

BAROSSA ASSESSMENT PANEL

Notice is hereby given that a meeting of the Barossa Assessment Panel will be held at the **Lyndoch Branch Office** of The Barossa Council, 29 Barossa Valley Way Lyndoch on

Tuesday, 9 June 2026, commencing at 5:00 PM

Aaron Curtis
Assessment Manager



AGENDA

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.

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All meetings are recorded and the recording will be available to view on the Council's website.

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1. WELCOME**2. ATTENDANCE****2.1 Present****2.2 Apologies****2.3 Absent****3. CONFIRMATION OF MINUTES****RECOMMENDATION**

That the minutes of the Barossa Assessment Panel meeting held on Tuesday 12 May 2026 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 26004697 - 48 Elizabeth Street Tanunda

APPLICANT:	Jasmine Walters from MasterPlan on behalf of the Owners
REPRESENTORS:	Terrie Charmaine Lynas

APPLICATION DETAILS

PROPOSAL	Change in land use to a dwelling and tourist accommodation and installation of one (1) freestanding advertisement
APPLICANT	Masterplan
OWNER	Sven and Kathryn Kahl
APPLICATION NO	26004697
CERTIFICATE(S) OF TITLE	CT 6170/427
AREA	1803 sqm
CURRENT USE	Residential
PLANNING AND DEVELOPMENT CODE VERSION	Version 2026.5 – 12 March 2026
PLANNING AND DESIGN CODE EXTRACT LINK	Relevant Code Extract
ZONE	Established Neighbourhood
OVERLAYS	Character Preservation District – Township Hazards (Flooding) Historic Area – Baro14 Hazards (Bushfire – Urban Interface) Hazards (Flooding – Evidence Required) Native Vegetation Prescribed Water Resources Area Water Protection Area Water Resources
APPLICATION TYPE	Performance Assessed
PUBLIC NOTIFICATION	Notified – Sign on Land
REFERRALS	Nil
PREVIOUS APPLICATIONS	960/513/2012 – Land division 960/703/2014 – Land division 1 into 2 41904/2021 – Construction of a two-storey detached dwelling with double garage, rear porch, front alfresco & balcony under main roof, retaining walls and privacy screen 42356/2024 – Filling of land (driveway and parking area) within a designated flood zone
ASSESSING OFFICER	Gene Wilson, Assessment Officer - Planning

RECOMMENDATION

That Planning Consent be GRANTED subject to Conditions

INTRODUCTION

The applicant is seeking development approval for a change in use from an existing residential dwelling to a mixed tourist accommodation and residential use. The tourist accommodation will occupy the ground floor, and the landowners will continue to use the second floor for their residence. The applicant is also seeking a freestanding advertisement in association with the tourist accommodation.

The subject site is located within the Established 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*.

Two representations were received during the public notification period. Both representors were opposed to the development, and one has requested to be heard in support of their submission to the 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 a representor 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 additional tourist accommodation in conjunction with the residential use and the display of a sign. This is in accordance with the definition of 'Tourist Accommodation' meaning temporary or short-term accommodation provided to travellers on a commercial basis within Part 7 of the Planning and Design Code. This land use is not specifically listed as an envisaged form of development within the Established Neighbourhood Zone.

Although the proposal is not directly identified as an envisaged use within the Zone, various forms of complementary non-residential activities, such as commercial activities at an appropriate scale to maintain residential amenity are envisaged. It is considered the proposed use does not unreasonably impact upon the residential character or amenity of the locality and is a compatible non-residential land use that can complement the surrounding residential use, having regard to the low scale and continued residential use of part of the building.

The freestanding sign is of a scale and size to not negatively detriment the amenity of the locality. The natural colours and materials used for the sign will blend into the streetscape with no illumination or distracting elements. The signage content refers to the street where tourist access is located but, albeit that it does refer to the recognised address of the property. The purpose of the sign is to direct traffic to the alternative access rather than into the private residential access of the building.

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 48 Elizabeth Street, Tanunda. The site has dual frontage, with the street address and access being from Elizabeth Street via a narrow access handle of four metres wide. The secondary frontage is to Ellen Place at the western boundary and is the main frontage to which the dwelling is visible. Adjacent to the western side of the access handle, the site enjoys the benefit of an established right of way enabling free and unrestricted access under the Certificate of Title. The right of way is one metre wide and runs the length of the handle (33 metres in length), affecting 50 Elizabeth Street, Tanunda. Effectively the access handle is four metres wide but one metre of that is the right of way of the adjacent allotment of 50 Elizabeth Street.

The proposed tourist accommodation is located on the ground floor of the dwelling while residential use remains separate on the second floor of the dwelling. The driveway access for the tourist accommodation is via this Ellen Place driveway with uncovered car parking provided close to the dwelling.

The site of 1,803 square metres contains a split-level dwelling that starts as one level on the eastern side and develops into two levels at the western side, given the slope of the land. The property faces the North Para River to the west running adjacent to Ellen Place with roughly 80 metres between the dwelling and the North Para River. The lower part of the site is in the floodplain of the adjacent North Para River. The adjacent dwellings to the north and south form the Ellen Place streetscape and edge of township and comprise larger allotments of more than 2,000 sqm.

Single storey detached dwellings are the predominant dwelling type in the locality. Allotments east of this site are a lesser size than the Ellen Place allotments, being 600-800 square metres generally.

The subject property is adjoining the Rural Zone to the west beyond the North Para River and Rural Living and Rural Neighbourhood Zones to the north. The North Para River, which forms the boundary of the Tanunda township, also forms the boundary of The Barossa Council local government area.

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

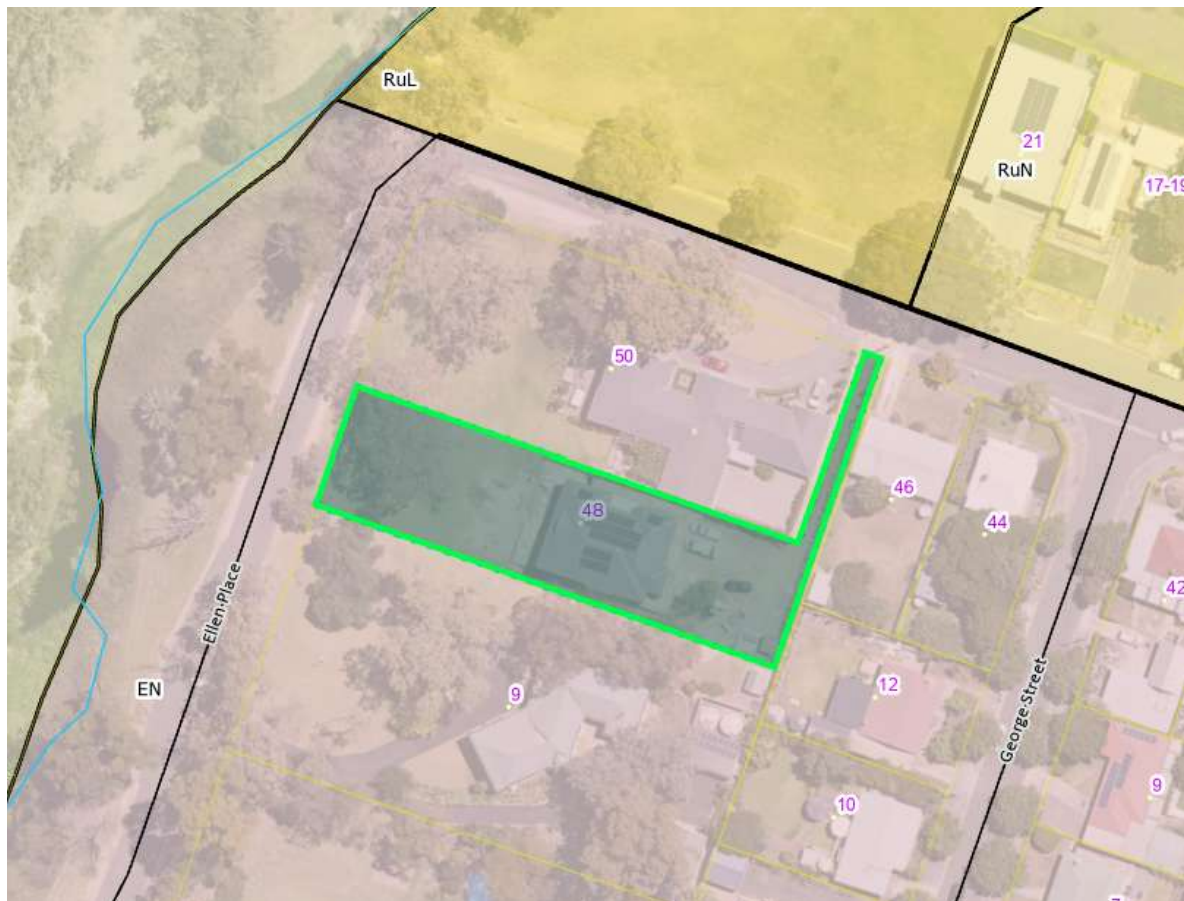


Figure 1: Zone Map – Subject site in green in the Established Neighbourhood Zone

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

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



Figure 1: Aerial – site – subject site in red (note: site measurements are approximate)



Figure 3: Site photo – Elizabeth Street frontage, view south down driveway



Figure 4: Site photo – View south of intersection of Elizabeth Street and Ellen Place.



Figure 5: Site photo – View south down Ellen Place adjacent recently formed driveway



Figure 6: Site photo – View west looking from Ellen Parade to the North Para River



Figure 7: Site photo – View north from Ellen Place looking at the corner of Elizabeth Street



Figure 8: Site photo – View east from Ellen Place of driveway and dwelling



Figure 9: Site photo – Culvert of recently formed driveway access on Ellen Place

PROPOSAL

The proposal involves a change of use from residential to combined tourist accommodation and residential, and the display of a freestanding sign. No internal or external construction or building works are proposed. The change of use will result in the dwelling having tourist accommodation on the ground floor and residential use to the second floor. The floor plan for the tourist accommodation features two bedrooms each with their own ensuite and walk-in-robe. There is a living space and alfresco area on the ground floor and a stairwell connecting to the second floor.

The driveway access from Ellen Place has previously been granted development approval in April 2025 and is fully formed to accommodate vehicular use via sealed crossover to Ellen Place and culvert beneath the driveway. There are two uncovered car parking spaces measuring roughly five metres in width and depth. There is landscaping to the area around the car parks and dwelling, along with retaining walls. The residential part of the building retains garage car parking with dimensions of 6.42 metres in width and 6.52 metres in length accessed via Elizabeth Street.

The proposed sign is to be situated besides the left of the driveway crossover on Ellen Place. An approximate location is indicated on the site plan with no defined setback measurement; however, site plans indicate it is in proximity to the site boundary to Ellen Place. The size of the sign is one metre in width, 200 mm in depth and 600 mm in height overall. The material and colour of the sign include a limestone base with "Ellen's Place" in text to the front and the number "304" placed above the limestone base. The text is in rusted metal indicated as Corten steel.

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

APPLICATION TYPE

The site is located within the Established 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 Established Neighbourhood Zone. The application is also not listed within Table 3 of the Township 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 2026.5).

PUBLIC NOTIFICATION

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

The table below provides details of the public notification process:

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

- Terrie Charmaine and Timothy John Lynas
- Andrew McRae and Alison MacCarthy

Person wishing to be heard: No late representations were received.

Of the two representations received, one wishes to be heard as follows:

- Terrie Charmaine Lynas

Applicant Jasmine Walters of Masterplan on behalf of Sven and Kathryn Kahl (the owners) wishes to appear to respond to the representations.

Time period for Public Consultation 31 March 2026 – 22 April 2026

An aerial view showing the representors' properties is shown in **Figure 10**.



Figure 10: Representor's land (in blue) relative to subject land (in green)

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

Summary of Representations

Representors

Representor 1

- Increased use of a minor access from Ellen Place poses risks to visitors unfamiliar with the street layout which has a blind-corner.

Applicant's Response

- The vehicle access from Ellen Place has been granted development approval and is at least 30 metres from the intersection of Elizabeth Street. The length of the driveway to the dwelling is long enough to provide unrestricted views of the road and oncoming traffic. The proposed

tourist accommodation is served by two car parking spaces which is sufficient for the proposed use. The additional vehicle movements is not considered to be excessive.

- The proposed advertising sign is of a commercial nature and at scale that is unsuitable for the street and does not represent the lawful address of the site.
- There is mistrust that the landowners will abide by the conditions of the development approval.
- Numerous noise-related complaints have been made in relation to previous out-of-hours construction.
- The access from Ellen Place is prone to flooding risk and unsafe for use.
- The signage is consistent with the relevant Planning and Design Code policies, representing only a minor variation from the prescribed maximum size.
- The proposed tourist accommodation is not considered to represent "significant development" as per PO 6.2 due to the intermittent nature of use and the low scale of guest stays.
- The on-site parking can be managed by the owners during infrequent flood events and parking could be accommodated in Elizabeth Street.

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:

Heritage	• The proposed change of use to tourist accommodation will have no physical impact on the existing building. • The proposed signage is low in scale in a large open landscaped context. It is considered to be unobtrusive and will not conceal/obstruct any portion of the dwelling or dominate the setting.
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	The historic themes and characteristics of the Historic Area Overlay will not be impacted, and the proposal is considered to be acceptable from a heritage perspective.
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ASSESSMENT

Please refer to the following link, the Planning and Design Code extract for this proposal, dated 12 March 2026, Version 2026.5:

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 development proposal consists of a partial change in use to residential and tourist accommodation contained within the same building. A sign in association with the tourist accommodation is proposed adjacent to the Ellen Place boundary. The proposal is considered to be of low scale and reasonably compatible with the established residential use of land in the locality; therefore, it is considered that the application is not "Seriously at Variance" with the Planning and Design Code.

Character Preservation (Barossa Valley) Act 2012

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

The proposed development is located within the Township area of the Character Preservation District, adjacent to the rural interface at the western end of the Tanunda township. While the immediate locality is predominantly residential, there are examples within the locality where tourist accommodation coexists with residential uses. The proposed change of use does not result in any alterations to the building, and the proposed sign is modest in size and scale, thereby ensuring it will not dominate the streetscape or obstruct sightlines.

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

<u>Established Neighbourhood Zone</u>	
<u>Desired Outcomes</u>	
DO 1	<i>A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.</i>
DO 2	<i>Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.</i>

Relevant Performance Outcomes/Designated Performance Features	
Land use and Intensity	
PO 1.1 <i>Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.</i>	DTS/DPF 1.1 <i>Development comprises one or more of the following:</i> <i>a) Ancillary accommodation</i> <i>b) Community facility</i> <i>c) Consulting room</i> <i>d) Dwelling</i> <i>e) Office</i> <i>f) Recreation area</i> <i>g) Shop.</i>
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> <i>a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied:</i> <i>i. does not exceed 30% of the total floor area of the associated dwelling (excluding any garage or carport) or 50sqm gross leasable floor area, whichever is the lesser</i> <i>ii. does not involve the display of goods in a window or about the dwelling or its curtilage</i> <i>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> <i>i. the building is a State or Local Heritage Place</i> <i>ii. is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes</i>
PO 1.3 <i>Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.</i>	DTS/DPF 1.3 <i>None are applicable.</i>

The proposed additional use of land in the nature of tourist accommodation is not identified within DTS/DPF 1.1 as an envisaged form of development within the Established Neighbourhood Zone. To assess the suitability of the proposal, it is necessary to consider the intent of the Performance Outcome (PO 1.1) that seeks primarily residential development with complimentary non-residential activities. The proposal seeks short-term commercial accommodation in conjunction with continued residential use; the proposal broadly achieves PO 1.1 in that it maintains the existing residential use with secondary use as tourist accommodation that will not restrict or dominate the residential use of the land.

PO 1.2 is not strictly achieved by the proposal as it does not increase community access to services but it is considered that the proposal is of a scale and type to maintain residential amenity, having regard to the combined residential and tourist accommodation use, the low scale of the proposal (maximum of four guests) and suitable arrangements for access and car parking.

PO 1.3 seeks non-residential development that complements the residential character and amenity of the neighbourhood. Other than an advertising sign, there are no physical changes to the building or site. The low scale of the proposal is noted above. In addition, the size of the sign is not of a scale that is considered to impair or distract through-traffic by being of natural colours and material and below sightlines.

Although the land use is not strictly envisaged in the Established Neighbourhood Zone, having regard to the low scale and combined use with the existing residential use, is considered to be appropriate land use and form of development.

Character Preservation District Overlay

Character Preservation District Overlay (Not in township)	
Desired Outcomes	
DO 1	Recognise, protect and enhance the special character of Character Preservation Districts.
DO 2	The long term use of land outside of townships for primary production and associated value adding enterprises is assured and promoted.
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 site of the proposed development is located within the Tanunda township at the boundary of the rural zone to the west of the North Para River. Therefore, PO 2.1 is applicable because the development is occurring at the edge of the township. The development proposal is considered to be low scale given that no alterations are proposed to the dwelling and the signage will not dominate the streetscape. The primary residential use will be maintained and the site is visually and physically separated from the Rural Zone due to the North Para River and high ridgeline along the west of the riverbank that prevents views and outlook to or from the Rural Zone.

The proposed signage is assessed further under later heading. It is noted the signage is of an appropriate form, scale, siting, design and landscape to the context. The sign will be located close to the natural ground level and will not obstruct sightlines and/or views and given the natural colours and materials to be used, will blend into the natural and open landscape.

In summary, the proposed development is considered to satisfy the above-mentioned relevant POs.

Historic Area

Historic Area Overlay	
Desired Outcomes	
DO 1	<i>Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.</i>
Relevant Performance Outcomes/Designated Performance Features	
All Development	
PO 1.1 <i>All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.</i>	DTS/DPF 1.1 <i>None are applicable.</i>
Ancillary development	
PO 4.3 <i>Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, be below the parapet line, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.</i>	DTS/DPF 4.3 <i>None are applicable.</i>
Context and Streetscape Amenity	
PO 6.2 <i>Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.</i>	DTS/DPF 6.2 <i>None are applicable.</i>

The site is located within the Historic Area Overlay. As noted above, the proposal was reviewed by Council's Heritage Advisor in relation to the new sign. Council's Heritage

Advisor considers the proposed sign would have minimal impact on the streetscape and will be consistent with the Historic Area Statement. In reaching this conclusion, it is noted the signage is low-scale, utilises appropriate materials and is situated within an open landscape context.

Interface between Land Uses

Interface between Land Uses	
Desired Outcomes	
DO 1	<i>Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.</i>
Relevant Performance Outcomes/Designated Performance Features	
General Land Use Compatibility	
PO 1.2 <i>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.</i>	DTS/DPF 1.2 <i>None are applicable.</i>

The proposed partial change of land use is not expected to adversely impact adjoining sensitive receivers (residential dwellings), given that the additional use of land is limited in scale and the primary residential use will be retained. As the owners are anticipated to continue residing on-site while accommodating visitors, it is expected they will maintain a high degree of oversight and control over any potential nuisances that may arise.

The use itself is not expected to give rise to nuisance impacts given the low scale of the proposed use. Issues associated with behaviour of the guests are not considered to be materially relevant to the proposal as one cannot assume that guests will behave badly. Further, should management issues arise, these can be dealt with by the owners. Should issues continue to arise, the matter can be addressed by SAPOL in the same way that residential nuisance disputes like noise in neighbourhoods are addressed.

Overall, the proposed development is considered to satisfy PO 1.2.

Signage

Established Neighbourhood Zone	
Relevant Performance Outcomes/Designated Performance Features	
Advertisements	
PO 12.1 <i>Advertisements identify the associated business activity, and do not detract from the residential character of the locality.</i>	DTS/DPF 12.1 <i>Advertisements relating to a lawful business activity associated with a residential use do not exceed 0.3 sqm and mounted flush with a wall or fence.</i>

PO 12.1 Seeks advertising that appropriately identifies the business and does not detract from the streetscape. DTS/DPF 12.1 seeks signage attached to walls and fences and of a size of 0.3 sqm. The size of the proposed signage is roughly within this size but is not flush with a wall or fence. Given the context of the site, a sign flush to the wall or fence would be difficult to identify the business from the street given the long setback to the road on Ellen Place

The sign is also low to the ground and does not obstruct sightlines or views in the street and the contents of the sign refers to the entry point for visitors on Ellen Place, albeit not the lawfully recognised address of the property. The contents of the sign is not offensive or considered out of place given the location of the sign and its contents are largely as an identification element rather than as a business sign.

For all of these reasons, it is considered that the sign is appropriate and is consistent with PO 12.1.

Flood Hazard

Hazards (Flooding) Overlay	
Desired Outcomes	
DO 1	<i>Impacts on people, property, infrastructure and the environment from high flood risk are minimised by retaining areas free from development, and minimising intensification where development has occurred.</i>
Relevant Performance Outcomes/Designated Performance Features	
Land Use	
PO 2.1 <i>Development sited and designed to minimise exposure of people and property to unacceptable flood risk.</i>	DTS/DPF 2.1 <i>None are applicable.</i>
Access	
PO 6.1 <i>Development does not occur on land:</i> a) <i>from which evacuation to areas not vulnerable to flood risk is not possible during a 1% AEP flood event</i> b) <i>which cannot be accessed by emergency services vehicles or essential utility service vehicles during a 1% AEP flood event.</i>	DTS/DPF 3.1 <i>None are applicable.</i>
PO 6.2 <i>Access driveways and tracks to significant development (i.e. dwellings, places of work, etc.) consist of a safe, all-weather trafficable surface that is accessible during a 1% AEP flood event.</i>	DTS/DPF 6.2 <i>None are applicable.</i>

This site is subject to two recent development applications in which flooding risk has been assessed: Development Application 21041904 (dwelling) and Development Application 24042356 (new driveway crossover).

The recently constructed driveway and filling of land within a designated flood zone was assessed by internal engineers as part of Development Application 24042356. As a condition of approval, the driveway required installation of a culvert to maintain longitudinal flows parallel to the North Para River. The culvert has been constructed in accordance with the approved plans and is evident in the site photos.

Referring to **Figure 11** as below, the Tanunda North Para River Flood Extent Map shows the flood zone extends significantly into the property and approaches the extent of the habitable dwelling. During a flood event, vehicle access from the lower-level

accommodation via Ellen Place would be affected by inundation and vehicles would be precluded from achieving access during the 1% AEP flood event.

It is noted that the highest part of the driveway, adjacent to the existing dwelling, when inundated, is anticipated to have a relatively shallow depth of flood water due to this part of the driveway being at near level to the dwelling which is above the flood level extent.



Figure 11: Tanunda North Para River Flood Extent map

One of the representors raised concern regarding the flood affected access and suggests the access is unsuitable. Given these concerns, the applicant was requested to provide further assessment of this matter.

The applicant has responded and advised the proposed tourist accommodation is not considered to represent "significant development" as per PO 6.2 due to the intermittent nature and low scale of guest stays. Additionally, the applicant advises that on-site parking can be managed by the owners during these infrequent events and parking could be accommodated in Elizabeth Street in the infrequent event of a flood event.

It is concluded that the rationale provided by the applicant is reasonable in that the site has two access points, the site could be managed by the owners on the rare occasion that a flood event were to occur and that parked vehicles on the highest part of the new access would only be subject to shallow extent of flood depth. On balance, it is considered the overall exposure to people and property does not represent an unacceptable flood risk.

Car Parking

Transport, Access and Parking	
Desired Outcomes	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.
Relevant Performance Outcomes/Designated Performance Features	
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 six metres 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 in accordance with all of the following: 0.5 metre 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 - 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 - Six metres or more from the tangent point of an intersection of two or more roads - 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 e) proximity to high frequency public transport Note: In circumstances where a land use is not defined in Table 2 – Off-Street Vehicle Parking Requirements in Designated Areas or Table 1 – General Off-Street Car Parking Requirements (as applicable), an appropriate car parking rate may be defined by reference to similar development in comparable locations.	DTS/DPF 5.1 Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using 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	
Tourist accommodation other than a caravan and tourist park	One car parking space per accommodation unit/guest room.

The proposed tourist accommodation and car parking is provided via an existing authorised access point to Ellen Place. The newly formed driveway and crossover were approved via a development application (24042356) in 2025 and represents the second access to the site, noting the site's dual frontage.

The parking area and driveway are configured in a 'T' shape, with each space measuring approximately five metres in width and length. The parking is designed to enable vehicles to be able to enter and exit the site in a forward direction.

The approved plans show the driveway is five metres in width which is sufficient to allow for most domestic sized vehicles. The point of access is at least 30 metres from the intersection with Elizabeth Street, such that DPF 3.1 (b) is achieved.

PO 3.5 is considered to be achieved because the driveway access point has been approved. Although the access is separate to the dwelling access, this is considered to be acceptable in that it provides a private access for guests.

The site is served with two car parking spaces for tourists via the Ellen Place access, which complies with the vehicle parking requirements for tourist accommodation of one parking space per guest room. The proposal has two rooms, meaning that two car parking spaces are required.

The area surrounding the parking spaces is landscaped with vegetation, which is established and will, over time, provide further screening from the public road.

Overall, the proposed access and car parking arrangements are acceptable and consistent with the relevant POs.

Native Vegetation

Native Vegetation Overlay	
Desired Outcomes	
DO 1	<i>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.</i>
Relevant Performance Outcomes/Designated Performance Features	
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.	DTS/DPF 1.1 An application is accompanied by: a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: i. in connection with a relevant access point and/or driveway ii. within 10 metres of a building (other than a residential building or tourist accommodation) iii. within 20 metres of a dwelling or addition to an existing dwelling for fire prevention and control iv. within 50 metres of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area - or b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that

	establishes that the clearance is categorised as 'Level 1 clearance'.
--	---

No native vegetation clearance is required as part of the proposed development, noting that no building work is required, other than in the nature of the proposed sign. The applicant has provided the signed native vegetation declaration pursuant to DPF 1.1, such that PO 1.1 is achieved.

Clearance from Overhead Powerlines

General Development Policies	
Clearance from Overhead Powerlines	
Desired Outcomes	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.
Relevant Performance Outcomes/Designated Performance Features	
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996 (b) there are no aboveground powerlines adjoining the sites that are the subject of the proposed development.

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

Infrastructure and Renewable Energy Facilities

General Development Policies	
Infrastructure and Renewable Energy Facilities	
Desired Outcomes	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.
Relevant Performance Outcomes/Designated Performance Features	
General	
PO 1.1 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: 1. the system is wholly located and contained within the allotment of development it will service; and 2. the system will comply with the requirements of the South Australian Public Health Act 2011.

The existing dwelling is connected to the Tanunda Communal Wastewater Management Scheme (CWMS). The dwelling on the site was approved in 2021 and has approved connection to the Tanunda CWMS. The existing wastewater system has a standard residential capacity for a household of up to six occupants, which aligns with the dwelling's maximum capacity, of two persons per bedroom.

The proposed development will provide for tourist accommodation in nature of short-term tourist stays for up to 4 guests. Having regard to the existing capacity of the dwelling, the proposed development will not place significant additional demand on the existing wastewater system or increase loads on the Tanunda CWMS.

To reinforce the maximum capacity permitted under the development, a condition is contained within the recommendation limiting the number of guests to four. Should the occupancy exceed that of six persons at the site, augmentation of the wastewater system would be required.

Other Overlays

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

Hazards (Bushfire – Urban Interface)

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

Prescribed Water Resources Area

The existing dwelling is serviced by mains water and will not impact on surface water, nearby watercourses or wells.

Water Protection Area

The proposal does not involve activities that may harm or impact water supply.

Water Resources

The proposal does not involve an activity that may impact the function or natural flow of watercourses.

CONCLUSION

The development proposal involves a partial "*Change in land use to a dwelling and tourist accommodation, and installation of one (1) freestanding advertisement*" at 48 Elizabeth Street Tanunda.

The development pathway for the application was Performance Assessed – Code Assessed and was subject to Public Notification. This is in accordance with Section 107 of the *Planning, Development and Infrastructure Act 2016* and received two representations, one of which wishes to be heard.

This report details the assessment of the proposal against the relevant provisions of the Planning and Design Code.

With regard to this, the proposal is considered to be reasonably consistent with the Desired Outcome and Performance Outcomes and Deemed to Satisfy Criteria/Designed Performance Features of the Established Neighbourhood Zone.

Whilst the proposal is not directly envisaged within the Zone, it is not deemed to unreasonably impact on the existing residential character and amenity of the locality. It is compatible with the area as residential use is maintained at the site and the proposed sign is of a size and scale not to detriment the area.

Considering this and the assessment within this report, the application warrants the granting of Planning Consent, 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. 26004697 by Masterplan to undertake "*Change in land use to a dwelling and tourist accommodation, and installation of one (1) freestanding*

advertisement" at 48 Elizabeth Street Tanunda (CT 6170/427) subject to the following reserved matters, 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. 26004697 except where varied by any condition(s) listed below.
- (2) No more than four (4) guests shall be accommodated within the Tourist Accommodation facility at any one time.
- (3) The herein authorised sign shall be displayed with subdued colours and materials that are harmonious with the natural environment, at all times, in accordance with the approved plans to the reasonable satisfaction of the Relevant Authority
- (4) The herein authorised sign shall be displayed in a manner that does not move, does not flash, and does not reflect light so as to not be an undue distraction to motorists, at all times, to the reasonable satisfaction of the Relevant Authority.

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 2 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 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). This form constitutes the form of a decision notification under section 126(1) of the Planning, Development and Infrastructure Act 2016, as determined by the Minister for Planning for the Purposes of regulation 57(1) of the Planning, Development and Infrastructure (General) Regulations 2017 Published: 7 July 2022.
- (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) The adjoining owner should be advised of the proposed work on the boundary and issues such as access to perform work, removal of fences, finished levels and retaining walls should be resolved before building work commences. This approval does not create an automatic right to access neighbouring land.
- (7) Excavations on or near the boundary may require the giving of notification to the neighbour pursuant to sec 139 of the Planning, Development and Infrastructure Act 2016. It is recommended that where mechanical equipment is proposed to be used to construct retaining walls, and where the dwelling may impede access for that equipment, the retaining walls be constructed prior to preparing the footings.
- (8) 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.
- (9) 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.
- (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 being 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.
- (11) 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.
- (12) Construction shall not take place on any Sunday or Public Holiday or after 7.00 pm or before 7.00 am on any other day, and all practicable steps must be taken during construction to minimise the impact of noise emissions on neighbouring properties.

- (13) 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 Page 2 of 3 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.
- (14) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the Environment Protection (Commercial and Industrial) Noise Policy 2023, and such that any resulting noise is not considered a nuisance, to the satisfaction of Council, including any existing infrastructure.
- (15) The applicant is advised that any retaining works to exceed greater than one vertical metre constitutes development, and requires development approval in its own right.

ATTACHMENTS OR OTHER SUPPORTING REFERENCES

- Attachment 1 Application and Associated Documentation [↓](#) 
- Attachment 2 Representations Received [↓](#) 
- Attachment 3 Applicants Response to Representations [↓](#) 

Development Locations

Location 1

Location reference

48 ELIZABETH ST TANUNDA SA 5352

Title Ref

CT 6170/427

Plan Parcel

D111979 AL304

Additional Location Information**Council**

THE BAROSSA COUNCIL

Zone Overlays

Zones

- Established Neighbourhood

Sub-zones

(None)

Overlays

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

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

Mr Sven Kahl

[REDACTED]

Stakeholder info

Ms Kathryn Kahl

[REDACTED]

Contact

Stakeholder info
MasterPlan Pty Ltd

[REDACTED]

Invoice Contact

Stakeholder info
Mr Sven Kahl

[REDACTED]

Land owners

Stakeholder info
Mr Sven Kahl

[REDACTED]

Stakeholder info
Ms Kathryn Kahl

[REDACTED]

Nature Of Development

Nature of development

Change in land use to a dwelling and tourist accommodation, and installation of one (1) freestanding advertisement

Development Details

Current Use

Residential

Proposed Use

Residential and Tourist Accommodation

Development Cost

\$3,000.00

Proposed Development Details

Change in land use to a dwelling and tourist accommodation, and installation of one (1) freestanding advertisement

Element Details

You have selected the following elements

Change of use - \$0.00

Tourist accommodation - \$0.00

Advertisement - \$0.00

Commercial & Industrial Elements

Does the application include signage?

Yes

Number of Signs

1

Location of signs

West Elevation

Advertisement

Is the sign illuminated?

No

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

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

Building Consent

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

No

Apply Now?

No

More information for consent approvals

Do you have an agreement with a State Government Agency related to your application? (Preliminary Agreement)

No

Should your application require public notification, who will be responsible for erecting the sign on the land?

Relevant Authority

Declarations

Certificate Of Title

I acknowledge and understand that the relevant Certificate of Title for the site of my proposed development may contain a registered interest (including an easement, right of way, land management agreement or other encumbrance) that may restrict development or use of the land or portions of land.

Building Safely Near Powerlines

I declare that developing in accordance with the plans submitted will comply with the minimum safety clearance distances.

Native Vegetation Declaration

The proposed development will not involve the clearance of Native Vegetation under the Native Vegetation Act 1991.

Submission Declaration

In accordance with section 119(13) of the Planning, Development and Infrastructure Act 2016, I confirm that the owner of land has consented to the making of this application and that 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
54797REP01.pdf	Planning Report	16 Feb 2026 4:36 PM

Application Created User and Date/Time

Created User

e pn.waltersj@sa.gov.au

Created Date/Time

16 Feb 2026 4:36 PM



Planning Report

Change of Land Use - Addition of a Tourist Accommodation and Associated Signage

48 Elizabeth Street, Tanunda

February 2026



Planning Report

Change of Land Use – Addition of a Tourist Accommodation and Associated Signage

48 Elizabeth Street, Tanunda

February 2026

MasterPlan acknowledge the Traditional Custodians of Country across Australia, and recognise their continuing connection to land, waters and culture. We pay our respects to Elders past and present.

Version	Date	Detail	Prepared	Review
v1.0	16/02/2026	54797REP01	JW	



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1 Introduction

MasterPlan have been engaged by Sven and Kathryn Kahl ('our client'), regarding the change in land use to allow a portion of the existing dwelling to be used for short-term tourist accommodation located at 48 Elizabeth Street, Tanunda (the 'subject land').

In preparing this report, regard has been had to the *Planning, Development and Infrastructure Act.2016* ('PDI Act'), *Planning, Development and Infrastructure (General) Regulations 2017* ('PDI Regs') and the relevant provisions of the Planning and Design Code (the "P&D Code").

This report contains a description of the subject land, the development site, the locality and the proposed development, as well as our assessment of the proposed development against the relevant provisions of the P&D Code, Version 2026.3 dated 12 February 2026 in accordance with the requirements of the PDI Act and PDI Regs.

This planning report has been informed by, and should be read in conjunction with, the following documentation:

- **Attachment A:** Certificate of Title
- **Attachment B:** Site and Floor Plans
- **Attachment C:** Signage Elevations



2 Background

The following Development Approvals are relevant to the subject land and the proposed development:

- DA 960/D038/14 – Torrens Title Land Division to create one (1) additional allotment.
- DA 21041904 – Construction of a two-storey detached dwelling with double garage, rear porch, front alfresco and balcony under main roof, retaining walls and privacy screen.
- DA 24042356 – Filling of land (driveway and parking area) within a designated flood zone.

We note that the above application for land division, dwelling construction and driveway areas have all been implemented.



3 Subject Land and Locality

3.1 Subject Land

The subject land is identified in **Figure 1** below and **Table 1** provides a summary description of the project site being a portion of the land.

Table 1: Project Site

Key Elements	Description
Address	48 Elizabeth Street, Tanunda
Local Government Area	The Barossa Council
Certificate of Title (CT) or Land Parcels	Volume 6170 / Folio 427, Allotment 304, Deposited Plan 111979 in the area named Tanunda Hundred of Moorooroo
Encumbrances	Nil
Easements	Together with free and unrestricted right(s) of way over the land marked A on D111979 (RTC 12472852)
Site Dimensions and Area	1,804 square metres Irregular site measuring 81.43 metres by 20.93m excluding the vehicle access
Existing Use / Built Form	Two-storey detached dwelling

The subject land is located wholly on a single allotment, as identified in Certificate of Title, Volume 6170, Folio 427 as contained in **Attachment A**.

The land comprises an existing two-storey detached dwelling. Whilst the land has direct frontage to Ellen Place, it is formed in a battleaxe arrangement to allow vehicle access and parking to occur at the rear of the dwelling accessed via Elizabeth Street. This is largely due to the topography of the land and is not unusual within this locality.

The existing dwelling has been recently constructed and as such vegetation consists largely of new plantings along the driveway and within the rear yard. The front yard is mostly grassed with a large mature tree located near the street boundary.

The subject land in its current form is depicted in **Figure 1** below.



Figure 1: Subject Land (outlined in red)

3.2 Locality

The locality is residential in nature but is distinct in its outlook to the banks of the North Para River to the west. This outlook and the relatively low intensity of development to Ellen Place increase the amenity of the locality and provide it with a sense of separation from the balance of Tanunda. Existing dwellings are a mixture of one- and two-storeys and are well setback from Ellen Place, with open space, gardens and driveways located in between.

The North Para River flood plain extends into allotments along the east of Ellen Place and has influenced the pattern of development with dwellings being located further east on the allotments.

The locality is depicted in **Figure 2** below.



Figure 2: Locality (outlined in green)



4 Proposed Development

4.1 Documentation

The proposed development is for a change in land use to a dwelling and tourist accommodation, and the installation of one (1) freestanding advertising sign. The site plan, floor plan and signage elevation are contained in **Attachment 2** and are described below.

Table 2: Documentation Summary

Plan / Drawing Description	Date
Lower Floor Plan	25 May 2022
Upper Floor Plan	27 May 2022
Site Plan	February 2026
Signage Elevation Plan (SE1-3A)	February 2026

4.2 Nature of Activities on the Site

As previously discussed, the site currently comprises a two-storey detached dwelling. The applicant is seeking development approval to allow the site to operate as both a dwelling and tourist accommodation. The lower floor would be used as a 'tourist accommodation' providing short-term accommodation akin to a 'Bed and Breakfast' type arrangement. The upper floor would be retained for use solely as a dwelling.

The dwelling and proposed tourist accommodation are afforded separate vehicle and pedestrian access.

4.3 Advertisement

To assist with identification of the property and wayfinding, the proposal includes the erection of one (1) advertisement mounted to landscape pavers, located within proximity of the northern-most site boundary. The proposed advertisement will stand directly adjacent the existing driveway, on the northern side, as depicted in **Figure 3** below and on the Site Plan contained in **Attachment 2**.



Figure 3: Approximate Sign Location

The proposed advertisement will be mounted on a base constructed from landscape pavers, measuring 1.0 metre in width by 0.2 metre in depth and height. The proposed advertisement comprises the words “Ellen’s Place” mounted to the façade and the numbering “304” mounted to the top of the base. The text will be formed of metal in natural or muted tones sympathetic to the natural environment, such as pre-rusted metal.

Elevations of the proposed signage are contained in **Attachment C**.

4.4 On-Site Services

As previously discussed, guests will have access to the ground floor of the existing building with separate entrance via the existing driveway entrance from the primary street frontage. Two (2) existing uncovered parking spaces are available within this driveway space for use by guests only, with residents of the dwelling using the driveway and carparking located at the rear of the building.

The subject land has existing access to power and mains water and is serviced by a 3,000-litre septic tank with approved connection to Council’s Community Waste Management System (‘CWMS’).

General waste, recycling and green waste will continue to be collected from the land via regularly scheduled Council collection. Any hard waste collection will be arranged by the property owners on an “as needs” basis.



5 Administrative Matters

Table 3 below provides a summary of the applicable Zone, Subzone, Overlays and General Development Policy sections, which have been identified as applying to the subject land.

Table 3: Planning and Design Code Summary

Planning and Design Code Summary	
Version and Date	2026.3 dated 12 February 2026
Zone	Established Neighbourhood (EN)
Subzone	Nil
Overlays	• Character Preservation District – Township • Historic Area (Baro14) • Hazards (Flooding – General) • Hazards (Flooding – Evidence Required) • Native Vegetation • Prescribed Water Resources Area • Water Protection Area • Water Resources
Technical Numerical Variations (TNV)	• Minimum Frontage - 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 - 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) – 1 level.
General Development Policies	• Advertisements • Interface between Land Uses • Tourism Development • Traffic, Access and Parking



6 Procedural Matters

The Zones, Subzones, Overlays and General Development Policies that apply may contain sections headed 'Procedural Matters', including the requirement to notify certain applications for planning consent, and referrals to prescribed bodies.

Table 4: Procedural Matters Summary

Procedural Matters Summary	
Relevant Authority	Assessment Manager / Council Assessment Panel
Assessment Pathway	Code Assessed – Performance Assessed
Statutory Referrals	Not required
Public Notification	Not required - Minor

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

6.1 Assessment Pathway

A “tourist accommodation” is not a class of development listed under Table 1 – Accepted Development, Table 2 -Deemed-to-Satisfy Development, Table 3 – Performance Assessed Development or Table 4 – Restricted Development within the Established Neighbourhood Zone. As such the proposed “tourist accommodation” will default to “all other Code Assessed development” under Table 3, which warrants a performance assessment against the relevant Zone, Subzone, Overlay and General Development policies of the Planning and Design Code.

6.2 Public Notification

Table 5 - Procedural Matters (PM) - Notification of the General Neighbourhood Zone lists classes of development that do not require notification.

‘Tourist accommodation’ and ‘Advertisements’ are not listed as a class of development that is exempt from public notification in accordance with Table 5 – Procedural Matters Notification of the Neighbourhood Zone.

Notwithstanding, we are confident that the relevant authority could determine the proposed development as ‘minor in nature’ in accordance with Table 5(1) of the Neighbourhood Zone and thereby not warrant notification, for the following reasons:

- With the exception of the small advertisement, no building works are proposed.



- The scale of the tourist accommodation is very low, with a maximum of four (4) additional persons only staying at the site. Thus, the proposed short-term accommodation is similar in nature to that of an inter-generational arrangement or large family home, or ancillary accommodation, in terms of noise, vehicle movements and the like.
- Vehicle and pedestrian access would be via the existing crossover and driveway located centrally off of the primary frontage to Ellen Place. Residents of the dwelling will continue to access the building from the rear of the site via the northern crossover to Elizabeth Street.
- Residents of the dwelling will be on-site or nearby to monitor and attend to the needs of guests.
- The proposed advertising display is intended for wayfinding purposes only and will be erected north of the driveway access from the primary street frontage. The signage will be erected on landscape pavers with lettering “Ellen’s Place” mounted to the brick face measuring approximately 0.072 square metres in area, whilst the lettering “304” (which refers to the site’s lot number) will be mounted atop the pavers and measure approximately 0.18 square metres. We note that the sign is similar in nature and purpose to a mail box and if it were associated with a dwelling only would be an exempt form of development pursuant to Schedule 4(1)(d) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

In summary, the proposed development is minor in nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.

6.3 Statutory Referrals

The Overlays of the Code include Procedural Matters (PM) sections which mandate when applications require statutory referral to prescribed bodies prior to decisions being made on a development application. A review of the Overlays applicable to the site identified that no statutory referrals are triggered by the proposed development due to its nature, scale and location.



7 Planning Assessment

7.1 Land Use

Planning and Design Code, Established Neighbourhood (EN) Zone, Desired Objectives (DO) 1 and 2 state:

“A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns (DO1).

Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers (DO2).”

Under the Planning and Design Code, the subject land is located wholly within the Established Neighbourhood Zone, as depicted in **Figure 4** below.

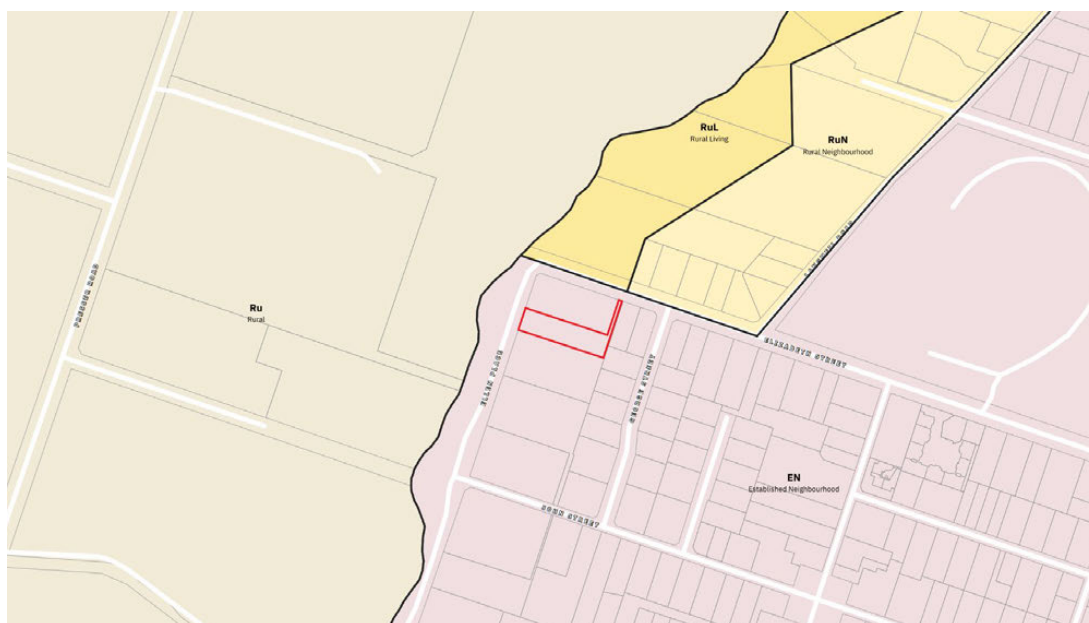


Figure 4: Zone Plan

Whilst ‘tourist accommodation’ is not specifically anticipated with the Zone, non-residential development is provided for in certain circumstances. Performance Outcome (PO) 1.3 of the Established Neighbourhood Zone, seeks:

“Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.”



For all intents and purposes, the proposed development and the building on the site will continue to appear as a dwelling from the street and will be used for short-term (guests) and long-term (residents) accommodation. There will be no discernible signs that the subject land is used for anything other than residential purposes when viewed from the street.

The proposed development will offer Bed and Breakfast style short-term accommodation. The applicant has provided that the accommodation is only suitable for adults with a maximum of four adults, in addition to the dwelling residents, present at any one time. Separate pedestrian and vehicle access is provided as well as two dedicated on-site parking spaces. The scale of the proposed development is such that it is similar in nature to a large residential home or ancillary accommodation arrangement.

In consideration of the above, the proposed development will utilise the existing features of the site, will not alter the built form or streetscape perspective and is low intensity in terms of scale. Thereby the proposed tourist accommodation is of a form and nature that is compatible with the desired objectives of the Established Neighbourhood Zone.

7.1.1 Residential Interface

With regard to residential interface, the following Interface between Land Uses policies are relevant to the proposed development:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
General Land Use Compatibility	
PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.	DTS/DPF 1.2 None are applicable.
Activities Generating Noise or Vibration	
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Commercial and Industrial Noise) Policy criteria.

The subject land is located adjacent to residential dwellings (i.e., sensitive receivers) to the north, south and east. In addition, the upper level of the building located on the subject land will be retained as a dwelling. As discussed in Section 7.1 above, the proposed development will look and operate as a residential land use.



With regard to noise, hosting agencies such as AirBnB or Stayz, have strict policies requiring guests to be mindful of noise particularly where located within proximity of residential dwellings. Given that the owners of the land will continue to live on site and the low maximum number of guest anticipated at any given time, it is not expected that the proposed tourist accommodation will result in adverse impacts relating to noise or other impacts. Further to this, the low scale and residential nature of the proposed tourist accommodation is such that it is not anticipated to exceed the relevant parameters of the Environment Protection (Commercial and Industrial Noise) Policy.

7.1.2 Car Parking

The proposed development provides two uncovered parking spaces within the driveway areas forward of the existing dwelling in addition to the two covered spaces accessed from the rear of the site. The covered parking spaces will remain dedicated to the residents of the dwelling, whilst the uncovered spaces will be dedicated to guests of the tourist accommodation. Transport, Access and Parking, Table 1 – General Off-Street Car Parking Requirements anticipates a parking demand of one space per accommodation unit/guest room for tourist accommodation, and two (2) spaces (one (1) of which is covered) for the dwelling. The proposed development provides sufficient on-site parking to meet the anticipated demand outlined in the Planning and Design Code.

7.1.3 Flooding

With regard to flood impacts, the subject land is located within the Hazards (Flooding) Overlay of the Planning and Design Code. Notwithstanding, having recently been designed and constructed, the existing building is sited above the anticipated flood levels and deemed suitable for habitation whether that be in the form of a dwelling or tourist accommodation.

7.1.4 Tourism Development

In regard to tourism contributions, the following Tourism Development policies are relevant to the proposed development:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
General	
PO 1.1 Tourism development complements and contributes to local, natural, cultural or historical context where: (a) it supports immersive natural experiences (b) it showcases South Australia's landscapes and produce (c) its events and functions are connected to local food, wine and nature.	DTS/DPF 1.1 None are applicable.



The Barossa is a world-renowned wine region and a popular location for domestic and international visitors. In recent years, the popularity of the Barossa region has grown due to national and international events including the Tour Down Under and AFL Gather Round. Tanunda sits on the doorstep of the wine region and is aptly situated to support visitors to the region in terms of accommodation, function facilities, dining outlets and promotion of the regions wine and food offerings.

AirBnB accommodation is not uncommon within the locality of the site of the proposed development as indicated in **Figure 5** below which shows a search for currently available accommodation at the time this report was prepared.

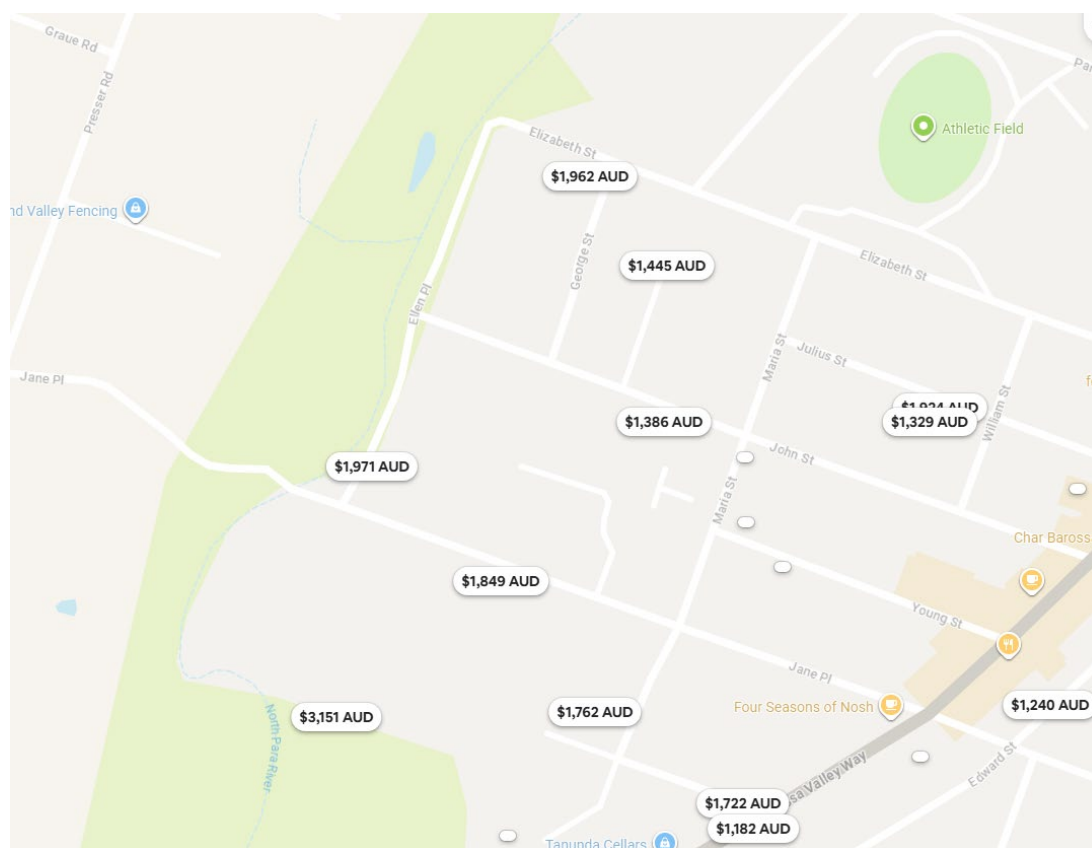


Figure 5: Existing AirBnB facilities within the locality

It is clear from the above, that tourist accommodation already occurs within the locality and is clearly in demand within the region to support the wine and food industries and other large-scale events.



7.2 Advertisements

With regard to advertisements, the following policies are relevant to the proposed development:

Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
Zone – Advertisements	
PO 12.1 Advertisements identify the associated business activity, and do not detract from the residential character of the locality.	DTS/DPF 12.1 Advertisements relating to a lawful business activity associated with a residential use do not exceed 0.3m² and mounted flush with a wall or fence.
Overlay – Historic Area – Ancillary Development	
PO 4.3 Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, be below the parapet line, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.	DTS/DPF 4.3 None are applicable.
General Development – Advertisements - Appearance	
PO 1.1 Advertisements are compatible and integrated with the design of the building and/or land they are located on.	DTS/DPF 1.1 Advertisements attached to a building satisfy all of the following: (a) are not located in a Neighbourhood-type zone (b) where they are flush with a wall: (i) if located at canopy level, are in the form of a fascia sign (ii) if located above canopy level: (A) do not have any part rising above parapet height (B) or (C) are not attached to the roof of the building (c) where they are not flush with a wall: (i) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (ii) if attached to a two-storey building all of the following are satisfied: (A) has no part located above the finished floor level of the second storey of the building (B) does not protrude beyond the outer limits of any verandah structure below



Performance Outcome	Deemed-to-Satisfy / Designated Performance Feature
	(C) does not have a sign face that exceeds 1m² per side. (d) if located below canopy level, are flush with a wall (e) if located at canopy level, are in the form of a fascia sign (f) if located above a canopy all of the following are satisfied: (i) are flush with a wall (ii) do not have any part rising above parapet height (iii) are not attached to the roof of the building. (g) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (h) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building (i) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.
PO 1.5 Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.	DTS/DPF 4 None are applicable.
General Development – Advertisements – Advertising Content	
PO 3.1 Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.	DTS/DPF 3.1 Advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement.
General Development – Advertisements – Amenity Impacts	
PO 5.1 Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.	DTS/DPF 5.1 Advertisements do not incorporate any illumination.



The proposed sign will appear similar to a mailbox and will not exceed 0.3 square metres in sign area. The sign will be mounted to a low height wall constructed of landscape pavers (i.e., limestone blocks). The proposed sign will be moderate in size and located adjacent the existing driveway, some 35 metres from the dwelling located on the land. The sign will be constructed using materials that are natural and muted in tone and which complement the surrounding natural environment.

The sign will also interface with the North Para River and Rural Zone located on the western side of Ellen Place. The sign is small in scale and will appear as a mailbox or small sculpture not dissimilar in size or appearance to the sculptures located within the front yard of the adjoining property to the south (**Figure 6**).



Figure 6: Sculptures on Southern Adjoining Land.



The applicant has selected materials that complement the natural surrounds including limestone and rusted metal similar to that shown in **Figure 7** below.



Figure 7: Indicative Materials and Finishing for Proposed Signage (not to scale).

As previously discussed, the proposed sign is intended for wayfinding purposes only so that guests will be able to easily identify the site and parking entrance. "304" refers to the allotment number of the site.

The proposed advertisement will not be illuminated and thereby avoid adverse impacts to sensitive receivers from glare.

In consideration of the above, the proposed sign is considered in keeping with the policies of the Planning and Design Code, delivering a necessary sign of small scale and considered design that will not adversely impact the existing streetscape character or residential amenity of the locality.



8 Conclusion

For all the reasons provided above, we conclude:

- The proposed 'tourist accommodation' is:
 - of a form and scale that is compatible with the residential nature anticipated for the Established Neighbourhood Zone
 - will not adversely impact adjacent sensitive receivers by way of noise
 - provides sufficient on-site car parking thus avoiding overspill to the street
 - located within a building designed to minimise impacts from flood events
 - well placed to support wine and food tourism within the Barossa Valley region.
- The proposed advertising sign is:
 - low scale and designed in a way that is contextually appropriate and complementary to the surrounding natural environment
 - related to the legitimate use of the land
 - sited an appropriate distance from sensitive receivers and is not illuminated thus avoiding adverse impacts to adjacent residents
 - does not restrict views of items of significance including dwellings or other ancillary buildings, or traffic signs providing direction to motorists.

We conclude that the proposed development accords with the provisions of the Planning and Design Code, and we therefore invite the Barossa Council as the relevant authority to accept that the proposal meets the relevant provisions of the Planning and Design Code in a manner sufficient to enable the application to be approved.

Attachment A

Certificate of Title

www.masterplan.com.au





Product Register Search Plus
(CT 6170/427)
Date/Time 22/01/2026 03:41PM
Customer Reference 54797
Order ID 20260122009275

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 6170 Folio 427

Parent Title(s) CT 6101/67
Creating Dealing(s) RTC 12472852
Title Issued 02/03/2016 Edition 1 Edition Issued 02/03/2016

Estate Type

FEE SIMPLE

Registered Proprietor

SVEN PETER KAHL
KATHRYN ANGELA KAHL
OF 48-50 ELIZABETH STREET TANUNDA SA 5352
AS JOINT TENANTS

Description of Land

ALLOTMENT 304 DEPOSITED PLAN 111979
IN THE AREA NAMED TANUNDA
HUNDRED OF MOOROOROO

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A ON D111979 (RTC 12472852)

Schedule of Dealings

NIL

Notations

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



Product	Historical Search
Date/Time	22/01/2026 03:41PM
Customer Reference	54797
Order ID	20260122009275

Certificate of Title

Title Reference: CT 6170/427
Status: CURRENT
Parent Title(s): CT 6101/67
Dealing(s) Creating Title: RTC 12472852
Title Issued: 02/03/2016
Edition: 1

Dealings

No lodged Dealings found.

Attachment B

Site and Floor Plans

www.masterplan.com.au

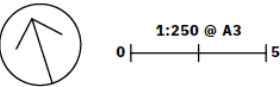




-  Subject Site
-  Compacted Gravel with Road Base Finish
-  Tapering with landscaping

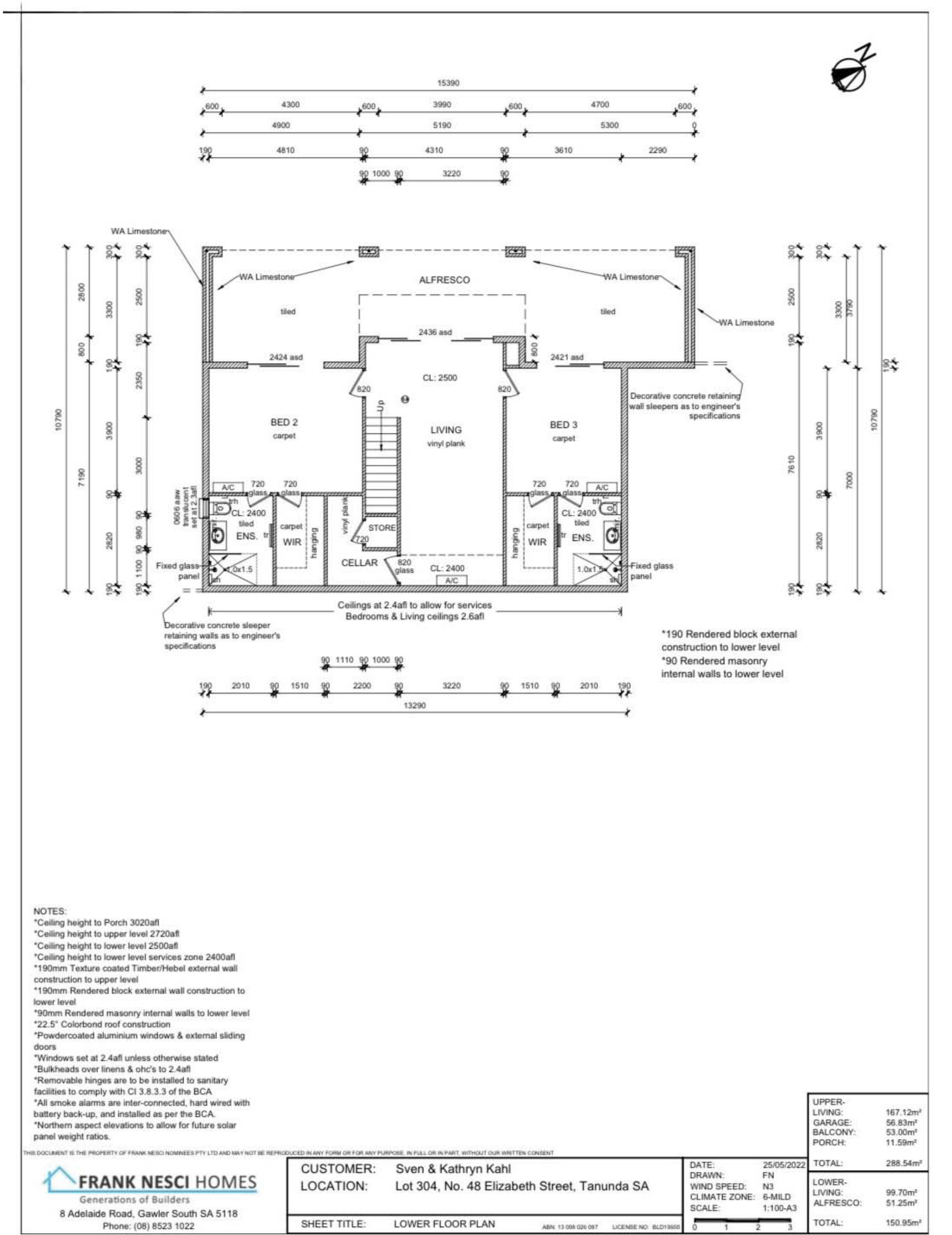
SITE PLAN

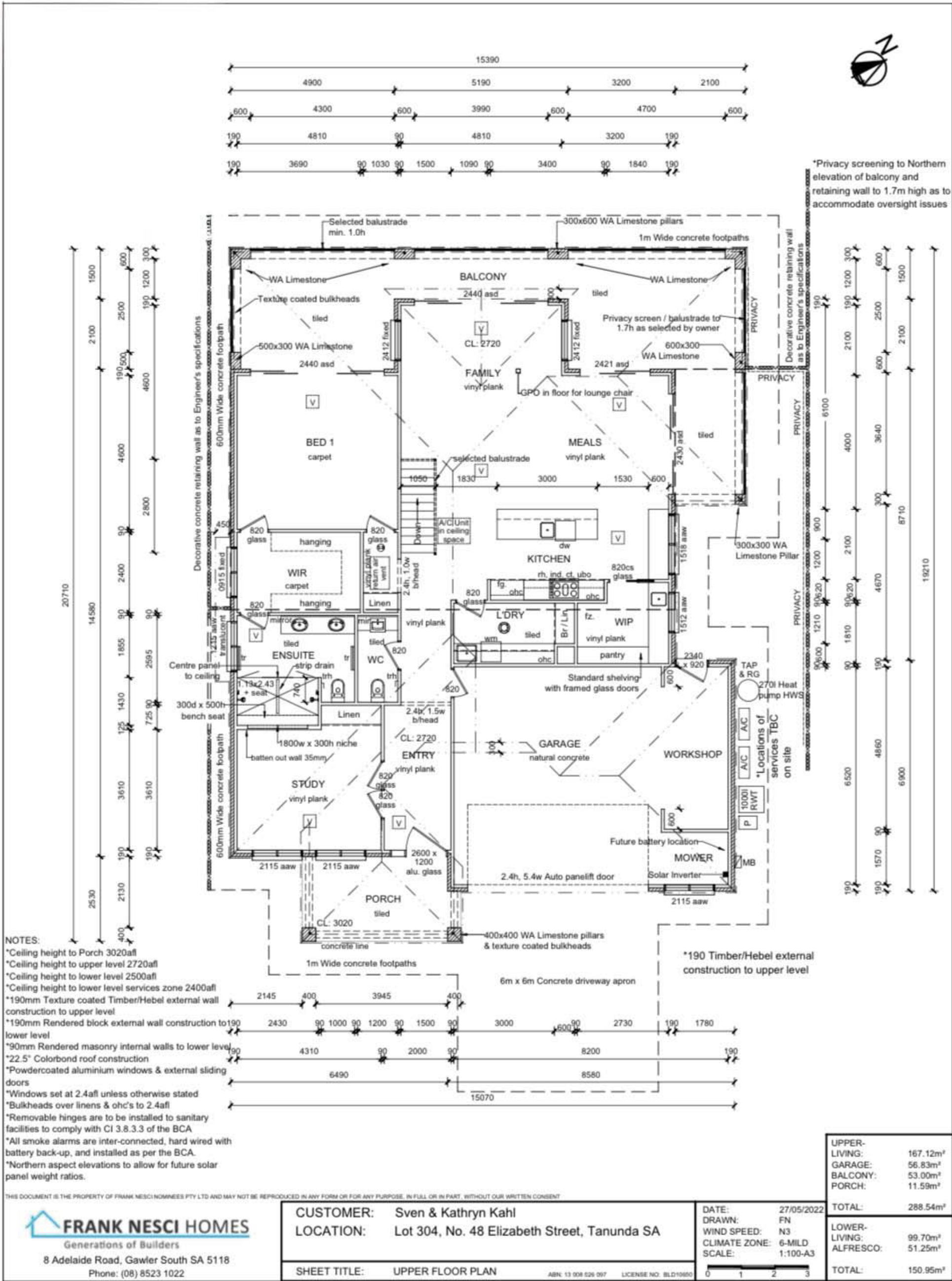
48 Elizabeth Street
TANUNDA
for Sven Kahl



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Attachment C

Signage Elevations

www.masterplan.com.au





SIGNAGE ELEVATION PLAN

48 Elizabeth Street
TANUNDA
for Sven and Kathryn Kahl

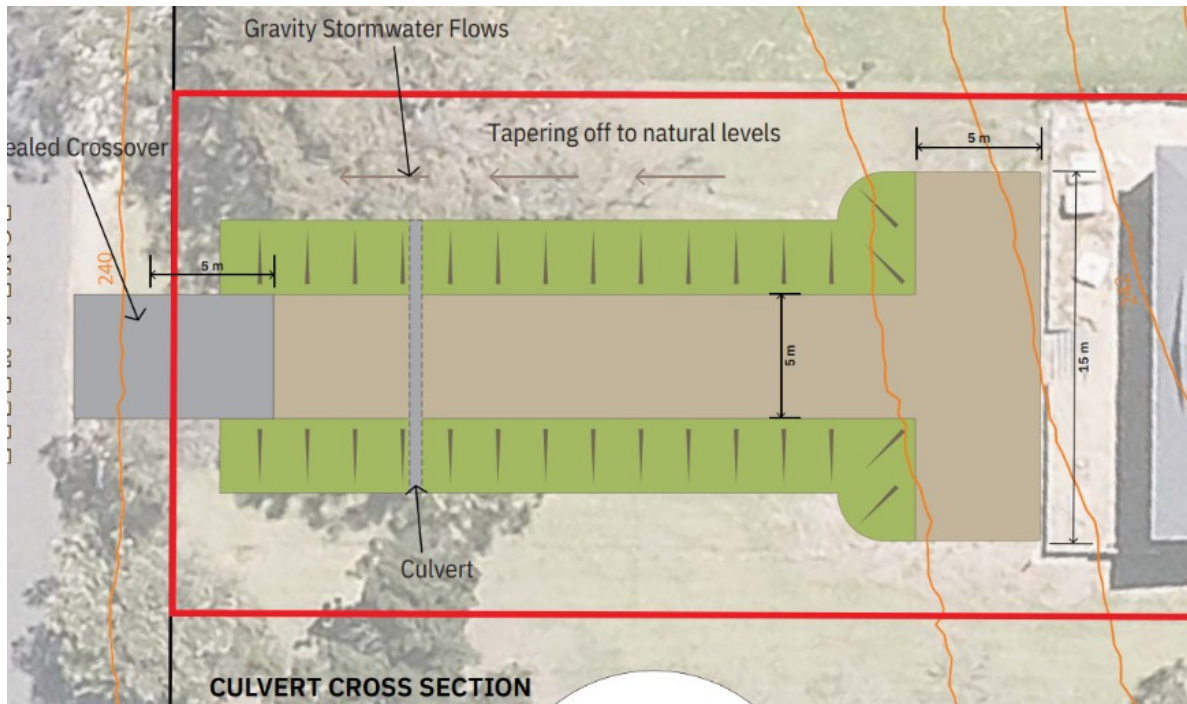


Image 2: Front Parking



Image 3: Front Driveway as Constructed

Details of Representations

Application Summary

Application ID	26004697
Proposal	Change in land use to a dwelling and tourist accommodation, and installation of one (1) freestanding advertisement
Location	48 ELIZABETH ST TANUNDA SA 5352

Representations

Representor 1 - Terrie Charmaine Lynas

Name	Terrie Charmaine Lynas
Address	
Submission Date	16/04/2026 09:37 AM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Refer to the attached document	

Attached Documents

14042026110626-0001-14041503.pdf

REPRESENTATION ON APPLICATION

Planning, Development and Infrastructure Act 2016

Applicant:	Click here to enter text. [applicant name]
Development Number:	Click here to enter text. [development application number] 26004697
Nature of Development:	Click here to enter text. [development description of performance assessed elements or aspects of outline consent application] CHANGE OF USE
Zone/Sub-zone/Overlay:	Click here to enter text. [zone/sub-zone/overlay of subject land] INSTALLATION OF ONE(1) FREESTANDING ADVERTISEMENT
Subject Land:	Click here to enter text. [street number, street name, suburb, postcode] [lot number, plan number, certificate of title number, volume & folio]
Contact Officer:	Click here to enter text. [relevant authority name] 48 ELIZABETH ST, TANUNDA 5352
Phone Number:	Click here to enter text. [authority phone]
Close Date:	Click here to enter text. [closing date for submissions] 22/4/2026

My name*: Click here to enter text. TIMOTHY JOHN LYNAS	My phone number: Click here to enter text. [REDACTED]
My postal address*: Click here to enter text. TERRIE CHARMAINE LYNAS	My email: Click here to enter text. [REDACTED]

* Indicates mandatory information

My position is:

☐ I support the development

☐ I support the development with some concerns

☒ I oppose the development

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

"ATTACHED"

[attach additional pages as needed]



Government of South Australia
Department for Housing
and Urban Development

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

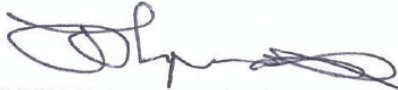
- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why consent should be granted or refused; and
- comment only on the performance-based elements (or aspects) of the proposal, which does not include the: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


Thymal.

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

13/4/26

13/4/26.

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

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

Complete online

[https://www.sa.gov.au/develop-your-say/notified-developments](#)

APPLICATION ID: 26004697

PROPOSED DEVELOPMENT: Change in land use to a dwelling and tourist accommodation, and installation of one (1) freestanding advertisement

SUBJECT LAND: 48 ELIZABETH ST TANUNDA SA 5352

Tim and Charmaine Lynas



We would like to oppose and comment on this application.

We are concerned that once approval is given, we will not be able to trust the Applicant to abide by the regulations related to this application.

Since the Barossa Council approved the plan for this residence to have access only via 48 Elizabeth Street, Tanunda, the Applicant installed a driveway access from Ellen Place without approval or an engineering report.

It was remiss of the Council not to insist on access down the North and/or South side of the building to allow access to the rear of the building, rather than use the whole width of the land for a dwelling.

In 1997, the closest access onto land from the corner of Elizabeth St and Ellen Place was deemed the southern side of Lot 202. No further north was permitted when building was approved at that time due to visibility and danger when leaving the property.

This same restriction was part of our submission when the plans for a dwelling at 48 Elizabeth Street were put out for public comment.

Since then, Council allowed the Applicant to legally apply for the driveway they had already started to erect and get an engineering report which showed necessary adjustments needed to the driveway they had designed.

The Planning Officer from Barossa Council contacted us to inform us of the approval for a minor access only, stating that the PRINCIPAL access to the property would always be from 48 Elizabeth Street.

At that same time, the Planning Officer assured us that the Applicant had confirmed with The Barossa Council, that they had no intention of using the residential property as tourist accommodation.

Either the Planning Officer or the Applicant were not telling the truth!

We live in a very quiet area, where locals use Ellen Place as a tranquil and beautiful environment for walking. All the properties along Ellen place have open parkland style frontage. I fear strangers to Ellen Place would not realise the dangers in utilizing an access road so close to a 'blind corner' and tree lined thoroughfare.

There are no streetlights in Ellen Place, and we have relied on a very observant neighbourhood watch trust to communicate with residents any unusual activity in our area ie. Unknown vehicle movement, strangers walking and sitting on properties, water rising due to flooding. Utilizing this property for a commercial business will now be a confusion and change the ambience of our neighbourhood.

We would like to strongly object to a commercial sign being placed on residential land in Ellen Place. This is a Residential Zone not Commercial Zone. The obvious wording '304 Ellen's Place' is the advertisement for the commercial business as well as a 'fake' address. This will give confusion to our address, which is the only legal address between Elizabeth Street and John Street along Ellen Place. The placing of any sign should not be a guide for any deliveries and/or enquiring interested parties to the business.

We also object to the size and positioning of this advertising sign. It will be visible from all neighbours and something so close to the road will attract unwanted attention from passers-by. This has already been the case of people stopped and reading the 'Proposed Development sign', which is positioned in Ellen Place, for a change of use for a property in Elizabeth Street. We would like to know if Council gave approval for that sign to be in Ellen Place and not Elizabeth Street.

We also are offended that the Applicant used a photo, without our approval in their Application. This photo is of the Australian Flag and pole as well as a local artists sculpture. They are not advertisements.

I would also bring notice to the Barossa Council to page 18 of the application where many other tourist accommodation addresses were shown. There are no advertising signs in the front gardens of these properties, maybe a small sign on the wall of one dwelling. I also would like to know if all these properties have had a change of use approval.

In Summary:

- 1) We have concerns for the increased use of a minor access driveway to the property of 48 Elizabeth Street off Ellen Place, Tanunda

- 2) Objection to an advertising sign; - Its size and proximity to Ellen Place
-Its ambiguous wording
-Its confusion with address numbering
In Ellen Place

In Conclusion, we would like to say, we have been disappointed every time we have submitted a concern to aspects of this development, with little consideration. If this is another case of rubber-stamping an approval, I would appreciate more consideration to negating any advertising signage or at the least, moving it to be part of their 48 Elizabeth Street letterbox or in their (back) garden beds out of full view of neighbouring homes.



Timothy John Lynas

13th April 2026

Terrie Charmaine Lynas

13th April 2026

Representations**Representor 2** - Andrew McRae Alison MacCarthy

Name	Andrew McRae Alison MacCarthy
Address	
Submission Date	21/04/2026 01:11 PM
Submission Source	Email
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

RepresentationOnApplication-48ElizabethStreetTanunda-14087075.pdf

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

Applicant:	Sven & Kathryn Kahl
Development Number:	26004697
Nature of Development:	Advertisement, change of use & tourist accommodation
Zone/Sub-zone/Overlay:	Zones - Established Neighbourhood Sub-zones - nil Overlays - - Character preservation district - Hazards (flooding) - Historical Area - Hazards (bushfire - urban interface) - Hazards (flooding - evidence required) - Native Vegetation - Prescribed Water Resources Area - Water Protection Area - Water Resources
Subject Land:	48 Elizabeth Street Tanunda SA 5352 Title Reference CT6170-427 Plan Parcel D111979AL304
Contact Officer:	Assessment Manager, The Barossa Council
Phone Number:	08 8563 8444 / development@barossa.sa.gov.au
Close Date:	11.59pm, 22 April 2026

My name*: Andrew McRae & Alison MacCarthy	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 ☒ I oppose the development



Government of South Australia
 Department for Housing
 and Urban Development

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

The applicant's demonstrated behaviour over the past five years gives us **little confidence** they will comply with the conditions outlined in their application if approved by Council to proceed. Our concerns are based on repeated, well-documented issues during the construction and early occupation of the applicants' property.

Lack of transparency during initial consultation

During pre-construction consultation, the applicants stated the dwelling was intended to be their 'dream home' with the two lower-level bedrooms to be used only by their adult children when visiting. They explicitly denied any intention to operate tourist accommodation or a commercial venture. Council subsequently approved the build as a **residential dwelling only, with no vehicle access permitted from Ellen Place.**

Repeated construction-related breaches

Throughout the construction period, we lodged multiple noise complaints due to work occurring outside approved construction hours. Despite these complaints, the breaches continued regularly. Builders also parked on, or drove across, neighbouring properties to access the site, causing damage and forcing us to erect temporary fencing to protect our yard. These actions demonstrate a pattern of disregard for both Council requirements and neighbours.

Unapproved and unsafe access track

The proposed accommodation access driveway was originally described as a '*temporary site access*'. It has since been converted into a permanent access road to the **rear** of the property, noting the front door is only accessible via Elizabeth Street. Although the dwelling itself sits about the 100-year flood line, the site of this access track has been **completely underwater during recent flood events**, raising concerns about the safety and suitability of a permanent access road in this location.

Given this history, we have **little confidence** in the applicants' assurance that the proposed tourist accommodation will have 'little impact' on neighbours.

Concerns regarding proposed way finding signage

The proposed external signage is **excessive and inappropriate** for a rural-residential setting. Guests booking through online platforms such as Airbnb or Stayz will already rely on digital navigation tools (Google Maps, Apple Maps), making large physical signage unnecessary.

The other Airbnb properties referenced in the application **do not** have external wayfinding signage, and are therefore **not valid comparisons**. Similarly, the neighbour's sculpture cited as a precedent is a private artwork; not a business advertisement.

We request confirmation from Council that all properties referenced by the applicants hold approved Development Applications for change of use to tourist accommodation.

The applicants also claim their proposed wayfinding sign is "similar to a letterbox". However, the proposed sign is substantially larger - at least 30% bigger - than the mailboxes on surrounding properties; making it disproportionate to the rural-residential character of the area.

We request Council **deny** the applicants' proposed wayfinding signage as unnecessary and not in keeping with other homes and frontages along Ellen Place.

[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: 20 April 2026.

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

Email: [REDACTED] *[relevant authority email address]* or

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



14 May 2026

Gene Wilson
The Barossa Council
Via: PlanSA Portal

Our Ref: 54797LET01

Dear Gene

Re: Development Application 26004697 – Response to Representations

MasterPlan provide this response to representations on behalf of our clients Sven and Kathryn Kahl (the ‘applicant’) in relation to Development Application 26004697 for a Change in land use to a dwelling and tourist accommodation, and installation of one freestanding advertisement located at 48 Elizabeth Street, Tanunda (the ‘subject land’).

We understand that as a result of the notification period, two representations were submitted in opposition to the proposed development, one of which wishes to be heard by Council’s Assessment Panel. The concerns raised by the representors are summarised as follows:

- Concerns that (due to a lack of trust) the applicant will operate outside of approval.
- Driveway access from Ellen Place was approved as a minor access only and the principal access to the property would be from Elizabeth Street. Visitors would not realise the dangers associated with the tree lined thoroughfare and ‘blind corner’.
- Commercial use of the land will impact residential amenity.
- The proposed advertisement is not a legal address and will cause confusion.
- The size and positioning of the proposed advertisement will be visible from all neighbouring land and will attract unwanted attention from passers-by.
- The proposed advertisement is not in-keeping with other homes and frontages along Ellen Place.
- The example tourist accommodations provided in the planning report only include small signs on a wall of the associated dwelling. It is unsure if these examples have authorisation to operate as tourist accommodation.
- Previous construction occurring on the subject land has breached approved construction hours.
- The access and driveway from Ellen Place are not suitably protected during flood events.

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We note that many of the issues raised by representors concern previous works that have already occurred on the subject land or are outside of the scope of what is currently before Council for its consideration. We have reviewed the proposed development and the comments received by representor's and provide our response **below** to those matters that are deemed as relevant planning considerations.

Tourist Accommodation

We have previously provided that 'AirBnB accommodation is not uncommon within the locality' citing a screen shot of advertised business within proximity of the subject land. Moreover, whether or not these businesses are operating with the requisite Development Approvals in place, is a matter for Council discretion. Notwithstanding, a brief review of PlanSA's Public Development Application Register reveals at least five authorised tourist accommodations within 2.0 kilometres of the subject land.

We maintain that the proposed development currently before the Panel will provide tourist accommodation that supports the activities of the Barossa region at a scale that will complement the residential character and amenity of the locality.

Vehicle Access

With regard to vehicle access from Ellen Place, we provide that Development Approval (DA 24042356) was granted by Council on 11 April 2025 for the 'filling of land (driveway and parking area) within a designated flood zone'. Whilst we do not have access to Council's planning assessment report, development of this nature would typically be referred to Council's traffic engineers for comment on matters such as safe and convenient vehicle access and parking (including sightlines) and potential flood implications. To this effect, we note that the subject driveway is located at least 30 metres from the intersection of Ellen Place and Elizabeth Street. Additionally, the driveway is approximately 34 metres in length with unencumbered views of the adjacent road which should be more than sufficient to see oncoming vehicles from either direction.

We note that Development Approval 24042356 does not restrict the use of the vehicle access or driveway to residents of the dwelling, nor does it restrict the frequency of use.

The proposed development only provides for two guest occupancies in addition to the residents of the dwelling which would equate to approximately two additional vehicles accessing the site when guests are present. Coupled with the existing vehicle demand from permanent residents of the dwelling, the additional vehicle movements are not deemed excessive, particularly given the size of the dwellings typically found within this locality.

We reiterate that the proposed carparking complies with Transport, Access and Parking, Performance Outcome 5.1 of the Planning and Design Code, whereby Table 1 – General Off-Street Car Parking Requirements anticipates a parking demand of one space per accommodation unit/guest room for tourist accommodation, and two spaces (one of which is covered) for the dwelling.



Advertisements

With regard to the proposed advertisement located adjacent to the Ellen Place driveway, we provide that the proposed sign is generally consistent with the policies of the Planning and Design Code. The proposed signage is clear in its messaging, of low scale, will not restrict views of oncoming vehicles or be mistaken as traffic directions, will not move, flash or scroll, and is of a form and finish that complements the residential finishes within the locality.

We note that pursuant to Schedule 4(1)(d) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that advertising displays of low scale are anticipated in association with a residential development. An example of advertising within the Established Neighbourhood Zone associated with a dwelling is 50 John Street, which has a free-standing advertising display facing the street, located within the front yard (**Figure 1**).

Advertisements association with residential development also include instances where home activities take place within a dwelling or on residential land. In these circumstances, the advertisement is not restricted to being displayed on a wall or fence but is restricted to an advertising area of 0.2 square metres (enclosing the hoarding). The proposed advertising display will be mounted to landscape pavers, which are not a form of development in their own right. The numbers and lettering advertising “Ellen’s Place” will equate to an advertising area of approximately 0.3 square metres, which is a moderate departure from the 0.2 square metres anticipated for home activity signage. In addition, the proposed advertisement maintains some transparency of the land beyond and is slimline in its design.



Figure 1: Example Sign Associated with Home Activity (Source: Google Maps)



Closure

In summary, we provide that the proposed partial change in land use to allow for a tourist accommodation is of a form and scale that is compatible with the residential nature anticipated for the Established Neighbourhood Zone.

The traffic generated by guests is not anticipated to be excessive and moreover is akin to that of a dwelling with multiple car owners/users (i.e. a couple with two or more teenage children, or an intergenerational household). Suitable on-site carparking is provided via existing authorised crossovers/driveways.

The proposed advertisement is low scale and design to complement the surrounding natural and built environments. The proposed advertisement will not materially impact the residential amenity of the locality by way of bulk and scale, illumination, or by blocking views of scenic vistas, dwellings, vehicle sightlines or traffic directions.

We trust that the above response and the enclosed documents provide clarification and sufficiently address the concerns raised by the representors and enable Council to finalise their assessment.

We conclude that the proposed development accords with the provisions of the Planning and Design Code, and we therefore invite the Barossa Council, as the relevant authority, to accept that the proposal meets the relevant provisions of the Planning and Design Code in a manner sufficient to enable the application to be approved.

Yours sincerely

Jasmine Walters
MasterPlan SA Pty Ltd

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

Nil.

8. REPORTS – PANEL UPDATES

Nil.

9. REPORTS – OTHER BUSINESS

Nil.

10. REPORTS – CONFIDENTIAL

Nil.

11. NEXT MEETING

Tuesday 14 July 2026 commencing at 5:00 PM

12. CLOSURE OF MEETING

The Presiding Member will declare the meeting closed.