

COUNCIL ASSESSMENT PANEL MEETING

14 April 2021

AGENDA – 8.2

Applicant: LJJ Enterprises Pty Ltd	Landowner: LJJ Enterprises Pty Ltd
Agent: Jeff Smith- Planning Chambers Pty Ltd	Originating Officer: Doug Samardzija
Development Application:	20/1297/473
Application Description: Horticultural building, verandah, signage & associated earthworks	
Subject Land: Lot:2 Sec: P5039 FP:11068 CT:5115/328	General Location: 141 Onkaparinga Valley Road Woodside Attachment – Locality Plan
Development Plan Consolidated : 8 August 2019 Map AdHi/1, 18 & 57	Zone/Policy Area: Watershed (Primary Production) Zone - Woodside (Rural Surrounds) Policy Area
Form of Development: Merit	Site Area: 22.24 hectares
Public Notice Category: Category 2 Merit	Representations Received: 5 Representations to be Heard: 3

1. EXECUTIVE SUMMARY

The purpose of this application is to construct a horticultural building, with an integrated verandah and signage. The single building is proposed to be used in association with the Barristers Block vineyard and will predominately be used to store implements to support the horticultural activities currently undertaken on the site.

The subject land is located within the Watershed (Primary Production) Zone - Woodside (Rural Surrounds) Policy Area and the proposal is a merit form of development and pursuant to the procedural matters for the Zone was subject to Category 2 public notification. The application received five (5) representations during the public notification period and three (3) parties wish to be heard in support of their representations.

As per the CAP delegations, the CAP is the relevant authority for Category 2 applications where representors wish to be heard.

The main issues relating to the proposal are character and amenity impacts within the locality, access arrangements and the proposed use.

In consideration of all the information presented, and following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending that the proposal be **GRANTED** Development Plan Consent, subject to conditions.

2. DESCRIPTION OF THE PROPOSAL

The proposal is for the following:

- Horticultural Building – 483sqm shed with dimensions of 30.64 metres by 15.78 metres. The building is proposed with a maximum height of 9.83m and a wall height of 6 metres resulting in a 25 degree pitch roof in a gable design. The building will be uniformly clad in corrugated iron with a monument (black matt) finish.
- Integrated Verandah – 309 sqm verandah attached to the eastern side of the horticultural building with dimensions of 30.64 metres by 10.11 metres. The verandah has a maximum height of 6 metres and slopes from west (point of attachment to the shed) to the east in a skillion design.
- Signage – two (2) Barristers Block corporate logos to be affixed or painted onto the external southern and northern elevations of the horticultural building and each to be approximately 16m² in area.
- Earthworks associated with the construction of the building and the sealing of the floor area and surrounding surfaces.

It is noted that no industry associated with the horticultural use is proposed to occur within the horticultural building. The applicant has indicated that at times the building may be used as a temporary overflow area for the storage of bottled wine sold in the cellar door. This is anticipated to be a minor and ancillary component of the use of the horticultural building.

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Publicly Notified Plans**.

3. BACKGROUND AND HISTORY

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
2 March 2021	18/656/473	Outbuilding (deck)
10 November 2020	20/1092/473	Verandah addition to cellar door
16 December 2016	15/902/473	Change of use to include function centre (125 person capacity) within existing hayshed, including outdoor licensed area and car park area (non-complying) – access was to/from Onkaparinga Valley Road using the existing access point
2 June 2016	15/901/473	Cellar door- shop for the tasting of wine including outdoor licensed area in association with approved shop use 07/1091
9 June 2016	14/136/473	Freestanding advertising sign (maximum height 3.5m)
30 May 2012	12/246/473	Change of use of a portion of an existing outbuilding to a shop for the sale & tasting of wine in association with existing vineyard for a temporary period of two years

19 December 2011	11/301/473	Conversion of an existing dwelling to non-hosted tourist accommodation (maximum 6 persons)
12 February 2010	09/771/473	Change of use of a portion of existing outbuilding to shop for the sale & tasting of wine in association with an existing vineyard & associated alterations to the building for a temporary period of 12 months
30 September 2009	09/355/473	Deck attached to cellar door (maximum height 400mm)
25 September 2009	07/1091/473	Change of use of existing outbuilding to shop for the sale and tasting wine in association with existing vineyard and associated alterations and additions to the building, carparking, landscaping and earthworks
25 August 1999	99/625/473	Change of land use- vineyard

4. REFERRAL RESPONSES

- AHC ENGINEERING**

Verco Road is a low volume, unsealed no through road and does not meet the eligibility criteria to be sealed in accordance with Council's Unsealed Roads Policy.

Council's Manager Civil Services accepts that the proposal is unlikely to increase traffic volumes on Verco Road. This is based on an understanding that the proposal will facilitate storage of farm machinery onsite, which would otherwise have to be taken in and out daily to and from the site via Verco Road.

5. CONSULTATION

The application was categorised as a Category 2 form of development in accordance with the procedural matters for the Watershed (Primary Production) Zone, pursuant to Principle of Development Control 72, in that the proposal exceeds the threshold for horticultural buildings in Principle of Development Control 71 to be considered Category 1. Five representations were received during the notification period. Three parties in opposition to the proposal have indicated that they wish to be heard. The CAP is the relevant authority for Category 2 applications where representors wish to be heard.

The following representors wish to be heard:

Name of Representor	Representor's Property Address	Nominated Speaker
Sue and Brenton Marshall	7 Verco Road, Woodside	Self
Peter Rodda	9 Verco Road, Woodside	Self
Jill Wybrow	4/135 Onkaparinga Valley Road, Woodside	Self

The applicants and their representative – Jeff Smith of Planning Chambers may be in attendance.

The issues contained in the representations can briefly be summarised as follows:

- Increase in traffic volumes using Verco Road with workers, truck and machinery gaining access.
- Cars, mini buses leaving Barristers Block on weekends causing dust nuisance. The dust nuisance in particular affects residents of the Aged units.
- The junction of Verco Road with Onkaparinga Valley Road, is dangerous.
- Cars and mini buses exiting the rear paddock of Barristers Block cross the Amy Gillett Bikeway in a dangerous position.

Whilst not suggesting the following would overcome their concerns, the persons making representation have suggested:

- Verco Road be sealed;
- Traffic exiting Verco Road be required to turn left at the junction with Onkaparinga Road; and
- No cars from Barristers Block Cellar Door to exit via Verco Road.

These issues are discussed in detail in the following sections of the report.

A copy of the submissions is included as **Attachment – Representations** and the response is provided in **Attachment – Applicant’s Response to Representations**. A copy of the plans which were provided for notification are included as **Attachment – Publically Notified Plans**.

6. PLANNING & TECHNICAL CONSIDERATIONS

This application has been evaluated in accordance with the following matters:

- The Site’s Physical Characteristics
The subject land is 22.24 hectares in area and is divided by the Onkaparinga River which runs on a north-south alignment through the block, creating two distinct portions of land on its east and west flanks. The eastern side contains the Barristers Block cellar door, function centre, car parking areas and tourist accommodation complex, as well as grazing land, water storage and a small wood plantation. To the west of the river, the land supports the vineyard. The horticulture building is proposed in the south eastern portion of the allotment currently utilised predominantly for grazing. The subject site does not have a direct frontage to Onkaparinga Valley Road but rather abuts the Amy Gillet Bikeway, with main access to the site gained over the bikeway reserve and secondary access gained from Verco Road to the south (an unsealed Council Road). The land slopes gently down from the eastern boundary to the centreline of the creek, with the slope from the western boundary down to the river being noticeably steeper.
- The Surrounding Area
The site of the proposal is at the interface of the Watershed (Primary Production) Zone and the Township Zone and as such the locality has a unique character. Allotments to the east and south-east along Onkaparinga Valley Road are primarily used for residential purposes, apart from the church and the properties further north/east

which include a machinery workshop, storage and landscape supplier. It is noted however that the Township boundary is quite restricted in an east-west direction in this location and as such the rural character of the adjoining primary production zone has a notable influence on the setting of these residential allotments. To the north, west and south-west, primary production dominates with vineyards and grazing along the valley.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Watershed (Primary Production) Zone and Woodside (Rural Surrounds) Policy Area. These provisions seek:

- *Retention of agricultural activities which have low pollution potential*
- *Clustering of activities and facilities associated with horticulture*
- *Restricted residential and urban development*
- *The exclusion of buildings which may intrude on the skyline of the valley face to the west of the Onkaparinga River*

The following are considered to be the relevant Policy Area provisions:

Objectives: 1 & 3

PDCs: 1

The proposed horticultural building will be used to store plant and equipment that supports the ongoing and lawful use of the land as a vineyard, therefore meeting the requirements of Objective 1. The building is set on the low part of the subject land on the eastern side of the Onkaparinga River, as such it is considered unlikely that the built form will intrude above the western valley skyline when viewed from the east of the site, in accordance with Objective 3. The proposed building will not be used for any retail, office or industrial uses whilst only a small portion of the building a total of 7.5m² will be used for storage of wine which is associated with existing commercial use of the site and as such the proposal is considered to be in accordance with PDC 1.

Watershed (Primary Production) Zone:

Objectives: 1, 2, 3 & 5

PDCs: 1, 2, 4, 8, 9, 11, 14, 16, 17, 38, 39 & 70

The proposal is considered to meet all the suggested elements of PDC 1 as the shed is proposed well below any ridge lines and is within a valley, and thus will not be visible against a skyline from a public road. The proposed building is on the low side of the road and will be partially screened by native vegetation located along the Amy Gillet Bikeway. The building although considered large in the context of the site, has been designed to minimise its presence with a modest pitched gable roof and a skillion verandah that will cast shadowing onto the eastern façade to minimise the bulk of the building, in accordance with PDC 2. The building is set back well in excess of 25m from the Onkaparinga River as required by PDC 4.

With respect to PDCs 8 and 38, it is noted that the land surrounding the main buildings on the site is reaching capacity and as such the applicant has had to select a site outside what would be considered the main building cluster. In addition, the evolution of the

Cellar Door and Function centre developments on site has led to additional land being allocated to create a unique visitor experience surrounding the main buildings. The addition of a large horticultural building within this setting would potentially diminish the amenity of the facility. On balance, the fact that the building is not located in a cluster with other buildings is not considered detrimental to the locality given its location, setback from nearby neighbouring properties and the fact that it will not be readily visible from public realm.

Large horticultural buildings are anticipated development in association with an existing vineyard, and the building has been designed to respond to its setting and will complement the site and rural surrounds. As such, the proposal on balance is considered to be consistent with PDCs 11, 14 and 39 and will reinforce the surrounding rural character. Further, the proposal is considered to accord with PDCs 16 and 17 as it will assist, and not prejudice, primary production on the subject land.

PDC 9 seeks that driveway and access tracks should follow the contours of the land to reduce the visual impact, erosion from water run-off and be of dark surface with excavation and filling being kept to a minimum. The proposal is considered to accord with PDC 9 considering that it is utilising existing access from Verco road and existing internal gravel track to get to the proposed horticulture building. This existing track is also utilised as a main access to the vineyard which is located on the western side of the water course. The nature of vehicles utilising this access track will not alter as a result of the proposed development whilst the vehicles used to deliver wine to the building will predominantly be small utility vehicles considering the small storage of wine that is proposed.

b) Council Wide provisions

Advertisements

Objectives: 1 & 2

PDCs: 2, 3 & 5

The proposed advertising is considered in harmony with the building. Although the size of the logo is large, it will ensure that it is a feature on the building and one that is clearly legible and easily identifiable. With only two logos proposed on either side wall of the shed the advertising is not considered to contribute to any signage clutter or disorder. It also relates directly to the use of the land being the Barristers Block corporate logo. As such the proposed advertising is considered to accord with PDCs 2, 3 and 5.

Design and Appearance

Objectives: 1

PDCs: 1, 3, 9 & 17

The roof form of the proposed building is modest and will reflect the natural slope of the adjoining land. The verandah will provide a contrasting feature and the chosen colour *Monument* will assist in the proposal meeting the expectations of PDC 1. The proposal is located well inside the subject allotment and is set back substantially from neighbouring allotments. These setbacks combined with the above-mentioned design features will ensure that the building's presence and visual impact is somewhat

diminished when viewed from neighbouring properties, particularly those along Onkaparinga Valley Road.

The proposal is considered to accord with PDC 9 in that the location of the building is on land with a gentle gradient. This ensures that earthworks for the proposed building are kept to a minimum avoiding the need for modifications of the site and retaining walls. The proposal accords with PDC 17 with large setbacks to neighbouring properties.

Interface Between Land Uses

Objectives: 1, 2 & 3

PDCs: 1 & 2

The proposal is for a large building that will be used predominantly to store machinery and equipment used in association with the vineyard on the land. The horticultural use is not proposed to be expanded or intensified. The proposed uses for the building are not expected to generate airborne nuisance or noise and should not generate traffic above that expected with normal horticultural activities, or indeed exceed the traffic volumes above that already generated by the existing operations. The use of Verco Road for the vineyard was the major concern of the representors. It is considered that the proposed development will not alter the nature of movement through an existing access from Verco Road and will it change the types of vehicles that enter and exit the site. Internal access track is existing and is currently used as a means of access to this area of the allotment as well as the vineyard on the western end of the water course. Additional vehicle movements for delivery and storage of wine are going to be small utility vehicles which will not create any traffic hazards and considering the small scale of wine that is proposed their movements are going to be minimal with 2 additional movements anticipated each week. In this regard it is noted that no other suitable access is available for machinery to access the vineyard.

Stormwater management has been addressed with the roof catchment directed to the nearby dam. For these reasons the proposal is considered to be consistent with PDC 1.

The proposal takes advantage of a relatively level area of the site in a valley and will not negatively impact on the visual amenity of the locality. On balance, the proposal is considered to minimise any possible land use conflicts between existing residential uses and primary production activities, as envisaged by PDC 2.

Natural Resources

Objectives: 1, 2, 4 & 10

PDCs: 2, 11, 13

The proposal is sited more than 50 metres from any watercourse. There is no native vegetation within the proposed development site and good management of stormwater from the proposed new building is considered to ensure the natural assets of the site are protected and enhanced, in accordance with PDC 2.

The water from the roof of the new building will be managed and directed to a nearby dam. The provisions described in PDCs 11 and 13 requiring that the quality and discharge of stormwater is managed efficiently on-site can be met by recommended condition 5.

Orderly and Sustainable Development

Objectives: 3, 8 & 10

PDCs: 1, 2, 3 & 16

The proposal is considered necessary to ensure that the subject land can best meet its primary production potential, consistent with modern horticultural management practices that require storage of associated implements and equipment. The proposal is therefore considered consistent with PDC 1.

Further as envisaged in PDC 2, the subject land is not in a township and should primarily be used for primary production purposes, which is the predominant intent of this application.

The proposal is considered to assist in the sustainable expansion of the economic base of the region as grape growing and associated value adding enterprises are recognised as a major income source for the Adelaide Hills in accordance with PDC 3.

As previously discussed, the final design meets the requirements of PDC 16 with regards to design and amenity.

Rural Development

Objectives: 1 & 2

PDCs: 1 & 4

The proposed building will help ensure the continued use of the land for horticulture, in accordance with PDC 1.

Consideration has been given to the requirements of PDC 4 by directing stormwater disposal to a dam.

Siting and Visibility

Objectives: 1

PDCs: 2, 3, 4, 5, 6 & 7

The proposal is setback over 100m from the eastern boundary of the subject land. Adjacent to the boundary a large row of mature vegetation provides partial screening from residential properties and Onkaparinga Valley Road located east of the subject land. Therefore the building is anticipated to be partially screened and not highly visible from adjacent roads in particular Onkaparinga Valley Road. The proposal is considered to be in accordance with PDCs 2 and 3.

The earthworks proposed are considered minimal and the proposal is therefore considered to be consistent with PDCs 4, 5, 6 and 7.

7. SUMMARY & CONCLUSION

The proposal is for a large horticultural building in association with an existing vineyard and cellar door and is an anticipated development within the Policy Area and Zone. The proposal has been well considered and its location and design will minimise the visual impact of the building within the locality, despite not being clustered with other buildings on the site. Concerns were raised about traffic impacts. During construction of the shed there will be a slight increase in traffic flow along Verco Road, however upon completion, the use of the shed will not be the cause of increased traffic flow along Verco Road. Other concerns raised by the representors are outside the influence of this application.

Overall, the proposal is sufficiently consistent with the relevant provisions of the Development Plan, and it is considered the proposal is not seriously at variance with the Development Plan. In the view of staff, the proposal has sufficient merit to warrant consent. Staff therefore recommend that Development Plan Consent be **GRANTED**, subject to conditions.

8. RECOMMENDATION

That the Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 20/1297/473 by LJJ Enterprises Pty Ltd for a Horticultural building, verandah, signage & associated earthworks at 141 Onkaparinga Valley Road Woodside subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Amended site plan prepared by MPH dated 05/02/2021 and date stamped by Council 05/05/2021
- Elevation drawings prepared by MPH dated 05/11/2020 and date stamped by Council 30/11/2020
- Amended floor plan prepared by MPH dated 24/03/2021 and date stamped by Council 25/03/2021
- Letter prepared by Lachlan Allan dated 13 January 2021 and date stamped by Council 14/01/2021

(2) External Finishes

The external finishes to the building herein approved shall be as follows:

WALLS: Colorbond Monument or similar
ROOF: Colorbond Monument or similar

(3) Lighting

All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.

(4) Soil Erosion Control

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

(5) Stormwater Roof Runoff To Be Dealt With On-Site

All roof runoff generated by the development hereby approved shall be managed on-site and discharged to an on-site dam within one month of the roof being clad.

Stormwater should be managed on site with no stormwater to trespass onto adjoining properties.

(6) Horticultural Building Use

The approved horticultural building shall only be used for horticulture related storage with the maximum allowable storage of wine not exceeding 8m² of floor area. No retail or industrial activities/uses have been approved in the subject building, such as the packing, washing or grading of food produce (fruit/vegetables) or the crushing, juicing, fermenting or bottling of produce. Any such use will require a separate Development Authorisation.

NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twenty four (24) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building rules consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twenty four (24) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) Erosion Control During Construction

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

(3) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm

9. ATTACHMENTS

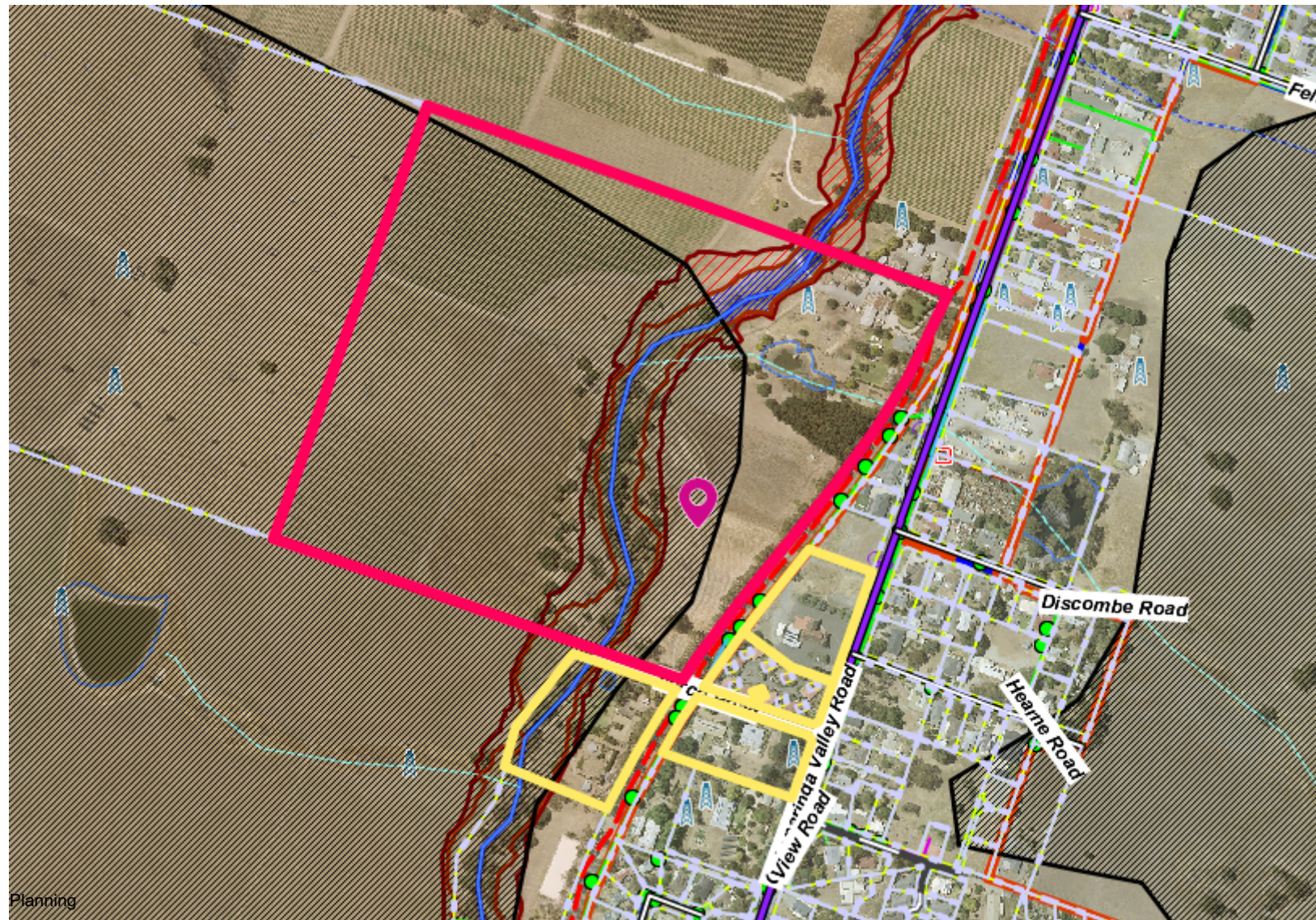
Locality Plan
Proposal Plans
Representations
Applicant's response to representations
Publically Notified Plans

Respectfully submitted

Concurrence

Doug Samardzija
Statutory Planner

Deryn Atkinson
Assessment Manager



Annotations

-  Representor Land 5
-  Representor Land 4
-  Representor Land 3
-  Representor Land 2
-  Representor Land 1
-  Subject Land

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Scale = 1:6032.880

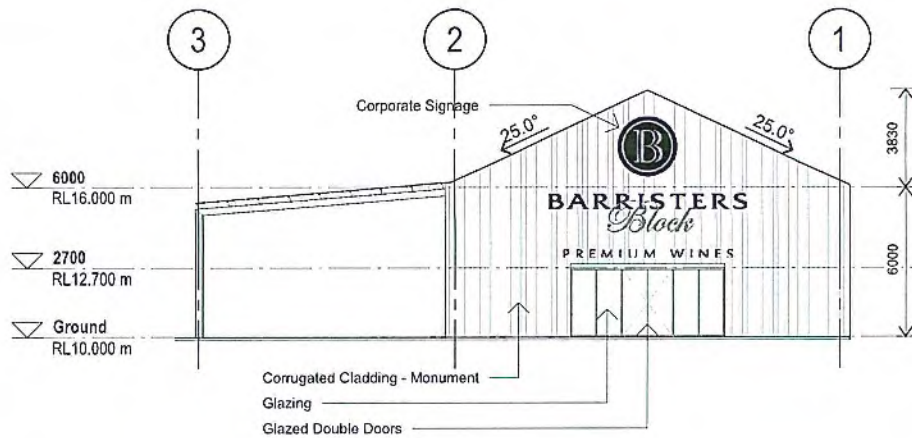
200 m



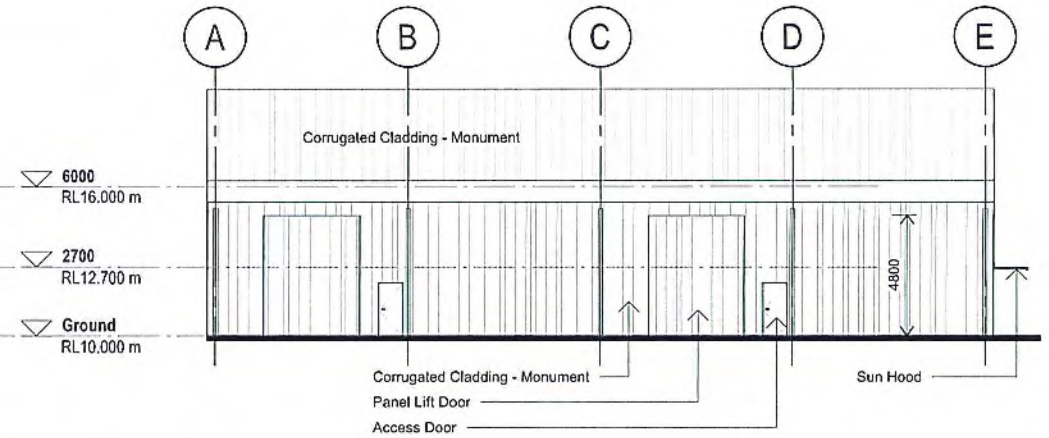


Area Summary

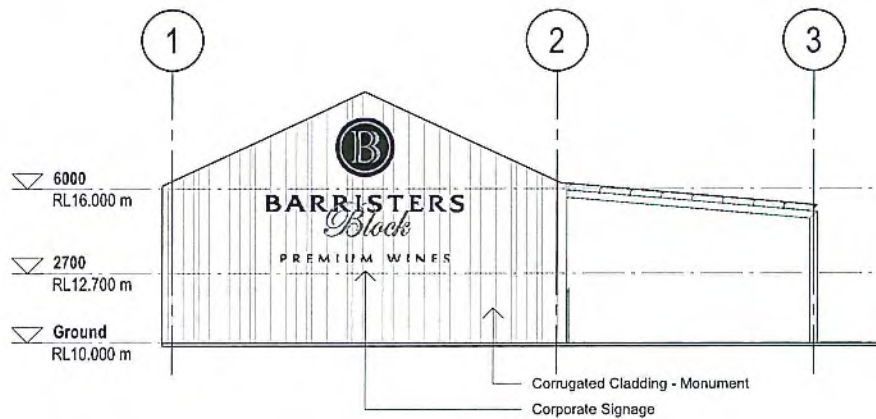
Gross Area: 465sqm
Net Area: 440sqm



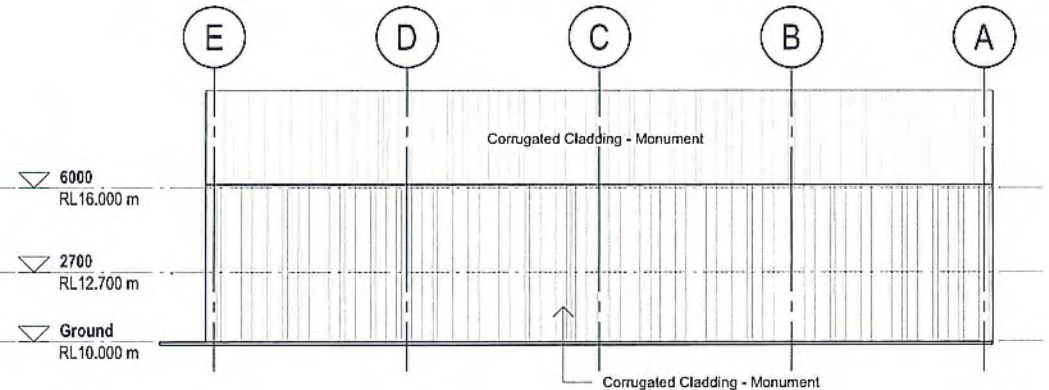
1 | North Elevation
Scale 1 : 200



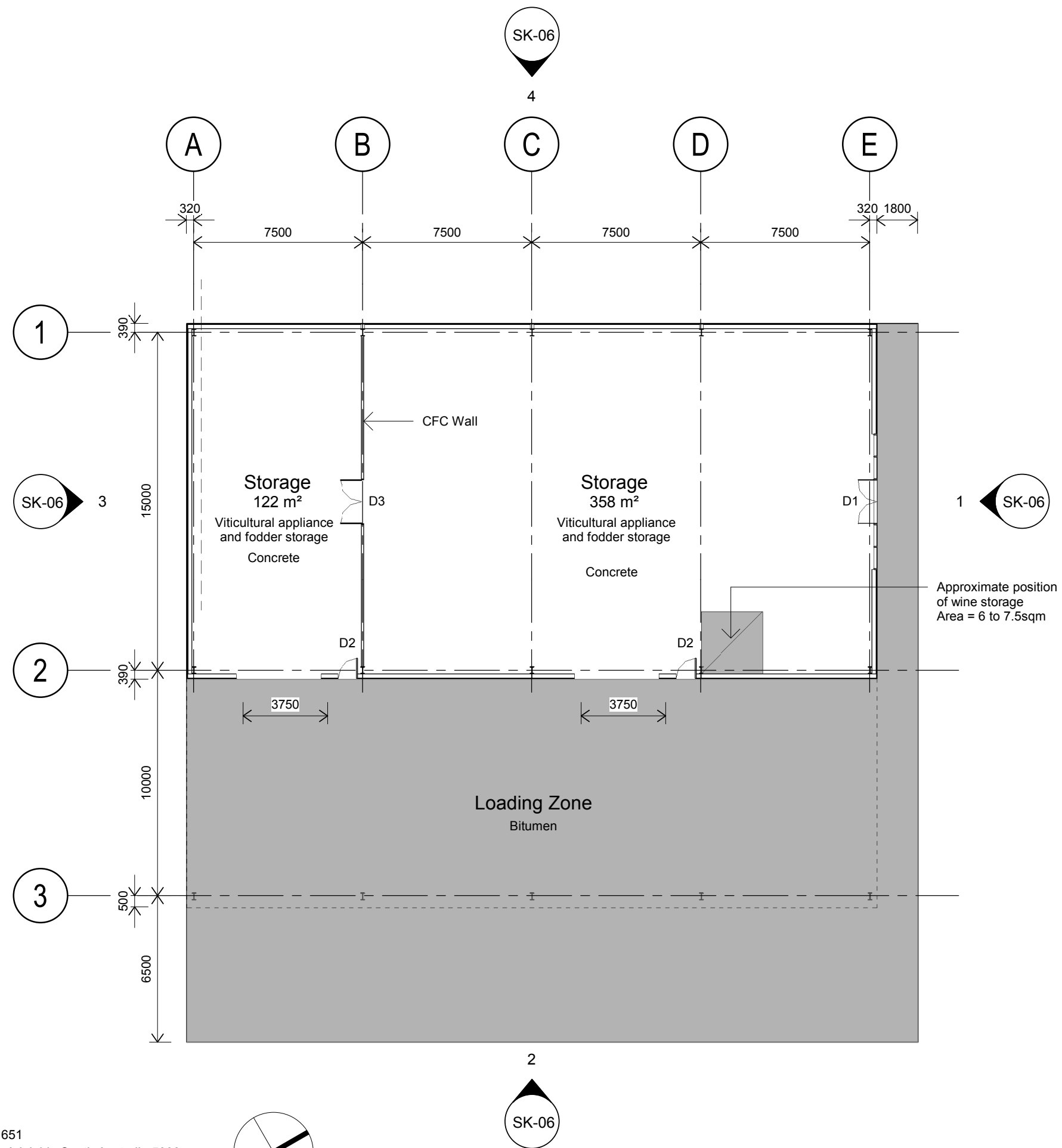
2 | East Elevation
Scale 1 : 200



3 | South Elevation
Scale 1 : 200



4 | West Elevation
Scale 1 : 200



13 January 2021

19-114_RFI

ADELAIDE HILLS COUNCIL
RECEIVED 14/01/2021

Mr. Doug Samardzija
Statutory Planner
Adelaide Hills Council
PO Box 44
Woodside SA 5244

Dear Sir,

re: 20/1297/473

the abovementioned application relates to a proposal to construct a horticultural building, verandah, signage and associated earthworks on land at 141 Onkaparinga Valley Road, Woodside SA 5244.

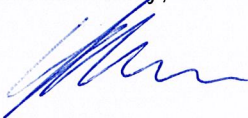
By correspondence dated 31st December 2020, you requested additional information, to assist your assessment of the proposal. The following response is provided.

1. Copy of current Certificate of Title (CT).
A copy of the CT is included with this response.
2. Filled in and signed Powerline Declaration
A completed and executed declaration is included with this response.
3. Amended site plan showing setback dimensions.
An amended site plan is included with this correspondence. The plan shows additional set out dimensions as requested.
4. Detailed description of what and how the building is going to be used.
The building is to be used for the storage of plant and equipment. Tractors, trailers, quad bikes and other vehicles will be stored. In addition pipe, pumps, posts, wire and other consumables for use in the vineyard will also be stored.
it is also intended that bottled wine for sale in the existing cellar door, that is currently stored elsewhere, be stored but in those circumstances the activity would constitute an accessory use to the approved cellar door. Importantly wine storage will be a very minor component of the development.
5. 6 metre wall height and 9.8 metre overall height.
The application is for a building of the proportions nominated on the plans.
Whether the building is one or two metres lower than nominated would not make any difference to the extent of visibility from the rear yards of properties within the township or to passerby on the bicycle path.
Please assess the plans as presented.

Conclusion

The information is provided to assist your assessment of the application. Please contact the undersigned should you require further clarification.

Yours sincerely,



Lachlan Allen
For LJJ Enterprises

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: **20/1297/473**

My Name: Woodside Lutheran Church

Postal Address: 137 Onkaparinga Valley Road Woodside SA 5244

Contact No: [redacted]

Email: [redacted]

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **LJJ Enterprises Pty Ltd**

Nature of Development: **Horticultural building, verandah, signage & associated earthworks**

Proposed to be located at: **141 Onkaparinga Valley Road Woodside SA 5244**

My representation: **(cross out whichever does not apply below)**
Supports the proposed development OR ~~Opposes the proposed development~~

My interests are: **(cross out whichever does not apply below)**
..... ~~owner of local property OR occupier of local property~~
..... ~~a representative of a company OR other~~
..... ~~organisation affected by the proposal OR a private citizen~~

The address of the property affected is:

..... Postcode:

The specific aspects of the application to which I make representation are:

Concerned that if Verco Road is used as exit ^{from} to property - the dangers of
traffic pulling out onto Onka Valley Rd so near to crest.
If Verco Road is used - will it be surfaced?

My objections (if any) could be overcome by:

(cross out whichever does not apply below)

~~I do wish to be heard in support of my representation by appearing personally or being represented by the following person.~~

OR

~~I do not wish to be heard in support of my representation.~~

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that **no right of appeal** to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 8/2/21 Signature: AScheall

The closing time and date for Representations is 5.00pm on 11 February 2021 & Representations can only be received during the period 29 January 2021 to 11 February 2021

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

ADELAIDE HILLS COUNCIL
RECEIVED
- 8 FEB 2021
WOODSIDE

Development Number: **20/1297/473**

My Name: Brenton & Sue Marshall

Postal Address: P.O. Box 101 Woodside

Contact No: [REDACTED]

Email: [REDACTED]

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **LJJ Enterprises Pty Ltd**

Nature of Development: **Horticultural building, verandah, signage & associated earthworks**

Proposed to be located at: **141 Onkaparinga Valley Road Woodside SA 5244**

ADELAIDE HILLS COUNCIL
RECEIVED

My representation: **(cross out whichever does not apply below)**

Supports the proposed development OR Opposes the proposed development

My interests are:

(cross out whichever does not apply below)

owner of local property OR occupier of local property

a representative of a company OR other

organisation affected by the proposal OR a private citizen

The address of the property affected is:

5 & 7 Vero Road Woodside Postcode: 5244

The specific aspects of the application to which I make representation are:

My objections (if any) could be overcome by: Please see attached letter

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person.

OR

~~I do not wish to be heard in support of my representation.~~

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

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Date: 6.2.2021

Signature: S. Marshall

The closing time and date for Representations is 5.00pm on 11 February 2021 & Representations can only be received during the period 29 January 2021 to 11 February 2021

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

05.02.2021

Sue and Brenton Marshall,

7 Verco Road

Woodside S.A. 5244

To whom this may concern,

Re your letter about Development Act, 1993 Section 38. Notice of Proposed Category 2 Development.

20/1297/473///Ljj Enterprises Pty Ltd Horticulture building , veranda, signage & associated earth works
141 Onkarparinga Valley Road, Woodside Lot2: Sec: P5039 FP11068 CT: 5115/328

We have big concerns about this development for a couple of reasons.

1: Is this going to cause Verco road to be used more with workers cars, truck and machinery gaining access to the back paddocks?

2: Cars and Mini Buses leaving Barristers Block on the weekends, EXIT through the back paddocks along the creek and exit up Verco Road, Causing major dust issues with no speed limits.

It is only going to be a matter of time before there is a nasty accident while exiting Verco road onto the Onkarparinga Valley road.

After living here on Verco Road for nearly 30 years Verco Road would have to be one of the most dangerous intersections in Woodside. The traffic coming over the verge of the hill do not sit on the speed limit, giving very little time to exit.

3: cars and Mini Buses exiting from the back paddocks of Barristers block are a dangerous concern for the Amy Gillet Bike track that crosses only a few meters from the gates exit.

I built Woodside Boarding Cattery 18.5 years ago and the major concern back then was for the traffic that would enter the Onkarparinga Road from Verco Road. We fixed this problem by warning all customers about the dangers of the intersection every time they board coming to and from the Cattery and advise them to turn left onto the main road and do a U turn in front of the church when safe.

Please take this into consideration and can we please find a solution to STOP theses cars from Barristers Block exiting from the paddocks at the bottom of Verco Road.

Many Thanks

Sue and Brenton Marshall

Handwritten signatures of Sue and Brenton Marshall. The signature 'Sue Marshall' is on the left, and a more stylized signature, likely 'Brenton Marshall', is on the right.

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: **20/1297/473**

My Name: Peter Rodda

Postal Address: 9 Verco Rd. Woodside 5244

Contact No:

Email:
(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **LJJ Enterprises Pty Ltd**

Nature of Development: **Horticultural building, verandah, signage & associated earthworks**

Proposed to be located at: **141 Onkaparinga Valley Road Woodside SA 5244**

My representation: **(cross out whichever does not apply below)**
Supports the proposed development OR Opposes the proposed development

My interests are: **(cross out whichever does not apply below)**
owner of local property ~~OR occupier of local property~~
a representative of a company ~~OR other~~
organisation affected by the proposal ~~OR a private citizen~~

The address of the property affected is:

9 Verco Rd Woodside Postcode: 5244

The specific aspects of the application to which I make representation are:

Traffic problems with school applicants
increased use of Verco Rd as access and Danger
with traffic and bike track.

My objections (if any) could be overcome by: Dust problem with Verco Rd
being dirt

Bike track danger (I don't have an answer) - Dust issue become
(cross out whichever does not apply below) Verco Rd.

I do wish to be heard in support of my representation by appearing personally or being represented by the following person.

OR

I do ~~not~~ wish to be heard in support of my representation.

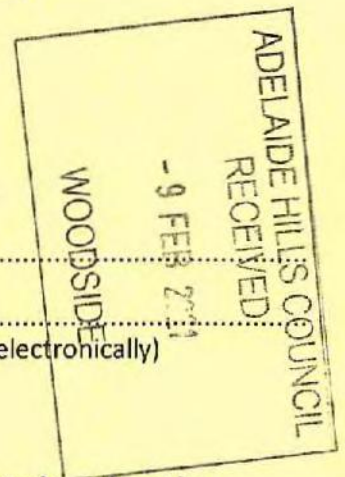
"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that **no right of appeal** to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 7-2-21 Signature: Rodda

The closing time and date for Representations is **5.00pm on 11 February 2021 & Representations can only be received during the period 29 January 2021 to 11 February 2021**

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."



SCANNED

10 FEB 2021

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION - CATEGORY 2 NOTIFICATION

Development Number: 20/1297/473

My Name• GRAHAM ROSS on behalf of Cornerstone Housing Ltd., (Previously known as Lutheran
Community Housing Support Unit Inc.,)

Postal Address: PO Box 100 Marden SA 5070

ContactNO'

Email'

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: LJJ Enterprises Pty Ltd

Nature of Development: Horticultural building, verandah, signage & associated earthworks

Proposed to be located at: 141 Onkaparinga Valley Road Woodside SA 5244

My representation: (cross out whichever does not apply below)

~~Supports the proposed development~~ OR **Opposes the proposed development**

My interests are: (cross out whichever does not apply below) *

owner of local property OR occupier of local property *

~~a representative of a company OR other~~


~~organisation affected by the proposal OR a private citizen~~



The address of the property affected is:

Units 1 – 9 / ALLOTMENT 100 DEPOSITED PLAN 48347 in the area named Woodside Hundred of
Onkaprainga Post Code 5244

The specific aspects of the application to which I make representation are:

The Barristers Block Winery currently use the Verco Rd to direct traffic from their property via their back block along their DIRT Rd through to Verco Rd when they hold functions

	<p>Photo of the Barrister Block private road being utilized to direct traffic to Verco Rd to exit functions</p>
	<p>Potential DUST Problem from increased traffic if diverted out of the Barrister Block Winery</p>
	<p>Photo of Verco Rd heading passed Bicycle Track and towards Onkaparinga Valley Rd</p>

	<p>Photo showing how close our Units are to Verco Rd which with increased traffic will create a serious dust problem</p>
	<p>Photo showing major concerns should Barrister Block Traffic be diverted from their Venue to exit via Verco Rd</p> <p>This intersection would be way too dangerous to entertain increased traffic from Verco Rd on to Onkaparinga Valley Rd</p> <p>Only a short distance from the intersection of Verco Rd to the top of the rise on Onkaparinga Valley Rd</p>

My objections (if any) could be overcome by- the Barrister Block Winery asphaltting their back Rd to Verco Rd and for only a turn left on to Onkaparinga Valley Rd to minimize risk of an accident

(cross out whichever does not apply below)

~~I do wish to be heard in support of my representation by appearing personally or being represented by the following person~~

OR

I do not wish to be heard in support of my representation,

"Please note that, in accordance with Section 38 (10)(a) of the Development Act 1993, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that no right of appeal to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 11/02/2021

Signature:

A handwritten signature in black ink, appearing to be 'M. Ross' or similar, written over a horizontal line.

The closing time and date for Representations is 5.00pm on 11 February 2021 & Representations can only be received during the period 29 January 2021 to 11 February 2021

"Please note that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web.

ADEL ...
RECEIVED
11 FEB 2021
SCANNED
11 FEB 2021

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: **20/1297/473**

My Name: Jill Wyborow

Postal Address: 4/135 Onkaparinga Valley Rd "Fidman Court" Woodside

Contact No:

Email:
(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **LJJ Enterprises Pty Ltd**

Nature of Development: **Horticultural building, verandah, signage & associated earthworks**

Proposed to be located at: **141 Onkaparinga Valley Road Woodside SA 5244**

My representation: **(cross out whichever does not apply below)**
~~Supports the proposed development~~ **OR** Opposes the proposed development

My interests are: **(cross out whichever does not apply below)**
~~owner of local property~~ OR occupier of local property
~~a representative of a company~~ OR other
~~organisation affected by the proposal~~ OR a private citizen

The address of the property affected is:

4/135 Onkaparinga Valley Rd "Fidman Court" Woodside Postcode: 5244

The specific aspects of the application to which I make representation are:

Unit backs onto Vercoe Rd Woodside. Concerns traffic, trucks etc
Road unsealed, much dust when vehicle passes by. Also this
road crosses over Amy Gullet Bikeway – dangerous to walkers etc

My objections (if any) could be overcome by:

Access thru Vercoe Rd not available to
development

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person: Cornelston Housing

OR
~~I do not wish to be heard in support of my representation.~~ St John's Lutheran church / Woodside

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that *no right of appeal* to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 8/2/2021 Signature: J. Wyborow

The closing time and date for Representations is 5.00pm on 11 February 2021 & Representations can only be received during the period 29 January 2021 to 11 February 2021

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."



Planning Chambers Pty Ltd

Office
219 Sturt Street Adelaide SA 5000

Postal Address
P.O Box 6196 Halifax Street SA 5000

Office 08 8211 9776
Email admin@planningchambers.com.au

ABN 92 642 898 075

19th February 2021

19-114_let01

Mr. D. Samardzija
Statutory Planner
Adelaide Hills Council
PO Box 44
Woodside SA 5244

Dear Doug

Re: 20/1297 – 141 Onkaparinga Valley Road, Woodside

The abovementioned application relates to a proposal by LJJ Enterprises Pty Ltd to erect a horticultural building on land used for horticulture. LJJ Enterprises trade from the land at 141 Onkaparinga Valley Road, under the business name 'Barristers Block'.

I have been engaged by LJJ to prepare this response.

The application has been the subject of Category 2, Public Notification. In response to the notification some 5 representations have been lodged with the Council.

The following is provided by way of a response to the representations.

The representations have been lodged by:

1. Brenton and Sue Marshall
5 and 7 Verco Road
2. Peter Rodda
9 Verco Road
3. Jill Wybrow
4/135 Onkaparinga Valley Road
4. Graham Ross on behalf of Cornerstone Housing Ltd
Units 1-9, 135 Onkaparinga Valley Road
5. Woodside Lutheran Church
137 Onkaparinga Valley Road

The authors of representations numbered 1- 3 above have requested the opportunity to address the Council Assessment Panel when this application is to be determined.

Neither Cornerstone Housing nor the Woodside Lutheran Church wish to be heard.



The issues raised in the representations are as follows:

- a. Increase in traffic volumes using Verco Road with workers, truck and machinery gaining access.
- b. Cars, mini buses leaving Barristers Block on weekends causing dust nuisance. The dust nuisance in particular affects residents of the Aged units.
- c. The junction of Verco Road with Onkaparinga Valley Road, is dangerous.
- d. Cars and mini buses exiting the rear paddock of Barristers Block cross the Amy Gillett Bikeway in a dangerous position.

Whilst not suggesting the following would overcome their concerns, the persons making representation have suggested:

- Verco Road be sealed
- Traffic existing Verco Road be required to turn left at the junction with Onkaparinga Road
- No cars from Barristers Block exit on to Verco Road.

Background

Verco Road is an unsealed Council road, intersecting with Onkaparinga Valley Road at a junction with limited sight distance of northbound traffic along Onkaparinga Valley Road. This is a situation that has existed for many years.

3 properties together with the Barristers Block land, have a frontage to Verco Road and use it for access. The aged units have frontage to the road but secure access through the Lutheran Church property.

The Barristers Block property is a working vineyard. It has had road access to Verco Road for many years, initially as a working farm and more recently as a vineyard. Operation of the vineyard requires vehicles and farm equipment to traverse Verco Road on a regular basis.

Barristers Block participates in two Adelaide Hills promotional events every year. The Crush and Winter Reds festival events generate significant volumes of traffic in the region. To disperse traffic from the property, it is necessary from time to time to direct traffic to Verco Road during these two festival events.

The Barristers Block Vineyard does not have a road frontage to Onkaparinga Valley Road. The access to Onkaparinga Valley Road is secured across the Amy Gillett bikeway by license granted by the Department of Infrastructure and Transport. It cannot adequately accommodate access for farm equipment and trucks servicing the vineyard.

Verco Road is used predominantly by Barristers Block to provide 'farm access' to the vineyard. It is a road also used to service the occasional 'festival events' in which Barristers Block participates.

Proposal

The proposal envisages the construction of a horticultural shed for the purpose of storing vehicles, storing equipment and materials, and storage of very small quantities of bottled wine as replenishment stock for the Cellar Door.

The proposal envisages traffic volumes on Verco Road will remain consistent with the current loading.



The storage of plant and equipment 'on site' will reduce the need for movement of this equipment along Verco Road.

Farm access will continue to be required from Verco Road, at about the same frequency and volume as is currently experienced.

Response

For reasons set out above, Barristers Block will continue to avail itself of the Verco Road access. The property has a frontage to that road and has limited opportunity to secure alternative access for traffic working in the vineyard.

It is acknowledged that Verco Road is unsealed. Sealing of the road is a matter for, and the responsibility of, the Adelaide Hills Council.

Barristers Block takes its community responsibility seriously, and so will continue to require staff and suppliers who are required to traverse Verco Road, to do so in a safe and responsible manner having regard to the community living in the locality and the potential for dust to create a nuisance for local residents.

The design deficiency inherent in the geometry of Onkaparinga Valley Road at its junction with Verco Road is a matter for the Adelaide Hills Council to address.

Conclusion

LJJ has made application to construct a shed for the purposes of managing its vineyard. The proposal does not anticipate expansion of the vineyard or intensification of vineyard activity.

During construction of the shed there will be a slight increase in traffic flow along the Verco Road. On completion, use of the shed will not be the cause of increased traffic flow along Verco Road.

The representations include commentary on the surface of Verco Road and its road geometry at the junction with Onkaparinga Valley Road. These are matters that remain the responsibility of the Adelaide Hills Council.

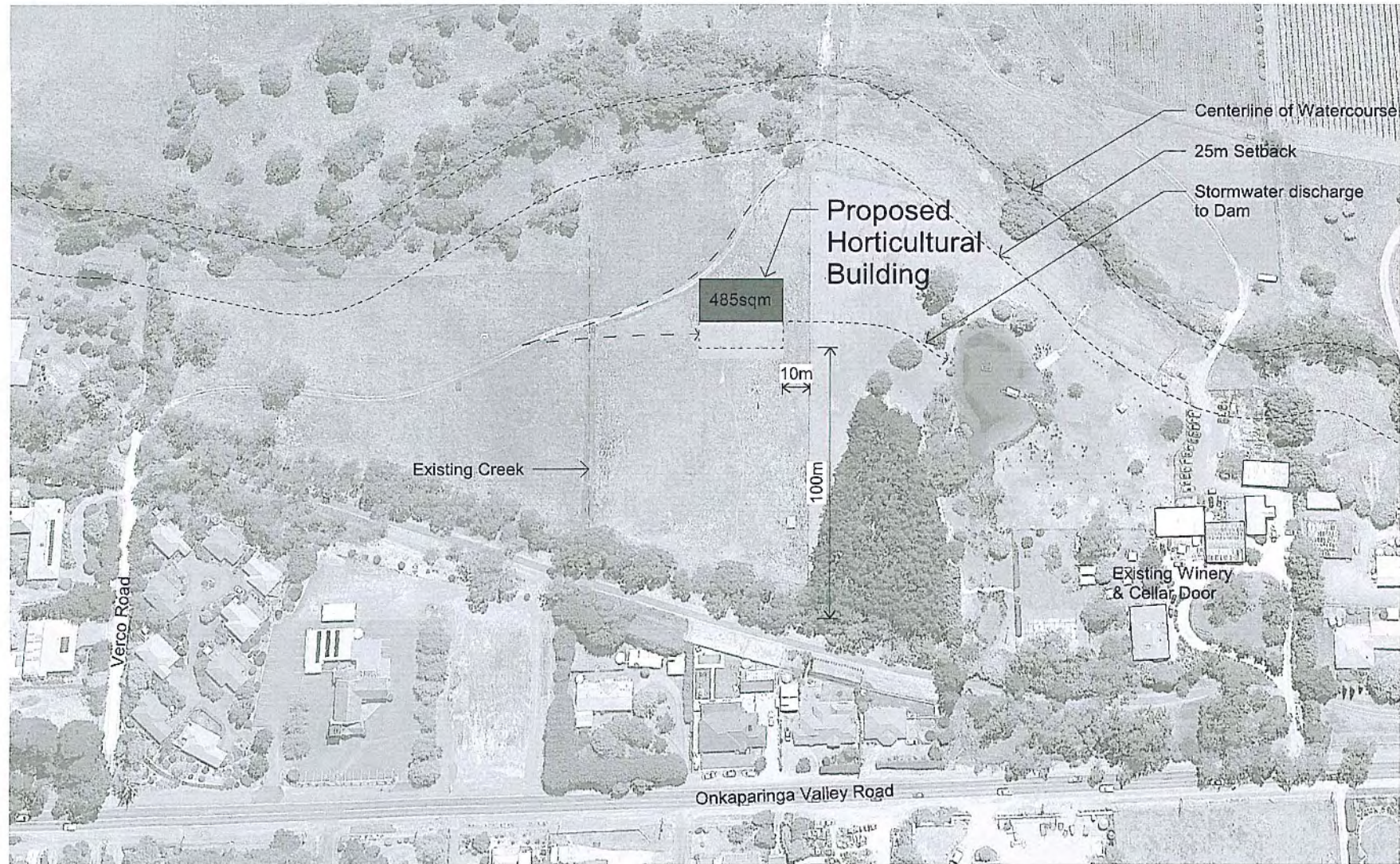
The purpose of the proposed Horticultural Building, is to service an existing, approved horticultural activity. The application warrants the grant of consent.

I will be present when the matter is to be determined by the Council Assessment Panel. I will respond to matters raised by persons speaking in support of their representation and will respond to questions raised by members of the Panel.

Your advice as to the time and date of the Council Assessment Panel meeting, would be appreciated.

Yours sincerely,

Jeff Smith
Consultant



mph

ABN 52 634 572 651
5 Vardon Avenue Adelaide South Australia 5000
Telephone 08 8418 1600
www.mpharchitects.com.au



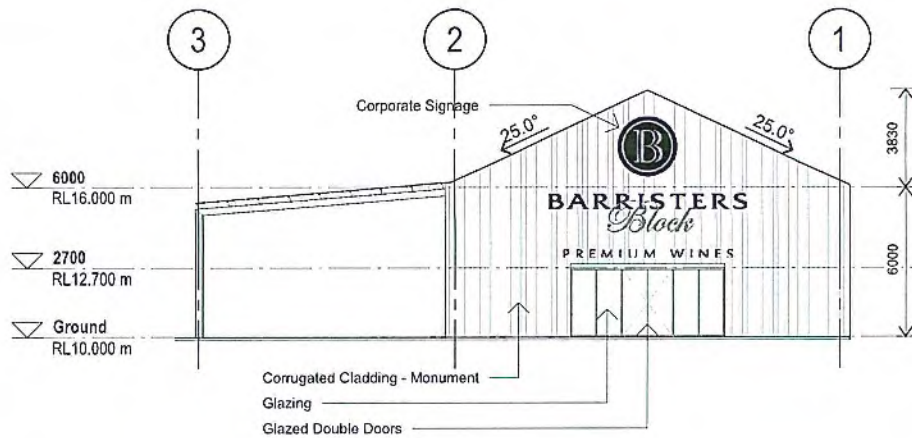
Area Summary

Gross Area: 465sqm
Net Area: 440sqm

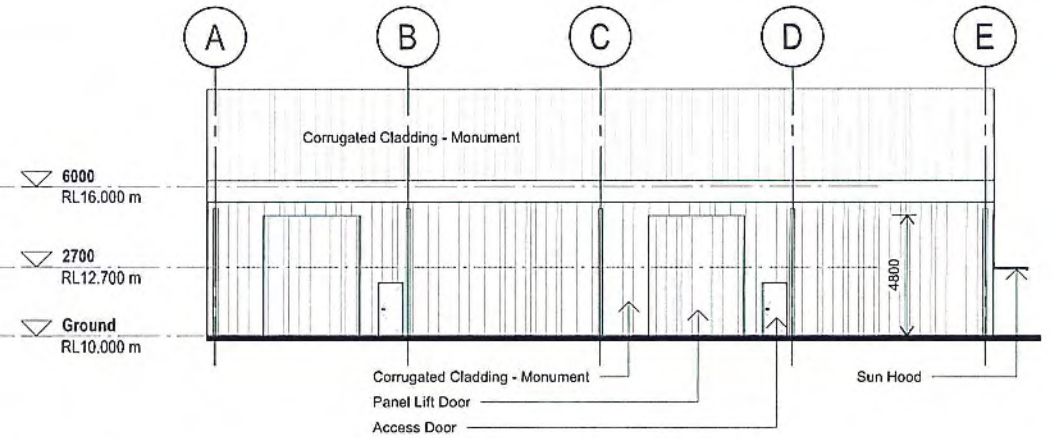
ADELAIDE HILLS COUNCIL
RECEIVED 30/11/2020

1693 Barristers Block
Horticultural Building - Site Plan

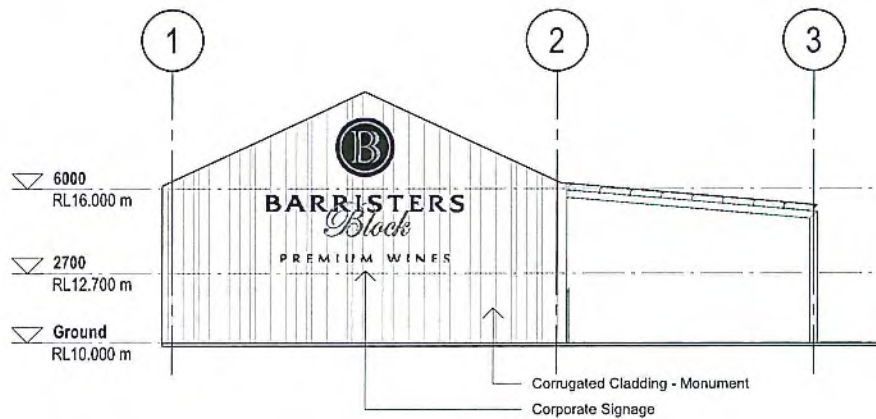
05/11/20 scale 1:1500 @ A3 SK-04



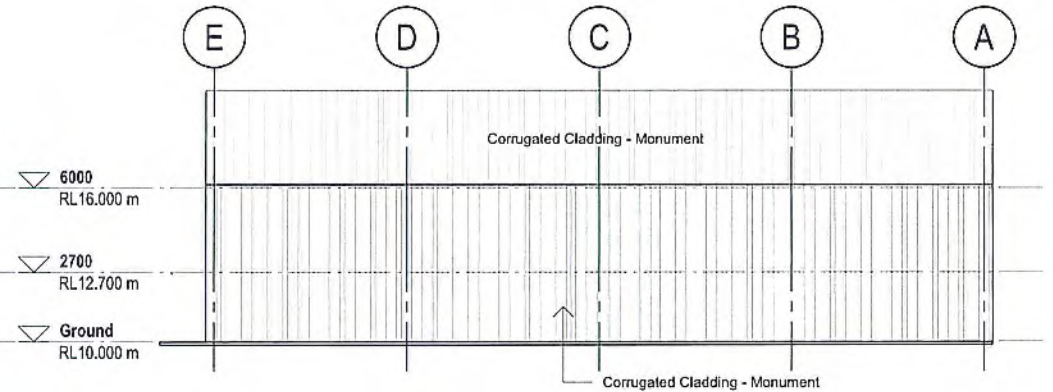
1 | North Elevation
Scale 1 : 200



2 | East Elevation
Scale 1 : 200



3 | South Elevation
Scale 1 : 200



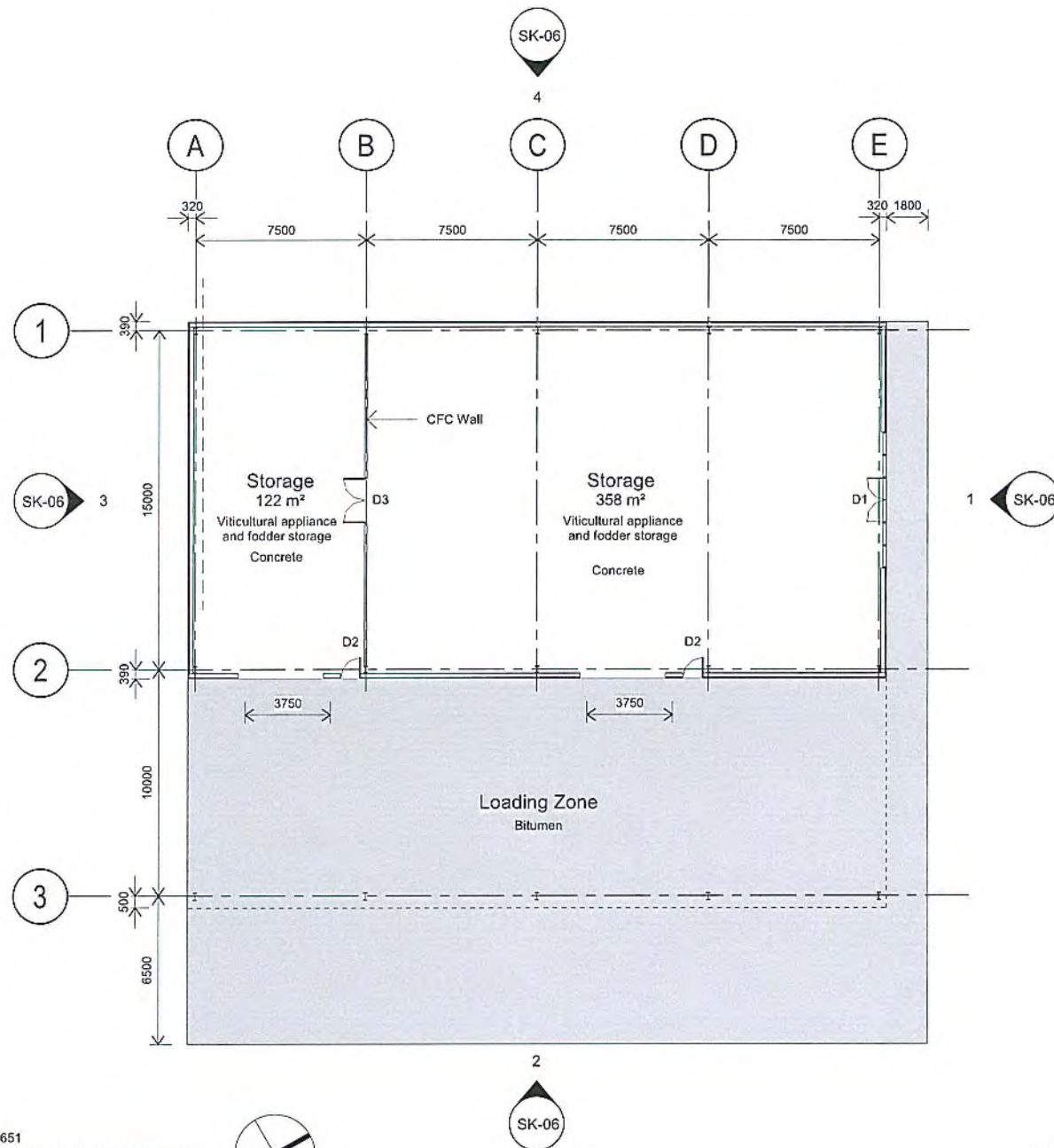
4 | West Elevation
Scale 1 : 200

mph

ABN 52 634 572 651
5 Vardon Avenue Adelaide South Australia 5000
Telephone 08 8418 1600
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RECEIVED 30/11/2020**

1693 Barristers Block
Horticultural Building - Elevations
05/11/20 scale 1 : 200 @ A3 SK-06



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ABN 52 634 572 651
5 Vardon Avenue Adelaide South Australia 5000
Telephone 08 8418 1600
www.mpharchitects.com.au



ADELAIDE HILLS COUNCIL
RECEIVED 30/11/2020

1693 Barristers Block
Horticultural Building - Floor Plan
05/11/20 scale 1:200 @ A3 SK-05

13 January 2021

19-114_RFI

ADELAIDE HILLS COUNCIL
RECEIVED 14/01/2021

Mr. Doug Samardzija
Statutory Planner
Adelaide Hills Council
PO Box 44
Woodside SA 5244

Dear Sir,

re: 20/1297/473

the abovementioned application relates to a proposal to construct a horticultural building, verandah, signage and associated earthworks on land at 141 Onkaparinga Valley Road, Woodside SA 5244.

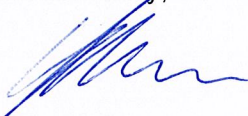
By correspondence dated 31st December 2020, you requested additional information, to assist your assessment of the proposal. The following response is provided.

1. Copy of current Certificate of Title (CT).
A copy of the CT is included with this response.
2. Filled in and signed Powerline Declaration
A completed and executed declaration is included with this response.
3. Amended site plan showing setback dimensions.
An amended site plan is included with this correspondence. The plan shows additional set out dimensions as requested.
4. Detailed description of what and how the building is going to be used.
The building is to be used for the storage of plant and equipment. Tractors, trailers, quad bikes and other vehicles will be stored. In addition pipe, pumps, posts, wire and other consumables for use in the vineyard will also be stored.
it is also intended that bottled wine for sale in the existing cellar door, that is currently stored elsewhere, be stored but in those circumstances the activity would constitute an accessory use to the approved cellar door. Importantly wine storage will be a very minor component of the development.
5. 6 metre wall height and 9.8 metre overall height.
The application is for a building of the proportions nominated on the plans.
Whether the building is one or two metres lower than nominated would not make any difference to the extent of visibility from the rear yards of properties within the township or to passerby on the bicycle path.
Please assess the plans as presented.

Conclusion

The information is provided to assist your assessment of the application. Please contact the undersigned should you require further clarification.

Yours sincerely,



Lachlan Allen
For LJJ Enterprises