

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 11 JUNE 2025
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
Leith Mudge

In Attendance

Jess Charlton	Director Community & Development
James Booker	Assessment Manager
Blake O'Neil	Team Leader Statutory Planning
Tim Mason	Statutory Planner
Sebastien Paraskevopoulos	Senior Statutory Planner
Mike O'Donnell	ICT Support Officer
Sarah Kimber	Minute Secretary

1. Commencement

The meeting commenced at 6:30pm

2. Opening Statement

"Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land".

3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

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4. Previous Minutes

4.1 Meeting held 9 April 2025

The minutes were adopted by consensus of all members (9)

That the minutes of the meeting held on 9 April 2025 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Cr Leith Mudge:

With respect to the application for 10 Kemp Road, Aldgate. The applicant is Dominic Burchell who I believe is one of the owners of Cleveland Nursery along with his wife Sarah Burchell. As a local councillor I have become acquainted with Sarah in her former capacity as chair of the Stirling Business Association. As this is only a professional acquaintance and I have never discussed this particular development proposal with Sarah, I intend to stay in the room and consider this application when it is addressed.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

Nil

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8. Development Assessment Applications – Planning, Development and Infrastructure Act

8.1 Development Application Number 24015639 by The Hills Christian Community School Inc. for a change in use to include place of worship on a temporary basis (retrospective) at Lot 4 Sandow Road Verdun

8.1.1 Representations

Name of Representer	Address of Representer	Nominated Speaker
Daniel Edwards	26 Onkaparinga Valley Road, Verdun	Self

The applicant's representative, Marcus Rolfe (URPS) addressed the Panel, Dave Sheperd and Steve Edmonds answered questions from the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (10)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and**
- 2) Development Application Number 24015639 by The Hills Christian Community School Inc. for a change in use to include place of worship on a temporary basis at Lot 4 Sandow Road Verdun is GRANTED Planning Consent subject to the following conditions:**

CONDITIONS

Planning Consent

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- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

- 2) The hours of operation of the herein approved uses shall be as follows:

7:30am to 11:30am on Sunday

Deliveries to the subject land are to be undertaken during the operating hours granted herein.

- 3) At any one time, the overall capacity of the place of worship shall be limited to a maximum of 250 people.

This includes outdoor areas.

- 4) The sound level at 1m from each speaker is to be limited to values as outlined in Table 3: Maximum allowable C-weighted sound pressure levels at 1m from the speaker as outlined in the associated Music Noise Assessment (Rev. 01 dated 21/08/2024) prepared by BESTEC Pty Ltd.

- 5) Music shall be contained within the place of worship building during the operating hours. Windows and doors of the building shall be kept closed during times when music is played, and worship services occur.

- 6) The sound from each speaker must be adjusted so that the sound levels at the residential boundary are below the music noise criterion nominated in Table 4: Predicted Noise levels at the nearest residential boundary as outlined in the associated Music Noise Assessment (Rev. 01 dated 21/08/2024) prepared by BESTEC Pty Ltd.

- 7) The development granted herein shall expire on 31 December 2026.

ADVISORY NOTES

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision

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Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

- 2) **Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.**
- 3) **This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.**
- 4) **Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).**

8.2 **Development Application Number 25006366 by Medallion Homes for a two storey detached dwelling, retaining walls, fence, swimming pool and associated safety fence at 16 Highlands Court, Woodforde**

8.2.1 **Representations**

Name of Representor	Address of Representor	Nominated Speaker
Hugh Marquis	15 Highlands Court, Woodforde	Self

Note: prior to the meeting Hugh Marquis withdrew his representation

The applicant's representatives David Munday and Mark Olsen (Medallion Homes) answered questions from the Panel.

8.2.2 **Decision of Panel**

The following was adopted by consensus of all members (11)

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The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 25006366 by Medallion Homes for a two storey detached dwelling, retaining walls, fence, swimming pool and associated safety fence at 16 Highlands Court, Woodforde is GRANTED Planning Consent subject to the following conditions and reserved matter:

RESERVED MATTER

- 1) Pursuant to section 102 (3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval. The Assessment Manager is delegated to undertake this further assessment:

A detailed landscaping plan shall be prepared by a suitably qualified professional and submitted with further plant species, locations, plant numbers and plant spacing, irrigation and mulching detail.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the power to impose further conditions of consent in respect of the reserved matter above is delegated to the Assessment Manager.

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
- 2) Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of

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lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

- 3) All external materials and finishes shall be of subdued colours and of a low-light reflective nature which blend with the natural features of the landscape.

NOTE: browns, greys, greens and beige are suitable and galvanised iron and zincalume are not suitable.

- 4) All roof runoff generated by the development hereby approved shall be directed to a rainwater tank with overflow to the street (via a pump if necessary) or a Council drainage easement to the satisfaction of Council within one month of the roof cladding being installed. All roof and hard surface runoff shall be managed to prevent trespass onto adjoining properties and into the effluent disposal area where an on-site waste control system exists.
- 5) Prior to commencement of work, 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 construction.
- 6) Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).
- 7) 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.
- 8) The balcony of the dwelling shall be fitted with fixed screening to a minimum height of 1.5 metres above the balcony floor level. The screening shall be installed prior to occupation and be maintained in good condition at all times.
- 9) The upper level windows of the dwelling shall be glazed with fixed obscure glass to a minimum height of 1.5 metres above finished floor level. The glazing of these windows shall be installed prior to occupation and be maintained in good condition at all times.

ADVISORY NOTES

General Notes

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- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

8.3 Development Application Number 24005354 by Dominic Burchell for a Change of use to include an outdoor store for plants and trees, store building (shipping container), and water tank (retrospective) at 10 Kemp Road, Aldgate

8.3.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Paul Vinton	19 Pine Street, Stirling	Self

The applicant/landowner, Dominic Burchell answered questions from the Panel.

8.3.2 Decision of Panel

The following was adopted by consensus of all members (12)

The Council Assessment Panel resolved that:

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- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 24005354 by Dominic Burchell for a Change of use to include an outdoor store for plants and trees, store building (shipping container), and water tank (retrospective) at 10 Kemp Road, Aldgate is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) The external finishes to the store building (shipping container) herein approved shall be of subdued colours and of a low-light reflective nature which blend with the natural features of the landscape.

NOTE: browns, greys, greens and beige are suitable and galvanised iron and zincalume are not suitable.

- 3) All roof runoff generated by the development hereby approved shall be managed on-site to the satisfaction of Council within one month of the roof cladding being installed using design techniques such as:
 - Rainwater tanks
 - Grassed swales
 - Stone filled trenches
 - Small infiltration basins
 Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area. All stormwater including hard surface runoff shall be managed on site with no stormwater to trespass onto adjoining properties.
- 4) All external lighting associated with the depot use shall be restricted to that necessity for security purposes only and shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of nearby residential properties.

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- 5) No bulk storage of chemicals, oils or lubricants associated with the approved use is to occur on-site.
- 6) Movement of the truck and/or vehicles (including employee vehicles) associated with the plant nursery business shall be limited to 7:00am to 5:00pm, Monday to Friday. Vehicles must not be started earlier than 7:00am.

ADVISORY NOTES

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.

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- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) This consent is strictly limited to works on the subject land. This consent does not permit any alteration to road verge. Works including tree pruning/removal, earthworks, kerbing, storage of material or any alteration to the verge or a reserve requires a separate approval under Section 221 of the Local Government Act 1999. For more information regarding this process please visit:
<https://www.ahc.sa.gov.au/development/roads-and-construction/authorisation-to-alter-a-public-road>
- 6) The applicant is reminded of their 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. **Development Assessment Applications – Development Act**
Nil
- 10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
- 11. **ERD Court Appeals**
James Booker updated the panel regarding the OTR Appeal Hearing
- 12. **Policy Issues for Advice to Council**
Nil
- 13. **Other Business**
 - 13.1 Superannuation

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13.2 Objective Connect

13.3 July's CAP Meeting

14. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

Nil

15. Confidential Item

Nil

16. Next Meeting

The next ordinary Council Assessment Panel meeting will be held on Wednesday 9 July 2025.

17. Close meeting

The meeting closed at 8:09pm on 11 June 2025.