

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 18 February 2026, commencing at 9.30 am.

PRESENT **(Members)** Mark Adcock (Presiding Member), Tom Gregory, Geoff Parsons, Sally Roberts and Harry Seager.
(Staff) Manager City Development (Assessment Manager) (A Houlihan), Team Leader Planning (G Sproule), Senior Planner (M Fielke), Senior Planner (N Luk) and the Minute Secretary (D Minear and M Stennett).

1. APOLOGIES

Nil.

2. CONFLICT OF INTEREST DECLARATION

Nil.

3. CONFIRMATION OF MINUTES

Moved Tom Gregory that the minutes for the meeting held on 19 November 2025 be taken as read and confirmed.

Seconded Harry Seager

CARRIED
CAP20260218.01

4. REPORTS DEFERRED

Nil.

5. REPORTS BY OFFICERS

Nil.

5.1. DEVELOPMENT ACT APPLICATIONS

Nil.

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.

5.2. PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT APPLICATIONS

Nil.


Chairman


Assessment Manager

5.2.1 25007294 – TOPSHIL PTY LTD C/- URPS

Application ID	25007294
Applicant	Topshil Pty Ltd C/- URPS
Subject Land	17 Adelaide Road, Mount Barker SA 5251 5 Dumas Street, Mount Barker SA 5251 3 Dumas Street, Mount Barker SA 5251
Nature of Development	Partial demolition of existing car park, including removal of one (1) regulated tree (<i>Eucalyptus viminalis ssp. viminalis</i>) and construction of a five (5) storey building for tourist accommodation, comprising 100 accommodation units/rooms, under-croft car parking, lobby, services, infrastructure and landscaping.
Lodgement Date	11 April 2025
Relevant Authority	Assessment Panel at Mount Barker District Council
Zone	Community Facilities Zone
Planning and Design Code Version Number	2025.10 – 29 May 2025
Categorisation	Code Assessed (Performance Assessed)
Notification	Yes
Representations	Five (5)
Persons to be heard	Two (2) (heard on 19 Nov 2025)
Referrals – Statutory	Minister responsible for the administration of <i>Heritage Places Act 1993</i>
Referrals – Non Statutory	- Development Engineering Officer - Urban Trees Officer - Manager Property - GMB Water
Responsible Officer	Matthew Fielke – Senior Planner
Recommendation	Planning Consent, Subject to Conditions

The Panel discussed the application and reached the following decision;

Cr Harry Seager moved that the Council Assessment Panel:

1. RECOMMENDATION

It is recommended 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 126 (1) of the *Planning, Development and Infrastructure Act 2016*;

and

GRANT Planning Consent to the application by URPS for the partial demolition of existing car park, including removal of one (1) regulated tree (*Eucalyptus viminalis ssp. viminalis*) and construction of a five (5) storey building for tourist accommodation, comprising 100 accommodation units/rooms, under-croft


Chairman


Assessment Manager

car parking, lobby, services, infrastructure and landscaping at 17 Adelaide Road, Mount Barker as detailed in Application ID: 25007294 subject to the following conditions and advisory notes:

CONDITIONS

Council conditions

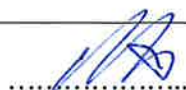
Condition 1

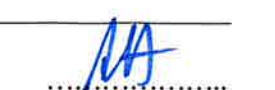
The development herein approved shall be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions. Relevant approved documentation includes:

- Location Plan – Walter Brooke Project 23-0654 – Drawing DA-H-01 – Revision E – Dated 09 Feb 2026
- Site Plan – Walter Brooke Project 23-0654 – Drawing DA-H-02 – Revision F – Dated 09 Feb 2026
- Ground Floor Plan – Walter Brooke Project 23-0654 – Drawing DA-H-03 – Revision E – Dated 09 Feb 2026
- Typical Level 1-4 Plan – Walter Brooke Project 23-0654 – Drawing DA-H-04 – Revision E – Dated 09 Feb 2026
- Roof Plan – Walter Brooke Project 23-0654 – Drawing DA-H-05 – Revision E – Dated 09 Feb 2026
- Car Parking Zone Plan – Walter Brooke Project 23-0654 – Drawing DA-H-06 – Revision C – Dated 09 Feb 2026
- Existing Site and Demolition Plan – Walter Brooke Project 23-0654 – Drawing DA-H-10 – Revision E – Dated 09 Feb 2026
- Elevations – Walter Brooke Project 23-0654 – Drawing DA-H-20 – Revision D – Dated 09 Feb 2026
- Elevations – Walter Brooke Project 23-0654 – Drawing DA-H-21 – Revision D – Dated 09 Feb 2026
- Section 1 – Walter Brooke Project 23-0654 – Drawing DA-H-30 – Revision D – Dated 09 Feb 2026
- 3D Impression 1 – Walter Brooke Project 23-0654 – Drawing DA-H-31 – Revision D – Dated 09 Feb 2026
- 3D Impression 2 – Walter Brooke Project 23-0654 – Drawing DA-H-32 – Revision D – Dated 09 Feb 2026
- 3D Impression 3 – Walter Brooke Project 23-0654 – Drawing DA-H-33 – Revision D – Dated 09 Feb 2026
- Planning Report – URPS – Ref: 24ADL-1017 – Revision 3 – Dated 22 Apr 2025
- Response to RFI – URPS – Ref: 24ADL-1017 – Dated 19 May 2025
- Stormwater Management Plan – WGA Engineers – Ref: WGA250158-RP-CV-0002_B – Revision B – Dated 12 May 2025
- Traffic and Parking Report – CIRQA – Ref: 24673 – Version 1.2 – Dated 15 Aug 2025
- Letter from CIRQA – Ref: 24673|TAW – Dated 24 Sep 2025
- Letter from CIRQA – Ref: 24673|TAW – Dated 4 Feb 2026
- Waste Management Plan – Rawtec – Project: Wallis Hotel Redevelopment Mount Barker, SA – Version 1.1 – Dated 18 Mar 2025
- Arboricultural Impact Assessment – Arborman Tree Solutions – Ref: ATS7993-017AdeRdHotDIR – Dated 14 Mar 2025
- Preliminary Site Investigation – Gama Environmental Pty Ltd – Job: 250208E – Dated 27 Feb 2025
- Response to Representations – URPS – Ref: 24ADL-1017 – Dated 20 Aug 2025.

Condition 2

Tree Protection Zones (TPZs) are to be erected for all regulated and/or significant trees to be retained (identified in the Arboricultural Impact Assessment by Arborman Tree Solutions) for the duration of construction (including any associated earthworks). This must:


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Chairman


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Assessment Manager

- Consist of solid, chain mesh, steel or similar fabrication with posts at a maximum 3.0m intervals located to contain the area of the TPZ affected;
- Incorporate on all sides a clearly legible sign displaying the words 'Tree Protection Zone';
- Be a minimum of 1.8 metres in height;
- Be fixed in place to prevent any unauthorised movement within the zone; and
- Ensure no materials are to be stored within this zone.

Condition 3

The following activities shall not be allowed, caused, suffered or permitted to occur within the Tree Protection Zone (TPZ) of the regulated and/or significant trees to be retained, outside of the extent of the building footprint:

- Building work (Verandahs, pergola or similar structures utilizing non-invasive construction techniques such as hand digging may be appropriate if approved by Council.
- Trenching for the installation of underground services/pipes unless non-invasive methods such as directional boring are utilised.
- Paving or other impervious objects (such as a water feature) unless agreed in writing beforehand by Council. Tree sensitive pavement techniques may be appropriate if approved by Council.
- Any vehicles or machinery.
- Storage of material, building rubble, construction materials, equipment or temporary buildings/structures.
- Excavating or digging of any form, unless agreed in writing beforehand by Council.
- Fencing except post and rail construction.
- Placement of additional soil or removal of soil unless agreed in writing beforehand by Council.
- Scaffold supports required within the protection zone are to be placed on planks or boards of a suitable thickness.
- Changes to natural ground level.

Condition 4

A Traffic Control Plan and supporting Traffic Impact Statement shall be provided to Council's satisfaction prior to the granting of Development Approval.

Condition 5

Deliveries and waste collection shall be undertaken by a service vehicle no greater than 11m in length and occur outside of the site's peak trading hours to prevent conflict with passenger vehicle movements.

Condition 6

Waste management shall occur in accordance with the Waste Management Plan prepared by Rawtec and should:

- Comprise three waste streams, including general waste, comingled recycling and organics recycling.
- Include a total waste storage volume of approximately 6,700 litres.
- Require no more than five (5) collections per week.
- Comprise bins and signage that meet the Australian Standard for Mobile Waste Containers (AS 4123.7-2006 Mobile Waste Containers).

Condition 7

Areas used for the storage of waste refuse bins must be:

- a) Designed to contain all wastewater within a bunded and roofed area to exclude the entry of external surface stormwater run-off



Chairman



Assessment Manager

- b) Paved with an impervious material
- c) Designed to drain wastewater to either:
 - i. a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or
 - ii. a holding tank and its subsequent removal off-site on a regular basis.
- d) Appropriately contained, stored, managed and screened from public view to not cause a visual impact or odour impact.

Condition 8

All vehicle car parks, driveways, vehicle entry and manoeuvring areas must be designed, constructed and maintained in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022)

Condition 9

Replacement trees must be planted within 12 months of completion of the development at the following rates:

- i. if the development relates to a regulated tree—2 trees to replace a regulated tree; or
- ii. if the development relates to a significant tree—3 trees to replace a significant tree;

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 3 metres of an existing dwelling or in-ground swimming pool.

Prior to the planting of replacement trees, the applicant is required to provide a planting plan, showing the location and species of trees to be planted to the satisfaction of Council. For advice regarding the most appropriate species and location of replacement trees, please contact Council's Urban Forest Officer on (08) 8391 7200.

ADVISORY NOTES

Council Advisory Notes

Advisory Note 1

Any person proposing to undertake building work within the Mount Barker District Council is reminded of their obligation to take all reasonable measures to protect Council infrastructure. Any incidental damage to the infrastructure - pipes, footpath, verge, street trees etc, must be reinstated to a standard acceptable to Council at the applicants' expense. If you have any queries please contact Council on 8391 7200.

Advisory Note 2

The applicant is reminded of their general environmental duty, as required by Section 25 of the *Environment Protection Act*, to take all reasonable and practical measures to ensure that any activities on the site do not pollute the environment.

Advisory Note 3

Any pruning required to existing street trees shall be undertaken under the guidance of Council's Urban Forest Officer. Any necessary approvals or permits shall be granted prior to any pruning works occurring. For example, pruning of the existing English Oak Tree to the corner of Adelaide Road and Druids Avenue may require a Development Approval as this tree forms part of a Local Heritage Place. Please contact Council's Urban Forest Officer on (08) 8391 7200 to discuss further.


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Chairman


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Assessment Manager

Advisory Note 4

Effective measures are to be implemented during the construction of the development in accordance with this consent to:

- Prevent silt and water run-off from the land to adjoining properties, roads and drains;
- Control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
- Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
- Ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
- Ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.

This will 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.

Advisory Note 5

The granting of this consent does not remove the need for the Applicant to obtain all other consents that may be required by other statutes or regulations.

The consent does not override the authority of any encumbrance or easement that might be present on the land.

Advisory Note 6

The proposed development is required to be connected to an approved wastewater management system (includes new or alterations to existing on-site systems, sewer systems and associated underfloor plumbing). A wastewater management system should be approved by Council prior to the commencement of construction.

Advisory Note 7

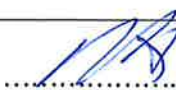
GMB Water advise that:

- a. The proposed development is acceptable to connected to the Mount Barker Wastewater Network. The developer is required to establish a connection at a mutually agreed-upon point.
- b. Connection to the sewer system is mandatory. Septic tank systems are not a preferred servicing method and any existing septic tanks on the property must be decommissioned in accordance with relevant standards.
- c. A Trade Waste Application must be lodged with and approved by the GMB Water prior to the commencement of any work.
- d. The developer will be required to pay the applicable augmentation and/or infrastructure charges to accommodate the increased wastewater load on the network resulting from this development.
- e. Approval for all internal drainage works (plumbing) must be obtained from SA Health. Furthermore, mandatory inspections of these works must be scheduled with Mount Barker District Council at the appropriate stages of construction.

Advisory Note 8

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

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.



Chairman



Assessment Manager

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 Note 9

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).

Advisory Notes imposed by the Minister responsible for the administration of the *Heritage Places Act 1993* under Section 122 of the Act

Advisory Note 10

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*.

Advisory Note 11

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.

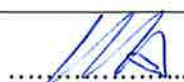
(b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.

Seconded Tom Gregory

CARRIED
CAP20260218.02

5.2.2. 25035947 – MARC VOORTMAN

Application ID	25035947
Applicant	Marc Voortman
Subject Land	9 and 11 Light Crescent, Mount Barker
Nature of Development	Partial change of use of land to place of worship at Unit 2, 9 Light Crescent
Lodgement Date	8 December 2025
Relevant Authority	Assessment Panel at Mount Barker District Council
Zone	Employment Zone
Planning and Design Code Version Number	2025.21
Categorisation	Code Assessed (Performance Assessed)
Notification	Yes
Representations	1


Chairman


Assessment Manager

Persons to be heard	1
Responsible Officer	Natalie Luk – Senior Planner
Recommendation	Grant Planning Consent

Rhett Payne spoke on behalf of JSR Group Holdings Pty Ltd to their representation

Lawson Hannaford spoke for the application on behalf of the applicant Marc Voortman

The Panel discussed the application and reached the following decision;

Cr Geoff Parsons moved that the Council Assessment Panel:

1. RECOMMENDATION

It is recommended 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 126(1) of the *Planning, Development and Infrastructure Act 2016*;

and

GRANT Planning Consent to the application by Marc Voortman to partially change the use of land to place of worship at 9 and 11 Light Crescent, Mount Baker as detailed in Application ID: 25035947 subject to the following conditions, and advisory notes:

CONDITIONS

Council conditions

Condition 1

The development herein approved shall be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions.

Condition 2

Hours of operation at are limited to Sundays from 10:00am to 12:00pm. Use of the buildings outside of these hours must be of such limited intensity so as to cause no appreciable nuisance in the locality (e.g. amplified music shall not be played outside of these times).

Condition 3

The Place of Worship, including Sunday school, herein approved shall have a maximum capacity of up to 180 persons at any time.

Condition 4

The development herein approved shall achieve the requirements of the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.


Chairman


Assessment Manager

Condition 5

The development shall include noise attenuation measures that will achieve the following noise levels when measured from the nearest existing noise sensitive location - 8dB above the level of background noise (L90,15min) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)

NOTES

Council Advisory Notes

Advisory Note 1

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).

Advisory Note 2

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.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

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 Note 4

The granting of this consent does not remove the need for the Applicant to obtain all other consents that may be required by other statutes or regulations.

Advisory Note 5

The Applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.

Seconded Harry Seager

CARRIED
CAP20260218.02

6. REVIEW OF ASSESSMENT MANAGER DECISIONS

Nil.

7. INFORMATION REPORTS

The Council Assessment Panel Annual Report 2025 was discussed with positive feedback received. The Presiding Member recommended to seek a deputy independent member when the panel membership is reviewed. Harry Seager moved that the annual report is noted, Tom Gregory seconded.


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Chairman


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Assessment Manager

8. CONFIDENTIAL REPORTS

Nil.

9. POLICY MATTERS ARISING FROM THIS AGENDA

Nil.

10. OTHER BUSINESS

Nil.

11. CLOSURE

Meeting declared closed at 10:23 am



CHAIRMAN

18-3-2026
DATE



ASSESSMENT MANAGER

18-3-2026.
DATE


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Chairman

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Assessment Manager