

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 30 JULY 2025
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND
LIVE STREAMING**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
Leith Mudge

In Attendance

Jess Charlton	Director Community & Development
Deryn Atkinson	Assessment Manager
James Booker	Team Leader Statutory Planning
Doug Samardzija	Senior Statutory Planner
Tom Portas	ICT Support Officer
Sarah Kimber	Minute Secretary

1. Commencement

The meeting commenced at 6:06pm

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 July 2025

The minutes were adopted by consensus of all members (17)

That the minutes of the meeting held on 9 July 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 23004398 by Flex Planning for the tourist accommodation (two storey building with 28 rooms) with associated car parking (28 spaces) and laundry (outbuilding), 3 x underground water storage tanks and combined fence and retaining walls at 209 and 209A Onkaparinga Valley Road, Oakbank

8.1.1 Representations

Representors Name	Representor's Property Address	Nominated Speaker (if relevant)
Michael Arbon	11 Elm Drive, Oakbank SA 5243,	Advised not able to attend
Kym Bassell	PO Box 92, Oakbank SA 5243	Kym Bassell
John Busuttil	11a Elizabeth Street, Oakbank SA 5243	Did not attend
Liz and Roger Coudraye	PO Box 16, Oakbank SA 5243	Did not attend
Ellie Francis	6 Moffett Street, Woodside SA 5244	Did not attend
Jill Francis and James Pearce KC		Jill Francis
Laura Germein	8 Birch St, Oakbank SA 5243	James Zubrinich
Louise Higginson	PO Box 323, Oakbank SA 5243	Did not attend
Tom and Sarah Kloeden	186 Main Road, Oakbank SA 5243	Did not attend
Amanda Leimann	13 Elizabeth Street, Oakbank SA 5243	Advised not able to attend
Simon Moore	7 Elizabeth Street, Oakbank SA 5243	Did not attend
Rob Onofrio	27 Jacaranda Drive, Woodside SA 5244	Did not attend
Monica Ostigh	PO Box 313, Balhannah SA 5242	Monica Ostigh
Don Purdie	29 Size Rd, Oakbank SA 5243	Did not attend
Mikaela Rush	4/10 Saleyard Road, Nairne SA 5252	Did not attend
Graham Seppelt	18A Elizabeth Street, Oakbank SA 5243	Graham Seppelt
Natalie Stanco	P.O. Box 1215, Balhannah SA 5242	Did not attend
Deborah Warland	PO Box 44, Balhannah SA 5242	Deborah Warland - online

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Hayley Wright	50 Onkaparinga Valley Rd, Woodside SA 5244	Did not attend
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The applicant's representative, Sonia Gallarello (Flex Planning) addressed the Panel and answered questions from the Panel.

8.1.2 Decision of Panel

Moved	Myles Somers	Carried
S/-	Ross Bateup	(18)

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 23004398 by Flex Planning for the tourist accommodation (two storey building with 28 rooms) with associated car parking (28 spaces) and laundry (outbuilding), 3 x underground water storage tanks and combined fence and retaining walls at 209 and 209A Onkaparinga Valley Road, Oakbank is GRANTED Planning Consent subject to the following conditions:**

RESERVED MATTERS

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

- 1) All gross pollutant trap (GTP) design details shall be prepared and submitted.**

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- 2) A Construction Environment Management Plan (CEMP) shall be prepared in accordance with current industry standards and submitted to Council. The industry standards include the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction. The plan shall be submitted.
- 3) A detailed landscaping plan, by a suitably qualified person which documents the type and species of plants including the consideration of Oak trees and inclusion of more mature species, locations of plantings, number of plantings, plant spacings and maturity of plants at the time of planting, shall be submitted.

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 matters above is delegated to the Assessment Manager.

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) a) The east and north facing balconies shall be fitted with fixed screening as shown on the Beyond Ink external elevation drawing PA04 Rev I dated 24.04.2025, to a minimum height of 1.7 metres above the balcony floor level. The screening shall be installed prior to occupation and be maintained in good condition at all times.

b) Screening shall be established from solid material, such as 4mm thick Perspex to a height of 1.7m. The screens should be sealed as close to practicable to align at all junctions, including at joins between panels and to the building. Any gap between the bottom of the Perspex and the balcony deck shall be minimised as far as possible as specified in the acoustic report prepared by Sonus, S8758C1 dated April 2025.

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- 3) All materials and goods shall be loaded and unloaded within the confines of the subject land at all times. Materials and goods shall not be stored on the land in a tidy manner and shall not be located in areas delineated for use as car parking. Vehicles larger than a 6.4m small rigid vehicle shall only access the site outside of peak traffic periods on Onkaparinga Valley Road and peak operational periods of the site
- 4) The approved landscaping shall be undertaken in accordance with the Beyond Ink Landscape Plan drawing PA06 Rev E dated 30.10.2024 within three (3) months of occupation of the development. Such landscaping shall be maintained in good health and condition to the satisfaction of the Council at all times with any dead or diseased plants or trees shall be immediately replaced to the reasonable satisfaction of the Council.
- 5) Prior to site works commencing, the tree protection plan in relation to the trees outlined in the Arborist's Report prepared by Comphort Technical Services dated 2025.01.27 and submitted as part of this application as a strategy for tree management shall be implemented under the supervision of the appointed Project Arborist.
- 6) Stormwater management shall be undertaken in accordance with the stormwater design prepared by CPR Engineers and approved by Adelaide Hills Council. All stormwater runoff generated by the development hereby approved shall be directed to a rainwater tank with overflow to the street (via a pump if necessary) to the satisfaction of Council within one month of the roof cladding and any hard surface area being installed. All roof and hard surface runoff shall be managed to prevent trespass onto adjoining properties.
- 7) All car parking spaces, driveways and manoeuvring areas shall be designed, constructed, and line-marked in accordance with Australian Standard AS 2890.1:2004. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of bitumen or brick paved prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.

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- 8) Permeable paving shall be established within the Tree Protection Zones in the carparking area in accordance with the recommendations made in the Arborist report prepared by Comphort Technical Services dated 2025.01.27 and approved as a strategy for tree management.
- 9) The applicant, owner and/or other person(s) making use of the subject land shall maintain the site in good condition at all times, including all buildings and structures, car parking areas, driveways and landscaping, and ensure that all activities on the site are in accordance with the approved documentation to the reasonable satisfaction of Council.
- 10) The tourist accommodation approved herein, and any associated activities undertaken on the land shall be managed and conducted at all times in a manner as to cause no undue nuisance or adverse effect to any neighbouring landowners or to other land uses in the locality.
- 11) The bin storage area shall be kept clean and tidy at all times with bin lids closed.
- 12) 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.
- 13) The reception shall be open only between 8:00am and 8:00pm Monday to Saturday and 9:00am to 5:00pm on Sunday.
- 14) The laundry facilities shall only be made available to guests between 9:00am and 5:00pm Monday to Sunday.
- 15) Waste collection and deliveries shall occur between the hours of 8:00am and 8.00pm Monday to Saturday.

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16) Boundary fences shall be established from solid material, such as 0.35 BMT steel sheets (Colorbond or similar) to the height of 1.8m and 2.1m, measured from top of retaining walls. The fence should be sealed as close as practicable to airtight at all junctions, including at the ground and between panels, as specified in the acoustic report prepared by Sonus, S8758C1 dated April 2025.

17) The person(s) having the benefit of this consent shall refrain from permitting the use of the building (or any part thereof) for provision long term accommodation or as a separate dwelling. The tourist accommodation shall be used and operated on a short-term rental arrangement with a maximum of a ninety day stay in a 12 month period, per occupancy.

A logbook shall be kept of all occupancies for each calendar year and made available for inspection by the Council upon request.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

18) Access to Onkaparinga Valley Road shall be gained as shown on Beyond Ink Site/Ground Floor Plan, Project No 22.106, Sheet Number PA02, Revision K dated 24/4/2025. The southern car parking module shall be provided with 'Give Way' line marking and signage installed to give priority to entering vehicles.

19) All vehicles shall enter and exit the site in a forward direction. The internal driveway and all on-site vehicle manoeuvring areas shall remain clear of any impediments.

20) The obsolete crossovers on Onkaparinga Valley Road shall be reinstated to Council standard kerb and gutter at the applicants cost prior to operation of the development.

21) All parking shall be designed and constructed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022 with all commercial vehicle facilities being designed in accordance with AS2890.2-2018.

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- 22) The largest vehicle permitted on site shall be an 8.8m medium rigid vehicle. Vehicles larger than a 6.4m small rigid vehicle shall only access the site outside of peak traffic periods on Onkaparinga Valley Road and peak operational periods of the site.

- 23) Any infrastructure (e.g. road signs, drainage infrastructure, etc) within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

- 24) A final stormwater management plan shall be developed in conjunction with DIT. All drainage infrastructure is to be to the satisfaction of Council and DIT.

- 25) Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

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) You as an Applicant may have a right of appeal if this notification is:
 - 4) a refusal
 - 5) conditions of consent

Such an appeal must be lodged within two months of the date of this decision or such longer time as the Environment, Resources and Development Court allows. For assistance with the lodgement of an appeal and its associated costs it is suggested you contact the Court which is located in the Sir Samuel Way Building, Victoria Square, Adelaide, or phone the Court on (08) 8204 2444.

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- 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).

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

- 5) Should traffic flows on Onkaparinga Valley Road be impacted during the construction phase of the development, the applicant is required to obtain approval from DIT's Traffic Management Centre (TMC) for the implementation of a traffic management plan. Before any construction works, the contractor(s) will be required to complete a 'Notification of Works' form via the following link:
https://www.dit.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations

- 9. **Development Assessment Applications – Development Act**
Nil
- 10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
- 11. **ERD Court Appeals**
Nil

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12. Policy Issues for Advice to Council

The following was adopted by consensus of all members (19)

CAP provides advice to Council that there was difficulty in assessing this application (DA:23004398 for tourist accommodation (two storey building with 28 rooms) with associated car parking (28 spaces) and laundry (outbuilding), 3 x underground water storage tanks and combined fence and retaining walls) due to the lack of Heritage overlay for Oakbank. CAP encourages Council to proceed with the proposed Local Heritage investigations and subsequent Local Heritage Code Amendment at the earliest opportunity.

13. Other Business

Mt Lofty Golf Club Application (21/P077/473) has been granted Provisional Planning Consent by the Minister.

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 10 September 2025.

17. Close meeting

The meeting closed at 8:33pm on 30 July 2025.