings

Actions for Bushfire Advice Warning messages

Bushfire Advice	
Title	**Responsibilities**
Chief Bushfire Warden	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • In addition to CFS advice (polygon), monitor the location of any bushfires and reported incidents. • If a reported fire is within **10km of the site**, consider the option to evacuate early. • Share all relevant information with the Deputy Bushfire Warden. • Determine the time to evacuate early. • Undertake scheduled guest welfare checks at 0900, 1200, 1500 and 1800. • Liaise with and follow advice from Emergency Services
Deputy Bushfire Wardens	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Always remain in contact with the management and all staff. • Contribute to scheduled welfare checks at 0900, 1200, 1500 and 1800. • Prepare to be evacuated as required. • Liaise with guests, staff, and contractors regarding conditions and directions as directed by the Chief Bushfire Warden. • Report on outside conditions and location of guests to Chief Bushfire Warden.
All staff	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline. • Monitor Emergency Alert Messages. • Follow the direction of the Chief Bushfire Warden, Deputy Warden, or Emergency Services.
Contractors & Guests	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline. • Monitor Emergency Alert Messages. • Follow the direction of the Deputy Warden, or Emergency Services.

Table 16 - Actions for Bushfire Advice Message

Actions for Bushfire Watch and Act Warning messages.

Bushfire Watch and Act	
Title	**Responsibilities**
Chief Bushfire Warden	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • In addition to CFS advice (polygon), monitor the location of any bushfires and reported incidents. • If a reported fire is within **5km of the site**, consider the risks to travel to a safer location and that evacuation may no longer be the safest option, preferred option may be to Shelter in Place. • Share all relevant information to the Deputy Warden. • Determine the time to evacuate early. • Undertake scheduled guest and staff welfare checks at 0900, 1200, 1500 and 1800. • Liaise with and follow advice from Emergency Services.
Deputy Bushfire Wardens	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Always remain in contact with management and all staff. • Contribute to scheduled guest and staff welfare checks at 0900, 1200, 1500 and 1800. • Prepare to be evacuated as required. • Undertake preparations for potential evacuation including prepositioning of any vehicles and preparation of dedicated Shelter in Place area for use. • Prepare/check the Bushfire Shelter in Place location for possible occupation by staff, guests, and contractors, including checking of operation of all fire defence systems and emergency supply equipment including power supply systems, generators, and fire hose reels. • Liaise with guests, staff, and contractors regarding conditions and directions as directed by the Chief Bushfire Warden • Report on outside conditions and location of guests to Chief Bushfire Warden
All staff	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Monitor Emergency Alert Messages. • Follow the direction of the Chief Bushfire Warden, Deputy Warden, or Emergency Services.
Contractors & Guests	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Monitor Emergency Alert Messages • Follow the direction of the Deputy Warden or Emergency Services

Table 17 - Actions for Bushfire Watch and Act Message

Actions for Bushfire Emergency Warning Messages

Bushfire Emergency Warden	
Title	**Responsibilities**
Chief Bushfire Warden	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • In addition to CFS advice (polygon), monitor the location of any bushfires and reported incidents. • If a reported fire is within **1km of the site** on site, confirm the preferred option to evacuate early is no longer the safest option and must now **shelter in place.** • Share all relevant information with Deputy Wardens. • Advise CFS duty officer of Shelter in Place plans. • Advise the CFS duty officer when safely sheltered in place. • Undertake scheduled welfare checks at 0900, 1200, 1500 and 1800. • Liaise with and follow advice from Emergency Services
Deputy Bushfire Wardens	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Always remain in contact with the Chief Building Warden and Office Staff • Prepare to Shelter in Place. • Contribute to scheduled guest and staff welfare checks at 0900, 1200, 1500 and 1800. • Support/comfort guests, staff, and contractors during the Shelter in Place procedure. • Report to Chief Bushfire Warden when safely sheltering.
All staff	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Monitor Emergency Alert Messages. • Follow the direction of the Chief Bushfire Warden, Deputy Warden, or Emergency Services.
Contractors & Guests	• Monitor the Alert SA app, ABC Radio, SACFS website, CFS Bushfire Information Hotline • Monitor Emergency Alert Messages • Follow the direction of the Deputy Warden or Emergency Services

Table 18 - Actions for Bushfire Emergency Warning Message

Recovery

After the fire has passed all staff, guests, and contractors are to remain in the designated Bushfire Safer Place or Shelter in Place area until the Chief Bushfire Warden has liaised with the Emergency Services to confirm the fire area has been declared safe before any person is allowed to leave or re-enter the property.

The Chief Bushfire Warden and Emergency services will coordinate post-fire evacuation (as required) from the Bushfire Shelter in the place building. It is noted that this may take some time.

If the emergency action was to shelter in place, once the fire front has passed, the Chief Bushfire Warden (or delegate) will assess any existing hazards (including where appropriate extinguishing embers and small fires outside) and check it's safe to move from the Bushfire Shelter in place building.

The Chief Bushfire Warden will advise Emergency Services that staff and guests are all safe.

The Chief Bushfire Warden will arrange a suitable time with staff to have a debrief that includes the questions.

- **What was planned?**
- **What happened?**
- **What can we do better next time?**

The Chief Bushfire Warden will assess the impacts of the bushfire and enact the Business Continuity Plan as required.

Appendix 1 - Bushfire Mitigation Operational Schedule (BMOS Example)

Location:	Date:				Approved by:	
Mitigation Task	**Annual timing**	**Date Completed**	**Task ID**	**Responsible Owner**	**Comments/Task Completed?**	
Vegetation Management						
Vegetation Management Zone works around high-risk areas and buildings completed to achieve the approved Bushfire Attack Level (BAL) as per AS3959-2018	Sep-Dec		1			☐
Vegetation adjacent to all access tracks is cleared to minimise encroachment	Sep-Dec		2			☐
Grass areas remaining irrigated and maintained	Sep-Dec		3			☐
Site preparation for fire danger season includes general ground maintenance e.g., grass mowed, dead vegetation removed, leaf litter removed and vegetation encroachment on buildings mitigated	Sep-Dec					☐
Health Safety and Welfare						
All staff familiar with policies, procedures, and their responsibilities before, during and after a bushfire emergency	Sep-D				Refer BEP	☐
Policy and Procedures						
Emergency Management Plan reviewed, updated, and approved						☐
Bushfire Emergency Plan reviewed, updated, and approved						☐
All staff, contractors, and guests familiar with policy for closure on forecast High, Extreme and Catastrophic Fire Danger Days						☐
Confirm a nominated Shelter in Place building (building names)			9			☐
Planning						
Daily fire danger rating is distributed and publicised across the site for staff, contractors, and visitors duri			10			☐
Training						
Staff completed training in Bushfire and Emergency Management as per their role and respo	Sep-Dec		11			☐
Staff attended the annual bushfire preparedness meeting and emergency response d	Sep-Dec		12			☐
Managers attended introductory Incident Management training	Sep-Dec		13			☐
Designated staff involved in any initial bushfire suppression operations y accredited training.	Sep-Dec		14			☐
All staff have attended Basic Wildfire Awareness (BWA) cours	Sep-Dec		15			☐
Plant and Equipment						
All bushfire fighting equipment tested, fire wate hose reels, and hand tools serviceable	Sep-Dec		16			☐
All bushfire fighting communications a ., alarms, PA, radios, SMS groups, other systems	Sep-Dec		17			☐
Access and Egress						
Firefighting appliances have defined emer including turn around areas	Sep-Dec		18			☐
Inspect access roads and tracks (drainage, su d vegetation) identify and implement maintenance as required	Sep-Dec		19			☐
Infrastructure						
Inspect gates to ensure locks are in place and fu tioning	Sep-Dec		20			☐
Clear gutters, roof surfaces/valleys, external decks, and verandas clear to ensure they are free of leaf litter/dead plant material accumulation	Sep-Dec		21			☐
External building components should be free of combustible material and are to be painted and sealed, window and external vent screens serviceable	Sep-Dec		22			☐
Excessive amounts of flammable and combustible fuels/gases and other items removed from being located externally to buildings e.g., gas bottles, paint, solvents, and chemicals	Sep-Dec		23			☐

Example Only

Appendix 2 - Closest Bushfire Safer Place

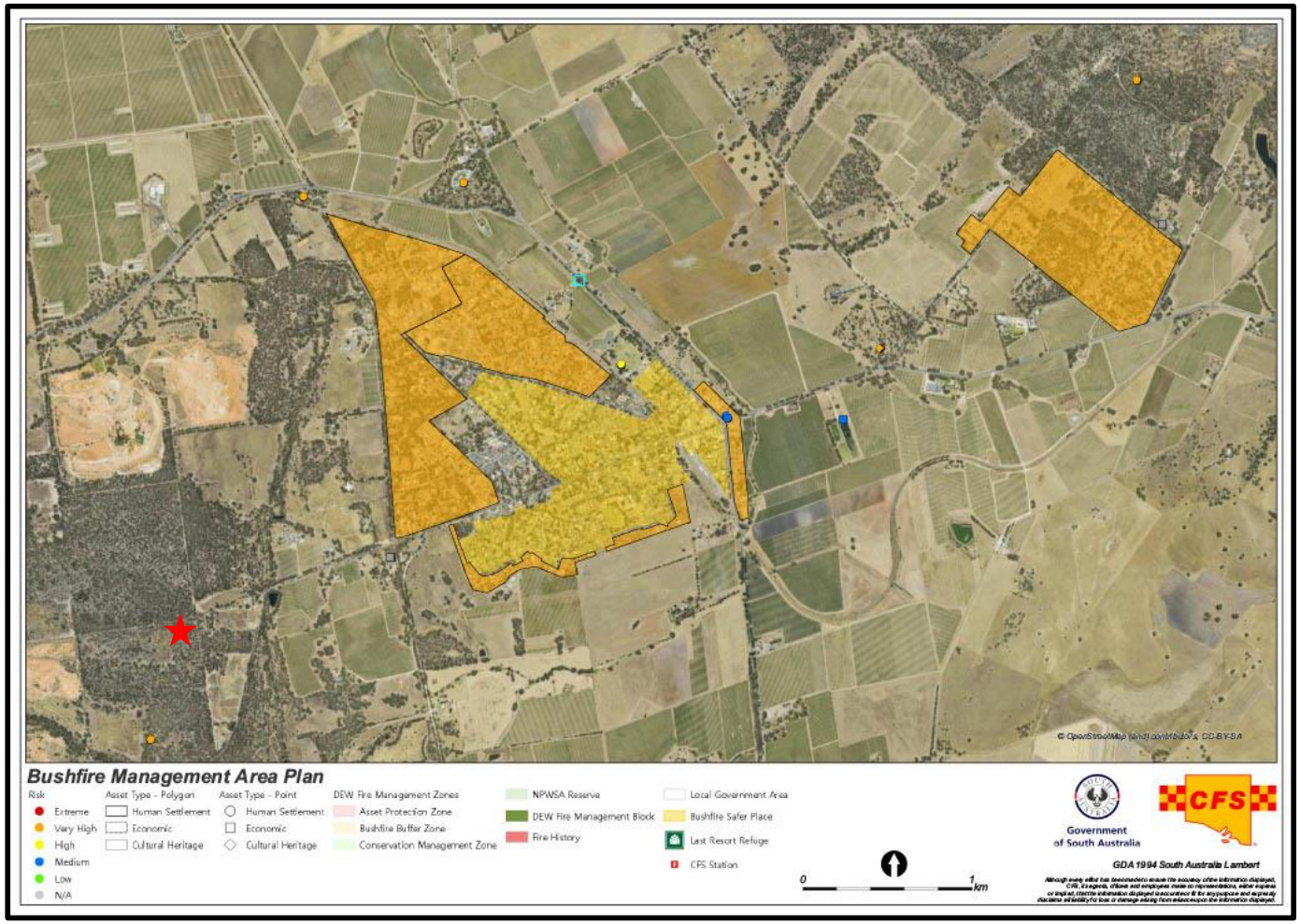


Figure 19 - Closest Bushfire Safer Places

Appendix 3 – Nominal BAL Advice

The primary risk to tourist developments within Bushfire-Prone areas is the proximity of proposed dwellings, assets, and infrastructure to adjacent high-risk vegetation. Vegetation with high levels of fuel.

Mitigating the risk is achieved by reducing available fuel surrounding the critical infrastructure. These Asset Protection Zones are defined through the assessment of the Bushfire Attack Level (BAL) on the proposed building envelopes.

A BAL assessment determines the intensity of 'bushfire attack' on a structure and the potential for ignition from burning embers, radiant heat or flame contact.

The BAL determination is classified into levels: BAL 12.5, BAL 19, BAL 29, BAL 40, and BAL Flame Zone, with each having different levels of bushfire attack.

Through the modelling of different bushfire behaviours under varied conditions (see Figure 19) Bushfire Attack Levels are calculated using different algorithms. The nominal BAL is dictated by the level of radiant heat output in kW/m2.

The BAL is the calculation of the interactions of classified vegetation (identified within a 100m radius of the asset), the effective slope under the classified vegetation and the distance it is away from the proposed structure.

For 1312 BAROSSA VALLEY WAY, The Code states that structures be sited away from vegetation posing unacceptable bushfire risk. It is recommended that, for buildings intended to be a shelter-in-place designated space, the immediate areas surrounding the assets be cleared of classified hazardous vegetation to a distance that poses low radiant heat (BAL 12.5 or BAL 19).

These fuel-reduced zones will vary in size according to the vegetation type and the slope of the vegetation to the asset. Table 20 below provides the setback distances required to meet each BAL for vegetation classified as Class G Grassland, for downslopes of 1-5 degrees (Table 20)

*Note:

- an FDI of 100 has been used for the BAL calculations for 1312 BAROSSA VALLEY WAY, higher than the recommended FDI of 80 for South Australia.

Vegetation Classification	**BALs**				
	BAL – FZ	**BAL – 40**	**BAL – 29**	**BAL – 19**	**BAL – 12.5**
	Setback distance (m) from structure				
	Downslope (0-5 Degrees)				
Class B Woodland	<15	15-<21	21-<29	29-<41	41+
Class G Grassland	<7	7-<10	10-<15	15-<22	22+

Table 19 - Setback distances for 0-5 Degree Downslope (FDI 100)

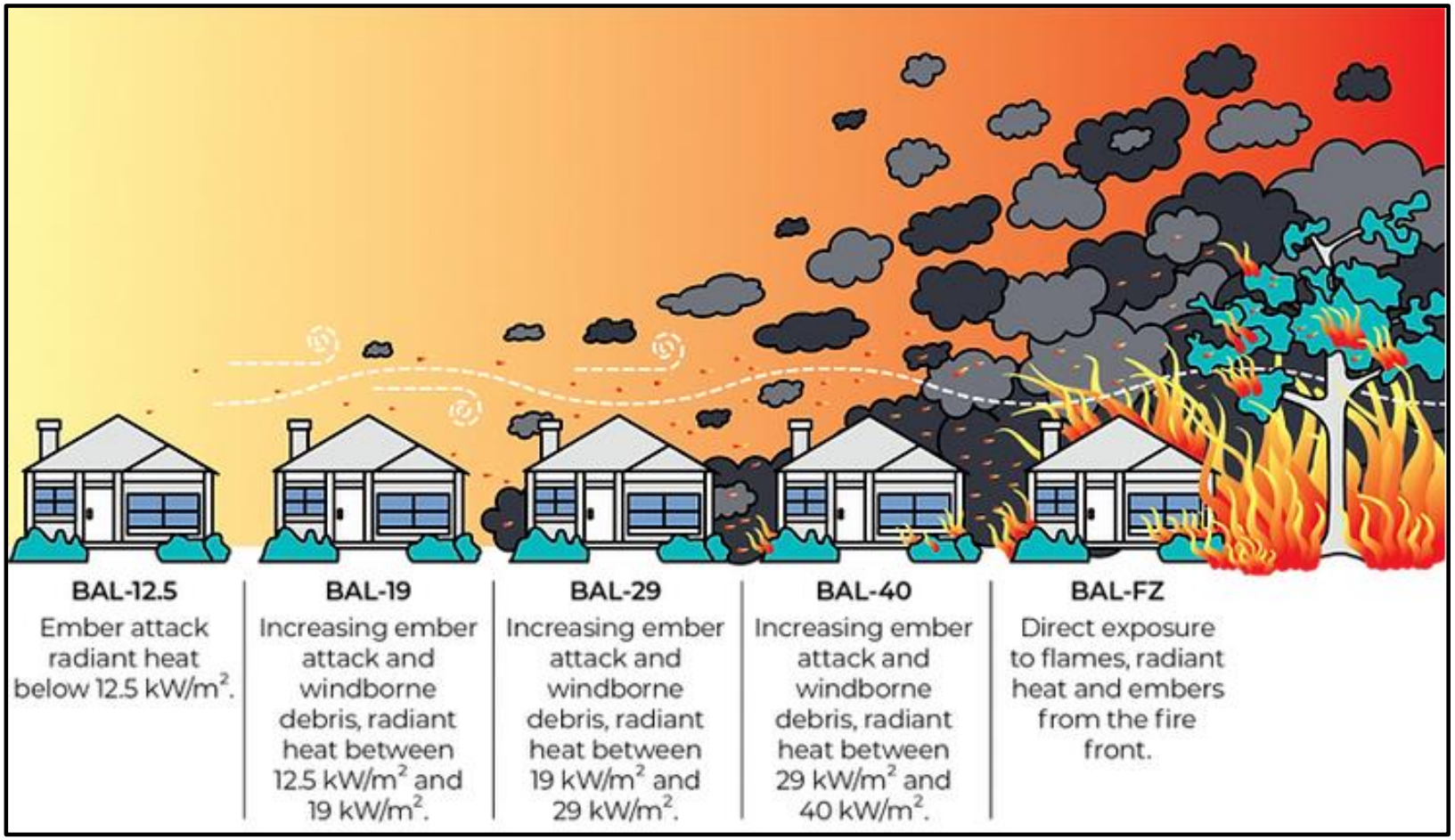


Figure 20 - BAL Determination

Appendix 4 - Bushfire Emergency Evacuation Plan (Example)

1312 BAROSSA VALLEY WAY Bushfire Emergency Evacuation Plan	
Primary Action	Evacuate the site
Secondary Action	Shelter in place
Key Site Contact	Chief Bushfire Warden – TBA
Infrastructure on site	6 x 1-bedroom modular dwelling 1 x Original homestead 1 x machinery/implement storage shed Dedicated fire water 2 x 22,000L RWT
Number of staff and guests	Up to XX Guests Up to XX staff
Roles and responsibilities	Chief Bushfire Warden oversees the site supported by onsite staff.
Emergency Contacts	Emergency Services - 000 SACFS Hotline - 1300 362 361 SACFS Incident Information SACFS warnings and incidents
Evacuation or Shelter in Place procedures	
Shelter in Place onsite will be determined by the ECO in conjunction with the Chief Bushfire Warden.	
IMMEDIATE SHELTER IN PLACE (NO EVACUATION) • Advice from Emergency Services • Fire reported within 1km	
PRE-WARNED (Possible) EVACUATION • Advice from Emergency Services • Fire reported within 5km. • High forecast Fire Weather conditions (FBI 49 or above)	
IMMEDIATE FULL EVACUATION (SITE CLOSED) • FBI 100 or above	
Designated Bushfire Assembly area, Evacuation point and Safer Place	
STAGE 1 – Bushfire Assembly Area (Homestead) **STAGE 2** – Bushfire Evacuation Point (Homestead) **STAGE 3** – Bushfire Safer Place Lyndoch(1 minute) or Place of Last Resort Curdnatta Recreation Park (6min)	
Transport and Travel Requirements	
Travel time requirements (To travel from dwelling to Evacuation Point)	5 minutes
Travel time requirements (To travel from Evacuation point to Safer Place)	1-5 Minutes
Number of Vehicles required (To travel from Evacuation point to Bushfire Safer Place or place of last resort)	1 Car 1 trip
Person organising transport	CBW

Appendix 5 - Bushfire Shelter in Place (SIP) Procedures

Stage	Trigger	Action
Preparation of the bushfire Shelter in Place Building	Prior to the declaration of the Fire Danger Season (October / November)	• Undertake all preparedness actions in the Bushfire Management Operational Schedule (BMOS) for the site.
Preparation prior to the fire front	• Fire reported within 1km. • Ember attack landing on or in the immediate vicinity of the Bushfire Shelter in place building.	• Follow the direction of the Chief Bushfire Warden. • Move to the Bushfire Shelter in place (SIP) building. • Put on personal protective clothing. • Wait outside the SIP for as long as possible (prior to the impact of fire front) • Account for all persons • Possibly wet down the surrounding vegetation • Remain calm. • Advise Emergency Services you have moved to SIP.
Response	• Embers attacking the Bushfire shelter in place building. • Intense radiant heat, thick smoke, and fire • Imminent fire front impact	• Move inside the bushfire shelter in place building. • Close and secure all doors, windows, and vents. • Advise Emergency Services you have moved to SIP. • Remain in the Bushfire shelter in place building until fire front has passed. • Remain calm
Recovery	• Fire front has passed	• Open bushfire shelter in place building door • Assess outside conditions. • If safe to do so, move out of bushfire shelter in place building to evacuation point. • If safe to do so extinguish any burning material adjacent Bushfire shelter in place building • Assess welfare of all. • Attend to any medical requirements. • Advise Emergency Services of situation. • Await advice for evacuation to safe place

Appendix 6 - Chief Bushfire Warden Evacuation Checklist (Example)

Task		**Yes/No**
Equipment Check	Torch	
	Reflective vest	
	Notepad and pen	
	Mobile phone	
	Important Contact Numbers list	
	Staff and Guest list	
Risk assessments	Have you checked CFS Bushfire Messages?	
	Have you assessed options to evacuate or shelter in place?	
	Have you considered time required to evacuate from to safer place?	
Coordination	Have you prepositioned vehicles or arranged appropriate transport from evacuation point to bushfire safer place?	
	Have you confirmed safest egress routes?	
	Have you been notified to evacuate or shelter in place?	
Notification	Have you advised all staff, guests, Chief Bushfire Warden, and Emergency Services the decision to evacuate or shelter in place?	
	Have you advised all staff and guests to assemble at the Bushfire Shelter in place building?	
	Have you notified Chief Bushfire Warden that all staff and guests are accounted for at the Bushfire Shelter in place building?	
	Have you advised all staff and guests to assemble at the Evacuation point?	
	Have you notified Chief Bushfire Warden that all staff and guests are accounted for at the evacuation point?	
	Have you advised all staff and guests to assemble at the Bushfire safer Place?	
	Have you notified Chief Bushfire Warden that all staff and guests are accounted for at the bushfire safer place and evacuation is complete?	

Appendix 7 - Waivers & Inductions

Suggested disclaimer.

Disclaimer of Responsibility: Our role as your hosts, is to facilitate your stay and assist you in an enjoyable visit. However, in the event of any bushfire activity, as outlined in the site induction completed on arrival, you will be required to follow the instructions of the Chief Bushfire Warden and act accordingly.

If you fail to comply with the directions of the Chief Bushfire Warden during the enactment of the Bushfire Emergency Plan, we cannot guarantee your safety and therefore cannot be held liable for any harm or injury that may come to anyone among your party.

You acknowledge you have been given a site induction appropriate to the risk posed to this site concerning bushfire and you accept and understand that, in the instance of a bushfire event, wherein you fail to comply with safety instructions, and this results in injury or death, the hosts at 1312 Barossa Valley Way cannot be held liable.

Welcome Letter - Bushfire

The risks from bushfires to life and property during the summer months in Australia are extreme and have been catastrophic on multiple occasions. Our intent is not to make any alterations to your stay but to make you aware of the environment in which we exist and familiarise yourself with the site concerning this. To understand and appreciate the bushfire risk at this site upon booking and then your arrival, you were asked to sign the disclaimer and participate in a site induction.

The site induction has shown the location of the emergency evacuation point, all site access and egress options, the designated Shelter in Place area, the locations of fire extinguishers, fire hose reels and the dedicated fire water supply.

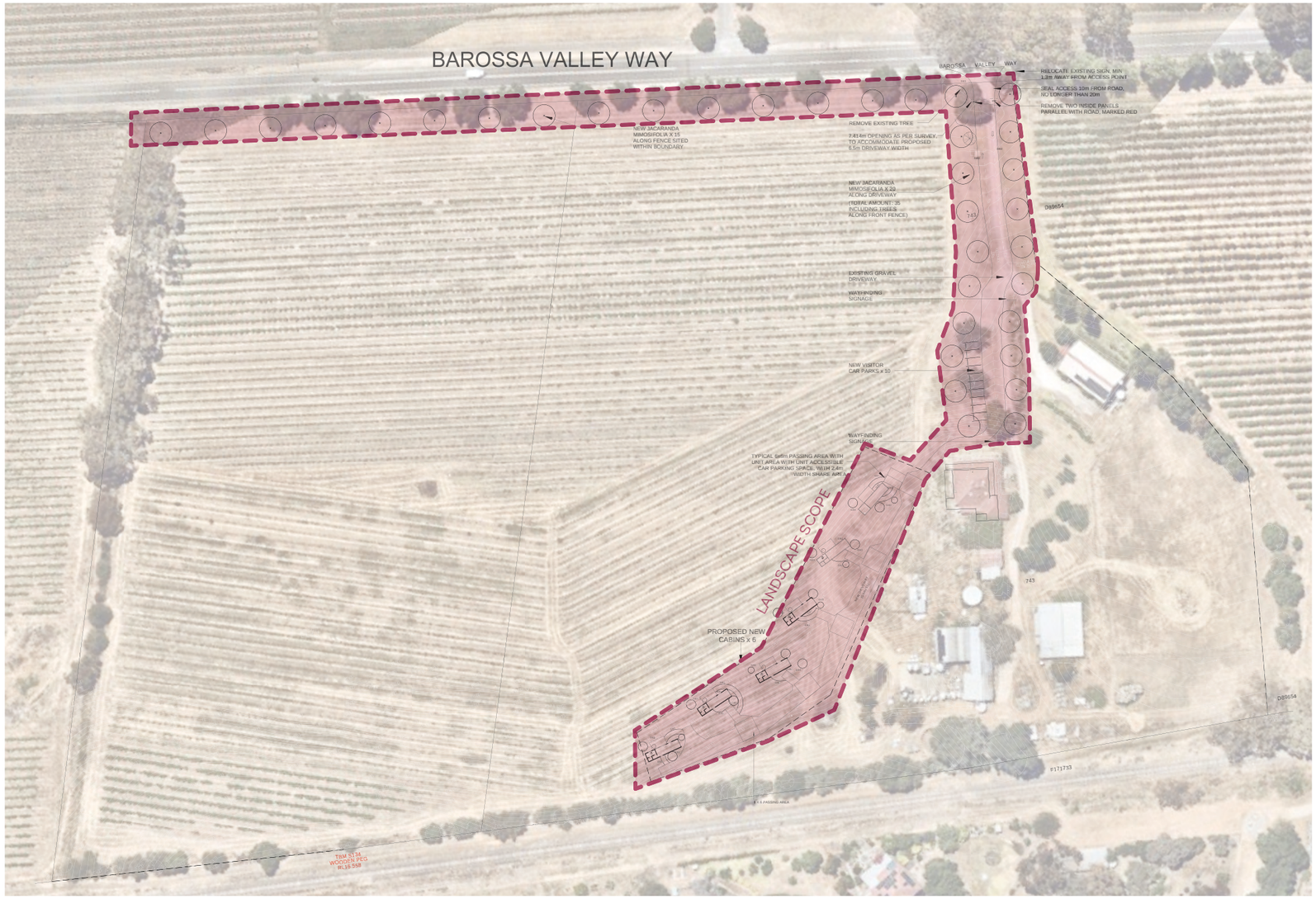
You were also informed at the point of booking that, given the location of our accommodation, your booking may be subject to change in line with potential fire activity and conditions posing a threat to the site.

You will find a copy of the instructions outlined in the induction and a site map on the wall of your dwelling.

1312 BAROSSA VALLEY WAY // LANDSCAPE MASTERPLAN

AUTRA RESORT

DATE: 11.10.2024
REVISION B



Not to scale

LOCATION // 1312 BAROSSA VALLEY WAY, LYNDOCH, SA 5351

LCS LANDSCAPES

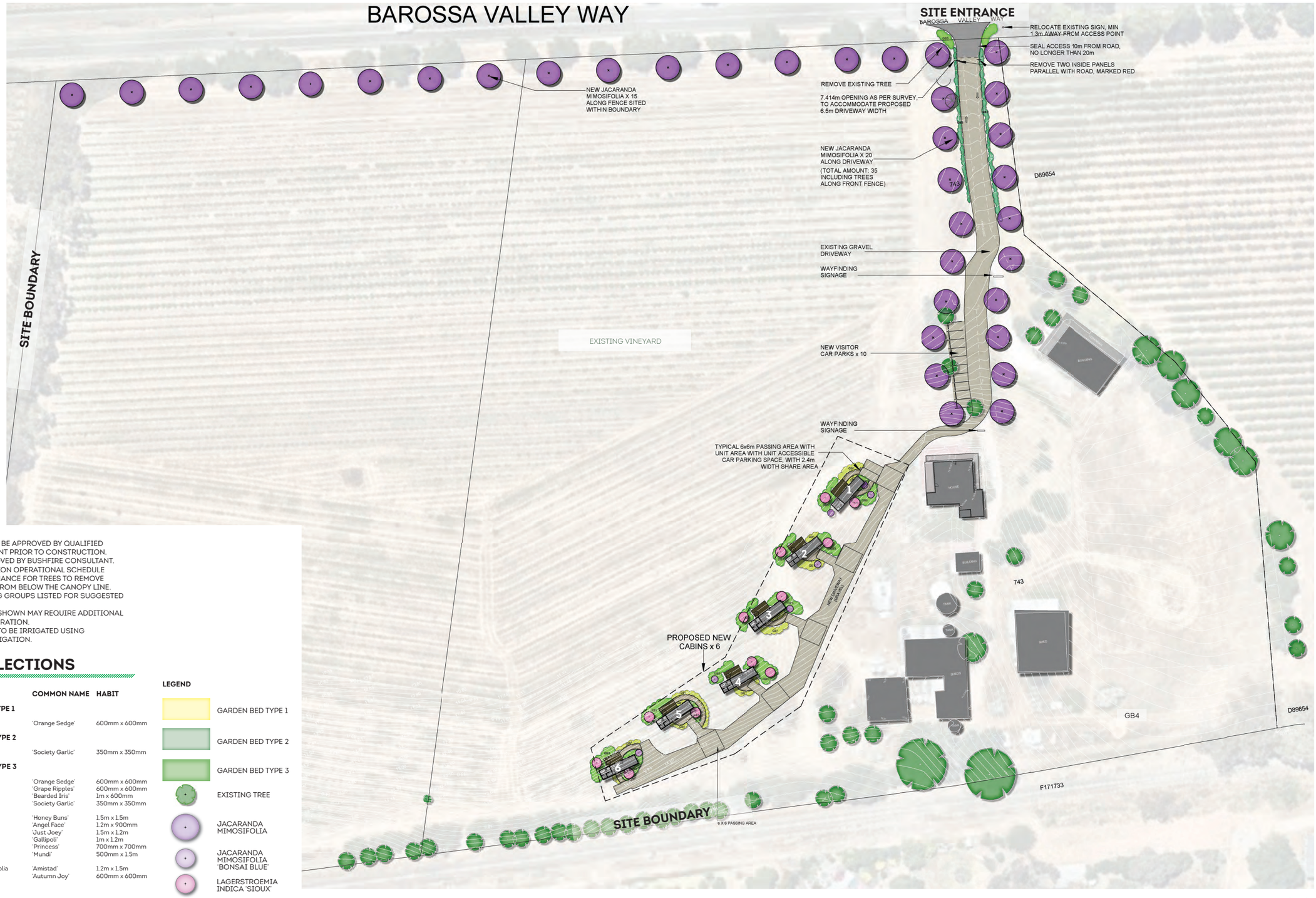
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Unit 7/8 Greenhill Road, Wayville SA 5034

tel: 8249 9799

enquiry@lcslandscapes.com.au
www.lcslandscapes.com.au

Landscape Construction Services Pty
Builders Licence: BLD175870 / ABN: 88 102 505 180



NOTES:
1. SETBACK ZONES TO BE APPROVED BY QUALIFIED BUSHFIRE CONSULTANT PRIOR TO CONSTRUCTION.
2. TREES TO BE APPROVED BY BUSHFIRE CONSULTANT.
3. BUSHFIRE MITIGATION OPERATIONAL SCHEDULE TO INCLUDE MAINTENANCE FOR TREES TO REMOVE FLAMMABLE DEBRIS FROM BELOW THE CANOPY LINE.
4. REFER TO PLANTING GROUPS LISTED FOR SUGGESTED PLANT GROUPINGS.
5. ALL GARDEN BEDS SHOWN MAY REQUIRE ADDITIONAL SOIL AND/OR AMELIORATION.
6. ALL GARDEN BEDS TO BE IRRIGATED USING AUTOMATIC DRIP IRRIGATION.

PLANT SELECTIONS

BOTANICAL NAME	COMMON NAME	HABIT
GB1 - GARDEN BED TYPE 1		
GRASSES & STRAPPYS		
Carex testacea	'Orange Sedge'	600mm x 600mm
GB2 - GARDEN BED TYPE 2		
GRASSES & STRAPPYS		
Thulbaghia violacea	'Society Garlic'	350mm x 350mm
GB3 - GARDEN BED TYPE 3		
GRASSES & STRAPPYS		
Carex testacea	'Orange Sedge'	600mm x 600mm
Hemerocallis hybrida	'Grape Ripples'	600mm x 600mm
Iris Germanica	'Bearded Iris'	1m x 600mm
Thulbaghia violacea	'Society Garlic'	350mm x 350mm
SHRUBS		
Acacia howitii	'Honey Buns'	1.5m x 1.5m
Rosa var.	'Angel Face'	1.2m x 900mm
Rosa var.	'Just Joey'	1.5m x 1.2m
Rosmarinus officinalis	'Gallipoli'	1m x 1.2m
Lavandula pedunculata	'Princess'	700mm x 700mm
Westringia fruticosa	'Mundi'	500mm x 1.5m
OTHER		
Salvia gauranitica gesnerifolia	'Amistad'	1.2m x 1.5m
Sedum spectabile	'Autumn Joy'	600mm x 600mm

LEGEND

- GARDEN BED TYPE 1
- GARDEN BED TYPE 2
- GARDEN BED TYPE 3
- EXISTING TREE
- JACARANDA MIMOSIFOLIA
- JACARANDA MIMOSIFOLIA 'BONSAI BLUE'
- LAGERSTROEMIA INDICA 'SIOUX'

LANDSCAPE SITE PLAN

PROJECT: 1312 BAROSSA VALLEY WAY, LYNDOCH
CLIENT: AUTRA RESORT

DATE: 11/10/2024
DRAWING NUMBER: LS.018.24.001.REVB

SCALE: 1:500 @ A1

SCALE 1:500 0 10 20 30 50

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LCS LANDSCAPES


Compacted Rubble Path

SURFACES


Jacaranda mimosifolia


Lagerstroemia 'Sioux'

TREES


Iris 'Bearded Iris'


Carex 'Orange Sedge'


Thulbaghia 'Society Garlic'


Westringia 'Mundi'


Sedum 'Autumn Joy'

GRASSES AND GROUND COVERS


Rosemary 'Gallipoli'


Lavender 'Princess'


Rose 'Just Joey'


Rose 'Angel Face'


Acacia 'Honey Buns'


Salvia 'Amistad'

SHRUBS

PROJECT ELEMENTS & PLANT LIST

LCS LANDSCAPES

PROJECT: 1312 BAROSSA VALLEY WAY, LYNDOCH
CLIENT: AUTRA RESORT

DATE: 11/10/2024
DRAWING NUMBER: LS.018.24.002.REVB

SCALE: NTS

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LCS LANDSCAPES
Defining Spaces

15th October 2024

Joseph Francisco
Project Manager
AUTA Group

Re: Landscape Architectural covering letter for landscape treatements 1312 Barossa Valley Way.

Dear Joseph,

The purpose of this letter is to provide Landscape Architectrual and Horticultural advice for the proposed landscape development at 1312 Barossa Valley Way, Lyndoch.

Our aim is to refer directly to the distinct character of the Barossa Valley through it's rural, natural landscape, combining with the Germanic viticulture heritage of the region. Planting combinations have been selected with direct reference to the exisitng landscapes surrounding the site.

The landscape treatement aims to soften and compliment the built form through the use of complimentary feature planting. The species have been chosen for their hardiness, suited to both hot, dry summers and mild, sometimes frosty winters. The selection also compliments those used at the nearby Lyndoch Hill, with apricot and purple hues.

Roses are traditionally planted in vineyards, often with flower colors matching grape varieties. Iconic landmarks like Lyndoch Hill and Barossa Chateau feature older varieties, while the Barossa Valley estate follows a similar palette. The region's clay soils and hot, dry summers favor hardy, low-maintenance, repeat-flowering roses, well-suited to the Barossa Valley climate.

Grasses and understorey plantings have been selected for around the cabins, to provide interest, however consider fire hazards. Deciduous trees have been shown to be effective in reducing fire intensity due to their leaf cover during the cooler months. By the time bushfire risk is increased the leaf litter will have broken down, providing the soil with organic matter, which helps to hold the moisture in the soil.

Other species selected were chosen for their fire retardant qualities – Succulent plantings with brightly coloured Autumn flowers add a pop of colour amongst the apricot tones of the grasses.

A broad avenue of Jacaranda mimosifolia aims to soften the entry to the site, whilst providing a solid landmark for the development. Jacaranda trees are commonly used in South Australia due to their hardy, drought tolerant properties. Underplanted with the hardy Thulbaghia, which is resistant to fire, and unattractive to snakes, the entry avenue provides the framework to the vineyards beyond.

Soil amelioration and annual mulching to the garden beds will provide a moisture rich, friable soil suitable to the proposed plant selections. Automatic irrigation will be activated during the establishment of the landscape, in order to provide best growing conditions for the younger plants.

Yours faithfully

Rachael Roberts
Registered Landscape Architect #10972
rroberts@lcslandscapes.com.au
Mobile: 0487 816 117

Unit 7/8 Greenhill Road,
Wayville SA 5034

Tel (08) 8249 9799

enquiry@lcslandscapes.com.au
www.lcslandscapes.com.au

ABN: 88 102 505 180
Builders License: BLD175870

T.1 V3. 31/072013

BOTTEN LEVINSON Lawyers

Our ref: JAL/224270

16 October 2024

Mr Aaron Curtis
Manager – Development Services
Barossa Council
43-51 Tanunda Road
NURIOOTPA SA 5355

By email: acurtis@barossa.gov.au

Dear Aaron

Development Application No. 24016043 - Tourist accommodation - 1312 Barossa Valley Way, Lyndoch SA

This firm acts for Autra Resort Holdings Pty Ltd, the applicant for Development Application No. 24016043 (**application**) for tourist accommodation at 1312 Barossa Valley Way, Lyndoch (**land**).

In response to feedback received through public notification and from Council staff, our client has made amendments to the application to address the matters raised. We write in response to your email of 2 October 2024 stating that the application now requires further public notification due to the amendments.

For the reasons that follow, the amendments to the application are not substantial and do not warrant re-notification of the application.

Background

1. The land comprises an existing cellar door, vineyards and some small associated agricultural buildings/sheds which collectively operate as Burge Family Wines.

2. The application was lodged on 12 June 2024. The development proposed was described by the Council as the "*construction of seven (7) tourist accommodation buildings and an agricultural building (to be used for implement and general storage relating to the use of the land measuring 19.59m x 52m x 6m wall height)"* (**proposed development**).

3. The existing cellar door and vineyard will continue to operate on the land, and the proposed tourist accommodation cabins are intended to compliment this existing use and help to support the growth of the Burge Family Wines business in their production and sale of wine.

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4. The proposed agricultural building was simply an ancillary aspect of the proposed development that would facilitate on-site storage for equipment required to service the vineyard.[1]

5. The application underwent public notification between 31 July 2024 and 20 August 2024. A total of 16 representations were received.[2] These representations raised concerns about the following:

   5.1 the proposed land use;

   5.2 built form including the scale, intensity and siting of the proposed tourist accommodation and the agricultural building; and

   5.3 amenity and visual impacts.

6. The applicant's planning consultants, Future Urban, provided a response to the representations on 13 September 2024 and proposed some initial amendments to the application in an attempt to address the representors' concerns.

7. On 24 September 2024, Council staff indicated that the application was recommended for refusal and was to be considered at the 1 October 2024 Council Assessment Panel meeting. The reasons for this recommendation were as follows:

   7.1 the siting, design and scale of the proposed development would not maintain a pleasant rural character and amenity;

   7.2 the scale of the agricultural building was too large for the site and would not maintain a pleasant rural character and function; and

   7.3 the tourist accommodation was not proposed to be grouped in compact clusters that minimised visual, amenity, environmental and contextual impacts.

8. As a result of the recommendation, variations were made to the proposal in an attempt to address the concerns raised by the Council staff. The varied proposal was put to Council staff on 30 September 2024.

9. Council staff have since indicated that due to the amendments to the application, public notification must be undertaken again.

10. For the reasons that follow, the application does not require re-notification and the Council Assessment Panel should proceed to assess the application without any further public notification.

[1] Burge Family Wines currently have to utilise off-site storage, and the Application presented a convenient opportunity to create some facilities for on-site storage to service the primary uses of the land.
[2] Including those which the Council noted were caught/blocked by its cybersecurity systems. It is also noted that some of these representations were duplicates.

The amendments

11. The application has been amended as follows:

    11.1 the number of tourist accommodation cabins has been reduced from 7 to 6;

    11.2 the proposed cabins have been clustered closer together towards the existing building, cellar door and shed on the land;

    11.3 the number of new visitor carparks have been reduced from 25 to 10;

    11.4 the new agricultural building and associated driveway and landscaping have been removed; and

    11.5 the existing shed building is now to be retained.

12. These amendments have been made to address concerns raised about potential impacts on the immediate locality arising from the scale of the built form of the proposed development in its original form. There is, of course, no change to the fundamental nature of the application nor the proposed use of the land.

Re-notification of applications following variations

13. Regulation 35(3) of the *Planning, Development and Infrastructure (General) Regulations 2017* (**Regulations**) provides as follows:

> *If an application is varied following … 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 3.*
>
> (our emphasis)

14. Put simply, where amendments to an application have been made post public notification of a proposal, and those amendments are not substantial, the relevant authority may proceed to determine the application without re-notifying the application.

15. Whether the amendments are "substantial" turns on whether the amendments are so significant that what has evolved is a new proposal that is fundamentally different form the original proposal?[3] Ultimately, the answer to this question is a question of fact and degree.[4]

16. In the present case, the variations are not substantial. While the variations mitigate potential impacts on the immediate locality, it could not reasonably be said that the variations result in a new plan that is fundamentally different from the original plan and which are, therefore, "substantial".

17. The application in its original form is for tourist accommodation and an ancillary agricultural building to be used for on-site storage of machinery associated with

[3] *Independent Holdings v City of Adelaide Planning Commission (1994) 63 SASR 318; City of Marion v Becker [1973] 6 SASR 13*
[4] *Hancock Development Corporation v Tea Tree Gully CC [1986] 42 SASR 584*

the existing vineyard/cellar door. The amended application is for tourist accommodation and the retention of all existing buildings (including the shed) on the land.

18. All of the changes that have been made to the proposal are within the realms of what might ordinarily be expected as a result of the public notification.

19. In circumstances where the variations are designed to address the concerns of the representors and Council staff (as should be encouraged), and noting the variations are "not substantial" within the meaning of that phrase in Regulation 35(3), the amended application does not warrant re-notification. In the circumstances, re-notification would unnecessarily delay determination of the application.

20. To ensure procedural fairness, our client consents to the documents the subject of the amended proposal being provided to the original representors that wish to be heard before the relevant meeting of the Council Assessment Panel.

Request

Having regard to the above, we invite Council staff to put the application to the Assessment Panel without re-notification. Once again, our client is content for the documents the subject of the amended proposal to be provided to the original representors that wish to be heard at the relevant meeting of the Assessment Panel.

We would be grateful if you would please confirm the Council's position on this request by no later than Tuesday, 22 October 2024.

Yours faithfully



James Levinson
BOTTEN LEVINSON
Mob: 0407 050 080
Email: jal@bllawyers.com.au

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PHIL WEAVER & ASSOCIATES

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ABN 67 093 665 680

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Unley SA 5061

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File: 24-093

11 October 2024

Mr Joseph Francisco
Project Manager
Auta Group

By email: josephus.francisco@autagroup.com.au

Dear Jospeh,

PROPOSED TOURIST ACCOMMODATION DEVELOPMENT – 1312 BAROSSA VALLEY WAY, LYNDOCH – TRAFFIC AND PARKING STATEMENT

We refer to our recent discussions with respect to the proposed development on the above site. We understand that it is proposed to accommodate six tourist accommodation cabins on the above site.

As requested, we have undertaken the following review of the traffic and parking related aspects of the subject development.

EXISTING SITUATION

The subject site is located on the south-western side of Barossa Valley Way, Lyndoch, within The Barossa Council local government area.

The subject land is located within a *Rural Zone* and is subject to various *Planning and Design Overlays* including the *Hazards (Bushfire – Medium Risk)* and *Urban Transport Routes Overlays*.

The subject land currently accommodates:

- a detached dwelling,
- a cellar door of approximately 200m^2, open from 10.00am to 5.00pm Thursday to Saturday and Mondays,
- various vineyards, and
- associated outbuildings / sheds.

The subject land is irregular in shape, with a frontage of approximately 274m to Barossa Valley Road. The disused Gawler-Penrice railway line borders the southern boundary of the subject site.

Vehicular site access is currently provided via a single-width gravel driveway on Barossa Valley Way, located near the south-eastern end of the site frontage.

Barossa Valley Road is a two-way, two-lane arterial roadway under the care and control of the Department for Infrastructure and Transport (DIT). In the locality of the site access point, the opposing lanes are separated by a continuous line on the southern side of broken lines.

The adjoining portion of Barossa Valley Road has a posted speed limit of 90km/h and carries an Annual Average Daily Traffic (AADT) volume of approximately 2,600 vehicles per day (vpd). '50km/h ahead' advisory signage faces eastbound traffic at a location approximately 50m to the west of the site access point.

In the most recent five-year reporting period (2019 to 2023, inclusive), there have been no recorded road crashes on Barossa Valley Road adjacent to the subject site.

Aerial imagery of the subject site and adjoining locality is provided in *Figure 1* below.



Figure 1: Subject site and surrounding locality

PROPOSED DEVELOPMENT

The proposed development is identified on a Site Plan prepared by Yogo Design & Consulting Y230320, AA001, Rev O, dated 9 October 2024.

The proposed development will incorporate construction of:

- six new tourist accommodation units, including one DDA accessible cabin, and
- upgrades to the existing site access point, internal driveways, and on-site car parking areas to suit.

There will be no changes to the existing dwelling or remaining outbuildings as a result of the proposed development. Similarly, there will be no change to the existing cellar door facility, however car parking in the locality of this land use will now be formalised as part of the subject development.

The existing site access point will be widened to accommodate simultaneous two-way vehicle movements, with the initial portion of the internal driveway maintained at a two-way width of 6.5m. The site access point will be sealed for a length of 10m from the existing road edge, to fully accommodate the storage length of an 8.8m long Medium Rigid Vehicle (MRV), which is anticipated to be the largest commercial vehicle potentially required on-site for servicing.

A single-width driveway will provide access to the accommodation units. Six metre wide and six metre long (plus splays) passing areas will be provided adjacent to each unit, accommodating passing opportunities no less than every 30m apart in accordance with the relevant Australian off-street parking standard.

Each accommodation unit will be provided with one dedicated car parking space located directly adjacent to the subject unit, accessed via the two-way passing areas in order to satisfy *AS/NZS 2890.1:2004* dimensional requirements for such 90-degree parking. The parking space adjacent to unit 1 (DDA type) will include an adjoining 2.4m wide shared area in order to be utilised as an accessible space when needed.

A total of 10 additional visitor parking spaces will also be provided adjacent to the two-way portions of internal driveway. All on-site car parking spaces will have dimensions of no less than 5.4m in length and 2.5m in width opposite 6.0m wide driveway aisles.

The on-site car parking spaces shall have grades of no more than 1:20 as measured parallel to the angle of parking and 1:16 in any other direction, with the exception of the accessible spaces and associated shared areas which shall have maximum grades of 1:40.

TRAFFIC ASSESSMENT

Vehicular Trip Generation

The *'Guide to Traffic Generating Developments'* report produced by the (former) Roads and Traffic Authority of NSW identifies peak hour trip generation rates relevant to the proposed tourist accommodation units ('motel' rate) land use of 0.4 evening peak hour vehicle trips per unit.

It is therefore anticipated that the six proposed tourist accommodation units would generate between 2 and 3 additional peak hour vehicle trips.

Such minor additional traffic volumes would be readily accommodated, noting the proposed widening of the existing single-width site access point to two-way, as part of the proposed development.

Swept Path Assessment

Figures 2 and 3 are attached as an appendix to this report, identifying critical vehicle movements including simultaneous MRV / B99 design vehicles turning left into and left out of the subject site, respectively, and an MRV on-site turnaround movement.

Fire Appliance Access

The proposed site access driveways will satisfy the design requirements of the *Hazards (Bushfire – Medium Risk)* overlay.

The two-way portions of driveway, including the site access point, would readily accommodate fire appliances.

The driveway providing access to the accommodation units including single-width sections will be less than 200m in length, and will incorporate a T-shaped turnaround area at the end of this driveway, which shall be designed in accordance with the *Figure 4* of the *Hazards (Bushfire – Medium Risk)* overlay, as overlaid dashed in *Figures 2 and 3* attached to this report.

PARKING ASSESSMENT

Table 1 - General Off Street Car Parking Requirements within the *Transport Access and Parking Overlay* of the *Planning and Design Code* identifies car parking requirements relevant to the proposed development of one space per tourist accommodation unit.

This requirement would be fully met by the proposed provision of one space adjacent to each unit.

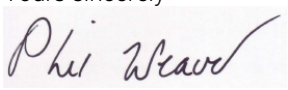
Additionally the existing ~200m^2 cellar door would theoretically generate a demand for 11 car parking spaces based on a 'shop' parking rate of 5.5 spaces per 100m^2. This parking would be readily accommodated by combination of the existing informal areas adjacent to this building, as well as the 10 additional visitor car parking spaces proposed to the west of this building.

SUMMARY AND CONCLUSIONS

In summary, we consider that the proposed development will:

- provide an appropriate quantity of on-site car parking for the proposed and existing land uses in accordance with the *Planning and Design Code* requirements,
- not result in adverse traffic impacts on the adjacent road network in terms of additional vehicular trip generation, given the proposed upgrade of the existing site access point to accommodate simultaneous two-way vehicle movements to and from the site, and
- provide a design standard which is appropriate and meets the requirements of the relevant Australian Standards for off-street parking areas, as well as the relevant design requirements to accommodate fire appliances subject to the minor required T-shaped turnaround area modifications identified herein.

Yours sincerely



Phil Weaver
Phil Weaver and Associates Pty Ltd

Enc: Figures 2 and 3

4

FIGURE 2 - SIMULTANEOUS MRV ENTRY / B99 EXIT, AND MRV INTERNAL TURNAROUND

1312 Barossa Valley Way, Lyndoch - File: 24-093 - 11/10/24

BAROSSA VALLEY WAY

1:1000 @ A3

0m 25m

NEW JACARANDA MIMOSIFOLIA X 15 ALONG FENCE SITED WITHIN BOUNDARY

(TOTAL AMOUNT: 38 INCLUDING TREES ALONG DRIVEWAY)

REMOVE EXISTING TREE

7.414m OPENING AS PER SURVEY, TO ACCOMMODATE PROPOSED 6.5m DRIVEWAY WIDTH

RELOCATE EXISTING SIGN, MIN 1.3m AWAY FROM ACCESS POINT

SEAL ACCESS 10m FROM ROAD, NO LONGER THAN 20m

REMOVE TWO INSIDE PANELS PARALLEL WITH ROAD, MARKED RED

NEW JACARANDA MIMOSIFOLIA X 17 ALONG DRIVEWAY (APPROX. 5m SPACING)

(TOTAL AMOUNT: 38 INCLUDING TREES ALONG FRONT FENCE)

WASTE

EXISTING GRAVEL DRIVEWAY

WAYFINDING SIGNAGE

NEW VISITOR CAR PARKS x 10

EXISTING CELLAR DOOR

WAYFINDING SIGNAGE

TYPICAL 6x6m PASSING AREA WITH UNIT ACCESSIBLE CAR PARKING SPACE, WITH 2.4m WIDTH SHARE AREA

2400

2400

EXISTING BUILDING

CABIN 1 (DDA TYPE)

CABIN 2

10000

NEW PAVING (GRAVEL)

6 X 6 PASSING AREA

CABIN 3

10000

PROPOSED NEW CABINS x 6

6 X 6 PASSING AREA

EXISTING SHED

CABIN 4

10000

CABIN 5

10000

6 X 6 PASSING AREA

MODIFY CFS TURNAROUND

NEW PAVING (GRAVEL)

CABIN 6

6 X 6 PASSING AREA

NEW PAVING (GRAVEL)

CAR PARK

FIGURE 3 - SIMULTANEOUS B99 ENTRY / MRV EXIT, AND TYPICAL ACCOMMODATION PARKING SPACE B85 ACCESS

1312 Barossa Valley Way, Lyndoch - File: 24-093 - 11/10/24

BAROSSA VALLEY WAY

1:1000 @ A3

0m 25m

NEW JACARANDA MIMOSIFOLIA X 15 ALONG FENCE SITED WITHIN BOUNDARY

(TOTAL AMOUNT: 38 INCLUDING TREES ALONG DRIVEWAY)

REMOVE EXISTING TREE

7.414m OPENING AS PER SURVEY, TO ACCOMMODATE PROPOSED 6.5m DRIVEWAY WIDTH

RELOCATE EXISTING SIGN, MIN 1.3m AWAY FROM ACCESS POINT

SEAL ACCESS 10m FROM ROAD, NO LONGER THAN 20m

REMOVE TWO INSIDE PANELS PARALLEL WITH ROAD, MARKED RED

NEW JACARANDA MIMOSIFOLIA X 17 ALONG DRIVEWAY (APPROX. 5m SPACING)

(TOTAL AMOUNT: 38 INCLUDING TREES ALONG FRONT FENCE)

WASTE

EXISTING GRAVEL DRIVEWAY

WAYFINDING SIGNAGE

NEW VISITOR CAR PARKS x 10

EXISTING CELLAR DOOR

WAYFINDING SIGNAGE

TYPICAL 6x6m PASSING AREA WITH UNIT ACCESSIBLE CAR PARKING SPACE, WITH 2.4m WIDTH SHARE AREA

2400

2400

EXISTING BUILDING

CABIN 1 (DDA TYPE)

CABIN 2

10000

NEW PAVING (GRAVEL)

6 X 6 PASSING AREA

CABIN 3

10000

PROPOSED NEW CABINS x 6

6 X 6 PASSING AREA

EXISTING SHED

CABIN 4

10000

CABIN 5

10000

MODIFY CFS TURNAROUND

6 X 6 PASSING AREA

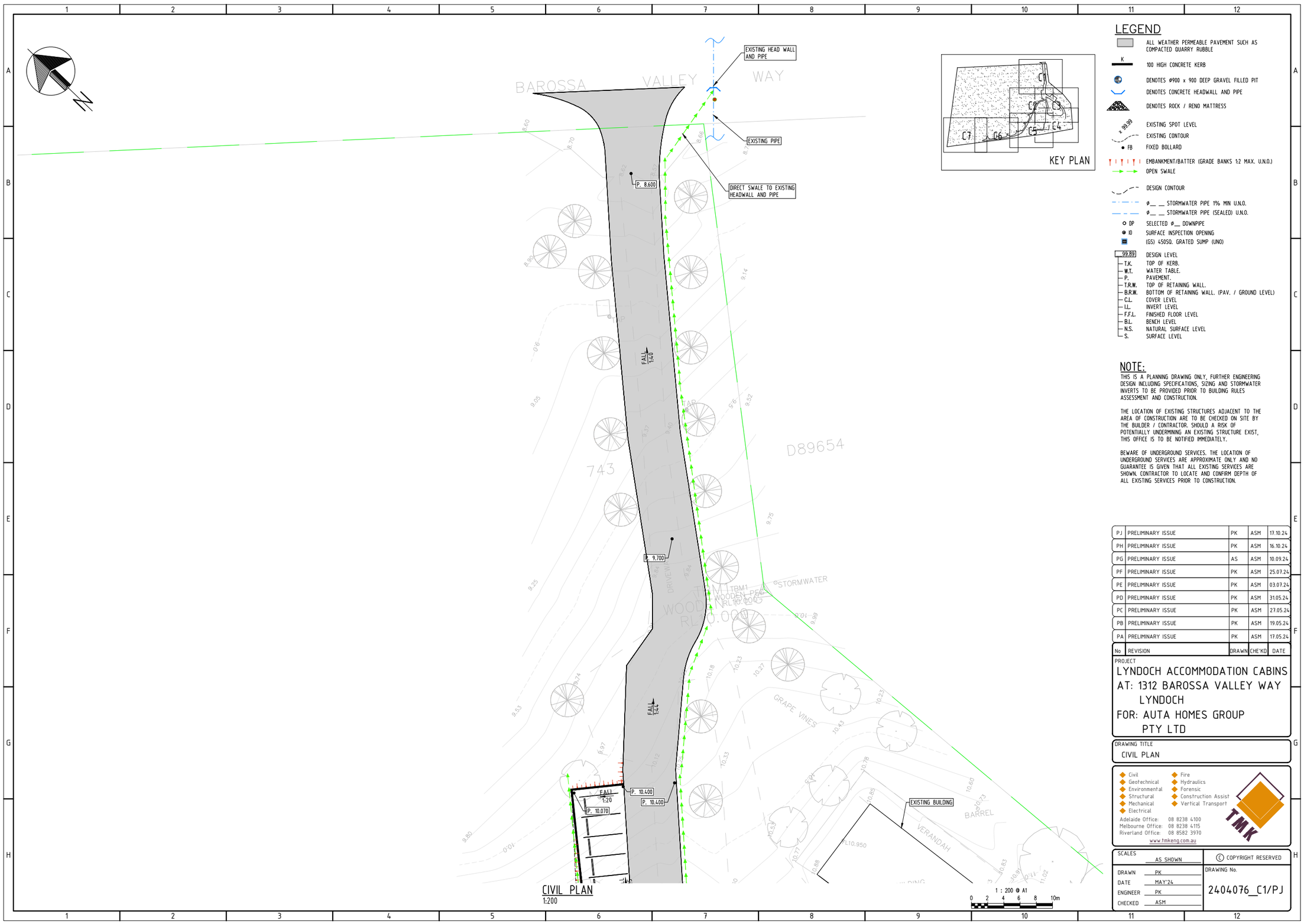
NEW PAVING (GRAVEL)

CABIN 6

6 X 6 PASSING AREA

NEW PAVING (GRAVEL)

CAR PARK



CIVIL PLAN
1:200

1 : 200 @ A1
0 2 4 6 8 10m

LEGEND

- ALL WEATHER PERMEABLE PAVEMENT SUCH AS COMPACTED QUARRY RUBBLE
- K — 100 HIGH CONCRETE KERB
- DENOTES ø900 x 900 DEEP GRAVEL FILLED PIT
- DENOTES CONCRETE HEADWALL AND PIPE
- DENOTES ROCK / RENO MATTRESS
- x 99.99 — EXISTING SPOT LEVEL
- EXISTING CONTOUR
- FB — FIXED BOLLARD
- EMBANKMENT/BATTER (GRADE BANKS 1:2 MAX. U.N.O.)
- OPEN SWALE
- DESIGN CONTOUR
- ø__ __ STORMWATER PIPE 1% MIN U.N.O.
- ø__ __ STORMWATER PIPE (SEALED) U.N.O.
- DP — SELECTED ø__ DOWNPIPE
- IO — SURFACE INSPECTION OPENING
- (GS) 450SQ. GRATED SUMP (UNO)
- 99.89 — DESIGN LEVEL
- T.K. — TOP OF KERB.
- W.T. — WATER TABLE.
- P. — PAVEMENT.
- T.R.W. — TOP OF RETAINING WALL.
- B.R.W. — BOTTOM OF RETAINING WALL. (PAV. / GROUND LEVEL)
- C.L. — COVER LEVEL
- I.L. — INVERT LEVEL
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NOTE:

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PG	PRELIMINARY ISSUE	AS	ASM	10.09.24
PF	PRELIMINARY ISSUE	PK	ASM	25.07.24
PE	PRELIMINARY ISSUE	PK	ASM	03.07.24
PD	PRELIMINARY ISSUE	PK	ASM	31.05.24
PC	PRELIMINARY ISSUE	PK	ASM	27.05.24
PB	PRELIMINARY ISSUE	PK	ASM	19.05.24
PA	PRELIMINARY ISSUE	PK	ASM	17.05.24

PROJECT
LYNDOCH ACCOMMODATION CABINS
AT: 1312 BAROSSA VALLEY WAY
LYNDOCH
FOR: AUTA HOMES GROUP PTY LTD

DRAWING TITLE
CIVIL PLAN

Civil, Geotechnical, Environmental, Structural, Mechanical, Electrical, Fire, Hydraulics, Forensic, Construction Assist, Vertical Transport
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Melbourne Office: 08 8238 4115
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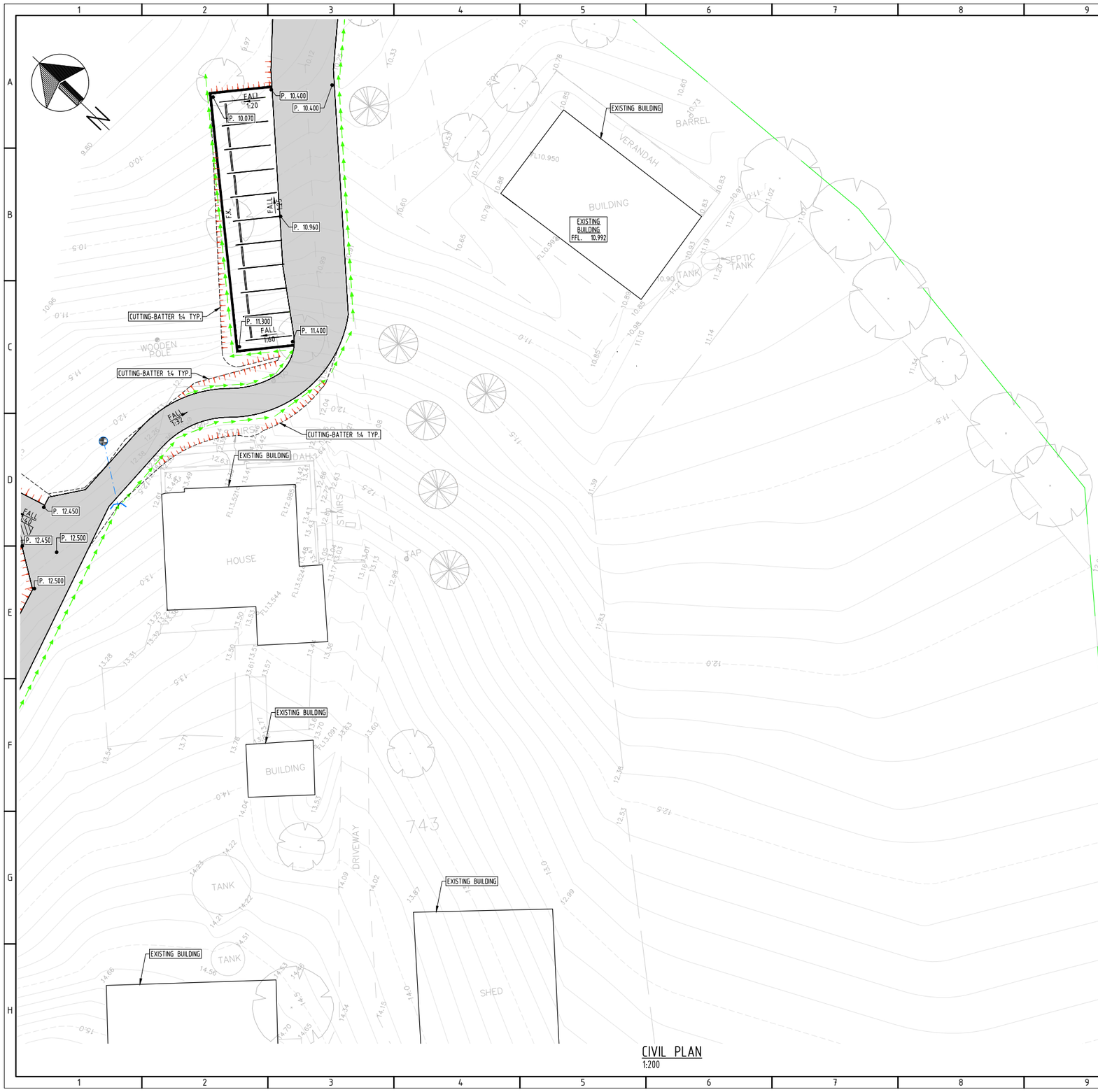
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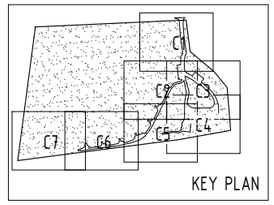
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CIVIL PLAN
1:200



KEY PLAN

LEGEND

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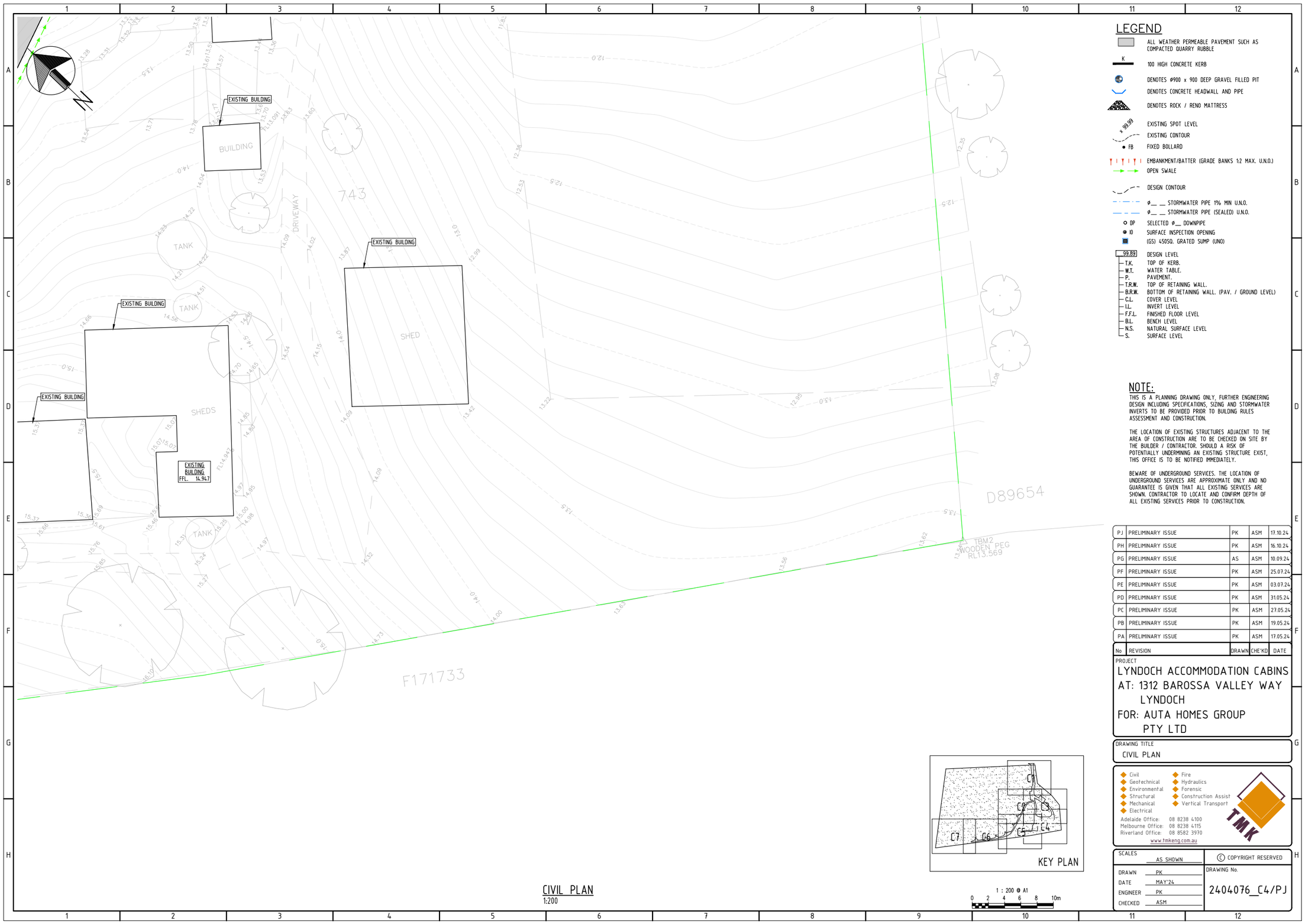
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- FB — FIXED BOLLARD
- EMBANKMENT/BATTER (GRADE BANKS 1:2 MAX. U.N.O.)
- OPEN SWALE
- DESIGN CONTOUR
- ø__ __ STORMWATER PIPE 1% MIN U.N.O.
- ø__ __ STORMWATER PIPE (SEALED) U.N.O.
- DP — SELECTED ø__ DOWNPIPE
- IO — SURFACE INSPECTION OPENING
- (GS) 450SQ. GRATED SUMP (UNO)
- 99.89 — DESIGN LEVEL
- T.K. — TOP OF KERB.
- W.T. — WATER TABLE.
- P. — PAVEMENT.
- T.R.W. — TOP OF RETAINING WALL.
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- C.L. — COVER LEVEL
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PROJECT
LYNDOCH ACCOMMODATION CABINS
AT: 1312 BAROSSA VALLEY WAY
LYNDOCH
FOR: AUTA HOMES GROUP PTY LTD

DRAWING TITLE
CIVIL PLAN

KEY PLAN

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Fire, Hydraulics, Forensic, Construction Assist, Vertical Transport
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CIVIL PLAN
1:200

1 : 200 @ A1
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LEGEND

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- DENOTES ø900 x 900 DEEP GRAVEL FILLED PIT
- DENOTES CONCRETE HEADWALL AND PIPE
- DENOTES ROCK / RENO MATTRESS
- x 99.99 — EXISTING SPOT LEVEL
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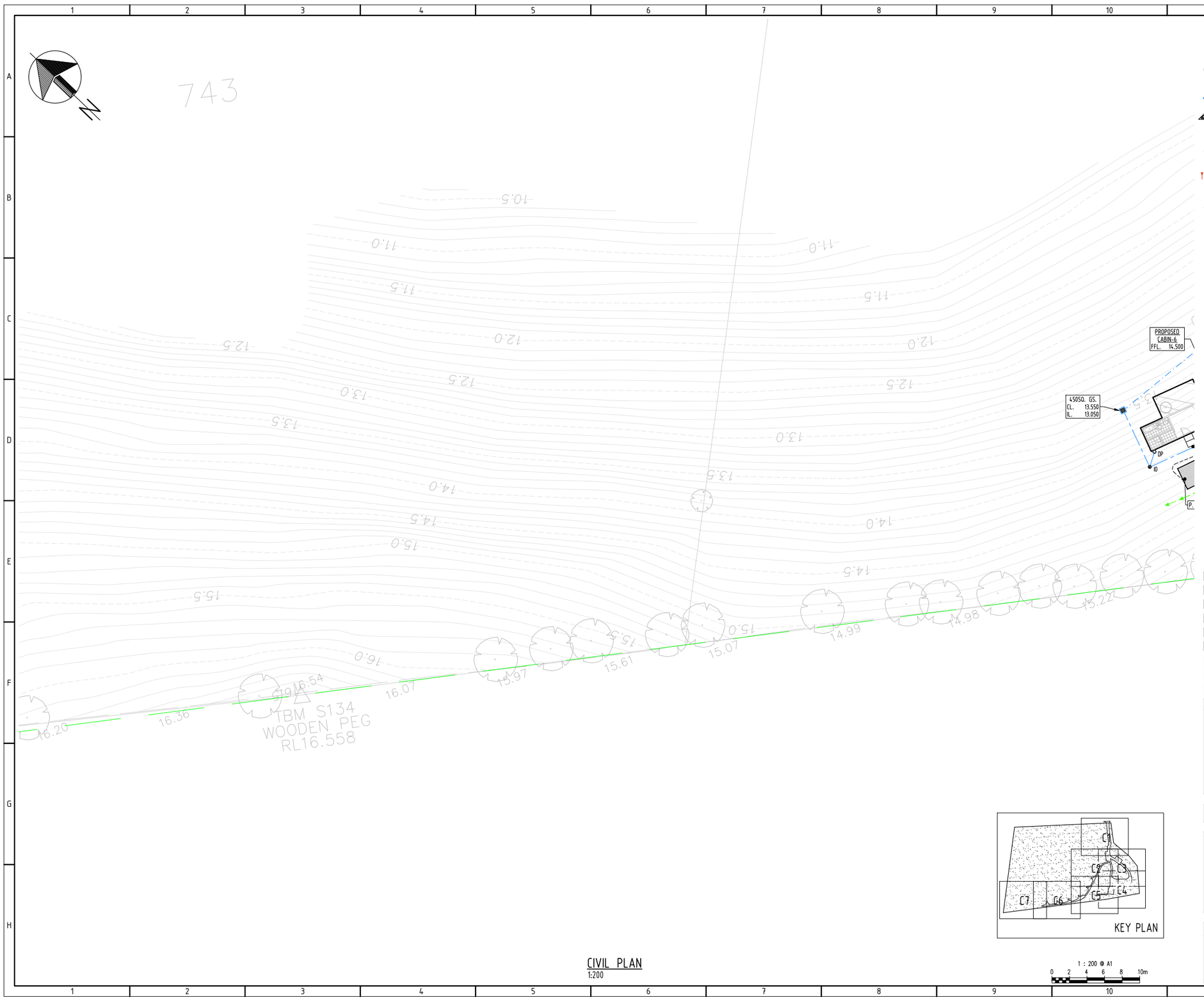
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1 : 200 @ A1
0 2 4 6 8 10m



LEGEND

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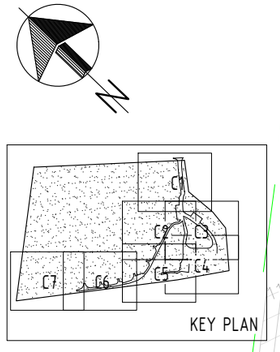
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CIVIL PLAN
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1 : 200 @ A1
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KEY PLAN

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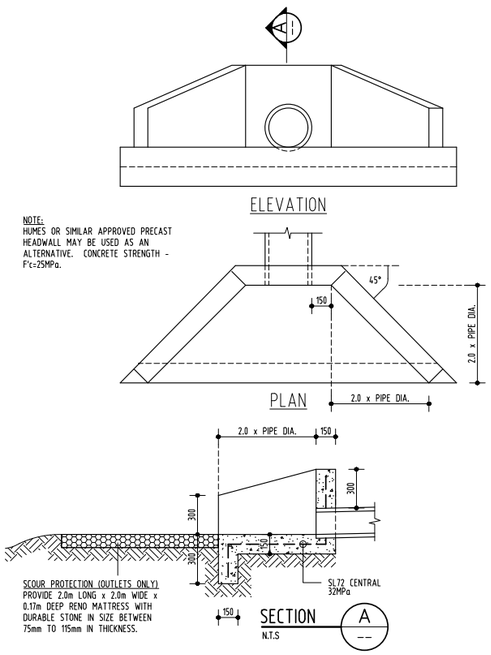
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1 : 200 @ A1
0 2 4 6 8 10m



GENERAL NOTES:

1. THIS IS AN ENGINEERING SURVEY PLAN AND SHALL NOT BE TAKEN AS A CADASTRAL OR IDENTIFICATION SURVEY. BOUNDARY DATA SHOWN IS TO BE TAKEN AS A GUIDE ONLY.
2. BEFORE SETTING OUT PIPE RUNS, REFER TO THE ARCHITECTURAL, MECHANICAL, STRUCTURAL AND ALL OTHER RELEVANT DRAWINGS TO PREVENT CLASHING OF SERVICES.
3. REFER TO DIMENSIONED ARCHITECTURAL BUILDING DETAILS FOR ALL SETTING OUT DIMENSIONS AND CO-ORDINATE WITH SITE PROJECT MANAGER.
4. TMK CONSULTING ENGINEERS ACCEPT NO RESPONSIBILITY FOR ERRORS AND OMISSIONS RELATED TO DIMENSIONAL SET-OUT OR DISCREPANCIES MADE BY THIRD PARTIES DURING CONSTRUCTION.
5. REFER TO STRUCTURAL ENGINEER'S DRAWINGS FOR DETAILS OF CONCRETE FLOOR AND BEAMS BEFORE SETTING OUT.
6. PROVIDE MINIMUM COVER TO STORMWATER PIPES AS PER AS3500 U.N.O. IF COVER CAN NOT BE ACHIEVED ENCASE PIPE IN 100mm THICK CONCRETE. ALL STORMWATER AND/OR OTHER SERVICE CONNECTION POINTS ARE TO BE LOCATED AND CONFIRMED BY THE BUILDER/CONTRACTOR PRIOR TO THE COMMENCEMENT OF ANY CIVIL WORKS.
7. FLEXIBLE CONNECTIONS FOR SEWER AND STORMWATER __ __ REQUIRED FOR THIS SITE.
8. ALL NEW CIVIL WORKS ARE TO BE CONSTRUCTED TO MATCH IN NEATLY WITH EXISTING STRUCTURES.
9. CONTRACTOR TO CONFIRM EXISTING FINISHED FLOOR LEVEL ON SITE. FINISHED FLOOR LEVEL OF ADDITION TO MATCH EXISTING.

COMPACTION NOTES:
(GENERAL)

1. ALL AREAS TO BE FILLED SHALL BE COMPLETELY CLEARED OF ALL DELETERIOUS MATERIAL, INCLUDING THE FOLLOWING: TREES, ROOTS AND ALL OTHER DECAYED VEGETATION.
2. PRIOR TO THE COMMENCEMENT OF ANY CIVIL OR STRUCTURAL CONSTRUCTION THE ENTIRE SITE AREA IS TO BE COMPACTED AND TESTED IN ACCORDANCE WITH AS1289.5.1.1 OR .5.1.2 - 1993 TO PRODUCE THE FOLLOWING:
   -98.0% STANDARD COMPACTION AT THE SURFACE AND AT 200mm BELOW SURFACE LEVEL. FREQUENCY OF FIELD DENSITY TESTS SHALL BE CARRIED OUT IN ACCORDANCE WITH AS3798 - 2007 TABLE 8.1.
   TESTING SHALL BE EVENLY SPACED OVER THE ENTIRE SITE, AND AT RANDOM LOCATIONS. TEST RESULTS SHALL BE FORWARDED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORKS.
3. ALL NEW FILL MATERIAL SHALL BE APPROVED BY THE ENGINEER AND SHALL BE COMPACTED TO PRODUCE 98% STANDARD COMPACTION IN ACCORDANCE WITH AS1289.5.1.1.
   THE LOOSE THICKNESS OF EACH LAYER BEFORE COMPACTION SHOULD NOT EXCEED 200mm WITHOUT THE APPROVAL OF THE ENGINEER. PROVIDE COMPACTION TESTS FOR NEW FILL AS PER NOTE 2.
4. ALL EXISTING FILL WITHIN THE CONSTRUCTION AREA SHALL BE COMPLETELY REMOVED. MATERIAL SHALL BE REPLACED AND COMPACTED IN LAYERS NOT EXCEEDING 200mm WHEN MEASURED LOOSE. EACH LAYER SHALL BE COMPACTED TO ACHIEVE A DENSITY OF NOT LESS THAN 98.0% (FOR COMMERCIAL) AND 95% (FOR RESIDENTIAL) STANDARD COMPACTION, AND TESTED AS PER NOTE 2.

CONCRETE NOTES:

1. CONCRETE SHALL COMPLY, AS REGARDS TO BOTH MATERIALS AND WORKMANSHIP, WITH AS3600 "CONCRETE STRUCTURES CODE".
2. KERB AND GUTTER TO COMPLY WITH AS2876-1987.
3. CONCRETE SHALL BE OBTAINED FROM AN APPROVED PRE-MIX SUPPLIER AND SHALL COMPLY WITH THE CURRENT AS1379 "SPECIFICATION FOR READY MIXED CONCRETE". THE CONCRETE SHALL HAVE A SLUMP OF 80mm AND A COMPRESSIVE STRENGTH OF F'c=25MPa FOR KERBS AND PITS (U.N.O) AT TWENTYEIGHT (28) DAYS. AGGREGATE SIZE SHALL BE 20mm.
4. STEELWORK FOR REINFORCEMENT AND JOINT CONSTRUCTION SHALL COMPLY, AS REGARDS TO BOTH MATERIALS AND WORKMANSHIP, WITH AS3600 "CONCRETE STRUCTURES CODE".
5. SHRINKAGE- CONTROL JOINTS ON KERB, KERB AND GUTTER, EDGING AND SPOON DRAIN SHALL BE FORMED AT SPACINGS OF 2500c/c WITH A TOOLED GROOVE TO A DEPTH OF NOT LESS THAN 20mm AND PROVIDE WEAKENED PLANE TO FULL DEPTH.

COMPACTION NOTES:
(PAVEMENTS)

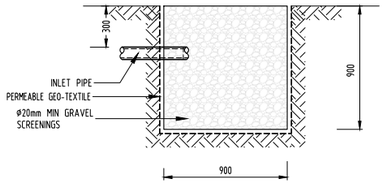
1. BASE MATERIAL NORMALLY CONSTRUCTED OF 20.0mm F.C.R SHALL BE COMPACTED TO ACHIEVE A DENSITY NOT LESS THAN 98.0% OF THE MODIFIED COMPACTION IN ACCORDANCE WITH AS1289.5.2.1 - 1993. FREQUENCY OF FIELD DENSITY TESTS SHALL BE CARRIED OUT IN ACCORDANCE WITH AS3798 - 2007 TABLE 8.1. TESTING SHALL BE EVENLY SPACED OVER THE ENTIRE SITE, AND AT RANDOM LOCATIONS. TEST RESULTS SHALL BE FORWARDED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORKS.
2. SUB-BASE MATERIAL NORMALLY CONSTRUCTED OF 20.0mm TO 40.0mm Q.R SHALL BE COMPACTED TO ACHIEVE A DENSITY NOT LESS THAN 95.0% OF THE MODIFIED COMPACTION IN ACCORDANCE WITH AS1289.5.2.1 - 1993 -TESTING SHALL BE CARRIED OUT AS NOTE 1.

NOTE:

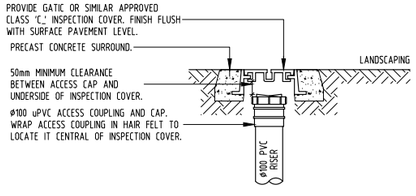
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GRAVEL FILLED PIT DETAIL
1:20



INSPECTION OPENING
(LANDSCAPED AREAS) - N.T.S.

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Suite 117, 147 Pirie St
Adelaide SA 5000

info@colbyphillips.com.au

Joseph Francisco
AUTA Group
266 Glen Osmond Road
Fullarton SA 5063

Thursday, 10 October 2024

Dear Joseph,

Re: *Waste Management– 1312 Barossa Valley Way, Lyndoch*

Please find below our Letter of Support for the proposed waste management system at 1312 Barossa Valley Way, Lyndoch. The site is within the Barossa Council.

In my opinion, the waste management system would allow effective management of wastes and support the objectives of the South Australian Better Practice Guide for Waste Management and the South Australian Planning & Design Code.

1 Description of proposed development

The proposed development is for Tourist Accommodation consisting of 6 single bedroom cabins, each housing up to 2 people per night. Each cabin will be self-contained including a kitchenette allowing preparation of small meals by guests.

The cabins will be located on a site with an existing house, cellar door, and winery. The site will also have a new machinery storage area to house existing equipment and to support cleaning and maintenance of all cabins. Staff will be responsible for servicing and cleaning cabins regularly.

Staff will reside off-site.

The site overview is provided in Figure 2-1.

The Land Use Type used for calculating the Waste Resource Generation (from the SA Better Practice Guide) is “Hotel or Motel Accommodation”.

2 Stakeholder engagement

Barossa Council (R. Ridsdale, 29Apr2024) was consulted regarding Council-provided waste collection services available to businesses in the Barossa. Council clarified their Waste Management Services Policy (2023) which allows small businesses to request additional sets of bins for General Waste, Recycling, and/or Organics. This is subject to certain conditions, including paying the appropriate fee, and being located in an eligible location for collection.

As shown in Figure 2-2, the site is located on the Approved Waste Collection Route and only 50m outside the Lyndoch Designated Waste Collection Area.

We are therefore proposing for the new accommodation to utilise Council’s waste collection service, with bins presented weekly/fortnightly on Barossa Valley Way. In compliance with the Waste Policy, we propose the used of upsized 240L General Waste bins, and standard 240L Recycling and Organics bins.

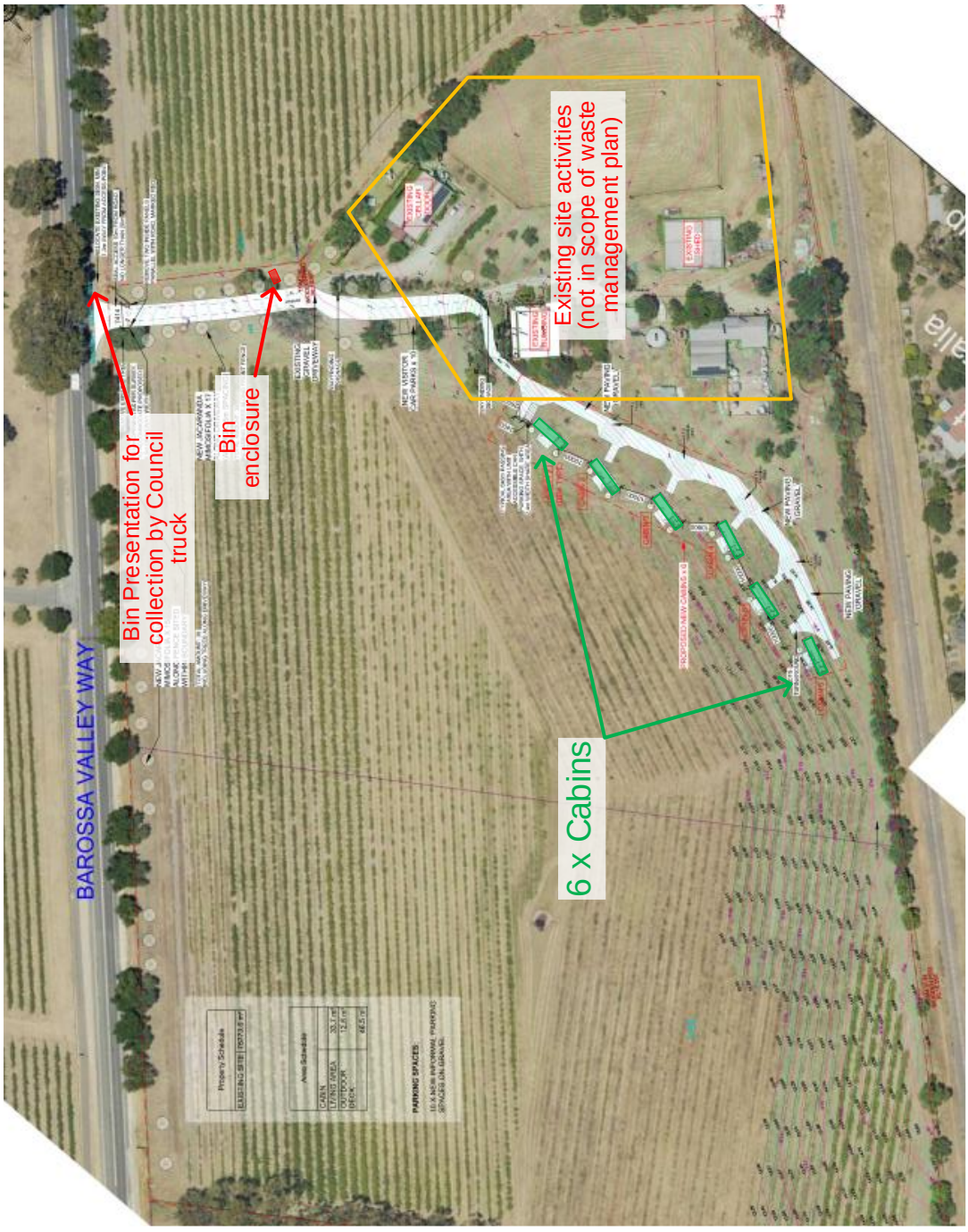


Figure 2-1: Site Overview.

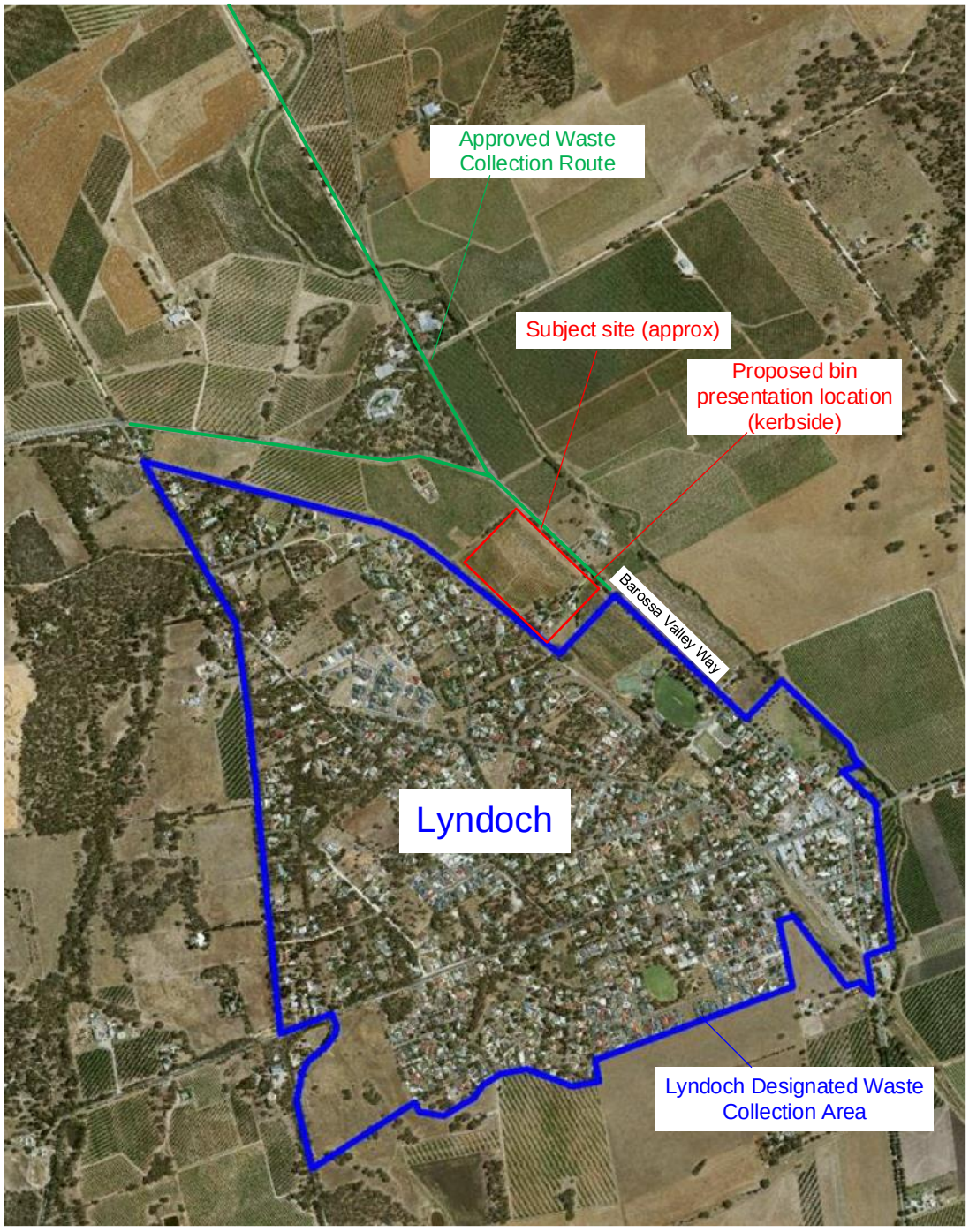


Figure 2-2: Site location in relation Barossa Council waste collection service areas

3 Waste & recycling volumes

Table 3-1 provides the Waste Resource Generation Rate (WRGR) classifications from the South Australian Better Practice Guide (Zero Waste SA, 2014), which are applied to the upgraded land use at the proposed development.

Table 3-2 estimates the waste and recycling volumes to determine the routine services required for the 7 cabins, based on the WRGR classifications in Table 3-1.

Note that Table 3-2 shows waste volumes and bin quantities in addition to those for the existing house and cellar door.

The existing winery operates seasonally with most waste (primarily grape marc and cardboard) handled over several months of the year using commercial services.

Table 3-1: Classification of Land Uses and metrics

Land Use	WRGR Classification	Metric
Tourist Accommodation	Hotel or Motel Accommodation	6 units
		6 bedrooms

Table 3-2: Estimated waste & recycling volumes for proposed development – Routine Services

Waste Storage Area(s)	Land Use	Service	Waste Generation (L/wk)	Service Type	Collection Frequency (Events/wk)	Bins/Items Collected (per Event)		
						No.	*Size (L)*	*Type*
Bin Enclosure	Hotel or Motel Accommodation	General Waste	300	Council	1	2	240	MGB
		Recycling	200		0.5	2	240	MGB
		Organics	60		0.5	1	240	MGB

* Estimated waste volumes are for peak periods at full occupancy

4 Waste Management System

Guest accommodation rooms are self-contained including a kitchenette. It is expected that some guests will self-cater.

It is intended that small (e.g. 10L) bins be provided in each cabin for General Waste and Mixed Recycling. A small (5L) food waste bin/caddy should be provided in each kitchenette with compostable bags. Sanitary bins are to be provided in each ensuite bathroom.

It is recommended that guidance be provided to guests for how to correctly use the bins. Council can provide guidance and templates for educational material and signage for use at the site. It is recommended that pictorial guidance and multi-lingual instructions be provided.

General cleaning activities and basic maintenance activities will be carried out by staff. Staff will be responsible for collecting waste from bins in each cabin and disposing into the site bins.

Any major maintenance activity is expected to be carried out by external contractors, with waste managed on a case-by-case basis (e.g. hiring of waste skips specifically for the activity undertaken).

4.1. Waste Collection

It is proposed that the site would access waste collection services provided by Council. As described in the Barossa Council Waste Management Policy (2023), Section 3.8.5, small business can access upsized 240L General Waste bins for an additional cost.

Bins will be moved from the bin enclosure to the soft shoulder on Barossa Valley Way for collection by Council's side lift waste collection trucks. The proposed location is shown in Figure 4-1.

4.2. Bin enclosure and presentation area design

It is recommended that the bin enclosure be built with:

- Roof
- Slatted timber or similar walls for natural ventilation
- Protection against access from wildlife
- Impermeable floor surface (e.g. concrete) to simplify cleaning of the area
- Approx 4.0 x 2.2m dimensions

The bin presentation area should be a level, compacted surface. It should not be under any low-hanging tree canopies.

Refer to Figure 4-1.

4.3. Hard Waste management

Any larger waste items should be collected and stored temporarily on site before being collected by a private waste contractor for disposal.

4.4. Bin Cleaning

Bin cleaning at the Development should be monitored and controlled by site staff. A utility area should be maintained to allow occasional cleaning of bins.

4.5. Contractual requirements

Prior to the site becoming operational, the site operator must contact Council to formally request additional bins, and pay any fees required.

The site operator will be obligated to meet requirements as set out in the Barossa Council Waste Management Services Policy (2023).

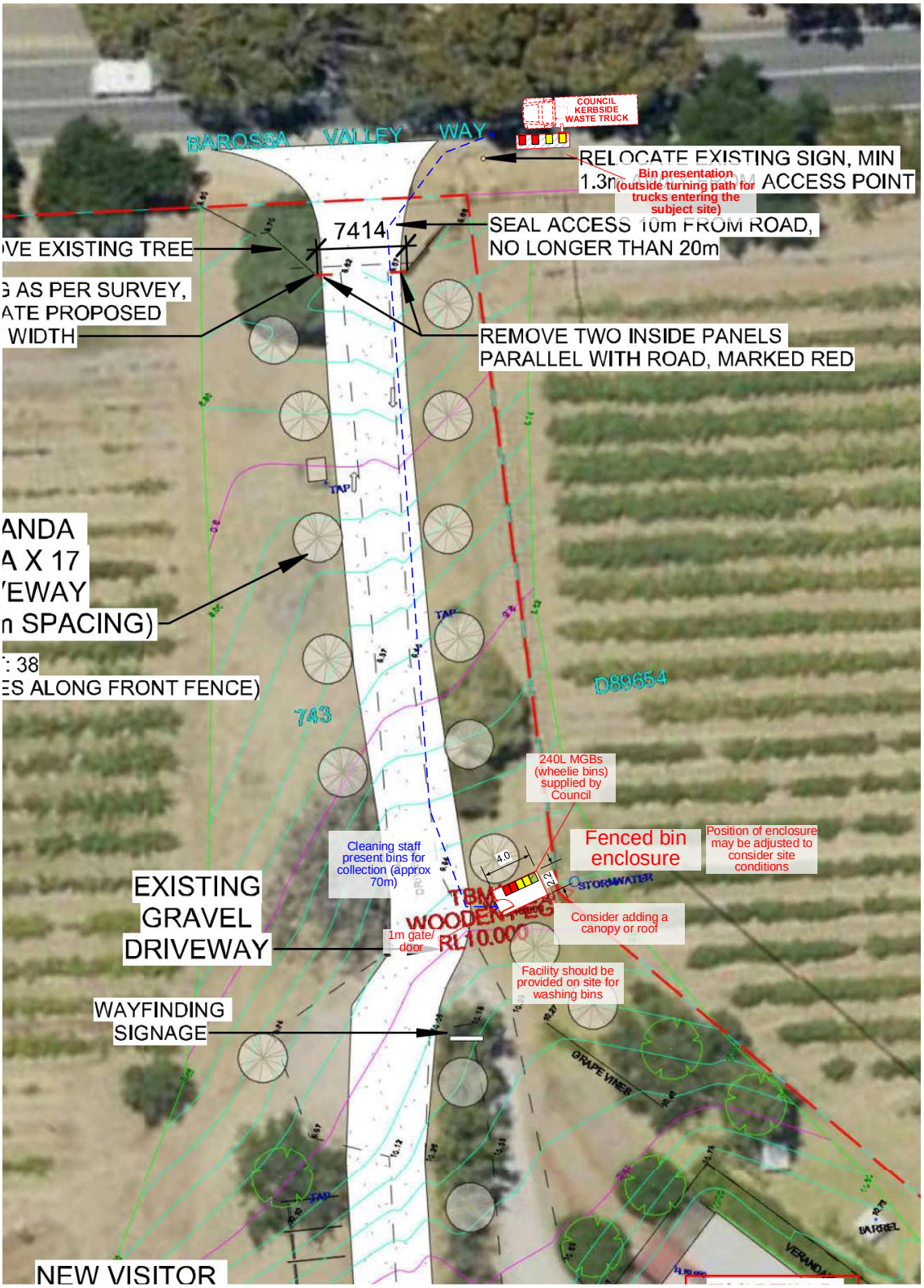


Figure 4-1: Bin storage and presentation. RED = 240L General Waste, YELLOW = 240L Mixed Recycling, GREEN = 240L Food Organics / Garden Organics (FOGO)

5 Planning & Design Code Objectives

The applicable policies from the Planning & Design Code (PlanSA, 2024) relating to Waste are provided in the following table. The third column states how these policies have been addressed in the proposed design.

General Development Policies		
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/DP 1.5 None are applicable	Response: Bin volumes are provided based on Waste Resource Generation Rates in the South Australian Better Practice Guide. Bins are to be stored in a screened bin enclosure, 30m from the nearest building. Bins can be provided for General Waste, Mixed Recycling, and Food Waste. Bins are to be presented for collection on the soft shoulder of Barossa Valley Way in accordance with Council waste management service policy.

I trust that this Letter of Support assists with resolution of this matter. Please let me know of any queries or where further information is required. If needed, I would be available to meet or speak with Council regarding any further questions they may have.

Yours Sincerely,

Joel Phillips

Principal Consultant & Director

Colby Phillips Advisory

References:

PlanSA. (2024). *Planning & Design Code.*

Zero Waste SA. (2014). South Australian Better Practice Guide – Waste Management in Residential or Mixed Use Developments.

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ABN: 76 651 171 630

October 17, 2024

Tom Marshall
Senior Assessment Officer – Planning
Barossa Council
Via: The PlanSA Portal

Dear Tom,

APPLICATION 24016043 – RESPONSE TO REPRESENTATIONS

We have been instructed by the Applicant, AUTRA Resort Holdings Pty Ltd ("Applicant"), to respond to the assertions made, and concerns raised, during the notification period.

In so doing, we note that:

- 16 representations were submitted during the notification period;
- 15 of the representors are opposed to the proposed development;
- one of the representors supports the proposed development but has some concerns with it;
- Nine of the representors wish to be heard by the Council Assessment Panel ("CAP"), however the CAP should limit this number to five, as:
  - » Representations 1 and 2 are duplicates;
  - » Representations 1, 2 and 4 have come from the same property (5 Samuel Potter Lane, Lyndoch;
  - » Representations 6 and 7 are the same and have both come from PO Box 690, Lyndoch; and
  - » Representations 14, 15, and 16 are the same, with all of these representors being represented by Mr Richard Hall;
- four identical representations were submitted by the Wilton Family via PO Box 191, Lyndoch;
- Representors 12 and 13, both of PO Box 311, Lyndoch (no known address), have submitted the same representation also;
- Representors 14, 15 and 16 have all listed Postal Boxes as their address (no known address), and have all submitted the same representation also;
- none of the representations appear to relate to/have come from adjoining properties; and
- the agricultural building element of the proposal has been removed from the application.

Our responses are set out, in no particular order, below.

Land Use

The Applicant has been a part-owner of Burge Family Wines since 2018 and is not simply an investor trying to capitalise on the significant accommodation opportunities emerging from the approved state significant sports complex on the adjoining allotment to the south-east.

Since purchasing the Burge Family Wines site in 2018, the sole purpose of this business acquisition was to continue the making of this internationally-known wine for both the domestic and international markets. However, one year later, in 2019, the wine industry across Australia suffered a massive blow with its wine banned from being exported into China.

As a result of this significant economic downturn, in 2023, Burge Family Wines reluctantly sold a large portion of its vineyard for the explicit reason of keeping the winery from closing its doors due to financial losses. Furthermore, to ensure the vineyard and longstanding business survives, the Applicant has now decided to invest millions of dollars for the addition of tourist accommodation cabins to the land, to complement the existing land use and generate an additional source of revenue, especially whilst the current vines on the land are still maturing.

In respect to the proposed tourist accommodation development's appropriateness within the Rural Zone, it is instructive to consider the following policies of the Rural Zone:

> *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.*
>
> *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:*
>
> > *(w) Tourist accommodation*
>
> *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.*

It is patently clear that the proposed tourist accommodation cabins are directly associated with the primary production use of the land, that they are an envisaged form of development within the Rural Zone, that they are a crucial economic value-add to the existing business, and that they will provide an additional authentic visitor experience for tourists of the Barossa Region.

Intended Use

Several of the representors have asserted that the proposed cabins will inevitably be used as dwellings. In response to this speculative assertion, we note that the Applicant has applied for cabins, not dwellings, and that the Applicant would, in the very unlikely event that the cabins were ever used as self-contained residences, be in breach of the Planning, Development and Infrastructure Act 2016 and exposed to enforcement proceedings. Indeed, the term 'dwelling' does not appear anywhere in the Council's description of the proposed development.

FUTURE URBAN

Built Form

Several of the representors have raised concerns in relation to the following matters:

Scale, Intensity, and Siting of the Tourist Accommodation:

- Although the proposed cabins will exceed a cumulative floor area of 100 square metres, this departure from the criteria expressed in DPF 6.3 is not considered insurmountable on the basis that:
  - » the proposed cabins possess a rather modest footprint with very minimal internal amenities, significantly mitigating their ability to be used as a self-contained residence and only catering for couples, not families; and
  - » the external materials, finishes and colours selected by the Applicant will enable the proposed cabins to blend in somewhat effortlessly with their immediate surroundings;
- the siting of each cabin has been explicitly chosen to not prejudice the functional and productive requirements of the existing winery and cellar door, whilst minimising disturbance on the natural topography of the land; and
- the architectural drawings and detailed landscape plan demonstrate the Applicant's commitment to not only preserve, but substantially enhance, the character of the locality, with the end result being a low-impact tourism development.

Amenity Impacts

Most of the representors appear to be concerned that their amenity will be adversely impacted as a result of patronage noise, light spill, and dust.

In respect to the noise-related concerns, the proposed cabins are not expected to generate an appreciable amount of noise because:

- they are oriented towards the vineyard (Barossa Valley Way), with any patronage/domestic noise expected to disperse in a north-easterly direction;
- they are set back a substantial distance from the rear property boundary and well-removed from the adjacent sensitive receptors (the buffer to which we refer is in the order of 30 metres);
- each cabin has been designed to accommodate a maximum of two people and will be used for leisure;
- any noise emanating from the proposed cabins will be commensurate with that generated by a typical residential land use; and
- a facility management plan will be developed (this plan will establish a series of rules and conditions for guests to comply with, with noise controls being included within this plan).

In respect to the lighting concerns, we are satisfied that this is not an issue because:

- all external lighting must be designed, installed and operated in accordance with Australian Standard ('AS') 4282 – 1997;
- conformance with AS 4282 – 1997, which was introduced to control the obtrusive effects of external lighting in urban areas, is typically monitored and enforced by way of a condition (this is something the CAP can impose if it sees fit to do so);
- all vehicles entering and exiting the site outside of daylight hours will not be required to use their high beam setting, as low-level lighting will be installed in appropriate areas (note, guests will also be instructed, as part of the check-in package, not to use their high beam setting).
- The vegetation adjacent the rear property boundary will mitigate any light spill impacts from cars manoeuvring within the confines of the site outside of daylight hours.

In respect to dust impacts from vehicles using the internal access roads, we are satisfied this will not be an issue either, principally because:

- the new internal access road will be appropriately formed and maintained to ensure dust is minimised;
- slow speed signs will be installed on-site to further assist with reducing any potential dust impacts;
- the existing internal access road is appropriately formed and will be maintained to ensure dust is minimised; and
- the on-site parking allocation has been reduced, but remains compliant with the Code, to dispel the concerns that a substantial number of additional vehicles will access the site.

Notwithstanding the above, it is also important to consider the approved development on the adjoining site, as that sporting complex has the potential to result in far greater amenity impacts than the proposed development as a result of its overall patron capacity, ability to accommodate large scale events, broad ranging operating hours, and onsite lighting requirements.

Visual Impact

We note that concerns were expressed in respect to potential visual impacts from the external appearance of the proposed cabins. Whilst we acknowledged that these external colours are not prevalent across the rural landscape, when one considers the extensive vegetation surrounding the site of the proposed accommodation, the substantial distance between the site of the proposed accommodation and the nearest sensitive receptors, and the muted tones that have been selected, it is clear that the proposed cabins will not be highly visible or result in unreasonable visual amenity impacts upon the adjacent properties or the broader locality.

Loss of Views

In respect to several of the representors concerns about loss of views, it is noted that the Planning and Design Code does not include any policies which seek to protect or maintain borrowed views over another property. Notwithstanding this, because of the siting of the cabins, it is not anticipated that by views will be significantly impacted or obstructed by the proposal.

Property Values

Several of the representors have asserted that the proposed development will devalue the surrounding properties. In response to this assertion, we note that:

- no evidence or expert advice has been furnished in support of this assertion; and
- Commissioner Nolan of the Environment, Resources and Development ('ERD') Court stated, as part of her judgment in relation to the matter of *Lazzarino v the Corporation of the City of Campbelltown & Anor [2015] SAERDC 5*, that the depreciation of surrounding property values "is not… a matter this Court generally entertains and certainly not in the absence of any expert advice or documentation."

  [Emphasis added]

This assertion is, therefore, baseless and irrelevant.

Summary

In summary, we remain of the view, despite the assertions made, and concerns raised, by the representors, that the proposed development is deserving of planning consent.

In the event that the representors still wish to appear before the CAP in relation to this matter, please note that we have been instructed by the Applicant to attend the forthcoming meeting on their behalf.

Yours sincerely,

Jordan Hunt
Senior Consultant

Details of Representations

Application Summary

Application ID	24016043
Proposal	Construction of seven (7) tourist accommodation buildings and an agricultural building (to be used for implement and general storage relating to the use of the land measuring 19.59m x 52m x 6m wall height)
Location	1312 BAROSSA VALLEY WAY LYNDOCH SA 5351

Representations

Representor 1 - Emily Stabolidis

Name	Emily Stabolidis
Address	[redacted]
Submission Date	17/08/2024 12:51 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

I am the owner / occupier of 5 Samuel Potter Lane Lyndoch. I submit the following: 1. Seven dwellings on 7.5 hectares of already developed land (working winery / cellar door) is contrary to "small scale" regulations. Seven accommodation dwellings is worse than seven residential properties (which would never be permitted) as these will have more frequent comings and goings. Therefore, a small suburb is being created contrary to South Australian regulation as evidenced by the submissions submitted by our fellow impacted neighbours. 2. The noise and light pollution of sevens sets of people coming and going at all days and all hours right on the boundary and on gravel roads will impact our right to "quite enjoyment" of our property. 3. The shed will impact the views from our property and severely damage the value of our property for no compensation. 4. We believe that the application for the enormous shed is to facilitate future change in the use as the size does not currently make agricultural sense in terms of the value and capability of equipment it can store as against the size of the vineyard (some of which are not being attended to at all). 5. We believe this that it is an anchor to future/further development which will cause noise and light pollution in the same manner as Kies Family Wines. We believe that the intended future use is as a food and entertainment space. 6. The above is further evidenced by the application seeking to increase the number of car spaces beyond the number of spaces necessary for occupants of the cabins. 7. We kindly request time to consider advice we have received to engage with the ICAC process in this matter to investigate the sale of land from related entities to Barossa Council for the Lyndoch Oval Development coinciding with an application of this nature.

Attached Documents

Representations

Representor 2 - Emily Stabolidis

Name	Emily Stabolidis
Address	[redacted]
Submission Date	17/08/2024 01:10 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

I am the owner / occupier of 5 Samuel Potter Lane Lyndoch. I submit the following: 1. Seven dwellings on 7.5 hectares of already developed land (working winery / cellar door) is contrary to "small scale" regulations. Seven accommodation dwellings is worse than seven residential properties (which would never be permitted) as these will have more frequent comings and goings. Therefore, a small suburb is being created contrary to South Australian regulation as evidenced by the submissions submitted by our fellow impacted neighbours. 2. The noise and light pollution of sevens sets of people coming and going at all days and all hours right on the boundary and on gravel roads will impact our right to "quite enjoyment" of our property. 3. The shed will impact the views from our property and severely damage the value of our property for no compensation. 4. We believe that the application for the enormous shed is to facilitate future change in the use as the size does not currently make agricultural sense in terms of the value and capability of equipment it can store as against the size of the vineyard (some of which are not being attended to at all). 5. We believe this that it is an anchor to future/further development which will cause noise and light pollution in the same manner as Kies Family Wines. We believe that the intended future use is as a food and entertainment space. 6. The above is further evidenced by the application seeking to increase the number of car spaces beyond the number of spaces necessary for occupants of the cabins. 7. We kindly request time to consider advice we have received to engage with the ICAC process in this matter to investigate the sale of land from related entities to Barossa Council for the Lyndoch Oval Development coinciding with an application of this nature.

Attached Documents

Representations

Representor 3 - Phillip Olner

Name	Phillip Olner
Address	[redacted]
Submission Date	01/08/2024 02:34 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons I have concerns of the height of the development as it will obstruct my view of the Barossa Valley floor.	

Attached Documents

Representations

Representor 4 - Christopher Stabolidis

Name	Christopher Stabolidis
Address	[redacted]
Submission Date	05/08/2024 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
We are located at 5 Samuel Potter Lane Lyndoch. We are likely the most impacted by the proposed development. 1. This development essentially creates nine neighbours where there were none. 2. There will be a gravel road right opposite our home with vehicles driving up and down all hours of the day and night and lights shining into our windows (including traffic of people staying plus cleaners every time as well). 3. Accommodation is treated differently by people than homes and there may be parties or noise every day and every weekend going forward. 4. Screening/privacy - there will be at least 3 units in eyeline of us and the noise and lights from vehicles will impact us as there is no proposed screening or fencing. 5. The new machinery/storage shed will block and interrupt our view from three rooms and our property of the Barossa ranges. 6. We would also like to understand if the increased storage area means more transportation in and out of the area than before. Thank you.

Attached Documents

Representations

Representor 5 - Barossa Region Residents' Association

Name	Barossa Region Residents' Association
Address	[redacted]
Submission Date	19/08/2024 03:28 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 to attached.	

Attached Documents

1312-Barossa-Valley-Way,-Lyndoch-REPRESENTATION-from-BRRA-19-Aug-2024--1396846.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

19 August 2024

Senior Planner
The Barossa Council

To whom it may concern

Representation – Application ID: 24016043, 1312 Barossa Valley Way, Lyndoch

Thank you for the opportunity for Barossa Region Residents' Association to make this representation regarding Application ID 24016043 for:

Construction of seven (7) tourist accommodation buildings and an agricultural building measuring 19.59m x 52m x 6m wall height

The proposed development is situated at 1312 Barossa Valley Way, Lyndoch.
The subject site is located within the Rural Zone of the Planning and Design Code and subject to various Overlays as highlighted in the below representation.

We hold significant concerns regarding the scale and intensity of the proposed development in its current form and request that Planning Approval be refused. The Development fails to meet the Desired Outcomes of the Rural Zone and the Character Preservation (not in Township) Overlay.

Our key concerns are highlighted below:

DESIRED OUTCOMES AND SCALE OF DEVELOPMENT

The Desired Outcomes of the Zone are: (underline added for emphasis)

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.

The primary intention of the Zone is the support of primary production activities which then support the economy and reinforce the rural character of the environment. This intention is articulated in Desired Outcome 1 above.

While diversification of businesses in the zone is provided for in Desired Outcome 2, this is not intended to be at a scale which dominates the primary production purpose, nor at the expense of the character of the surrounding area.

The scale of the entire proposed development is too intense for this parcel of land, which is only 7.57 hectares. The Minimum Dwelling Allotment size for this parcel of land is 25 hectares: this piece of land is smaller than the requisite 25 hectares, and already has a dwelling, cellar door and ancillary shedding on the property, let alone the addition of 7 accommodation buildings and an extremely large-scale agricultural building.

It is evident that the proposal is of such a scale that is disproportionately larger than that which is anticipated or intended in the Rural Zone.

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 value adding industry to enhance and provide authentic visitor experience.

> *DPF 6.3(a): Tourist accommodation 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:*
>
> 1. *where in a new building, does not exceed a total floor area of 100m^2*
> 2. *where in an existing building, does not exceed a total floor area of 150m^2*

PO 6.4: Tourist accommodation proposed in a new building or buildings is sited, designed and of a scale that maintains the pleasant rural character and amenity.

> *DPF 6.4 Tourist accommodation in new buildings:*
>
> *(a.) is set back from all allotment boundaries by at least 40m*

The proposed development is at significant variance to the above guiding principles as follows:

The Rural Zone guides maximum floor areas to ensure that the scale of development does not dominate the rural nature and character of the Zone and the environment. For Tourist Accommodation the guided total floor area in a new building is 100m2. The revised proposal includes seven (7) accommodation units with a collective footprint that is significantly in excess of the guided total floor area.

Numerous elements of the development, including the vastly overscale agricultural building and numerous cabins are positioned less than 40 metres from an allotment boundary. Additionally, insufficient consideration and analysis has been given to the interface with the sensitive receivers adjacent the railway line, including noise, lighting, visual impact.

CHARACTER PRESERVATION DISTRICT OVERLAY

The subject land is situated in the Character Preservation District Overlay, and the subject land is not in a township.

The Character Preservation (Barossa Valley) Act 2012 details the “objects” of the Act as follows:

• 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
• 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
• To ensure that future development does not detract from the special character of the district; and
• Otherwise, to ensure the preservation of the special character of the district.

The Character Preservation (Barossa Valley) Act 2012 also defines the following character values of the district to be recognised:

• The rural and natural landscape and visual amenity of the district.
• The heritage attributes of the district.
• The built form of the townships as they relate to the district.
• The viticultural, agricultural, and associated industries of the district.
• The scenic and tourism attributes of the district.

The Desired Outcomes of the Character Preservation District Overlay specifically state:

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.

Barossa Region Residents' Association holds significant concerns about the proposed development in its current form and believes that Planning Approval should not be given.

The development is situated immediately at the entrance to the township of Lyndoch, and rather than enhancing the approach to the town, the positioning of an extraordinarily large agriculture building, plus seven accommodation units detracts from the rural character.

We request to be heard on this matter when it is convened at the Council Assessment Panel.

Yours sincerely,

Cathy Wills – Vice President

Representations

Representor 6 - Brett Collins

Name	Brett Collins
Address	[redacted]
Submission Date	19/08/2024 06:50 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Refer to attached document as character limit was exceeded	

Attached Documents

Lyndoch-Development-Rejection-1396891.pdf

We object to the proposed development application 24016043, on the basis that the following performance objectives are not adequately satisfied:

1. Performance Objective 6.4 (Rural Zone): The proposed tourism accommodation cannot be considered to "deem to satisfy" the objective as it is located at a distance of less than 40m from the allotment boundary (approx. 15-20m from boundary of 4 Johann Mattner Ct). The performance objective also requires that the accommodation be of "pleasant rural character and amenity". Shipping containers located on the property boundary do not uphold this character.

2. Performance Objective 1.2 (Part 4 – Interface Between Land Uses): Furthermore, the situation of the cabins alongside the property boundary is inconsistent with performance objective 1.2 (Part 4 – Interface Between Land Uses). The proposed development is adjacent to residentially zoned land (Sensitive Receiver), and should be designed to minimise adverse impacts. Accommodation located within 40m of residential properties has the potential to create additional noise disturbance. There has been insufficient consideration given to the Sensitive Receivers as the proposed development fails to adequately identify even the number of domestic properties that may be impacted by this development. The application should have considered:

    a. Number of houses in the vicinity of the proposed development
    b. Site plan indicating the location of the houses and proposed distance from the 'tourist accommodation'
    c. Assessment of the impact on nearby residential properties. Specifically, an acoustic report (to measure noise impact), lighting plan (to assess light pollution) and visual impact report. In the absence of a visual report, it is impossible to state that the development has been designed to minimise impact to the 'Sensitive Receiver'. The view and enjoyment of the neighbouring properties will be impacted. This is irrefutable with the proposed location of the tourist accommodation.

    The documentation aforementioned should be provided to the Council and residents to allow for proper consultation and assessment.

    Statements mentioned by the developer show a clear disregard for the 'Sensitive Receiver'

    - "The accommodation cabins have been set back a significant distance from the public road and have been intentionally clustered to minimise visual amenity impacts on the locality". This statement shows a clear lack of regard for Sensitive Receivers to the rear of the development. Whilst the front façade of the winery remains visually unimpacted, the residential dwellings to the rear of the property will now overlook tourism accommodation. This shows only partial consideration has been given to the visual impacts of the development. No commentary has been provided regarding the visual impacts on the Sensitive Receivers. The development, at a minimum, should be redesigned well away from the rear of the property, with greater than a 40m distance to the boundary.

3. Performance Objective: 6.3b(i) (Rural Zone) – The proposed size of the accommodation (cumulative floor area) exceeds the maximum allowable (100m2) under Performance Objective 6.3b(i). Whilst the cumulative area has reduced from 258.3m2 to 200.9m2 (Refer email from Future Urbane to Barossa Council dated July 22nd 2024) it is still more than double the cumulative floor area allowable under the performance objective. It is important to consider the purpose of this requirement. Part of the Barossa Charm, and protected by planning code, is that the tourism accommodation should be 'associated' with the primary purpose of the land. A development of this size has the potential to 'dwarf' the existing vineyard, and as such, our concern is that the primary purpose of the land will become tourist accommodation, rather than a functioning vineyard. The number of car parks proposed (25) supports this concern. Why does the property need an existing 25 car parks if by the very design of the cabins, they are unsuitable for visitors, and there should be no further change to the land? Refer to the statement by Future Urbane on page 6, of the letter dated 7/6/24, "the accommodation cabins possess a small footprint with very minimal internal amenities, significantly mitigating their ability to be used as a self-contained residence". Why then are an additional 25 car parks needed at an average of greater than 3 car parks per tourist accommodation? The Weaver report misleading claims that 11 of the car parks are for existing usage, however the proposal clearly states an additional 25 parks.

4. Performance Objective 11.1 (Rural Zone) – The size and intensity of the proposed development is inconsistent with the size of the development. The Minimum Dwelling Allotment Size for this land is 25hectares. The parcel of development for the proposed accommodation is only 7.57 hectares, yet already has a dwelling, cellar door and ancillary shedding. Seven proposed tourist accommodations are too dense for this parcel of land, let alone the proposed agricultural building. The sheer size of the agricultural building alone will not "maintain a pleasant rural character and function"

5. Performance Objective 12.1 (Rural Zone) – The size of the proposed agricultural building (1000m2) cannot be considered as deemed to satisfy items 12.1(a), (b) and (d).

    a. 12.1(a) – requires that the agricultural building be set on a land area of at least 10ha. The land area in question is 7.57 hectares
    b. 12.1(b) – requires the agricultural building be set back at least 50m from the allotment boundary. This has not been satisfied.
    c. 12.1(d) – requires that the agricultural building not exceed 500m2 in total floor area. The proposed facility is 1000m2.

    Justification for the size of the building (refer page 4 of the letter from Future Urban dated 22/7/24) states that a similar development by Kies Winery was approved in 2020. In fact, the development by Kies was 2 x Buildings with total size 998m2, not one single facility at 1000m2. As members of the community we are surprised at the proposed size of the 'agricultural facility' and the comparison with Kies winery. Kies

winery operates a successful Café/Restaurant and Vineyard. This is in direct contrast to the parcel of land under consideration where the applicants have been reducing the size of their vineyards over the last few years, and the vineyards does not appear to be maintained. Similarly, a large portion of work on the property appears to be completed by Contractor personnel with their own machinery. It is our concern that the proposed agricultural facility (at four times the existing agricultural shed), will be dual or multipurpose, and that the primary reason for construction has not been clearly identified on the application.

Overall, we are not opposed to development in our community. However, for the reasons outlined above, we feel that the development should be rejected. The location of the tourist accommodation has given little to no regard to the Sensitive Land residents. A reduction in the number of units proposed, and re-situation on the property subject to the requirements of the Planning Code, may provide a suitable compromise. Due regard should be given to the adjoining impacted residential properties with proper studies provided in the consultation phase (ie Noise, Light and Visual Impact Assessments).

The size of the agricultural facility should give rise to some concern within the Council. It is surprising that a significant expansion is required, yet the number of vineyards has decreased. A facility of suitable size for this property, and located subject to the requirements of the planning code should provide more enjoyable use of the land for all concerned.

Representations

Representor 7 - Khalee Field

Name	Khalee Field
Address	[redacted]
Submission Date	19/08/2024 06:53 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 attachment due to exceeding character limit	

Attached Documents

Lyndoch-Development-Rejection2-1396893.pdf

We object to the proposed development application 24016043, on the basis that the following performance objectives are not adequately satisfied:

1. Performance Objective 6.4 (Rural Zone): The proposed tourism accommodation cannot be considered to "deem to satisfy" the objective as it is located at a distance of less than 40m from the allotment boundary (approx. 15-20m from boundary of 4 Johann Mattner Ct). The performance objective also requires that the accommodation be of "pleasant rural character and amenity". Shipping containers located on the property boundary do not uphold this character.

2. Performance Objective 1.2 (Part 4 – Interface Between Land Uses): Furthermore, the situation of the cabins alongside the property boundary is inconsistent with performance objective 1.2 (Part 4 – Interface Between Land Uses). The proposed development is adjacent to residentially zoned land (Sensitive Receiver), and should be designed to minimise adverse impacts. Accommodation located within 40m of residential properties has the potential to create additional noise disturbance. There has been insufficient consideration given to the Sensitive Receivers as the proposed development fails to adequately identify even the number of domestic properties that may be impacted by this development. The application should have considered:

    a. Number of houses in the vicinity of the proposed development
    b. Site plan indicating the location of the houses and proposed distance from the 'tourist accommodation'
    c. Assessment of the impact on nearby residential properties. Specifically, an acoustic report (to measure noise impact), lighting plan (to assess light pollution) and visual impact report. In the absence of a visual report, it is impossible to state that the development has been designed to minimise impact to the 'Sensitive Receiver'. The view and enjoyment of the neighbouring properties will be impacted. This is irrefutable with the proposed location of the tourist accommodation.

    The documentation aforementioned should be provided to the Council and residents to allow for proper consultation and assessment.

    Statements mentioned by the developer show a clear disregard for the 'Sensitive Receiver'

    - "The accommodation cabins have been set back a significant distance from the public road and have been intentionally clustered to minimise visual amenity impacts on the locality". This statement shows a clear lack of regard for Sensitive Receivers to the rear of the development. Whilst the front façade of the winery remains visually unimpacted, the residential dwellings to the rear of the property will now overlook tourism accommodation. This shows only partial consideration has been given to the visual impacts of the development. No commentary has been provided regarding the visual impacts on the Sensitive Receivers. The development, at a minimum, should be redesigned well away from the rear of the property, with greater than a 40m distance to the boundary.

3. Performance Objective: 6.3b(i) (Rural Zone) – The proposed size of the accommodation (cumulative floor area) exceeds the maximum allowable (100m2) under Performance Objective 6.3b(i). Whilst the cumulative area has reduced from 258.3m2 to 200.9m2 (Refer email from Future Urbane to Barossa Council dated July 22nd 2024) it is still more than double the cumulative floor area allowable under the performance objective. It is important to consider the purpose of this requirement. Part of the Barossa Charm, and protected by planning code, is that the tourism accommodation should be 'associated' with the primary purpose of the land. A development of this size has the potential to 'dwarf' the existing vineyard, and as such, our concern is that the primary purpose of the land will become tourist accommodation, rather than a functioning vineyard. The number of car parks proposed (25) supports this concern. Why does the property need an existing 25 car parks if by the very design of the cabins, they are unsuitable for visitors, and there should be no further change to the land? Refer to the statement by Future Urbane on page 6, of the letter dated 7/6/24, "the accommodation cabins possess a small footprint with very minimal internal amenities, significantly mitigating their ability to be used as a self-contained residence". Why then are an additional 25 car parks needed at an average of greater than 3 car parks per tourist accommodation? The Weaver report misleading claims that 11 of the car parks are for existing usage, however the proposal clearly states an additional 25 parks.

4. Performance Objective 11.1 (Rural Zone) – The size and intensity of the proposed development is inconsistent with the size of the development. The Minimum Dwelling Allotment Size for this land is 25hectares. The parcel of development for the proposed accommodation is only 7.57 hectares, yet already has a dwelling, cellar door and ancillary shedding. Seven proposed tourist accommodations are too dense for this parcel of land, let alone the proposed agricultural building. The sheer size of the agricultural building alone will not "maintain a pleasant rural character and function"

5. Performance Objective 12.1 (Rural Zone) – The size of the proposed agricultural building (1000m2) cannot be considered as deemed to satisfy items 12.1(a), (b) and (d).

    a. 12.1(a) – requires that the agricultural building be set on a land area of at least 10ha. The land area in question is 7.57 hectares
    b. 12.1(b) – requires the agricultural building be set back at least 50m from the allotment boundary. This has not been satisfied.
    c. 12.1(d) – requires that the agricultural building not exceed 500m2 in total floor area. The proposed facility is 1000m2.

    Justification for the size of the building (refer page 4 of the letter from Future Urban dated 22/7/24) states that a similar development by Kies Winery was approved in 2020. In fact, the development by Kies was 2 x Buildings with total size 998m2, not one single facility at 1000m2. As members of the community we are surprised at the proposed size of the 'agricultural facility' and the comparison with Kies winery. Kies

winery operates a successful Café/Restaurant and Vineyard. This is in direct contrast to the parcel of land under consideration where the applicants have been reducing the size of their vineyards over the last few years, and the vineyards does not appear to be maintained. Similarly, a large portion of work on the property appears to be completed by Contractor personnel with their own machinery. It is our concern that the proposed agricultural facility (at four times the existing agricultural shed), will be dual or multipurpose, and that the primary reason for construction has not been clearly identified on the application.

Overall, we are not opposed to development in our community. However, for the reasons outlined above, we feel that the development should be rejected. The location of the tourist accommodation has given little to no regard to the Sensitive Land residents. A reduction in the number of units proposed, and re-situation on the property subject to the requirements of the Planning Code, may provide a suitable compromise. Due regard should be given to the adjoining impacted residential properties with proper studies provided in the consultation phase (ie Noise, Light and Visual Impact Assessments).

The size of the agricultural facility should give rise to some concern within the Council. It is surprising that a significant expansion is required, yet the number of vineyards has decreased. A facility of suitable size for this property, and located subject to the requirements of the planning code should provide more enjoyable use of the land for all concerned.

Representations

Representor 8 - Belinda Wilton

Name	Belinda Wilton
Address	[redacted]
Submission Date	20/08/2024 10:10 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

b5ce15a07ef9d9ee710f3d8d154872b1a7378b32-1396993.pdf

I, Belinda Wilton object to the proposed development application 24016043, on the basis that the following performance objectives are not adequately satisfied

1. Performance objective 6.4 (Rural Zone): The proposed tourism accommodation cannot be considered to " deem to satisfy" the objective as it is located at a a distance of less than 40m from the allotment boundary. The performance objective also requires that the accomodation be of " pleasant rural character "shipping container style " on the boundary does not reflect this character

2. Performance objective 1.2 (part 4 interface between Land Uses): Furthermore, the situation of the cabins alongside the property boundary is inconsistent with performance objective 1.2. The proposed development is adjacent to residentially zoned land (sensitive receiver), and should be designed to minimise adverse impacts. Accomodation located within 40m of residential properties has the potential to create additional noise disturbances. There has been insufficient consideration given to the Sensitive Receivers as the proposed development fails to adequately identify even the number of domestic properties that may be impacted by the development. The application should have considered:

    1. Number of houses in the vicinity of proposed development
    2. Site plan indicating the location of the houses and proposed distance from the " tourist accommodation"
    3. Assessment of the impact on nearby residential properties. Specifically, an acoustic assessment/ report(to measure noise impact, lighting plan (to assess light pollution) and visual impact reports. In the absence of a visual report, it is impossible to state that the development has been designed to minimise impact to the "Sensitive Receiver". The view and enjoyment of the neighbouring properties will be impacted. This is irrefutable with the proposed location of the tourist accommodation.

The documentation aforementioned should be provided to the council and residents to allow for proper consultation and assessment.

Statements mentioned by the developer show a clear disregard for the "Sensitive Receiver "

1. "The accommodation cabins have been set back a significant distance from the public road and have been intentionally clustered to minimise visual impacts on locality". This statement shows clear lack of regard for the "Sensitive Receivers" to the rear of the development. Whilst the front of the winery remains visually unimpactacted, the residential dwellings to the rear of the property will now overlook tourist accommodation. This shows only partial consideration have been given to the visual impacts of the development. No commentary has been provided regarding the visual impacts on the "Sensitive Receivers ". The development, at a minimum, should be regarded well away from the rear of the property, with greater than 40m distance tho the boundary.

3. Performance Objective: 6.3b (I) (Rural zone) The proposed size of the accommodation (culumative floor area) exceeds the maximum allowable (100m2) under Performance objective 6.3b(I). Whilst the cumulative area has reduced from 258.3m2 to 200.9m2(refer to email from

Future Urbane to Barossa Council dated July 2nd 2024) it is still more than double the cumulative floor area allowable under the performance objective. It is important o consider the purpose of this requirement. Part of the Barossa charm, and protected by planning code, is that the tourist accommodation should be “associated “ with the primary purpose of the land. A development of this size has the potential to ‘dwarf’ the existing vineyard, and as such,our concern is that the primary purpose of the land will become tourist accommodation, rather than a functioning vineyard. The number of car parks proposed (25)supports this concern. Why does the property need an existing 25 car parks if by the very design of the cabins, they are unsuitable for visitors, and there should be no further change to the land? Refer to the statement by Future Urbane on page 6, of the lettter dated 7/6/2024, “ the accomodation cabins possess a small footprint with minimal internal amenities, significantly mitigating their ability to be used as a self contained residence “. Why then are an additional 25 parks needed at an average of 3 car parks per tourist accommodation ? The Weaver report misleading claims that 11 of the parks are for existing usage, however the proposal clearly states an additional 25 parks.

4. Performance objective 11.1 (Rural Zone) The size and intensity of the proposed development is inconsistent with the size of the development. The minimum Dwelling Allotment Size for this land is 25 hectares. The parcel of development is 7.57 hectares, yet already contains a dwelling, cellar door and ancillary shedding. Seven tourist accommodations are too dense for this parcel of land ,let alone the proposed agricultural building. The sheer size of the agricultural building alone will not “maintaina pleasant rural character and function “.
5. Performance Objective 12.1 (Rural Zone) The size of the proposed agricultural building (1000m2) cannot be considered as deemed to satisfy items 12.1(a), (b) and (d).

12.1(a) requires that the agricultural building be set on a land area of a minimum 10ha . The land area is 7.57ha

12.1(b) requires the agricultural building be set back at leat 50m from the allotment boundary. This has not bee satisfied.

12.1(d) requires that the agricultural building not exceed 500m2 in total floor area. The proposed building is 1000m2.

Justification for the size of the building (refer page 4 of the letter from Future Urban dated 22/7/2024). In fact, the development by Kies was 2 x buildings with a total size of 998m2, not one single facility of 1000m2. As a member of the community Inam surprised at the proposed size of the “agricultural building “and the comparison with Kies Winery. Kies Winery operates a successful Cafe/Restaurant/ Tasting room and Vineyard. This is in indirect contrast to the parcel of land under construction where the applicants have been reducing the size of their vineyards over the last few years, and the remaining vineyard does not appear to have been maintained. Similarly, a large portion of work on the property appears to be completed by contractors with their own machinery. It is my concern that the proposed “agricultural building” (at for times the existing agricultural shed), will be dual or multipurpose, and that the primary reason for construction has not been clearly identified on this application.

Overall I am not opposed to the development in our community, however, for the reasons outline above , I feel that the development should be rejected. The location of the tourist accommodation has given little to no regard to the “Sensitive Land Residents “. A reduction in the number of units proposed, and re situation on the property subject to the Planning Code Regulations, may provide a suitable compromise. Due regard should be given to the adjoining impacted residential properties with proper studies provided in the consultation phase noise, light and visual impact assessments.

The size of the agricultural facility should give some rise to concern within the Council. It is surprising that a significant expansion is required, yet the number of vineyards decreased. A facility of suitable size for the property, and located subject to the requirements of the planning code should provide more enjoyable use of the land for all concerned.

Representations

Representor 9 - Nick Wilton

Name	Nick Wilton
Address	[redacted]
Submission Date	20/08/2024 10:20 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

Development-proposal-objection-1397003.pdf

I, Nick Wilton object to the proposed development application 24016043, on the basis that the following performance objectives are not adequately satisfied

1. Performance objective 6.4 (Rural Zone): The proposed tourism accommodation cannot be considered to " deem to satisfy" the objective as it is located at a a distance of less than 40m from the allotment boundary. The performance objective also requires that the accomodation be of " pleasant rural character "shipping container style " on the boundary does not reflect this character

2. Performance objective 1.2 (part 4 interface between Land Uses): Furthermore, the situation of the cabins alongside the property boundary is inconsistent with performance objective 1.2. The proposed development is adjacent to residentially zoned land (sensitive receiver), and should be designed to minimise adverse impacts. Accomodation located within 40m of residential properties has the potential to create additional noise disturbances. There has been insufficient consideration given to the Sensitive Receivers as the proposed development fails to adequately identify even the number of domestic properties that may be impacted by the development. The application should have considered:

    1. Number of houses in the vicinity of proposed development
    2. Site plan indicating the location of the houses and proposed distance from the " tourist accommodation"
    3. Assessment of the impact on nearby residential properties. Specifically, an acoustic assessment/ report(to measure noise impact, lighting plan (to assess light pollution) and visual impact reports. In the absence of a visual report, it is impossible to state that the development has been designed to minimise impact to the "Sensitive Receiver". The view and enjoyment of the neighbouring properties will be impacted. This is irrefutable with the proposed location of the tourist accommodation.

The documentation aforementioned should be provided to the council and residents to allow for proper consultation and assessment.

Statements mentioned by the developer show a clear disregard for the "Sensitive Receiver "

1. "The accommodation cabins have been set back a significant distance from the public road and have been intentionally clustered to minimise visual impacts on locality". This statement shows clear lack of regard for the "Sensitive Receivers" to the rear of the development. Whilst the front of the winery remains visually unimpactacted, the residential dwellings to the rear of the property will now overlook tourist accommodation. This shows only partial consideration have been given to the visual impacts of the development. No commentary has been provided regarding the visual impacts on the "Sensitive Receivers ". The development, at a minimum, should be regarded well away from the rear of the property, with greater than 40m distance tho the boundary.

3. Performance Objective: 6.3b (I) (Rural zone) The proposed size of the accommodation (culumative floor area) exceeds the maximum allowable (100m2) under Performance objective 6.3b(I). Whilst the cumulative area has reduced from 258.3m2 to 200.9m2(refer to email from

Future Urbane to Barossa Council dated July 2nd 2024) it is still more than double the cumulative floor area allowable under the performance objective. It is important o consider the purpose of this requirement. Part of the Barossa charm, and protected by planning code, is that the tourist accommodation should be “associated “ with the primary purpose of the land. A development of this size has the potential to ‘dwarf’ the existing vineyard, and as such,our concern is that the primary purpose of the land will become tourist accommodation, rather than a functioning vineyard. The number of car parks proposed (25)supports this concern. Why does the property need an existing 25 car parks if by the very design of the cabins, they are unsuitable for visitors, and there should be no further change to the land? Refer to the statement by Future Urbane on page 6, of the letter dated 7/6/2024, “ the accomodation cabins possess a small footprint with minimal internal amenities, significantly mitigating their ability to be used as a self contained residence “. Why then are an additional 25 parks needed at an average of 3 car parks per tourist accommodation ? The Weaver report misleading claims that 11 of the parks are for existing usage, however the proposal clearly states an additional 25 parks.

4. Performance objective 11.1 (Rural Zone) The size and intensity of the proposed development is inconsistent with the size of the development. The minimum Dwelling Allotment Size for this land is 25 hectares. The parcel of development is 7.57 hectares, yet already contains a dwelling, cellar door and ancillary shedding. Seven tourist accommodations are too dense for this parcel of land ,let alone the proposed agricultural building. The sheer size of the agricultural building alone will not “maintain a pleasant rural character and function “.
5. Performance Objective 12.1 (Rural Zone) The size of the proposed agricultural building (1000m2) cannot be considered as deemed to satisfy items 12.1(a), (b) and (d).

12.1(a) requires that the agricultural building be set on a land area of a minimum 10ha . The land area is 7.57ha

12.1(b) requires the agricultural building be set back at leat 50m from the allotment boundary. This has not bee satisfied.

12.1(d) requires that the agricultural building not exceed 500m2 in total floor area. The proposed building is 1000m2.

Justification for the size of the building (refer page 4 of the letter from Future Urban dated 22/7/2024). In fact, the development by Kies was 2 x buildings with a total size of 998m2, not one single facility of 1000m2. As a member of the community I am surprised at the proposed size of the “agricultural building “and the comparison with Kies Winery. Kies Winery operates a successful Cafe/Restaurant/ Tasting room and Vineyard. This is in indirect contrast to the parcel of land under construction where the applicants have been reducing the size of their vineyards over the last few years, and the remaining vineyard does not appear to have been maintained. Similarly, a large portion of work on the property appears to be completed by contractors with their own machinery. It is my concern that the proposed “agricultural building” (at for times the existing agricultural shed), will be dual or multipurpose, and that the primary reason for construction has not been clearly identified on this application.

Overall I am not opposed to the development in our community, however, for the reasons outline above , I feel that the development should be rejected. The location of the tourist accommodation has given little to no regard to the “Sensitive Land Residents “. A reduction in the number of units proposed, and re situation on the property subject to the Planning Code Regulations, may provide a suitable compromise. Due regard should be given to the adjoining impacted residential properties with proper studies provided in the consultation phase noise, light and visual impact assessments.

The size of the agricultural facility should give some rise to concern within the Council. It is surprising that a significant expansion is required, yet the number of vineyards decreased. A facility of suitable size for the property, and located subject to the requirements of the planning code should provide more enjoyable use of the land for all concerned.

Representations

Representor 10 - Ebony Wilton

Name	Ebony Wilton
Address	[redacted]
Submission Date	20/08/2024 10:25 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

Development-proposal-objection2-1397006.pdf

I, Nick Wilton object to the proposed development application 24016043, on the basis that the following performance objectives are not adequately satisfied

1. Performance objective 6.4 (Rural Zone): The proposed tourism accommodation cannot be considered to " deem to satisfy" the objective as it is located at a a distance of less than 40m from the allotment boundary. The performance objective also requires that the accomodation be of " pleasant rural character "shipping container style " on the boundary does not reflect this character

2. Performance objective 1.2 (part 4 interface between Land Uses): Furthermore, the situation of the cabins alongside the property boundary is inconsistent with performance objective 1.2. The proposed development is adjacent to residentially zoned land (sensitive receiver), and should be designed to minimise adverse impacts. Accomodation located within 40m of residential properties has the potential to create additional noise disturbances. There has been insufficient consideration given to the Sensitive Receivers as the proposed development fails to adequately identify even the number of domestic properties that may be impacted by the development. The application should have considered:

    1. Number of houses in the vicinity of proposed development
    2. Site plan indicating the location of the houses and proposed distance from the " tourist accommodation"
    3. Assessment of the impact on nearby residential properties. Specifically, an acoustic assessment/ report(to measure noise impact, lighting plan (to assess light pollution) and visual impact reports. In the absence of a visual report, it is impossible to state that the development has been designed to minimise impact to the "Sensitive Receiver". The view and enjoyment of the neighbouring properties will be impacted. This is irrefutable with the proposed location of the tourist accommodation.

The documentation aforementioned should be provided to the council and residents to allow for proper consultation and assessment.

Statements mentioned by the developer show a clear disregard for the "Sensitive Receiver "

1. "The accommodation cabins have been set back a significant distance from the public road and have been intentionally clustered to minimise visual impacts on locality". This statement shows clear lack of regard for the "Sensitive Receivers" to the rear of the development. Whilst the front of the winery remains visually unimpactacted, the residential dwellings to the rear of the property will now overlook tourist accommodation. This shows only partial consideration have been given to the visual impacts of the development. No commentary has been provided regarding the visual impacts on the "Sensitive Receivers ". The development, at a minimum, should be regarded well away from the rear of the property, with greater than 40m distance tho the boundary.

3. Performance Objective: 6.3b (I) (Rural zone) The proposed size of the accommodation (culumative floor area) exceeds the maximum allowable (100m2) under Performance objective 6.3b(I). Whilst the cumulative area has reduced from 258.3m2 to 200.9m2(refer to email from

Future Urbane to Barossa Council dated July 2nd 2024) it is still more than double the cumulative floor area allowable under the performance objective. It is important o consider the purpose of this requirement. Part of the Barossa charm, and protected by planning code, is that the tourist accommodation should be "associated " with the primary purpose of the land. A development of this size has the potential to 'dwarf' the existing vineyard, and as such,our concern is that the primary purpose of the land will become tourist accommodation, rather than a functioning vineyard. The number of car parks proposed (25)supports this concern. Why does the property need an existing 25 car parks if by the very design of the cabins, they are unsuitable for visitors, and there should be no further change to the land? Refer to the statement by Future Urbane on page 6, of the letter dated 7/6/2024, " the accomodation cabins possess a small footprint with minimal internal amenities, significantly mitigating their ability to be used as a self contained residence ". Why then are an additional 25 parks needed at an average of 3 car parks per tourist accommodation ? The Weaver report misleading claims that 11 of the parks are for existing usage, however the proposal clearly states an additional 25 parks.

4. Performance objective 11.1 (Rural Zone) The size and intensity of the proposed development is inconsistent with the size of the development. The minimum Dwelling Allotment Size for this land is 25 hectares. The parcel of development is 7.57 hectares, yet already contains a dwelling, cellar door and ancillary shedding. Seven tourist accommodations are too dense for this parcel of land ,let alone the proposed agricultural building. The sheer size of the agricultural building alone will not "maintain a pleasant rural character and function ".
5. Performance Objective 12.1 (Rural Zone) The size of the proposed agricultural building (1000m2) cannot be considered as deemed to satisfy items 12.1(a), (b) and (d).

12.1(a) requires that the agricultural building be set on a land area of a minimum 10ha . The land area is 7.57ha

12.1(b) requires the agricultural building be set back at leat 50m from the allotment boundary. This has not bee satisfied.

12.1(d) requires that the agricultural building not exceed 500m2 in total floor area. The proposed building is 1000m2.

Justification for the size of the building (refer page 4 of the letter from Future Urban dated 22/7/2024). In fact, the development by Kies was 2 x buildings with a total size of 998m2, not one single facility of 1000m2. As a member of the community I am surprised at the proposed size of the "agricultural building "and the comparison with Kies Winery. Kies Winery operates a successful Cafe/Restaurant/ Tasting room and Vineyard. This is in indirect contrast to the parcel of land under construction where the applicants have been reducing the size of their vineyards over the last few years, and the remaining vineyard does not appear to have been maintained. Similarly, a large portion of work on the property appears to be completed by contractors with their own machinery. It is my concern that the proposed "agricultural building" (at for times the existing agricultural shed), will be dual or multipurpose, and that the primary reason for construction has not been clearly identified on this application.

Overall I am not opposed to the development in our community, however, for the reasons outline above , I feel that the development should be rejected. The location of the tourist accommodation has given little to no regard to the "Sensitive Land Residents ". A reduction in the number of units proposed, and re situation on the property subject to the Planning Code Regulations, may provide a suitable compromise. Due regard should be given to the adjoining impacted residential properties with proper studies provided in the consultation phase noise, light and visual impact assessments.

The size of the agricultural facility should give some rise to concern within the Council. It is surprising that a significant expansion is required, yet the number of vineyards decreased. A facility of suitable size for the property, and located subject to the requirements of the planning code should provide more enjoyable use of the land for all concerned.

Representations

Representor 11 - Brody Wilton

Name	Brody Wilton
Address	[redacted]
Submission Date	20/08/2024 10:30 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

Development-Proposal-objection-1397011.pdf

I, Brody Wilton object to the proposed development application 24016043, on the basis that the following performance objectives are not adequately satisfied

1. Performance objective 6.4 (Rural Zone): The proposed tourism accommodation cannot be considered to " deem to satisfy" the objective as it is located at a a distance of less than 40m from the allotment boundary. The performance objective also requires that the accomodation be of " pleasant rural character "shipping container style " on the boundary does not reflect this character

2. Performance objective 1.2 (part 4 interface between Land Uses): Furthermore, the situation of the cabins alongside the property boundary is inconsistent with performance objective 1.2. The proposed development is adjacent to residentially zoned land (sensitive receiver), and should be designed to minimise adverse impacts. Accomodation located within 40m of residential properties has the potential to create additional noise disturbances. There has been insufficient consideration given to the Sensitive Receivers as the proposed development fails to adequately identify even the number of domestic properties that may be impacted by the development. The application should have considered:

    1. Number of houses in the vicinity of proposed development
    2. Site plan indicating the location of the houses and proposed distance from the " tourist accommodation"
    3. Assessment of the impact on nearby residential properties. Specifically, an acoustic assessment/ report(to measure noise impact, lighting plan (to assess light pollution) and visual impact reports. In the absence of a visual report, it is impossible to state that the development has been designed to minimise impact to the "Sensitive Receiver". The view and enjoyment of the neighbouring properties will be impacted. This is irrefutable with the proposed location of the tourist accommodation.

The documentation aforementioned should be provided to the council and residents to allow for proper consultation and assessment.

Statements mentioned by the developer show a clear disregard for the "Sensitive Receiver "

1. "The accommodation cabins have been set back a significant distance from the public road and have been intentionally clustered to minimise visual impacts on locality". This statement shows clear lack of regard for the "Sensitive Receivers" to the rear of the development. Whilst the front of the winery remains visually unimpactacted, the residential dwellings to the rear of the property will now overlook tourist accommodation. This shows only partial consideration have been given to the visual impacts of the development. No commentary has been provided regarding the visual impacts on the "Sensitive Receivers ". The development, at a minimum, should be regarded well away from the rear of the property, with greater than 40m distance tho the boundary.

3. Performance Objective: 6.3b (I) (Rural zone) The proposed size of the accommodation (culumative floor area) exceeds the maximum allowable (100m2) under Performance objective 6.3b(I). Whilst the cumulative area has reduced from 258.3m2 to 200.9m2(refer to email from

Future Urbane to Barossa Council dated July 2nd 2024) it is still more than double the cumulative floor area allowable under the performance objective. It is important o consider the purpose of this requirement. Part of the Barossa charm, and protected by planning code, is that the tourist accommodation should be "associated " with the primary purpose of the land. A development of this size has the potential to 'dwarf' the existing vineyard, and as such,our concern is that the primary purpose of the land will become tourist accommodation, rather than a functioning vineyard. The number of car parks proposed (25)supports this concern. Why does the property need an existing 25 car parks if by the very design of the cabins, they are unsuitable for visitors, and there should be no further change to the land? Refer to the statement by Future Urbane on page 6, of the letter dated 7/6/2024, " the accomodation cabins possess a small footprint with minimal internal amenities, significantly mitigating their ability to be used as a self contained residence ". Why then are an additional 25 parks needed at an average of 3 car parks per tourist accommodation ? The Weaver report misleading claims that 11 of the parks are for existing usage, however the proposal clearly states an additional 25 parks.

4. Performance objective 11.1 (Rural Zone) The size and intensity of the proposed development is inconsistent with the size of the development. The minimum Dwelling Allotment Size for this land is 25 hectares. The parcel of development is 7.57 hectares, yet already contains a dwelling, cellar door and ancillary shedding. Seven tourist accommodations are too dense for this parcel of land ,let alone the proposed agricultural building. The sheer size of the agricultural building alone will not "maintain a pleasant rural character and function ".
5. Performance Objective 12.1 (Rural Zone) The size of the proposed agricultural building (1000m2) cannot be considered as deemed to satisfy items 12.1(a), (b) and (d).

12.1(a) requires that the agricultural building be set on a land area of a minimum 10ha . The land area is 7.57ha

12.1(b) requires the agricultural building be set back at leat 50m from the allotment boundary. This has not bee satisfied.

12.1(d) requires that the agricultural building not exceed 500m2 in total floor area. The proposed building is 1000m2.

Justification for the size of the building (refer page 4 of the letter from Future Urban dated 22/7/2024). In fact, the development by Kies was 2 x buildings with a total size of 998m2, not one single facility of 1000m2. As a member of the community I am surprised at the proposed size of the "agricultural building "and the comparison with Kies Winery. Kies Winery operates a successful Cafe/Restaurant/ Tasting room and Vineyard. This is in indirect contrast to the parcel of land under construction where the applicants have been reducing the size of their vineyards over the last few years, and the remaining vineyard does not appear to have been maintained. Similarly, a large portion of work on the property appears to be completed by contractors with their own machinery. It is my concern that the proposed "agricultural building" (at for times the existing agricultural shed), will be dual or multipurpose, and that the primary reason for construction has not been clearly identified on this application.

Overall I am not opposed to the development in our community, however, for the reasons outline above , I feel that the development should be rejected. The location of the tourist accommodation has given little to no regard to the "Sensitive Land Residents ". A reduction in the number of units proposed, and re situation on the property subject to the Planning Code Regulations, may provide a suitable compromise. Due regard should be given to the adjoining impacted residential properties with proper studies provided in the consultation phase noise, light and visual impact assessments.

The size of the agricultural facility should give some rise to concern within the Council. It is surprising that a significant expansion is required, yet the number of vineyards decreased. A facility of suitable size for the property, and located subject to the requirements of the planning code should provide more enjoyable use of the land for all concerned.

Representations

Representor 12 - Carol Lapanowski

Name	Carol Lapanowski
Address	[redacted]
Submission Date	20/08/2024 11:05 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

The proposed accommodation's proximity to the residential properties at the development's rear seems to lack consideration for potential noise disturbances, the need for additional lighting, and the adverse visual impact on residents overlooking the area. As a rural zone, the accommodation should maintain a respectful distance from residential dwellings. The proposed number of car parks exceeds what seems necessary for the seven units, raising questions about whether each unit will house at least three car-owning individuals or if there is an ulterior motive for the excess. Furthermore, the land size, at 7.5 hectares, does not align with the expected 25 hectares for such a development, especially since several structures, including a dwelling, already exist. The new implement shed's proposed size is disproportionately large for its stated purpose, considering no implements require shelter and a sufficiently large shed already exists. This discrepancy suggests the possibility of a future, undisclosed project. The development, as planned, could significantly impact the living standards and fail to consider the residential community or the town's character adequately.

Attached Documents

Representations

Representor 13 - Simon Lapanowski

Name	Simon Lapanowski
Address	[redacted]
Submission Date	20/08/2024 11:08 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons
The proposed accommodation's proximity to the residential properties at the development's rear seems to lack consideration for potential noise disturbances, the need for additional lighting, and the adverse visual impact on residents overlooking the area. As a rural zone, the accommodation should maintain a respectful distance from residential dwellings. The proposed number of car parks exceeds what seems necessary for the seven units, raising questions about whether each unit will house at least three car-owning individuals or if there is an ulterior motive for the excess. Furthermore, the land size, at 7.5 hectares, does not align with the expected 25 hectares for such a development, especially since several structures, including a dwelling, already exist. The new implement shed's proposed size is disproportionately large for its stated purpose, considering no implements require shelter and a sufficiently large shed already exists. This discrepancy suggests the possibility of a future, undisclosed project. The development, as planned, could significantly impact the living standards and fail to consider the residential community or the town's character adequately.

Attached Documents

Fwd: Fwd: Representation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351

Subject: Fwd: Fwd: Representation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351
From: [redacted]
Date: 26/09/2024, 9:11 am
To: acurtis@barossa.sa.gov.au

-------- Forwarded Message --------
Subject: Fwd: Representation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351
Date: Wed, 25 Sep 2024 20:46:56 +0930
From:[redacted]
To:MThom@barossa.sa.gov.au

Please find enclosed Representation on Application submitted to development@barossa.sa.gov.au on August20 2024

Yours Faithfully

Richard Hall

-------- Forwarded Message --------
Subject: Representation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351
Date: Tue, 20 Aug 2024 14:50:08 +0930
From:[redacted]
To:development@barossa.sa.gov.au

Please find attached Representation on Application development no: 24016043.

Richard Hall

4 Johann Mattner Court Lyndoch SA 5351

Attachments:

Representation on Application Dev_ 24016043RAH.pdf 2.8 MB

REPRESENTATION ON APPLICATION

Planning, Development and Infrastructure Act 2016

Applicant:	Autra Resort Pty Ltd
Development Number:	24016043
Nature of Development:	Construction of seven (7) tourist Accomodation Buildings and an Agricultural building
Zone/Sub-zone/Overlay:	Rural
Subject Land:	1312 Barossa Valley Way LyndochSA 5351 Title Ref. CT6296/848
Contact Officer:	Chairman Development Assessment Panel
Phone Number:	85638444
Close Date:	11.59pm 20/08/2024

My name*: Richard Alexander Hall

My phone number: [redacted]

My postal address*: [redacted]

My email [redacted]

** Indicates mandatory information*

My position is:

- ☐ I support the development
- ☐ I support the development with some concerns (detail below)
- ☒ I oppose the development

The specific reasons I believe that consent should be refused are:

1. The development is too close to the Southern Boundary and therefore too close to our house.We foresee problems from the three accommodation units close to our boundary from noise from guests, cars coming and going and turning at end of driveway,external lighting from units and lighting from the long drive .We see problems with dust from the unsealed driveway and turnaround points directly in front of our property.

2. The visual impact of the proposed cabins. They are virtually the same dimensions as a 40 Foot container and as square and boxy as a container. They lack character becoming of the Barossa Character Preservation District area and do not compare with the quality of other tourist accommodation or reinforce the Rural Character in the Barossa Valley.They do not harmonise or blend in with the Character or Landscape of the town of Lyndoch.

3. The scale and size of this development is too intense for this small 7.57 Hectare property which allready consists of a large house, cellar door, Winery and existing shedding with another 1000m2 shed to be added.

4. Before we acquired our property at 4 Johann Mattner Court Lyndoch we visited Council and spoke to a Planning Officer regarding this vineyard property owned by the Burge Family which our property overlooks and was told that the property was in a Rural Zone and part of the Barossa Character Preservation District and could not be built on or developed further except for Agricultural / Viticultural production expansion.

5. Attached Find details and relevant Planning Code Provisions applicable to my submission.

Government of South Australia
Department for Trade and Investment

Attachment to Development Application ID: 24016043 Submission for opposing Application.

1. The cabins are too close to the boundary of the property . PO6.4 and DTS/DTF 6.4(a) The Performance outcome calls for " maintenance of a pleasant rural character and amenity"
DTS/DTF 6.4(a) quotes building needs to be " at least 40 metres from boundary".
2. The Cabin floor area is double the cumulative floor area provision of DTS/DTF 6.3(b)(i)
The code says its allright for Small Scale accomodation associated with the Primary purpose of the land but having 7 cabins on only 7.5 Hectares is taking it beyond Small Scale when you consider there is also a large house, a large Cellar Door , a Winery and large existing shedding already on this property.
3. I also question the need for such a large shed for such a small vineyard which will be under 5 hectares of vines if this development proceeds as this property has been reduced in size following the sale to council of almost 50 % of area under vines for Lyndoch Oval Development.
4. The code provisions PO 12.1 and DTS/DTF12.1 (a), (b) and (d) mean a shed of 1000m2 which is 4 times the size of existing shed to be removed will not " maintain a pleasant rural character and function"
The management of this vineyard is all done by Contractors who bring their plant and equipment to and from the property on a daily basis so none is stored on the property apart from a tractor and some small plant which is only used for grape harvest.
It is hard to justify such a large shed for such a small Vineyard.
5. I note the Development does not include the following:

Acoustic report to assess noise impact to our property
Lighting Plan to assess 24 hour lighting impact to neighbouring houses
Visual Impact report showing elevations to enable us to assess the impact from our home.

I would have thought this was an essential requirement for us to fully evaluate the impact on our lives and property before finalising our objections to this Development.

[attach additional pages as needed]

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

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

I:	☒	wish to be heard in support of my submission*
	☐	do not wish to be heard in support of my submission
By:	☒	appearing personally
	☐	being represented by the following person: Richard Hall

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

Signature:  Date: 16/08/24

Return Address: PO Box 431 Lyndoch SA 5351 or

Email: development@barossa.sa.gov.au

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Subject: Fwd: Fwd: Presentation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351
From: [redacted]
Date: 26/09/2024, 9:10 am
To: acurtis@barossa.sa.gov.au

-------- Forwarded Message --------
Subject: Fwd: Presentation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351
Date: Wed, 25 Sep 2024 20:41:12 +0930
From: [redacted]
To:MThom@barossa.sa.gov.au

Please find enclosed as requested copy of email sent to development@barossa.sa.gov.au on 19th August 2024

Yours Faithfully

M A Paton

-------- Forwarded Message --------
Subject: Presentation on Application 24016043 1312 Barossa Valley Way Lyndoch SA 5351
Date: Mon, 19 Aug 2024 16:04:48 +0930
From: [redacted]
To:development@barossa.sa.gov.au

Please find attached Presentation on Application 24016043 for your consideration.

M A Paton

4 Johann Mattner Court Lyndoch SA 5351

Attachments:

Representation Development no 24016043 MAP.pdf 2.7 MB

REPRESENTATION ON APPLICATION

Planning, Development and Infrastructure Act 2016

Applicant:	Autra Resort Pty Ltd
Development Number:	24016043 *[development application number]*
Nature of Development:	Construction of seven (7) tourist Accomodation Buildings and an Agricultural building
Zone/Sub-zone/Overlay:	Rural
Subject Land:	1312 Barossa Valley Way LyndochSA 5351 Title Ref. CT6296/848
Contact Officer:	Chairman Development Assessment Panel
Phone Number:	85638444
Close Date:	11.59pm 20/08/2024

My name*: Margaret Anne Paton	My phone number: [redacted]
My postal address*: [redacted]	My email: [redacted]

** Indicates mandatory information*

My position is:

- ☐ I support the development
- ☐ I support the development with some concerns (detail below)
- ☒ I oppose the development

The specific reasons I believe that consent should be refused are:

1. The development is too close to the Southern Boundary and therefore too close to our house.We foresee problems from the three accommodation units close to our boundary from noise from guests, cars coming and going and turning at end of driveway,external lighting from units and lighting from the long drive .We see problems with dust from the unsealed driveway and turnaround points directly in front of our property.

2. The visual impact of the proposed cabins. They are virtually the same dimensions as a 40 Foot container and as square and boxy as a container. They lack character becoming of the Barossa Character Preservation District area and do not compare with the quality of other tourist accommodation or reinforce the Rural Character in the Barossa Valley.They do not harmonise or blend in with the Character or Landscape of the town of Lyndoch.

3. The scale and size of this development is too intense for this small 7.57 Hectare property which allready consists of a large house, cellar door, Winery and existing shedding with another 1000m2 shed to be added.

4. Before we acquired our property at 4 Johann Mattner Court Lyndoch we visited Council and spoke to a Planning Officer regarding this vineyard property owned by the Burge Family which our property overlooks and was told that the property was in a Rural Zone and part of the Barossa Character Preservation District and could not be built on or developed further except for Agricultural / Viticultural production expansion.

5. Attached Find details and relevant Planning Code Provisions applicable to my submission.

Government of South Australia
Department for Trade and Investment

Attachment to Development Application ID: 24016043 Submission for opposing Application.

1. The cabins are too close to the boundary of the property . PO6.4 and DTS/DTF 6.4(a) The Performance outcome calls for " maintenance of a pleasant rural character and amenity"
DTS/DTF 6.4(a) quotes building needs to be " at least 40 metres from boundary".
2. The Cabin floor area is double the cumulative floor area provision of DTS/DTF 6.3(b)(i)
The code says its allright for Small Scale accomodation associated with the Primary purpose of the land but having 7 cabins on only 7.5 Hectares is taking it beyond Small Scale when you consider there is also a large house, a large Cellar Door , a Winery and large existing shedding already on this property.
3. I also question the need for such a large shed for such a small vineyard which will be under 5 hectares of vines if this development proceeds as this property has been reduced in size following the sale to council of almost 50 % of area under vines for Lyndoch Oval Development.
4. The code provisions PO 12.1 and DTS/DTF12.1 (a), (b) and (d) mean a shed of 1000m2 which is 4 times the size of existing shed to be removed will not " maintain a pleasant rural character and function"
The management of this vineyard is all done by Contractors who bring their plant and equipment to and from the property on a daily basis so none is stored on the property apart from a tractor and some small plant which is only used for grape harvest.
It is hard to justify such a large shed for such a small Vineyard.
5. I note the Development does not include the following:

Acoustic report to assess noise impact to our property
Lighting Plan to assess 24 hour lighting impact to neighbouring houses
Visual Impact report showing elevations to enable us to assess the impact from our home.

I would have thought this was an essential requirement for us to fully evaluate the impact on our lives and property before finalising our objections to this Development.

[attach additional pages as needed]

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

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

I:	☒	wish to be heard in support of my submission*
	☐	do not wish to be heard in support of my submission
By:	☐	appearing personally
	☒	being represented by the following person: Richard Hall

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

Signature: Date: 16/08/24

Return Address: PO Box 431 Lyndoch SA 5351 or

Email: development@barossa.sa.gov.au

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Fwd: Fwd: Representation on Application Development No: 24016043

Subject: Fwd: Fwd: Representation on Application Development No: 24016043
From: [redacted]
Date: 26/09/2024, 9:08 am
To: acurtis@barossa.sa.gov.au

-------- Forwarded Message --------
Subject: Fwd: Representation on Application Development No: 24016043
Date: Wed, 25 Sep 2024 20:53:24 +0930
From:[redacted]
To:MThom@barossa.sa.gov.au

As requested please find enclosed copy of email sent to development@barossa.sa.gov.au on 19th August 2024

Yours Faithfully

Christopher P Parkes

-------- Forwarded Message --------
Subject: Representation on Application Development No: 24016043
Date: Mon, 19 Aug 2024 12:59:20 +0930
From:[redacted]
To:development@barossa.sa.gov.au

From: Christopher P Parkes [redacted]

Attached find Representation on Application for Development No: 24016043 1312 Barossa Valley Way Lyndoch SA 5351

Attachments:

Representation 1312Barossa Valley Way.pdf 2.7 MB

1 of 1 27/09/2024, 7:23 am

REPRESENTATION ON APPLICATION

Planning, Development and Infrastructure Act 2016

Applicant:	Autra Resort Pty Ltd
Development Number:	24016043
Nature of Development:	Construction of seven Accomodation Buildings and an Agricultural building
Zone/Sub-zone/Overlay:	Rural
Subject Land:	1312 Barossa Valley Way Lyndoch SA 5351 Title Ref. CT6296/848
Contact Officer:	Chairman Assessment Panel
Phone Number:	85638444
Close Date:	11.59pm 20/08/2024

My name*: Christopher Phillip Parkes My phone number: [redacted]

My postal address*: [redacted] My email: [redacted]

** Indicates mandatory information*

My position is:

- ☐ I support the development
- ☐ I support the development with some concerns (detail below)
- ☒ I oppose the development

The specific reasons I believe that consent should be granted/refused are:

1. The development is too close to the Southern Boundary and therefore too close to our house.We foresee problems from the three accommodation units close to our boundary from noise from guests, cars coming and going and turning at end of driveway 24 hour external lighting from units and lighting from the long drive .

2. We see problems with dust from the unsealed driveway and turnaround points directly in front of our property

3.The visual impact of the proposed cabins. They are virtually the same dimensions as a 40 Foot container and as square and boxy as a container. They lack character becoming of the Barossa Character Preservation District area and do not compare with the quality of other tourist accommodation or reinforce the Rural Character in the Barossa Valley.They do not harmonise or blend in with the Character or Landscape of the town of Lyndoch.

4.The scale and size of this development is too intense for this small 7.57 Hectare property which allready consists of a large house, cellar door, Winery and existing shedding with another 1000m2 shed to be added.

5.No mention in the application is made of boundary fencing and in keeping with rural fencing we would oppose any fencing higher than the standard post and wire or netting 1.2metre fencing if this development proceeds.

6.Before we acquired our property at 3 Johann Mattner Court Lyndoch we visited Council and spoke to a Planning Officer regarding this vineyard property owned by the Burge Family which our property overlooks and was told that the property was in a Rural Zone and part of the Barossa Character Preservation District and could not be built on or developed further except for Agricultural / Viticultural production expansion.

Government of South Australia
Department for Trade and Investment

Attachment to Development Application ID: 24016043 Submission for opposing Application.

1. The cabins are too close to the boundary of the property . PO6.4 and DTS/DTF 6.4(a) The Performance outcome calls for " maintenance of a pleasant rural character and amenity"
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3. I also question the need for such a large shed for such a small vineyard which will be under 5 hectares of vines if this development proceeds as this property has been reduced in size following the sale to council of almost 50 % of area under vines for Lyndoch Oval Development.
4. The code provisions PO 12.1 and DTS/DTF12.1 (a), (b) and (d) mean a shed of 1000m2 which is 4 times the size of existing shed to be removed will not " maintain a pleasant rural character and function"
The management of this vineyard is all done by Contractors who bring their plant and equipment to and from the property on a daily basis so none is stored on the property apart from a tractor and some small plant which is only used for grape harvest.
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- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why consent should be granted or refused; and
- comment only on the performance-based elements (or aspects) of the proposal, which does not include the:
  - Click here to enter text. *[list any accepted or deemed-to-satisfy elements of the development].*

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

☐ do not wish to be heard in support of my submission

By: ☐ appearing personally

☒ being represented by the following person: Richard Hall

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

Signature: Date: 17/08/2024

Return Address: PO Box 867 Nuriootpa SA 5355 *[relevant authority postal address]* or

Email: development @barossa.sa.gov.au

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Referral Snapshot

Development Application number:
24016043

Consent:
Planning Consent

Relevant authority:
The Barossa Council

Consent type for distribution:

Referral body:
Commissioner of Highways

Response type:
Schedule 9 (3)(7) Development Affecting Transport Routes and Corridors

Referral type:
Direction

Response date:
8 Jul 2024

Advice:
With comments, conditions and/or notes

Condition 1
All access to the development shall be gained in accordance with the Site Plan produced by Yogo Design & Consulting Pty Ltd, drawing no. AA001, Revision L, dated 30/5/2024. The access shall be sealed in accordance with this plan.

Condition 2
All vehicles shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

Condition 3
The largest vehicle Permitted on site shall be restricted to 8.8m Medium Rigid Vehicle.

Condition 4
Any infrastructure within the road reserve that is demolished, altered, removed, or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 5
All signage associated with the development shall be located within the subject property.

Condition 6
Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of Barossa Valley Way. In addition, longitudinal drainage of Barossa Valley Way shall be maintained (including any required trafficable headwalls) adjacent and across the access in order to minimise the impact on the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Condition 7
No water or other substances shall be directed toward or drained onto the adjacent railway land, nor any installations that may cause backflow or wash that cause water impact.

Condition 8
No services shall be installed in or under the railway corridor without the prior approval of the asset owner.

Condition 9
Suitable fencing is to be erected and maintained along the boundary of the rail corridor at the applicant's expense.

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 Barossa Assessment Panel Meeting Schedule 2025

REPORT

The first Barossa Assessment Panel meeting for 2025 has been scheduled for Wednesday 22 January 2025 and thereafter shall be held on the first Tuesday of each month.

The following schedule of meeting dates is provided for information.

22 January 2025
4 February 2025
4 March 2025
1 April 2025
6 May 2025
3 June 2025
1 July 2025
5 August 2025
2 September 2025
7 October 2025
4 November 2025
2 December 2025

RECOMMENDATION

That the Barossa Assessment Panel agree to continue to meet on the first Tuesday of each month, with the exception of the January meeting which shall be held on Wednesday 22 January 2025 (due to a conflict with the Council meeting). All meetings shall be held at The Barossa Council Chambers commencing at 5.00 pm.

9.2 Assessment Manager's Quarterly Report - July 2024 to September 2024

BACKGROUND

Clause 18 of the Barossa Assessment Panel Operating and Meeting Procedures requires the Assessment Manager to prepare a quarterly report of:

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

This report provides a quarterly report for the period 1 July 2024 to 30 September 2024.

REPORT

The Panel is assigned as a relevant authority in its own right under the *Planning, Development and Infrastructure Act 2016*. In the exercise of its duties, the Panel has delegated to the Assessment Manager specific duties and powers on its behalf. Delegations enhance decision making processes and allow nominated matters to be resolved efficiently and effectively without the need for the Panel's consideration.

The delegations provide for:

- Administrative matters to assist in the timely processing of applications such as verifying development applications, undertaking statutory referrals and public notification;
- Determining prescribed development applications.

The planning applications received by The Barossa Council for the period are summarised in the table below.

	Number
Planning Applications Lodged	192
Planning Applications determined (excluding Private Certification)	137
Notified Applications	14
Determined Planning Consents by Relevant Authority (excluding Private Certification): • BAP • Assessment Manager (AM) • AM for BAP	 5 116 16

The number of development applications that were notified during this period was 14. 116 development applications were determined by the Assessment Manager. Five (5) development applications were determined by the Panel and 16 development applications were determined by the Assessment Manager under delegation of the Panel.

There are no outstanding development applications subject to decision under the repealed *Development Act 1993* (ie. lodged prior to 19 March 2021).

Development Applications Assessed under Delegated Authority of BAP by the Assessment Manager

The development applications considered by the Assessment Manager under Delegated Authority of the Panel are summarised below:

Development Application 23029570 – 133 Murray Street Tanunda *Change of use to an office and a dwelling (two tenancies), demolition of existing outbuilding and construction of replacement outbuilding, erection of advertising signage and associated car parking* Representations – Nil Decision – Planning Consent Granted 5 September 2024
Development Application 23029587 – 28 Old Mill Road Nuriootpa *Construction of an implement shed (measuring 19.0m x 12.0m x 4.2m wall height) and two x 22.5kl rain water tanks, in association with an existing paving and landscaping business* Representations – Nil Decision – Planning Consent Granted 6 September 2024
Development Application 23031603 – 29-37 Tolley Road Nuriootpa *Change of use to a tank farm and warehouse in association with a nearby distillery including; - 835 sqm tank farm; - 1075 sqm warehouse with 25 sqm of staff amenities and 80sqm of office; - and associated truck circulation roadway, stormwater & trade waste basins & carpark* Representations – Two (nil requested to be heard) Decision – Planning Consent Granted 9 July 2024
Development Application 23037721 – 1-15 Murray Street Nuriootpa *Variation to Development Application 960/439/2014 and 960/97/2017 for Alterations and Additions to the Nuriootpa Co-Op Shopping Centre in nature of:* *1. Deletion of acoustic screens/fences to portion of site boundary; 2. Formation of gravel spillover car parking area for use during peak periods; 3. Modification of car parking configuration adjacent northern building entrance of centre; 4. Deletion of kerbing and landscaping protrusions approved in Murray Street; 5. Deletion of Co-op graphic approved to northern elevation of building* Representations – Nil Decision – Planning Consent Granted 12 August 2024
Development Application 24007484 – 102 Stott Highway Angaston *Change of use to tourist accommodation of two existing buildings (6 bedrooms total) including the construction of a verandah (vergola), building alterations and re-roofing (of a State Heritage Place)* Representations – Nil Decision – Planning Consent Granted 2 July 2024
Development Application 24007696 – 102 Stott Highway Angaston *Change of use to tourist accommodation of two existing buildings (6 bedrooms total) including building alterations and re-roofing (of a State Heritage Place) in addition to the demolition of existing stables building and separate shed lean-to building* Representations – Nil Decision – Planning Consent Granted 2 July 2024

Development Application 24008893 – 63 Light Pass Road Stockwell *Installation of ground mounted photovoltaic solar panel system (250kW) and associated infrastructure and fencing* Representations – Nil Decision – Planning Consent Granted 27 August 2024
Development Application 24009122 – 11 Murray Street Eden Valley *Alterations and Additions to an existing Hotel; Construction of a new alfresco dining area including new amenities, deck and verandahs* Representations – Three (nil requested to be heard) Decision – Planning Consent Granted 31 July 2024
Development Application 24009123 – 37 Fiedler Street Tanunda *Construction of double storey dwelling addition attached to existing dwelling and construction of front portico* Representations 2 (nil requested to be heard) Decision – Planning Consent Granted 12 July 2024
Development Application 24009747 – 121 Old Bethel Road Williamstown *Partial Change of Use of Outbuilding to Tourist Accommodation* Representations – 1 (nil requested to be heard) Decision – Planning Consent Granted 2 August 2024
Development Application 24010228 – 261 Woodlands Road Cockatoo Valley *Change of use of dwelling to tourist accommodation* Representations – Nil Decision – Planning Consent Granted 26 July 2024
Development Application 24012016 – 102 Stott Highway Angaston *Construction of building additions to the State Heritage Listed Lindsay Park Homestead involving partial demolition and building alterations* Representations – Nil Decision – Planning Consent Granted 24 September 2024
Development Application 24013670 – 24 Jane Place Tanunda *Demolition of Existing Dwelling and Construction of Single Storey Detached Dwelling with Garage and Verandah under main roof, and Pergola* Representations – Nil Decision – Planning Consent Granted 5 July 2024
Development Application 24014254 – 102 Stott Highway Angaston *Change of use from shed/barn buildings to a function venue (to be used for corporate events and training) involving building alterations/additions and the partial demolition of existing structures and roof sheeting (of the 'round yards' building)* Representations – Nil Decision – Planning Consent Granted 11 September 2024
Development Application 24016037 – 21 John Warren Crescent Williamstown *Animal keeping in the form of dog sitting (up to 6 dogs)* Representations – Nil Decision – Planning Consent Granted 16 August 2024
Development Application 24019840 – 24 St Hallett Road Tanunda *Outdoor bar and associated deck and fence in association with an existing cellar door* Representations – Nil Decision – Planning Consent Granted 29 September 2024

Deemed Consents

No deemed consent notices have been received for this period.

CONCLUSION

The Assessment Manager's Quarterly Report for the period 1 July 2024 to 30 September 2024 be received and noted.

RECOMMENDATION

That the report be received.

10. REPORTS – CONFIDENTIAL

10.1 Confidential Item - Development Application 23035013 - Lot 4 Duck Ponds Road Stockwell

Reason for Confidentiality

It is recommended that the public be excluded from the meeting, as is necessary, in accordance with Section 13 of the *Planning, Development and Infrastructure (General) Regulations 2017* to receive, discuss or consider in confidence the following information or matters in relation to this item:

(vii) matters that must be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;

(vii) legal advice;

As this matter is before the Environment, Resources and Development Court, it is a requirement of the court that matters be kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

Recommendation

That:

(1) Pursuant to Regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017* the Barossa Assessment Panel orders that the public be excluded from the meeting with the exception of the Director, Development and Community Services, Assessment Manager, Manager Engineering Services, Assessment Officers, and the Minute Secretary, on the basis that this matter is before the Environment Resources and Development Court and therefore any disclosure could place the Panel in breach of the Environment, Resources and Development Court Act 1993.

(2) Accordingly, on this basis, the Barossa Assessment Panel is satisfied that the principal meetings of the assessment panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

11. NEXT MEETING

Tuesday 3 December 2024 commencing at 5.00 pm

12. CLOSURE OF MEETING

The Presiding Member will declare the meeting closed.