



MINUTES OF ADELAIDE PLAINS COUNCIL ASSESSMENT PANEL MEETING HELD IN THE COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON WEDNESDAY 6 DECEMBER 2017, COMMENCING AT 5.30 pm

1. ATTENDANCE RECORD

1.1. Present

Nathan Cunningham (Presiding Member)
Ian O’Loan
Chris Carrey
Cherry Getsom
Mel Lawrence

Also in Attendance

Brendon Schulz (Development Services Coordinator)
Ralph Semrau (Acting Senior Planning Officer)
Jordan Hunt (Graduate Planner)
Carol Wildbore and Lauren Bywaters (Minute Secretary)

1.2. Apologies

1.3. Not Present / Leave of Absence

The Presiding Member recognised and acknowledged Council Member Joe Daniele for his 10 years of service as a member of the former Council Development Assessment Panel (CDAP) and Council Member Steve Jones who also served as a CDAP member since August 2016.

2. CONFIRMATION OF MINUTES

2.1. Moved I O’Loan **Seconded** M Lawrence

“that the minutes of the Council Development Assessment Panel meeting held on Wednesday 5 July 2017, be accepted as read and confirmed.”

Agreed

2.2. Business Arising from the previous minutes

Nil

3. MEETING PROCEDURES

Moved I O’Loan **Seconded** M Lawrence

“that the Council Assessment Panel, having considered Item 3 – *Council Assessment Panel Meeting Procedures*, dated 6 December 2017, receives and notes the report and in doing so :-

1. adopts the Meeting Procedures outlined in Attachment 1”

Agreed

4. **DECLARATION OF INTEREST**

Nil

5. **DEVELOPMENT APPROVAL NOTIFICATIONS**

5.1. **Moved** C Carrey **Seconded** M Lawrence

“that the Development Approval notifications issued for June, July, August, September and October 2017 be received.”

Agreed

6. **REPORTS FOR DECISION**

Moved C Getsom **Seconded** I O’Loan

“that Items 6.1.1 and 6.3.1 be received.”

Agreed

6.1. Category 1 Development

6.1.1. 312/146/2017 – Lance Ostrenga – Demolition of an existing carport/ pergola structure and construction of a new outbuilding/garage – Allotment 1615 The Esplanade, Middle Beach

Recommendations

Moved C Carrey **Seconded** M Lawrence

“That the Council Assessment Panel resolves that the proposal by Lance Ostrenga for the demolition of an existing carport/pergola structure and construction of a new outbuilding/garage at Allotment 1615 The Esplanade, Middle Beach (Development Application 312/146/2017) is not seriously at variance with the Mallala Council Development Plan consolidated 21 April 2016.”

“That the Council Assessment Panel resolves that the proposal by Lance Ostrenga for the demolition of an existing carport/pergola structure and construction of a new outbuilding/garage at Allotment 1615 The Esplanade, Middle Beach (Development Application 312/146/2017) be **REFUSED** Development Plan Consent, pursuant to Section 33(1)(a) of the *Development Act, 1993* for the following reasons:

- i. The property already has a sizeable shed. The proposal is not consistent with a significant provision under the Coastal Conservation Zone, particularly as it relates to not increasing the number of ancillary buildings in the zone.
- ii. By virtue of its location, the proposed development will be at odds with most of the relevant Development Plan provisions relating to access to the development.
- iii. By virtue of its sole reliance on access through a reserve, the development is perceived to have an adverse impact and conflict between land uses.
- iv. The proposal is considered to be at variance with the relevant provisions of the Mallala Council Development Plan - consolidated 16 April 2016, in particular:

Coastal Conservation Zone:

PDC 17 (b)

General Section

Coastal Areas

Objective 4, PDC 14, PDC 15 (e) & (f)

Design and Appearance

PDC 21 (c)

Interface between Land Uses

Objective 1, PDC 1 (h) & PDC 2

Orderly and Sustainable Development

Objectives 3 & 4 and PDC 1

Residential Development

PDC 22 (c)

Transportation and Access

PDC 27"

Agreed

6.2. Category 2 Development

6.2.1. Nil

6.3. Category 3 Development

6.3.1. 312/286/2016 – Huawei Technologies Australia Pty Ltd - Construction of telecommunications facility comprising 50 metre high lattice tower, equipment cabinet, security compound fencing and ancillary site works - Lot 503, 55 Gawler Road, Lewiston

Mark Baade – Applicant representative, was present to answer questions from the Panel

Recommendations

Moved I O’Loan **Seconded** M Lawrence

“That the Council Assessment Panel resolves that the proposal by Huawei Technologies Australia Pty Ltd for the construction of a telecommunications facility comprising 50 metre

high lattice tower, equipment cabinet, security compound fencing and ancillary site works at Lot 503, 55 Gawler Road, Lewiston (Development Application 312/286/2016) is not seriously at variance with the Mallala Council Development Plan consolidated 21 April 2016.”

“That the Council Assessment Panel resolves that the proposal by Huawei Technologies Australia Pty Ltd for the construction of a telecommunications facility comprising 50 metre high lattice tower, equipment cabinet, security compound fencing and ancillary site works at Lot 503, 55 Gawler Road, Lewiston (Development Application 312/286/2016) be **GRANTED** Development Plan Consent, pursuant to Section 33(1)(a) of the *Development Act 1993*, subject to the following conditions being imposed:-

1. The development must be undertaken, completed and maintained in accordance with the details, plans, specifications and correspondence submitted with and forming part of Development Application 312/286/2016, except where varied by any conditions listed below.
2. Stormwater must be discharged and managed in a manner that does not result in ponding or adverse effect to the adjoining roadside.
3. The development site must have a safe and convenient vehicle access located along the western property boundary.
4. The vehicle access must be located no less than 40 metres north of the southern property boundary, designed, constructed and located to the satisfaction of Council’s Depot Operations Coordinator.
5. Fencing must be of an open wire mesh construction.
6. Excavation and construction shall be carried out in a manner which minimises environmental impacts.

DPTI Conditions

7. All access to the facility shall be gained via Germantown Road only. No access shall be permitted to/from Gawler Road.
8. The access gate shall be located a minimum of 40 metres north of the southern property boundary of Certificate of Title 5701/459.
9. Longitudinal drainage along Germantown Road shall be maintained adjacent and across the access in order to minimise the potential for flooding adjacent to the Gawler Road/Germantown Road intersection. Consequently, appropriately designed infrastructure shall be installed to achieve this. All costs associated with any upgrade/alterations shall be borne by the applicant.

NOTES

This is not a building consent, and a Building Rules Consent is required to be submitted to Council before a Development Approval can be issued. The approved plans have been stamped ‘Development Plan Consent’ and should be forwarded to any Private Certifier engaged for the Building Rules Assessment of this application.

Agreed

7.4. Development Plan Amendment Update

Moved M Lawrence **Seconded** C Getsom

“that the Council Assessment Panel, having considered Item 7.4 *Development Plan Amendment Update*, dated 6 December 2017, receives and notes the report.”

Agreed

8. OTHER BUSINESS

Nil

9. CONFIDENTIAL ITEMS

Nil

10. NEXT MEETING

Wednesday 7 February 2018 (To be confirmed)

11. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.26pm.

Confirmed as a true record

Presiding Member _____

Date: _____

7 / 2 / 18

The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not cause environmental harm.

The RAAF Aeronautical Information Service (AIS) has the task of maintaining a database of tall structures. Given the height of the proposed telecommunications facility is 50 metres above ground level, the proponent is responsible for notifying the RAAF of the above proposal. A Tall Structure Report Form will need to be completed and forwarded to the Aeronautical Data Officer, RAAF."

Agreed

6.4. Alinta Energy Reeves Plains Power Station

Moved M Lawrence **Seconded** I O'Loan

"that the Council Assessment Panel, having considered Item 6.4 – *Alinta Energy Reeves Plains Power Station*, dated 6 December 2017, receives and notes the report and in doing so :-

1. Authorises the General Manager Development and Community to submit Attachment 2 to the State Commission Assessment Panel"

Agreed

7. REPORTS FOR INFORMATION

7.1. CAP Terms of Reference

Moved I O'Loan **Seconded** C Getsom

"that the Council Assessment Panel, having considered Item 7.1 *Council Assessment Panel Terms of Reference*, dated 6 December 2017, receives and notes the report.

Agreed

7.2. CAP Code of Conduct

Moved C Carrey **Seconded** M Lawrence

"that the Council Assessment Panel, having considered Item 7.2 *Council Assessment Panel Code of Conduct*, dated 6 December 2017, receives and notes the report."

Agreed

7.3. CAP Assessment Manager

Moved M Lawrence **Seconded** I O'Loan

"that the Council Assessment Panel, having considered Item 7.3 *Council Assessment Panel Assessment Manager*, dated 6 December 2017, receives and notes the report."