

BAROSSA ASSESSMENT PANEL

MINUTES OF THE MEETING OF THE BAROSSA ASSESSMENT PANEL
held on

Tuesday, 7 September 2021 commencing at 5:00pm

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



The Barossa Council

MINUTES

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1. WELCOME

The Presiding Member welcomed everyone, and opened the meeting at 5:01pm.

2. ATTENDANCE

2.1 Present

Panel Members

Bruce Ballantyne	Presiding Member
Grant Hewitt	Member
Susan Giles	Member
Jake McVicar	Member
Richard Miller	Member

Council Staff

Janine Lennon	Acting Manager, Development Services
Anthony Zollo	Acting Senior Assessment Officer, Planning
Chris Kruger	Minute Secretary

2.2 Apologies

G Mavrinac (Assessment Manager).

2.3 Absent

Nil.

3. CONFIRMATION OF MINUTES

Moved: G Hewitt

Seconded: J McVicar

That the minutes of the Barossa Assessment Panel meeting held on 3 August 2021 be received and confirmed.

CARRIED

4. BUSINESS ARISING

Nil.

5. DECLARATION OF INTEREST BY MEMBERS OF THE PANEL

Nil.

6. REPORTS - APPLICATIONS FOR DECISION – DEVELOPMENT ACT 1993

Nil.

7. REPORTS - APPLICATIONS FOR DECISION – PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2013

7.1 21008020 (252 Murray Street Tanunda)

Representors

John Geber addressed the Panel at 5:04pm, and answered questions from the Panel.

Phil Harnett on behalf of Barossa Residential Estates Pty Ltd provided a submission but did not attend to address the Panel.

Applicant

George Manos (Botten Levinson Lawyers) addressed the Panel at 5:14pm on behalf of the Applicant and answered questions from the Panel.

John Outhred (Outhred English Urban & Regional Planners) answered questions from the Panel.

Recommendation

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 & Infrastructure Act 2016* resolves:

- (a) 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, seeks to further the objects of that Act.
- (b) That the proposed development is not seriously at variance with the Planning & Design Code.

- (c) To GRANT Planning Consent for Application No. 21008020 by John Outhred to undertake Tourist accommodation consisting of 141 rooms and 6 villa units; function centre; restaurant; cafe; two shops; administration building; gymnasium; outdoor BBQ area; car parking and landscaping at 252 Murray Street, Tanunda (CT 5890/768) subject to the following reserved matters and conditions:

Reserved Matters

In accordance with s102(3)(a) of the *Planning Development & Infrastructure Act 2016* the relevant authority reserves its decision on the following matters:

- A. The provision of a comprehensive Stormwater Management Plan including the following information:
- (a) Detention shall be provided to limit the 1% AEP post-development peak discharge to the 5% AEP pre-development peak discharge from the site.
 - (b) Detail of how the controlled discharge from the site shall be safely connected to the North Para River.
 - (c) Detail of how the connection of the stormwater drainage system to the watercourse shall incorporate scour protection measures and shall not obstruct flows in the watercourse.

Council Conditions

- (1) The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, including:
- Planning Report - prepared by Outhred English Urban & Regional Planners, dated 30 April 2021
 - Traffic & Parking Report - prepared by Phil Weaver & Associates, dated 28 April 2021
 - Stormwater Management Plan - prepared by FMG Engineering, dated September 2020
 - Wastewater System Feasibility Review - prepared by FMG Engineering, dated 10 December 2020
 - Architectural Plans – Prepared by Daring Digital, job number 18-460:
 - Site Plan – a-101
 - Floor Plan – Main Building - a-102
 - Accommodation – a-103
 - Shops – a-104
 - Main Building Elevations – a-201
 - Shops & Villas Elevations – a-202
 - Residential Suite Elevations – a-203

- Landscaping Concept – a-401
 - Perspectives 01 – a-501
 - Perspectives 02 – a-502
- unless varied by a separate condition.
- (2) No advertising signage has been included in this proposal and advertising signage shall require a separate application and development approval.
- (3) Prior to the issuing of Development Approval the applicant shall lodge and have approved by an application to install a wastewater system pursuant to the provisions of the *South Australian Public Health Act 2011* and South Australian Public Health (Wastewater) Regulations 2013.
- (4) All waste material not required for further onsite processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained load so that no waste is spilled or dust or odour is created to the satisfaction of Council.
- (5) Unless with the prior written consent from Council, the development hereby permitted may only operate between the following hours:
 Function Centre/Conference Room : Monday to Sunday (including public holidays): 7:00 am to 12 midnight
 - Restaurant and Bar: Monday to Sunday (including public holidays): 7:00am to 10:00 pm
 - Shops and Cafe: Monday to Friday: 7:00 am to 9:00 pm; Saturday to Sunday (including public holidays): 8:00 am to 5:00 pm
- (6) Deliveries to and from the site (including waste collection) shall be from the central ingress/egress point and must only take place between:
 - 7.00 am and 8.00 pm Monday to Saturday
- (7) The Conference/Function Centre shall operate in accordance with the following noise amelioration requirements:
- Music shall only be played through an in-house system that can be calibrated to ensure that the maximum music noise levels of less than 8dB above background noise at adjacent sensitive receivers are maintained
 - All openings (doors and windows) into the conference/function room shall remain normally closed (other than for egress)
 - All music shall cease by 11:30 pm

- (8) No more than 200 seats shall be made available within the conference room/function centre hereby approved, unless with the prior written consent of Council.
- (9) No more than 140 seats shall be made available within the restaurant hereby approved, unless with the prior written consent of Council.
- (10) No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.
- (11) All external lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of Council.
- (12) Unless with the prior written consent of Council, before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out, completed and maintained to the satisfaction of Council.
- (13) All stormwater from buildings, paving and areas that immediately surround the perimeter of the building shall be disposed of in a manner that does not result in entry of water into the building, or affect the stability of the building, or create an unhealthy or dangerous condition, or run onto or over land of an adjoining owner.
- (14) Storm water disposal systems must be fully installed at the completion of the construction of the building with adequate measures deployed during construction to ensure the temporary disposal of surface or roof water does not affect neighbouring properties, to the satisfaction of Council.
- (15) The loading and unloading of goods from vehicles must only be carried out on the land (within the designated loading bay) and must not disrupt the circulation and parking of vehicles on the land, to the satisfaction of Council.
- (16) Before the *use commences* and/or occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - (a) Constructed
 - (b) Properly formed to such levels that they can be used in accordance with the plans

- (c) Surfaced with an all-weather sealcoat or treated to the satisfaction of Council to prevent dust and gravel being emitted from the site
 - (d) Drained and maintained
 - (e) Line marked to indicate each car space and all access lanes
 - (f) Clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of Council. Car spaces, access lanes and driveways must be kept available for these purposes at all times, to the satisfaction of Council.
- (17) The detailed design of all footpaths, roads and open spaces and other public areas must comply with the requirements of the Disability Discrimination Act 1992.
- (18) Any noise generating activity undertaken at the site must be undertaken in accordance with the provisions of the Environment Protection (Noise) Policy 2007, such that any resulting noise is not considered a nuisance, to the satisfaction of Council.
- (19) No solid or liquid trade waste shall be discharged to the stormwater system to the satisfaction of Council.

Commissioner of Highways Conditions

- (20) The site shall be developed as shown on Daring Digital Architecture, Site Plan, Project No. 18-460, Drawing a-101 (and associated plans).
- (21) The two-way access point to Murray Street centred approximately 160 metres north-east of the southern boundary shall incorporate a BAL and BAR treatment on Murray Street and be designed to accommodate commercial vehicles (up to 12.5 m in length) and buses.
- (22) All road works deemed to be required to facilitate safe and efficient access must be designed and constructed to comply with Austroads Guides and Australian Standards and to the satisfaction of DIT, with all costs (including but not limited to design, construction, project management and any changes to road drainage, tree protection/risk assessment, lighting etc required) to be borne by the applicant. The applicant shall contact DIT Road and Marine Services, Asset Manager, Mr Victor Ling (08) 8104 5630 or mobile 0467 784 657 (victor.ling@sa.gov.au) to obtain approval and discuss any technical issues regarding the required works. The applicant shall enter into a

Developer Agreement with DIT to undertake and complete this work.

- (23) Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
- (24) The pedestrian/cycling paths shown on Daring Digital Architecture, Site Plan, Project No. 18-460, Drawing a-101 that link to Murray Street and the adjacent roundabout shall be finalised in consultation with DIT (and Council) with all costs are to be borne by the applicant.
- (25) All advertising shall be installed on private property.
- (26) All off-street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line and all road connections to ensure adequate visibility between vehicles leaving the site and pedestrians/cyclists on the adjacent footpath/s.
- (27) The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.
- (28) The applicant shall ensure that all stormwater generated by the proposal is appropriately collected and disposed of without impacting the adjacent arterial road network.

Panel Decision

Moved: R Miller

Seconded: G Hewitt

That the recommendation be adopted.

CARRIED

8. REPORTS – APPLICATIONS TO PROCEED/NOT TO PROCEED TO ASSESSMENT

Nil.

9. REPORTS – DEFERRED APPLICATIONS FOR DECISION

9.1 Updates on Deferred Applications for Decision

Nil.

10. REPORTS - PANEL UPDATES

10.1 State Planning Commission Concurrence Matters

Recommendation

That the report be received.

Panel Decision

Moved: G Hewitt

Seconded: S Giles

That the recommendation be adopted.

CARRIED

10.2 Environment Resources and Development Court Appeal Updates

Recommendation

That the report be received.

Panel Decision

Moved: J McVicar

Seconded: G Hewitt

That the recommendation be adopted.

CARRIED

11. REPORTS - OTHER BUSINESS

11.1 Member Apology

G Hewitt advised that he will be tendering an apology for the 5 October 2021 Panel Meeting.

12. REPORTS – CONFIDENTIAL

Nil.

13. NEXT MEETING

Tuesday 5 October 2021 commencing at 5.00pm.

14. CLOSURE OF MEETING

The Presiding Member declared the meeting closed at 5:42pm.

Confirmed

Date: Chairman: