

BAROSSA ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA ASSESSMENT PANEL

held on

Tuesday, 2 September 2025, commencing at 5.00 pm

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



The Barossa Council

MINUTES

I N D E X

1. Welcome	3
2. Attendance	3
3. Confirmation of Minutes	3
4. Business Arising from Minutes	3
5. Declaration of Interest by Members of the Panel	4
6. Reports – Application for Decision (Planning, Development and Infrastructure Act 2016)	4
6.1 24030311 - 98 Melrose Street Mount Pleasant	4
6.2 25002645 - 22 John Dallwitz Avenue Angaston	8
7. Reports – Review of Assessment Manager Decisions (Planning, Development and Infrastructure Act 2016)	11
Nil	
8. Reports – Panel Updates	11
Nil	
9. Reports – Other Business	11
Nil	
10. Reports – Confidential	11
Nil	
11. Next Meeting	11
12. Closure of Meeting	12

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
Sarah Elding (via Teams)	Member
Rachel Knuckey	Member
Jane Evans	Member

Aaron Curtis	Assessment Manager
--------------	--------------------

Council Staff

Tom Marshall	Senior Assessment Officer, Planning
Richard Cocker	Engineer
Sam Hosking	Heritage Advisor
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 5 August 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 24030311 - 98 Melrose Street Mount Pleasant

A streetscape photograph was tabled by Peter and George-Anne Kaines prior to the meeting and distributed to Panel members and the applicant.

Richard Cocker (Engineer) answered questions from the Panel at 5:25pm.

Sam Hosking (Heritage Advisor) answered questions from the Panel at 5:32pm.

Representors

Peter and George-Anne Kaines addressed the Panel at 5:09pm, and answered questions from the Panel.

Applicant

Louis Glastonbury (BGI) and Jamie Hylan (applicant) answered questions from the Panel at 5:17pm.

PANEL DECISION

Moved: R Knuckey

Seconded: J Evans

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: S Elding

Character Preservation

Pursuant to Section 6(2) of the Character Preservation (Barossa Valley) Act 2012, the Barossa Assessment Panel has had regard to the objects of that Act and, in determining

this application, has resolved that there are no significant impacts on the character values of the district.

CARRIED

PANEL DECISION

Moved: G Burns

Seconded: G Parsons

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. 24030311 by Jimmythebutch Pty Ltd to undertake *Construction of building additions to existing shop (butcher) including demolition of existing verandah, construction of new verandah (over footpath) and installation of one advertising sign* at 98 Melrose Street Mount Pleasant (CT 5710/480 and CT 5706/828) subject to the following reserved matters, conditions and advisory notes:

Reserved Matters

Development Plan Consent is subject to provision, assessment and approval of:

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 submit and have approved by the relevant authority an application for the encroachment of the proposed canopy over the public land (footpath) pursuant to Section 221 of the *Local Government Act 1999*.
- (3) 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*.
- (4) The applicant shall provide a 'Service Delivery Plan' for all service and delivery vehicles required to attend the site associated with the business in order to address the expected delivery vehicle types, schedules and route descriptions to ensure the ongoing effect of service vehicles attending the site does not cause unreasonable disruption to surrounding residential amenity.

Council Conditions

- (1) The development shall be undertaken in accordance with the endorsed plans and documentation (as amended) accompanying Application No. 24030311 except where varied by any condition(s) listed below.
 - Applicant Response to Representations by BGI Building Group dated 14 August 2025
 - Applicant Response to Council Request for Information by BGI Building Group dated 1 July 2025
 - Heritage Impact Review by Malloway Studio, reference no. BGI01.25.04.30.Advice, dated 30 April 2025
 - Existing Site Plan by BGI Building Group, project no. 34852, drawing no. BG_10, revision P4, dated 19 August 2025
 - Site Plan by BGI Building Group, project no. 34852, drawing no. BG_12, revision P2, dated 19 August 2025
 - Existing Floor Plan by BGI Building Group, project no. 34852, drawing no. BG_19, revision P2, dated 19 August 2025
 - Floor Plan by BGI Building Group, project no. 34852, drawing no. BG_20, revision P4, dated 19 August 2025
 - Elevations by BGI Building Group, project no. 34852, drawing no. BG_30, revision P4, dated 19 August 2025
 - Building Sections by BGI Building Group, project no. 34852, drawing no. BG_140 revision P2, dated 19 August 2025
- (2) Prior to occupation, the buildings authorised herein shall be connected and remain connected to an approved wastewater system to the reasonable satisfaction of council.
- (3) All external building materials shall:
 - (a) Be muted and non-reflective in nature; and
 - (b) Where metal cladding is used, it shall have a pre-colour treated finish; and
 - (c) Be complementary to the existing colours used on the existing building; and
 - (d) Be in accordance with the approved plans.
- (4) Storm water disposal systems must be fully installed at the completion of the construction of the building with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of the relevant authority.
- (5) The internal 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.
- (6) All car parking shall be appropriately designated by way of wheel stops or line marking in accordance with the car parking layout plan, approved pursuant to the Reserved Matter and shall be completed within three months of commencement of use (as hereby approved).
- (7) The advertising displays herein approved shall not be internally illuminated, nor externally flood lit, at any times, to the reasonable satisfaction of Council.

- (8) The herein authorised advertising signs shall contain messaging which is related to the land use located upon the relevant subject land, at all times, to the reasonable satisfaction of Council.
- (9) Except where otherwise approved, all loading and unloading of delivery and service vehicles and manoeuvring of vehicles in connection with the approved development shall be carried out entirely within the site via the William Street access point, at all times.
- (10) All site deliveries associated with the business shall accord with the 'Service Delivery Plan' authorised pursuant to the Reserved Matter at all times.

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 crossovers 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

6.2 25002645 - 22 John Dallwitz Avenue Angaston

Jane Horder (Applicant) answered questions from the Panel at 6:09pm

PANEL DECISION

Moved: R Knuckey

Seconded: G Burns

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: G Burns

Seconded: S Elding

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: S Elding

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. 25002645 by Ms Jane Hoarder to undertake construction of a two storey dwelling addition and alterations to existing single storey dwelling including partial demolition of existing roof structure at 22 John Dallwitz Avenue Angaston (CT 5520/135) for the following reasons:

1. The development shall be undertaken in accordance with the plans and documentation (as amended) accompanying the application, unless varied by the following conditions.
2. All external building materials shall:
 - a. Be muted and non-reflective in nature; and
 - b. Where metal cladding is used, it shall have a pre-colour treated finish; and
 - c. Be in accordance with the approved plans; and
 - d. Be new materials and maintained in good condition at all times.
3. Storm water disposal systems must be fully installed at the completion of the construction of the building with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of the relevant authority.
4. Prior to occupation of the dwelling herein approved, all upper level windows shall be:

- a. permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm; or
- b. have sill heights greater than or equal to 1.5m above finished floor level; or
- c. incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level;

to the reasonable satisfaction of Council.

5. Within the first growing season following occupation of the dwelling (as hereby approved), the lawned area shall be landscaped using a mix of semi-mature trees (achieving a mature height of at least 6m), shrubs and groundcovers in addition to retention of all other front yard landscaping. All landscaping shall be maintained in good health and condition at all times thereafter with any diseased or dead species to be replaced within the next growing season.

LOST

PANEL DECISION

Moved: R Knuckey

Seconded: J Evans

Refusal 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 REFUSE Planning Consent for Application No. 25002645 by Ms Jane Hoarder to undertake construction of a two storey dwelling addition and alterations to existing single storey dwelling including partial demolition of existing roof structure at 22 John Dallwitz Avenue Angaston (CT 5520/135) for the following reasons:

The proposed development is contrary to:

- Established Neighbourhood Zone, PO 4.1, PO 4.2, PO 8.1(a) and PO 10.2
- Character Preservation District Overlay, PO 2.2
- Historic Area Overlay, PO 3.1

In that the proposed second storey addition:

- Will be visually dominant within the locality and does not align to the prevailing character of the neighbourhood nor does it complement the height of nearby buildings
- Is not of an appropriate bulk and scale for the site and results in an adverse impact upon the streetscape character
- Does not provide for a suitable separation between buildings in a way that complements the established character of the locality
- Is not sympathetic to the wall heights, roof forms and roof pitches of the predominant housing stock in the locality

- Does not contribute to the character of the township through its form, scale and design
- Does not provide for a contextual design and dominates the primary façade.

CARRIED

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

Nil.

8. REPORTS – PANEL UPDATES

Nil.

9. REPORTS – OTHER BUSINESS

Policy and Zoning Anomalies

Following the debate in relation to item 6.2, the Panel identified a need for a review of the spatial application of the single storey building height Technical & Numeric Variation (TNV) applicable within the Planning & Design Code and application of the Historic Area Overlay to this particular locality.

The Panel wish to highlight this issue for Council's future consideration as part of its planning policy program.

Appointment of Deputy Presiding Member

Geoff Parsons advised the Panel that he will be tendering an apology for the November 2025 Panel meeting. As a result, a report will be presented to the Panel at its next meeting to appoint a Deputy Presiding Member pursuant to the Operating Procedures.

Graham Burns will no longer be an apology for the October 2025 Panel meeting.

10. REPORTS – CONFIDENTIAL

Nil.

11. NEXT MEETING

Tuesday 7 October 2025 commencing at 5.00 pm

12. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 7:09pm.

Confirmed

Date:..... Chairman: