

NOTICE OF MEETING

Notice is hereby given in accordance with
Section 83 of the *Planning, Development and Infrastructure Act 2016*,

Council Assessment Panel Meeting **of the**



will be held in

Two Wells Council Chamber
65 Old Port Wakefield Road
Two Wells

on

Wednesday 5 April 2023
at 5:30pm


.....
Josh Banks
ASSESSMENT MANAGER

AGENDA

Page
Number

1. ACKNOWLEDGEMENT

We acknowledge that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pay our respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.

2 ATTENDANCE RECORD

2.1 Present

2.2 Apologies

Aaron Curtis

2.3 Not Present/Leave of Absence

3 MINUTES

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

4 DECLARATION OF INTEREST

5 REPORTS FOR DECISION

5.1 22041043 – 168 Haman Road Lewiston – Telecommunications facility comprising a 30-metre-high monopole, antennas, equipment shelter & cabinets, fencing and utility connections – CT 6228/472 **11**

5.2 22017105 – 1 Cockatoo Road Lewiston - Parking of two (2) heavy vehicles and two (2) associated trailers greater than 3000 kg tare weight (retrospective) – CT 5095/732 **52**

5.3 Council Assessment Panel Meeting Procedures **65**

6 REPORTS FOR INFORMATION

Nil

7 OTHER BUSINESS

8 CONFIDENTIAL ITEMS

Nil

9 NEXT MEETING

Wednesday 3 May 2023

At 5:30pm

10 CLOSURE

MINUTES

of the

Council Assessment Panel Meeting

of the



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

HELD via

Electronic Means

on

Wednesday 4 May 2022
at 5.30pm

The Presiding Member formally declared the meeting open at 5.30pm and acknowledged the Kaurna People as the Traditional Custodians of the Land.

1. ATTENDANCE RECORD

1.1 Present

Mr Nathan Cunningham	Presiding Member
Mr Ian O'Loan	Independent Member
Mr Paul Mickan	Independent Member
Mr Aaron Curtis	Independent Member

Also in Attendance

Assessment Manager	Mr David Roberts
Planning Officer	Mr George Jacks
Administration Support Officer/Minute Taker	Miss Abbey Cook
IT Support Officer	Mr Sean Murphy

1.2 Apologies:

Ms Margherita Panella	Council Member
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2.1 Confirmation of Minutes – Meeting held 2 February 2022

Seconded Paul Mickan

AGREED

Nil

4.1 21028566 – Construction of kennel and puppy shelters and the keeping of up to 46 greyhounds in association with an existing dwelling – R Romyn – Lot 61 – 31-33 Germantown Road Two Wells – CT 5387/425

Representor Shane Cowey addressed the Panel and Staff

Chair Nathan Cunningham gave 1 minute notice to Representor Shane Cowey

Independent Member Ian O’Loan addressed Represenor Shane Cowey

Representor Shane Cowey answered questions of Ian O’Loan

Applicant Rebecca Romyn joined the meeting and addressed the Panel

Independent Member Aaron Curtis asked questions of the Applicant

Applicant Rebecca Romyn answered questions of Aaron Curtis

Independent Member Paul Mickan asked questions of the Applicant

Applicant Rebecca Romyn answered questions of Independent Member Paul Mickan

Independent Member Ian O’Loan asked questions of the Applicant

Applicant Rebecca Romyn answered questions of Independent Member Ian O’Loan

Independent Member Paul Mickan addressed the Panel

Independent Member Ian O’Loan asked questions of staff through the Chair

Planning Officer answered questions of Independent Member Ian O’Loan

Independent Member Aaron Curtis asked questions of Staff

Assessment Manager answered questions of Independent Member Aaron Curtis

Planning Officer answered questions of Independent Member Aaron Curtis

Independent Member Aaron Curtis asked further questions of Staff

Planning Officer answered questions of Independent Member Aaron Curtis

Chair Nathan Cunningham asked questions of staff

Planning Officer answered questions of Independent Chair Nathan Cunningham

Independent Member Paul Mickan asked questions of staff

Planning Officer answered questions of Independent Member Paul Mickan

Independent Member Ian O'Loan addressed the Panel

Independent Member Aaron Curtis addressed the Panel

Independent Member Paul Mickan addressed the Panel

Chair Nathan Cunningham addressed the Panel

Independent Member Ian O'Loan addressed the Chair

Independent Member Aaron Curtis addressed the Chair

Assessment Manager addressed the Chair and Independent Members

Independent Member Paul Mickan answered questions of Assessment Manager

Independent Member Aaron Curtis answered questions of Assessment Manager

Assessment Manager addressed the Panel

The Panel delegates authority to the Assessment Manager to draft a condition requiring the applicant to undertake landscaping adjacent the buildings to soften and obscure the built form when viewed from adjoining properties

Moved **Ian O'Loan**

Seconded

Aaron Curtis

RECOMMENDATION

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 21028566 by Ms Rebecca Romyn for Construction of kennel and puppy shelters and the keeping of up to 46 greyhounds in association with an existing dwelling at Lot 61, 31-33 Germantown Road Two Wells 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

Planning Consent

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.
2. The external walls and roof of the kennels and any associated pens, yards and fencing must be maintained to an acceptable standard of appearance and condition at all times to the satisfaction of Council.
3. The greyhounds must be managed and attended to on a regular basis and be appropriately supervised to ensure noise is managed to minimise adverse impacts to owners or occupiers of land in the locality.
4. The kennelling, associated structures and yards must be cleaned regularly to prevent the accumulation of waste and the potential creation of unsanitary conditions to the reasonable satisfaction of Council's Environmental Health Officers.
5. The walls and roof of the kennel and puppy shelter must be appropriately insulated in accordance with provided "Proposed Private Greyhound Keeping Facility" plan to provide protection against extreme temperatures and to reduce noise from barking.
6. Manure and other solid waste generated by the keeping of greyhounds on the land shall be collected and removed regularly in accordance with provided "Proposed Private Greyhound Keeping Facility" plan in an appropriate manner to avoid offensive odours to adjacent or nearby sensitive receivers to the reasonable satisfaction of Council.
7. The kennel structure must include a lint filter on the drainage system to the satisfaction of Council's Environmental Health Officer
8. The feeding of any animals on the subject land must not result in offensive odours that may cause nuisance to adjacent or nearby properties to the reasonable satisfaction of Council.
9. No more than 12 adult greyhounds to be outdoors during the evening time period
10. The runs associated with the puppy shelters must not be used for training of greyhounds
11. Greyhounds are to be kept indoors during night-time period (10:00pm – 7:00am) and all doors and windows of the shed to remain closed.

12. No more than 26 adult greyhounds and 20 puppies shall be at the facility at one time.
13. A 1.4m high solid fence must be constructed around the runs associated with the puppy shelters.

4.2 PDI Act Delegations 2016

Independent Chair addressed the Panel

Assessment Manager addressed the Panel through the Chair

Independent Member Paul Mickan asked Staff to provide statistics on the applications that have come through the CAP.

Moved

Paul Mickan

Seconded

Aaron Curtis

RECOMMENDATION

That the Council Assessment Panel:

1. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 4 May 2022 and entitled [INSTRUMENT C, INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL] are hereby delegated this 4 of May 2022 to the position of Assessment Manager subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. The delegated powers and functions may be exercised individually by each delegate in respect of any particular matter where the delegate is required or proposing to act in the course of their duties.
3. Such powers and functions may be further delegated by the Assessment Manager in accordance with Section 100(2) (c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

AGREED

5. REPORTS FOR INFORMATION

Nil

6. OTHER BUSINESS

Independent Member Ian O'Loan queried the expressions of interest for Independent Members for the CAP.

Manager Development Assessment answered questions of Independent Member Ian O'Loan

7. CONFIDENTIAL ITEMS

Nil

8. NEXT MEETING

Wednesday 1 June 2022

(To be confirmed)

9. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6:45pm.

Confirmed as a true record.

Presiding Member:.....

Date: ____/____/____

Application Number	22041043
Applicant	Stilmark Holdings Ltd
Nature of Development	Telecommunications facility comprising a 30-metre-high monopole, antennas, equipment shelter & cabinets, fencing and utility connections.
Subject Land	168 Hayman Road, Lewiston
Zone	Rural Living Zone
Subzone	Animal Husbandry
Overlays	Defence Aviation Area Environment and Food Production Area Hazards (Bushfire – General) Hazards (Flooding – General) Native Vegetation Prescribed Wells Area
Lodgement Date	10 January 2023
Relevant Authority	Adelaide Plains Council Assessment Panel
Category of Development	Code Assessed - Performance Assessed
Public Notification	16 Jan 2023 – 6 Feb 2023
Statutory Referrals	N/A
Assessing Officer	Dina Badrun – Planning Officer
Recommendation	Approve with conditions

BACKGROUND

The application was submitted on December 2022 and after receiving the requested mandatory information the application was lodged on January 2023 and underwent public notification. As a result of the public notification one representation was received against the proposal. The application is therefore presented to the Council Assessment Panel (CAP) for consideration and a decision.

PROPOSAL

The applicant is seeking consent to establish a new telecommunications facility in the form of a monopole and ground-based equipment 168 Hayman Road, Lewiston. The proposal consists of the following elements:

- a 30m high monopole inside a 8m x 10m compound located in the rear, south-western corner of the subject land;
- a new headframe mounted at the top of the monopole to accommodate up to nine (9) panel antennae;
- a new equipment shelter (dimensions 3.0m H x 2.5m W x 3.0m D) located to the north of the monopole and connected with a cable tray;

- equipment cabinets (dimensions 2.32m H x 0.75m D x 2.87m L) located to the east of the monopole and connected with a cable tray; and
- security fencing with double gates for access.

All cables connecting the antennas to the various cable trays will be internal to the monopole, except where they exit the monopole to connect to the relevant antennas. The monopole does not have any provision to allow it to be climbed and will be specifically designed to allow for co-location to occur.

The proposal includes documentation demonstrating that the facility will comply with Australian Government regulations in relation to emission of electromagnetic energy (EME) - specifically being Australian Standard Radiation Protection Series S-1 Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) in 2021.

A copy of the proposed plans and details are provided as **Attachment 1**.

SUBJECT LAND AND LOCALITY

The subject land is located at Lot 11, 168 Hayman Road, Lewiston and is contained in Certificate of Title Volume 6228 Folio 472 Hundred of Port Gawler. The land is a mostly rectangular-shaped allotment of approximately 1 hectare with a frontage to Hayman Road of 50m and a depth of approximately 248m. The allotment bows out slightly at the north east corner which is used as a point for vehicle access.

The land is relatively flat and includes an existing veterinary practice and surgery which includes dog kennels, an outdoor play area and associated carparking. The locality is characterized by a range of land uses including small horticultural farming properties, rural living residential properties and dog breeding kennels on land associated with occupied dwellings.

The proposed facility will be located in the south-western corner of the property, approximately 175m from Hayman Road, approximately 170m away from the closest neighboring dwelling in north-west and all other dwellings are more than 200m away. The location is already cleared of vegetation and is readily accessible from the existing Hayman Road driveway.

PUBLIC NOTIFICATION

Each zone contains a 'Procedural Matters – Notification' table that sets out the kinds of developments that are exempt from requiring public notification. Telecommunication towers are not listed in exemption table, so the application underwent public notification from 16 January to 6 February 2023 with only adjoining property owners notified (refer to Figure 1). A sign was placed out the front of the subject land and all the public notification documents were also available on the PlanSA portal for the duration of the notification period.



Figure 1: Subject land (blue) and 6 adjoining properties that were notified.

SUMMARY OF REPRESENTATIONS

As a result of the public notification, one submission was received from an adjoining property owner. The representor is opposing the location of the proposed Telecommunication facility, and the key issues raised in the submission are outlined below.

A copy of the representation and the applicant's response is contained in **Attachment 2**.

Name of Represantor	Summary of Submission
Tanya Chapman	<ul style="list-style-type: none"> Concern regarding the existing building (shed) which is 75m away from the proposed tower. Tower location should be agreed upon by the community as the location has an impact not only on the immediate landowners but the whole community. All existing towers servicing the area are on large cropping allotments (over 30 acres in size), outside of Lewiston. Towers already on Two Wells Road and the tower on Gawler River Road does not warrant an additional service tower within 2 km of the next one Planning report provided by Stilmark does not assess against the Telecommunications Facility Planning Design Code on the PO

	<p>6.1,6.2,6.3 points. There is a deficit in the report provided against these</p> <ul style="list-style-type: none"> • Visual impact of tower on community from 1km and even from 2km away • Colors and material for the tower and associated shed to reduce the visual impact • No provision for any landscaping or screening types for the entire footprint of the facility at the lower level mentioned in the report. At a minimum, screening vegetation should be allocated for as per the planning code.
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Applicant's response summary:

Summary of Submission
<ul style="list-style-type: none"> • The planning statement dealt only with existing buildings and in particular, dwellings. In this instance there is one dwelling within 100m (not on the representor's property) and 165m to the north-east (the representor's property). Non-residential/habitable buildings will be 75m away from the proposed tower.
<ul style="list-style-type: none"> • Telecommunications facilities are specifically dealt with in the General Development Policies section of the Planning and Design Code and specifically in the Infrastructure and Renewable Energy Facilities module. The relevant policies, including those cited in the representor's submission, are specifically dealt with on page 8 of the planning statement.
<ul style="list-style-type: none"> • Distances of around more than 1km between base-stations does not permit high levels of service. 5G services in particular require facilities to be as close to users as possible.
<ul style="list-style-type: none"> • If painting of the monopole and other attached equipment is desired, a muted, darker colour usually – N53 Blue-Grey will be used.
<ul style="list-style-type: none"> • Screening vegetation, to assist with views of the compound at the base of the facility, can also be proposed if Council deems it necessary. However, given the large setback from surrounding roads, dwellings and the public realm generally this is probably an unnecessary requirement.

INTERNAL REFERRALS

Nil

EXTERNAL REFERRALS

Nil

ASSESSMENT

Overlays

Defence Aviation Area – All structures over 90 metres

This overlay seeks to limit building heights so they do not pose a hazard to the operations of Defence Aviation Area. The proposed tower does not exceed 90m in height as specified by the Defence Aviation Area Overlay, and therefore the overlay is considered met.

Environment and Food Production Area Overlay

The proposal does not include a proposal to divide the land (PO1.1), and therefore this overlay has no role to play.

Hazards (Bushfire – General Risk) Overlay

The Hazards (Bushfire – General Risk) Overlay is a low bushfire risk area that covers the Rural Living Zone. The overlay seeks to ensure buildings and structures are located away from areas that pose an unacceptable bushfire risk (PO 1.1). The overlay also requires that buildings and structures be designed and configured to reduce the impact of bushfire by using designs that reduce the potential for trapping burning debris (PO 2.1). The proposed tower is well-separated from existing buildings so that debris cannot be trapped underneath or between buildings. Access to the subject land for the purpose of fighting fire is already suitable and will remain unchanged by the proposal.

Hazards (Flooding – General) Overlay

This overlay adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development (DO 1). The State Government's SAPPA mapping system identifies that the land is likely to be inundated in a 1-in-100-year flood event. An image of the subject land with the location of the indicative flood risk locations are located below:

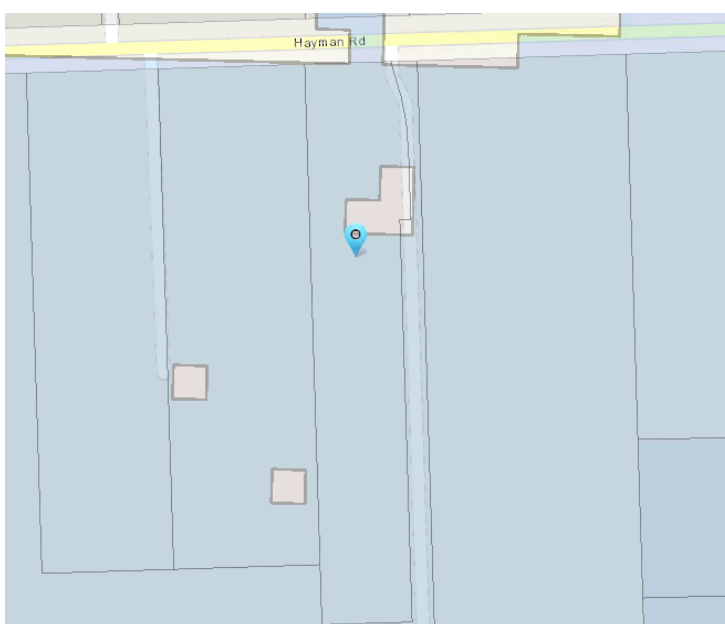


Figure 2: Extract of flood mapping (allotment highlighted with blue pin)

The website 'Waterconnect' indicates a maximum flood depth of 200mm, therefore the finished floor level of the equipment cabinet needs to be raised by 500mm from the natural ground level (200m flood depth+300mm above the height of a 1% AEP flood event). The proposed telecommunication tower itself would not be affected by flooding by the nature of its construction; however, the equipment cabinet needs to be raised to mitigate the flood impact on equipment.

The required finished floor level of the equipment cabinet has been advised and confirmed with the applicant.

Native Vegetation Overlay

The subject land is located in the Native Vegetation Overlay however the location of the proposed development will not require the removal of any remnant native vegetation.

Prescribed Wells Area

The applicants are not proposing to draw any water from prescribed wells in the Lewiston area.

Animal Husbandry Subzone

The subject land is located in the Animal Husbandry Subzone. None of the provisions contained within the subzone are applicable to (nor offended by) the proposed facility.

Rural Living Zone

The subject land is contained in the Rural Living Zone which seeks to provide a *spacious and secluded residential lifestyle with semi-rural and semi-natural environments, providing a range of low intensity rural activities and home based business activities that complement the lifestyle choice* (DO 1). The proposed facility will not have any adverse impacts on the semi-natural environment and spacious & secluded lifestyle with the exception of visual impact.

The proposed facility will improve the telecommunication services and will enhance the ability for home-based business activities due to improved access to higher quality communication and data services.

The Zone's relevant Performance Outcomes (PO) criteria are:

PO 1.1 – The proposal is a non-residential use that does not place additional demands on services and infrastructure, and its siting and design is considered compatible with a secluded semi-rural or semi natural residential character by way of separation distances from dwellings.

PO 1.2/1.3 – The proposal is well set back from the nearest existing dog kennels and other relevant structures. Its siting has no direct impacts on animal-keeping or horse keeping.

PO 1.4/1.5 - The proposed non-residential development is well set back from the veterinary clinic and avoids interface conflicts with other land uses by virtue of being some 170m away from the closest neighboring dwelling to the north-west. All other dwellings are located more than 200m away.

PO2.2 – The proposal will be substantially set back from boundaries and adjacent public roads- Hayman road (approximately 175m) and applicant has advised that a dark, muted N35 Blue-gray colour will be used to minimize visual impact on the surrounding locality.

The proposed development has been thoughtfully sited and designed in a neutral colour and has substantial setbacks from all neighbouring dwellings in an effort to alleviate unreasonable impacts on the adjoining neighbours. It is therefore considered to satisfy the intent of the Zone and the relevant PO provisions.

General Development Policies

Infrastructure and Renewable Energy Facilities

In terms of General Development Policies, the Desired Outcome of this module is the efficient provision of infrastructure network and services that minimize hazards, is environmentally and culturally sensitive and manages adverse visual impact on natural and rural landscapes and residential amenity.

The Performance Outcomes criteria are:

PO 1.1 – The proposed facility is located and designed to minimize hazards or nuisance to adjacent development and land uses. The facility is approximately 170m away from the closest neighboring property to the northwest, and all other dwellings are more than 200m away and 100m away from the existing veterinary clinic in the subject land. The applicant has considered other alternate locations and has explained why none of these locations were feasible.

PO 2.1 - Due to the open nature of the proposed site, the monopole and antennae configuration, as well as its location in regards to views from surrounding properties, the development, whilst having some visual impact, does not have an impact that is considered unreasonable given the wide views available to adjacent properties. It is well set back from sensitive land uses and well-separated from other land uses and screened by trees in some instances.

PO 2.2 – The proposed equipment cabinet associated with the tower can incorporate vegetation buffers to reduce adverse visual impact on adjacent land. However, as the proposed facility is substantially set back from the primary street and adjacent dwellings, a vegetation buffer is not deemed necessary in this instance.

PO 4.1 - The proposed facility poses no threat to any aircraft operations.

PO 6.1 – This provision states that co-locating a facility with other communications facilities is desirable to mitigate impacts from clutter from a visual amenity perspective. Due to lack of infrastructure in the Lewiston area co-location options at alternate locations were not available. The opportunity to collocate this facility was explored by the applicant. The closest existing facility is located 2.2 kilometers to the northeast and at this separation distance the desired service improvement in Lewiston is not feasible. The proposed facility will, however specifically allow for co-location to occur in future.

PO 6.2 - The location of the antennae is designed to provide the best possible coverage to the service area. The panel antennae are mounted on a headframe type that is typically used for this kind of facility in rural living area.

PO 6.3 states that to mitigate visual impacts of telecommunication facilities, existing facilities and co-location should be used, together with screening using landscaping and vegetation, and utilising materials and finishes that complement the surrounding environment. The proposed facility is substantially set back from other habitable uses on adjacent land, and being significantly set back from Hayman Road will help to minimize the impact of the proposal. The applicant has specified to use non reflective material for the finishes of monopole and antennae. Existing vegetation in the area also plays a role in mitigating the structure's visual impact to an acceptable level.

Interface Between Land Uses

As previously stated, the proposal is approximately 170m away from the closest neighboring dwelling in north-west and all other dwellings are more than 200m away. The proposed development has been designed (in neutral colour to minimise visual impact) and sited in a way that will minimise the impacts on adjoining sensitive receivers (dwellings) and is considered to comply with DO 1 and PO 1.1.

An Environmental Electromagnetic Energy (EME) report was submitted as part of the application which states that the estimated maximum electromagnetic level calculated for the proposed changes at the subject site is 2.01% out of the 100% of the public exposure limit. As such it is considered that the proposed development will be in accordance with PO 8.1 in regards to electrical interference.

SUMMARY

The development proposal is to establish a new telecommunications facility in the form of a monopole and ground-based equipment at 168 Hayman Road, Lewiston. The telecommunications facility has been designed and located to deliver the community an improved telecommunication network, with minimal impacts on both residential and environmental land uses. The benefits of such a tower will ensure that delivery of appropriate telecommunication can take place in an effective manner in Lewiston, particularly given the lack of such existing infrastructure in the area. There are no similar existing facilities within two kilometers of the selected location and as such there will be a requirement for an additional structure as demand for telecommunications services continues to increase.

The proposal complies with the desired outcome of the Rural Living Zone as it is well separated from sensitive land uses, does not create and land use conflicts and has acceptable visual impacts that are the lower end of the scale for these forms of development. The location is already cleared of vegetation and is readily accessible from the existing Hayman Road driveway.

The form, character, design and siting of the proposed facility reasonably complies with the Planning and design Code, and will not have any material impact on the continuing use of the subject land or the achievement of the Desired Outcomes for the Rural Living Zone or the Animal Husbandry Subzone. Given its location and the locality being under general flooding overlays, the applicant has committed to raise the level of the equipment cabinet by 500mm to from natural ground level.

It is considered that the applicant has appropriately addressed the representor's concerns regarding the location of the proposed tower and the visual impact on the locality.

The proposed development is not considered to be seriously at variance with the provisions of the Planning & Design Code. The overall impact of the facility has been minimized by its design and location without compromising the efficiency and effectiveness for the local community and the intended telecommunication functionality. Accordingly, on balance, the proposal is considered to have sufficient merit and warrants support and planning consent to be granted.

RECOMMENDATION

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.

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).



5 December 2022

Adelaide Plains Council
P O Box 18
MALLALA SA 5502

SAQ Consulting Pty Ltd
ABN 76 864 757 592
P O Box 50
Clayfield QLD 4011

ATTENTION: PLANNING DEPARTMENT

RE: Proposed telecommunications facility – 168 Hayman Road, LEWISTON

I advise **SAQ Consulting Pty Ltd** acts on behalf of Stilmark Holdings Ltd ('Stilmark') in respect of this application.

Stilmark is a licenced carrier for the purposes of the *Telecommunications Act 1997 (Cth)* and operates as an infrastructure provider or 'neutral host', whereby new facilities are sited, designed, acquired, built and maintained by Stilmark but utilised by carriers - such as the mobile carriers - as part of their respective networks.

The proposal by Stilmark is to establish a telecommunications facility, in the form of a mobile telephone base station including a 30-metre tall monopole, at the rear of 168 Hayman Road, Lewiston, as shown on the attached proposal plans.

The subject land is located within the *Rural Living Zone* and the *Animal Husbandry* subzone pursuant to the Planning and Design Code.

Attached are the proposal drawings and a copy of the Certificate of Title and plan. I will shortly forward a detailed planning statement to assist in the determination of the application.

Should you have any questions, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Mark Baade', written over a light blue circular stamp or watermark.

MARK BAADE
B. Plan (Hons)
M: 0417 088 000
mark@saqconsulting.com.au

Enc.

Our ref: Lewiston SLB

27 December 2022

George Jacks
Planning Officer
Adelaide Plains Council
P O Box 18
MALLALA SA 5502



SAQ Consulting Pty Ltd

ABN 76 864 757 592

P O Box 50

Clayfield QLD 4011

Dear George

RE: Application ID 22041043
Proposed telecommunications facility – 168 Hayman Road, LEWISTON

As previously advised, **SAQ Consulting Pty Ltd** acts on behalf of Stilmark Holdings Ltd ('Stilmark') in respect of this application.

Stilmark is a licenced carrier for the purposes of the *Telecommunications Act 1997 (Cth)* and operates as an infrastructure provider or 'neutral host', whereby new facilities are sited, designed, acquired, built and maintained by Stilmark but utilised by carriers - such as the mobile carriers - as part of their respective networks.

The proposal by Stilmark is to establish a telecommunications facility, in the form of a mobile telephone base station including a 30-metre tall monopole and ground-based equipment, at the rear of 168 Hayman Road, Lewiston, as shown on the proposal plans already submitted.

The subject land is located within the *Rural Living Zone* and the *Animal Husbandry* subzone pursuant to the Planning and Design Code. A telecommunications facility is not specifically listed in any of the tables and is therefore captured by Zone Table 3 under '*All Other Code Assessed Development.*'

A brief cover letter was provided at the time of lodgement. This letter constitutes a detailed planning statement as to the merits of the proposal to assist Council with its determination of the application and also addresses all of the issues raised in Council's request for additional documentation dated 12/12/22.

Need for the Facility

Stilmark is proposing the facility to cater for a projected future need by the carriers in this area, which forms part of a larger strategic program across South Australia. As such, the proposal represents strategic and practical forward planning based on projected future need - an approach which, for this type of infrastructure, has generally not occurred in the past.

Stilmark uses a sophisticated algorithm that analyses existing network coverage (from Telstra, Optus and Vodafone) and the locations of existing structures. Based on that data, areas of deficiency can be identified and appropriate radio-frequency engineering solutions proposed.

However, it is critical to note that as Stilmark is an infrastructure owner and provider it will not build the structure until a carrier elects to locate on it – that is, the structure will not be speculatively built in the hope it will be collocated on. As such, there will be no impact – visual or otherwise - from the structure until there is a need for it to be constructed. To that end, Council and the community do not need to be concerned that unnecessary structures will be constructed, regardless of whether there is an approval in place. Notwithstanding, Stilmark is confident that there will be a demand in the short term for the proposed structure and seeks an approval on that basis.

Once the structure is in place, it will also be suitable and available for collocation by a second (or potentially third) carrier. This preference and preparation for collocation will also help to minimise the number of such structures in the council area and give Council an improved basis on which to drive collocation when new facilities (by others) are proposed.

In terms of future requirements, it is evident there is a deficit in network coverage and capacity in the area as there are no mobile phone base stations within two (2) kilometres of the proposed location.

At such a distance it is simply not possible to adequately service the area around the proposed location (with 4G) from existing facilities and as a result, data services in particular will be unreliable with slow throughput speeds and coverage inside buildings is unlikely to be widely available. 5G services (which are not currently available in the area) need a greater density of facilities than for 4G (due to the frequencies used) and so it is self-evident that additional facilities will be required in the future as 5G technology continues to be rolled out.

Figure 1 below shows an extract from www.rfnsa.com.au, which is essentially a database of all existing (and proposed) facilities in Australia.

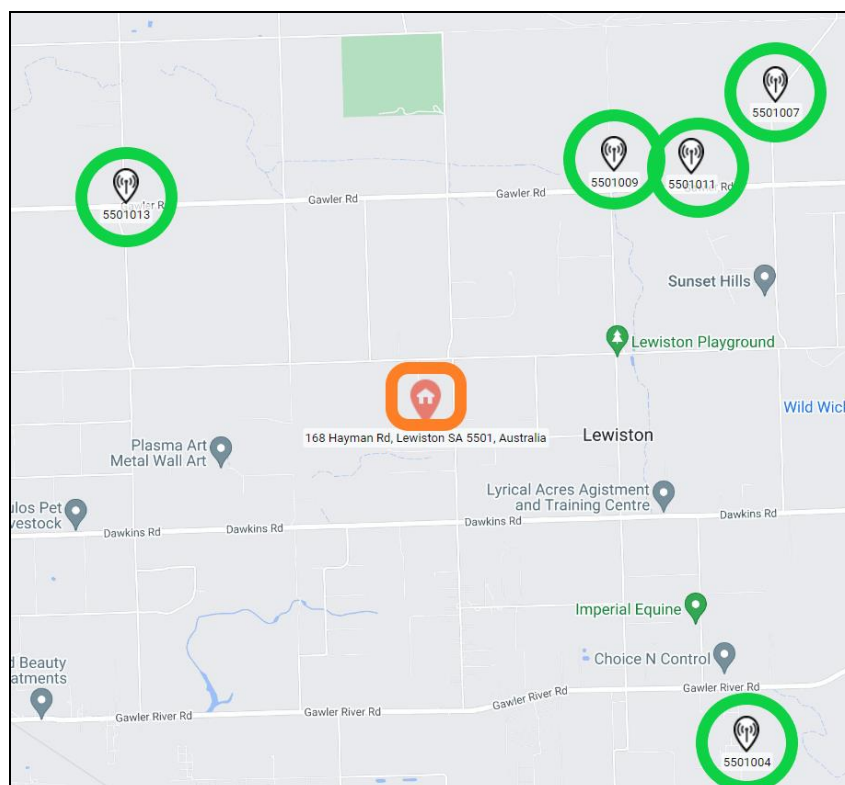


Figure 1: Proposed Location (orange square) and existing facilities in surrounding area

As indicated on the extract, the proposed facility (marked with orange square) is 2.2 kilometres the nearest existing facility, which is a Telstra facility located at Gawler Road, Lewiston (numbered 5501009). All other existing infrastructure marked is located more than 2.5 kilometres from the proposed location.

Given the total lack of existing telecommunications infrastructure and other tall structures in the area, collocation is not an option for addressing future requirements and a new structure will be required to meet the growing need for services in the area.

In selecting a suitable location for a new facility, Stilmark has had regard to the 'precautionary principle' as set out in Appendix A of the Industry Code C564:2020 for mobile phone base station deployment.

The Proposal

The proposal is to establish a new telecommunications facility in the form of a monopole and ground-based equipment 168 Hayman Road, Lewiston. The details of the facility are shown on the plans lodged with the application.

More particularly, the proposal consists of the following elements:

- a 30-metre tall monopole and 8m x 10m compound located in the rear, south-western corner of the subject land;
- a new headframe mounted at the top of the monopole to accommodate up to nine (9) panel antennas;
- a new equipment shelter (dimensions 3.0m H x 2.5m W x 3.0m D) located to the north of the monopole and connected with a cabletray;
- equipment cabinets (dimensions 2.32m H x 0.75m D x 2.87m L) located to the east of the monopole and connected with a cabletray; and
- security fencing with double gates for access.

All cables connecting the antennas to the various cable trays will be internal to the monopole, except where they exit the monopole to connect to the relevant antennas. The monopole does not have any provision to allow it to be climbed and will be specifically designed to allow for collocation to occur.

Whilst not a relevant planning issue, it is worthy of note that the maximum levels of electromagnetic energy from the proposed facility at 1.5m above the ground is estimated at **2.01%** of the exposure limits mandated by the Commonwealth Government. A copy of the standard form EME report is **attached** for Council's information.

The proposed facility will comply with Australian Government regulations in relation to emission of electromagnetic energy (EME) - specifically being Australian Standard Radiation Protection Series S-1 Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) in 2021.

The location will be accessed Hayman Road by way of the existing driveway. The location selected does not impact on vegetation or the normal operations on the subject land. It is not necessary to remove any vegetation to access, install, operate or maintain the facility.

Subject Land

The subject land is located on the southern side of Hayman Road at Lewiston, about 250 metres west of the Bethesda Road junction. The subject land is located in the *Rural Living Zone* and the *Animal Husbandry Subzone*.

Apart from a small departure to accommodate the driveway (shared with the adjoining allotment to the south), the land is rectangular in shape and 1.018 hectares in size, with a frontage to Hayman Road of about 39 metres. The land, like the surrounding locality, is very flat, with minimal changes in elevation.

The subject land is the site of a veterinary clinic, with two main buildings and associated carports located on the Hayman Road frontage. The balance of the land is vacant and is essentially a large paddock behind the existing buildings. Vegetation on the land is associated with the front carport and the existing driveway to the lot to the south, which runs along the eastern boundary of the subject land.

The proposed facility will be located in the south-western corner of the property, approximately 175 metres from Hayman Road. The location is already cleared of vegetation and is readily accessible from the existing Hayman Road driveway.

The Locality

The locality consists of large rural living and agricultural area north of the Gawler River. The subject land and the immediate locality sit roughly centrally inside the larger rural living area, which stretches from Old Port Wakefield Road in the west to Boundary Road in the east.

Dwellings are generally arranged on large rural residential or rural living lots, interspersed with much larger lots used generally for cropping or grazing. There are some non-residential uses in the area, such as the veterinary clinic, but also non-residential uses no longer in operation, such as the sheds on the land directly to the west.

Horse-keeping and other animal keeping is prevalent in the area. The landscape is very flat and most established vegetation is associated with dwellings.

As noted above, the proposed facility is set well back from Hayman Road (175 metres) and the closest dwelling to the proposed facility is about 100 metres to the north-west (2 properties away) and 165 metres to the north-east. All other dwellings are more than 200 metres away.

As noted above, the nearest existing telecommunications facility to the subject land is located about 2.2 kilometres to the north-east.

Alternate Locations

A number of alternate properties were considered before selected the proposed location at 168 Hayman Road.

Figure 2 below shows the various locations considered (marked with red dots), which were generally the larger land parcels in the area. None of the owners expressed any interest in the proposal, apart from one owner to the east, but a commercial leasing agreement could not be reached.

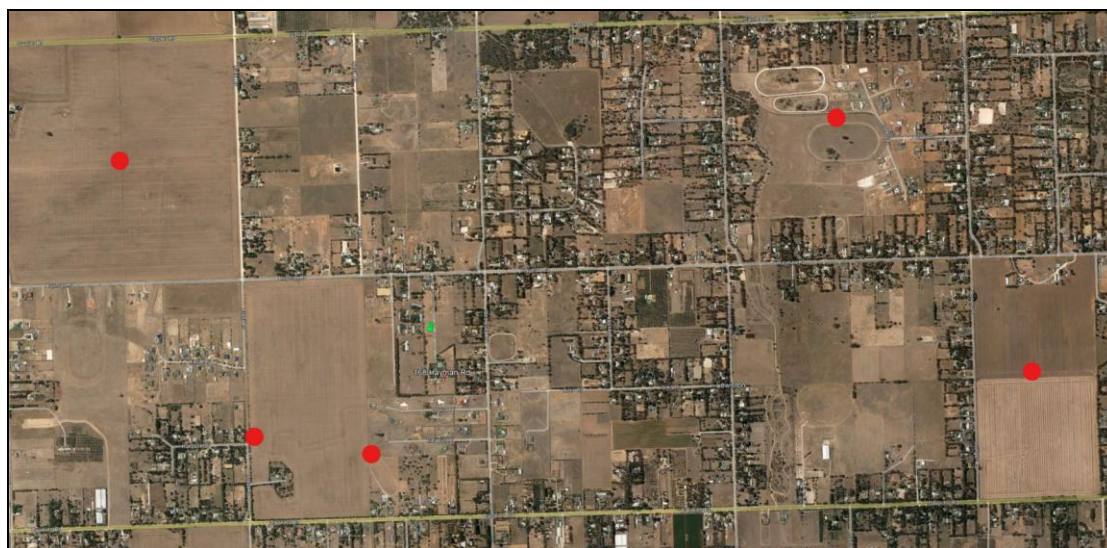


Figure 2: Alternate properties considered during site selection (red dots)

All other locations would have required a new structure of similar if not identical proportions to the selected location.

The selected location at 168 Hayman Road is centrally and well located to provide the desired improvements to network services in the area. It is well set back from Hayman Road and away from dwellings, including those on adjoining lots. The subject land hosts a non-residential use, as does the property to the west. As such, the setting with respect to the existing land use pattern has been carefully considered and the impacts appropriately minimised.

Assessment against the Planning and Design Code

As noted above, the subject land and proposal is located in the *Rural Living Zone* pursuant to the Planning and Design Code. A telecommunications facility is not specifically listed in any of the tables and is therefore captured by Table 3 as '*All Other Code Assessed Development.*' The application requires public notification.

Rural Zone

The Desired Outcome for the *Rural Zone* is stated as:

DO1 A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home-based business activities that complement that lifestyle choice.

The proposed facility will provide additional essential infrastructure to the area and improved telecommunication services, decent access to which is to be expected in an area that is predominantly residential but also with non-residential uses throughout, including businesses and rural uses. The proposed facility and its location have no adverse impact on the spacious or secluded lifestyle desired and will enhance the ability for home-based business activities due to improved access to communication and data services.

With respect to the zone's performance outcomes, the following comments are made:

PO1.1 – the proposed facility is an ancillary non-residential use that does not place additional demands on services and infrastructure and its design and siting is compatible with a semi-rural/semi-natural character.

PO 1.2/1.3 - the proposed facility and its siting (within an 80sqm compound) has no impacts on animal-keeping or horse-keeping.

PO1.4/1.5 – the proposed facility is well set back from the veterinary clinic, Hayman Road and surrounding land uses and through design and siting has balanced the need for improved network services along with minimising visual impact and land use conflict.

PO2.1 – not applicable

PO2.2 – the proposed facility is sited 175 metres from Hayman Road, more than 100 metres from the nearest dwelling (with only two dwellings within 200 metres) and uses materials that will not draw attention or be a dominant element. The structure can also be painted to further minimise its impact.

POs 2.3 – 2.6 – not applicable.

POs 3.1, 4.1, 5.1 – not applicable.

In summary, the location selected is compatible with the provisions of the *Rural Living Zone* in this area as it:

- is a non-residential use compatible with the land uses in the area;
- is set away from dwellings, the main road and other sensitive land uses;
- is sited to achieve the desired network outcomes, with significant improvements to service levels in the surrounding rural living area; and
- provides essential infrastructure necessary for the proper and economic functioning of the surrounding area.

Sub Zone

The subject land is within the Animal Husbandry Subzone. None of the provisions contained within the subzone are applicable to (or offended by) the proposed facility.

Overlays

The subject land is affected by a number of overlays, as set out below:

- Defence Aviation Area – all structures over 90 metres
- Environment and Food Production Area
- Hazards (Bushfire - General)

- Hazards (Flooding – General)
- Native Vegetation
- Prescribed Wells Area

Defence Aviation Area – all structures over 90 metres

As the proposed structure has a maximum height of approximately 30 metres, this overlay is not applicable in this instance.

Environment and Food Production Area

The proposed facility and its location occupy 80sqm on an allotment approximately 1 hectare in size that is not used for food production and is already cleared of vegetation. As such, there is no material impact on the desired outcomes for this overlay at the location selected.

Hazards - Bushfire

The subject land and the location selected are within a 'general' bushfire risk area, as is all the surrounding land.

With respect to bushfire risk and management, the proposed facility:

- is not a habitable building;
- results in only a minor intensification of development and/or land use on the subject land and is not located near any dwellings or other habitable buildings;
- does not result in an increase of residents or employees;
- does not involve the occupation of employees on site for any considerable amount of time; and
- does not result in an increase to the bushfire threat.

Access to the subject land for the purposes of fighting fire is already suitable and will be unchanged by the proposal. As such, there is no increased risk of bushfire as a result of the proposed facility, which will likely assist in times of bushfire given it will supply improved telecommunications services to the surrounding area.

Hazards - Flooding

The proposed location is within the general flood risk area (as is most of the surrounding land). The proposed facility is not particularly prone to flood hazard and the equipment shelter/cabinets can be raised to account for any unacceptable risk if deemed necessary. As such, any flood risk can be easily mitigated and is not exacerbated by the proposed facility or its location.

Native Vegetation

No vegetation clearance is required (native or otherwise) to access, construct, operate or maintain the facility.

Prescribed Wells Area

The proposed facility does not require or impact on any water resources.

Variations

The subject land is subject to a minimum site area variation. As no subdivision is required for the purposes of the proposed facility, this variation is not relevant to the application.

General Development Policies

In terms of the General Development Policies contained within the Planning and Design Code, the Infrastructure and Renewable Energy Facilities module is directly relevant.

The development, design and siting of the proposed facility is consistent with the Desired Outcome in that it represents the efficient provision of infrastructure which has minimised hazard, is environmentally sensitive to the extent it can be in this landscape and has managed its visual impacts on residential amenity.

With respect to the relevant Performance Outcomes within the module, I note the following :

- The siting of the proposed facility has only a minimal visual impact on the adjacent land uses, with the nearest residential dwellings set 100 and 165 metres away, with all other dwellings in the locality more than 200 metres away. Although other locations were considered for the facility (as set out above, although none could proceed) the proposed facility and location strikes an appropriate balance between improvements in service and minimising visual impact (PO1.1).
- The siting of the proposed facility balances the need for the service and the structure's impact on local amenity (PO2.1). It is set back from sensitive land uses, is well separated from other land uses and screened by trees in some instances. The location does not directly abut a residential boundary;
- The proposed facility poses no threat to any aircraft operations (PO4.1);
- No collocation options at an alternate location are available due to the general lack of infrastructure in this area, with the nearest existing facility located 2.2 kilometres to the north-east, which is too far away to achieve the desired service improvements. As such, a new structure is required and will specifically allow for collocation to occur (PO6.1);
- The panel antennas (9 of) are mounted on a headframe type that is typically used in rural living areas and is appropriate in this instance (PO6.2); and
- Analysis of the locality has revealed there are no existing and suitably tall structures in the area and it is not practicable (or, in my view, necessary) for the proposed facility to serve another purpose. Instead, physical separation from other land uses and appropriate setbacks (from Hayman Road in particular) will minimise the impact of the proposed facility. The finishes of the monopole and antennas can be easily made so that they are non-reflective in nature. Existing vegetation in the area also plays a role in mitigating the structure's visual impact to an acceptable level (PO6.3).

Importantly, the proposal will not materially interfere with the continuing use of the subject land, adjacent land or the policies and desired outcomes for the *Rural Living Zone* (or subzone). It has minimised its impacts on surrounding land uses (and the locality generally) to an acceptable level through siting and design, particularly given the generally flat nature of the locality.

Given the salient issues relevant to the proposed facility have been dealt with extensively above, it is unlikely that any other general development modules could have a significant impact on the merits of the application.

Conclusion

The proposal by Stilmark is to construct a new telecommunications facility in the form of a 30m-tall monopole and associated ground-based equipment at 168 Hayman Road, Lewiston. The proposed facility has been identified as being required to meet the future projected need for improved telecommunications in this area, particularly given the lack of existing telecommunications infrastructure in the area. This proposal forms part of a larger program of forward planning for future telecommunications requirements across South Australia.

There are no similar existing facilities within two kilometres of the selected location and as such there will be a requirement for an additional structure as demand for telecommunications services increases.

The proposed facility is appropriately located in the *Rural Living Zone*, is well separated from sensitive land uses, does not create any land use conflicts and has minimised its visual impact. The location selected is already cleared of vegetation and can be accessed by existing arrangements.

Having regard to the requirements of the existing network and the applicable policies within the Planning and Design Code, the proposed facility is located in an appropriate zone, has no material impacts on agricultural productivity, traffic or sensitive land uses and has minimised its impacts on the surrounding area to an acceptable level through its design and siting as set out above.

Importantly, the proposed facility's location and design will not have any material impact on the continuing use of the subject land or surrounding land or the achievement of the Desired Outcomes for the *Rural Living Zone* or the applicable subzone.

Accordingly, the proposal represents an appropriately considered and logical placement of an essential piece of telecommunications infrastructure and warrants planning consent.

Should Council require any additional information prior to making its determination, please do not hesitate to contact the undersigned.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mark Baade', is positioned above the printed name.

MARK BAADE

B. Plan (Hons)

M: 0417 088 000

mark@saqconsulting.com.au

Attached:

EME report

Environmental EME Report

Location	168 Hayman Road, Lewiston, SA 5501		
Date	21/12/2022	RFNSA No.	TBD

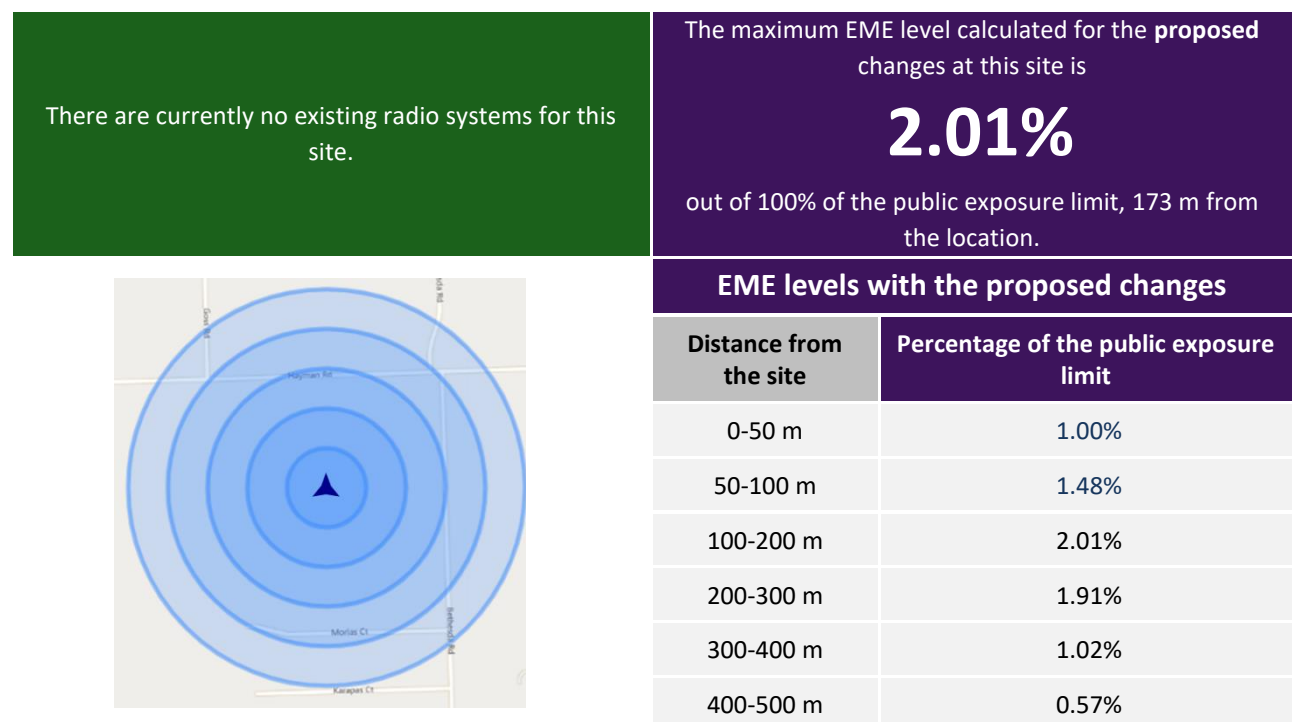
How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 168 Hayman Road, Lewiston, SA 5501. These levels have been calculated by WaveForm Global using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

A document describing how to interpret this report is available at ARPANSA's website:

[A Guide to the Environmental Report.](#)

A snapshot of calculated EME levels at this site



Radio systems at the site

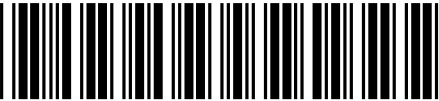
This base station currently has equipment for transmitting the services listed under the existing configuration. The proposal would modify the base station to include all the services listed under the proposed configuration.

Carrier	Existing		Proposed	
	Systems	Configuration	Systems	Configuration
Mobile Network Operator			4G, 5G	LTE1800 (proposed), LTE2100 (proposed), LTE2300 (proposed), LTE2600 (proposed), LTE700 (proposed), LTE900 (proposed), NR2300 (proposed), NR3500 (proposed)

An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
0-50m				5.26	73.36	1.00%
50-100m				7.25	139.32	1.48%
100-200m				7.40	145.25	2.01%
200-300m				7.21	138.05	1.91%
300-400m				5.30	74.63	1.02%
400-500m				3.95	41.31	0.57%

PURPOSE:		DIVISION		AREA NAME:		LEWISTON		APPROVED:			
MAP REF:		6628/11/D		COUNCIL:		ADELAIDE PLAINS COUNCIL		MATT HOLST 22/07/2019		D121747	
LAST PLAN:				DEVELOPMENT NO:		312/D015/18/001/55982		DEPOSITED:			
										SHEET 1 OF 2	
										67793_text_01_v05_Version_5	
AGENT DETAILS:		ZAINA STACEY PTY LTD PO BOX 1000 TORRENS PARK SA 5062 PH: 83797979 FAX:		SURVEYORS CERTIFICATION:		I JAMES STEPHEN LANGMAN , a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992. 2) That the field work was completed on the 17th day of June 2019 22nd day of July 2019 James Langman Licensed Surveyor					
AGENT CODE:		MMUP									
REFERENCE:		18141									
SUBJECT TITLE DETAILS:											
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER	
CT	5755	508		ALLOTMENT(S)	101	D	53847	PORT GAWLER		SECTION	204
OTHER TITLES AFFECTED:											
EASEMENT DETAILS:											
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF				CREATION	
EXISTING	12	SERVICE	EASEMENT(S)	F	FOR DRAINAGE PURPOSES	THE COUNCIL FOR THE AREA				223LG RPA	
NEW	12	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	A		11					
ANNOTATIONS: NO OCCUPATION ON THE SUBJECT LAND BOUNDARIES UNLESS SHOWN OTHERWISE											

ZAINA STACEY

Development Consultants

13 Avenue Road, Frewville

PO Box 1000, Torrens Park SA 5062

T. 08 8379 7979 E. planning@zainastacey.com

Reference: 18141 / JSL A060017LTO831(B)

D121747

SHEET 2 OF 2

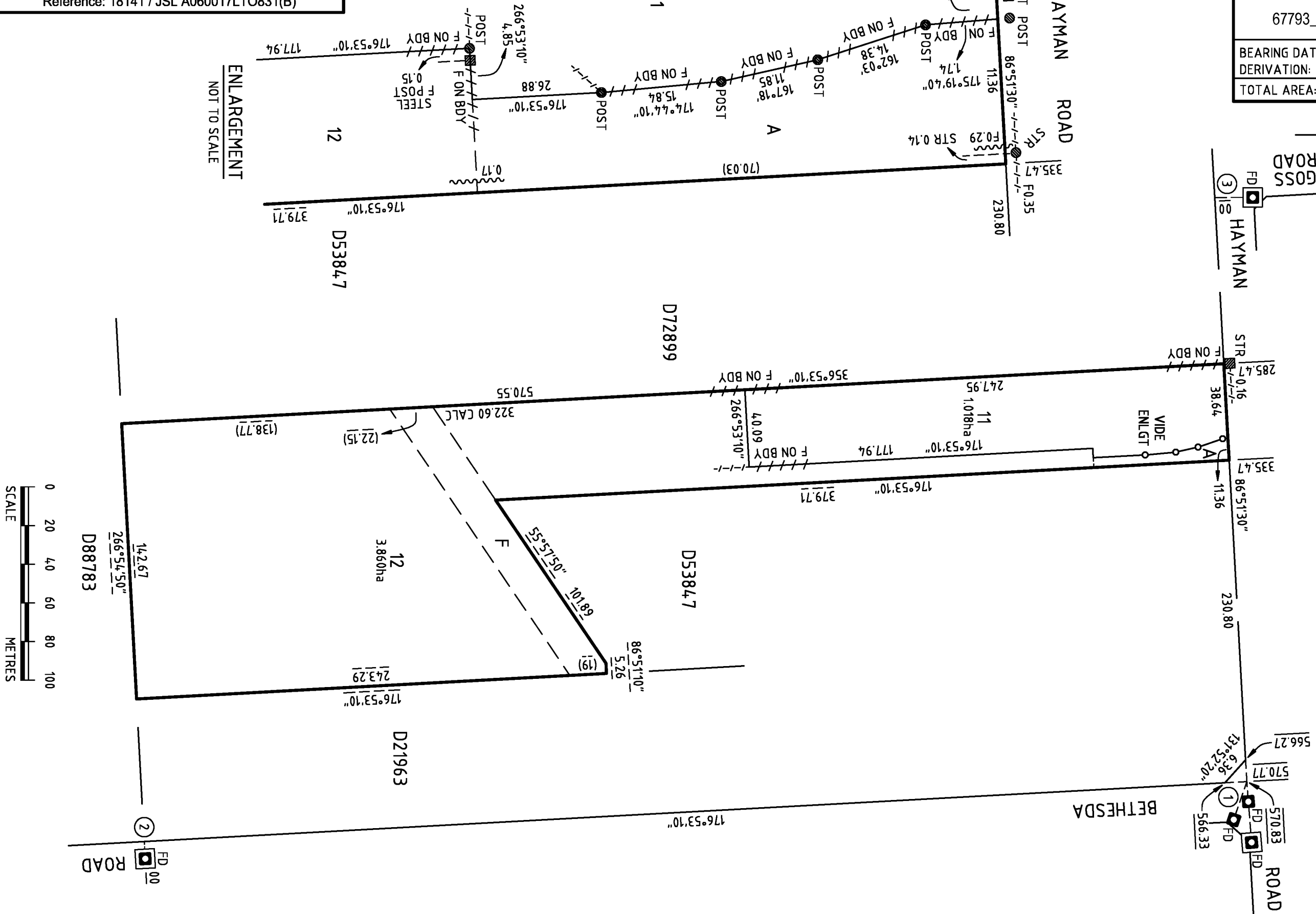
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DERIVATION: PM 6628/25985 TO 6628/25990

TOTAL AREA:

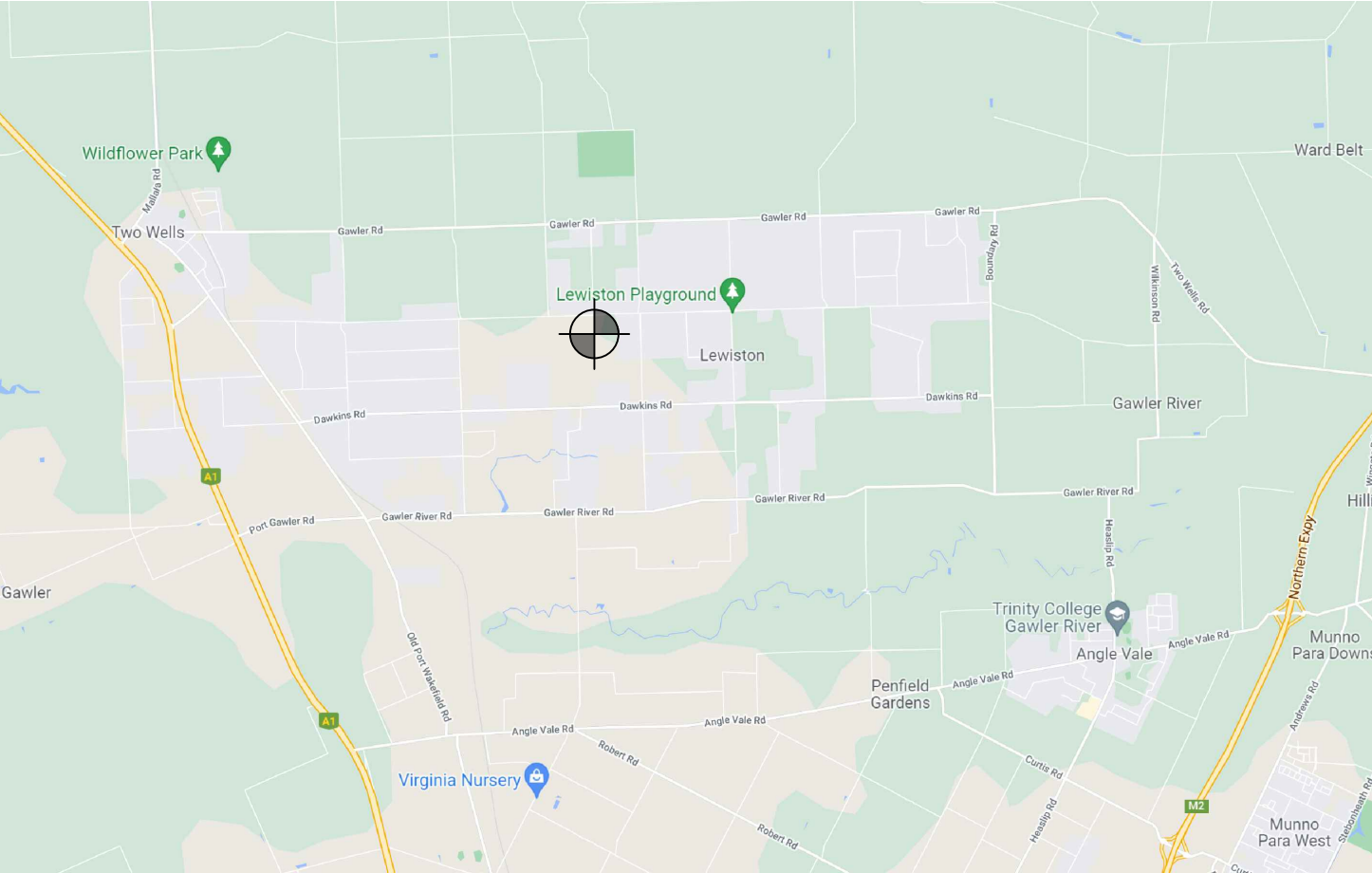
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1	266°03'	PM FD	31.55	6628/2712
1	278°00'	PM FD	19.85	6628/25987
2	266°54'	PM FD	1.00	6628/25990
3	179°39'	PM FD	19.64	6628/25985



DATE OF ISSUE	15.09.2021	27.09.2021	29.09.2021																	
DRAWING PACKAGE VERSION	1	2	3																	

GENERAL DRAWINGS

AS5501-001-P1	DRAFT SITE PLAN	A	B	C-1																
AS5501-001-P1-2	DRAFT SITE LAYOUT	-	B	C-1																
AS5501-001-P2	DRAFT SITE SETOUT PLAN	A	B	C-1																
AS5501-001-P3	DRAFT SITE ELEVATION	A	B	C-1																



LOCALITY PLAN
NOT TO SCALE

LEWISTON- NOAHS
CROSSING VET CLINIC

168 HAYMAN ROAD,
LEWISTON,
SA 5501

SITE ID: AS5501-001

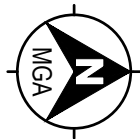


STILMARK

STILMARK TELECOMMUNICATIONS
a. 37-45 Myrtle Street,
Chippendale NSW 2008
w. www.stilmarkgroup.com

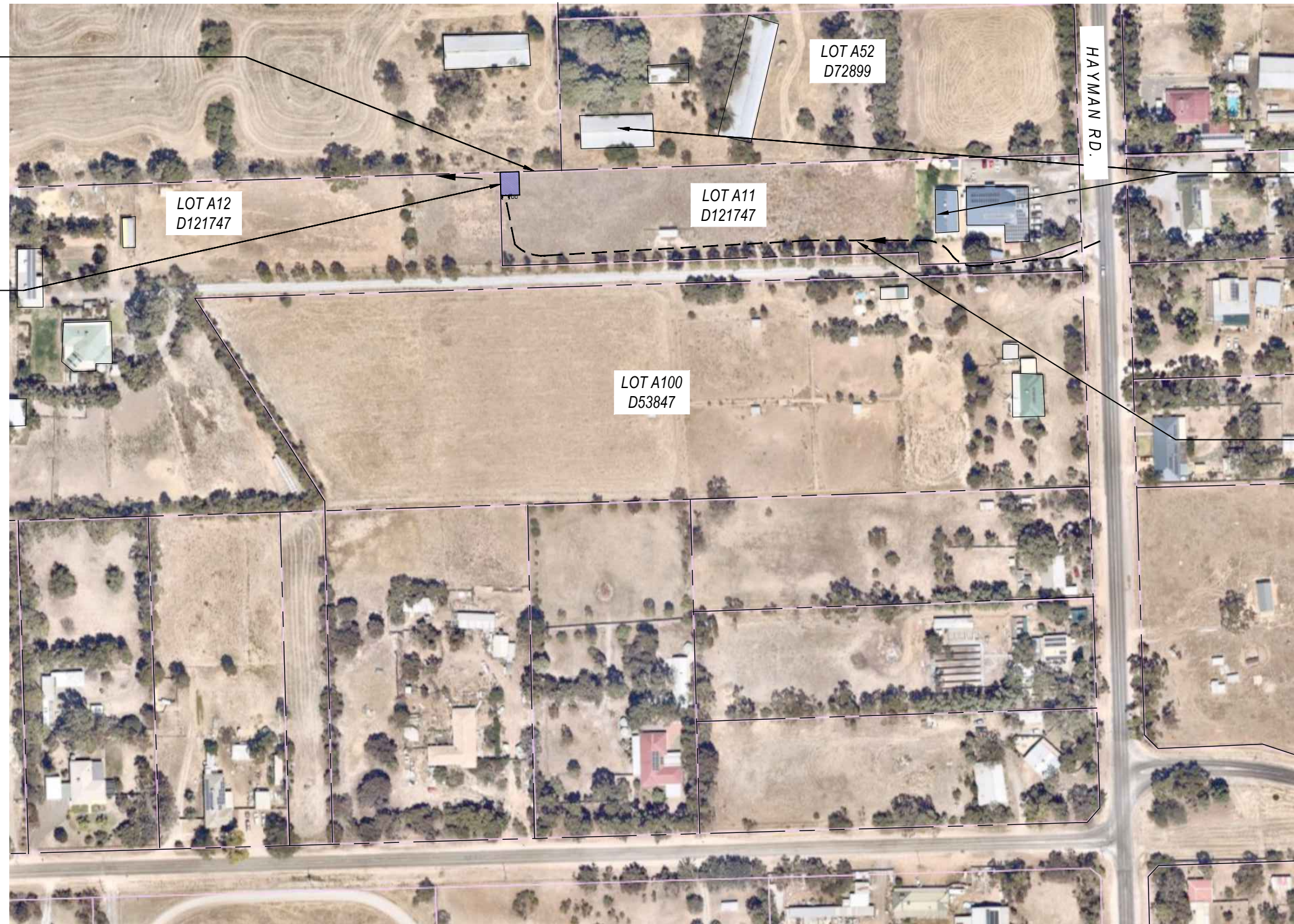
FOR APPROVAL

DRAWING No.	AS5501-001 - 00
Wednesday 5 April 2023	



PROPERTY BOUNDARY

PROPOSED INSTALLATION
AND LEASE AREA
(HATCHED)




EXISTING BUILDINGS

PROPOSED SITE ACCESS

NOTE:
POWER ROUTE TBA

SITE PLAN

SCALE 1:2000

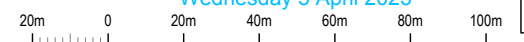
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								DRAWING STATUS : FOR APPROVAL	DRAWING No. AS5501-001 - P1	REVISION C-1

Council Assessment Panel
Adelaide Plains Council

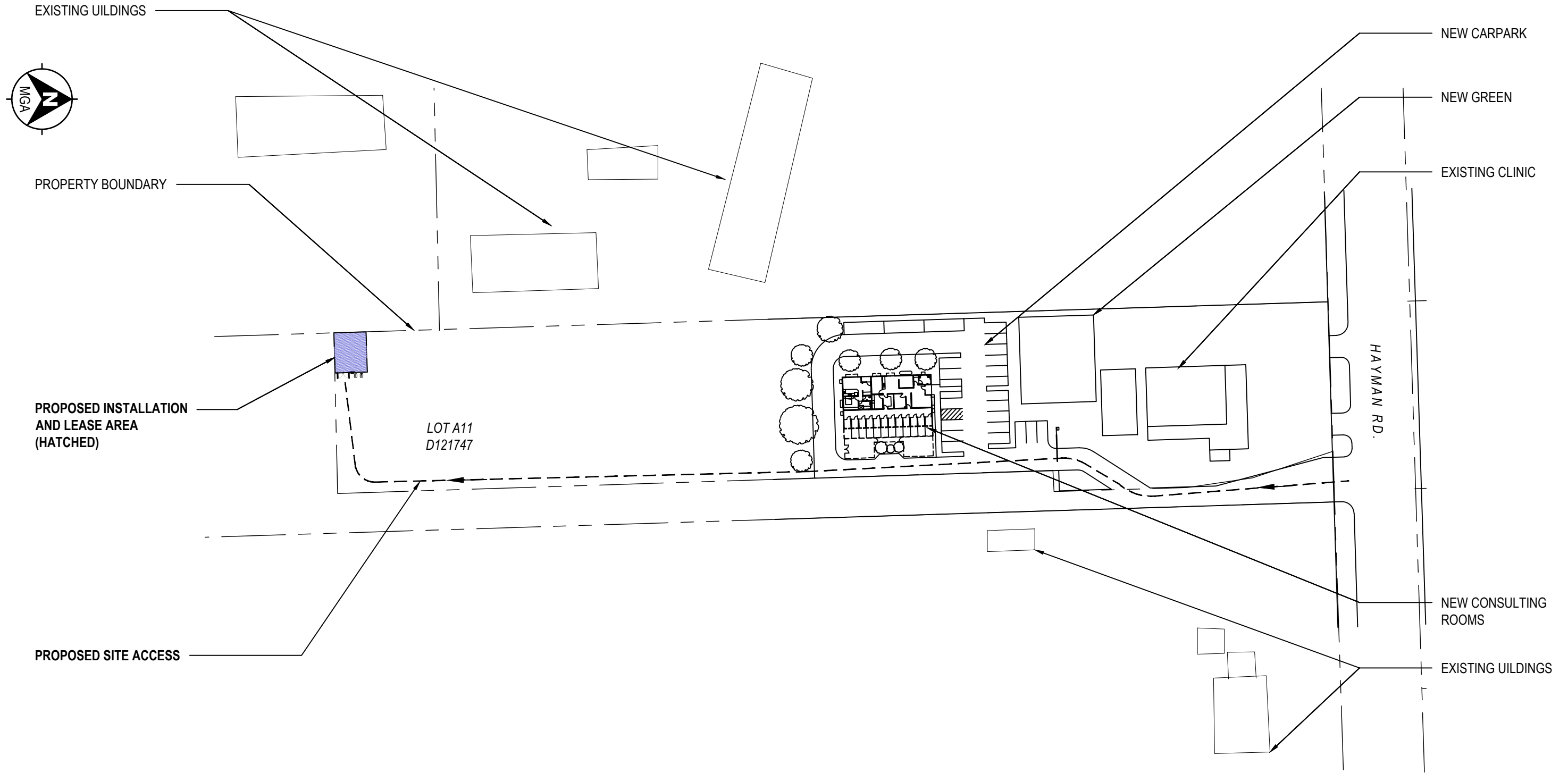
36 of 74


Wednesday 5 April 2023

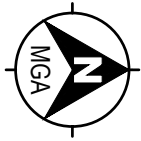
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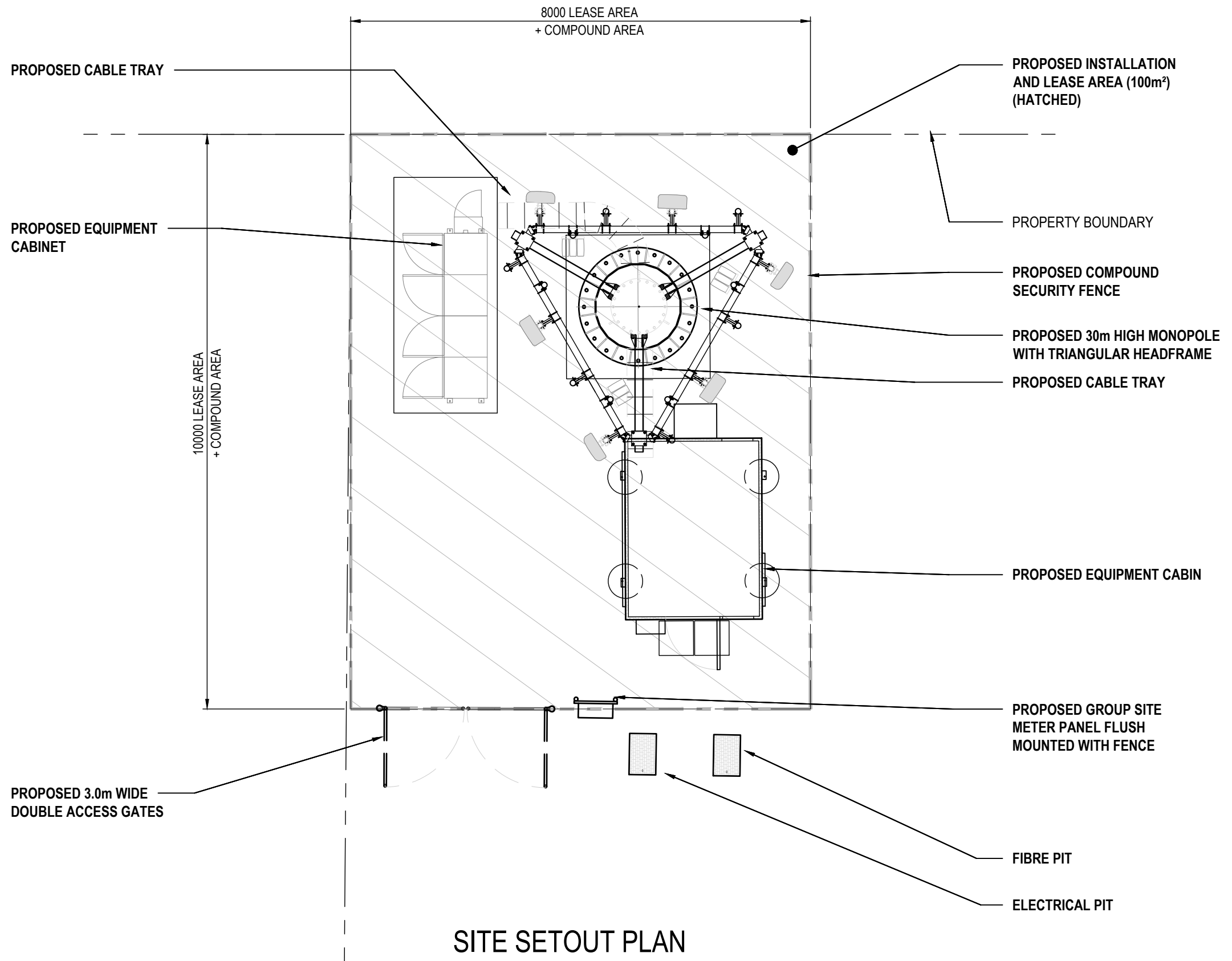
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REVISION	C-1	29.09.2021	ISSUED FOR APPROVAL	EW	EW	MH	 STILMARK STILMARK TELECOMMUNICATIONS a. Level 1, 37-45 Myrtle Street, Chippendale NSW 2008 w. www.stilmarkgroup.com	AS5501-001 LEWISTON- NOAHS CROSSING VET CLINIC 168 HAYMAN ROAD, LEWISTON, SA 5501	TITLE : DRAFT SITE LAYOUT		
	B	27.09.2021	ISSUED FOR APPROVAL	EW	EW	MH					
	A	15.09.2021	ISSUED FOR APPROVAL	EW	EW	MH					
REVISION	DATE	REVISION DESCRIPTION		DRAWN	DESIGNED	APPROVED			DRAWING STATUS : FOR APPROVAL	DRAWING No. AS5501-001- P1-2	REVISION C-1



DATUM POINT	GDA94 COORDINATES	
	LATITUDE	-34.60452041992396
	LONGITUDE	138.57774492025985



SITE SETOUT PLAN

SCALE 1:75

C-1	29.09.2021	ISSUED FOR APPROVAL	EW	EW	MH
B	27.09.2021	ISSUED FOR APPROVAL	EW	EW	MH
A	15.09.2021	ISSUED FOR APPROVAL	EW	EW	MH
REVISION	DATE	REVISION DESCRIPTION	DRAWN	DESIGNED	APPROVED

 **STILMARK**

STILMARK TELECOMMUNICATIONS

a. Level 1, 37-45 Myrtle Street,
Chippendale NSW 2008

w. www.stilmarkgroup.com

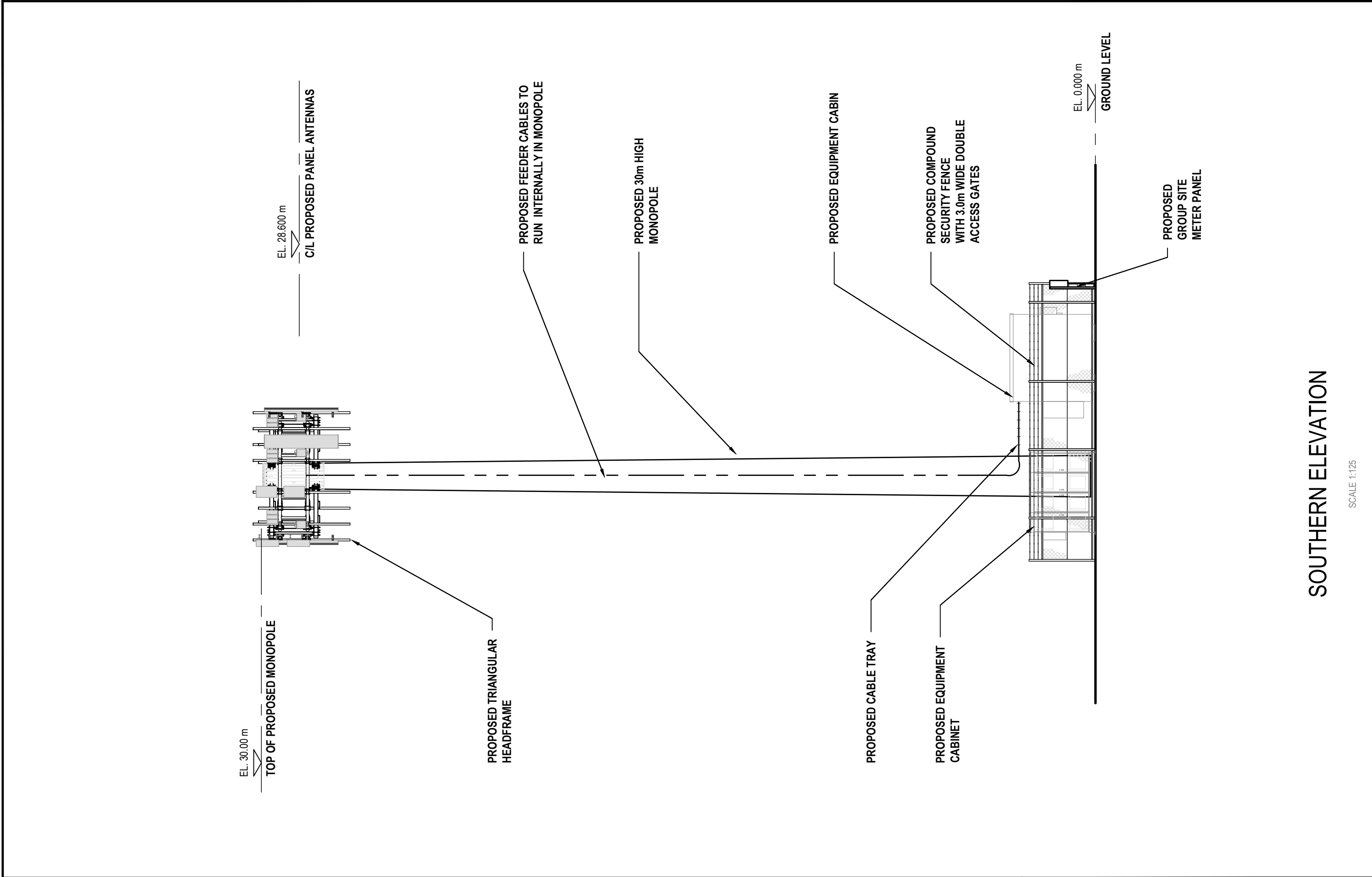
AS5501-001
LEWISTON- NOAHS CROSSING VET CLINIC

168 HAYMAN ROAD, LEWISTON, SA 5501

TITLE : DRAFT SITE SETOUT PLAN


DRAWING STATUS : FOR APPROVAL	DRAWING No. AS5501-001 - P2	REVISION C-1
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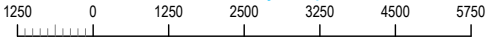




SOUTHERN ELEVATION

SCALE 1:125

REVISION	C-1	29.09.2021	ISSUED FOR APPROVAL ISSUED FOR APPROVAL ISSUED FOR APPROVAL	EW	EW	MH	<div> STILMARK TELECOMMUNICATIONS a. Level 1, 37-45 Myrtle Street, Chippendale NSW 2008 w. www.stilmarkgroup.com</div>	AS5501-001 LEWISTON- NOAHS CROSSING VET CLINIC 168 HAYMAN ROAD, LEWISTON, SA 5501	TITLE : DRAFT SITE ELEVATION		
	B	27.09.2021		EW	EW	MH			DRAWING STATUS :	DRAWING No.	REVISION
	A	15.09.2021		EW	EW	MH			FOR APPROVAL	AS5501-001 - P3	C-1



REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6228 Folio 472

Parent Title(s) CT 5755/508
Creating Dealing(s) RTC 13158125
Title Issued 11/09/2019 **Edition** 2 **Edition Issued** 12/01/2021
Diagram Reference

Estate Type

FEE SIMPLE

Registered Proprietor

CHRISTOPHER JOHN GIRLING
YVETTE LOUISE CLARK
OF 168 HAYMAN ROAD LEWISTON SA 5501
AS JOINT TENANTS

Description of Land

ALLOTMENT 11 DEPOSITED PLAN 121747
IN THE AREA NAMED LEWISTON
HUNDRED OF PORT GAWLER

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A ON D121747 (RTC 13158125)

Schedule of Dealings

Dealing Number	Description
13441758	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

Details of Representations

Application Summary

Application ID	22041043
Proposal	Telecommunications facility with 30-metre tall monopole, antennas, equipment shelter and cabinets, fencing and utility connections.
Location	168 HAYMAN RD LEWISTON SA 5501

Representations

Representor 1 - Tanya Chapman

Name	Tanya Chapman
Address	170 HAYMAN ROAD LEWISTON SA, 5501 Australia
Submission Date	06/02/2023 10:53 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons see attached document.	

Attached Documents

Representation_on_application_-_performance_assessed_developmentApplication22041043-Chapman004-4809322.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Click here to enter text. <i>Stilmark Holdings</i>
Development Number:	Click here to enter text. <i>22041043</i>
Nature of Development:	Telecommunications Tower
Zone/Sub-zone/Overlay:	Click here to enter text. <i>[zone/sub-zone/overlay of subject land]</i>
Subject Land:	168 Hayman Road, Lewiston, SA 5501
Contact Officer:	Click here to enter text. <i>[relevant authority name]</i>
Phone Number:	Click here to enter text. <i>[authority phone]</i>
Close Date:	06/02/2023 <i>[closing date for submissions]</i>

My name*: Tanya Chapman	My phone number: 0432 994 524
My postal address*: 170 Hayman Road, Lewiston SA 5501	My email: Click here to enter text.

* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development
	<input type="checkbox"/> I support the development with some concerns (detail below)
	<input checked="" type="checkbox"/> I oppose the development

The specific reasons I believe that planning consent should be granted/refused are:

Tanya Chapman
170 Hayman Road
Lewiston SA 5501
Contact : 0432 994 524

I wish to make a representation **opposing** the proposed location of the Telecommunications Facility lodged by Stilmark Holdings Ltd at 168 Hayman Road Lewiston.

Application ID: 22041043.

I am the adjoining owner of property 170 Hayman Road Lewiston.

I note this proposal is not for immediate installation, but request this proposed siting to be moved to an alternate location.

SAQ Consulting has not correctly provided details in their report in relation to the following points:

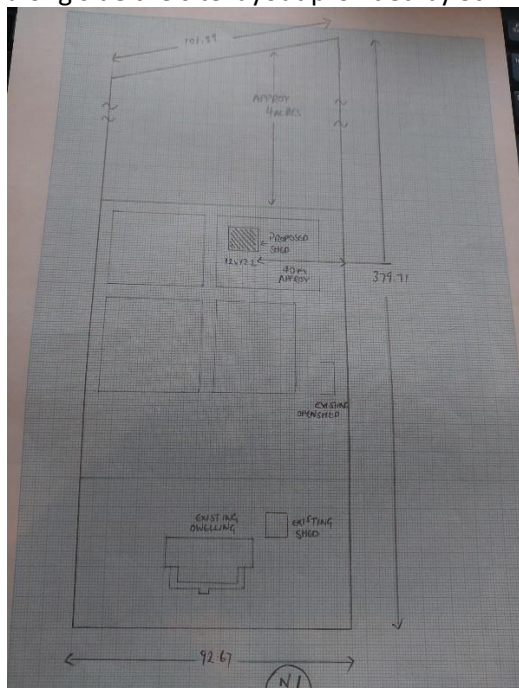
- The site layout plan provided does not provide all existing buildings on my property. I have a building within 75 metres of the proposed tower location.

As a result of the new consulting rooms receiving provisional approval over the past year I have had to move my horse stables from near the new proposed consulting rooms, further away on my property at considerable planning, time and expense, to enjoy my property use as it was intended for.

As per the Plan SA current satellite images, you will see that over a year ago there was a rubble pad placed for this shed. (The planning staff will be able to provide you with a new image of the site as I am unable to provide a more recent accessible public document off google maps).

I had gained approval for a new shed to be built, to move my animals away from the noise of the new consulting rooms, kennelling, additional driveway, carpark, lighting and traffic.

I have attached a copy of my approved plans so you can visualize the location of this building along side the site layout provided by Stilmark.



This proposed site for the tower will have a widely significant effect to my property by being within 75 metres **of an existing building**, being used for more than 12 hours per day by myself the property owner and animals, being in situ for over a year.

- I note the planning report provided by Stilmark does not assess against the Telecommunications Facility Planning Design Code on the following points. There is a deficit in the report provided against these.

Can the applicant please provide commentary on these provisions.

- P06.1 – *The proliferation of telecommunications facilities in the form of towers/monopoles in one locality is managed, where technically feasible, by collocating a facility with other communications facilities to mitigate impacts of clutter on visual amenity.*
- P06.2 – *Telecommunications antennae are located as close as practicable to support structures to manage overall bulk and mitigate impacts on visual amenity.*
- P06.3 – *(a) where technically feasible, incorporating the facility within an existing structure that may serve another purpose,*
Or all of the following:
- P06.3 – *(b) using existing buildings and landscape features to obscure or interrupt views of a facility from nearby public roads, residential areas, and places of high public amenity to the extent practicable without unduly hindering the effective provision of telecommunication services*
- P06.3 – *(c) using finished and materials that complement the environment*
- P06.3 – *(d) screening using landscaping and vegetation, particularly for equipment shelters and huts*

I bring these notes to the Assessment Panels attention:

Objection response to:

- **P06.01 -**

The Stilmark report noted their assessment report against a rural zone, not a Rural Living Zone. Of all the 5 alternate locations provided in the proposal, all allotments suggested by Stilmark's algorithm are on large cropping allotments, one is even being proposed within the Council owned Lewiston wetlands area.

Why would you not proceed with an agreement between Adelaide Plains Council and the conglomerate be of a mutually beneficial nature on Council owned land and not private property?

If the owner of a smaller property (where the proposed tower is under the assessment) (operating as the sole commercial business within an animal husbandry zone) is approached by a consulting company on behalf of a telecommunications conglomerate and accepts the proposal, it does not indicate that the proposed site is the correct location, other options should be thoroughly assessed on their merits.

As a result of myself owning land that has not been subdivided into 2.2 acre allotments I should not have to live with the impacts of a tower adjacent my property and suffer the detrimental effects of current and future uses on property or person.

My property is not 2.2 acres, nor is it more than 10 acres. The proposed location is situated within the most densely habitable area within their alternate properties– this does not make any sense.

I am not against new technology, but I do not agree on communication towers dotted throughout the landscape.

This should be in a location agreed upon by the community as the location has an impact not only on the immediate landowners but the whole community.

This would be the first of this type approved by Council if this proceeds at this location. Please do not set a precedence and approve this location.

All existing towers servicing the area are on large cropping allotments (over 30 acres in size), outside of Lewiston.

There is not one tower located within this vicinity below, they surround this area and should continue to do so.



As another example, there are 3 towers covering an existing (and rapidly growing) population. There is only one tower directing to Lewiston, with no repeater towers between them at a distance of over 5 kilometres.

With a glut of towers already on Two Wells Road and the tower on Gawler River Road does not warrant an additional service tower within 2 km of the next one.

Objection response to:

- **P06.02**

These two towers on Two Wells Road (picture below), are less than 1 kilometre apart. The photograph below will give you a visual representation of their impact to the wider community, let alone having a tower adjacent to me.

There are two different types of construction, the latter being the proposed construction type.



These towers are photographed at over 1km away and have huge impact on the visual environment.

This additional photograph below shows the visual impact from the tower in the background from Pederick Road. This has been taken more than 2km away. You can see this tower down the full length of Pederick Road, from Gawler River Road to Two Wells Road.



Objection response to:

○ **P06.03 (All parts)**

Part (a)

Is has/not obviously being reviewed, hence the application?

Part (b)

There are no existing buildings or landscape features to interrupt the view of the proposed facility apart from one line of trees on the proposed location.

I would certainly be planting more trees to try and hide the visual impact of the tower from my property but it would take at least another 20 years for new trees to be large enough to block my view of the facility.

Part (c)

There has been no indication of colours or materials provided in the report for the tower and associated shedding.

There is a tower on Curtis Road, McDonald Park (in the Playford Council area) that is orange. This has a hugely detrimental affect to the visual amenity of the area.



Please provide finished material colours.

Part (d)

There is no provision for any landscaping or screening types for the entire footprint of the facility at the lower level mentioned in the report.
At a minimum, screening vegetation should be allocated for as per the planning code.

In closing, this tower should not be located where proposed. As this is a future need, the location for the proposal should be revisited.

I will be available for further contact if required.

Kind regards
Tanya Chapman

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development].*

I: ☒ wish to be heard in support of my submission*
☐ do not wish to be heard in support of my submission

By: ☒ appearing personally
☐ being represented by the following person: [Click here to enter text.](#)

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*



Signature:

Date: 03/02/2023

Return Address: [Click here to enter text.](#) *[relevant authority postal address]* or

Email: [Click here to enter text.](#) *[relevant authority email address]* or

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Our ref: Lewiston SLB

1 March 2023

Dina Badrun
Planning Officer
Adelaide Plains Council
P O Box 18
MALLALA SA 5502



SAQ Consulting Pty Ltd

ABN 76 864 757 592

P O Box 50

Clayfield QLD 4011

Dear Dina

**RE: Application ID 22041043
Proposed telecommunications facility – 168 Hayman Road, LEWISTON
RESPONSE TO REPRESENTATION**

As previously advised, **SAQ Consulting Pty Ltd** acts on behalf of Stilmark Holdings Ltd ('Stilmark') in respect of this application.

Stilmark is a licenced carrier for the purposes of the *Telecommunications Act 1997 (Cth)* and operates as an infrastructure provider or 'neutral host', whereby new facilities are sited, designed, acquired, built and maintained by Stilmark but utilised by carriers - such as the mobile carriers - as part of their respective networks.

The proposal by Stilmark is to establish a telecommunications facility, in the form of a mobile telephone base station including a 30-metre tall monopole and ground-based equipment, at the rear of 168 Hayman Road, Lewiston.

The subject land is located within the *Rural Living Zone* and the *Animal Husbandry* subzone pursuant to the Planning and Design Code. A telecommunications facility is not specifically listed in any of the tables and is therefore captured by Zone Table 3 under '*All Other Code Assessed Development*.'

I am in receipt of one public submission received as a result of the advertising of the proposal and I provide the following response on behalf of the applicant to the issues raised.

Distance to Existing Buildings

The planning statement dealt only with existing buildings and in particular dwellings (which is typically the most useful indication of the appropriate siting of a telecommunications facility) in its description of the locality and impacts arising.

In this instance, there is one dwelling within 100 metres (not on the representor's property) and 165 metres to the north-east (the representor's property). I note no submission was received from the property owner/occupier with the dwelling more closely situated.

In any event, the siting of the facility is appropriate regardless of whether a new farm building/outbuilding is being proposed on the adjacent property – in this instance that

proposed building will still be up to 75 metres away and is for a non-residential/habitable use. Given the proposed facility is set as far away from the adjacent property at 170 Hayman Road as possible, I maintain the proposed facility has minimised its impacts on the locality.

Assessment against the Telecommunications Facility Planning Design Code

Telecommunications facilities are specifically dealt with in the General Development Policies section of the Planning and Design Code and specifically in the Infrastructure and Renewable Energy Facilities module.

The relevant policies, including those cited in the representor's submission, are specifically dealt with on page 8 of the planning statement. Each of the provisions is assessed in turn and concludes there is no significant departure from or non-compliance with those provisions.

Rural Living Zone provisions

Upon review, there is an error in the planning statement insofar as the first sub-heading under 'Assessment against the Planning and Design Code' (bottom of page 5) should say 'Rural Living Zone', not 'Rural Zone'. The first sentence under that sub-heading should say 'Rural Living Zone', not 'Rural Zone'.

However, the provisions assessed under that sub-heading are all correct and are the provisions relating to *Rural Living Zone*, which ultimately concludes on page 6 '*the location selected is compatible with the provision of the Rural Living Zone...*'.

As such, the proposal has been properly assessed against the correct zone provisions, despite this small error in the sub-heading, which of course I apologise for and hope not too much confusion has been created. However, there are no material issues arising from this error now it has been identified and the zone assessment set out in the planning statement remains correct.

Alternate Locations

As explained under the heading 'Need for the Facility', and in particular the explanation given around the information contained in Figure 1, it is no surprise this is the first such proposal of its kind in the area, as the lack of existing infrastructure in the locality is driving the need for the proposed facility. The fact that all existing towers are in the rural area outside Lewiston is the precise reason the area much closer to where people live and work (and therefore where the most customer demand comes from) has been identified for improvement and therefore additional infrastructure.

As set out in the planning statement, distances of around more than 1 kilometre between base-stations does not permit high levels of service – particularly with respect to in-building coverage and reliable data speeds – to be achieved. 5G services in particular require facilities to be as close to users as possible.

Colours and Finishes

The monopole is of a steel construction with a headframe and antennas attached, which is typical of this type of facility. The equipment cabinets are of a Colorbond finish.

If painting of the monopole and other attached equipment is desired, a muted, darker colour usually works best – N53 Blue-Grey has proven reliable over many years.



To that end, Council is able to condition both the finish of the pole and equipment cabinets if so desired and this can easily be accommodated as part of construction.

Screening vegetation, to assist with views of the compound at the base of the facility, can also be proposed if Council deems it necessary. However, given the large setback from surrounding roads, dwellings and the public realm generally this is probably an unnecessary requirement.

I trust this information adequately addresses the concerns raised by the representor and assists Council in its assessment of the proposal. I continue to be of the view that the proposal represents an appropriately considered and logical placement of an essential piece of telecommunications infrastructure and warrants planning consent.

Should Council require any additional information prior to making its determination, please do not hesitate to contact the undersigned. Please also advise of the time and date of the Council Assessment Panel meeting in due course.

Yours sincerely

MARK BAADE

B. Plan (Hons)

M: 0417 088 000

mark@sagconsulting.com.au

Application Number	22017105
Applicant	David Wayne Williams
Nature of Development	Parking of two (2) heavy vehicles and two (2) associated trailers greater than 3000 kg tare weight (retrospective)
Subject Land	1 Cockatoo Road, Lewiston
Zone	Rural Living Zone
Subzone	N/A
Overlays	Defence Aviation Area Environment and Food Production Area Hazards (Bushfire – General) Native Vegetation Prescribed Wells Area
Lodgement Date	27 May 2022
Relevant Authority	Adelaide Plains Council Assessment Panel
Category of Development	Code Assessed - Performance Assessed
Public Notification	20 September 2022 – 12 October 2022
Statutory Referrals	Nil
Assessing Officer	George Jacks – Senior Planning Officer
Recommendation	Approve with conditions

BACKGROUND

The applicant has been parking a single truck and trailer on the subject land for approximately 15 years without approval. A development application was lodged in 2008 for the parking of one truck and trailer and was refused because requested information was not provided. A second truck and trailer were introduced on the land from 2016 as the business expanded (with confirmation via aerial mapping from 27/02/2016). Regulatory services received a complaint early 2022 regarding two trucks and two trailers parked on the allotment which prompted this retrospective application to be lodged to legitimise the use.

PROPOSAL

The applicant is seeking retrospective approval to park two heavy vehicles and two associated trailers on the subject land. Two Freightliner trucks, one Hercules trailer and one Freight Master trailer will be parked on the land. Each vehicle and trailer will be greater than 3000 kg tare weight. The vehicles will be parked on the site when not in use, and no other business activity will be undertaken on the subject land. There is no built form proposed as part of the proposal.

The vehicles will typically exit the site after 7am and return to the site before 5pm to be parked on the allotment overnight. The vehicles will typically leave and return to the site once per day, meaning frequent daily movements to and from the site are not proposed. There will be the rare use of one vehicle (and trailer) on weekends. All maintenance will be completed off site.

A copy of the proposed plans and details are provided as **Attachment 1**.

SUBJECT LAND AND LOCALITY

The subject land is located at 1 Cockatoo Road Lewiston and is contained in Certificate of Title Volume 5095 Folio 732. There are no easements or rights of way registered on the Title.

The land is an irregular shaped corner allotment with the primary frontage to Cockatoo Road and a secondary frontage to Harniman Road. The allotment has an area of approximately 0.8 hectares, a 58m wide frontage to Cockatoo Road and a depth of approximately 100m. Vehicle access is achieved through an existing lawfully authorized crossover on Cockatoo Road. The land is relatively flat and comprises a single storey detached dwelling, multiple domestic outbuildings, swimming pool and truck parking area for two trucks and two trailers.

The locality comprises similarly sized allotments with areas between 0.8 hectares and 1 hectare. The majority of these allotments contain a single storey detached dwelling with associated domestic outbuildings. There is some small-scale horse keeping undertaken within the locality. Mature boundary plantings and vegetation are prominent with the locality assisting with screening and privacy between allotments.



Figure 1: Subject land - 17 November 2022

PUBLIC NOTIFICATION

Each zone contains a 'Procedural Matters – Notification' table that sets out the kinds of developments that are exempt from requiring public notification. Heavy vehicle parking is not listed in this table and therefore notification is required.

The application underwent public notification from 20 September to 12 October 2022 with only adjoining property owners notified (refer to Figure 1). A sign was placed out the front of the subject land and all the public notification documents were also available on the PlanSA portal for the duration of the notification period.

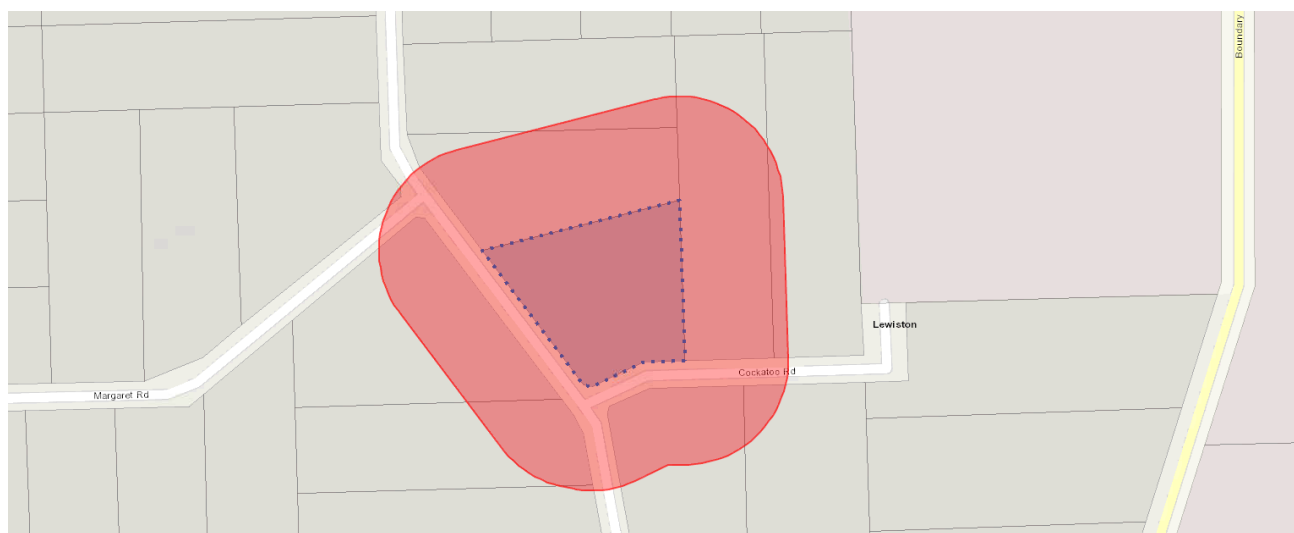


Figure 2: Subject land and 5 adjoining properties that were notified

SUMMARY OF REPRESENTATIONS

As a result of the public notification, one submission was received. The representor opposes the proposal. The key issues raised in the submission and the applicant's response are outlined below.

A copy of the representation and the applicant's response is contained in **Attachment 2**. It is highlighted that the representor indicated they do not wish to be heard.

Name of Representor	Summary of Submission
Sylvia Nieuwenhuizen (296 Hayman Road Lewiston)	<ul style="list-style-type: none"> • Parking of trucks impacts on quiet rural lifestyle • The size of the shed is too large, appears to be an industrial sized structure • Truck movements will affect the surrounding roads • Proposal should not be considered a 'home based business'

Applicant's response to the representation:

Name of Applicant	Summary of Submission
David Wayne Williams	<ul style="list-style-type: none"> • Applicant has parked trucks on the land for 20 years with no complaints • There is no shed proposed as part of this application • Trucks have a right to drive on these roads and parking of these trucks would have little impact • Trucks will not impact the equestrian centre as it is mostly used on Sundays when the trucks are not being used • No commercial or industrial scale business is proposed, the use will not have no effect on the representor

INTERNAL REFERRALS

Mike Ravno (Asset Engineer) for comment on road network and access – Access/egress for vehicles must be from Cockatoo Road not Harniman Road as the road alignment on Harniman Road is not safe for Tandem vehicle access/egress. There will be no meaningful impact surrounding roads by proposed vehicle movements.

EXTERNAL REFERRALS

Nil.

ASSESSMENT**Overlays****Defence Aviation Area – All structures over 90 metres**

This overlay seeks to limit building heights so they do not impact on the operational and safety requirements of defence aviation areas. As there is no structure proposed, there will be no impact on the operational objectives of the overlay.

Environment and Food Production Area Overlay

The application does not include a proposal to divide the land (PO1.1), and therefore this overlay has no role to play.

Hazards (Bushfire – General Risk) Overlay

The Hazards (Bushfire – General Risk) Overlay is a low bushfire risk area that covers the Rural Living Zone. The overlay seeks to ensure buildings and structures are located away from areas that pose an unacceptable bushfire risk (PO 1.1). The proposal does not include any structures, it is purely for the parking of vehicles.

Native Vegetation Overlay

The subject land is located in the Native Vegetation Overlay however the subject land is void of remnant vegetation.

Prescribed Wells Area

The applicants are not proposing to draw any water from prescribed wells in the Lewiston area.

Subzone

The subject land is not affected by any subzones.

Rural Living Zone

The Rural Living Zone is primarily focussed on opportunities for low-intensity rural activity and home-based business that complement the lifestyle choice (DO 1), and does not go into any detail around specific parameters for the parking of heavy vehicles.

In addition to the existing dwelling on the land, the site is used purely as a place to park the two heavy vehicles and two trailers. It is not associated with any other commercial use. The identified parking area is setback 40m from the primary road and located behind the building line of the existing dwelling which assists with minimising the visual impact of the vehicles. There is established planting on the western side boundary and there are outbuildings located to the west of the indicated parking area which also assists with screening the vehicles and trailers from Harniman Road.

As the vehicles operate within these reasonable hours and the nearest dwelling is located more than 45m away, the impact on the amenity is considered to be minimal.

General Development Policies

Interface Between Land Uses

The only noise generated by the vehicles will be when they enter and exist the site between 7am and 5pm. There will be no maintenance of vehicles of any kind. There will be no odour or waste generated by the parking of vehicles as no business or storage use is associated with the parking of the these vehicles.

The parking area identified is to the rear of the existing, associated dwelling (more than 45m from the neighbouring dwelling to the east and more than 80m from the neighbouring dwelling to the north west). It is noted that representations were not received from adjoining land owners most affected by the proposal (PO 1.1 & PO 1.2)

The hours of operation will not unreasonably impact the amenity of sensitive receivers as the vehicles will only enter and exit the site between 7am and 5pm, which reasonably accords with PO 2.1.

The vehicles will start up, exit and return to the site between 7am and 5pm. This is within the general EPA guidelines for residential noise. All maintenance of the vehicles will be undertaken off site at a separate workshop, and in this regard PO 4.1 is considered met.

The vehicles and trailers will be parked in the open, and no structures are proposed as part of this application. Whilst there will be some acoustic impact from the vehicles, they will be located as far as practicable from adjacent receivers while still being able to enter and exit the site through the existing crossover on Cockatoo Road (PO 4.2).

Transport, Access and Parking

The vehicles will access the site through the existing lawfully authorized crossover located on Cockatoo Road (PO 3.1).

SUMMARY

The proposal seeks retrospective authorisation to park two heavy vehicles and two associated trailers greater than 3000 kg tare weight on the subject land.

The vehicles will be parked on the allotment when not in use. All commercial use of the vehicles will be undertaken off site and not associated with the subject land. The vehicles will enter and exit the site between 7am and 5pm on weekdays and very rarely on weekends. All maintenance of vehicles will be undertaken off site, and all access will be gained via an existing crossover on Cockatoo Road. There is no built form proposed as part of this proposal.

The management detail provided demonstrates that the parking of these vehicles will be low impact and cause minimal disruption to the locality. The proposal will not prejudice the attainment of the desired outcome of the zone, and the proposal is considered supportable with appropriate conditions and notes.

RECOMMENDATION

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).

Google Maps 1 Cockatoo Rd



Imagery ©2022 CNES / Airbus, Maxar Technologies, Map data ©2022 20 m

PROPOSED TRUCK PARKING AREA
FOR 1 COCKATOO ROAD LEWISTON SA
(NOTE NO MAINTENANCE OF TRUCK WILL BE DONE ON THIS SITE)

(X = TRUCK PARKING SITE)

RE . TRUCK PARKING AT 1 COCKATOO RD LEWISTON

**PLEASE NOTE THAT NO MAINTENANCE WILL BE
CONDUCTED AT THIS SITE ALL MAINTENANCE OF
TRUCK WILL BE AT A WORKSHOP WHEN REQUIRED.**

**PLEASE SEE ATTACHED MAP OF AREA IN WICH
PROPOSED PARKING IS MARKED WITH A CROSS .**

**REGARDS DAVID WILLIAMS .Home owner 1 Cockatoo
rd Lewiston SA 5501**

Vehicle parking management plan detail

Vehicles have been parked on the allotment for the last ~20 years

Just for parking two vehicles and 2 associated trailers. Two Freightliner trucks, one Hercules trailer and one Freight master trailer. No structures are proposed.

Trailers are not commonly moved around with trucks. Primarily just parked on land.

Trucks will operate between 7am in the morning – to 3:30 to 5pm.

No maintenance of vehicles will be conducted on site. All maintenance of vehicles will be completed off site at a workshop

Both vehicles usually not used at same time. Majority of the time one vehicle is used based on job.

Application Summary

Application ID	22017105
Proposal	Parking of two (2) heavy vehicles on the subject land
Location	1 COCKATOO RD LEWISTON SA 5501

Representations

Representor 1 - Sylvia Nieuwenhuizen

Name	Sylvia Nieuwenhuizen
Address	296 Hayman Road LEWISTON SA, 5501 Australia
Submission Date	12/10/2022 12:24 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

Re: 2 heavy vehicles, parking at 1 Cockatoo Rd LEWISTON – Application 22017105 Submission from Sylvia and John Nieuwenhuizen of 296 Hayman Road LEWISTON My Husband and I question this proposal due to various concerns, - effects to overall areas “quiet rural lifestyle” - the size of the shed – as an industrial sized structure. - effects to surrounding roads - home based business appears to have no limits now? We moved into this area in 1988, like many others, to enjoy a Rural Residential setting and bring up our family. The present description of our area in Adelaide Plains planning Policy says it all - “A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home-based business activities that complement that lifestyle” This quiet lifestyle is changing over time with more people moving into this and surrounding areas but where businesses are included in the mix it can be detrimental. It also states, that for our area of Rural living, that the Performance Outcomes that - ‘Residential development with complementary ancillary non-residential uses that do not place additional demands on services and infrastructure, and compatible with a secluded semi-rural or semi-natural residential character.’ Obscuring the goings on with in the property would certainly be favourable for the immediate neighbours but this extra traffic with a commercial vehicle has a continuing effect to all. Our roads are of a spray sealed finish that is not meant for heavy vehicles and are continually being crack filled now with the present vehicle usage. You only have to look at the corners of Harniman and Hayman Roads and Boundary and Gawler River Roads. Such vehicles are also larger, louder and fumier (possibly diesel) as they pass through the area, so much for the quiet lifestyle! Equestrian Center on Clara Harniman Reserve There is access at the end of Cockatoo Rd to the Equestrian area in the Council reserve and locals do access here too. This is a very busy reserve on week-ends with the horse clubs – how will this be effected with trucks entering and leaving this premise? If large trucks are entering the property, will they be restricted to week days? Will there be restrictions on any further increases in trucks on the premises? Home Based Business Activities If this development is allowed, could such ‘home based businesses’ become Commercial or Industrial sized businesses! The shed would appear hugh on all surrounds. We question its height? Such a large structure is well above what we envisaged as a ‘Home based activity’ and it changes the area into an industrial appearance rather than rural residential. This ‘industrial’ change may encourage others to do the same and compromises the overall rural outlook. More sheds and less trees. What we and many others enjoy with living here will

change for the worse. Children, horses and large vehicles do not mix.

Attached Documents

Applicant's response:

To the Council of Adelaide plains

I am writing back to you concerning my application of truck parking at 1 cockatoo rd lewiston , as you are aware i David Williams have resided here for 26 years and have raised my children here at this wonderful semi rural area ,i have been notified that my application is pending because of various concerns by Sylvia and John of 296 hayman rd

First i have had my trucks here for almost 20 years with no complaints from neighbours at cockatoo or harniman rds .

Second there is no Industrial shed at 1 cockatoo rd


Third as im aware all trucks and vehicles have the right to drive on our rural roads and farmers have the right to harvest and transport on these roads also people have the right to build on there properties to do this you need supply trucks to build houses, removal of rubbish and gas supply trucks ect .So there for my truck parking would have very little affect on these rds .the affects of the corner of harniman and hayman and boundry as im aware as been living here for 26 years has alot to do with rain water laying in pools on these intersections for long amounts of time .

Re Home based buisness- people have the right to have there own buisness

Re equestrian centre on cockatoo rd is usually populated on sundays should have no problems regarding truck parking as my truck does not be used on this day unless there is a emergency requiring the burial of a rural animal that has passed thankfully this is a rare thing.

Re Application for Truck parking for 1 cockatoo rd is not intended for industrial or comercial size buisness it is just asking for parking of my truck so my truck parking will have no affect on number 296 Hayman road wich by the way is about 800 metres from my residence

REGARDS DAVID WILLIAMS

	5.3	Council Assessment Panel Meeting Procedures
	Department: Report Author:	Development and Community Manager – Development Assessment / Assessment Manager
Date: 20 March 2023	Document Ref:	D23/12078

DISCUSSION

With the introduction of the *Planning, Development and Infrastructure Act 2016* (the Act) and the Planning and Design Code within Adelaide Plains Council in 2021, the Council Assessment Panel (the CAP) has become a relevant authority in its own right and as such determined a series of delegations, policies and procedures as a relevant authority.

The corresponding *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations) stipulate certain statutory procedures to be observed at or undertaken during meetings of the CAP. Where a procedure is not prescribed by the Act or Regulations, the CAP determines its own meeting procedures providing they are not inconsistent with anything contained in the Act or Regulations.

The current Adelaide Plains CAP Meeting Procedures have been in operation since early 2019 and underwent a review in 2021. These Meeting Procedures operate at CAP meetings and are available to the public to assist in understanding of the procedures associated with the operation of CAP meetings.

The Meeting Procedures outline the calling of CAP meetings and necessary notices, operation of meetings, hearing of representations, decision making and minuting of decisions made by the CAP.

The current CAP Meeting Procedures relied on Section 17 of the *COVID-19 Emergency Response Act 2020* (the COVID Act) to allow meetings to be held remotely using audio-visual means. It has been noted that following the expiration of the COVID Act it is desirable to continue to include the option of holding meetings remotely given the current economic climate and the location of Council's facilities.


As such it is put to the CAP that the Meeting Procedures be updated accordingly. It is highlighted that the majority of existing content of the Meeting Procedures remains the same, with the addition of some minor updates and changes.

RECOMMENDATION

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

Attachments

1. Updated Adelaide Plains Council Assessment Panel Meeting Procedures

 Adelaide Plains Council	Council Assessment Panel Meeting Procedures	
	Adoption by Council Assessment Panel:	3 March 2021
	Last Review Date:	20 March 2023
CM CON: CON17/174 CM DOC:	Strategic Outcome: 4.5 Accountable and Sustainable Governance	

These Meeting Procedures are to be read in conjunction with the meeting procedures contained within the *Planning, Development and Infrastructure (General) Regulations 2017 (Regulations)*.

1. CAP MEETINGS

Ordinary Meetings

- 1.1 Subject to clause 1.2, ordinary meetings of the Adelaide Plains Council Assessment Panel (**CAP**) will be held at such times and places as determined by the CAP.
- 1.2 The time and place of the first meeting of the CAP following its establishment will be determined by the Assessment Manager. The Assessment Manager must give notice of the first CAP meeting to the CAP and the public in accordance with clauses 1.4 and 1.6.
- 1.3 Notice of an ordinary meeting will be given to all CAP Members by the Assessment Manager not less than five (5) clear days prior to the holding of the meeting in accordance with clause 1.4
- 1.4 Notice of a meeting of the CAP must:
 - 1.4.1 be in writing;
 - 1.4.2 set out the date, time and place of the meeting;
 - 1.4.3 be signed by the Assessment Manager;
 - 1.4.4 contain or be accompanied by the agenda and any documents and/or reports that are to be considered at the meeting (in so far as practicable); and
 - 1.4.5 be given to a CAP Member personally, by post to a place authorised in writing by the Member or by other means authorised by the Member as being an available means of giving notice.

- 1.4.6 *where attendance at the meeting is able to occur by electronic means (in whole or in part), include details of how to connect to the meeting; and*
- 1.4.7 *where the meeting is to be live streamed for viewing by members of the public, include details of how to access and/or connect to the live stream.*
- 1.5 A notice that is not given in accordance with clause 1.4 is taken to have been validly given if the Assessment Manager considers it impracticable to give the notice in accordance with that clause and takes action the Assessment Manager considers reasonably practicable in the circumstances to bring the notice to the attention of the Member.
- 1.6 A copy of the agenda for all meetings of the CAP will be available for viewing by the public on Council's website as soon as practicable after the time that notice of the meeting has been given to CAP Members.
- 1.7 The Assessment Manager may, with leave or at the request of the Presiding Member, include in the agenda an item to be considered at the meeting to which the agenda relates after notice of the meeting has been given to CAP Members. In such instance, the Assessment Manager shall provide an updated agenda and any documents and/or reports relating to that item to be considered at the meeting to Members as soon as practicable. The Assessment Manager will also make an updated agenda available to the public.
- 1.8 The Presiding Member may adjourn a CAP Meeting to a future date and time, unless the CAP resolves to continue the meeting.
- 1.9 A meeting will break for fifteen (15) minutes once every two (2) hours or more or less often as determined by the Presiding Member.

Special Meetings

- 1.10 The Presiding Member, or two or more CAP Members, may by delivering a written request to the Assessment Manager require a special meeting of the CAP to be held. The written request must be accompanied by the agenda for the special meeting.
- 1.11 On receipt of a request pursuant to clause 1.10, the Assessment Manager must determine the date, time and place of the special meeting and give notice to all CAP Members at least 4 hours before the commencement of the special meeting.

2. DEPUTY MEMBERS

- 2.1 If a CAP Member is unable or unwilling to attend a meeting or part of a meeting, they must use their best endeavours to notify the Presiding Member or Assessment Manager at their earliest opportunity.

- 2.2 If notification pursuant to clause 2.1 is given, the Assessment Manager may request a Deputy Member attend the meeting in place of the CAP Member for the meeting or part of the meeting.
- 2.3 Unless the context otherwise requires, a reference to a Member in these Meeting Procedures includes a Deputy Member.

3. **ADDITIONAL MEMBERS**

- 3.1 The CAP may appoint up to two Additional Members in accordance with Section 85 of the *Planning, Development and Infrastructure Act 2016 (Act)*.
- 3.2 The CAP may, by resolution, appoint up to two Additional Members to attend any meeting (or part thereof).
- 3.3 Such Additional Member(s) must hold qualifications, or have expertise or experience as recognised by *Practice Direction 5 - Appointment of additional members to an Assessment Panel* issued by the State Planning Commission.
- 3.4 A request that an Additional Member attend a meeting must be made in writing to the Assessment Manager and be accompanied by the notice for the meeting in accordance with clause 1.4, highlighting the item(s) the Additional Member is required to consider.
- 3.5 Unless the context otherwise requires, a reference to a Member in these Meeting Procedures includes an Additional Member, save that an Additional Member is not able to vote on any matter arising for determination by the CAP.

4. **COMMENCEMENT OF MEETINGS**

- 4.1 Subject to a quorum being present, a meeting of the CAP will commence as soon as possible after the time specified in the notice of a meeting.
- 4.2 If the number of apologies received by the Assessment Manager or Presiding Member indicates that a quorum will not be present at a meeting, the Presiding Member may adjourn the meeting to a specified day and time.
- 4.3 If at the expiration of thirty (30) minutes from the commencement time specified in the notice of the meeting a meeting a quorum is not present, the Presiding Member may adjourn the meeting to a specified date and time.
- 4.4 In the event that the Presiding Member is absent from a meeting, the Assessment Manager, or such other person as nominated by the Assessment Manager, will preside at the meeting until such time as the meeting appoints an Acting Presiding Member.

5. PUBLIC ACCESS TO MEETINGS

- 5.1 Public access to meetings may be facilitated remotely by means of audio visual and/or audio communication in a manner to be determined by the Assessment Manager.
- 5.2 If it is determined that public access will be facilitated by means of audio visual and/or audio communication, the Presiding Member must ensure that the remote access technology allows the public to hear the meeting if they are accessing the meeting via audio communication, and hear and see the meeting if they are accessing audio visual communication.
- 5.3 Where public access to the CAP meeting is provided remotely by means of audio visual and/or audio communication, Council does not accept responsibility for any attendees' technical difficulties associated with the remote access technology.
- 5.4 One or more Panel members may attend a meeting via electronic means.
- 5.5 A Member attending a meeting by electronic means is taken to be present at the meeting provided that the Member:
 - 5.5.1 can hear and, where possible, see all other Members who are present at the meeting;
 - 5.5.2 can hear and, where possible, see, all representors (or their representatives) and applicants (or their representatives) who speak at the meeting;
 - 5.5.3 can be heard and, where possible, seen by all other Members present at the meeting; and
 - 5.5.4 can be heard and, where possible, seen by the person recording the minutes of the meeting.
- 5.6 Where a meeting occurs via electronic means, it shall (to the extent that the public is not able to physically attend the meeting) be live streamed.
- 5.7 Where a meeting is being live streamed, the live stream shall be disconnected only during those parts of the meeting during which the public has been excluded from attendance pursuant to Regulation 13(2) of the Regulations.
- 5.8 Where the public has been excluded from attendance pursuant to Regulation 13(2) of the Regulations, the Assessment Manager or a person nominated by the Assessment Manager shall ensure that all parties except for CAP members disconnect from or are disconnected from the meeting.

6. DECISION MAKING

- 6.1 The Assessment Manager may at their discretion exclude:
- 6.1.1 a representation or response to representation(s) which is received out of time;
 - 6.1.2 a representation in relation to Category 2 development from a person who was not entitled to be given notice of the application; or
 - 6.1.3 a representation or response to representation(s) which is otherwise invalid.
- 6.2 The Assessment Manager may at their discretion accept and allow to be considered by the CAP any new or additional material submitted by a representor or applicant. The CAP may defer consideration of the application to a subsequent CAP meeting to enable full and proper assessment of the further information.
- 6.3 Any material to be considered by the CAP pursuant to clause 6.2 must be provided to the applicant and/or representor(s) (as the case may be) in a manner directed by the Assessment Manager and those parties be provided with an opportunity to respond, either in writing or verbally, at the discretion of the Assessment Manager.
- 6.4 In relation to each application it considers, the CAP must:
- 6.4.1 determine whether the proposal is seriously at variance with the Development Plan or the Planning and Design Code (as relevant) and provide reasons for its determination; and
 - 6.4.2 provide reasons for granting or refusing development authorisation and for the imposition of any conditions.
- 6.5 If the CAP determines that a proposal is seriously at variance with the Development Plan or the Planning and Design Code (as relevant), it must refuse development authorisation to the application.
- 6.6 In relation to each application to be considered and determined by the CAP:
- 6.6.1 a person who has lodged a representation in relation to a Category 2 or 3 application under the *Development Act 1993* or an application for which notice must be given under the Act, which has not been excluded pursuant to clause 6.1 and who has indicated that they wish to be heard on their representation is entitled to appear before the CAP and be heard in support of their representation, in person or by an agent;
 - 6.6.2 a person who has lodged a representation in relation to either a Category 2 application under the *Development Act 1993* or an application for which notice must be given under the Act, which has not been excluded pursuant to clause 6.1 and who has indicated that they wish to be heard on their representation may, at the discretion of the Presiding Member, appear before the CAP and be heard in support of their representation, in person or by an agent;

- 6.6.3 where one or more representors are heard by the CAP, the applicant is entitled to appear before the CAP to respond to any relevant matter raised by a representor, in person or by an agent;
- 6.6.4 where no representors appear at the meeting, the Presiding Member may, at their discretion, allow an applicant to be heard in support of their application, in person or by an agent;
- 6.6.5 representors and applicants will be allowed five minutes each to address the CAP. The Presiding Member may allow a party additional time at their discretion;
- 6.6.6 CAP members may question and seek clarification from a representor or applicant who has addressed the CAP at the conclusion of their address; and
- 6.6.7 following addresses from representors and the applicant, the Presiding Member will invite all Members to speak on any matter relevant to the application.
- 6.6.8 Clauses 5.6.1 to 5.6.4 are satisfied if a representor or applicant (as the case may be) appears via electronic means. The Presiding Member may require that any such appearance be via electronic means.
- 6.7 Each Member present at a meeting of the CAP, including a Deputy Member who has been requested to attend the meeting or part of the meeting in place of a Member who is unable or unwilling to attend the meeting, is entitled to one vote on any matter arising for decision. If the votes are equal, the Presiding Member is entitled to a second or casting vote. Additional Members appointed to the CAP to provide expert advice and assistance are not entitled to vote.
- 6.8 Matters arising for decision at a meeting of the CAP will be decided by a majority of the votes cast by Members present at the meeting and entitled to vote.
- 6.9 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by any person (including a CAP Member, applicant, representor or other member of the public) to a specified date and time.
- 6.10 The Presiding Member may ask a member of the public (including an applicant, representor or other member of the public) to leave or disconnect from a meeting where they are, in the opinion of the Presiding Member:
 - 6.10.1 behaving in a disorderly manner; or
 - 6.10.2 causing an interruption or disruption to the meeting.

7. MINUTES AND REPORTING

- 7.1 The CAP must ensure that accurate minutes are kept of all meetings.
- 7.2 The Assessment Manager, or a person nominated by the Assessment Manager, will take minutes of all meetings.
- 7.3 The minutes will record:
 - 7.3.1 the names of all Members present;
 - 7.3.2 the names of all Members from whom apologies have been received;
 - 7.3.3 the name and time that a Member enters or leaves the meeting;
 - 7.3.4 the name of every person who makes or responds to a representation;
 - 6.3.4A methods of attendance by all Members present and by every person who makes or responds to a representation.
 - 7.3.5 in relation to each application determined by the CAP:
 - 7.3.5.1 the determination of the CAP as to whether the proposal is seriously at variance with the Development Plan or Planning and Design Code (as relevant);
 - 7.3.5.2 the reasons for granting or refusing development authorisation and for the imposition of any conditions; and
 - 7.3.5.3 where a decision is by majority vote, the decision and its mover and seconder, but not each Members' vote;
 - 7.3.6 if an application is not determined by the CAP, the deferral of the application and the reasons for the deferral;
 - 7.3.7 a decision to exclude the public from attendance pursuant to the Regulations;
 - 7.3.8 any disclosure of a direct or indirect pecuniary interest in any aspect of a development or anybody associated with any aspect of a development made by a Member in accordance with Section 83(1)(g) of the Act, and the nature of the interest;
 - 7.3.9 any disclosure of a conflict of interest made by a Member pursuant to the Code of Conduct adopted by the Minister under Clause 1(1)(c) of Schedule 3 of the Act (**Code of Conduct**), and the nature of the interest; and
 - 7.3.10 if a meeting is adjourned by the Presiding Member, the reason for the adjournment and the date and time to which the meeting is adjourned.
- 7.4 All minutes must be confirmed by the Assessment Manager in conjunction with the Presiding Member as being accurate prior to, or at the commencement of, the following CAP meeting.

8. ADDITIONAL PROCEDURES

- 8.1 Insofar as any procedure to be followed by the CAP is not prescribed by the Act and Regulations, the CAP's Terms of Reference, the Code of Conduct or these Meeting Procedures - the CAP may, by resolution, determine the procedure for itself. Any such determination may be added to these Meeting Procedures.
- 8.2 The CAP may call for and consider such professional assistance from the Assessment Manager and, in consultation with the Assessment Manager, other professional advisors as it deems necessary and appropriate from time to time.

9. DEFINITIONS

The following definitions apply:

Act means the *Planning, Development and Infrastructure Act 2016*;

Connect means able to hear and/or see the meeting by electronic means, including via a live stream;

Disconnect means to remove the connection so as to be unable to hear and see the meeting;

Electronic means includes a computer, mobile phone or other electronic device used for communication;

Live stream means the transmission of audio and/or video from a meeting at the time the meeting is occurring.