

# MINUTES

of the

## **Council Assessment Panel Meeting of the**



Pursuant to the provisions of section 83 of the  
Planning, Development and Infrastructure Act 2016

**Two Wells Council Chamber  
65 Old Port Wakefield Road  
Two Wells**

on

**Wednesday 5 April 2023 at 5:30pm**

A handwritten signature in black ink, located in the bottom right corner of the page.

The Chairperson formally declared the meeting open at 5.30pm.

## **1 ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges that we meet on the traditional country of the Kurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna people living today.

## **2 ATTENDANCE RECORD**

### **2.1 Present**

Chairperson	Mr Nathan Cunningham
Independent Member	Mr Paul Mickan
Independent Member	Ms Susan Giles

### **Also in Attendance**

Manager Development Assessment	Mr Josh Banks
Planning Officer	Ms Dina Badrun
Group Manager, Development and Community	Mr Mike Ravno
Minute taker	Ms Abbey Cook
Graduate Planning Officer	Ms Anisha Ghimire

### **Apologies**

Council Member	Ms Margherita Panella
Independent Member	Mr Aaron Curtis



**3 MINUTES**

**3.1 CONFIRMATION OF MINUTES – COUNCIL ASSESSMENT PANEL – 4 MAY 2022**

**COMMITTEE RESOLUTION**

**Moved: Paul Mickan**

**Seconded: Susan Giles**

**“that the minutes of the Council Assessment Panel Meeting held on Wednesday 4 May 2022, be accepted as read and confirmed.”**

**CARRIED**

**4 DECLARATION OF MEMBERS’ INTEREST**

Nil

**5 REPORTS FOR DECISION**

**5.1 22041043 – 168 HAYMAN ROAD LEWISTON – TELECOMMUNICATIONS FACILITY COMPRISING A 30-METRE-HIGH MONOPOLE, ANTENNAS, EQUIPMENT SHELTER AND CABINETS, FENCING AND UTILITY CONNECTIONS – CT 6228/472**

**Representor Tanya Chapman addressed the panel**

**Independent Member Paul Mickan asked questions of the Representor**

**Representor Tanya Chapman answered questions of the Independent Member**

**Applicant Mark Baade joined the meeting at 5:44pm**

**Applicant Mark Baade addressed the Panel**

**Independent Member Paul Mickan asked questions of the Applicant**

**Applicant Mark Baade answered questions of the Independent Member**

**Presiding Member Nathan Cunningham asked questions of the Applicant**

**Applicant Mark Baade answered questions of the Presiding Member**

**Presiding Member Nathan Cunningham asked questions of the Assessment Manager**

**Assessment Manager Josh Banks answered questions of the Presiding Member**

**Independent Member Paul Mickan asked questions of the Assessment Manager**

**Assessment Manager Josh Banks answered questions of Independent Member**



Moved: Susan Giles

Seconded: Paul Mickan

It is recommended that the Council Assessment Panel resolves 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 22041043 by Stilmark Holdings Ltd for the construction of telecommunications facility comprising a 30-metre-high monopole, antennas, equipment shelter & cabinets, fencing and utility connections at 168 Hayman Road, Lewiston, Hundred of Port Gawler is GRANTED Planning Consent, pursuant to Section 102(a)(i) of the *Planning, Development and Infrastructure Act 2016*, and subject to the following conditions and advisory notes:

**Conditions**

1. The development must be undertaken and completed in accordance with the details, plans, specifications and correspondence submitted with and forming part of this application, except where varied by any condition(s) below.

*Reason: To ensure appropriate, authorised use of the land.*

2. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:

- prevent silt 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
- 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.

*Reason: To minimise potential impacts beyond the site during construction, and to minimise potential impacts to adjoining land.*

3. Unless otherwise approved by Council, external lighting shall be restricted to that necessary for security purposes only and shall be directed and shaded in such a manner so as not to cause light overspill and/or unreasonable nuisance to adjacent occupiers of land to the reasonable satisfaction of Council.

*Reason: To minimise potential impacts to adjoining land.*

4. The proposed monopole must be painted in N53 blue grey within 3 months of erection.

*Reason: To minimise potential impacts to adjoining land.*



**Notes**

1. Once development approval is granted, the development must be:

- a) Substantially commenced within twenty four (24) months from the date of the decision of this Consent or Approval, otherwise this Consent or Approval will lapse at the expiration of twenty four (24) months from this date (unless Council extends this period), and a new development application shall be required;
- b) Fully completed within three (3) years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of three (3) years from this date (unless Council extends this period), and a new development application shall be required; and
- c) Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

2. Pursuant to Section 202 of the *Planning, Development and Infrastructure Act 2016*, you have the right of appeal to the Environment, Resources and Development Court against either (1) a refusal of consent or (2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period allowed by the Court. The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (GPO Box 2465, Adelaide SA 5001 (Ph. 8204 0289).

CARRIED

5.2      22017105 – 1 COCKATOO ROAD LEWISTON – PARKING OF TWO (2) HEAVY VEHICLES AND TWO (2) ASSOCIATED TRAILERS GREATER THAN 3000KG TAREWEIGHT (RETROSPECTIVE) – CT 5095/732

Independent Member Paul Mickan asked questions of the Assessment Manager

Assessment Manager Josh Banks answered questions of Independent Member

Independent Member Susan Giles asked questions of the Assessment Manager

Assessment Manager Josh Banks answered questions of Independent Member

Presiding Member addressed the Panel

Moved:     Paul Mickan

Seconded: Susan Giles

It is recommended that the Council Assessment Panel resolves 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 22017105 by Mr David Wayne Williams for the parking of two (2) heavy vehicles and two (2) associated trailers greater than 3000 kg tare weight (retrospective) at 1 Cockatoo Road, Lewiston is GRANTED Planning Consent and Development Approval, pursuant to Section 102(a)(i) of the *Planning, Development and Infrastructure Act 2016*, and subject to the following conditions and advisory notes:



**Conditions**

1. The development must be undertaken and completed in accordance with the details, plans, specifications and correspondence submitted with and forming part of this application, except where varied by any condition(s) below.

*Reason: To ensure appropriate, authorised use of the land.*

2. Heavy vehicle movements entering and exiting the property are restricted to no earlier than 7am and no later than 5pm.

*Reason: To minimise potential impacts to adjoining land.*

3. No maintenance or repairs of heavy vehicles shall occur on site.

*Reason: To minimise potential impacts to adjoining land.*

**Advisory Notes**

1. Once development approval is granted, the development must be:

a) Substantially commenced within twenty four (24) months from the date of the decision of this Consent or Approval, otherwise this Consent or Approval will lapse at the expiration of twenty four (24) months from this date (unless Council extends this period), and a new development application shall be required;

b) Fully completed within three (3) years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of three (3) years from this date (unless Council extends this period), and a new development application shall be required; and

c) Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

2. Pursuant to Section 202 of the *Planning, Development and Infrastructure Act 2016*, you have the right of appeal to the Environment, Resources and Development Court against either (1) a refusal of consent or (2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period allowed by the Court. The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (GPO Box 2465, Adelaide SA 5001 (Ph. 8204 0289).

**CARRIED**

**5.3 COUNCIL ASSESSMENT PANEL MEETING PROCEDURES**

Moved: Susan Giles

Seconded: Nathan Cunningham

The Adelaide Plains Council Assessment Panel endorse and adopt the revised Council Assessment Panel Meeting Procedures (refer Attachment 1).

**CARRIED**



**6        REPORTS FOR INFORMATION**

Nil

**7        OTHER BUSINESS**

Nil

**8        CONFIDENTIAL ITEMS**

Nil


**9        NEXT MEETING**

Wednesday 3 May 2023 at 5:30pm

**10       CLOSURE**

There being no further business, the Chairperson declared the meeting closed at 6:31pm.

Confirmed as a true record.

Chairperson:.....

Date: 05 / 05 / 2023