

BAROSSA ASSESSMENT PANEL

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

Tuesday, 1 April 2025, commencing at 5.00 pm

Aaron Curtis
Assessment Manager



AGENDA

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

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

INDEX

1. Welcome	3
2. Attendance	3
3. Confirmation of Minutes	3
4. Business Arising from Minutes	3
5. Declaration of Interest by Members of the Panel	3
6. Reports – Application for Decision (Planning, Development and Infrastructure Act 2016)	
6.1 24039553 - Unit 1 - 1A Para Road Tanunda	4
Applicant: Karen French and Sue Brecevic Representors: Roger Hefford Kelly Phillips	
6.2 25001912 - 13 Elizabeth Street Tanunda	75
Applicant: Mack Robinson Representors: Kathy Evans	
6.3 25000149 - 9 Edward Street Tanunda	116
Applicant: Sheila Sharma Representors: Christie Schulz	
7. Reports – Review of Assessment Manager Decisions (Planning, Development and Infrastructure Act 2016)	164
Nil	
8. Reports – Panel Updates	
8.1 Environment Resources and Development Court Appeal Updates	165
9. Reports – Other Business	
9.1 Assessment Manager's Quarterly Report - October 2024 to December 2024	174
10. Reports – Confidential	178
Nil	
11. Next Meeting	178
12. Closure of Meeting	178

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 3 December 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 24039553 - Unit 1 - 1A Para Road Tanunda

APPLICANT:	Karen French and Sue Brecevic
REPRESENTORS:	Roger Hefford Kelly Phillips

APPLICATION DETAILS

PROPOSAL	Change of use to shop (café) and animal keeping (dog day care) to unit 1
APPLICANT	Karen French and Sue Brecevic
OWNER	Karl Roth
APPLICATION NO	24039553
CERTIFICATE(S) OF TITLE	CT 5275/874
AREA	3,328 square metres
CURRENT USE	Mixed commercial site (unit number 1 is currently vacant)
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.21 – 21 November 2024
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Employment Zone
OVERLAYS	Character Preservation District (Township) Hazards (Bushfire - Urban Interface) Hazards (Flooding - Evidence Required) Native Vegetation Prescribed Water Resources Area Traffic Generating Development Water Protection Area
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified – Sign on Land
REFERRALS	Nil
PREVIOUS APPLICATIONS	967/009/87 – Construction of a workshop & office 967/138/88 – Construction of car wash & steel framed workshop 960/571/2006 – Shed Extension 960/392/2009 – Replacement of Carwash 960/415/2018 – Change of Use – Service Industry (Food Production) and Associated Shop
ASSESSING OFFICER	Calvin Bacher (Assessment Officer – Planning)
RECOMMENDATION	That Planning Consent be GRANTED subject to a Reserved Matter and Conditions

INTRODUCTION

The applicant seeks development approval for a change of use from existing vacant tenancy to a shop (café) and animal keeping in the form of a dog day care facility at unit 1, 1A Para Road, Tanunda. The two uses are linked but not dependent upon one another, such that the café and dog day care may operate independently with their own staff. No other elements are proposed within this application.

The site is located within the Employment Zone whereby a shop is an envisaged use and is subject of a Code Assessed Performance Assessed pathway. Animal Keeping does not have an applicable Accepted, Deemed to Satisfy or Restricted Pathway. The application was therefore a Performance Assessed – Code assessed application that was publicly notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016*.

Seventeen representations (two in opposition and 15 in support) were received during the public notification process. Two of the representors have requested to be heard, one in opposition and one in support.

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 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 development seeks to operate a café for up to 20 patrons including incidental retail of animal keeping goods within the existing shopfront of the tenancy. The proposed animal keeping use will provide short-term day care service for dogs within the rear warehouse tenancy space including various training and exercise activities. No dogs will be kept on the premises overnight.

The proposed uses are in accordance with the definition of 'Shop' and 'Animal Keeping' within Part 7 of the Planning and Design Code. A 'Shop' is listed as an anticipated form of development within the Employment Zone while the Employment Zone is silent in respect to the 'Animal Keeping' land use.

Although 'Animal Keeping' is not identified as an anticipated use, the Employment Zone supports compatible businesses servicing the local community. It is considered that the shop and 'animal keeping' use will not unreasonably impact uses in the locality and will be compatible with the existing commercial tenancies on the site.

Key issues for this proposal are the scale and intensity of the dog day care activity, the adequacy of car parking provision, noise and animal management. The applicant has adequately addressed the relevant planning issues, such that Planning Consent is recommended, subject to subject to Reserved Matters and conditions.

SITE AND LOCALITY

The subject site comprises the first and southern most tenancy (unit number 1) at the property of unit 1, 1A Para Road, Tanunda which contains in total seven tenancies located within three buildings.

The overall site is of rectangular shape consisting of 3,328 square metres site area with a frontage to Para Road of 35 metres. Vehicle access is achieved to the site via a main driveway crossover for ingress and egress that extends in the form of a sealed bitumen driveway through the centre of the site. A second egress only driveway exists on the western side of the site frontage to Para Road. The site contains two large multi-tenancy buildings located adjacent the western boundary running parallel to the side boundary and a separate "car wash" structure located adjacent the eastern boundary.

The site is served by at least 29 sealed bitumen vehicle parking spaces which are accessed via the central driveway of more than six metres wide but which are not presently linemarked. The two main buildings have roller door fronts which open up to the main central aisle and vehicle parking spaces.

The proposal seeks to occupy the first and southern most tenancy in the front main building which has a frontage to Para Road. The proposal does not include any changes to the built form appearance of the building. This tenancy was formerly occupied by a service trade premises specialising in power equipment.

The site is described on the front multi-tenancy freestanding sign as Barossa Auto Centre. The site contains the following tenancies within the three buildings on the site:

Unit Number	Description of use	Land Use
1	Vacant (Café and Dog Day Care proposed)	Vacant
2	Barossa Radiators	Motor repair station
3	Vietnamese Takeaway	Shop (restaurant)
4	Windscreens and Tinting	Motor repair station
5	Exhaust and Tinting	Motor repair station
6	Brakes and Suspension	Motor repair station
7	Car wash	Car wash

The site is located at the eastern end of Para Road, nearby the intersection of Para Road, and Murray Street, Tanunda and at the northern periphery of the Tanunda township. As a result, the site abuts the Rural Zone to the north and Neighbourhood Zone to the south. Having regard to the site's position, the locality contains a mix of residential and commercial properties within the township and established vineyard on land at the rear (to the north). To the east of the site is a service station and to the west is a semi-industrial business (Brauer Natural Medicines).

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

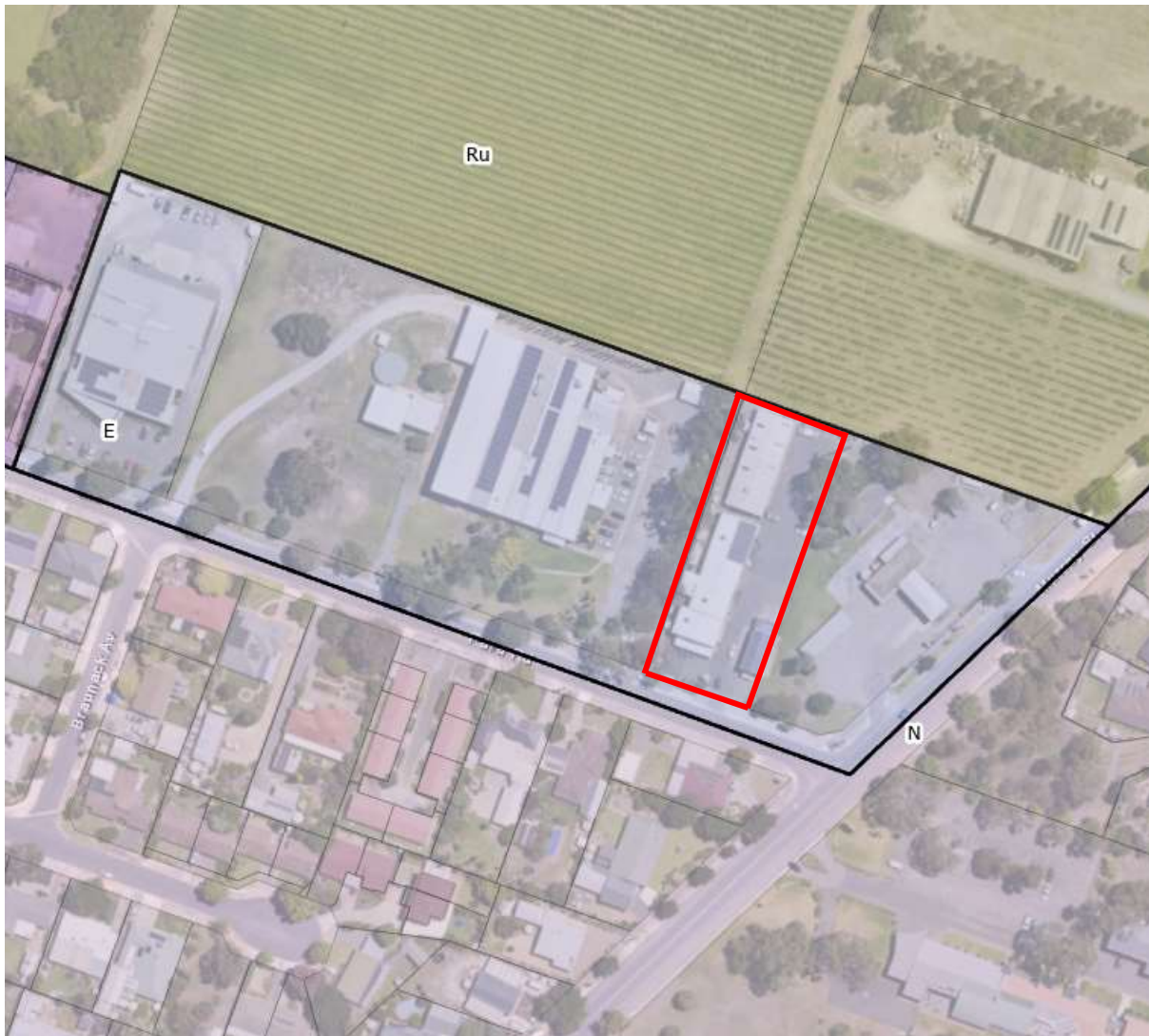


Figure 1: Zone Map – subject site in red

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 7**.

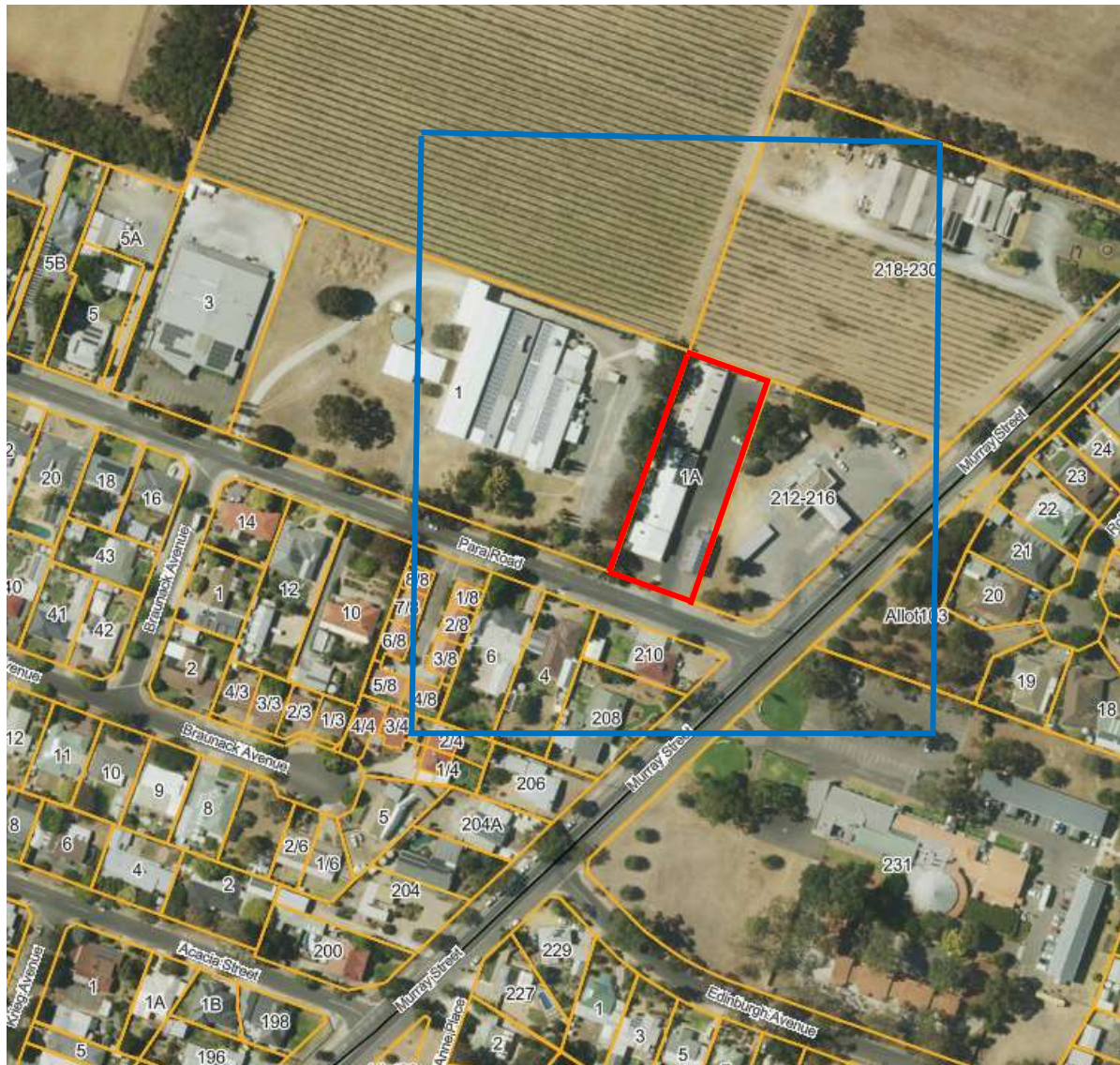


Figure 2: Aerial – Locality, subject site in red, locality in blue



Figure 3: Aerial – Site



Figure 4: Looking north-east towards subject site from Para Road



Figure 5: Looking north-east towards subject site from Para Road



Figure 6: Looking south-west from the car park within the site



Figure 7: Looking north along rear of tenancy (western boundary fence)

PROPOSAL

The proposal involves the introduction of two land uses comprising both a shop (café) and animal keeping in the form of a dog day care facility within the existing vacant shop and warehouse, unit number 1. There is no signage or building work proposed within this application, other than necessary internal works to meet the National Construction Code, for Building Consent. Alterations of the existing sign display are anticipated of the freestanding sign, however, would not require a separate Development Application as this would only involve a change in the contents of the sign display. If further signage is desired, separate development approval is required.

The proposed change of use will utilise the existing unit number 1 that includes a separated lined/insulated “shop front” facing Para Road and unlined “warehouse” including mezzanine and bathroom. The proposed café will accommodate 20 seated patrons. The dog day care proposes a maximum of 20 dogs to be kept on the premises with no overnight accommodation proposed. Dogs being kept for dog day care will not be brought into the café.

Access to the property is via lawful existing access points from Para Road with no proposed changes to the existing access or vehicle parking. The former service trade premises utilised the hardstand sealed area in the space to the front of the building for display of machinery whereas the proposed development can utilise this area for additional on-site car parking, subject to further delineation of the car parking spaces within this area.

It is anticipated that up to two staff will operate the café and up to four staff will operate the dog day care.

The proposed hours of operation for the development are as follows:

The café (shop) shall operate between the following hours:

- (a) Monday to Saturday: 9.00 am to 4.00 pm (inclusive)
- (b) Sunday: 10.00 am to 4.00 pm (inclusive)

The Dog Day Care (Animal Keeping) shall operate between the following hours:

- (a) Monday to Friday: 7.00 am to 6.30 pm (inclusive)
- (b) Saturday: 11.00 am to 4.00 pm (inclusive)
- (c) Sunday: 11.00 am to 3.00 pm (inclusive)

The proposed café is intended to service members of the public/patrons and not exclusively for those using the dog day care services. The operating hours will be complementary to existing commercial land uses within the site and locality. In addition, the hours of operation are sympathetic to surrounding residential land uses closing at 4.00 pm all days.

The dog day care will operate daily with no overnight stays for animals. Dogs will be dropped off and picked up throughout the day with a majority of the vehicle movements occurring in the morning and afternoons such that the use will operate similarly to a child day care service. Separate access is provided for dog day care services such that access through the café is not required.

An internal floor plan is provided that sets out the internal layout for the dog day care. Internal fencing is proposed to create four fenced enclosures for the animals and a circulation area for staff to access the fenced enclosures. A grooming area is also proposed and an outdoor activity area located to the western side of the building. The applicant advises the grooming area will be used for basic brushing of the animals but washing and grooming are not proposed.

Waste management and cleaning will occur in accordance with a management plan detailing the nature of cleaning processes and schedules. Measures for noise management have been considered including maintenance of the existing roller doors to be closed, temperament testing of the animals and resolution actions/reprimanding for repeatedly noisy dogs.

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

APPLICATION TYPE

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

A 'Shop' is listed within Table 3 of the Employment Zone whereas 'Animal Keeping' does not have an applicable Accepted, Deemed to Satisfy or Restricted Pathway, pursuant to Table 1, 2 and 4 of the Employment Zone. Animal Keeping is also not specifically listed within Table 3, such that the proposed development does not have a specified list of 'Applicable Policies'. Instead, the application is determined to be 'All Other Code Assessed Development' in accordance with Part 1 – Rules of Interpretation of the Planning and Design Code (Version 2024.21).

PUBLIC NOTIFICATION

The application was subject to public notification in accordance with Table 5 – Procedural Matters – Notification of the Employment Zone. The proposed Animal Keeping use is not excluded from public notification due to not being listed within 'Class of Development (Column A)' within Table 5.

A summary of the public notification process is contained below:

Representations: Seventeen (17) representations were received during the public notification period as follows:

- Alexander Worrall
- Roger Hefford
- Bethan Firstbrook
- Thomas Bryan
- Lyndal McDonnell
- William Stubbings
- Clare Brecevic
- Tania Camwell
- Emma Coombes
- Irene Drew
- Emily Drinkwater
- Zac Milton
- Megan Fairey
- Nicholas Brown
- Laura Brecevic

- Kelly Phillips
- Beth O'Donnell

No late representations were received.

Person wishing to be heard: Of the Seventeen (17) representations received, two representors wish to be heard as follows:

- Roger Hefford
- Kelly Phillips

Applicant Karen French and Sue Brecevic, wish to appear to respond to the representations.

Time period for Public Consultation 16 December 2024 – 13 January 2025

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

Summary of Representations
Representor/s

Applicant's Response

- | | |
|---|--|
| <ul style="list-style-type: none"> • <i>There are interface concerns with respect to adjoining residential land uses from animal noise/barking throughout the day and early morning.</i> | <ul style="list-style-type: none"> • <i>Operating times for dog day care and morning drop off period have been adjusted from 6.30 am to 7.00 am. Trained staff will be in attendance for the dog day care all day. Maintenance of the existing roller doors to be closed will be implemented as well as a probation period and other strategies to reduce barking as provided for within a management plan.</i> |
| <ul style="list-style-type: none"> • <i>There are interface concerns with respect to adjoining residential land uses from animals and their waste.</i> | <ul style="list-style-type: none"> • <i>A detailed cleaning schedule is provided as part of the management plan that includes details of internal waste bins, storage, and management process.</i> |

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:

Environmental Sustainability Officer	As a commercial customer in the Tanunda township, the applicant can choose to opt into the Council kerbside three bin services; red waste, yellow recycling, and green organics. The applicant can opt into all three services or just one or two service types. A kerbside collection service can be provided for two green bins, subject to fee for service. The best bin for pet waste to go into would be the green organics bin. If the pet waste is bagged, the applicant will need to utilise certified compostable bags. Food waste, paper towel and tissues, and other green garden waste can also go into the green bin. Green bins are serviced fortnightly. Pet waste can go into the red landfill bin, it just means that this waste will be lost to landfill rather than re-processed and turned into compost for reuse.
Community Safety	Going by the application, we are satisfied that the applicant has satisfactory measures proposed, should a dog cause a nuisance by having a probation stage in place. The applicant proposes to evaluate animal behaviour on the first day so as to give a good indication of behaviour along with a wide range of activities. Also, it is noted that should animals bark excessively, this will be addressed. One concern that may arise is that dogs may arrive from 6.30 am. With normal dog behaviour, animals may tend to get excited and may bark when meeting with other dogs. Should that be a regular occurrence with dogs barking at that time of the morning, concerns may be raised with Council. Review of the operating hours are recommended. The following legislative provisions require that animals do not result in barking or nuisance: <u>Under the Dog and Cat Management Act</u> A person who owns or is responsible for the control of a dog is guilty of an offence if the dog (either alone or together with other dogs, whether or not in the same ownership) creates a noise, by barking or otherwise, which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of a person. <u>Under the Local Nuisance and Litter Control Act</u> Things not declared a nuisance – noise or other nuisance from the keeping of animals in accordance with a development authorisation within the meaning of the Development Act 1993.

	<i>It is suggested that the applicant implement rules/agreements with owners to ensure that all dogs are secured by lead prior to entering the café/doggy day care, to prevent any dog wandering.</i>
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ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, dated 4 December 2024, Version 2024.21:

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

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

The proposed change of use is considered to be of a size, scale and intensity that is considered to be reasonable in the context of the subject site, located within an Employment Zone. A shop is a use listed within DTS/DPF 1.1 of the Employment Zone. The small-scale nature of the proposed cafe and nature of the locality (being primarily commercial) mean the proposed shop use is considered to be appropriate in principle and compatible with residential and commercial uses.

Whilst Animal Keeping is not an envisaged use within the Employment Zone, the proposal is limited in scale in terms of the numbers of dogs to be kept and the hours of operation proposed. The activity will only occur during daylight hours and the animals will be supervised by appropriately trained staff. On this basis, it is considered that the animal keeping is not in fundamental conflict with the Desired Outcome of the Employment Zone and, as outlined within the report, will not result in material conflict with the considering the diversity of land uses within the site and locality.

Character Preservation (Barossa Valley) Act 2012

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

The proposal will not diminish the visual amenity of the township landscape, noting there are no external building alterations proposed.

Further discussion in relation to this matter 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

Employment Zone	
Desired Outcomes	
DO1	A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.
D02	Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 A range of employment-generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity.	DTS/DPF 1.1 Development comprises one or more of the following: (a) Advertisement (b) Consulting room (c) Indoor recreation facility (d) Light industry (e) Motor repair station (f) Office (g) Place of worship (h) Research Facility (i) Retail fuel outlet (j) Service trade premises (k) Shop (l) Store (m) Telecommunications facility (n) Training facility (o) Warehouse
PO 1.2 Shops provide convenient day-to-day services and amenities to local businesses and workers, support the sale of products manufactured on-site and otherwise complement the role of Activity Centres.	DTS/DPF 1.2 Shop where one of the following applies: (a) With a gross leasable floor area up to 100 sqm. (b) is a bulky goods outlet (c) is a restaurant (d) is ancillary to and located on the same allotment as an industry and primarily involves the sale by retail of goods manufactured by the industry

The proposed café use is identified within DTS/DPF 1.1 as an envisaged form of development (Shop) within the Employment Zone.

Performance Outcome (PO) 1.1 seeks for a range of compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity. The proposed shop will not generate any appreciable emissions from the use, such that this PO is considered to be met. In forming this conclusion, it is noted that there will be no food preparation done on-site. Food will be pre-packaged snacks that are prepared from the current location in Willaston.

The animal keeping has potential to result in emissions such as odour where not managed appropriately. This aspect of the development is satisfied in further detail

later in this report. The report concludes that emissions can be avoided from the use, subject to ongoing management practices which are addressed via condition.

Animal keeping in the nature of a dog café is not a common land use but in context of a regional town, is a use that is not considered to be so out of place within an Employment Zone as to be inappropriate. This use is of a scale that is limited in intensity in terms of the numbers of dogs and operating hours and will fit with other non-residential uses in the locality such as the service station and car wash.

PO 1.2 seeks that shops provide convenient day-to-day services and amenities. The proposed café will satisfy the DPF guideline (a) for gross leasable floor area, such that this element of the proposal satisfies PO 1.2.

In summary, it is considered the proposed land uses within the tenancy are appropriate, subject to demonstration of appropriate land use interface impacts such as odour and noise and adequacy of on-site car parking.

Character Preservation District Overlay

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 within 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 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.	DTS/DPF 2.1 None are applicable.
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.

PO 2.3 <i>Adaptive re-use of rural structures and historic and/or character buildings supports their preservation and ongoing contribution to the landscape.</i>	DTS/DPF 2.3 None are applicable.
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The subject site is located within the Tanunda township identified within the *Character Preservation (Barossa Valley) Act 2012*. The property is sited at the northern edge of the township. The proposal does not involve any change to the external appearance of the site. It is therefore considered that PO 2.1 is satisfied.

In addition, the existing building and access, driveway and landscaping areas are all proposed to be retained within this application, such that the development will have a neutral outcome in relation to the retention of character of the Tanunda township through form, scale, siting, design and landscaping.

It is further noted that the existing building on the site does not contribute to significant historic or character value but nonetheless enables important local business function in the Employment Zone of the Tanunda township.

In summary, the proposal is considered to satisfy key provisions within the Character Preservation District Overlay.

Design

Design	
Desired Outcomes	
DO1	Development is: (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.
Relevant Performance Outcomes/Designated Performance Features	
All Development	
External Appearance	
PO 1.5 <i>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.</i>	DTS/DPF 1.4 None are applicable.
Carparking Appearance	
PO 7.2 <i>Vehicle parking areas are appropriately located, designed and constructed to</i>	DTS/DPF 7.2 None are applicable.

minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	
PO 7.3 Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	DTS/DPF 7.3 None are applicable.

It is proposed that outdoor storage of waste bins to accommodate for the temporary storage of retail and animal waste will be screened behind the existing fencing adjacent the western side of the building. Sufficient space exists in this location to accommodate for multiple bins that are necessary to service the land uses.

As noted above, the proposal does not involve changes to the existing built form of the subject site and all existing parking spaces will be retained on site and which are semi-screened by existing vegetation on the site.

The proposal is considered to satisfy the relevant PO 1.5 and 7.2 of the 'Design', General Section of the Planning and Design Code.

Noise

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									
Hours of Operation									
PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to: (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.	DTS/DPF 2.1 Development operating within the following hours: <table border="1"> <thead> <tr> <th>Class of Development</th><th>Hours of operation</th></tr> </thead> <tbody> <tr> <td>Consulting Room</td><td>7.00 am to 9.00 pm, Monday to Friday 8.00 am to 5.00 pm, Saturday</td></tr> <tr> <td>Office</td><td>7.00 am to 9.00 pm, Monday to Friday 8.00 am to 5.00 pm, Saturday</td></tr> <tr> <td>Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone</td><td>7.00 am to 9.00 pm, Monday to Friday 8.00 am to 5.00 pm, Saturday and Sunday</td></tr> </tbody> </table>	Class of Development	Hours of operation	Consulting Room	7.00 am to 9.00 pm, Monday to Friday 8.00 am to 5.00 pm, Saturday	Office	7.00 am to 9.00 pm, Monday to Friday 8.00 am to 5.00 pm, Saturday	Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7.00 am to 9.00 pm, Monday to Friday 8.00 am to 5.00 pm, Saturday and Sunday
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Activities Generating Noise or Vibration	
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Commercial and Industrial Noise) Policy criteria.
PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.

The proposed café and dog day care will have independent operating hours to ensure that peak parking demands do not overlap. The café is proposed to operate Monday through Saturday 9.00 am to 4.00 pm and Sunday 10.00 am to 4.00 pm. These hours are consistent with the DPF 2.1 guideline for a shop land use.

The proposed dog day care is proposed to operate Monday to Friday 7.00 am to 6.30 pm, Saturday 10.00 am to 4.00 pm, and Sunday 10.00 am to 3.00 pm. The proposed hours are intentionally different to that of the café during weekdays so as to reduce crossover of patrons for each business.

As a result of feedback through the public notification process, the applicant has amended the start time for the dog day care to align with a 7.00 am start instead of the previously proposed start of 6.30 am. This change is considered to be appropriate, given the potential for noise disturbance prior to 7.00 am.

While clearly a unique land use, the dog day care is of a nature of development that is not dissimilar to a child care centre or Indoor Recreation Facilities where there are commonly associated offices or shop and where there are peak periods of patron and vehicle movements towards the opening and closing of business.

The operating hours of the business are considered to be appropriate in the context of other non-residential businesses in this locality that includes a car wash and service

station. Further, it is noted the scale of the activity is limited to the nature of up to 20 animals at any one time and animals will be supervised at all times.

Concerns were expressed to the applicant regarding the potential for noise from the animal keeping. The applicant has not provided acoustic evidence in support of the proposal, however, the applicant has advised that the existing roller doors facing east will be closed when dogs are at the site. The building has a separate access to the dog day care to the shop, such that animals can arrive without requiring opening of the roller doors. In addition, the building is provided with evaporative air conditioning, such that controlled temperature can be achieved for staff and the animals.

The applicant has indicated the use of outdoor engagement area for the dogs with two proposed half hour periods; 10.00 am to 10.30 am and midday to 12.30 pm. Any dogs outside at these times will be attended by staff. The times of activity for outdoor engagement are considered to be limited and should dogs result in noise, staff have capacity to move the animals back indoors.

It is recommended that conditions of consent be applied, requiring the closure of the roller doors during periods of activity and the ongoing obligation to comply with the *Environment Protection (Commercial and Industrial) Noise Policy 2023*. The applicant will ultimately have an ongoing obligation to ensure compliance with this policy and should concerns arise in future regarding noise, the applicant will need to demonstrate compliance with the Policy.

Subject to the above conditions of consent, it is concluded that the proposal satisfactorily addresses the above mentioned DO and POs.

Waste Management

Animal Keeping and Horse Keeping	
Desired Outcomes	
DO1	<i>Animals are kept at a density that is not beyond the carrying capacity of the land and in a manner that minimises their adverse effects on the environment, local amenity and surrounding development.</i>
Relevant Performance Outcomes/Designated Performance Features	
Siting and Design	
PO 1.1 <i>Animal keeping, horse keeping and associated activities do not create adverse impacts on the environment or the amenity of the locality.</i>	DTS/DPF 1.1 <i>None are applicable.</i>

The applicant has provided a detailed management plan that sets out the cleaning regime for the dog day care areas including waste management and bin storage. The application proposes one waste bin per enclosure, lined with a biodegradable bin liner, which will be emptied daily and several times of needed. These bags will be placed into the green waste bin located outside, which will also be lined with biodegradable bin liners. In total, two green waste bins will be presented to kerbside to be emptied. Council's Environmental Sustainability officer has confirmed that Council's kerbside collection service can accommodate for fortnightly collection of two green bins, subject to fee for service.

With the waste being regularly emptied and stored in compostable bags in enclosed bins, it is not expected there will be adverse impacts arising from the temporary storage of waste until collection. Council's Environmental Sustainability Officer has

reviewed the proposed arrangements and advises the arrangements are acceptable and workable. A condition of consent is recommended that the detailed management plan be implemented at all times and that waste bins are regularly emptied. Subject to condition, the proposal is considered to satisfy PO 1.1.

Water and Wastewater

Infrastructure and Renewable Energy Facilities	
Desired Outcomes	
DO1	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 11.1 Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.	DTS/DPF 11.1 Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.
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.

The existing water supply and waste control system will be maintained and are considered to be suitable to service the land use. The tenancy is provided with existing toilet facilities to service staff and visitors. Council's Environmental Health Department have advised that changes anticipated for the café to operate the business will require a wastewater approval pursuant to the SA Public Health Act 2011. A Reserved Matter is recommended, to capture the granting of an approval of a suitable wastewater management system to support the nature of the café use.

Transport, Access and 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	
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.	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/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 6m of an intersection of two or more roads or a pedestrian activated crossing.
PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.	DTS/DPF 3.5 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 (b) where newly proposed is set back: (i) 0.5 metres or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) Two metres or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) Six metres or more from the tangent point of an intersection of two or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian 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.	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 (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Vehicle Parking Areas	
PO 6.1 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 6.6 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.
Table 1 - General Off-Street Car Parking Requirements	
Shop (no commercial kitchen)	5 spaces per 100 sqm of gross leasable floor area where located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.
Child care facility	For a child care centre, 0.25 spaces per child. In all other cases, one per employee plus 0.25 per child (drop off/pick up bays).

The proposal does not seek to alter the existing vehicle access to the site which already benefits from both the main entry and exit crossover to Para Road and a separate egress only located at the western end of the site frontage. Given the nature of the existing sealed car park that permits two way movements and provides for vehicular turn-around, vehicles will be able to enter, manoeuvre on site and exit in a forward direct. The proposal is therefore considered to satisfy PO 1.4 and 3.1.

In terms of car parking provision for the site, a review of car parking supply and demand was undertaken for the site according to the existing car parking provision at the site and the nature of existing uses. Council's records in relation to the assessment of car parking provision at the site is limited, having regard to the limited history of recent development approvals. As such, assessment has taken place according to what is presently established in the seven tenancies.

As mentioned earlier, the site is served by at least 29 sealed bitumen vehicle parking spaces which are accessed via the central driveway but which are not presently linemarked. This calculation does not account for car parking associated with the existing car wash bays nor does it account for the sealed hardstand area located between tenancy one and Para Road which could accommodate for in the order of at least five car parking spaces.

It is noted that car parking spaces are not assigned to individual tenancies, meaning all of the car parks are shared collectively by tenants within the site.

The following uses are identified within the tenancies and they have the following car parking rates and requirements:

Unit Number	Tenancy	Car Parking Rate	Car Parking Required
1	Vacant (Café and Dog Day Care proposed)	Shop – 5 spaces per 100 sqm	5 spaces
		Animal Keeping – not specified	14 spaces
2	Barossa Radiators	Motor Repair Station – 3 spaces per service pay	6 spaces
3	Vietnamese Takeaway	Shop – 5 spaces per 100 sqm	7 spaces
4	Windscreens and Tinting	Motor Repair Station – 3 spaces per service pay	6 spaces
5	Exhaust and Tinting	Motor Repair Station – 3 spaces per service pay	6 spaces
6	Brakes and Suspension	Motor Repair Station – 3 spaces per service pay	6 spaces
7	Car wash	Shop – 5 spaces per 100 sqm	8 spaces
TOTAL			58 spaces

The assessment of car parking needs according to the existing tenancies suggests a shortfall in car parking at the site. While this is noted, it is estimated that the car parking rates assigned to the existing tenancies overestimate their car parking needs. For example, the car wash is designated for eight spaces, however, the existing three wash bays and vacuum bay are adequate to service the car parking needs for this tenancy.

Anecdotal feedback from staff of the land use suggests there is not a car parking capacity issue at the site and none of the representors have raised concerns in respect to car parking from the land use. It is considered that with the capacity to improve car parking provision within the display area at the front of the site, that car parking needs can be met.

It is further noted that majority of the mechanical businesses do not operate on weekends, such that weekend trading will result in complementary hours of operation that will ensure optimal utilisation of the car parking spaces.

As noted above in the table, the proposed shop of 100 sqm should be served by five spaces, pursuant to Table 5 of the Transport, Access and Parking module in the Planning and Design Code which stipulates a car parking rate for a 'shop (no commercial kitchen) of five spaces per 100 sqm of gross leasable floor area.

Table 5 does not set out a car parking rate for 'animal keeping' however a 'child care facility' has been considered as a comparable rate in this instance due to the similarities in nature of use with peak vehicle movement at opening and closing periods of business for pick-up and drop-offs. The comparable rate is 1 per employee plus 0.25 per child. This equates to demand for nine vehicle spaces.

Therefore, with the identified car parking demand required for this proposal of five spaces for the café and nine spaces for the dog daycare, a total of 14 car spaces should be provided for the development.

The tenancy to be utilised for the development (unit 1) was constructed as part of a "shed extension" application in 2006 (DA 960/571/2006). This tenancy had operated as a Service Trade Premises since 2010. Based on the floor area of the service trade premises, the use required nine vehicle car spaces. The resultant increase of car spaces is therefore calculated at five car parking spaces.

All of the businesses operate 8.00 am to 5.00 pm on weekdays. Acknowledging that there is a theoretical shortfall of five spaces, a number of factors suggest that car parking provision is appropriate for the development, considering that:

- The proposed café will not coincide with the expected peak periods of the dog day care activity and patrons may utilise the café whilst waiting for vehicle services to occur;
- The dog day care proposes hours of operation from 7.00 am to 6.30 pm. The hours extend outside of the 'typical' 8.00 am to 5.00 pm, so as to stretch the operating hours and minimise the peak periods of existing businesses utilising mechanical services for vehicle pick-up and drop-off with those utilising the dog day care service;
- It is anticipated that long term parking will predominantly be for staff associated with the business and patrons of the café. The description of proposed dog day care anticipates that vehicle parking would be short term in nature for the drop-off and pick-up of dogs unless utilising another service provided on site;
- Anecdotal feedback from staff do not suggest that the site has car parking capacity issues and this issue was not raised as a matter of concern within the feedback from representors.

Notwithstanding the above conclusions, it is considered necessary that an overarching car parking plan be presented to Council for approval, as a Reserved Matter, prior to granting of Planning Consent. This approach provides opportunity for additional car parking to be accommodated, beyond the present 29 car parking spaces, within the sealed hardstand area between tenancy 1 and Para Road.

It is further suggested that a condition of consent be imposed that requires the linemarking of the authorised car parking spaces within the site in accordance with the approved car parking plan. In this way, the authorised car parking spaces will be clearly delineated, thus making the car parking safer, more convenient and providing a clearer record of what is approved at the site in respect to car parking.

When considering the above, Performance Outcome 5.1 is considered to be met.

Other Overlays

The following Overlays have also been considered in the assessment of the proposed development and it is noted that:

Hazards (Flooding - Evidence Required)

The proposal does not propose any alterations to the existing floor level or drainage system at the site.

Native Vegetation Overlay

No native vegetation clearance is proposed as part of this application.

Traffic Generating Development Overlay

The proposal will not impact upon the safety, efficiency or functional performance of the arterial road network, having regard to the nature of the proposed development.

Clearance from Overhead Powerlines

The applicant has provided an electricity declaration, such that PO 1.1 of the Clearance from Overhead Powerlines Overlay is achieved.

Out of Activity Centre Development

The township of Tanunda does not contain an Activity Centre. The shop development is small in scale and will not have an impact upon any existing Activity Centre.

Site Contamination

The site contains an existing shop, car wash and various businesses in nature of automotive mechanical servicing and repairs. This proposal establishes a shop and animal keeping. Given the nature of existing use, the proposed development will not constitute a change to a more sensitive use.

CONCLUSION

The proposal involves "Change of use to shop (café) and animal keeping (dog day care)" at Unit 1, 1a Para Road, Tanunda.

The application was subject to the Performance Assessed pathway 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 seventeen (17) representations, of which two were in opposition. Two representors have requested to be heard, one in opposition and one in support.

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

The proposal is considered to be reasonably consistent with the Desired Outcome and Performance Outcomes of the Employment Zone. Although 'Animal Keeping' is not

identified as an anticipated use, the Employment Zone supports compatible businesses servicing the local community. It is considered that the shop and 'animal keeping' use will not unreasonably impact uses in the locality and will be compatible with the existing commercial tenancies on the site.

Key issues for this proposal are the scale and intensity of the activity, the adequacy of car parking provision, noise and animal management. The proposal will not involve any external changes to the appearance of the site and the applicant has adequately demonstrated suitable arrangements for the management of noise and odour. Hours of operation for the business have been reduced following public notice and occur during daylight business hours. Adequate on-site car parking is provided.

With the consideration to the assessment within this report, this application is considered to warrant Planning Consent being granted, 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. 24039553 by Karen French and Sue Brecevic to undertake "Change of use to shop (café) and animal keeping (dog day care) at Unit 1, 1a Para Road, Tanunda (CT 5275/874) subject to the following reserved matters, conditions and advisory notes:

Reserved Matters

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment prior to the granting of Development Approval and shall be delegated to the Assessment Manager:

- (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 lodge and have approved by the relevant authority an amended car parking layout plan detailing line marking for existing and proposed car parking spaces, complying with the requirements of AS2890.1 *Parking facilities – Part 1: Off-street car parking*.

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 24039553 except where varied by any condition(s) listed below.
- Tenancy entrance plan
 - Email correspondence, dated 25 October 2024
 - Email correspondence – response to request for further information dated 13 March 2025
 - Site plan prepared by Rarcoola dated 10 August 2023
 - Floor plan provided by applicant
 - Management Plan and Cleaning Schedule provided by applicant, dated 13 February 2025.
- (2) The café (shop) authorised herein shall operate between the following hours:
- (c) Monday to Saturday: 9.00 am to 4.00 pm (inclusive)
 - (d) Sunday: 10.00 am to 4.00 pm (inclusive)
- (3) The Dog Day Care (Animal Keeping) authorised herein shall operate between the following hours:
- (d) Monday to Friday: 7.00 am to 6.30 pm (inclusive)
 - (e) Saturday: 11.00 am to 4.00 pm (inclusive)
 - (f) Sunday: 11.00 am to 3.00 pm (inclusive)
- (4) Provision shall be made for appropriate storage and regular disposal of waste to the reasonable satisfaction of Council. All waste storage areas shall be kept in covered bins and shall be screened from public view at all times.
- (5) 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.
- (6) The east facing roller doors shall be closed at all times when dogs are being kept in the building.
- (7) The car park and manoeuvring area shall be kept clear and unobstructed of buildings and structures at all times, so as to enable continual and ongoing use of these areas.
- (8) All car parking line marking shall be finished in accordance with the car parking layout plan, approved pursuant to Reserved Matter 2, within three months of commencement of use.

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) Any portion of Council's infrastructure damaged as a result of work undertaken within the development site or associated with the development shall be repaired/reinstated to Council's satisfaction at the developer's expense.
- (6) Appeal rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- (7) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (8) 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.

- (9) 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.
- (10) 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.

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

UNIT 1-7 1A PARA RD TANUNDA SA 5352

Title Ref

CT 5275/874

Plan Parcel

D20435 AL500

Additional Location Information**Council**

THE BAROSSA COUNCIL

Zone Overlays

Zones

- Employment

Sub-zones

(None)

Overlays

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

Variations

(None)

Application Contacts

Applicant(s)

Stakeholder info

Ms Karen French

[REDACTED]

Stakeholder info

Mrs Sue Brecevic

[REDACTED]

Contact

Stakeholder info

Ms Karen French

[REDACTED]

Invoice Contact

Stakeholder info

Ms Karen French

[REDACTED]

Land owners

Stakeholder info

Mr Karl Roth

[REDACTED]

Submitted For

epn.draxlerj@sa.gov.au submitted this application for Karen French (mickh8031@gmail.com)

Nature Of Development

Nature of development

WE WOULD LIKE TO OFFER THE COMMUNITY THE USE OF A DOGGY DAYCARE CENTRE AND A SEPERATE CAFE WHERE DOGS WOULD BE WELCOMED. AS PER OUR EXISITING SHOP AT MANIN NORTH ROAD, WILLASTON

Development Details

Current Use

EMPTY

Proposed Use

CAFE AND DOGGY DAYCARE

Development Cost

\$30,000.00

Proposed Development Details

WE WOULD LIKE TO OFFER THE COMMUNITY THE USE OF A DOGGY DAYCARE CENTRE AND A SEPERATE CAFE WHERE DOGS WOULD BE WELCOMED. AS PER OUR EXISITING SHOP AT MANIN NORTH ROAD,

WILLASTON

Element Details

You have selected the following elements

Change of use - \$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?

Unsure

Consent Details

Consent list:

- Planning Consent
- Building Consent

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

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at The Barossa Council

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

Applicant

Building Consent

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

No

Apply Now?

Yes

Who should assess your building consent?

The Barossa Council

Has a builder been engaged for the proposed development?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent
2. Building Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

This development does not involve the construction of, or alteration to, a building to require a statement in accordance with Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017

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.

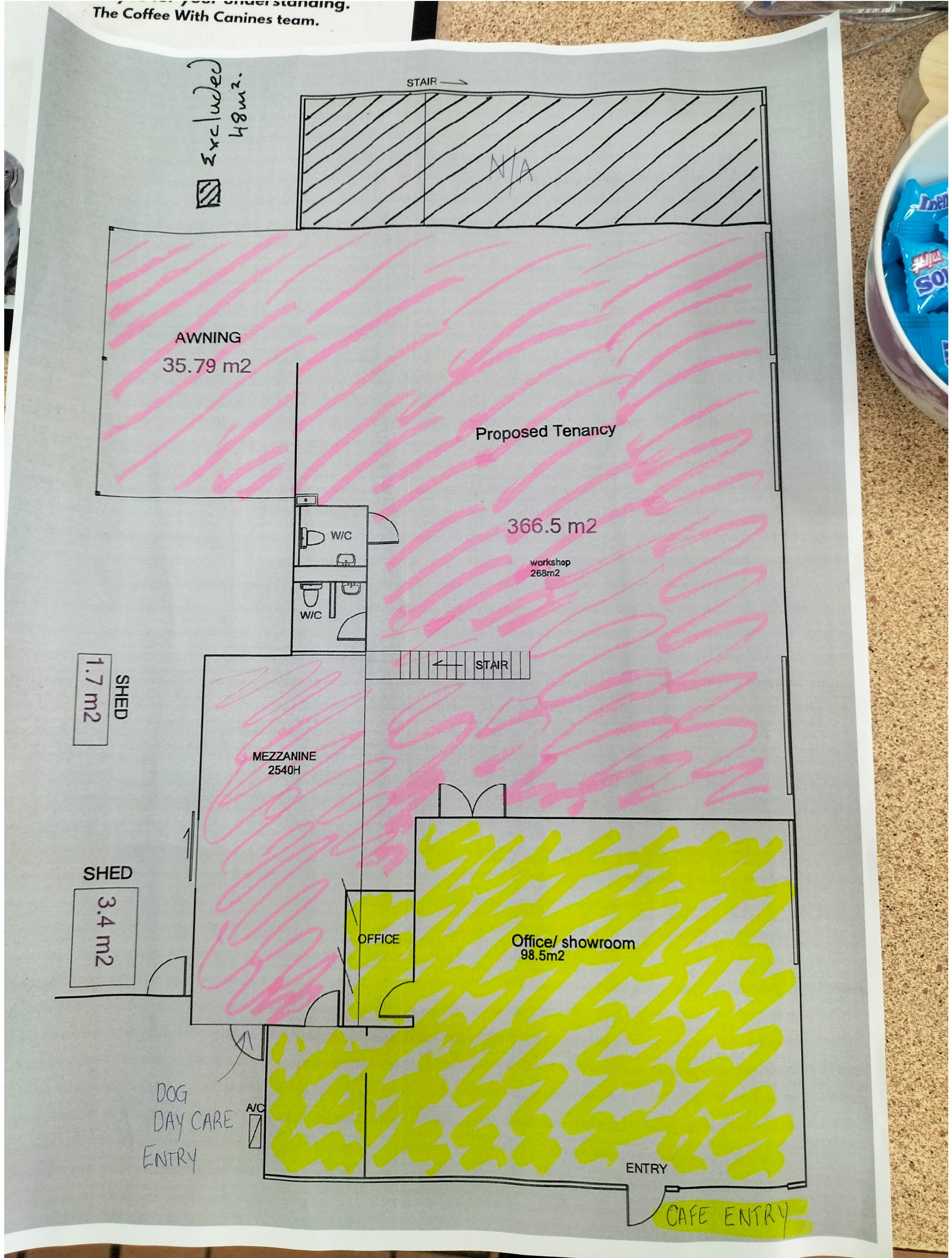
Documents

Document	Document Type	Date Created
Messenger_creation_83c7375f- 341d- 4957- a5 c1- f6a27063675b1- 9813801 (1).jpeg	Floor Plans	25 Nov 2024 2:53 PM

Application Created User and Date/Time

Created User
epn.draxlerj@sa.gov.au

Created Date/Time
25 Nov 2024 2:53 PM



Calvin Bacher

From: Coffee With Canines [REDACTED]
Sent: Friday, 25 October 2024 12:31 PM
To: Calvin Bacher
Subject: [EXTERNAL] 1A Para Road, Tanunda

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This Message originated outside your organization. Treat all attachments and hyperlinks with suspicion.

Good afternoon Calvin

Thank you for your time yesterday afternoon, your time and your information is much appreciated.

As discussed, we are emailing details of our business plan to you, to discuss at your next meeting.

Our plan for 1A Para Road, Tanunda is to have a Cafe in the shop front part, and a separate Doggy Daycare Centre in the existing building behind.

Firstly, our Cafe would resemble our already existing business on Main North Road, in Willaston, called Coffee With Canines. We would like to have this same scenario in Tanunda, and just wondering whether this will be ok to do within your council rules. Also, we already have an existing Food Notification Number (obviously through the Gawler Council), would this be the same number we would use, or would we need to apply for a new one for this new venture? We would have one or two staff members working in the Cafe at a time, dependant on how busy we are at the time. The hours of operation would be Monday to Saturday 9am until 4pm and Sunday 10am until 3pm, however these hours could change depending on how busy the times would be. In our current store, we can have between one to eight dogs at a time, all on leash. The entry to the Cafe at Tanunda would be from the front of the store front on Para Road, and the Cafe would be totally separate from the back Doggy Daycare area.

Our plans for the back building is to have a Doggy Daycare area, where people would drop their dogs off for a "Daycare". This is a new venture for us, and we feel very passionate about it, and we feel it would really benefit the Barossa and surrounds. We would have three or four staff members at a time working in this area. Operating hours would be: Drop off between 6.30am-8.30am, and Pickup between 4.30pm-6.30pm, meaning these hours wouldn't clash with our Cafe business opening hours. Also, please note that entry to the Doggy Daycare would be a totally separate entry, down the side of the building. We estimate between five to twenty dogs for daycare per day.

We have already asked about, and organised our waste management plan.

Thank you for taking the time to read our email. Please let us know if you require any other information from us.

We have included a floor plan of the area. Yellow is the cafe area, and pink is the Daycare Area.

We look forward to hearing from you soon.

Kindest regards

Calvin Bacher

From: Coffee With Canines [REDACTED]
Sent: Thursday, 13 March 2025 11:46 AM
To: Calvin Bacher
Cc: [REDACTED]
Subject: [EXTERNAL] 1A Para Road, Tanunda
Attachments: 0233_001.pdf

CAUTION: This Message originated outside your organization. Treat all attachments and hyperlinks with suspicion.

Hi Calvin

Following up on our onsite meeting with you on Wednesday 26th March.

Clarity of Plans

We will attach the amended plans with this email, please advise if you need further information.

As for the roller doors we will install 1.8m high fencing along internally behind the roller doors. Aluminium fencing will be used. 1.8m for external fencing, 1.2m for internal fencing and a bar space of 50mm. These roller doors will not be opened while we have dogs utilizing the facility. They may be opened to allow air flow during end of the day cleaning.

All Hounds On Deck (Doggy Daycare) will consist of 4x different adequately fenced enclosures and a fenced outdoor activity area (as shown on attachment).

Coffee With Canines (Cafe) will have 5x tables which will include up to 4 chairs per table, meaning there would be sitting room for up to 20 people. This will also be a retail space where we will sell dog treats and other dog related merchandise (collars, leads, harnesses etc).

The Cafe and Doggy Day Care will operate independently, At no time will Doggy Daycare patrons be in the Cafe area.

Car parking

*Building A consists of two other tenancies besides our proposed building. Both are open Mon to Fri 8am to 5pm and Sat 8am to 1pm. Radiator shop utilises up to a total of three spaces. Vietnamese shop utilises up to a total of four spaces.

*Building B consists of three tenancies that operate Mon to Fri 8am to 5pm and use up to a total of five spaces during this time. Two tenancies utilise book servicing so minimal vehicles on site, the other is a mobile based business offsite.

This leaves a total of eighteen other shared spaces available on site as well as roadside parking available to us on weekends, with weekends expected to be our busiest times in the Cafe.

There is an entry/exit driveway used by all businesses in the complex, and a separate exit for us specifically for our building which would allow for smooth dropoff/pick up from Doggy Daycare. This will not affect surrounding businesses during the times they are open (varying from 8am -6pm).

Wastewater Management

We don't feel that a wastewater application would apply to us. There will be no food preparation done onsite. We will order prepackaged snacks in, as we do at our current location in Willaston.

There will be no dog grooming onsite, maybe a quick brush before the doggos go home if needed, but definitely no washing or grooming.

Waste Storage and Management

Waste: There will be one waste bin per enclosure, lined with a biodegradable bin liner. These will be emptied daily, several times if needed. These bags will then be put into the Green Waste bins outside, which will also be lined with biodegradable bin liners. Our Green Waste bins (2 in total) will be put out on the kerbside to be emptied. They will be stored behind a locked gate, to the side of the building. The attached plans will show where these will be stored.

Animals off site

No off site walking or activities will ever take place by any staff members ever. The only time the dogs will be off site will be with their parents/owners whilst drop off and pick up times.

Operating Hours

Coffee With Canines and All Hounds On Deck will operate independantly, Proposed opening hours will be:

***All Hounds On Deck:**

Monday - Friday 7.00am until 6.30pm (Dog Daycare)

Drop off time would be:

Drop off between 7.00am and 8.30am

Pickup between 4.30pm and 6.30pm

Saturday 10am until 4pm (Dog Training classes or Birthday Parties)

Sunday 10am until 3pm (Dog Training classes or Birthday Parties)

We have approached Sara Martin from Positively Pawsome Training about some weekend training options.

***Coffee With Canines**

Monday - Saturday 9am until 4pm

Sunday 10am until 4pm

We don't think that these times will impact the opening times of businesses that we share the complex with, or the houses that are near.

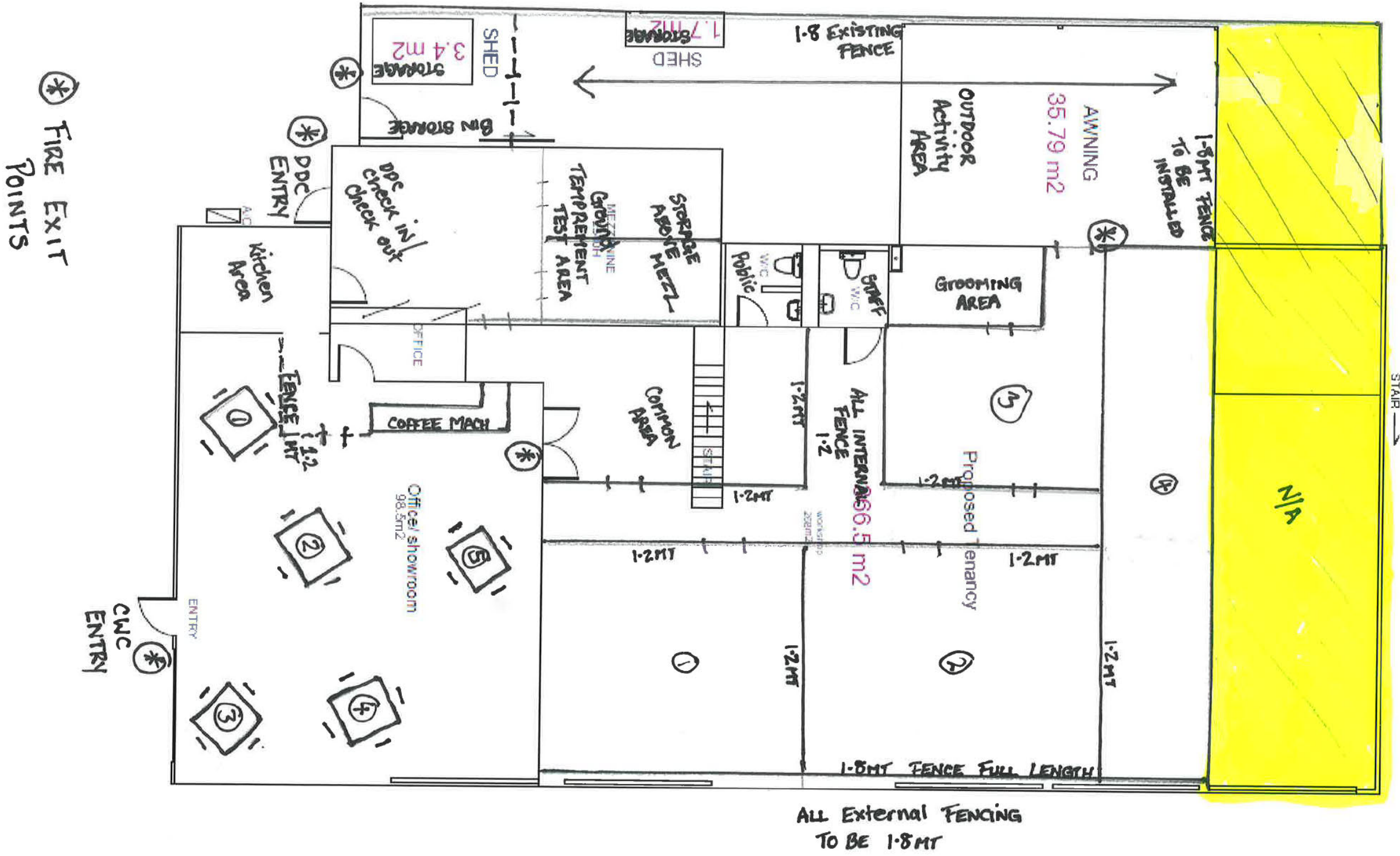
We hope that this has covered everything we need to cover. Please reach out if you need further information.

Kindest regards

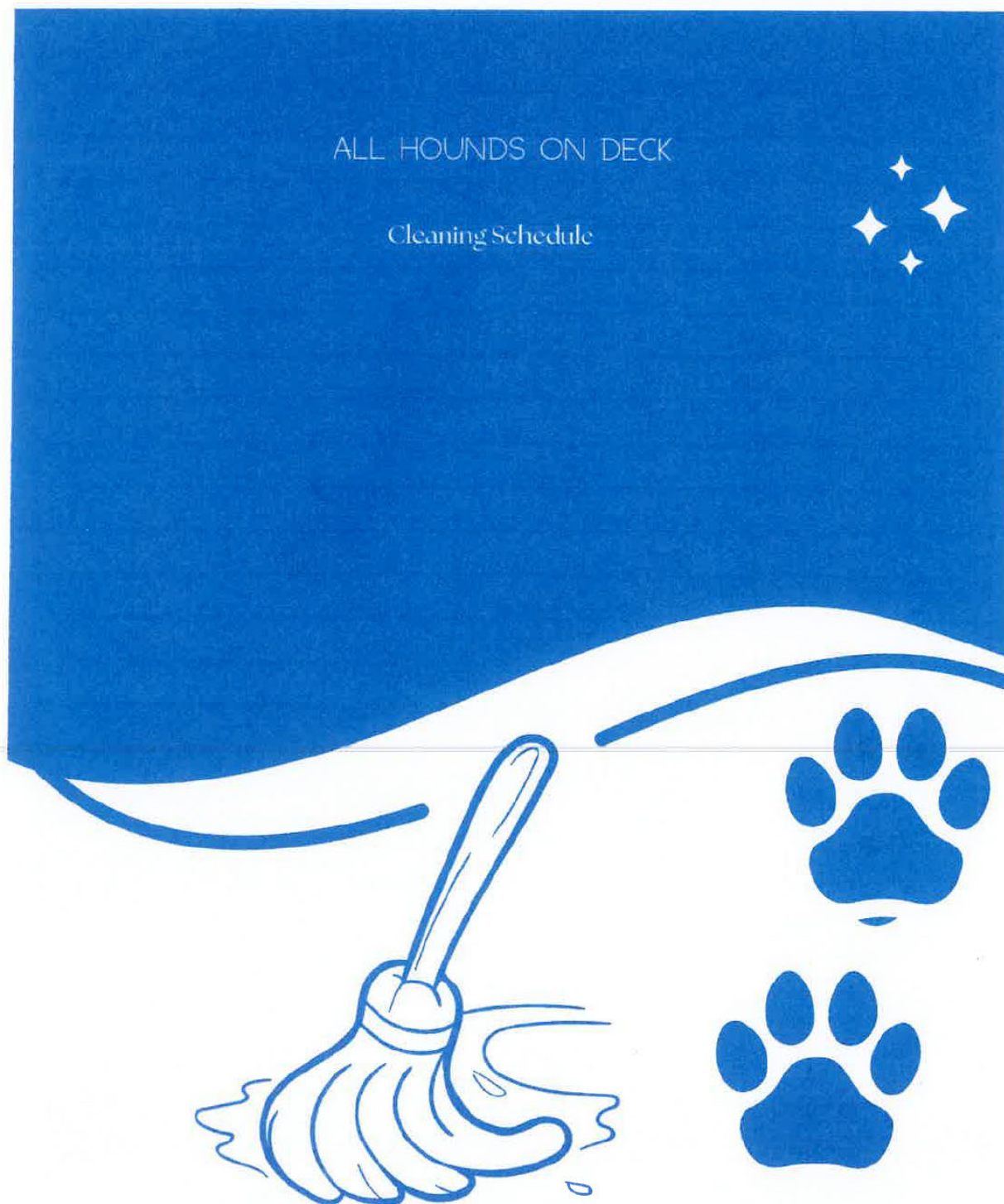
Karen and Sue



 91 Industry Road Eudunda SA 5374	PROJECT No :-	00000	REV.		DESCRIPTION.		DATE.		REV.		DESCRIPTION.		DATE.	PROJECT:
	SCALE :-	1:250												1A PARA RD, TANUNDA SA
	DRAWN :-	D.RICHARDSON												JOB:
	CHECKED :-													PARA RD TENANCIES
	APPROVED:-													DRG No: A000
													REV. -	DATE. 10/08/2023



N/A to our building.



©ALL HOUNDS ON DECK2025

STRATEGIES TO PREVENT CONSTANT BARKING

All dogs bark, it is their way of communicating. We would be lying if we said that there will not be any All Hounds On Deck (AHOD) guest/s that will not bark. There will no doubt be a guest that is overly anxious or frets for his/her parent or a guest who is simply not happy being in a daycare scenario if it is new to them. All of our guests will go through an induction day, where we will evaluate how they will cope in this situation. If we have a doggo who is just not happy, or shows any signs of aggression, or excessive unnecessary barking, then it will be noted that they are not suitable for AHOD. If at anytime we have a guest that is barking excessively for one visit, we would contact their 'pawrent', and try to work out why this is happening, and how or if we can stop this. If excessive barking is deemed to be an issue, we would contact the 'pawrents' and explain that we are unable to have this doggo attend our daycare facility. We are aware that one nuisance barker may become a problem for other doggos attending our facility, ourselves, our staff and also neighbouring businesses.

We expect when our guests are outside having a great time there may be some doggos that will let out a little bark or two, because they are like children in a playground, they are excited. This is how they communicate that they are happy, having fun and excited. But we don't expect this to be excessive barking. We will have times for our guests to be outside engaging in play activities. This WILL NOT be all day, every day, or all of the doggos outside at once. ■ Play time will be in thirty minute blocks and at this stage we are liking at two blocks of outside playtime, one after 10am and one after 12pm. To help prevent excess barking we will be focusing on a particular range of games, activities, puzzles, enrichment activities and games, scent hunts, just to name a few to keep them occupied. As you can understand we are still in the planning stage of such activities, playtime, rest time, scent work etc and new ideas will come along as our business and the doggos progress. They will NEVER be left unattended to be a plain nuisance.

ENRICHMENT GAMES

We will be using enrichment games and activities as they provide mental and physical stimulation, tapping into their natural instincts ie; explore, solve problems and forage. This also helps to prevent boredom, reduces stress, helps improve behaviour and promotes them to be actively engaged with their environment.

PUZZLES AND GAMES

By giving them activities like puzzle toys , scent challenges and enrichment activities, this will challenge their brain helping to maintain mental sharpness, helping to keep calm and to help reduce anxiety, It is also a great way for our staff to bond with and build a trusting relationship with each doggo.

DIFFERENT SESSIONS

Catering for each individual guest will include there session at different times throughout the week, month and year.

Puzzle hour, interactive play with staff and doggo, multi staff and dogs, training sessions teaching new tricks or commands, outside exploration walks, obstacle course, water play and a ball pit.

We are very confident that with our plan for each doggo to have different experiences whilst at AHOD. There will be a staff allocated to each dog area, including fenced enclosures.

We are still finalising our schedule of activities for our business.

IMPACTS OF SURROUNDING BUSINESSES

We do not believe that the noise/s of the nearby carwash will impact any doggos that we have in our care at All Hounds On Deck. As the dogs will be inside the building and occupied at all times, we don't see this being an issue.

Any noise from the neighbouring business Barossa Radiators should not be an issue either. The wall that separates our building from theirs would muffle a lot of the noises out. We understand that their office space backs on to our building, therefore further eliminating any extra workshop noise.

Previously the building was used as a lawnmower/chainsaw repair sales and repair shop, and we don't anticipate that there would be any more noise than what would have been occurring then.

For urine and poo accidents inside our daycare centre. Our procedure is, as soon as a staff member has noticed, if a poo, staff collects it by one of our many scooper poopers, disposes of it in one of our environmentally friendly poo bags, ties the end disposes of it in waste bin. Uses Enzyme Wizard to disinfect the area. If urine, then we clean it up by using paper towelling to soak the urine up, use the Enzyme Wizard by spraying the surface, let stand 5-10 minutes. Wipe area down with a micro fibre cloth to remove the excess product and stain.

For floors, we use the Enviro Wizard sanitiser and protectant. All our buckets in pen areas, indoor play area's shall have a bucket and mop, with Enviro Wizard in the bucket to disinfect floor. Each pen, play area has its own bucket and mop, spray bottle are also available for each pen, play area, as is paper towelling.

Enviro Wizard sanitiser and protectant is an environmentally friendly safe and non toxic high performance surface and floor sanitiser and protectant.

We would have bins in each enclosure, which will be lined with rubbish bin liners. These will be emptied, cleaned and sanitised every day. The rubbish bin liners will then be put outside into the Green Organics Bin (also lined with a bin liner), for emptying each week, and this will also be cleaned and sanitised when emptied.



Urine Stain & Odour Remover Product Information

Enzyme Wizard Urine Stain and Odour Remover is an all-in-one urine remover that does the job on all urine - cat urine, dog urine and human urine.

All urine consists of urea and uric acid crystals. Some general cleaners can remove the water-soluble components of urine (urea) but leave behind the non-soluble uric acid crystals that retain the odour and stain. These crystals attach to surfaces and are very difficult to dislodge. Any humidity or dampness will trigger the dormant crystals bringing back the odour.

Enzyme Wizard Urine Stain and Odour Remover enzymatic formula penetrates the uric acid crystals while removing the urea components, eliminating both the urine stain AND the odour for good.

Enzyme Wizard Stain and Odour Remover contains no harsh or hazardous ingredients, is biodegradable and environmentally friendly and is safe to use around humans and animals.

Enzyme Wizard Urine Stain and Odour Remover is the most economic product of its kind, yet gives you the MOST product!!

- 50% more concentrated than other brands.
- Uses plant based enzymes for faster action.
- Contains a powerful multi – function enzyme formula for immediate results.
- Australian made & environmentally friendly.
- Contains a water-miscible fragrance that evaporates, leaving no residue.
- Specially designed soap-free surfactant to penetrate uric crystals and remove odours.
- pH neutral.

URINE STAIN & ODOUR REMOVER

Safely cleans and deodorises all surfaces including:

tiles, grout, porcelain, carpet, mattresses, synthetic grass.

The enzymes in our Urine Stain & Odour Remover break down stains & odours into their basic elements. Carbon, hydrogen and other elements readily integrate with the environment instead of polluting it. Even mineral buildups like calcium and lime simply fall apart when our enzymes break down the organic 'glue' that holds it in place. Plus, our enzymes completely remove odours, leaving the room smelling fresh and truly clean without strong fragrances.

Complete Ingredients: Water, Enzyme Wizard enzymes blended from plants, surfactant and non-essential oil fragrance.

Material Data Sheet: Available on web site.
www.enzymewizard.com.au

Available in



750mL Spray



5L



10L



20L



Enzymes - Nature's Toughest Cleaner

Urine Stain & Odour Remover

How to Use

Wipe any excess urine or organic mess from the surface.

Spray the surface to be cleaned with Urine Stain & Odour Remover.

If there is a strong odour, let the product stand for 5-10 minutes so as to get to the source of the odour.

Wipe the area down with a micro fibre cloth to remove the excess product and remove the stain.

Important Information

Old stains: when treating an old stain, it is a good idea to wet the stain with a wet sponge so as to soften the stain so that the enzyme can go to work faster.

For any odour on a soft surface, spray the area well so that the enzyme can get to the source. When dealing with odours, multiple applications may be required.

When using the product, it is beneficial to start with clean cloths or mops.

Frequently asked questions

How safe are enzymes?

Enzymes are:

- Biodegradable
- Non-bacterial
- Non-hazardous
- Non-toxic
- Non-corrosive
- Non-flammable

Our enzymes are formulated to be incorporated into water at very low concentration levels and are therefore environmentally safe. All regulated components of our enzymes have been rigorously tested for human safety, biodegradability and aquatic safety.

How quickly will we see the results?

It doesn't happen overnight. A biological process takes time. Enzymes are not an instant answer, but are the lasting answer.

Enzymes will first soften any grease. Odours are treated more quickly - the bacteria in the system will produce odours while decomposing nutrients. Hydrogen Sulphide is the most infamous. Enzymes do not produce foul-smelling compounds. Instead, they use them in their unique metabolic process, thus an advantageous synergistic relationship is formed.

For how long are enzymes active?

Enzymes remain active for seven to ten days. After this time, the product will biodegrade and the residue will consist of carbon dioxide and water.

Is it safe to use around children and animals?

The product is safe for humans, animals and plant life as it contains no harmful chemicals. It is developed entirely from natural products found in our environment.

Enzymes - Nature's Toughest Cleaner

Enzyme Wizard Pty. Ltd.
2/658 South Road, Moorabbin VIC 3189
Sales & Marketing: +61 3 8555 4844
www.enzymewizard.com.au



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2/13/25, 9:20 AM

Mail - Karen French - Outlook

Screenshot_2025-02-05-18-18-06-46_e3...

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Fwd:



CC

<https://outlook.office365.com/mail/inbox/id/AAQkADkzZjFIMzBiLWY4ZDg1NDU2Mi1hZjBhLWM4YTlhZjllNGNmYwAQAIK%2FznDrJJnQdYz%2Fc...> 1/2



Area	Daily Tasks	M	T	W	T	F	S	S
All other area's	Poop Pickup (place in poop bag, dispose into bin) as soon as it's noticed and spray disinfectant and wipe over where poop was. Use environmental bags.	BE VIGILANT ALL DAY, CLEAN UP A.S.A.P AND STERILIZE						
	Empty Waste bin, hose out. Disinfect with Northfork deodoriser/disinfectant.					10 am		
	Sweep outside near doors	5-6 pm	5-6 pm	5-6 pm	5-6 pm	5-6 pm	5-6 pm	5-6 pm
	Sweep/ vacume all pen area's, play area's , general floor area's	AS AREA'S AND PEN. EMPTY FOR THE DAY						
	Mop with disinfectant, then rinse mop, and disinfect mop stand up to air dry							

Disinfectants used at A.H.O.D

We use **NorthFork deodoriser disinfectant**, for our waste bins, surfaces. Used for bathrooms/ wash rooms and garbage waste area's and waste bins. General cleaning for bathrooms/ wash rooms is; 1 cup of product in a bucket of **cold or hot** water. Apply to surface with mop or cloth / sponge, wipe clean with a cloth/sponge. DO NOT rinse.

For surfaces, dilute to 1 part product to 10 part water in spray bottle and spray the area. Wipe clean with cloth / sponge. **Hot or cold** water.

Garbage waste areas /waste bins; 50-50 with **WARM** water in spray bottle, spray area, or inside & outside of bin, allow to dry.

A.H.O.D use environmental friendly poo bags, poo is collected as soon as it is noticed, then placed in environmentally friendly poo bag , then tied and placed in green waste bin, as instructed by waste management



Cleaning Checklist



Area	Daily Tasks	M	T	W	T	F	S	S
Office	Wash dishes and dry up and place away	12pm	12 pm	12 pm	12 pm	12 pm	12 pm	12 pm
	Wash dishes and dry up and place away	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm
	Sweep / vacume , mop floors	5pm	5pm	5pm	5pm	5pm	5pm	5pm
	Wipe down countertops and appliances	5pm	5pm	5pm	5pm	5pm	5pm	5pm
Area	Daily Tasks	M	T	W	T	F	S	S
Bathroom	Clean, disinfect bathroom surfaces (sink, countertop, Toilet)	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm
	Empty and clean bathroom rubbish bin	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm
Area	Daily Tasks	M	T	W	T	F	S	S
CRATED/BED AREA	wipe over crates,beds with sanitised cloth	3pm	3pm	3pm	3pm	3pm	3pm	3pm
	Sweep / Vacume, Clean & Mop with disinfectant	4-6 pm	4-6 pm	4-6 pm	4-6 pm	4-6 pm	4-6 pm	4-6 pm
Area	Daily Tasks	M	T	W	T	F	S	S
Toys, equipment	Clean, wash used enrichment containers	2-3 pm	2-3 pm	2-3 pm	2-3 pm	2-3 pm	2-3 pm	2-3 pm
	Clean play equipment inside /outside	1-3 pm	1-3 pm	1-3 pm	1-3 pm	1-3 pm	1-3 pm	1-3 pm
	Sanitise all play toys used, inside and out	5-6 pm	5-6 pm	5-6 pm	5-6 pm	5-6 pm	5-6 pm	5-6 pm
Area	Daily Tasks	M	T	W	T	F	S	S
All other areas	Wash out all water bowls with detergent and rinse. Ready for filling in the morning.	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm	5.30 pm



Cleaning Checklist



Area	Weekly Tasks	M	T	W	T	F	S	S
Kitchen	Clean the inside of the refrigerator							
	Clean the inside of the Grill/oven							
	Clean microwave interior							
	Wipe down kitchen cabinets doors							
Area	Weekly Tasks	M	T	W	T	F	S	S
Front of Building	Clean outside area, hose down							
Area	Weekly Tasks	M	T	W	T	F	S	S
crate/bed area	Disinfect all equipment, play equipment and toys							
	Clean crates with disinfectant, wash bedding, used towels etc							
	Clean all furniture, disinfect							
Area	Weekly Tasks	M	T	W	T	F	S	S
Office	Update notes on all dogs, activities, enrichments							
	Start planning activities, enrichments, play ideas for the following month							
Area	Weekly Tasks	M	T	W	T	F	S	S
Common Areas	Vacuum under furniture and in corners							
	Damp dust, ensure all toys and equipment are in good safe condition, remove any items of concern for management to check.							



Cleaning Checklist

Area	Monthly Tasks	M	T	W	T	F	S	S
Kitchen	Clean inside / outside of fridge							

Area	Monthly Tasks	M	T	W	T	F	S	S
Front of Building	Clean glass windows inside /out							
	Update Seasonal Signage							

Area	Monthly Tasks	M	T	W	T	F	S	S
crate/bed area	Disinfect all equipment, inside and out							
	Rearrange new play area, increase or decrease items of play. Depending on the season.							
	Disinfect all fencing and pens							

Area	Monthly Tasks	M	T	W	T	F	S	S
Office	Update monthly games / enrichment plan							
	Update Monthly Calendar							
	Order Stock in							

Area	Monthly Tasks	M	T	W	T	F	S	S
Common Areas	Clean any filters.							
	Dust and wipe down light fixtures and ceiling fans							



Surface Sanitiser and Protectant Product Information

EnviroWizard Surface Sanitiser and Protectant is an environmentally friendly, safe and non-toxic, high-performance Surface Sanitiser and Protectant.

- EnviroWizard Surface Sanitiser and Protectant is formulated using safe, organic ingredients that are derived from natural plant extracts and other natural ingredients.
- All of the ingredients in the EnviroWizard Surface Sanitiser and Protectant are GRAS (Generally Recognised as Safe). According to the American Food & Drug Administration (FDA), the GRAS designation indicates that a chemical or substance added to food designated as GRAS is considered safe by experts.
- The product has been tested, proven and certified by laboratories, institutes and government agencies world-wide.

What's innovative about EnviroWizard Surface Sanitiser and Protectant?

- High grade disinfectant that kills **99.9999%** of germs & viruses.
- Has been approved to control the spread and kill Coronavirus (COVID-19).
- Non-drying.
- Hospital grade.

Lightly Fragranced	Biodegradable
Anti-Viral	Anti-Bacterial
pH Balanced	Leave On, or Rinse Off



Surface Sanitiser and Protectant

EnviroWizard Surface Sanitiser and Protectant is a high grade sanitiser that gives protection against germs and viruses. Versatile enough to be used as a leave on, or rinse off.

Complete Ingredients: Water, Enviro Wizard surfactant blend and fragrance, quaternary compounds, mineral salt solution, inert ingredients.

Material Data Sheet: Available on web site.
www.enzymewizard.com.au



Available in



750mL Spray



5L



10L



20L



Powered by



EnviroWizard - The Safer Choice

Enzyme Wizard Pty. Ltd.
2/638 South Road, Moorabbin VIC 3189
Sales & Marketing: +61 3 8655 4844
www.enzymewizard.com.au



**PROUDLY
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Surface Sanitiser and Protectant

Properties

- Clear light liquid
- Mild lemongrass fragrance
- pH 7 – 7.5
- Non hazardous according to Criteria of Work Safe Australia
- Biodegradable
- All ingredients are GRAS (Generally Recognised As Safe – USA Food and Drug Administration)
- Stable

Approvals

HACCP - Hazard Analysis and Critical Control Point - Australia

ChemAlert Registered

AOAC - Association of Official Analytical Chemists - Hospital grade Disinfection

USEPA - United States Environment Protection Agency

MPI - Ministry of Primary Industries – New Zealand

TGA - Approved to kill COVID-19.
ARTG#: 344650

Test Results

Achieves a 4 – 6 log reduction on viruses, bacteria and within 10 minutes. (AOAC Use Dilution Test)

Name	Pathogen		Dilution	Surface		Log Kill	Time	Lab
	Virus	Bacteria		Dirty	Clean			
Feline Calicivirus	•		1:60	•		>6	<10min	Accuratus
Seneca Valley Virus	•		1:60	•		>6	<10min	Accuratus
PRRS	•		1:128	•		>6	<10min	Accuratus
PEDV	•		1:128	•		>6	<10min	Accuratus
Proteus Vulgaris	•		1:60	•		>6	<10min	Accuratus
Escherichia Coli		•	1:60	•	•	>6	<30sec	Accuratus
Staphylococcus Aureus		•	1:60	•		>6	<30sec	Accuratus
Listeria Monocytogenes		•	1:60	•		>6	<10min	Accuratus
Canine Parvovirus	•		1:60			>3	<10min	Eurofins
Salmonella Choleraesuis		•	1:60	•		>6	<10min	Eurofins
Pseudomonas Aeruginosa		•	1:60	•		>6	<10min	Eurofins
Escherichia Coli		•	1:60		•	>6	<30sec	Silliker
Salmonella Choleraesuis		•	1:60		•	>6	<30sec	Silliker
Listeria Monocytogenes		•	1:60		•	>6	<30sec	Silliker
Aspergillus Brasiliensis		•	1:60		•	>6	<30sec	Silliker

Approvals and Certifications

Name	Country	Number/Certifier
HACCP Manufacturer	Australia	2710170734
Sydney University	Australia	H2S / NHS Reduction Test
AQIS Australian Quarantine Inspection Services	Australia / NZ	Kilford & Kilford
USEPA	USA	EPA Reg. No 92376-E
Pipestone Veterinary Services	USA	Dr Scott Dee
Trailer Wash Cleaner / Disinfection	USA	North Dakota State University
ChemAlert Listed	Global	RMT (Risk Management Technology)
World Wide Certification	Global	United Laboratories
Non-Corrosive Substance	Global	Case Labs 830.6320
Non-Oxidizing Substance	Global	Case Labs 830.6314
AOAC Hospital Grade Disinfection	Global	16234172-V2
AOAC Germicidal Spray Test	Global	4 TM002032218.GDST.1
Skin Sensitivity Test	Global	Product Safety Labs OPPTS 870.2500
MPI Ministry of Primary Industries	New Zealand	C27: Animal Stock Wash
MPI Ministry of Primary Industries	New Zealand	C41: Disinfectant
MPI Ministry of Primary Industries	New Zealand	C31: Cleaner
MPI Ministry of Primary Industries	New Zealand	Dairy Maintenance Compound

Enzymes - Nature's Toughest Cleaner

Enzyme Wizard Pty. Ltd.
2/668 South Road, Moorabbin VIC 3189
Sales & Marketing: +61 3 8555 4344
www.enzymewizard.com.au



**PROUDLY
AUSTRALIAN**

Details of Representations

Application Summary

Application ID	24039553
Proposal	Change of use to shop (cafe) and associated animal keeping (dog daycare)
Location	UNIT 1-7 1A PARA RD TANUNDA SA 5352

Representations

Representor 1 - Alexander Worrall

Name	Alexander Worrall
Address	
Submission Date	03/01/2025 02:28 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons We live directly across the road from the proposed development and we have serious concerns about the dog daycare being implemented. We are very concerned about the prospect of loud animal noises all day starting from early in the day from 6:30am every day of the week. This proposed development is very close to existing residential properties like ours and we do not want the noise it would provide. Another concern that we have is any additional faeces/animal smells that may come from having a dog facility so close and how waste management will be conducted adequately.	

Attached Documents

Representations

Representor 2 - Roger Hefford

Name	Roger Hefford
Address	
Submission Date	04/01/2025 10:57 AM
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 sorry that we do not support the development. We live across the road and feel it is not the appropriate area to have a dog day care. We are concerned about the noise of barking dogs, as we do work shift work. We are also concerned about the odour, we feel that a larger property with more outdoor space would be more appropriate. We are concerned that it will not be beneficial to the value of our property, we feel it will devalue our property, having a dog day care across the road. We believe a more commercial area would be more appropriate. We are very sorry as we do have dogs of our own.	

Attached Documents

Representations**Representor 3** - Bethan Firstbrook

Name	Bethan Firstbrook
Address	
Submission Date	16/12/2024 06:09 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
This will be great for the Barossa. 100% agree to this development	

Attached Documents

Representations

Representor 4 - Thomas Bryan

Name	Thomas Bryan
Address	
Submission Date	16/12/2024 06:52 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons I think the application should be granted for a few reasons. It would give people who have pets somewhere to socialise with their pets. It would give the dogs a chance to develop appropriate social skills and potentially help their positive development. The owners would be able to go somewhere they can relax and enjoy the company of other like minded people helping with their own positive social skills and helping with general mental wellbeing. It is hard to find somewhere that pets are welcome! Also small businesses bring in local jobs and with this business I know the owners also use local businesses and products where ever possible	

Attached Documents

Representations

Representor 5 - Lyndal McDonnell

Name	Lyndal McDonnell
Address	
Submission Date	16/12/2024 07:06 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons Sue & Karen have created a wonderful business with Coffee with Canines. I met them thru their business during Covid and are now one of their most regular customers, and happy to call myself a friend. They are kind, caring and considerate people who always operate their cafe in a fun, professional manner. Everyone loves bringing their dogs in to the cafe to enjoy the space they have created. You can even visit without a pet to enjoy other people's pets. Providing another cafe environment for the Barossa region I'm sure will be well received, and with the addition of doggy daycare too. So many people & their dogs will benefit from their services. 100% I believe planning consent should be given to them.	

Attached Documents

Representations

Representor 6 - William Stubbings

Name	William Stubbings
Address	
Submission Date	16/12/2024 07:10 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons As a frequent visitor to the Williston store, I will more and like to take advantage of the shop and day care facility while in the area at Tanunda To look after my dogs while in the area.	

Attached Documents

Representations

Representor 7 - Clare Brecevic

Name	Clare Brecevic
Address	
Submission Date	16/12/2024 07:12 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	

Attached Documents

Representations

Representor 8 - Tania Camwell

Name	Tania Camwell
Address	
Submission Date	16/12/2024 07:57 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons I believe that consent should be granted. I am constantly trying to source reputable care for my beloved dogs. There is definitely a high demand for a better standard of day care for dogs in the Barossa and surrounding areas. Including a shop to buy essential products for dogs is extremely valuable to me as an owner of dogs. Enjoying a coffee and a snack while chatting to other animal lovers is my idea of bliss! The proposed site certainly looks perfect for the purpose of day care for dogs. I perceive this business would be very successful due to being much needed by the community. I am positive that the business would be run in a professional and ethical manner by Sue Brecevic and Karen French. I thoroughly enjoy frequenting their current business in Willaston with my dogs and family.	

Attached Documents

Representations

Representor 9 - Emma Coombes

Name	Emma Coombes
Address	
Submission Date	16/12/2024 08:10 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
I believe that Sue and Karen should be granted as the they show a lot of compassion in there job and there love for animals is zero to none and would love to see there business grow	

Attached Documents

Representations

Representor 10 - Irene Drew

Name	Irene Drew
Address	
Submission Date	16/12/2024 10:11 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
They are amazing business ladies and introducing doggy daycare into Tanunda will be viable to the community	

Attached Documents

Representations

Representor 11 - Emily Drinkwater

Name	Emily Drinkwater
Address	
Submission Date	16/12/2024 10:40 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	

Attached Documents

Representations**Representor 12** - Zac Milton

Name	Zac Milton
Address	
Submission Date	17/12/2024 06:19 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 support the development
Reasons	

Attached Documents

Representations

Representor 13 - Megan Fairey

Name	Megan Fairey
Address	
Submission Date	17/12/2024 06:30 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 support the development
Reasons I think it should be granted because we don't have a doggy day care in Nurioopta, it's a great start for a small business which we should encourage.	

Attached Documents

Representations

Representor 14 - Nicholas Brown

Name	Nicholas Brown
Address	
Submission Date	17/12/2024 07:38 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 support the development
Reasons I know the applicants through their current Canines with Coffee business in Willaston. They are hardworking, very organised, and have studied aspects of caring for dogs. They are always looking to upgrade their skills. I take my puppy there as I know it is a safe environment. I believe this new venture will be a much needed facility and will be well-run.	

Attached Documents

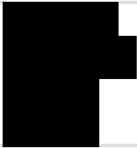
Representations

Representor 15 - Laura Brecevic

Name	Laura Brecevic
Address	
Submission Date	17/12/2024 10:42 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 support the development
Reasons The proposed change of use application would be a valuable addition to the community. Based on the positive impact of the shop in Willaston, both for the local community and dog owners, it would undoubtedly benefit the Barossa region. From my conversations with visitors at the Willaston location, I know that people travel from as far as the southern suburbs of the city, which helps attract more tourists to the Barossa.	

Attached Documents

Representations**Representor 16** - Kelly Phillips

Name	Kelly Phillips
Address	
Submission Date	19/12/2024 05:02 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
Reasons	

Attached Documents

Representations

Representor 17 - Beth ODonnell

Name	Beth ODonnell
Address	
Submission Date	22/12/2024 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?	No
My position is	I support the development
Reasons	

Attached Documents

From: [Coffee With Canines](#)
To: [Marie Thom](#)
Subject: Re: [EXTERNAL] 1A Para Road, Tanunda
Date: Wednesday, 22 January 2025 6:39:45 PM

CAUTION: This Message originated outside your organization. Treat all attachments and hyperlinks with suspicion.

RESPONSE TO REPRESENTATION

In reply to responses regarding our application for 1A Para Road, Tanunda.

Previously the location was used as lawnmower/chainsaw sales and repair shop, and we don't anticipate that there would be anymore noise than what would have been occurring then.

Noise will be kept to a minimum. We have daily activities planned and dogs will NEVER be left unattended to bark or to become a nuisance. Each dog will be assessed to fit the requirements of the facility. If there is a dog that is troublesome and constantly noisy they would not pass the probation stage.

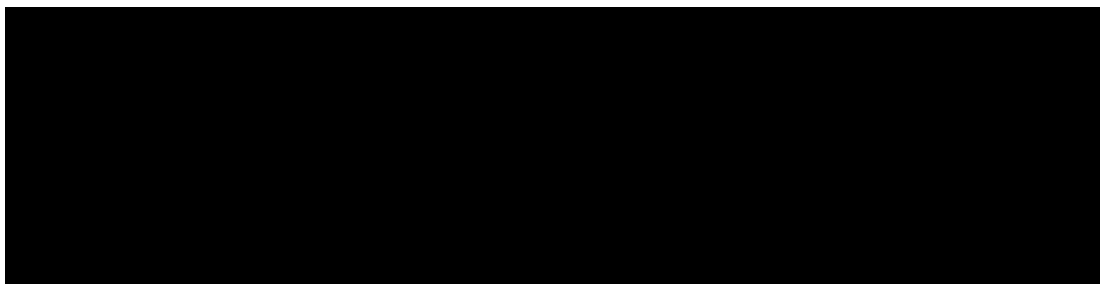
Dog Daycare will be central to the building not on the Para Road side at all, so we believe that noise or odour will not be an issue to the neighbours.

We will be running a cafe from the Para Road side of the building, so the last thing we would allow would be excessive noise or odour.

In reference to the odour concerns/waste management, we have sourced the correct waste management information from NAWMA and will be following their protocols. Daily cleaning routines and procedures will be followed regularly and often. There is a cleaning requirement schedule that has to be followed by the business policy, several times per day, with the correct cleaning products.

We don't think there would be anymore noise or odours than already comes from that area, with other businesses on Para Road.

Kindest regards
Karen and Sue



6.2 25001912 - 13 Elizabeth Street Tanunda

APPLICANT:	Mack Robinson
REPRESENTORS:	Kathy Evans

APPLICATION DETAILS

PROPOSAL	Change of use from dwelling to shared use comprising tourist accommodation (up to six guests) and dwelling
APPLICANT	Mack Robinson
OWNER	Mack Robinson
APPLICATION NO	25001912
CERTIFICATE(S) OF TITLE	CT 5523/886
AREA	699 square metres
CURRENT USE	Residential
PLANNING AND DEVELOPMENT CODE VERSION	Version 2025.2 – 30 January 2025
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Rural Neighbourhood Zone
OVERLAYS	Character Preservation District (Township) Hazards (Bushfire - Urban Interface) Hazards (Flooding - Evidence Required) Native Vegetation Prescribed Water Resources Area Water Protection Area
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified – Sign on Land
REFERRALS	Nil
PREVIOUS APPLICATIONS	960/130/2021 – Construction of a deck attached to the rear of an existing dwelling
ASSESSING OFFICER	Tom Marshall (Senior Assessment Officer Planning)
RECOMMENDATION	That Planning Consent be GRANTED subject to Conditions

INTRODUCTION

The applicant is seeking development approval for a change of use from the existing dwelling to shared use tourist accommodation and dwelling. The tourist accommodation will have a capacity to accommodate up to six guests. No other elements are proposed within the application.

The subject site is located within the Rural Neighbourhood Zone where Tourist Accommodation does not have an applicable Accepted, Deemed to Satisfy or Restricted Pathway. The application was therefore classified as a Performance

Assessed application that was publicly notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016*.

Four representations were received during the public notification period, of which two were opposed and two were in support with concerns. One of the representors has requested to be heard.

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

- (1) A representation has been received as a result of public notification and has 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 use is seeking to provide short-term accommodation to travellers on a commercial basis in accordance with the definition of 'Tourist Accommodation' within Part 7 of the Planning and Design Code. This land use is not specifically listed as an envisaged form of development within the Rural Neighbourhood Zone.

Although the proposal is not directly identified as an envisaged use within the Zone, various forms of complementary non-residential uses are anticipated within the Zone. It is considered the proposed use does not unreasonably impact on the residential character or amenity of the surrounding area and is a compatible non-residential land use that can complement the surrounding rural residential properties, having regard to the low scale of the proposed use and limited potential interface impacts expected to occur.

The proposal is considered to warrant the granting of Planning Consent, subject to conditions.

SITE AND LOCALITY

The subject site comprises the entire property of 13 (lot 5) Elizabeth Street, Tanunda.

The property is an allotment of rectangular shape having an area of 699 square metres. The site has a frontage to Elizabeth Street (17.3 metres wide) with vehicle access obtained via a single width driveway. The site contains an existing single storey detached dwelling with associated garage (under main roof) and carport attached to the front of the garage. The existing dwelling is setback approximately eight metres from the front boundary, demonstrating consistent boundary setbacks with the adjoining dwelling to the west. The overall dwelling presents a generally consistent residential appearance to the streetscape promoted by its extent of existing mature vegetation within the front yard.

The subject site is located within an area primarily used for residential purposes and being at the western periphery of the Tanunda township. The North Para River is located approximately 150 metres west of the site and the site has a view of the North Para River and the floodplain to the rear. The site is located adjacent the Established Neighbourhood Zone located to the south and is approximately 466 metres west of the Tanunda Main Street (Murray Street), located within the Township Main Street Zone.



Figure 3: Aerial – Site marked in yellow outline



Figure 4: Site Photo – Front of property looking east along Elizabeth Street.



Figure 5: Site Photo – Front of property looking west along Elizabeth Street.



Figure 6: Site Photo – Front of property facing west showing driveway and carport.



Figure 7: Site Photo – Front of property of existing forward carport.



Figure 8: Site Photo – Rear decking area facing north.



Figure 9: Site Photo – Rear decking area facing west toward neighbouring property.



Figure 10: Site Photo – Rear decking area facing east toward neighbouring property.

PROPOSAL

The proposal involves a change of use from existing dwelling to shared use comprising tourist accommodation (up to six guests) with the dwelling use also being maintained. There is no signage or building work proposed within this application, other than necessary internal works to meet the National Construction Code for Building Consent.

The application was initially lodged seeking capacity for up to eight persons and was notified on this basis. The application has been amended to reduce the capacity to six persons, in alignment with the response to representations provided by the Applicant.

The change of use will result in the existing dwelling being converted to short term accommodation. The single width driveway to Elizabeth Street will be unchanged for access to the on-site vehicle parking spaces. The building includes four bedrooms (including bedroom four/study), lounge and dining area, living area, kitchen, laundry, bathroom and ensuite and is sought to accommodate a maximum of up to six guests at any one time.

Access to the property is via a lawful existing access point from Elizabeth Street to a single width driveway internal to the subject site. The site includes two covered parking spaces within an existing garage and carport with no further carparking spaces available on-site.

The property is not impacted by any easement or Land Management Agreement.

There are no proposed changes to the existing building with the external appearance and internal configuration being maintained.

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

APPLICATION TYPE

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

The proposed development does not have an applicable Accepted, Deemed to Satisfy or Restricted Pathway, pursuant to Table 1, 2 and 4 of the Rural Neighbourhood Zone. The application is also not specifically listed within Table 3, such that the proposed development does not have a specified list of 'Applicable Policies'. Instead, the application is determined to be 'All Other Code Assessed Development' in accordance with Part 1 – Rules of Interpretation of the Planning and Design Code (Version 2025.2).

PUBLIC NOTIFICATION

The application was subject to public notification in accordance with Table 5 – Procedural Matters – Notification of the Rural Neighbourhood Zone. Tourist Accommodation use is not excluded from public notification due to not being listed within 'Class of Development (Column A)' within Table 5.

A summary of the public notification process is contained below:

Representations: Four representations were received during the public notification period as follows:

- Kathy Evans
- Rainer Kahl
- Maria Knott
- Brant Newman

No late representations were received.

Person wishing to be heard: Of the four representations received, one representor wishes to be heard as follows:

- Kathy Evans

Time period for Public Consultation 10 February 2025 – 28 February 2025

An aerial view showing the representors properties is shown in **Figure 11**.

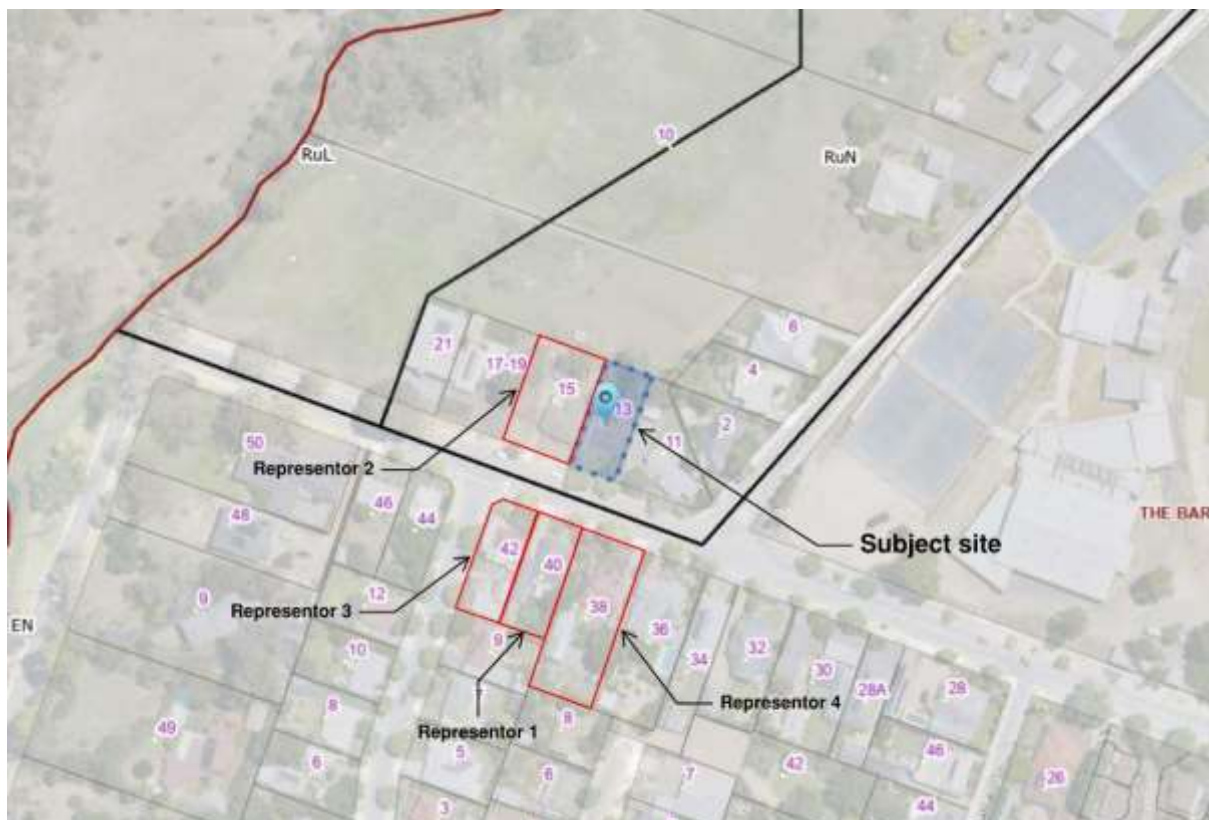


Figure 11: Aerial plan of representor locations

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

Summary of Representations
Representor/s**Applicant's Response****Representor 1****Response to Representor 1**

- Eight guests is too many.
 - Concern for noise generated, especially after 10.00 pm exceeding the EPA requirements.
 - There are existing B&B's nearby that create excessive noise when parties are held. There is also excessive noise from the new football clubrooms when parties/events are held that extend beyond 12.00 am. There is strong concern from local residents of the broader impact to the community. Concerns that Tanunda is becoming a BnB town rather than a connected residential community.
 - The property can only accommodate two cars on the property resulting in street parking impacts for surrounding residents.
- The targeted demographic is one to two couples travelling with children. The expected average is two to four adults and two to four children.
 - Happy to reduce the maximum guest numbers to six.
 - This is not a party house, nor will it be. If any noise nuisance arises, the local authorities, SAPOL will respond.
 - Three off-street parking spaces at the property with approximately 16.5 linear metres of parking area before encroaching on the nature strip.

Representor 2**Response to Representor 2**

- The existing boundary fence does not provide for sufficient privacy or noise reduction with the potential to impact on the comfort and well-being of my household with six to eight guests to be accommodated. We seek that the boundary fence be upgraded to a 1.8 metre tall fence to resolve these concerns.
- We have come to an agreement to address this concern. The low area between the properties shall be isolated via mechanical locking device so that only access from myself and authorised tradespersons is permitted. .

Representor 3**Response to Representor 3**

- Eight guests are too many and could result in a party house with lots of noise. My kids and husband need to sleep for school and work. No issue
- The targeted demographic is one to two couples travelling with children. The expected average is two to four adults and two to four children.

with the proposed use if it were limited to six guests.

- Happy to reduce the maximum guest numbers to six.

Representor 4

- Elizabeth Street is currently a quiet area and we respect each other's privacy with most cars being parked in driveways thereby keeping the streets tidy. Car parking on the street is a concern.
- There are concerns with endless parties/unsupervised teenagers with noisy music and people coming and going through all hours disturbing the peace.
- Vandalism concerns.

Response to Representor 4

- Three off-street parking spaces at the property with approximately 16.5 linear metres of parking area before encroaching on the nature strip.
- This is not a party house, nor will it be. If any noise nuisance arises, the local authorities, SAPOL will respond.

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

There were no internal referrals undertaken in respect to the application.

ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, dated 30 January 2025, Version 2025.2:

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

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

The proposed change of use is of a size, scale and intensity that is reasonable in the context of the subject site. While tourist accommodation is not a use that is listed within DTS/DPF 1.1 of the Rural Neighbourhood Zone, the small-scale nature of the proposed tourist accommodation, the characteristics of the locality (being primarily residential) and that no changes are proposed to the exterior of the building mean

the proposed development is not in material conflict with the provisions of the Neighbourhood Zone.

Character Preservation (Barossa Valley) Act 2012

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

The proposal will not diminish the visual amenity of the township landscape and will maintain the character attributes of the district by ensuring the ongoing preservation of the existing building with no physical building alterations sought.

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

Rural Neighbourhood Zone	
Desired Outcomes	
DO1	<i>Housing on large allotments in a spacious rural setting, often together with large outbuildings. Easy access and parking for cars. Considerable space for trees and other vegetation around buildings, as well as on-site wastewater treatment where necessary. Limited goods, services and facilities that enhance rather than compromise rural residential amenity.</i>
Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 <i>Predominantly residential development with complementary ancillary non-residential uses compatible with a spacious and peaceful lifestyle for individual households.</i>	DTS/DPF 1.1 <i>Development comprises one or more of the following:</i> (a) Ancillary accommodation (b) Child care facility (c) Consulting room (d) Detached dwelling (e) Office (f) Outbuilding (g) Recreation area (h) Shop
PO 1.2 <i>Commercial activities improve community access to services are of a scale and type to maintain residential amenity.</i>	DTS/DPF 1.2 <i>A shop, consulting room or office (or any combination thereof) satisfies any one of the following:</i> (a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied: (i) does not exceed 50 sqm gross leasable floor area.

	(ii) does not involve the display of goods in a window or about the dwelling or its curtilage. (b) it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following: (i) the building is a State or Local Heritage Place. (ii) is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes.
PO 1.3 Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.	DTS/DPF 1.3 None are applicable.
PO 1.4 Non-residential development is located and designed to improve community accessibility to services, primarily in the form of: (a) small-scale commercial uses such as offices, shops and consulting rooms. (b) community services such as educational facilities, community centres, places of worship, child care facilities and other health and welfare services. (c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities (d) open space and recreation facilities.	DTS/DPF 1.4 None are applicable.

The proposed use is not directly identified within DTS/DPF 1.1 as an envisaged form of development within the Rural Neighbourhood Zone.

To determine the suitability of the proposed use, consideration to the intent of Performance Outcome (PO) 1.1 and DTS/DPF 1.1 is required. PO 1.1 seeks predominantly residential development with complementary non-residential activities that support an active, convenient and walkable neighbourhood.

The proposed development seeks to encourage complementary commercial use by introducing short term commercial accommodation in addition to the existing residential use. This change is considered to satisfy PO 1.1. The non-residential uses envisaged within DTS/DPF 1.1 (i.e. consulting room, office, shop etc) are uses that may have greater level of impact upon the existing residential use than the proposed Tourist Accommodation, which seeks to utilise the existing dwelling. In this way, it is considered that the proposal will not compromise the character and amenity of the neighbouring, thereby aligning with Desired Outcome (DO) 1.

It is difficult to draw connection to PO 1.2 in that the proposed commercial use does not directly improve community access to services, although this PO does highlight amenity impacts. The proposal is of a scale that is likely to maintain residential amenity due to being an accommodation use with limited potential parking impacts on the surrounding road network with two on-site parking spaces being provided. The

proposal also provides two on-site car parking spaces for the three bedrooms planned to be used for tourist accommodation. While this results in a shortfall of one car parking space, it is considered that the third car parking space can be accommodated within the street, noting the ample street frontages in this locality.

The application does not directly achieve PO 1.3 as the proposed use is not directly related to community services. However, as discussed above, the intended use is considered to be reasonably consistent with the intended form of development within the zone when considering the desired residential amenity and character of the neighbourhood and has a similar or lesser impact to such uses.

The intent of PO 1.4 seeks to protect the residential character and amenity of the neighbourhood from non-residential land uses. The proposal does not propose visual alterations of the existing dwelling thereby maintaining the building's existing contribution to the residential character through the retained appearance of the dwelling frontage. The amenity of the neighbourhood can be maintained through the low scale of the proposed use, the provision of the on-site parking and through general management of the use by the landlord or their agent. General law enforcement routes by SAPOL (should the guests create amenity impacts such as noise etc) remain applicable in the same way as other residential properties.

Character Preservation District Overlay

<i>Character Preservation District Overlay (Township)</i>	
Desired Outcomes	
DO1	<i>Recognise, protect and enhance the special character of Character Preservation Districts.</i>
DO2	<i>The long term use of land outside of townships for primary production and associated value adding enterprises is assured and promoted.</i>
Relevant Performance Outcomes/Designated Performance Features	
Built Form and Character	
PO 2.1 <i>Development occurring at the edge of townships is sympathetic to the rural landscape and reinforces a clear transition between townships and rural landscape through measures including:</i> <i>(a) being of a low scale.</i> <i>(b) orientating residential development towards the rural area.</i> <i>(c) ensuring visual separation from the rural area through landscaping and road reserves.</i>	DTS/DPF 2.1 <i>None are applicable.</i>
PO 2.2 <i>Development contributes to and maintains the historic identity and character of townships through appropriate:</i> <i>(a) form</i> <i>(b) scale</i> <i>(c) siting</i> <i>(d) design</i> <i>(e) landscaping.</i>	DTS/DPF 2.2 <i>None are applicable.</i>
PO 2.3 <i>Adaptive re-use of rural structures and historic</i>	DTS/DPF 2.3 <i>None are applicable.</i>

and/or character buildings supports their preservation and ongoing contribution to the landscape.	
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The subject site is located within the Tanunda township boundary, having a separation distance of approximately 142 metres (north-west) from the nearest rural area identified within the *Character Preservation (Barossa Valley) Act 2012*. The site is separated from the rural area by other rural-residential properties and is not considered to be located at or on the edge of the township. Therefore, PO 2.1 is not considered to be impacted.

As mentioned earlier, the proposal does not seek to alter any of the existing built form or undertake any alterations to the site. The existing building, driveways, fences and landscaping areas are all not proposed to be altered within this application. The proposal is therefore considered to be in alignment with PO 2.2.

The building is not of significant historic or character value when considered on its own, however this established building does make some positive contribution to the streetscape and township character. This application will retain the existing building, such that the existing contribution to the streetscape is unchanged.

In summary, the proposal is considered to satisfy key provisions within the Character Preservation District Overlay.

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	
PO1.1 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. 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'.
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No native vegetation clearance is required as part of this application. Therefore, PO 1.1 is achieved.

Clearance from Overhead Powerlines

General Development Policies	
Clearance from Overhead Powerlines	
Desired Outcomes	
DO1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.
Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

The applicant has provided an electricity declaration such that PO 1.1 is achieved.

Design

Design	
Desired Outcomes	
DO1	Development is: (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area. (b) durable - fit for purpose, adaptable and long lasting. (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors. (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.
Relevant Performance Outcomes/Designated Performance Features	
All Development	
Safety	
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.

The existing vehicle access point from Elizabeth Street to the property will be maintained, noting the existing internal driveway and hardstand will be utilised for

guests vehicles staying at the site. There are no concerns with regard to direct access or the safety of this access point, thereby supporting the intent of PO 2.3.

Infrastructure and Renewable Energy Facilities

Infrastructure and Renewable Energy Facilities	
Desired Outcomes	
DO1	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	
General	
PO1.1 Development is located and designed to minimise hazard or nuisance to adjacent development and land uses.	DTS/DPF 1.1 None are applicable.
Water Supply	
PO 11.1 Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.	DTS/DPF 11.1 Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.
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.

The proposed development will involve reuse of an existing dwelling that achieves typical dwelling boundary setbacks. The proposed use is short-term accommodation to guests on a commercial basis in addition to maintaining the existing dwelling use. It is not expected that existing facilities servicing the building such as air conditioning will create hazard or nuisance for neighbouring properties, noting that accommodation will continue, albeit in the nature of short term accommodation in addition to existing residential use.

The existing water supply and waste control system will be maintained and are considered to be suitable to service the land use for the number of occupants expected. Given the number of occupants at the site will not exceed six, the proposal will not exceed the capacity of the existing septic tank on the site or increase loads into the Tanunda CWMS. This was one of the reasons for reducing the capacity of the tourist accommodation use from eight to six persons.

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 to accommodate sensitive receivers is designed to minimise adverse impacts.	DTS/DPF 2.1 None are applicable.

The proposed land use is not expected to adversely impact on adjoining sensitive receivers (dwellings) having regard to the nature of use proposed in form of short-term accommodation.

The use itself is not expected to give rise to nuisance impacts. Issues associated with behaviour of the guests are not considered to be materially relevant to the applicable policy and are ongoing management issues that would need to be resolved by the landlord or their agent. The applicant has advised in their response to representations that they do not wish for the property to be used as a 'party house'. These matters are also able to be addressed by SAPOL in the same way as other residential properties. Possible nuisance impacts are not expected to be any different to the ordinary occupation of an existing dwelling within a Neighbourhood Zone. DO1 is considered to be achieved.

Transport, Access and 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	
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/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 6m of an intersection of two or more roads or a pedestrian activated crossing.
PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.	DTS/DPF 3.5 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. (b) where newly proposed, is set back: i. 0.5 metres or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner. ii. Two metres or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance. iii. Six metres or more from the tangent point of an intersection of two or more roads. iv. outside of the marked lines or infrastructure dedicating a pedestrian 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.	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. (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Vehicle Parking Areas	
PO 6.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive	DTS/DPF 6.2 None are applicable.

receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.	
--	--

Table 1 - General Off-Street Car Parking Requirements
Vehicle Parking Rates

Tourist accommodation other than a caravan and tourist park	One car parking space per accommodation unit/guest room.
---	--

The proposed development will be accessed via an existing lawful access point to Elizabeth Street, thereby satisfying both PO 3.1 and 3.5.

The property consists of flat areas of hardstand with the driveway being of gradual slope, thereby providing the potential for disability access. Confirmation of any requirement to this regard are considered within the assessment of the Building Consent, which shall follow if Planning Consent is granted.

The proposal seeks to utilise three existing bedrooms for accommodation, meaning the site should be served by three vehicle spaces. The parking rates do not require these spaces to be covered. The subject site can accommodate two parking spaces completely on-site within the existing garage and carport. The end of the carport is two metres from the front boundary, meaning a third car parking space could be accommodated if overhanging over the road reserve. Even though there is no footpath on this side of the road, this additional space does not constitute a lawful vehicle parking space and could not therefore be relied upon in terms of parking assessment. Rather, parking of this vehicle on-street would be the authorised means of accommodating a third vehicle.

The single vehicle parking space shortfall is proposed to be accommodated on-street. Given the large frontage of the subject site, that is capable of accommodating two vehicles, the wide street width (12 metres) and the minimal conflict with existing vehicle access points on the street, it is considered there is sufficient spacing on-street to accommodate the shortfall. The width of Elizabeth Street allows for a vehicle to pass by a parked vehicle lawfully without concern. Additionally, the inclusion of additional parking space on-site would impact existing established vegetation that is proposed to be retained to maintain visual amenity of the site. Removal of the vegetation to accommodate for additional on-site car parking is not desired.

In summary, PO 5.1 is considered to be achieved.

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)

The proposal does not seek land division or the creation of a road.

Hazards (Flooding - Evidence Required)

The proposal does not propose any alterations to the existing floor level or drainage system.

Prescribed Water Resources Area

The proposed use is serviced by mains water and will not impact surface water, watercourses or wells.

Water Protection Area

The proposal does not involve activities with the potential to harm or impact upon water supply.

CONCLUSION

The proposal involves the “*Change of use from dwelling to shared use comprising tourist accommodation (up to 6 guests) and dwelling*” at 13 Elizabeth Street, Tanunda.

The application was subject to Performance Assessment and public notification. The application was notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and was subject to receipt of four representations, two in objection and two in support with concerns. One representor wishes to be heard in support of their representation.

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

The proposal is considered to be reasonably consistent with the Desired Outcome and Performance Outcomes of the Rural Neighbourhood Zone whilst also achieving the further requirements identified within the *Planning and Design Code* as they apply to the subject site.

Whilst the proposed land use is not directly identified as an envisaged use, it is considered that the proposed use does not unreasonably impact on the residential character or amenity of the surrounding area, through utilising the existing dwelling on the site for the use. The land use is also considered to be a compatible non-residential land use that is complementary to the surrounding residential properties.

With the consideration to the assessment within this report, this application warrants Planning Consent being granted, subject to 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. 25001912 by Mack Robinson for "Change of Use from dwelling to shared use comprising tourist accommodation (up to 8 guests) and dwelling" at 13 Elizabeth Street, Tanunda (CT 5523/886) subject to the following conditions and advisory notes:

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 25001912 except where varied by any condition(s) listed below.
- (2) Prior to occupation, the building authorised herein shall be connected and remain connected to an approved wastewater system.
- (3) No more than six guests shall be accommodated within the Tourist Accommodation facility at any one time.

Advisory Notes

- (1) The applicant is reminded of the requirements of the Short Term Holiday Rental Accommodation Bill 2021 through the operation of the tourist accommodation use.
- (2) 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.
- (3) 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.
- (4) 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).
- (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) Appeal rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

- (8) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (9) The applicant is advised that this consent does not permit anyone to clear, remove limbs or trim native vegetation. Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the *Native Vegetation Act 1991*, <https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide>. Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

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

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

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

13 ELIZABETH ST TANUNDA SA 5352

Title Ref

CT 5523/886

Plan Parcel

D5973 AL5

Additional Location Information**Council**

THE BAROSSA COUNCIL

Zone Overlays

Zones

- Rural 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 Site Area (Minimum site area is 2,000 sqm)
- Maximum Building Height (Levels) (Maximum building height is 1 level)

Application Contacts

Applicant(s)

Stakeholder info

Mr Mack Robinson



Contact

Stakeholder info

Mr Mack Robinson



[REDACTED]

Invoice Contact

Stakeholder info

Mr Mack Robinson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Land owners

Stakeholder info

Mr Mack Robinson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Nature Of Development

Nature of development

RESIDENTIAL SHORT TERM ACCOMODATION

Development Details

Current Use

RESIDENTIAL

Proposed Use

RESIDENTIAL SHORT TERM ACCOMODATION

Development Cost

\$1.00

Proposed Development Details

RESIDENTIAL SHORT TERM ACCOMODATION

Element Details

You have selected the following elements

Change of use - \$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?

Unsure

Consent Details

Consent list:

- Planning Consent
- Building Consent

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

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at The Barossa Council

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

Applicant

Building Consent

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

No

Apply Now?

Yes

Who should assess your building consent?

The Barossa Council

Has a builder been engaged for the proposed development?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent
2. Building Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

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

Native Vegetation Declaration

No report or declaration supplied with this application.

Submission Declaration

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

Documents

Document	Document Type	Date Created
13 Elizabeth Street Tanunda SUPPORT DOCS.pdf	Certificate of Title	25 Jan 2025 11:36 AM
13 ELIZABETH STREET TANUNDA.pdf	All application documentation	25 Jan 2025 11:36 AM
13 ELIZABETH SITE PLAN.pdf	Site Plans	25 Jan 2025 11:36 AM
13 ELIZABETH FLOORPLAN.pdf	Floor Plans	25 Jan 2025 11:36 AM

Application Created User and Date/Time

Created User

mack.robinson

Created Date/Time

25 Jan 2025 11:36 AM



REAL PROPERTY ACT, 1886



South Australia

Product	Register Search (CT 5523/886)
Date/Time	21/11/2024 02:19PM
Customer Reference	RS-Cirillo
Order ID	20241121007740



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

Certificate of Title - Volume 5523 Folio 886

Parent Title(s)	CT 2932/32		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	16/04/1998	Edition 3	Edition Issued 02/12/2011

Estate Type

FEE SIMPLE

Registered Proprietor

MARCO FILIPPO CIRILLO
ANNIKA LIJA LEHMANN
OF 13 ELIZABETH STREET TANUNDA SA 5352
AS JOINT TENANTS

Description of Land

ALLOTMENT 5 DEPOSITED PLAN 5973
IN THE AREA NAMED TANUNDA
HUNDRED OF MOOROOOROO

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11660666	MORTGAGE TO WESTPAC BANKING CORPORATION

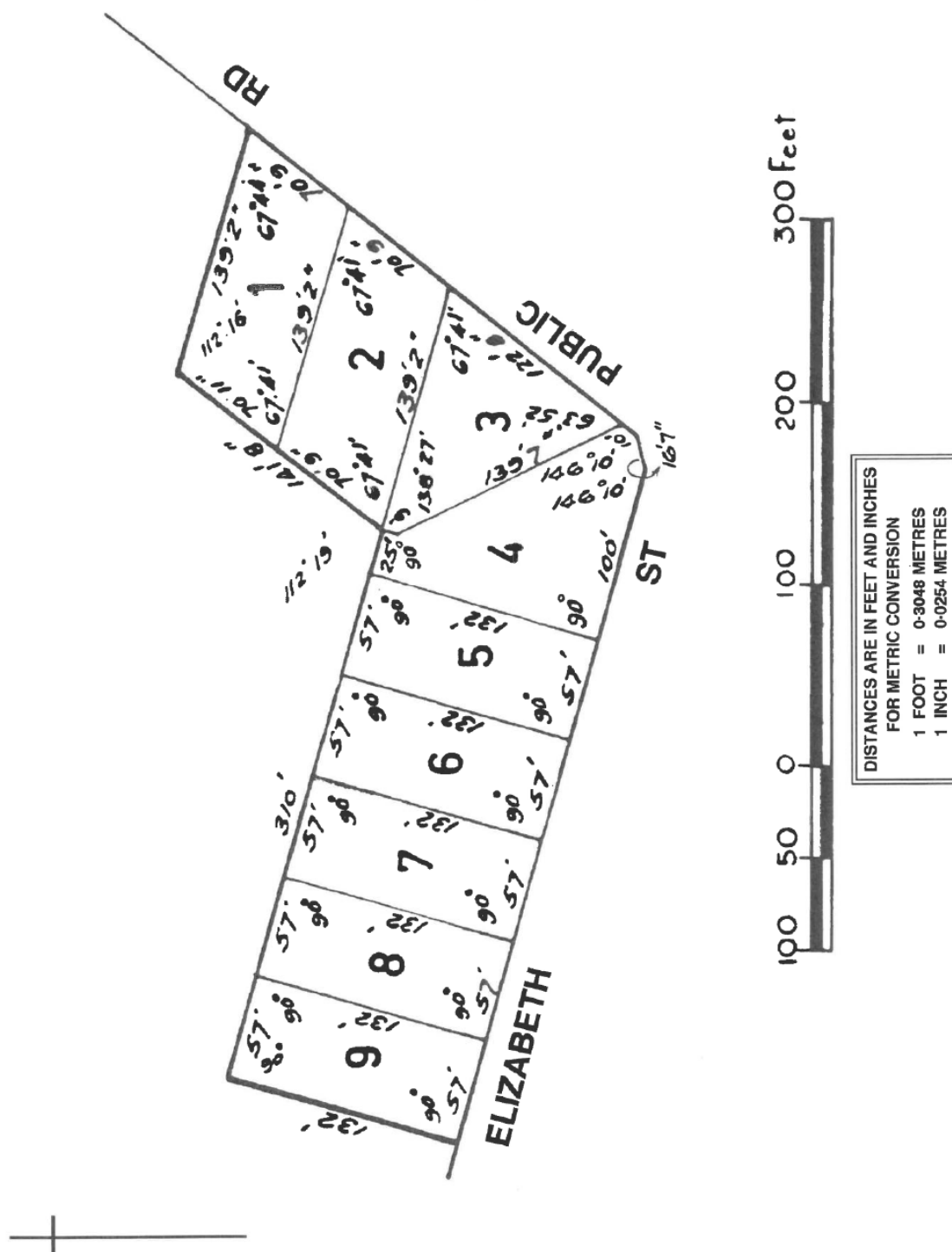
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product	Date/Time	Customer Reference	Order ID
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Register Search (CT 5523/886)
21/11/2024 02:15PM
RS-Cirillo
20241121007740



13 ELIZABETH STREET TANUNDA

SHORT TERM ACCOMODATION PROPOSAL



OBJECTIVE

- PROVIDE QUALITY ATTRACTIVE ACCOMODATION, IN THE HEART OF THE BAROSSA INLINE WITH BAROSSA VALLEY TOURISM AESTETIC.
- MUTUALLY BENEFIT BAROSSA VALLEY SMALL BUSINESS. INCLUDING BUT CERTAINLY NOT LIMITED TO BUSINESSES IN CLOSE PROXIMITY, WALKING DISTANCE TO TANUNDA CAFES AND RESTAURANTS.

PROPERTY PARTICULARS

- 4 BEDROOM 2 BATHROOM DWELLING (ENSUITE + COMMON BATHROOM)
- DECK AT REAR OF DWELLING OVERLOOKING NORTH PARA RIVER
- UNDERCOVER PARKING FOR TWO SMALL / MEDIUM VEHICLES ON PROPERTY
- NO POOL OR SPA
- NO RAINWATER SUPPLIED TO DWELLING
- NO POOL OR SPA
- NO FOOD OR DRINK TO BE SUPPLIED

OCCUPANTS

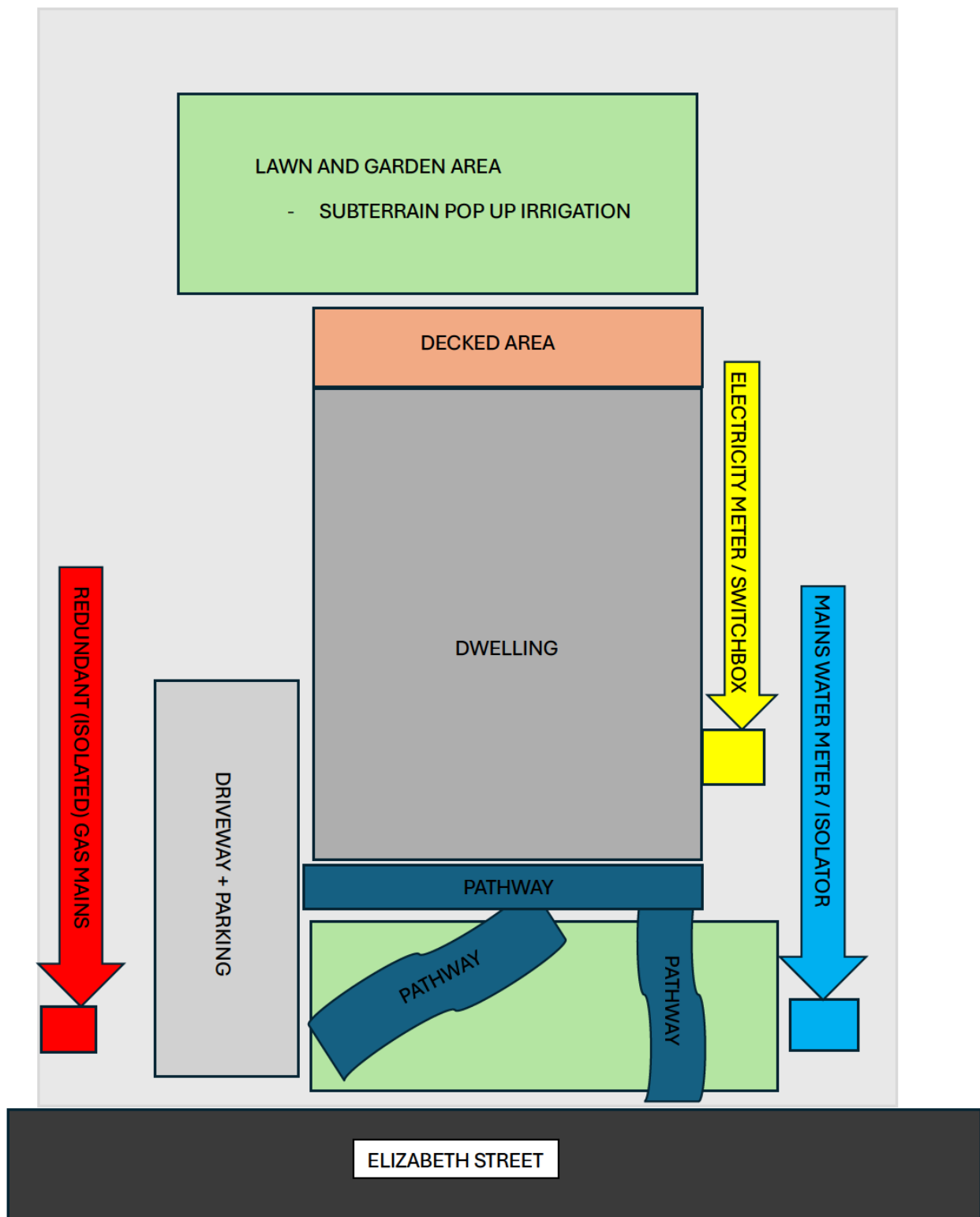
- EXPECTED DEMOGRAPHIC SMALL FAMILIES AND COUPLES TRAVELING IN UNISON
- TOTTALLING 6 – 8 INDIVIDUALS

FLOORPLAN

13 Elizabeth Street
Tanunda

HOMBURG





13 Elizabeth Street
Tanunda

HOMBURG



Living:	180.73SQ.M
Deck & Porch:	41.40SQ.M
Shed:	10.40SQ.M
Carport:	21.53SQ.M
TOTAL:	254.06SQ.M

This Drawing is for illustration purposes only. All measurements are internal and approximate. Details intended to be relied upon should be independently verified.

Details of Representations

Application Summary

Application ID	25001912
Proposal	Change of use from dwelling to shared use comprising tourist accommodation (up to 8 guests) and dwelling
Location	13 ELIZABETH ST TANUNDA SA 5352

Representations

Representor 1 - Kathy Evans

Name	Kathy Evans
Address	
Submission Date	22/02/2025 12:42 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 believe the planning consent should be refused based on the number of persons being that of 8 in the proposed development. Living directly across the road from this dwelling, I am very concerned about the level of noise that will be generated by this number of tourists occupying this dwelling concurrently, particularly at night after 10pm, and this level of noise exceeding the EPA. My other main concern relates to that of street parking, as there is not enough room on the dwelling site to accommodate more than two cars, meaning street parking for surrounding residents will be impeded. There is an existing Air BnB within 50m of the proposed development, together with another large Air BnB nearby at 40 Maria Street, which generates an excessive amount of noise when it is occupied and parties are held. There is also an excessive amount of noise that emanates from the newly rebuilt football clubrooms whenever there are parties/events held there, that extends beyond 12pm. From discussion with others, I know there is strong concern by many local residents of the broader impact upon the community, worried that Tanunda is becoming an Air BnB town rather than a residential, cohesive and connected community.

Attached Documents

Representations

Representor 2 - Rainer Kahl

Name	Rainer Kahl
Address	
Submission Date	28/02/2025 12:52 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

Reasons

I am writing to express that I have no concerns with the application other than the existing boundary fence. Currently, the fence at its lowest point is only 900mm high and is located on the side of my house where my bedrooms and bathrooms are situated. Unfortunately, this height does not provide sufficient privacy or noise reduction, which has the potential to directly impact the comfort and well-being of my household, particularly with the possibility of 6-8 guests in the new accommodation. In light of this, I respectfully request that the applicant take responsibility for replacing the existing fence with a 1.8-metre-high Good Neighbour Woodland Grey fence. This upgrade would significantly improve privacy and help mitigate noise concerns, ensuring a more comfortable living environment for both my household and the guests at the new accommodation. Thank you for your understanding and consideration of this matter. I look forward to your response.

Attached Documents

thumbnail_IMG_1757-1478017.jpg
thumbnail_IMG_1756-1478018.jpg





Representations

Representor 3 - Maria Knott

Name	Maria Knott
Address	[REDACTED]
Submission Date	28/02/2025 05:55 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns
Reasons I believe the amount of guests that have been presented are to many. House with 8 guests could very likely become a party house with lots of noise. I have children who go to school and need sleep, as does my husband for work. I have no issue with the house being used as an air bnb but for 6 not 8 would make me feel more secure about the noise level and less party vibe. Thank you.	

Attached Documents

Representations

Representor 4 - Brant Newman

Name	Brant Newman
Address	
Submission Date	28/02/2025 07:18 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 Currently Elizabeth Street and surroundings is a quiet area. Everyone respects each other's privacy. Majority of neighbours park their own driveways and streets are tidy. Our concerns are (should no 13 turn into tourist accommodation); Where is Eeveryone going to park? Particularly is at full capacity. Is the dwelling going to have a noise curfew? Will there be endless parties/unsupervised teenagers with noisy music. Will there be people.coming and going through all hours and disturbing the peace. Vandalism is another concern. Personally we're against this proposal.	

Attached Documents

13 Elizabeth Street Response to Representation

Representation

- Noise
- Street parking
- Number of guests
- 13 to 15 Elizabeth Street dividing fence

Response

- Noise

I agree noise can be a concern when discussing Short-Term Accommodation. The targeted demographic is not expected to be the noisy type. Furthermore the property will not be a “Party house” The targeted guest is one potentially two couples travelling in unison potentially with children i.e. 4 Adults potential 2 children.

This is **NOT** a party house, nor will it be.

If any noise or nuisance issues arise, I suggest to all my neighbours to follow the detail outlined by the EPA, Barossa Council, AirBNB and the like, call the local authorised officer being SAPOL on 131 444.

Also, the amount of flora present at the property and area will assist in baffling potential noise.

- Street parking

There is adequate off-street parking for 3 medium sized vehicles at the property. Approximately 16.5 linear meters of parking area before encroaching on the nature strip. The minimum accepted standard carpark size is 5m x 2m as there is no actual Australian standard available.

- Number of guests

I am more than happy to reduce the maximum guest number to 6, to reiterate I am not expecting, nor do I want to have 6 plus adults staying at the property at any one time.

A maximum number is just that a maximum.

The expected average to occupants

- 2 – 4 adults plus a potential 2 – 4 children

- 13 to 15 Elizabeth Street dividing fence

Rainer and I have come to an agreement regarding the fence, the low area of concern immediately adjacent to both dwellings shall be immediately isolated via mechanical locking devices at both gates until such time replacement fence is required. Access to this area only be gained by myself and authorized tradespersons.

6.3 25000149 - 9 Edward Street Tanunda

APPLICANT:	Sheila Sharma
REPRESENTORS:	Christie Schulz

APPLICATION DETAILS

PROPOSAL	Change of use from dwelling to tourist accommodation (up to six guests)
APPLICANT	Sheila Sharma
OWNER	Sheila Sharma
APPLICATION NO	25000149
CERTIFICATE(S) OF TITLE	CT 5711/701
AREA	564 square metres
CURRENT USE	Residential
PLANNING AND DEVELOPMENT CODE VERSION	Version 2024.23 – 19 December 2024
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Neighbourhood Zone
OVERLAYS	Character Preservation District (Township) Hazards (Bushfire - Urban Interface) Hazards (Flooding - Evidence Required) Native Vegetation Prescribed Water Resources Area Traffic Generating Development Water Protection Area
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified – Sign on land
REFERRALS	Nil
PREVIOUS APPLICATIONS	960/30/1997 – Land Division 960/183/1998 – Dwelling Construction 960/581/1999 - Verandah
ASSESSING OFFICER	Tom Marshall (Senior Assessment Officer Planning)
RECOMMENDATION	That Planning Consent be GRANTED subject to Conditions

INTRODUCTION

The applicant is seeking development approval for a change of use from the existing dwelling to tourist accommodation with the capacity to accommodate up to six guests. No other elements are proposed within the application.

The subject site is located within the Neighbourhood Zone where Tourist Accommodation does not have an applicable Accepted, Deemed to Satisfy or Restricted Pathway. The application was therefore classified as a Performance

Assessed – Code assessed application that was publicly notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016*.

Five representations were received during the public notification period, of which four were opposed and one in support with concerns. One of the representors has requested to be heard in support of their submission to the Assessment Panel.

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 at least one of 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 use is seeking to provide short-term accommodation to travellers on a commercial basis in accordance with the definition of 'Tourist Accommodation' within Part 7 of the Planning and Design Code. This land use is not specifically listed as an envisaged form of development within the Neighbourhood Zone.

Although the proposal is not directly identified as an envisaged use within the Zone, various forms of complementary non-residential uses are anticipated within the Zone. It is considered the proposed use does not unreasonably impact on the residential character or amenity of the surrounding area and is a compatible non-residential land use that can complement the surrounding residential properties, having regard to the low scale of the proposed use and limited potential interface impacts expected to occur.

The proposal is considered to warrant the granting of Planning Consent, subject to conditions.

SITE AND LOCALITY

The subject site comprises the entire property of 9 (lot 43) Edward Street, Tanunda.

The property is an allotment of triangular shape consisting of 564 square metres in area with one public road frontage to Edward Street (37 metres wide). Vehicle access is obtained via a single width driveway to Edward Street. The site contains an existing single storey detached dwelling with associated carport (under main roof). The existing dwelling is setback approximately six metres into the property, thus demonstrating consistent boundary setbacks with the adjoining property to the west. The overall dwelling presents a generally consistent residential appearance to the streetscape.

The subject site is located adjoining the zone boundary to the Established Neighbourhood Zone and Township Main Street Zone to the north and north-west. The site is approximately 80 metres south-east of the Tanunda Main Street (Murray Street). The surrounding land uses are primarily residential. Commercial uses are located within proximity to the north that face Murray Street.

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

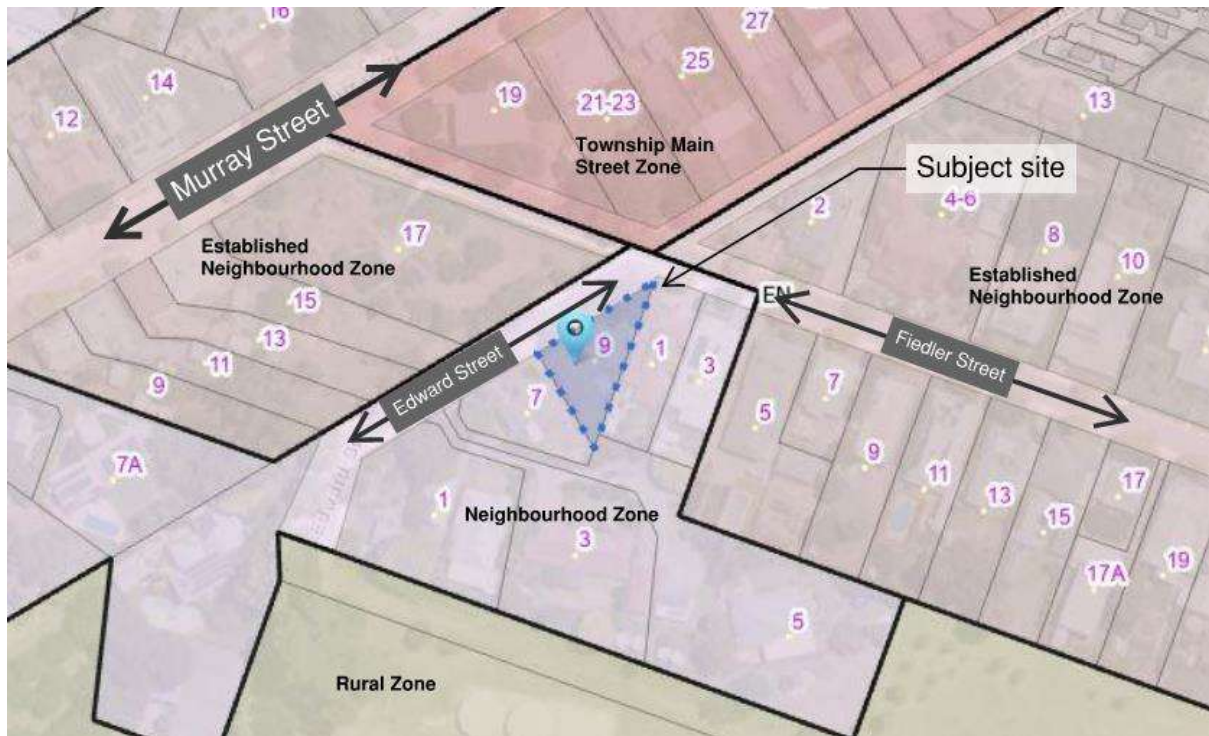


Figure 1: Zone Map – Subject site with surrounding zoning.

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

Site photos are provided in **Figure 4** to **Figure 7**.



Figure 2: Aerial – Locality – Subject site marked in blue, locality marked in red



Figure 3: Aerial – Site marked in yellow outline.



Figure 4: Site Photo – Road frontage looking at front of existing dwelling.



Figure 5: Site Photo – Front of site looking north-east along Edward Street.



Figure 6: Site Photo – Front of site looking south-west along Edward Street.



Figure 7: Site Photo – Frontage looking along the existing driveway from Edward Street.

PROPOSAL

The proposal involves the change of use from an existing dwelling to Tourist Accommodation. There is no signage or building work proposed within this application, other than necessary internal works to meet the National Construction Code for Building Consent.

The change of use will result in the existing dwelling being converted to short term accommodation. The single width driveway to Edward Street will be unchanged for access to the on-site vehicle parking spaces. The building includes three bedrooms, lounge area, living/dining room, kitchen, laundry and bathroom and is sought to accommodate a maximum of six guests at any one time.

Access to the property is via a lawful existing access point from Edward Street to a single width driveway internal to the subject site. The site includes one covered parking space within an existing carport and an additional parking space within the driveway.

The proposed development is not impacted by any easement or Land Management Agreement applicable to the property. The Certificate of Title indicates a right of way over nearby land that has no impact to this proposal.

There are no proposed changes to the existing building with the external appearance and internal configuration being maintained.

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, pursuant to Table 1, 2 and 4 of the Neighbourhood Zone. The application is also not listed within Table 3 of the Neighbourhood Zone, such that the proposed development does not have a specified list of 'Applicable Policies'. Instead, the application is determined to be 'All Other Code Assessed Development' in accordance with Part 1 – Rules of Interpretation of the Planning and Design Code (Version 2024.23).

PUBLIC NOTIFICATION

The application was subject to public notification in accordance with Table 5 – Procedural Matters – Notification of the Neighbourhood Zone. Tourist Accommodation is not excluded from public notification due to not being listed within 'Class of Development (Column A)' within Table 5.

A summary of the public notification process is contained below:

Representations: Five representations were received during the public notification period as follows:

- Christie Schulz
- David Haebich
- Malcolm Seppelt
- Lesley Clark
- Shirley Lindner

No late representations were received.

Person wishing to be heard: Of the five representations received, one representor wishes to be heard.

Time period for Public Consultation 24 January 2025 – 14 February 2025

An aerial view showing the representors properties is shown in **Figure 8**.

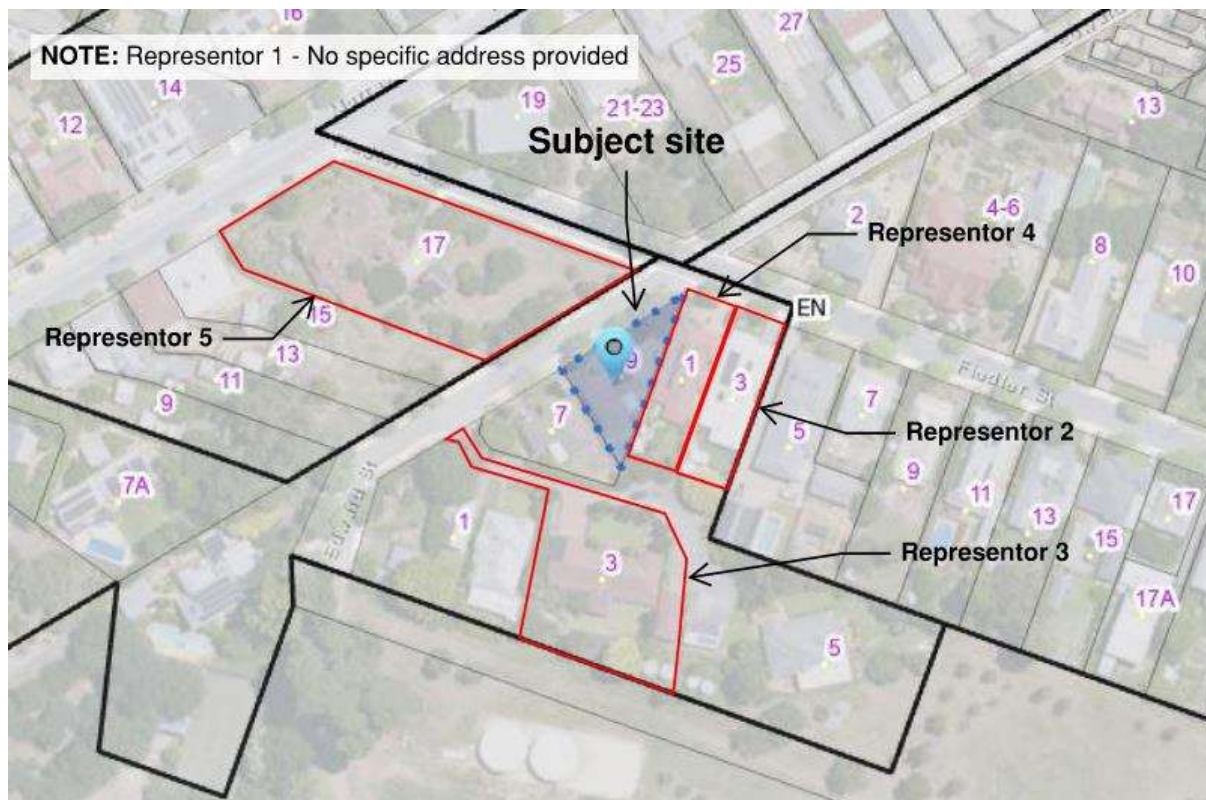


Figure 8: Aerial plan of representor locations

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

Summary of Representations

Representor/s

Applicant's Response

Representor 1

Response to Representor 1

- | | |
|--|---|
| <ul style="list-style-type: none"> - An increase of bed and breakfast accommodation will significantly impact on available accommodation to seasonal workers. | <ul style="list-style-type: none"> - The use is open to seasonal workers should they wish to rent it short or long term. |
| <ul style="list-style-type: none"> - The proposal seeks three parking spaces with only two provided on-site. Edward Street is narrow and will be difficult to pass any car parked on the street and will restrict traffic movement. | <ul style="list-style-type: none"> - A maximum of three cars will be allowed. Two parked within the driveway and one on the street. The third car can be advised to park away from future units to be developed. |
| <ul style="list-style-type: none"> - There is insufficient street lighting at night-time thereby creating a potential hazard. | <ul style="list-style-type: none"> - Street lights are to be considered by Council as required. |
| <ul style="list-style-type: none"> - This area is currently underdeveloped with five potential blocks on the western side to be built on creating | <ul style="list-style-type: none"> - Airbnb has strict guidelines for noise impacts and tight regulations on safety. Neighbours can contact me |

further congestion to a poorly lit street.

directly if there are concerns for safety or the police.

- The change of use will impact heavily on quality of life of the existing residents.

Representor 2

Response to Representor 2

- Who will manage the property as it is unclear if the owner lives nearby.
- The property manager to be used currently manages two successful Airbnb's in Tanunda for the last three years.
- The proposed parking space on the street to accommodate the third parking space will create a hazard for vehicles manoeuvring around the parked vehicle. In addition, heavy farm machinery and trucks regularly use the road during vintage. No street parking should be allowed to occur.
- A maximum of three cars will be allowed. Two parked within the driveway and one on the street. The third car can be advised to park away from future units to be developed.

Representor 3

Response to Representor 3

- There is concern with the carriageway width of Edward Street to allow safe passage for emergency service, vineyard and rubbish collection vehicles.
- A maximum of three cars will be allowed. Two parked within the driveway and one on the street. The third car can be advised to park away from future units to be developed.
- Events close to the main street will result in spill over parking on Edward Street, greatly reducing access and availability of parking.
- There is concern over six people using one bathroom and whether this is adequate.
- The proposal will not appreciably increase the monetary value of tourism to the Barossa.

Representor 4

Response to Representor 4

- There are congestion concerns on Edward Street from on-street vehicle parking. This may inhibit waste collection, tractors, large vans and trucks using the area.
- A maximum of three cars will be allowed. Two parked within the driveway and one on the street. The third car can be advised to park

- There will be a loss of residents' privacy and safety.
 - There is insufficient street lighting.
 - The proposal will obstruct potential development on opposite side of Edward Street.
- away from future units to be developed.
 - Airbnb has strict guidelines for noise impacts and tight regulations on safety. Neighbours can contact me directly if there are concerns for safety or the police.
 - Street lights are to be considered by Council as required.

Representor 5

- More accommodation is needed for workers accommodation that could be future residents as the proposed BnB would not bring anything significant to the Barossa Valley.
 - There is inadequate space available for passing of vehicles with cars parking on the street.
 - Traffic is building with vineyard and bin vehicles to Turkey Flat Vineyard.
 - A lack of street lighting is a problem for unfamiliar visitors.
 - Undeveloped land on the other side of Edward Street could result in more driveways to the street.
 - There will be a loss of safety and security with constant change of people attending the property.
- Response to Representor 5
- The use is open to seasonal workers should they wish to rent it short or long term.
 - A maximum of three cars will be allowed. Two parked within the driveway and one on the street. The third car can be advised to park away from future units to be developed.
 - Street lights are to be considered by Council as required.
 - Airbnb has strict guidelines for noise impacts and tight regulations on safety. Neighbours can contact me directly if there are concerns for safety or the police.

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:

Community Safety	<i>In relation to road requirements, a three metre wide carriageway is required for the passing of vehicles between a parked vehicle and the kerbing.</i>
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ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, dated 19 December 2024, Version 2024.23:

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

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

The proposed change of use is of a size, scale and intensity that is reasonable in the context of the subject site in a Neighbourhood Zone. While tourist accommodation is not a use that is listed within DTS/DPF 1.1 of the Neighbourhood Zone, the small-scale nature of the proposed tourist accommodation, the characteristics of the locality (being primarily residential) and that no changes are proposed to the exterior of the building mean the proposed development is not in material conflict with the provisions of the Neighbourhood Zone.

Character Preservation (Barossa Valley) Act 2012

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

The proposal will not diminish the visual amenity of the township landscape and will maintain the character attributes of the district by ensuring the ongoing preservation of the existing building with no physical building alterations proposed.

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

Established 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.
PO 1.2 Commercial activities improve community access to services are of a scale and type to maintain residential amenity.	DTS/DPF 1.2 A shop, consulting room or office (or any combination thereof) satisfies any one of the following: (a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied: (i) does not exceed 50 sqm gross leasable floor area. (ii) does not involve the display of goods in a window or about the dwelling or its curtilage. (b) it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following: (i) the building is a State or Local Heritage Place. (ii) is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes.
PO 1.3 Non-residential development is located and designed to improve community accessibility to services, primarily in the form of:	DTS/DPF 1.3 None are applicable.

(a) small-scale commercial uses such as offices, shops and consulting rooms. (b) community services such as educational facilities, community centres, places of worship, child care facilities and other health and welfare services. (c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities (d) open space and recreation facilities.	
PO 1.4 Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.	DTS/DPF 1.4 None are applicable.

The proposed use is not directly identified within DTS/DPF 1.1 as an envisaged form of development within the Neighbourhood Zone.

To determine the suitability of the proposed use, it is necessary to give consideration to the intent of Performance Outcome (PO) 1.1 and DTS/DPF 1.1. PO 1.1 seeks predominantly residential development with complementary non-residential activities that support an active, convenient and walkable neighbourhood.

The proposed development seeks to encourage complementary commercial use by changing from long-term residential accommodation to short-term commercial accommodation. This change is considered to satisfy PO 1.1. The non-residential uses envisaged within DTS/DPF 1.1 (i.e. consulting room, office, shop etc) are uses that may have greater level of impact upon the existing residential use than the proposed Tourist Accommodation, which seeks to utilise the existing dwelling. In this way, it is considered that the proposal will not compromise the character and amenity of the neighbourhood, thereby aligning with Desired Outcome (DO) 1.

It is difficult to draw connection to PO 1.2 in that the proposed commercial use does not directly improve community access to services, although this PO does highlight amenity impacts. The proposal is of a scale that is likely to maintain residential amenity due to being an accommodation use with limited potential parking impacts on the surrounding road network with two on-site parking spaces being provided. Whilst the proposal does have a shortfall of parking space, the scenario of having one car being parked on-street is not expected to have a detrimental negative impact to the locality based on the short-term accommodation use proposed.

The application does not directly achieve PO 1.3 as the proposed use is not directly related to community services. However, as discussed above, the intended use is considered to be reasonably consistent with the intended form of development within the zone when considering the desired residential amenity and character of the neighbourhood and has a similar or lesser impact to such uses.

The intent of PO 1.4 seeks to protect the residential character and amenity of the neighbourhood from non-residential land uses. The proposal does not propose visual alterations of the existing dwelling thereby maintaining the building's existing contribution to the residential character through the retained appearance of the dwelling frontage. The amenity of the neighbourhood can be maintained through the low scale of the proposed use, the provision of the on-site parking and through general management of the use by the landlord or their agent. General law

enforcement routes by SAPOL (should the guests create amenity impacts such as noise etc) remain applicable in the same way as other residential properties.

Character Preservation District Overlay

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	
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 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.	DTS/DPF 2.1 None are applicable.
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.
PO 2.3 Adaptive re-use of rural structures and historic and/or character buildings supports their preservation and ongoing contribution to the landscape.	DTS/DPF 2.3 None are applicable.

The subject site is located within the Tanunda township boundary having a separation distance of approximately 50 metres (south) from the nearest rural area identified within the *Character Preservation (Barossa Valley) Act 2012*. The subject property is separated by other residential properties and is not considered to be located at or on the edge of the township. Therefore, PO 2.1 is not considered to be impacted.

As mentioned earlier, the proposal does not seek to alter any of the existing built form or undertake any alterations to the site. The existing building, driveways, fences and landscaping areas are all not proposed to be altered within this application. The proposal is therefore considered to be in alignment with PO 2.2.

The building is not of significant historic or character value when considered on its own, however this established building does make some positive contribution to the streetscape and township character. This application will retain the existing building, such that the existing contribution to the streetscape is unchanged.

In summary, the proposal is considered to satisfy key provisions within the Character Preservation District Overlay.

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	
PO1.1 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. 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'.

No native vegetation clearance is required as part of this application. Therefore, PO 1.1 is achieved.

Clearance from Overhead Powerlines

General Development Policies	
Clearance from Overhead Powerlines	
Desired Outcomes	
DO1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

The applicant has provided an electricity declaration such that PO 1.1 is achieved.

Design

Design	
Desired Outcomes	
DO1	Development is: (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area. (b) durable - fit for purpose, adaptable and long lasting. (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors. (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.
Relevant Performance Outcomes/Designated Performance Features	
All Development	
Safety	
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.

The existing vehicle access point from Edward Street to the property will be maintained, noting the existing internal driveway and hardstand will be utilised for guests vehicles staying at the site. There are no concerns with regard to direct access or the safety of this access point, thereby supporting the intent of PO 2.3.

Infrastructure and Renewable Energy Facilities

Infrastructure and Renewable Energy Facilities	
Desired Outcomes	
DO1	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	
General	
PO1.1 <i>Development is located and designed to minimise hazard or nuisance to adjacent development and land uses.</i>	DTS/DPF 1.1 None are applicable.
Water Supply	
PO 11.1 <i>Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.</i>	DTS/DPF 11.1 <i>Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.</i>
Wastewater Services	
PO 12.1 <i>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:</i> <i>(a) it is wholly located and contained within the allotment of the development it will service.</i> <i>(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.</i> <i>(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.</i>	DTS/DPF 12.1 <i>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:</i> <i>(a) the system is wholly located and contained within the allotment of development it will service; and</i> <i>(b) the system will comply with the requirements of the South Australian Public Health Act 2011.</i>

The proposed development will involve reuse of an existing dwelling that achieves typical dwelling boundary setbacks. The proposed use is short-term accommodation for guests on a commercial basis. It is not expected that existing facilities servicing the building such as air conditioning will create hazard or nuisance for neighbouring properties, noting that accommodation will continue, albeit for short term accommodation rather than permanent and long term occupation.

The existing water supply and waste control system will be maintained and are considered to be suitable to service the land use for the number of occupants expected. Given the number of occupants at the site will not exceed six, the proposal will not exceed the capacity of the existing septic tank on the site or increase loads into the Tanunda CWMS.

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 to accommodate sensitive receivers is designed to minimise adverse impacts.	DTS/DPF 2.1 None are applicable.

The proposed land use is not expected to adversely impact on adjoining sensitive receivers (dwellings) having regard to the nature of use proposed in form of short-term accommodation.

The use itself is not expected to give rise to nuisance impacts. Issues associated with behaviour of the guests are not considered to be materially relevant to the applicable policy and are ongoing management issues that would need to be resolved by the landlord or their agent. The applicant in their response to representations has confirmed their commitment to resolve issues/concerns should they arise. These matters are also able to be addressed by SAPOL in the same way as other residential properties. Possible nuisance impacts are not expected to be any different to the ordinary occupation of an existing dwelling within a Neighbourhood Zone. DO1 is considered to be achieved.

Transport, Access and 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	
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/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 6m of an intersection of two or more roads or a pedestrian activated crossing.
PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture	DTS/DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b):

(including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.	(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. (b) where newly proposed, is set back: i. 0.5 metres or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner. ii. Two metres or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance. iii. Six metres or more from the tangent point of an intersection of two or more roads. iv. outside of the marked lines or infrastructure dedicating a pedestrian 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.	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. (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Vehicle Parking Areas	
PO 6.2 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.

Table 1 - General Off-Street Car Parking Requirements	
Vehicle Parking Rates	
<i>Tourist accommodation other than a caravan and tourist park</i>	<i>(a) One car parking space per accommodation unit/guest room.</i>

The proposed development will be accessed via an existing lawful access point to Edward Street, thereby satisfying both PO 3.1 and 3.5.

The property consists of flat areas of hardstand such that there is capacity to accommodate for disability access. Confirmation of any requirement to this regard are considered within the assessment of the Building Consent, which shall follow if Planning Consent is granted.

The proposal seeks to utilise three existing bedrooms for accommodation for up to six guests, meaning the site should be served by three vehicle spaces pursuant to Table 1. The parking rates do not require these spaces to be covered. The subject site can accommodate two parking spaces on-site within the existing carport (under dwelling roof) and within the driveway. The one parking space shortfall is proposed to be accommodated on-street. Given the large frontage of the subject site to Edward Street and the minimal conflict with existing vehicle access points on the street, there is sufficient spacing on-street to accommodate this one parking space shortfall.

Several representors raised concerns with the potential for increased access and movement issues. Council's Community Safety Department advised that three metres through movement is required in the street which can be achieved if a vehicle is parked on the way side of the street only. The width of Edward Street is such that it allows for a vehicle to pass by a parked vehicle lawfully without concern, consistent with advice from the Community Safety Department.

Additionally, the inclusion of an additional parking space on-site would impact on existing established vegetation that is proposed to be maintained as it provides for visual amenity of the site. Loss of such landscaping would result in an outcome that is less compatible with the existing streetscape.

In summary, it is considered that PO 5.1 is achieved.

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 land division or the creation of a road.

Hazards (Flooding - Evidence Required)

The proposal does not propose any alterations to the existing floor level or drainage system.

Prescribed Water Resources Area

The proposed use is serviced by mains water and will not be impact on surface water, watercourses or wells.

Traffic Generating Development

The proposal is not of a scale to warrant assessment under this overlay.

Water Protection Area

Proposal does not involve activities with the potential to harm or impact on water supply.

CONCLUSION

The proposal involves the “*Change of use from dwelling to tourist accommodation (up to six guests)*” at 9 Edward Street, Tanunda.

The application was subject to Performance Assessment and public notification. The application was notified in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and was subject to receipt of five representations containing four in objection, one in support with concerns and none in support of the proposal, with one electing to be heard.

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

The proposal is considered to be reasonably consistent with the Desired Outcome and Performance Outcomes of the Neighbourhood Zone whilst also achieving the further requirements identified within the *Planning and Design Code* as they apply to the subject site.

Whilst the proposed land use is not directly identified as an envisaged use, it is considered that the proposed use does not unreasonably impact on the residential character or amenity of the surrounding area, through utilising the existing dwelling on the site for the use. The land use is also considered to be a compatible non-residential land use that is complementary to the surrounding residential properties.

With the consideration to the assessment within this report, this application warrants Planning Consent being granted, subject to 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. 25000149 by Ms Sheila Sharma to undertake "Change of use from dwelling to tourist accommodation (up to 6 guests)" at 9 Edward St Tanunda (CT5711/701) subject to the following conditions and advisory notes:

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 25000149 except where varied by any condition(s) listed below.
- (2) Prior to commencement of use, the building authorised herein shall be connected and remain connected to an approved wastewater system.
- (3) No more than six (6) guests shall be accommodated within the Tourist Accommodation facility at any one time.

Advisory Notes

- (1) The applicant is reminded of the requirements of the *Short Term Holiday Rental Accommodation Bill 2021* through the operation of the tourist accommodation use.
- (2) 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.
- (3) 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.
- (4) 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).
- (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) Appeal rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

- (8) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (9) The applicant is advised that this consent does not permit anyone to clear, remove limbs or trim native vegetation. Any proposal to clear, remove limbs, or trim native vegetation will require approval or confirmation of exemption from the Native Vegetation Council. An interactive guide is available to help owners and others determine the requirements that apply under the *Native Vegetation Act 1991*, <https://www.environment.sa.gov.au/topics/native-vegetation/interactive-guide>. Any specific queries regarding the clearance, removal, or trimming of native vegetation should be directed to the South Australian Native Vegetation Council.

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

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

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

9 EDWARD ST TANUNDA SA 5352

Title Ref

CT 5711/701

Plan Parcel

D53165 AL43

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
- Traffic Generating Development
- 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

Ms Sheila Sharma

[REDACTED]

Contact

Stakeholder info

Ms Sheila Sharma



Invoice Contact

Stakeholder info

Ms Sheila Sharma



Land owners

Stakeholder info

Ms Sheila Sharma



Nature Of Development

Nature of development

The house will have photos and links to be uploaded to airbnb or similar websites.

The house will have minimalistic furniture.

The house will have all the necessary requirements needed for an airbnb.

No dogs will be allowed on the premises.

No parties will be allowed.

Only 3 cars allowed maximum.

2 in driveway and 1 on street

Development Details

Current Use

Tenanted property with a couple living and 2 dogs

Proposed Use

AirBNB for up to 6 people in 3 bedrooms as maximum to help increase tourist industry!

Development Cost

\$300.00

Proposed Development Details

The house will have photos and links to be uploaded to airbnb or similar websites.

The house will have minimalistic furniture.

The house will have all the necessary requirements needed for an airbnb.

No dogs will be allowed on the premises.

No parties will be allowed.

Only 3 cars allowed maximum.
2 in driveway and 1 on street

Element Details

You have selected the following elements

Change of use - \$300.00

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?

No

Consent Details

Consent list:

- Planning Consent
- Building Consent

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

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at The Barossa Council

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

Relevant Authority

Building Consent

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

No

Apply Now?

Yes

Who should assess your building consent?

The Barossa Council

Has a builder been engaged for the proposed development?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent
2. Building Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

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

Native Vegetation Declaration

No report or declaration supplied with this application.

Submission Declaration

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

Documents

Document	Document Type	Date Created
Site map 9 Edward st Tanunda SA.jpg	Preliminary Advice	6 Jan 2025 6:14 PM
DA for 9 Edward St Tanunda.docx	Preliminary Advice	6 Jan 2025 6:14 PM

Application Created User and Date/Time

Created User
sheila.sharma

Created Date/Time
6 Jan 2025 6:14 PM

To whom it may concern,

This is a DA application for an airbnb /holiday rental application for 9 Edward St Tanunda SA 5352.

I bought this property for the sole purpose of providing a safe place for holiday tourists and believe the house set up suits this with large covered open area leading to a decent backyard. -Location is closeby shops and near Tanunda and a quiet street.

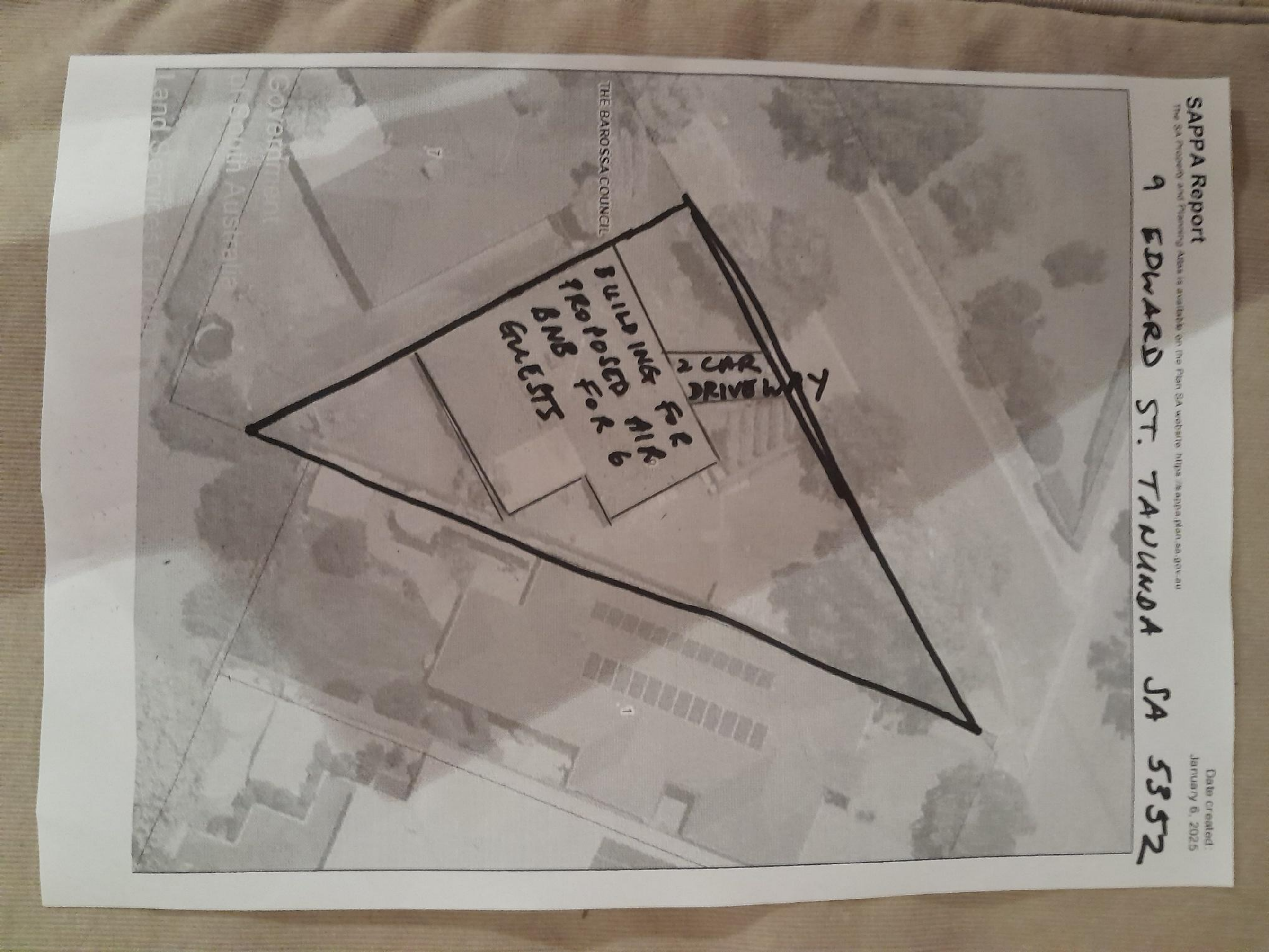
I will be installing a 1st aid kit for tenants for holiday rental and have checked that the fire alarm works prior to settlement last year.

9 Edward St is a small house with 3 bedrooms and 1 bathroom thus able to accommodate 6 guests

9 Edward St driveway is able to fit 2 4WD cars, the 3rd car may need to use street parking.

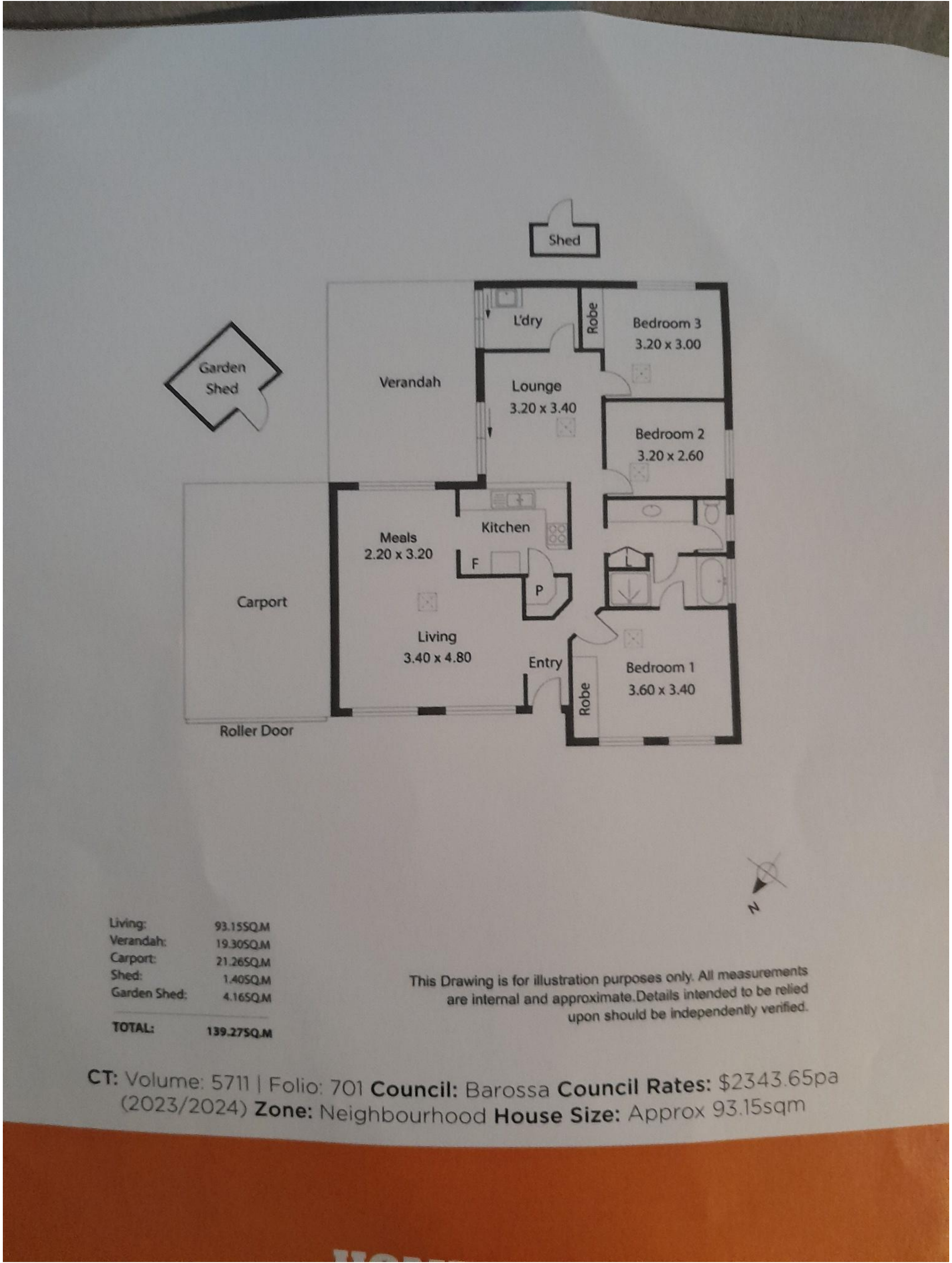
In consideration of neighbours, the house will only be used for short-stay accommodation with no loud parties, disruptive behaviour or other illegal businesses being allowed to occur.

I hope that this application will be approved so that holiday seekers can enjoy their stay at Tanunda



SAPPA Report
The SA Property and Planning Atlas is available on the Plan SA website <https://sappa.plan.sa.gov.au>
9 EDWARD ST. TAWUNDRA SA 5352

Date created:
January 6, 2025





Product Register Search (CT 5711/701)
Date/Time 08/08/2024 08:59AM
Customer Reference M2447
Order ID 20240808000755

REAL PROPERTY ACT, 1886



South Australia

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



Certificate of Title - Volume 5711 Folio 701

Parent Title(s) CT 5070/113
Creating Dealing(s) RTU 8747005
Title Issued 18/11/1999 Edition 4 Edition Issued 07/08/2024

Estate Type

FEE SIMPLE

Registered Proprietor

SHARMAS PARADISE PTY. LTD. (ACN: 676 519 743)
OF 6 DALE STREET SEVEN HILLS NSW 2147

Description of Land

ALLOTMENT 43 DEPOSITED PLAN 53165
IN THE AREA NAMED TANUNDA
HUNDRED OF MOOROOROO

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED B

Schedule of Dealings

Dealing Number	Description
14332373	MORTGAGE TO ORDE MORTGAGE CUSTODIAN PTY. LTD. (ACN: 638 083 548)

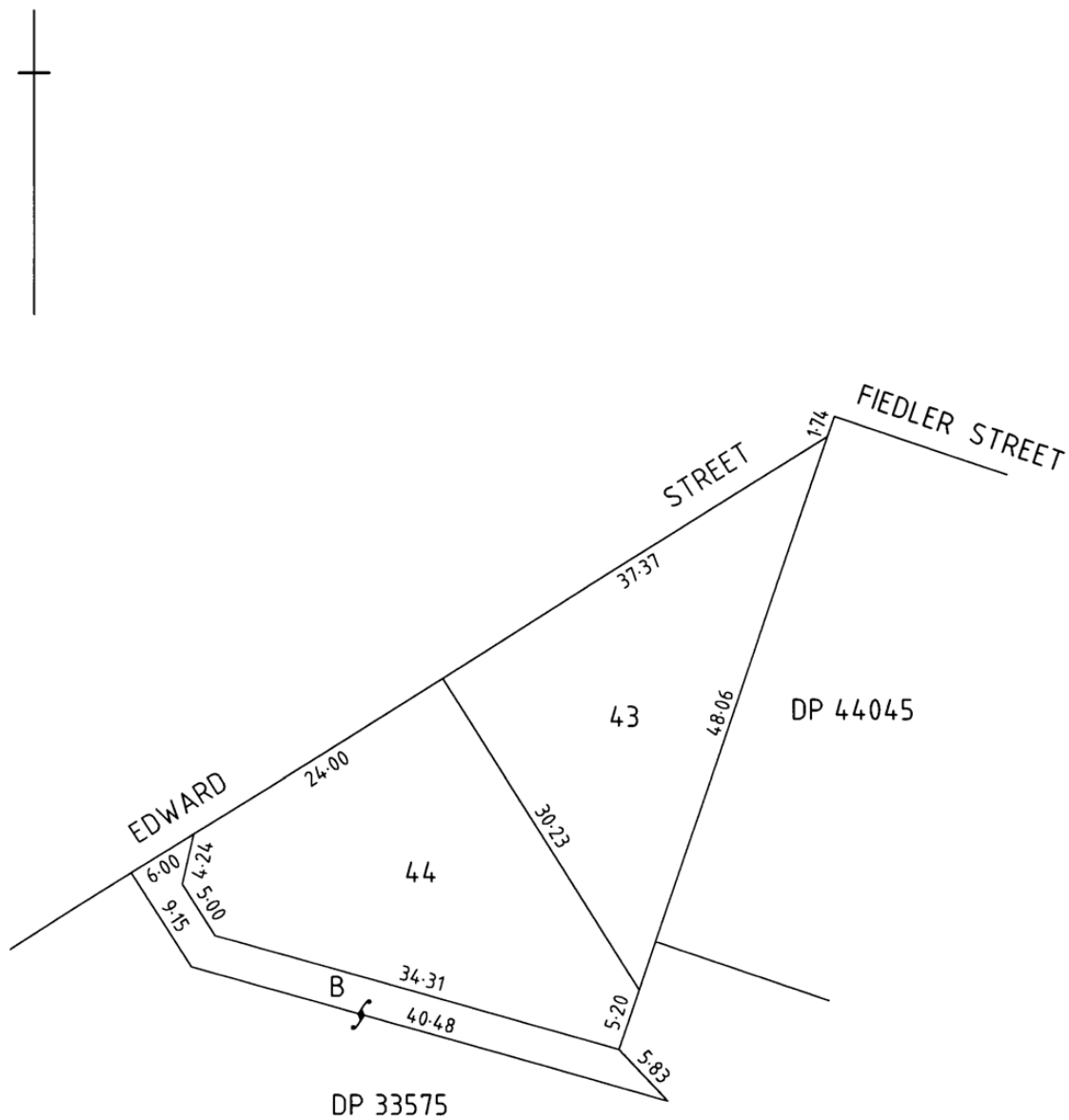
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5711/701)
08/08/2024 08:59AM
M2447
20240808000755



Details of Representations

Application Summary

Application ID	25000149
Proposal	Change of use from dwelling to tourist accommodation (up to 6 guests)
Location	9 EDWARD ST TANUNDA SA 5352

Representations

Representor 1 - Christie Schulz

Name	Christie Schulz
Address	
Submission Date	13/02/2025 10:15 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

% The fabric of the Barossa Valley is a grape growing and winemaking region which has a strong reliance on seasonal workers. The rapid increase in Bed & Breakfasts has made a significant impact on available accommodation, which is resulting in a negative impact on seasonal workers. I have personally experienced this with trying to source accommodation for workers. % The road in this section of Edward Street that this property is located is narrow, if cars are parked on the road it is difficult for other vehicles to pass. The application states it is applying for up to 3 cars, there is no accommodation for this number of vehicles to be parked on site, therefore they will be parked on the road restricting traffic movement. At night, there is no lighting which will also potentially create a hazard. % The section of Edward Street is still under developed, there are 5 potential blocks on the western side that will eventually be built on, this will also add to increased congestion to a very narrow, poorly lit street. % Essentially I believe this change in development will impact heavily on the quality of life of the existing residents.

Attached Documents

Representations**Representor 2** - David Haebich

Name	David Haebich
Address	
Submission Date	13/02/2025 05:05 PM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns
Reasons Refer to attached document.	

Attached Documents

DavidHaebich-RepresentationOnApplication-25000149-10415325.pdf

REPRESENTATION ON APPLICATION*Planning, Development and Infrastructure Act 2016*

Applicant: Ms Sheila Sharma

Development Number: 25000149

Nature of Development: Change of use from dwelling to tourist accommodation (up to 6 guests)

Zone/Sub-zone/Overlay: Zones
Neighbourhood
Overlays
Character Preservation District (Township)
Hazards (Bushfire-Urban Interface) (Urban Interface)
Hazards (Flooding-Evidence required)
Native Vegetation
Prescribed Water Resources Area
Traffic Generating Development
Water Protection Area

Subject Land: 9 EDWARD STREET, TANUNDA SA 5352

Contact Officer: Tom Marshall – The Barossa Council

Phone Number: 85328444

Close Date: 14 February 2025

My Name David Haebich

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

RECEIVED

13 FEB 2025

THE BAROSSA COUNCIL



Government of South Australia
Department for Trade
and Investment

The specific reasons I believe that consent should be refused are
 THE APPLICATION LACKS DETAIL /MANAGEMENT PARTICULARS

The premises are owned by Shamas Paradise Pty. Ltd of Dale Street, Seven Hills, NSW 2147. The applicant Ms Sheila Sharma states she owns the property and no address given for this person. My question is "if Ms Sharma does not reside in the Barossa Valley/South Australia, who will manage the property if approval is given?"

The applicant states she bought the property for the sole purpose of providing a safe place for holiday tourists. This statement lacks commonsense "why would a company in NSW care about tourists in the Barossa Valley other than for financial gain?"

ACCOMMODATION/VEHICLES

Ms Sharma has applied for up to six guests to be accommodated at any one time with three vehicles (two in the drive and one parked in the street). Edward Street is somewhat narrow and looking west at around number 9 drops away to form a slight hill. If a vehicle was parked on the street near number 9, traffic travelling west would need to cross to the northern side causing a hazard to vehicles approaching from the opposite direction. Heavy farm machinery and trucks regularly use this road during vintage.

I submit in the strongest terms, if the application is approved no more than two visitors vehicles are allowed on the property and no parking in the street. This will assist with the general safety of residents and visitors to the area.

[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: [Click here to enter text.](#)

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

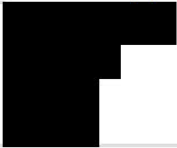
Signature:  Date: 8/2/25

Return Address: [Click here to enter text.](#) [relevant authority postal address] or

Email: dhaebich45@gmail.com

Representations

Representor 3 - Malcolm Seppelt

Name	Malcolm Seppelt
Address	
Submission Date	13/02/2025 05:10 PM
Submission Source	Over Counter
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 Refer attached document	

Attached Documents

MalcolmSeppelt-RepresentationOnApplication-25000149-10415431.pdf

RECEIVED**REPRESENTATION ON APPLICATION – 13 FEB 2025
PERFORMANCE ASSESSED DEVELOPMENT**Planning, Development and Infrastructure Act 2016 **THE BAROSSA COUNCIL**

Development Number:	25 000 149
Nature of Development:	CHANGE OF USE: - TOURIST ACCOMMODATION
Zone/Sub-zone/Overlay:	[zone/sub-zone/overlay of subject land] NEIGHBOURHOOD
Subject Land:	9 EDWARD STREET, TANVINDA, S.A. 5352 CT 5711/701 D 53165 AL 43
Contact Officer:	ASSESSMENT MANAGER / ASSESSMENT PANEL
Phone Number:	+61 8 8563 8444
Close Date:	14/02/2025

My name*: MALCOLM SEPPERT

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 planning consent should be granted/refused are:

1. The carriageway of Edward Street at No 9 is 6.26 met. Murray Street parking delineation is 2.03 metres each side. If this is applied to Edward Street it would leave 1.66 metres for the carriageway. Considered access for emergency vehicles, utility vehicles and rubbish collection twice each Tuesday at approximately 0800 hrs and 1600 hrs.
2. When events closures of Murray Street necessitate no parking on Fiedler Street, spill over parking is on Edward Street, greatly reducing access.
3. Applicant has stated it is a small house with 3 bedrooms able to accommodate 6 persons. It has one bathroom which would not be considered adequate for 6 persons.
4. This would not appreciably increase the value of Tourism in a monetary sense to the Barossa

[attach additional pages as needed]



Government of South Australia

Department for Trade
and Investment

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

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - *[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:

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

Signature:



Date:

13/02/2025

Return Address: *[relevant authority postal address]* or

Email: *[relevant authority email address]* or

Complete online submission:

plan.sa.gov.au/have_your_say/notified_developments/current_notified_developments

Representations

Representor 4 - Lesley Clarke

Name	Lesley Clarke
Address	
Submission Date	14/02/2025 12:20 PM
Submission Source	Over Counter
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 Refer attached document	

Attached Documents

RepresentationOnApplication-Sharma-Received13February2025-10421082.pdf

RECEIVED

SCAN REF: 20250213 151442

13 FEB 2025

REPRESENTATION ON APPLICATION BAROSSA COUNCIL

Planning, Development and Infrastructure Act 2016

Applicant: Ms Sheila Sharma

Development Number: 25000149

Nature of Development: Change of use from dwelling to tourist accommodation (up to 6 guests)

Zone/Sub-zone/Overlay:

Zones

- Neighbourhood

Overlays

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

Subject Land: 9 EDWARD ST TANUNDA SA 5352

Contact Officer: Tom Marshall – The Barossa Council

Phone Number: 8532 8444

Close Date: 14 February 2025

My name*: LESLEY CHARKE

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



Government of South Australia
Department for Trade
and Investment

The specific reasons I believe that consent should be ~~granted~~/refused are:

CONGESTION CONCERNS - NARROW STREET

- 3RD GUEST CAR PARKED OUTSIDE PREMISES WILL INHIBIT SAFE COLLECTION OF WASTE, AND OF TRACTORS, LARGE VANS AND TRUCKS USING THIS AREA.
- LOSS OF RESIDENTS PRIVACY & POSSIBLY SAFETY.
- NO SUFFICIENT STREET LIGHTING.
- OBSTRUCTION TO POSSIBLE DEVELOPMENT OF UNITS ON THE VACANT LAND DIRECTLY OPPOSITE 9 EDWARD.

[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: Click here to enter text.

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

Signature:



Date: Click here to enter text.

14/2/25

Return Address: Click here to enter text. [relevant authority postal address] or

Email: Click here to enter text. [relevant authority email address] or

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Representations

Representor 5 - Shirley Lindner

Name	Shirley Lindner
Address	
Submission Date	12/02/2025 03:02 PM
Submission Source	Over Counter
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 Refer attached	

Attached Documents

Representation-ShirleyLindner-10400329.pdf

REPRESENTATION ON APPLICATION*Planning, Development and Infrastructure Act 2016*

Applicant: Ms Sheila Sharma
Development Number: 25000149
Nature of Development: Change of use from dwelling to tourist accommodation (up to 6 guests)

Zone/Sub-zone/Overlay: **Zones**

- Neighbourhood

Overlays

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

Subject Land: 9 EDWARD ST TANUNDA SA 5352
Contact Officer: Tom Marshall – The Barossa Council
Phone Number: 8532 8444
Close Date: 14 February 2025

My name*: *SHEILA SHARMA*
My postal address*: [REDACTED]

My phone number: [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



Government of South Australia
Department for Trade
and Investment

The specific reasons I believe that consent should be granted/refused are:

(1 PAGE)
[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: Click here to enter text.

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

Signature:

Date: Click here to enter text.

Return Address: Click here to enter text. *[relevant authority postal address]* or

Email: Click here to enter text. *[relevant authority email address]* or

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Specific reasons I believe consent should NOT be granted.

I don't believe that this small Air BnB would bring anything significant to tourism in the Barossa Valley. More desperate accommodation is needed for people moving to the Barossa for work in the Wine industry etc. and who in turn could be part of our community.

TRAFFIC: Unit is on an incline and street parking is a problem with no adequate space for passing when cars are coming in an opposite direction.

Traffic is building with extra vineyard machinery to Turkey Flat Vineyards plus bin trucks.

No street lighting in Edward Street. Problem for visitors not familiar.

Edward Street is not fully developed. There are 3 parcels of land that could be opened up to at least 5 new residential blocks equating to a further 5 new entrances on the right side of the street.

For myself. I live alone and will feel a loss of safety and security with constant change over of new people.

With respect

Shirley Lindner



Tom Marshall

From: sheilasharma [REDACTED]
Sent: Tuesday, 18 March 2025 9:54 PM
To: Tom Marshall
Subject: Re: FW: [EXTERNAL] RE: Application ID 25000149 | Address: 9 EDWARD ST TANUNDA SA 5352

CAUTION: This Message originated outside your organization. Treat all attachments and hyperlinks with suspicion.

Dear Tom,

Thanks for your calls yesterday and today. Like I said I did ring the emergency person early this morning but she would not let me leave a voice message for you.

I have read all the objections tonight. Please thank all parties concerned for their objections.

Bed and Breakfast vs Airbnbs

9 Edwards St being a future airbnb is open to seasonal workers should they wish to rent it short or long term. Currently my tenants are seasonal workers.

Car Parking

Potentially there can be 3 cars parked for 6 guests. This is the maximum that we will allow and 2 cars will be parked in driveway leaving one on the street.

The town Planner has been out there today 18th March 2025 and can make comment on whether we should allow 3 cars. The 3rd car if a group arrives can be advised to park elsewhere away from the units about to be developed.

Property management

The PM (property manager) tasked for this airbnb already runs 2 successful airbnbs in Tanunda. She has done so for last 3 years.

Even though the Property manager and I reside in NSW our hearts are in SA and I fly down monthly to Adelaide.

I am yet to know of a business that does not make financial gain?

Loss of Resident Privacy and safety

Airbnb guests are usually an older demographic and will be there on holidays to enjoy the sights, smells and sounds of the Barossa. Airbnb has strict guidelines and refunds will not be given if there are noise concerns. The PM will have in her introductory manual, clear instructions like **no loud noise after 10pm**. As part of safety for the guests, it will be suggested that they bring a head torch or torch when out at night.

1. The Town Planner went to inspect the property today so if he feels there needs to be safety lights installed am sure he will ask council to erect some.

Airbnb have tight regulations on safety.

Feel free to contact me directly on 0425 3021 38 if there are any concerns for your safety.

However the Police can be rung in emergencies.

Tom I have done my best to address the issues concerned if you think it needs further edits I wont be able to make amendments until late Wed or Thurs night as its Lent and we have loads of things happening.

Always Kindness

Sheila Sharma

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent with [Proton Mail](#) secure email.

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

Nil.

8. REPORTS – PANEL UPDATES

8.1 Environment Resources and Development Court Appeal Updates

DISCUSSION

Development Application 23035013 was refused by the Barossa Assessment Panel for development in nature of “Construction of a 160ML irrigation dam with max fill of 11m and max cut of 6.5” by Access Planning at Lot 4 Duck Ponds Road, Stockwell on 2 July 2024. The application was refused on grounds that:

The proposed development is contrary to:

- Performance Outcome 1.1, Hazards – Evidence Flooding Required Overlay;
- Performance Outcome 1.2, Interface Between Land Uses, General Section;
- Performance Outcome 1.1, Infrastructure & Renewable Energy, General Section.

In that:

- There is uncertainty regarding flood risk and property damage of the proposed dam as the risk is not adequately quantified; and
- The proposal does not minimise risk and/or adopt a precautionary approach to impacts which is not demonstrated; and
- The potential limitations and land development costs on the orderly development of land that is zoned for residential development in Stockwell;
- The overdevelopment of the land, comprising more than 50% of water storage than is needed to develop the subject land.

The applicant appealed the decision of the Barossa Assessment Panel to the Environment, Resources and Development Court. Through the appeal proceedings, further submissions were made in respect to the matter of risk of failure of the dam and proposal for introduction of landscaping.

The panel considered the further submission in confidence at the meeting of 5 November 2024 and resolved to compromise in the proceedings. The Court has issued an Order allowing the appeal and granting Planning Consent, dated 28 January 2025, subject to one Reserved Matter and 11 Conditions of Consent.

A copy of the Court Order and stamped authorised plans are contained in **Attachment 1**.

RECOMMENDATION

That the report be received.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

Attachment 1 Environment Resources and Development Court - Court Order [↓](#) 

OFFICE USE ONLY	
Case Number:	ERD-24-000073
Date Filed:	28 January 2025
FDN:	14



ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA

No. 73 of 2024

BETWEEN

DORRIEN ESTATE WINERY PTY LTD
Appellant

and

ASSESSMENT PANEL AT THE BAROSSA COUNCIL
Respondent

ORDER

Judicial Officer: Commissioner Dyer
Date of Order: 28 January 2025

BY CONSENT THE COURT ORDERS that:

1. The appeal is allowed and the decision of the Respondent (**Council**) in relation to DA 23035013 made on 2 July 2024 is quashed.
2. Planning consent is granted to the Appellant in relation to DA 23035013 for the construction of a 160ML irrigation dam, with max fill of 11m and max cut of 6.5m at Lot 4, Duck Ponds Road Stockwell and subject to the following 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 its decision to the Assessment Manager:
 - a. Provision of civil and structural engineering design of the storage dam.

Conditions

3. The development shall be undertaken in accordance with the following endorsed plans (as amended and enclosed in the bundle of documents marked "**Exhibit A**") and documentation accompanying the application except where varied by any condition(s) listed below:
 - a. Locality Plan, prepared by Pinion Advisory dated 30 October 2023, Drawing No 17000-DA001, Revision 02.
 - b. Pre Development Plan, prepared by Pinion Advisory dated 30 October 2023, Drawing No 17000-DA002, Revision 02.
 - c. Post Development Plan, prepared by Pinion Advisory, Drawing Number 17000-DA003, Sheet 3 of 5, Revision 02 (**Post Development Plan**).
 - d. Sections Sheet, prepared by Pinion Advisory, dated 30 October 2023, Drawing No 17000-DA004, Revision 02.

4. The Appellant shall:
 - a. prior to completion of construction of the dam – prepare an Operations, Maintenance and Surveillance Manual (**OMS Manual**) in accordance with Australian National Committee of Large Dams, 2003 (ANCOLD), and provide a copy to the Council;
 - b. annually thereafter – review and update the OMS Manual in accordance with ANCOLD, and provide a copy of the OMS Manual, as updated, to the Council upon request;
 - c. at all material times – comply with any requirements specified in the OMS Manual.
5. The capacity of the storage dam shall not exceed 160 ML.
6. The spillway shall be designed to pass safely an estimated 1 in 100 year average recurrence interval flood. The spillway shall be constructed from non-erodible materials such as reinforced concrete and/or rock-filled gabion mattresses, to the satisfaction of the Relevant Authority.
7. The overflow channel shall be constructed to carry safely any water from the spillway to the watercourse adjacent to the dam, to the satisfaction of the Relevant Authority.
8. The overflow channel shall:
 - a. be constructed from materials that shall result in the provision of a stabilised waterway; and
 - b. enter the watercourse adjacent to the dam in such a manner so as not to cause erosion of the watercourse.
9. That all earth constructed surfaces shall be compacted, grassed or similar and ground cover established, to minimise erosion and run-off, to the satisfaction of the Relevant Authority.
10. Prior to the filling/use of the dam authorised herein, a certificate verifying adequacy of construction in accordance with the approved design shall be supplied to Council by a suitably qualified engineering professional, to the reasonable satisfaction of the Relevant Authority.
11. The plants proposed (as shown in the Post Development Plan) shall:
 - a. comprise species native to the area;
 - b. be planted in the first growing season following construction of the storage dam; and
 - c. be retained and maintained in good condition at all times to the satisfaction of the relevant authority; with any diseased or dying plants, shrubs, trees or ground cover being replaced whenever necessary.



DEPUTY REGISTRAR

A

PINNACLE DRINKS
OLD SALEM DAM

DRAWING LIST			
DWG No.	REV	DWG TITLE	
17000-DA000	02	HEADER SHEET	
17000-DA001	02	LOCALITY PLAN	
17000-DA002	02	PRE DEVELOPMENT PLAN	
17000-DA003	02	POST DEVELOPMENT PLAN	
17000-DA004	02	SECTIONS SHEET	
17000-DA005	02	PHOTOS SHEET	

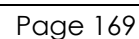
Environment, Resources
and Development Court
E.R.D.C. No: 73 / 2024
EXHIBIT No: "A"



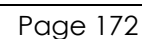
admin@pinionadvisory.com
08 8548 4444
pinionadvisory.com

DA SUBMISSION
NOT FOR CONSTRUCTION

DATE: 14/01/2025
DWG No: 17000-DA000 REV02







NOTE:
REFER DWG DA002 FOR PHOTO LOCATIONS



PHOTO - 1



PHOTO - 2



PHOTO - 3

Environment, Resources
and Development Court

E.A.D.C. No: 73 /2024

EXHIBIT No: "A"

[illegible]

9. REPORTS – OTHER BUSINESS

9.1 Assessment Manager's Quarterly Report - October 2024 to December 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; and
- 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 October 2024 to December 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	169
Planning Applications determined (excluding Private Certification)	141
Notified Applications	10
Determined Planning Consents by Relevant Authority (excluding Private Certification):	
• BAP	6
• Assessment Manager (AM)	118
• AM for BAP	17

The number of development applications that were notified during this period was 10. 118 development applications were determined by the Assessment Manager. Six development applications were determined by the Panel and 17 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* (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 21035960 – 190 Willows Road, Light Pass Partial change of use of the land to include outdoor functions (weekends and public holidays only) in addition to existing cellar door Representations – Nil Decision – Planning Consent Granted 7 November 2024
Development Application 23037667 – 1817 Barossa Valley Way, Altona Function venue (maximum of 150 guests) and associated access, carparking and landscaping Representations – Nil Decision – Planning Consent Decision 26 November 2024
Development Application 24005754 – Lot 301 Yumbunga Road, Mount McKenzie Construction of combined Dwelling and Outbuilding; Construction of two Tourist Accommodation units Representations – Nil Decision – Planning Consent Granted 3 October 2024
Development Application 24014322 – 45-63 Mount Crawford Road, Williamstown Internal fit out of existing building and commencement of new uses in the nature of an integrated complex containing a consulting room, shops (including a cafe), service trade premises and shared storage areas (Stage 1), building additions to existing light industry (cooperage) building (Stage 2) and retention of existing uses comprising the light industry (cooperage) and associated retail sales only; and landscape supplies, timber yard and shop Representations – Nil Decision – Planning Consent Granted 2 October 2024
Development Application 24014600 – 215 Bethany Road, Bethany Alterations and Additions (including restoration) of Local Heritage Place, construction of verandah and water storage tank Representations – Nil Decision – Planning Consent Granted 13 October 2024
Development Application 24018758 – 261 Lucas Back Road, Mount Pleasant Commencement of an additional land use in the nature of horse keeping (for up to 24 horses) and construction of Horse Arena building - measuring 60m x 24m x 4.8m wall height (6.9m total height) Representations – One (nil requested to be heard) Decision – Planning Consent Granted 18 November 2024
Development Application 24021086 – 59 Jubilee Avenue Angaston Partial change of use from dwelling to Tourist Accommodation (2 guests) Representations – Nil Decision – Planning Consent Granted 18 October 2024

Development Application 24022791 – 41 Sunnydale Avenue, Kalbeeba Variation to DA 960/1027/2006 - Alteration to the hours of operation identified by Condition 4 Decision – Planning Consent Granted 15 November 2024
Development Application 24023662 – 30 Maria Street, Tanunda Construction of a two-storey dwelling addition (to the rear of the existing single storey dwelling), carport (measuring 4.3m x 11m x 2.33m post height) and front picket fence (1 metre in height) Representations – Two (nil requested to be heard) Decision – Planning Consent Granted 4 November 2024
Development Application 24024720 – 26 Queen Street, Williamstown Expansion of existing shop (pharmacy) incorporating an additional 42sqm floor area and associated office space Representations – One (nil requested to be heard) Decision – Planning Consent Granted 4 November 2024
Development Application 24026926 – 2 Barossa Valley Way, Lyndoch and Lot 3 Barossa Valley Way, Lyndoch Variation to Development Application 24004484 – Deletion of Conditions 17 and 18 and Reduction in Bicycle Parking Decision – Planning Consent Granted 23 October 2024
Development Application 24027037 – 175 Stott Highway, Angaston and Lot 10 Stott Highway, Angaston Construction of nine (9) tourist accommodation buildings with associated carports Representations – Nil Decision – Planning Consent Granted 25 November 2024
Development Application 24030868 – 1246 Barossa Valley Way, Lyndoch Amendment to Development Application 22042820 for "Construction of a two-storey building containing two additional tourist accommodation units, in association with existing tourist accommodation" (minor reduction in floor space and ridge height, minor reconfiguration to siting of buildings, relocation of rainwater tank and two car parks) Decision – Planning Consent Granted 31 October 2024
Development Application 24032628 – Lot 100 Barossa Valley Way, Lyndoch Installation of four (4) advertising displays (consisting of two (2) wall-mounted and two (2) free-standing relating to the existing recreation park) Representations – One (nil requested to be heard) Decision – Planning Consent Granted 28 November 2024
Development Application 24033711 – 6 Sibley Street, Angaston Change of use from dwelling to tourist accommodation (short stay for maximum of 4 guests) Representations – One (nil required to be heard) Decision – Planning Consent Granted 3 December 2024
Development Application 24035532 – 18 Bilyara Road, Tanunda Partial demolition of existing Kegel Club building and reconstruction involving conservation and maintenance works, verandah and amenity block Representations – Nil Decision – Planning Consent Granted 9 December 2024
Development Application 24035761 – Lot 100 Barossa Valley Way, Lyndoch Variation to DA 24004484 - Amendment of Condition 1 and Condition 7 through alterations to four (4) existing light towers (increase of 72 globes to 80 globes resulting in two (2) luminaires increase per tower), screening structures to athletics and pump shed and tennis court fencing Decision – Planning Consent Granted 19 December 2024

Deemed Consents

No deemed consent notices have been received for this period.

CONCLUSION

The Assessment Manager's Quarterly Report for the period October 2024 to December 2024 be received and noted.

RECOMMENDATION

That the report be received.

10. REPORTS – CONFIDENTIAL

Nil.

11. NEXT MEETING

Tuesday 6 May 2025 commencing at 5.00 pm

12. CLOSURE OF MEETING

The Presiding Member will declare the meeting closed.