

BAROSSA ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA ASSESSMENT PANEL
held on

Tuesday, 3 June 2025, commencing at 5.00 pm

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



The Barossa Council

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1. WELCOME

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

2. ATTENDANCE

2.1 Present

Panel Members

Geoff Parsons	Presiding Member
Graham Burns	Member
Rachel Knuckey	Member – via Teams
Sarah Elding	Member – via Teams from 5:00pm, in person 5:24pm
Jane Evans	Member

Aaron Curtis	Assessment Manager
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Council Staff

Tom Marshall	Senior Assessment Officer, Planning
Chris Kruger	Minute Taker

2.2 Apologies

Nil.

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

PANEL DECISION

Moved: G Burns

Seconded: R Knuckey

That the minutes of the Barossa Assessment Panel meeting held on Tuesday 6 May 2025 be received and confirmed.

CARRIED

4. BUSINESS ARISING

Nil.

5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

Nil.

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

6.1 23028267 - 106-108 Murray Street Tanunda

Representors

Emma Hiscock addressed the Panel at 5:07pm, and answered questions from the Panel.

Applicant

Tony Wilson and Sharyn Cunningham addressed the Panel at 5:12pm, and answered questions from the Panel.

PANEL DECISION

Moved: S Elding

Seconded: R Knuckey

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.

CARRIED

PANEL DECISION

Moved: J Evans

Seconded: G Burns

Character Preservation

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

CARRIED

PANEL DECISION

Moved: G Burns

Seconded: R Knuckey

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. 23028267 by Mr Tony Wilson and Ms Sharyn Cunningham to undertake "Construction of dwelling additions/alterations, decking and change of use of to a combined tourist accommodation (up to 6 guests) and dwelling use" at 106-108 Murray Street, Tanunda subject to the following reserved matters, conditions and advisory notes:

Reserved Matters

- (1) The applicant shall lodge and have approved by the relevant authority an application to install a wastewater system pursuant to the provisions of the *South Australian Public Health Act 2011* and South Australian Public Health (Wastewater) Regulations 2013.
- (2) The applicant shall provide a Stormwater Management Plan demonstrating the following to the reasonable satisfaction of the Assessment Manager:
 - (a) A detailed drainage design is required for the proposed development; and
 - (b) The plan shall include the existing contours, features, existing stormwater infrastructure, proposed site works details, levels and grading, proposed stormwater drainage system (including details of any sump and pump), details of detention facility including volumes and discharge controls, proposed building floor levels, proposed paving and connection details; and
 - (c) Detention shall be provided to limit the 5% AEP post-development peak discharge to the 5% AEP pre-development peak discharge from the site. The maximum point discharge to kerb and gutter up to a 10% AEP event shall be 12L/s; 1% AEP event shall be 20L/s. Post-development peak rate of runoff from the site must not exceed the pre-development peak rate of runoff from the site or the maximum acceptable discharge to Councils infrastructure, whichever is the lesser; and
 - (d) The controlled discharge from the site shall be connected to the stormwater discharge point to Murray Street; and
 - (e) Supporting calculations to support the above requirements;
 - (f) Any other site considerations that impact stormwater management for the development are considered and addressed.
- (3) The applicant shall submit a Landscaping Plan, incorporating the following within the rear yard between the dwelling addition and the side and rear boundaries:

- (a) Retention of existing mature trees;
 - (b) Planting of new trees, shrubs and groundcovers to soften the appearance of the dwelling addition;
 - (c) Species types;
 - (d) Pot sizes;
 - (e) Maintenance methods;
 - (f) Existing and/or proposed upgraded fencing.
- (4) Final Site Plan showing an accessible car parking space pursuant to Australian Standard 2890.

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 23028267 except where varied by any condition(s) listed below:
- Email confirming use from Tony Wilson dated 19/05/2025;
 - Site Plan by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 01, dated February 2024;
 - Existing Floor Plan by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 02, February 2024;
 - Proposed Floor Plan by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 03, August 2024;
 - East and West Elevations by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 04, August 2024;
 - North and South Elevations by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 05, August 2024;
- (2) Prior to occupation, the building authorised herein shall be connected and remain connected to an approved wastewater system.
- (3) The tourist accommodation use shall be restricted to a maximum of six (6) guests at any one time.
- (4) The tourist accommodation use shall be limited to the three (3) bedrooms shown on the 'Existing Floor Plan' by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 02, dated February 2024.
- (5) Stormwater disposal systems must be fully installed at the completion of the construction of the building in accordance with the Reserved Matter with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of Council.
- (6) All external building materials shall be:
- (a) Muted and non-reflective in nature; and
 - (b) Where metal cladding is used, it shall have a pre-colour treated finish; and
 - (c) In accordance with the approved plans; and

- (d) New materials and maintained in good condition at all times.
- (7) Prior to commencement of use, the screening to the decking area as shown on the West Elevation plan by Tony Wilson Building Design (drawing no. 1383.07.23, sheet no. 04, dated August 2024) shall be installed with a maximum 25% transparency/openings fixed to a minimum height of 1.7 metres above the finished floor level, to the reasonable satisfaction of Council.
- (8) The extended driveway crossovers to Murray Street shall be located a minimum of one metre from any existing non-trafficable street infrastructure including (but not limited to) water meters, light poles or stormwater pits and 1.5 metres from any street tree.
- (9) Prior to commencement of use, the widening of the access driveway between the property boundary and the kerb line must be constructed in accordance with the Council's Standards and Requirements for the Design, Construction and Development of Infrastructure Assets. The driveway must be sealed with an approved durable material such as concrete, bricks, pavers or asphalt and match into existing footpath and road verge levels, to the satisfaction of Council.
- (10) Prior to occupation of the dwelling herein approved, permanent obscure glazing to the 'ENS 1' window within 'Proposed Floor Plan' by Tony Wilson Building Design, drawing no. 1383.07.23, sheet no. 03, August 2024 shall be installed to a minimum height of 1.5 metres above the finished floor level, to the reasonable satisfaction of Council.
- (11) All landscaping shown on the landscaping plan, authorised pursuant to the Reserved Matter, shall be completed, prior to commencement of use. All landscaping shall be maintained in good health and condition at all times thereafter. Any dead or diseased trees, shrubs or groundcovers shall be replaced in the next planting season.
- (12) An accessible car parking space shall be provided in accordance with Australian Standard 2890.

Conditions imposed by Commissioner of Highways

- (13) All access to/from the development shall be gained in accordance with the Site Plan produced by Tony Wilson, Drawing No. 1383.07.23, Sheet 01 of 06, uploaded to the portal on 17/04/2025.
- (14) Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
- (15) All vehicles shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.
- (16) All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022.

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

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.

CARRIED

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

Nil.

8. REPORTS – PANEL UPDATES

Nil.

9. REPORTS – OTHER BUSINESS

9.1 The Barossa Assessment Panel Operating and Meeting Procedures

PANEL DECISION

Moved: J Evans

Seconded: S Elding

That the report be received.

CARRIED

9.2 Barossa Assessment Panel Delegations under the Planning Development and Infrastructure Act

PANEL DECISION

Moved: R Knuckey

Seconded: G Burns

That the report be received.

CARRIED

10. REPORTS – CONFIDENTIAL

Nil.

11. NEXT MEETING

Tuesday 1 July 2025 commencing at 5.00 pm

12. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 6:12pm.

Confirmed

Date:..... Presiding Member: