

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 9 JULY 2025
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers

In Attendance

Jess Charlton (online)	Director Community & Development
Deryn Atkinson	Assessment Manager
James Booker	Team Leader Statutory Planning
Doug Samardzija	Senior Statutory Planner
Sebastien Paraskevopoulos	Senior Statutory Planner
Tim Mason	Statutory Planner
Alex Bohorquez	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
Leith Mudge

3.2 Leave of Absence
Nil

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4. Previous Minutes

4.1 Meeting held 11 June 2025

The minutes were adopted by consensus of all members (13)

That the minutes of the meeting held on 11 June 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

Nil

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 24040612 by Mark Ebenreuter for an Outbuilding ancillary to existing dwelling and parking of one (1) heavy vehicle (over 3 tonne) at 12 Mappinga Road, Oakbank

8.1.1 Representations

Name of Represor	Address of Represor	Nominated Speaker
Wilfred Burrows	PO Box 210 BALHANNAH	Advised not able to attend
Jo-Anne Burrows	PO Box 210 BALHANNAH	Advised not able to attend
Erika Sames	15 Mappinga Road OAKBANK	Did not attend

The applicant's representative, Julie Lewis (URPS) and the landowner, Mark Ebenreuter, answered questions from the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (14)

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 24040612 by Mark Ebenreuter for an Outbuilding ancillary to existing dwelling and parking of one (1) heavy vehicle (over 3 tonne) at 12 Mappinga Road, Oakbank is GRANTED Planning Consent subject to the following conditions:**

CONDITIONS

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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) The external finishes to the outbuilding herein approved shall be as follows.
WALLS: Colorbond Woodland Grey or similar
ROOF: Colorbond Woodland Grey or similar
- 3) 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.
- 4) The outbuilding shall not be used for human habitation, commercial or industrial purposes. Any such activity may constitute a change in use and will require separate development approval.
- 5) The heavy vehicle (over 3 tonne) is not to be used for commercial or industrial purposes. Any such activity may constitute a change in use and will require separate development approval.

ADVISORY NOTES

General Notes

- 1) 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.
- 2) 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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- 3) 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).
- 4) 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.
- 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>

8.2 Development Application Number 25007199 by Cobbs Hill Estate for a Variation of DA 21017786 – Change to location and design of the approved function venue and water storage tanks (30KL and 22KL) and removal of retaining walls and the 100KL underground tank at 362 Oakwood Road, Oakbank

8.2.1 Representations
Nil

The applicant's representative, Garth Heynen (Heynen Planning) answered questions from the Panel.

8.2.2 Decision of Panel

The following was adopted by consensus of all members

(15)

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 25007199 by Cobbs Hill Estate for a Variation of DA 21017786 – Change to location and design of the approved function venue and water storage tanks (30KL and 22KL) and removal of retaining walls and the 100KL underground tank at 362 Oakwood Road, Oakbank 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) Entertainment in the form of a range of music shall be contained within the function building during the operating hours. Windows and doors of the building shall be kept closed during times when music is played.
- 3) Prior to occupation, the sound system shall be tuned and commissioned by an acoustic engineer in accordance with the recommendations from the Bestec Acoustic Services 100% Design Report dated 10 November 2024. When the nominated noise levels are achieved, the sound limiter and main amplifier should be locked by the acoustic engineer to prevent the settings being adjusted by staff or performers.
- 4) All performers shall only use the sound system and amplifier provided by the function centre. No other sound systems and amplifiers are permitted to be used unless tuned and commissioned by an acoustic engineer prior to use in order to comply with the recommendations by supplementary report from Bestec Acoustic Services 100% Design Report dated 10 November 2024.

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- 5) Before each function the operator shall measure the reverberant sound pressure level (approximately in the middle of the function venue building) from each speaker to ensure it does not exceed 85dBA. The fixed automatic sound limiter shall be used to monitor sound pressure levels during the function to ensure music does not exceed 85dBA.
- 6) Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisation 21017786 continue to apply to this amended authorisation.

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.
- 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).

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- 8.3 Development Application Number 25001838 by Adelaide Hills Council for Variations to development authorisations 18/802/473 and 21035577, including alterations to internal layouts, external and internal finishes, materials, finished floor levels and expansion of plant enclosure for pavilion and buildings 14, 20, and 21 (retrospective) at Building 10-22E 1 Lobethal Rd, Lobethal**

8.3.1 Representations
Nil

8.3.2 Decision of Panel

The following was adopted by consensus of all members (16)

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 25001838 by Adelaide Hills Council for Variations to development authorisations 18/802/473 and 21035577, including alterations to internal layouts, external and internal finishes, materials, finished floor levels and expansion of plant enclosure for pavilion and buildings 14, 20, and 21 (retrospective) at Building 10-22E 1 Lobethal Rd, Lobethal 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 (if any).**

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- 2) Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisations 18/802/473 and 21035577 continue to apply to this amended authorisation.

CONDITIONS Imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Nil

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.
- 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).

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- 5) Please note the following requirements of the Aboriginal Heritage Act 1988.
 - a. If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet as delegate of the Minister) is to be notified under Section 20 of the Aboriginal Heritage Act 1988.
- 6) Please note the following requirements of the Heritage Places Act 1993.
 - a. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.
 - b. Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.

- 9. **Development Assessment Applications – Development Act**
Nil
- 10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
- 11. **ERD Court Appeals**
Assessment Manager gave verbal update and advised that the OTR Appeal is still waiting a decision of the Court.
- 12. **Policy Issues for Advice to Council**
Nil
- 13. **Other Business**
Members provided advice on their availability for the September and November meetings.

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- 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 13 August 2025 and the next Special CAP Meeting will be Wednesday 30 July 2025.
- 17. Close meeting**
The meeting closed at 7:14pm on 9 July 2025.