

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 4 DECEMBER 2024
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
Blake O'Neil	Senior Statutory Planner
Sebastien Paraskevopoulos	Statutory Planner
Tom Portas	ICT Support Officer
Sarah Kimber	Minute Secretary

1. Commencement

The meeting commenced at 6:18pm

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 13 November 2024

The minutes were adopted by consensus of all members (41)

That the minutes of the meeting held on 9 October 2024 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

Leith Mudge advised that with respect to *Item 8.1 - 5 Ravenswood Lane, Balhannah*, one of the representors, Michael Cornish is an acquaintance of his as a resident of Bridgewater and member of the Activating Bridgewater Committee. However, they have never discussed or had any communication over this application. As he has no pecuniary interest and has not had conversation or contact with this representor regarding this application, which might lead to a perception of bias, Leith advised he will remain in the meeting when this application is considered.

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 22007004 by Luxury Lodge Group for Tourist accommodation comprising 20 units with ancillary lodge and shop (personal services establishment in the form of a day spa), water tanks, access road and associated earthworks at 5 Ravenswood Lane, Balhannah

8.1.1 Representations

The following representors addressed the Panel as indicated, and answered questions from the Panel:

Name of Representor	Address of Representor	Nominated Speaker
Johnathan Nitschke	PO Box 473, Hahndorf	Self
Sandra Nitschke	PO Box 473, Hahndorf	Jeremy Roberts - Hahndorf Community Assoc.
Carl Nitschke	PO Box 473, Hahndorf	Adam Williams - MasterPlan
Cathryn Nitschke	PO Box 4, Hahndorf	Self
John Nitschke	PO Box 4, Hahndorf	Self
Lyn Nitschke	PO Box 4, Hahndorf	David Billington – Botten Levinson
Nicol Morrison	PO Box 105, Balhannah	Cathryn Nitschke
Deborah Warland	PO Box 44, Balhannah	Adam Williams - MasterPlan
Greg Jamieson	PO Box 258, Hahndorf	Self
Brenton Kelly	PO Box 45, Kent Town	Darren Kelly
Elizabeth Kirkby	PO Box 225, Hahndorf	Harold Gallasch
Grant Coleman	PO Box 132, Balhannah	David Billington – Botten Levinson
Valentina Zaytseva	1 Hawke Street, Ridgehaven	Peter Goss – Archer Environmental
Meegan Pezzotta	28A Karawirra Avenue, Rostrevor	Self
Richard Shipman	29A Leonard Road, Hahndorf	Did not attend
Andrew Webber	PO Box 158, Hahndorf	Self

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Alister Haigh	37 Wellington Square, North Adelaide	Peter Goss – Archer Environmental
Susan Haigh	PO Box 161, Balhannah	David Billington – Botten Levinson
Stephen Symons	26 Ravenswood Lane, Balhannah	Self
Belinda Symons	26 Ravenswood Lane, Balhannah	Stephen Symons
Carolyn Symons	26 Ravenswood Lane, Balhannah	Stephen Symons
Georgina Symons	26 Ravenswood Lane, Balhannah	Stephen Symons
Sandra Loveband	7 Avenue Road, Highgate	Adam Williams - MasterPlan
David Loveband	7 Avenue Road, Highgate	Adam Williams - MasterPlan
Pauline Willy	20 Wood Road, Paradise	Darren Kelly
Ethel Stanton	PO Box 491, Hahndorf	Self
Joshua Silwood	53 Hurling Drive, Mount Barker	Peter Goss – Archer Environmental
Perry Kelly	14A Hooking Avenue Royston Park	Darren Kelly
Marge Kelly	14A Hooking Avenue Royston Park	Darren Kelly
Kylie Hewitt	5 Corbusier Drive, St Agnes	Jeremy Roberts – Hahndorf Community Assoc.
Richard Harris	PO Box 732, Hahndorf	Ron Watts
Valerie Harris	PO Box 732, Hahndorf	Ron Watts
Christine Reed	8 Paech Brothers Road, Hahndorf	Self
Debby Nulty	PO Box 343, Hahndorf	Self
Chris McMichael	PO Box 91, Balhannah	Lyn Nitschke
Matt Kelly	23 Paech Brothers Road, Hahndorf	Self
Darren Kelly	PO Box 530, Hahndorf	David Billington – Botten Levinson
Katrina Pollard	PO Box, Hahndorf	Self
Crystal Bihun	PO 380, Woodside	Self

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Sam Underwood	PO Box 136, Hahndorf	Katrina Pollard
Austen Oxlade	40 Jones Road, Balhannah	Self
Teneal Elliot	19 Bligh Avenue, Panorama	Josephine Gray
Rosslyn Hendrick	141 Birchmore Road, Hahndorf	Robert Becker

The applicant's representatives, James Hilditch (Hilditch Lawyers), Damien Ellis (INTRO) and Anthony Gatti (INTRO) addressed the Panel, and answered questions from the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (42)

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 21019844 by Luxury Lodge Group for tourist accommodation comprising 20 units with ancillary lodge and shop (personal services establishment in the form of a day spa), water tanks, access road and associated earthworks at 5 Ravenswood Lane, Balhannah is REFUSED Planning Consent for the following reasons:
 1. The proposed development is of a design, siting, scale and intensity that would detract significantly from the rural character and scenic qualities of the surrounding landscape, contrary to PO 1.1, 2.2, 6.1, 6.2, 6.3, 6.4 and 11.1 of the Productive Rural Landscape Zone.
 2. The proposal will not contribute positively to the area's natural, cultural or historical context by virtue of its scale, intensity and significant external impacts, contrary to PO 1.1 and 1.2 of the General Policies (Tourism Development).
 3. The proposed development would adversely impact upon the amenity of nearby sensitive uses by way of its intensity and a loss of outlook, contrary to PO 1.2, 2.1 of the General Policies (Interface between Land Uses).

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4. The proposed earthworks associated with the development are considered to result in significant disturbance and scarring of the natural topography, contrary to PO 8.1 and 8.3 of the General Policies (Design).

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.**

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**
Nil
14. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
15. **Confidential Item**
Nil
16. **Next Meeting**

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The next ordinary Council Assessment Panel meeting will be held on Wednesday 11 December 2024.

- 17. Close meeting**
The meeting closed at 12:13am on 5 December 2024.