

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

SECTION 126

Decision by the Minister for Planning

Preamble

1. By notice published in the SA Government Gazette on 8 August 2024 at pages 2427-2428, the Minister for Planning declared that section 108(1)(c) of the *Planning, Development and Infrastructure Act 2016* (the PDI Act) applied in respect of any development of a kind specified in the Schedule of that notice (the declaration).
2. On 23 January 2025, Strategic Alliance and Commercial Pty Ltd (the Proponent), lodged an application under section 111(2)(d) of the PDI Act for development authorisation for the construction and operation of a winery/cellar door/functions and tourist accommodation (hotel) development and associated infrastructure within the ambit of the declaration (the development).
3. The development has been the subject of an Environmental Impact Statement and an Assessment Report under sections 111(2)(e) and 113 of the PDI Act.
4. I am satisfied that an appropriate Environmental Impact Statement and Assessment Report have been prepared in relation to the development, in accordance with the requirements of Part 7, Division 2, Subdivision 4 of the PDI Act, and I have had regard to all relevant matters under section 115(5) of the PDI Act.
5. I have decided to grant a provisional development authorisation (as provided for under section 115(6) of the PDI Act) for the development under section 115(2)(b)(i) of the PDI Act, subject to reserved matters and conditions.

Decision

1. Pursuant to section 115 of the *Planning, Development and Infrastructure Act 2016* (the PDI Act), and having due regard to the matters set out in section 115(5) of the Act and all other relevant matters, I:
 - (a) grant a provisional development authorisation in relation to the development, subject to the reserved matters and conditions set out in Parts A, B, and D of this notice; and
 - (b) specify, for the purposes of section 115(6)(a) of the PDI Act, all matters which are subject of reserved matters set out in Part A of this notice as matters requiring further assessment, including the imposition of additional conditions; and
 - (a) specify, for the purposes of section 115(7)(b)(i) of the PDI Act, all matters which are the subject of conditions set out in Parts B, C and D of this notice as matters in respect of which the conditions of this authorisation may be varied or revoked, or new conditions attached; and
 - (b) specify, for the purposes of section 115(9)(b) of the PDI Act, the period of three (3) years from the date of this authorisation as the time within which substantial work must be commenced on site, failing which I may cancel this authorisation.

PART A: RESERVED MATTERS

1. **A Staging Plan** that identifies the stages or phases of construction of the development (which may be varied from time to time), and a list of required management plan/s or sub-plan/s that would be provided for each stage or phase.

2. **Plans** for each stage or phase (as identified in the Staging Plan) shall be submitted. These may include one or more of the following as relevant to the stage or phase:
 - (a) bulk earthworks plan; and
 - (b) site (including AHD) levels; and
 - (c) detailed designs for all permanent components and related civil infrastructure, including but not limited to site plans, building floor plans, elevations, roof plans, cross-sections, specifications and finished surface levels; and
 - (d) external plant areas; and
 - (e) drainage design including civil drawings; and
 - (f) external materials selections and finishes/colours; and
 - (g) lighting plan for the development, demonstrating compliance with *Australian/New Zealand Standard AS/NZS 4282:2023 – Control of Obtrusive Effects of Outdoor Lighting*; and
 - (h) landscaping plan; and
 - (i) external signage; and
 - (j) wayfinding plan; and
 - (k) temporary construction components (i.e. laydown areas, works compounds, storage areas, concrete batching plants etc.), unless otherwise exempted by Schedule 4 of the *Planning Development and Infrastructure (General) Regulations 2017*.
3. **Building Rules compliance** (including building fire safety requirements and where implemented, performance solutions) shall be assessed and certified for each stage, phase or component of the development by an accredited professional (or by a person determined by the Minister) to ensure compliance with the approvals and a copy of all relevant certification documentation must be provided to the Minister. In assessing Building Rules compliance, the accredited professional (or a person determined by the Minister) and where required, referred to the relevant fire authority.
4. **Infrastructure Agreement** (or similar binding deed or undertaking) that outlines the commitments, funding arrangements and delivery schedule and timing for any infrastructure upgrades required to be provided, in accordance with either The Barossa Council, state road authority or infrastructure service provider requirements, during the construction and or operational phases for the overall development.
5. A **Traffic Management Plan** (TMP) for each phase of the development (construction, commissioning, operation) shall be submitted to the satisfaction of the Department and The Barossa Council prior to commencement of each phase.

The TMP must address matters including, but not limited to:

- Traffic volumes and distributions, and types of vehicles to be used in each phase of the development.
- Transport routes to be used for each phase of the development.
- Assessment of risks associated with the expected transport movements and determination of appropriate mitigation measures.
- Transport asset upgrades/modifications, asset maintenance requirements, and operational management requirements that may be necessitated by the project, including:

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- Any transport infrastructure improvements (temporary or permanent) required to enable safe and efficient access to/from the development.
 - Any structural improvement requirements (e.g. culvert improvements).
 - Any operational management measures required (e.g. scheduling of traffic movements), including for transport of plant, equipment and employees to/from the site.
 - Identification of staging/timing of transport asset upgrades/modifications
6. Prior to the commencement of each stage of works, the conditional requirements of the SA Country Fire Service as outlined in Conditions 39 – 57 of this Notice and in Annexure A of the advice provided by the Chief Officer’s correspondence to the Department for Housing and Urban Development (DHUD) dated 16 March 2026, shall be incorporated into the designs, works, building certification and/or operational plans (unless otherwise agreed). A definitive statement shall also be provided to DHUD, endorsed by the SACFS, that demonstrates compliance on how each condition has been satisfied with independent verification (i.e. fire engineer). All conditions (where appropriate) are to be met prior to the operation of each stage to the satisfaction of the SACFS.

PART B: PRIOR TO THE COMMENCEMENT OF CONSTRUCTION WORKS

7. A **Stormwater Management Plan (SWMP)** shall be prepared in consultation with The Barossa Council. The plan must also consider and address any cumulative impacts relating to the construction and operation of the overall project, including the provision of final civil and siteworks plan(s) and supporting calculations.
8. A **Construction Environment Management Plan (CEMP)** shall be prepared in consultation with the EPA and The Barossa Council. The CEMP/s will (at a minimum) detail:
- The mitigation and management measures to be implemented for the works to be completed within that stage or phase; and
 - How these measures will be monitored.

CEMP/s must include relevant sub-plans for construction, as applicable to the scope and nature of each stage or phase. These may include one or more of the following as relevant to the stage or phase:

- a) Site Contamination Management Plan
 - b) Noise and Vibration Management Plan
 - c) Soil, Erosion, and Drainage Management Plan
 - d) Fire and Emergency Management Plan
 - e) Air Quality Management Plan
 - f) Waste Management Plan
9. A **Weed Management and Rehabilitation Plan** shall be prepared and implemented prior to the commencement of construction to the satisfaction of the Minister for Planning.
10. A **Cultural Heritage Management Plan (CHMP)** shall be prepared (in consultation with DPC-AAR) and implemented prior to the commencement of construction works.
11. A **Native Vegetation Management Plan (NVMP)** shall be prepared (in consultation with DEW/NVC) and implemented prior to the commencement of construction works.

PART C: DURING CONSTRUCTION WORKS AND PRIOR TO OPERATION OF THE DEVELOPMENT

12. An **Operational Environmental Management Plan (OEMP)** must be prepared. The OEMP/s should include management and appropriate monitoring measures for the following operational matters (but are not limited to), provided that the operational matter is not dealt with under an environmental authorisation (licence) issued under the *Environmental Protection Act 1993*:

- a) drainage and surface water
- b) water quality
- c) weeds and pests
- d) waste and litter
- e) spill hazards, fuel and chemical storage
- f) traffic; and
- g) local community impacts.

The OEMP shall include the following sub-plans (for operation only), as applicable to the nature of the works within an area:

- a) Emergency Management Plan
- b) Bushfire Emergency Management Plan, Fire Hazard Management Plan and Bushfire Survival Plans (prepared in consultation with and to the satisfaction of the SACFS)
- c) Waste Management and Minimisation Plan

13. An **Operational Biosecurity Management Plan (OBMP)** shall be prepared and implemented in consultation with PIRSA and to the satisfaction of the Minister for Planning.

14. A **Wastewater Management Plan** shall be prepared and implemented prior to the commencement of hotel and winery operations to the satisfaction of the Minister for Planning. This plan shall include a final wastewater odour assessment (based on the selected technology and equipment) for all elements of the development to demonstrate compliance with the *Environment Protection (Air Quality) Policy 2016*.

15. The Lyndoch Valley Road/Hoffnungsthal Road junction shall be provided with a basic left turn treatment (BAL) with full depth pavement as well as a short channelised right turn treatment (CHR(S)). These works shall be completed prior to operation of the development.

PART D: GENERAL CONDITIONS

16. Except where minor amendments may be required by other legislation or by conditions imposed herein, the construction, operation, use and maintenance of the development must be undertaken in accordance with the approved plans and details, drawings, designs and specifications:

- (a) Set out in the application:
 - (i) Strategic Alliance - Southern Barossa Winery and Tourist Accommodation Project – dated November 2024 (including Appendices 1 to 3, noting Appendix 1 has multiple technical reports).
 - (ii) Strategic Alliance - Southern Barossa Winery and Tourist Accommodation Project – RD – 30 March 2026 – Version 1 – including Appendices 1-8 (total pages 82).

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(b) Set out in the final and approved conditions within Part A, Part B and Part C.

To the extent of any inconsistency, and subject to any contrary intention, a later document will prevail over an earlier one.

17. The development shall be substantially commenced within three years from the date of this provisional development authorisation being granted by the Minister for Planning.
18. The development (including all stages and components) shall be substantially completed within five years from the date of this provisional development authorisation being granted by the Minister for Planning, failing which an extension of time may be sought from the Minister prior to the expiry of that period, or the authorisation may be cancelled.
19. Should the development not be substantially completed within five (5) years of the date of this provisional development authorisation, and no extension of time is subsequently granted, the state and condition of the land and buildings shall be reinstated, so far as is reasonably practicable, to the state and condition that the land and buildings were in immediately before the commencement of the development.
20. The implementation of the CEMP/s and OEMP/s must be monitored and reviewed to ensure compliance with the measures to manage and monitor relevant impacts and the effectiveness of those measures and updated (with approval of the Minister) as necessary. Copies of monitoring reports will be provided to the Minister annually.
21. Prior to the commencement of site works, an Aboriginal Engagement Plan shall be prepared and implemented (in consultation with Aboriginal Affairs and Reconciliation, Attorney-General's Department) and to the satisfaction of the Minister for Planning. *Note: this engagement plan can be part of the CHMP at the construction and operational stages.*
22. No damage, disturbance or interference with any Aboriginal site, object or remains (together, heritage), nor any excavation of land for the purpose of uncovering Aboriginal heritage, is permitted unless and until authorisations from the Minister for Aboriginal Affairs under sections 21 and 23 of the *Aboriginal Heritage Act 1988 (SA)* have been obtained.
23. Council, utility or state agency-maintained infrastructure that is demolished, altered, removed or damaged without lawful authority in the implementation of the development, shall be reinstated to council, utility or state agency specifications as applicable. All costs associated with these works must be met by the proponent.
24. All road infrastructure and intersection upgrades delivered in support of the SBWTAP development shall be completed to the standard required to enable use of the identified vehicle types and volumes (as specified in the Traffic Management Plan).
25. All road infrastructure upgrades within the SBWTAP development area, unless otherwise identified, are to be funded by the proponent. All land required to accommodate any transport infrastructure upgrades shall be dedicated to road at nil cost to The Barossa Council or DIT.
26. Should the proponent or any subsequent owner or operator of the SBWTAP development intend that the operation of the facility or portion of it will cease, the Minister must be advised

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as soon as is reasonably practicable. Furthermore, a Decommissioning and Rehabilitation Plan (DRP) must be prepared in consultation with relevant government agencies and the local council and must be submitted to the satisfaction of the Minister.

The DRP must be prepared nine months prior to the time that the operation (or relevant portion of it) is scheduled to cease, and include information related to:

- (a) identifying assets to be rehabilitated, remediated, decommissioned and/or removed, along with those that are proposed to be retained and the proposed tenure and management arrangements
- (b) confirming responsibility for costs associated with rehabilitation, remediating, decommissioning and/or removing and retaining assets
- (c) handover arrangements for useable assets
- (d) responsibility for future management and maintenance of useable assets; and
- (e) measures, if required, to remove fuel and chemical storage and wastewater treatment facilities in accordance with relevant legislation and standards.

27. Decommissioning of the development and rehabilitation of the site must be undertaken in accordance with the approved DRP.
28. All external lighting, including for car parking areas and buildings within the BAM facility must be designed and constructed to conform with *Australian/New Zealand Standard AS/NZS 4282:2023 – Control of Obtrusive Effects of Outdoor Lighting*. Lighting must be located, directed and shielded, and of such limited intensity, as far as reasonably practicable, that no unreasonable nuisance is caused to any person beyond the boundary of the site.
29. All vehicle car parks, driveways and vehicle entry and manoeuvring areas at or providing access to and from the SBWTAP development must be designed and constructed in accordance with the relevant Australian Standards and appropriately line marked.
30. All loading and unloading, parking and manoeuvring areas at or providing access to and from the SBWTAP development must be designed and constructed to ensure that all vehicles can safely traffic the site and enter and exit the subject land in a forward direction.
31. All stormwater design and construction must be in accordance with Australian Standards and recognised engineering best practice to ensure that stormwater does not adversely affect any adjoining property or public road. Any alterations to road drainage infrastructure required to facilitate this shall be at the applicant's cost.
32. All liquids or chemical substances that are to be stored at the SBWTAP development and that have the ability to cause environmental harm must be located within a bunded compound that has a capacity of at least 120% of the volume of the largest container or 133% if flammable, in accordance with the EPA *Bunding and Spill Management Guidelines* (2016).
33. The final building rules documentation shall demonstrate that the *Southern Barossa Winery and Tourism Accommodation Project Environmental Noise Assessment* prepared by Sonus dated August 2025 has been fully adopted, or where a departure is noted, a further environmental noise assessment is undertaken to demonstrate compliance.
34. Wastewater approval for the proposed on-site wastewater system shall be granted pursuant to the *South Australian Public Health Act 2011*.
35. All upgrades to the arterial road network required to support the development shall be designed and constructed to the satisfaction of the Department for Infrastructure and Transport. All associated costs (including but not limited to project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. Any land

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required to facilitate the above road works shall be dedicated to road at no cost to the Department for Infrastructure and Transport or the Barossa Council.

36. Prior to the commencement of building work within the approved Staging Plan, written notification outlining the nature, scale, scope and duration of the work must be provided to DHUD 5 full business days prior.
37. No later than 5 full business days following the completion of building work a statement of compliance from a person who holds prescribed qualifications that the building work has been carried out in accordance with the requirements of the Act shall be provided to DHUD.
38. Unless otherwise specifically provided for in these conditions, or otherwise agreed to in writing with the Minister, all costs necessary for compliance with these conditions must be met solely by the proponent.

COUNTRY FIRE SERVICE

SITING (ANCILLARY STRUCTURES)

39. Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable building, unless built to relevant building standards for associated structures in Bushfire Prone Areas. This includes future structures which may or may not require planning and/or building consent

ACCESS TO HABITABLE BUILDING

40. The driveway shall be connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8).
41. Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles, to within 60m of the furthest point of the building.
42. Where the gradient of the driveway is steeper than 12 degrees (1-in-4.5) the minimum formed road surface shall be 4 metres.
43. The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 - A loop road around the building, OR
 - A turning area with a minimum radius of 12.5 metres, OR
 - A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres (for each 'leg') and minimum internal radii of 9.5 metres OR
 - A 'U' shaped 'drive-through' option.
44. Private access shall have minimum internal radii of 9.5 metres on all bends.
45. Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.
46. Vegetation to be established along the access road shall be carefully selected and designed in accordance with the following:
 - No understorey vegetation shall be established either side of the access road (understorey is defined as plants and bushes up to 2 metres in height); and
 - Grasses shall be reduced to a maximum height of 10cm for a distance of 3 metres (or to the property boundary, whichever comes first); and

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- Mature trees with a single stem habit, are permitted within this fuel reduced zone, providing they are maintained to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
47. The gradient of the access road shall not exceed 16 degrees (1-in-3.5) at any point along the driveway. In steep terrain exceeding 10 degrees (1-in-5.5) the surface should be sealed.
48. The cross fall of the driveway shall be not more than 6 degrees (1-in-9.5) at any point along the driveway. The all-weather road is to be constructed such that it is protected from water erosion of the traffic surface. The road surface shall be profiled to manage storm water runoff to appropriate drains, at one or both sides of the traffic surface. The accumulated volumes of water shall be directed via:
- open drains; or
 - culverts and pipes under the traffic surface, and / or away from same, without causing further soil erosion, silting of adjacent areas or water courses or instability of any embankment or cutting.
49. Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

WATER SUPPLY & ACCESS (to dedicated water supply)

50. Water supply and access shall be installed to comply the provisions outlined in Australian Standard 2419.1 2021 suitable for a SA CFS rear mounted fire appliance.

MAINTAIN AN ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT

51. Vegetation within 20 metres of the habitable building (or to the property boundaries – whichever comes first) shall be established and maintained as follows:
- The number of trees and understorey plants existing and to be established within the APZ shall be reduced and maintained such that when considered overall a maximum foliage coverage of 30% is attained, and so that the leaf area of shrubs and trees is not continuous and not within 5m of surrounding hazardous vegetation. Careful selection of the vegetation will permit the ‘clumping’ of shrubs where desirable, for diversity, and privacy and yet achieve the ‘overall maximum foliage coverage of 30%. These clumps shall not exceed 5m² and shall be separated by at least 5 metres.
 - Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
 - Shrubs must not be planted under trees or must be separated by at least 1.5 times their mature height from the trees’ lowest branches.
 - Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
 - No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
 - Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves.
 - The APZ shall be maintained to be free of accumulated dead vegetation and debris including leaves, twigs and bark.
 - Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.

52. A single row of trees or shrubs are permitted closer to the building than their mature height for screening purposes, providing they are not connected to other hazardous vegetation, are not within close proximity of timber building elements, windows and doors and do not touch or overhang any part of the building. Screening plants should have low flammability characteristics, be kept in optimum health, pruned regularly and any dead vegetation removed.

TOURIST ACCOMMODATION - BUSHFIRE SURVIVAL PLAN

53. The Bushfire Management Plan and the Emergency Management Plan shall be established and reviewed and updated every 12 months by the company and/or its operators. Revised versions to be forwarded to the relevant SACFS Regional Office to use as a reference. The safety of guests and first responders must be a priority.

54. The applicants shall prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season. The BSP:

- should provide clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions; and
- should address the possibility that the owners may not be present at the time of the bushfire event; and
- should not expect guests to be involved in fire-fighting operations.

55. The SA CFS 'Bushfire Safety Guide for Business document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.

56. The company and/or its operators will be required to engage on a regular basis with on-site training and routine practice of all emergency response plans.

MANIFEST BOX (or similar)

57. Given the complexities that the subject site presents, the installation of a Manifest Box at the main entrance of the site shall be undertaken. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the site. Information contained should include, but is not limited to, a list of emergency contact phone numbers and a site plan highlighting vehicle access, turning ability, buildings and infrastructure locations, fire water i.e., fill locations, all fire protection equipment (i.e. control valves and the Fire Indicator Panel), and any on-site hazards or storage of dangerous materials such as LPG, PV (solar) energy sources, large Lithium batteries, fuels or chemicals. Access to the Manifest Box, if locked, must be readily accessible using a Lockwood 003-type padlock, in accordance with AS 4428.17

PART E: ADVISORY NOTES

a. In regard to the satisfaction of any reserved matters or conditions (as outlined in Parts A, B, C or D of this decision notice), documentation submitted by the proponent shall be considered by an across government Working Group, chaired by the Department for Housing and Urban Development. The Working Group shall comprise relevant state agency and local government representatives (plus the proponent), from which advice to the Department and/or Minister for Planning (the Minister) will be provided to determine whether the condition has been satisfactorily addressed, or whether further information is required.

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- b. Any plans, information, management plan/s or sub-plan/s may be submitted in a staged manner for the discharge of conditions included within Parts A to C, with the ability for part-discharge where appropriate, to reflect the progressive rollout of the development.
- c. No construction activity may commence until a favourable decision has been notified to the proponent by the Minister in respect of the conditions within Part A, and until a development authorisation under section 115(2) of the *Planning, Development and Infrastructure Act 2016* is granted for the relevant stage or phase.
- d. Unless otherwise specifically provided for in these conditions, or otherwise agreed to in writing with the Minister, all costs necessary for compliance with these conditions must be met solely by the proponent.
- e. The proponent is advised that all conditions must be met including monitoring, mitigation and reporting requirements as detailed in relevant management plans. Failure to comply with a condition is a breach of the *Planning, Development and Infrastructure Act 2016* (as applicable), under which this authorisation is given.
- f. An accredited professional undertaking Building Rules assessments for each stage or component must ensure that the assessment and certification for any stage or component is consistent with this provisional authorisation or approvals, including any conditions or advisory notes that apply in relation to this authorisation.
- g. In relation to Reserved Matter 4, the infrastructure agreement with the Barossa Council must be agreed and executed to facilitate all necessary local road upgrades including:
 - (a) Hoffnungsthal Road and Lindner Road intersection – shoulder widening and sealing for two-way movements.
 - (b) Hoffnungsthal Road – recommendation to reduce speed limit to at least 80km/h; and
 - (c) sealing of Menzel Road.
- h. Ministerial Building Standard MBS008 “Designated bushfire prone areas - additional requirements” 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.
- i. A site Bushfire Attack Level (BAL) assessment was conducted in accordance with the NCC and Australian Standard™3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”. The Category of Bushfire Attack Level is **BAL 19**.
- j. This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone (or to the property boundaries – whichever comes first), in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.
- k. All class 2 – 9 buildings will need to comply with National Construction Code (NCC) and to include all the minimum *Deemed to satisfy* fire and life safety provisions.
- l. SACFS, as a mandatory referral agency, reserves the right to request additional information and provide further comment, under the Planning Development and Infrastructure Act and Regulations, in particular, but not limited to Regulation 45 (3) during the Building Rules approval process.

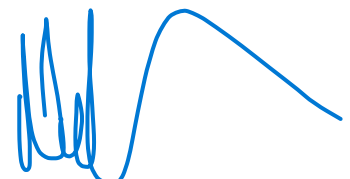
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- m. Other fire safety measures pertaining to water and access may be prescribed by the National Construction Code for Fire Safety.
- n. In relation to Condition 49, other fire safety measures pertaining to roads may be prescribed by the National Construction Code.
- o. Construction of each stage or component of the development may commence only after a Building Rules assessment and certification has been undertaken in relation to that stage, phase or component and has been issued by an accredited professional undertaking Building Rules assessments to ensure the development has meet the approvals, and the Minister for Planning has received a copy of the relevant certification documentation.
- p. Pursuant to Regulation 45 and 103 of the *Planning, Development and Infrastructure (General) Regulations 2017*, a Certificate of Occupancy is required for all new buildings, excluding Class 10 structures. The Applicant must comply with all relevant requirements of Regulation 103 including a report from the relevant fire authority per Regulation 103(D). Any Temporary Certificate of Occupancy certificates needs the additional approval of the Minister.
- q. The proponent, and all agents, employees and contractors, such as construction crew, are reminded of their obligations under the *Aboriginal Heritage Act 1988* (AH Act) that excavation of land to uncover, damage, disturbance of, or interference with, any Aboriginal site, object or ancestral remains (known and unknown) is unlawful without ministerial authorisation under sections 21 and 23 of the AH Act. Before commencing construction, the proponent should consider the amendments to the AH Act, which include increased penalties for breaches of the AH Act: see <https://www.agd.sa.gov.au/aboriginal-affairs-and-reconciliation/aboriginal-heritage/changes-to-the-aboriginal-heritage-act>
- r. The proponent is reminded of requirements under the *Native Vegetation Act 1991* and the *Native Vegetation Regulations 2017*, particularly that native vegetation clearance must be undertaken in accordance with a management plan that has been approved by the Native Vegetation Council that results in a significant environmental benefit on the property where the development is being undertaken, or a payment is made into the Native Vegetation Fund of an amount considered by the Native Vegetation Council to be sufficient to achieve a significant environmental benefit in the manner contemplated by section 21(6) or (6a) of the *Native Vegetation Act 1991*, prior to any clearance occurring.
- s. An environmental authorisation (licence) may be required for this development. The applicant/operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for information about the licensing application process and requirements.
- t. The proponent/owner/operator is reminded of their general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) to not pollute the environment in a way which causes or may cause environmental harm.
- u. For any tree to be retained, their critical root zones shall be fenced and protected to prevent accidental damage and to ensure material stockpiling or vehicle movements do not impact these trees during construction works. Where appropriate additional protection measures,

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which comply with the *Australian Standard 4970:2009 Protection of Trees on Development Sites*, must be implemented and complied with at all times.

- v. Should the proponent wish to vary the development or any portion of it, an application to the Minister must be submitted, provided that the development application variation remains within the ambit of the Environmental Impact Statement and Assessment Report referred to in this development authorisation. If an application variation involves substantial changes to the proposal, pursuant to section 114 of the *Planning, Development and Infrastructure Act 2016* (as applicable), the proponent may be required to prepare an amended Environmental Impact Statement for public consultation. An amended Assessment Report may also be required to assess any new issues not covered by the original Assessment Report and the decision made pursuant to section 115 of the *Planning, Development and Infrastructure Act 2016* (as applicable).
- w. The Minister has a specific power to require testing, monitoring and auditing under section 117 of the *Planning, Development and Infrastructure Act 2016* (as applicable).
- x. In relation to any road works, the proponent shall contact the Department for Infrastructure and Transport's Network Management Services, Senior Network Integrity Engineer, Mr Narendra Patel on telephone 08 7133 3208, or on mobile 0400 436 745, or via email at Narendra.Patel@sa.gov.au to discuss the proposed road works prior to undertaking any detailed design. The developer shall enter into a Developer Agreement to undertake the above works.
- y. In regard to Conditions 8 and 12, the CEMP and OEMP must be prepared taking into consideration, and with explicit reference to, relevant *Environment Protection Act 1993* policies and guidance documents, including but not limited to:
 - the Landscape South Australia Act 2019
 - the Environment Protection (Air Quality) Policy 2016
 - the Environment Protection (Commercial and Industrial Noise) Policy 2023
 - the Environment Protection (Water Quality) Policy 2015
 - the Environment Protection (Waste to Resources) Policy 2010
 - the Environment Protection (Used Packaging Materials) Policy 2012
 - the Environment Protection Authority Bunding and Spill Management Guideline 2016
 - Environment Protection Authority Handbooks for Pollution Avoidance
 - the International Erosion Control Association Australasia 'Field Guides for Construction Site Managers and Buildings' and associated design fact sheets.
 - the Environment Protection Authority guideline 'Construction environmental management plan (CEMP) 2024'
 - any other relevant legislative requirements, Guidelines and Australian Standards.



HON NICK CHAMPION MP
Minister for Planning

5 / 5 / 2026