

**ADELAIDE HILLS COUNCIL  
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING  
WEDNESDAY 10 DECEMBER 2025  
63 MOUNT BARKER ROAD, STIRLING**

***[Please Note: These minutes are unconfirmed until 14 January 2026]***

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**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
Blake O'Neil	Team Leader Statutory Planning
Doug Samardzija	Senior Statutory Planner
Sebastien Paraskevopoulos	Senior Statutory Planner
Sarah Kimber	Minute Secretary
Jessica Tonkin	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 15 October 2025

**The minutes were adopted by consensus of all members** (28)

**That the minutes of the meeting held on 15 October 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 25004416 by Hugh Marquis for Variation to Development Applications 24005474 and 22026215 - variation to remove privacy screens from Ground Floor, Upper Floor and Lower Floor of the dwelling including alteration of associated conditions 8 and 9 of Development Application 22026215, addition of a freestanding privacy screen, and associated dwelling alterations at 15 Highlands Court, Woodforde**

**The Panel accepted the amended Lower Floor plan & Elevation 2 plan provided by the Applicant's representative, for consideration of this development.**

**8.1.1 Representations**

Marcus Rolfe addressed the Panel on behalf of Jim Feng and Siv Kean Hok and Michael Adler addressed the Panel.

The applicant's representatives, Jason Cattonar (Future Urban) and Syd McDonald (McDonald Game Lawyers) addressed the Panel and answered questions from the Panel.

**8.1.2 Decision of Panel**

**The following was adopted by consensus of all members (29)**

**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 25004416 by Hugh Marquis for a variation to Development Application 24005474 and 22026215 - variation to remove privacy screens from Ground Floor, Upper Floor and Lower Floor of the dwelling including alteration of associated conditions 8 and 9 of Development Application 22026215, addition of a freestanding privacy screen, and associated dwelling alterations at 15 Highlands Court, Woodforde is REFUSED Planning Consent subject for the following reasons:**

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**General Development Policies  
Design in Urban Areas**

**Performance Outcome 9.1**

The proposed privacy screen is considered to be visually dominant when viewed from the adjoining western allotment which it abuts and is expected to create an enclosed thoroughfare between this boundary and the adjoining dwelling.

**Performance Outcome 10.1:**

The proposal results in direct overlooking from upper-level windows into the private open space of an adjoining residential low-rise dwelling.

**Performance Outcome 10.2:**

The proposal results in direct overlooking from balconies into the outdoor living areas of an adjoining residential low-rise dwelling.

**Performance Outcome 16.1:**

The proposal introduces direct overlooking into outdoor living areas of adjacent residential uses in a neighbourhood-type zone.

**Performance Outcome 28.1**

The proposal results in balconies with insufficient separation from adjoining dwellings to provide visual privacy into outdoor living areas.

**Performance Outcome 28.2**

The proposal results in balconies that do not provide visual privacy of nearby private outdoor areas.

**8.2 Development Application Number 25014685 by Charmaine Richards for**

- 1. Change of use to water extraction industry and packaging facility (industry) with associated landscaping and;**
- 2. Variation of previous Development Authorisation 23015107 to amend the length, height, bench and finished floor levels of the shed and increase the size and number of above ground water storage tanks from 4 to 6 at 50B Collins Road Summertown**

**8.2.1 Representations**

Alice & Matthew Bourke addressed the Panel.

The applicant's representative, Kieron Barnes (Planning Studio) & Nicholas Fenwick (Andy's Water) and the applicant/landowner, Charmaine Richards, addressed the Panel and answered questions from the Panel.

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**8.2.2 Decision of Panel**

**The following was adopted by consensus of all members** (30)

**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 25014685 by Charmaine Richards for:**
  - 1. Change of use to water extraction industry and packaging facility (industry) with associated landscaping and**
  - 2. Variation of previous Development Authorisation 23015107 to amend the length, height, bench and finished floor levels of the shed and increase the size and number of above ground water storage tanks from 4 to 6 at 50b Collins Road Summertown 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) Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisation 23015107 continue to apply to this amended authorisation.**
- 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**

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Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area or trespass onto adjoining properties.

- 4) All The external finishes to the industry building and water tanks herein approved shall be as follows.  
WALLS: Colorbond Monument or similar  
ROOF: Colorbond Monument or similar
- 5) The operating hours of the water extraction, packaging facility and all deliveries to and from the site shall be from 7:30am to 6:30 pm Monday to Friday, excluding public holidays.
- 6) Prior to commencement of the approved use, all forklifts on site associated with the commercial distribution of water shall be fitted with broadband reversing alarms.
- 7) Prior to commencement of the approved use, the acoustic fence shall be installed along the southern boundary in accordance with Site Plan Rev 5 prepared by Plan Ahead Drafting and Design and dated 21 October 2025.

The acoustic fence and industry building approved herein shall be constructed from a minimum 0.42mm base metal thickness (BMT) sheet metal, or an alternative metal with the same or greater surface density (kg/m<sup>2</sup>).

The acoustic fence shall be maintained in good condition at all times and repaired or replaced should it become damaged.

- 8) All waste shall be removed from the subject land at least once a week. Collection of waste shall be carried out only between the hours of 7:30 am and 6:30 pm Monday to Friday.
- 9) Landscaping detailed in Site Plan Rev 5 prepared by Plan Ahead Drafting and Design and dated 21 October 2025 shall include a mixture of mature and juvenile plantings. The landscaping shall be planted in the planting season following construction completion of the shed and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.
- 10) Trucks associated with the commercial distribution of water from the land must not exceed 12 per day (Monday to Friday, excluding public holidays) or 60 per week, excluding Saturday, Sunday and public holidays. The operator shall ensure that only one truck is on the land at any one time to permit safe manoeuvring.

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- 11) A logbook of truck movements to and from the land (both delivery vehicles and commercial water distribution vehicles) referenced in above condition 10 must be maintained with vehicle registration, company name, date, arrival and departure times and provided to Council on request, from the date of Development Approval.
- 12) Overnight parking of any vehicle exceeding 3,000 kg is not to occur on the land.
- 13) The noise associated with activities on site must not exceed a level which is 5 dB(A) below the General Noise Control Provisions of the Environment Protection (Commercial and Industrial Noise) Policy 2023 when measured and adjusted in accordance with that Policy at non-associated dwellings identified on Figure 1 of the Echo Acoustics Environmental Noise Assessment for 50b Collins Road, Summertown, with Reference ID: 734-3, dated 29 August 2025.

**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 25026323 by Jack Korcz for Variation to DA 24033741 Two storey detached dwelling, ancillary accommodation, swimming pool with associated safety features, front masonry fence with associated outbuilding (gatehouse), retaining walls & associated landscaping to include an undercroft garage and storage area - at 11 Braeside Road Stirling.**

**8.3.1 Representations**  
Nil

**8.3.1 Decision of Panel**

**The following was adopted by consensus of all members (31)**

**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 24033741 by Jack Korcz for Variation to DA 24033741 Two storey detached dwelling, ancillary accommodation, swimming pool with associated safety features, front masonry fence with associated outbuilding (gatehouse), retaining walls & associated landscaping to include an undercroft garage and storage area at 11 Braeside Road, Stirling 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) 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.**
- 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.**



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

- 4) Access to habitable buildings where the distance from the public road to the building is greater than 60 m shall be designed and constructed to facilitate the safe and effective:**
- access, operation and evacuation of fire-fighting vehicles and emergency personnel
  - evacuation of residents, occupants and visitors.

**Driveways shall be**

- 1. no greater than 600m in length**
- 2. constructed with a formed, all-weather surface**
- 3. 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)**
- 4. a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway**
- 5. crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway**
- 6. a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures**
- 7. incorporate passing bays with a minimum width of 6m and length of 17m every 200m**
- 8. provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures**
- 9. allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m**
- 10. allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either:**
  - a. a loop road around the building OR**
  - b. a turning area with a minimum radius of 12.5m OR**
  - c. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4)**

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11. incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
  
- 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) A supply of water independent of reticulated mains supply shall be available at all times for fire fighting purposes:
  - a minimum supply of 2,000 (two thousand) litres of water shall be available for fighting purposes at all times; and
  - the water supply shall be located such that it provides the required water; and
  - the water supply shall be fitted with domestic fittings (standard household taps that enable an occupier to access a supply of water with domestic hoses or buckets for extinguishing minor fires); and
  - the water supply outlet shall be located at least 400mm above ground level for a distance of 200mm either side of the outlet; and
  - a water storage facility connected to mains water shall have an automatic float switch to maintain full capacity; and
  - where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.
  
- 7) Accommodation of persons within the ancillary accommodation building (outhouse) shall be genuinely ancillary to the use of the existing, proposed dwelling and must include the following:
  1. Only a single point of connection for services such as electricity, water and sewer installed on the land to service the dwelling and ancillary accommodation.
  2. Only one electricity meter and one water meter installed on the land to service the dwelling and ancillary accommodation.
  3. The ancillary accommodation building must share the same on-site wastewater system as the dwelling.
  
- 8) Stormwater management shall be undertaken in accordance with the plan prepared by Gama Consulting, drawing number 2410109 revision D, with all stormwater runoff generated by the development hereby approved to be managed on-site to the satisfaction of Council within one month of the roof cladding being installed.

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- 9) 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.
- 10) Backwash water from swimming pool filter(s) shall be directed to the sewer. In non-sewered areas, backwash water shall not be directed to any watercourse, dam, stormwater or septic system. A separate on-site dedicated soakage or irrigation area shall be designed for this purpose.

**ADVISORY NOTES**

**General Notes**

- 1) You as an Applicant may have a right of appeal if this notification is:
  - a refusal
  - 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.

- 2) This Planning Consent is valid for a period of twentyfour (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.
- 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.

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- 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>

**9. Development Assessment Applications – Development Act**

Nil

**10. Development Assessment Applications – Review of Decisions of Assessment Manager**

Nil

**11. ERD Court Appeals**

Nil

**12. Policy Issues for Advice to Council**

Nil

**13. Other Business**

**13.1 Report on Revised CAP Operating and Meeting Procedures**

**The following recommendation was adopted by consensus of all members**

**(32)**

**RECOMMENDATION**

1. That the Council Assessment Panel revokes the Operating and Meeting Procedures dated 14 August 2024 and adopts the revised Operating and Meeting Procedures as detailed in Attachment 1 of this report with amendments to Attachment C, as the version dated 10 December 2025.
2. Delegation is provided to the Assessment Manager to make any legislative, formatting or nomenclature changes to the Operating and Meeting Procedures.

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- 13.2 Myles requested that the Bushfire Action Plan for the upcoming bushfire season be confirmed for CAP Meetings on catastrophic and extreme bushfire days.
- 13.3 Geoff congratulated Blake on his appointment to Team Leader Statutory Planning and thanked Sebastien and Doug on acting in the position. Geoff also thanked Panel Members and Staff for their efforts throughout the year.
- 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 14 January 2026.
- 17. Close meeting**  
The meeting closed at 9:07pm.