

MINUTES OF THE MEETING of the Council Assessment Panel of Mount Barker District Council held in the Council Chambers of the Local Government Centre, 6 Dutton Road Mount Barker on Wednesday 19 February 2025, commencing at 9.30 am.

PRESENT **(Members)** Geoff Parsons (Presiding Member), Tom Gregory, Sally Roberts and Harry Seager.
(Staff) Manager City Development (Assessment Manager) (A Houlihan), Senior Planner, City Development (M Fielke), and the Minute Secretary (K Malik).

1. APOLOGIES

Mark Adcock

Andrew Houlihan (Assessment Manager) commenced the meeting advising that in the absence of Mark Adcock (Presiding Member) a chair for this meeting needed to be appointed.

Tom Gregory nominated Geoff Parsons

Seconded Sally Roberts

2. CONFLICT OF INTEREST DECLARATION

Nil.

3. CONFIRMATION OF MINUTES

Moved Sally Roberts that the minutes for the meeting held on 18 December 2024 be taken as read and confirmed.

Seconded Harry Seager

CARRIED
CAP20250219.01

4. REPORTS DEFERRED

Nil.

5. REPORTS BY OFFICERS

5.1. DEVELOPMENT ACT APPLICATIONS

5.1.1. NON-COMPLYING APPLICATIONS

Nil.

5.1.2. CATEGORY 3 APPLICATIONS

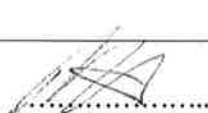
Nil.

5.1.3. CATEGORY 2 APPLICATIONS

Nil.

5.1.4. CATEGORY 1 APPLICATIONS

Nil.


Chairman


Assessment Manager

5.2. PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT APPLICATIONS

5.2.1 24038722 – BEYOND INK

Application ID	24038722
Applicant	Beyond Ink
Subject Land	44, 46 & 48 Adelaide Road, Mount Barker SA 5251
Nature of Development	Demolition of all existing buildings (including one (1) Local Heritage Place - ID 16124), removal of two (2) Regulated Trees (one <i>Platanus orientalis</i> and one <i>Liquidambar styraciflua</i>), construction of a two-storey consulting room building, associated signage (advertising), fencing, retaining, carparking and landscaping.
Lodgement Date	26 November 2024
Relevant Authority	Assessment Panel at Mount Barker District Council
Zone	Neighbourhood Zone
Planning and Design Code Version Number	2024.21 – dated 21 November 2024
Categorisation	Code Assessed (Performance Assessed)
Notification	Yes
Representations	17
Persons to be heard	4
Referrals - Statutory	• Commissioner of Highways
Referrals – Non Statutory	• Development Engineering Officer • Heritage Advisor • Wastewater Engineer
Responsible Officer	Matthew Fielke – Senior Planner
Recommendation	Grant Planning Consent

Alexander (Sandy) Wilkinson spoke against the application on behalf of Richard Fishlock.

Sally Harding spoke against the application.

Julie Hockey spoke against the application.

Dianne van Eck and Douglas McCarty spoke against the application on behalf of Mount Barker & Districts Residents Association.

Sean Elliott from Beyond Ink, Kirsty Nield from ON Architecture and Ben Wilson from Cirqa spoke for the application.


Chairman


Assessment Manager

The Panel discussed the application and reached the following decision;

Harry Seager moved that the Council Assessment Panel:

DETERMINE that the proposed development is not seriously at variance with the provisions of the Planning and Design Code, in accordance with Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*;

RESOLVE to REFUSE Planning Consent to the application by Beyond Ink to Demolition of all existing buildings (including one (1) Local Heritage Place - ID 16124), removal of two (2) Regulated Trees (one *Platanus orientalis* and one *Liquidambar styraciflua*), construction of a two-storey consulting room building, associated signage (advertising), fencing, retaining, carparking and landscaping at 44, 46 & 48 Adelaide Road, Mount Barker SA 5251, Development Application ID 24038722 for the following reasons:

Reasons for refusal:

Proposal has not adequately demonstrated compliance with the following Performance Outcomes.

Local Heritage Place Overlay

PO 6.1

Local Heritage Places are not demolished, destroyed or removed in total or in part unless (a) The portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value; or (b) The structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.

Historic Area Overlay

PO 7.1

Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless: (a) The front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style; or (b) The structural integrity or safe condition of the original building is beyond reasonable repair

Seconded Tom Gregory

CARRIED UNANIMOUSLY
CAP20250219.02

6. REVIEW OF ASSESSMENT MANAGER DECISIONS

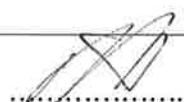
Nil.

7. INFORMATION REPORTS

The Annual report was discussed with feedback received. Assessment Manager to include information regarding the number of development applications in progress and the number of representors heard at the CAP meeting each month.

8. CONFIDENTIAL REPORTS

Nil.



Chairman



Assessment Manager

9. POLICY MATTERS ARISING FROM THIS AGENDA

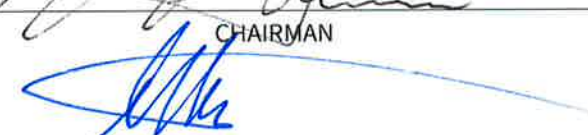
Nil.

10. OTHER BUSINESS

Nil.

11. CLOSURE

Meeting declared closed at 11:49 AM


CHAIRMAN

ASSESSMENT MANAGER

19/3/25
DATE
19/3/25
DATE


Chairman


Assessment Manager