

MINUTES

of

Council Assessment Panel Meeting



**Adelaide
Plains
Council**

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

HELD IN

**Council Chambers
Redbanks Road,
Mallala**

on

Wednesday, 3 April 2019 at 5:30pm

The Presiding Member formally declared the meeting open at 5:30pm.

1. ATTENDANCE RECORD

1.1. Present

Nathan Cunningham (Presiding Member)
Ian O'Loan
Chris Carrey
Cherry Getsom
Frank Maiolo (Council Member)

Also in Attendance

Brendon Schulz (Development Services Coordinator)
Anthony Zollo (Planning Officer)
George Jacks (Graduate Planner)
Carol Wildbore (Minute Secretary)

1.2. Apologies

1.3. Not Present / Leave of Absence

2. CONFIRMATION OF MINUTES

2.1.

Moved F Maiolo **Seconded** I O'Loan

“that the minutes of the Council Assessment Panel meeting held on Wednesday 5 December 2018, be accepted as read and confirmed.”

Agreed

3. DECLARATION OF INTEREST

It was noted that Presiding Member Nathan Cunningham received advice from Independent Member Cherry Getsom who was employed by Aurecon approximately 8 years ago. Aurecon are involved as the applicant in item 4.3.1. Through discussions with Cherry it can be confirmed that there is no true conflict of interest as there is no ongoing relationship of any kind in a work sense.

Therefore there are no Declarations of Interest.



4. REPORTS FOR DECISION

4.1. Category 1 Development

4.1.1. Nil

4.2. Category 2 Development

4.2.1. Nil

4.3. Category 3 Development

4.3.1. 312/372/2018 – Aurecon on behalf of NBN Co Limited – Fixed wireless telecommunications facility comprising a 30 metre high monopole, antennas and associated infrastructure – Lot 248, Ruskin Road, Thompson Beach

Kate Croucher (Aurecon Australia), spoke on behalf of the applicant.

Moved I O’Loan **Seconded** C Carrey

1. That the Council Assessment Panel resolves that the proposal by Aurecon on behalf of NBN Co for the construction of a fixed wireless telecommunications facility comprising a 30 metre high monopole, antennas and associated infrastructure at Lot 248 Ruskin Road Thompson Beach, (312/372/2018) is not seriously at variance with the Mallala Council Development Plan consolidated 20 February 2018.
2. That the Council Assessment Panel resolves that the proposal by Aurecon on behalf of NBN Co for the construction of a fixed wireless telecommunications facility comprising a 30 metre high monopole, antennas and associated infrastructure at Lot 248 Ruskin Road Thompson Beach, (312/372/2018) 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 312/372/2018, except where varied by any conditions listed below.
 2. Existing vegetation within the subject land not directly affected by the site and building work must be retained and protected during the development to the reasonable satisfaction of Council and the Native Vegetation Council.
 3. No lighting or sound is to be emitted from any devices associated with the development on the subject site, so as to impinge upon the enjoyment of adjoining and adjacent properties by the occupiers thereof.
 4. Compound fencing must be of an open mesh construction to a maximum height of 2.4 metres above natural ground level.



5. The monopole headframe is to have bird proofing measures installed at the time of construction to reduce the risk of nesting.
6. Any mechanical and electrical equipment vulnerable to water ingress should be made safe from coastal flooding risk and therefore be protected and/or raised to a minimum recommended level of 3.35 metres Australian Height Datum.
7. Excavation and construction shall be carried out in a manner which minimises environmental impacts on coastal landform.
8. Stormwater must be discharged and managed in a manner that does not result in ponding or adverse effect to surrounding buildings or adjoining properties

Notes

1. *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.*
2. *The land over which the development is situated may have the potential to develop acid sulfate conditions if exposed to oxygen. Spoil material should be closely monitored and tested for potential coastal acid sulfate soils and a contingency plan to remediate this action should be put in place, via an appropriate soil expert. The Coast Protection Board has released a set of guidelines which should be followed in areas where acid sulfate soils are likely to occur. These can be found at:*

[http://www.environment.sa.gov.au/about-us/boards-and-committees/Coast Protection Board/Coastal acid sulfate soils](http://www.environment.sa.gov.au/about-us/boards-and-committees/Coast%20Protection%20Board/Coastal%20acid%20sulfate%20soils)
3. *A portion of the subject site contains native vegetation. There may be requirements regarding the clearance of native vegetation under the Native Vegetation Act 1991, in which case the applicant should be made aware of these requirements.*
4. *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.*

Agreed



4.3.2. 312/235/2018 – Visionstream on behalf of Telstra – Construction of telecommunications facility comprising 41.3 metre tall monopole, triangular head frame, antennae, twin mounted amplifiers, equipment shelter and a 2.4 metre tall mesh security fence with access gate – Section 403 Driscoll Terrace, Parham

Representor Alvin Jenkin addressed the Panel.

Stefan Kaldis (Visionstream), spoke on behalf of the applicant.

Moved C Getsom **Seconded** F Maiolo

1. That the Council Assessment Panel resolves that the proposal by Visionstream on behalf of Telstra for the construction of a telecommunications facility comprising 41.3 metre tall monopole, triangular head frame, antennae, twin mounted amplifiers, equipment shelter and a 2.4 metre tall mesh security fence with access gate at Section 403 Driscoll Terrace Parham, (312/235/2018) is not seriously at variance with the Mallala Council Development Plan consolidated 20 February 2018.
2. That the Council Assessment Panel resolves that the proposal by Visionstream on behalf of Telstra for the construction of a telecommunications facility comprising 41.3 metre tall monopole, triangular head frame, antennae, twin mounted amplifiers, equipment shelter and a 2.4 metre tall mesh security fence with access gate at Section 403 Driscoll Terrace Parham, (312/235/2018) 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 312/235/2018, except where varied by any conditions listed below.
 2. The development site must have safe and convenient vehicle access to Port Parham Road, designed, constructed and located to the satisfaction of Council's Depot Operations Coordinator.
 3. The external walls and roof of the equipment shelter must be of subdued colours which complement the predominant colours of the land and vegetation in the locality and must be maintained in good appearance and condition at all times.
 4. Existing vegetation within the subject land not directly affected by the site and building work must be retained and protected during the development to the reasonable satisfaction of Council.
 5. No lighting or sound is to be emitted from any devices associated with the development on the subject site, so as to impinge upon the enjoyment of adjoining and adjacent properties by the occupiers thereof.

6. Fencing must be of an open mesh construction
7. Any mechanical and electrical equipment vulnerable to water ingress should be made safe from coastal flooding risk and therefore be protected and/or raised to a minimum recommended level of 3.40 metres Australian Height Datum.
8. Excavation and construction must be carried out in a manner which minimises environmental impacts on coastal landform.
9. Stormwater must be discharged and managed in a manner that does not result in ponding or adverse effect to surrounding buildings or adjoining properties

Notes

1. *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.*
2. *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.*
3. *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.*
4. *The development site is to be kept constrained to the area identified in Figure 6 of the relevant site plan wherever practical, and vehicles are to keep to existing tracks and the main site access track that is to be created.*
5. *Any landscaping associated with this development should use local native coastal species. The Northern and Yorke Natural Resources Management Board may be contacted on (08) 8841 3400 should the applicant require expert advice and specific species lists.*
6. *The applicant is advised that any native vegetation on the site is protected under the Native Vegetation Act 1991 and Native Vegetation Regulations 2017. Prior to any clearance being undertaken, the applicant should seek Native Vegetation Council approval to do so, which may include provision of a Significant Environmental Benefit offset. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understory, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information visit: <http://www.nvc.sa.gov.au>, which includes an online interactive guide that helps to determine if an application to clear native vegetation is required, alternatively the Native Vegetation Council can be contacted on 8303 9777 or nvc@sa.gov.au.*

4.4. Other

4.4.1. 312/97/2018 – Selecta Homes and Building Company – To construct a single storey detached dwelling (Non-Complying) – Lot 2, 28 Wilson Road, Two Wells

This item was withdrawn at the request of the applicant.

5. REPORTS FOR INFORMATION

5.1. Development Plan Amendment Update

Moved I O’Loan Seconded C Carrey

“that the Council Assessment Panel, having considered Item 5.1 *Development Plan Amendment Update*, dated 3 April 2019 receives and notes the report.”

Agreed

6. OTHER BUSINESS

6.1. Agenda Report Structure

Discussions were held around a standard report template for Council Assessment Panel agenda. Panel members that have comments/suggestions please forward to Assessment Manager Brendon Schulz.

7. CONFIDENTIAL ITEMS

Nil

8. NEXT MEETING

Wednesday 1 May 2019 (To be confirmed)

9. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6.23pm.

Confirmed as a true record.

Atty Presiding Member: Ian O’Loan

Date: 11/5/2019

