



MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN THE COUNCIL CHAMBER, SALISBURY COMMUNITY HUB, 34 CHURCH STREET, SALISBURY ON

23 FEBRUARY 2022

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
Ms C Gill
Ms S Reardon (Deputy Elected Member)
Mr M Atkinson

STAFF

Assessment Manager, Mr C Zafiropoulos
General Manager City Development, Ms M English
Team Leader Planning, Mr C Carrey
Team Leader Business Services, Ms H Crossley

The meeting commenced at 6.28pm.

The Presiding Member welcomed the members, staff and the gallery to the meeting.

APOLOGIES

Apology was received from Mr B Brug.

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 21 December 2021, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

8.1.1 361/128/2021/3B

Telecommunications facility comprising 30 metre high monopole with triangular headframe supporting nine (9) antennas (31.3 metre max height) with associated equipment shelter and 2.4 metre high compound fencing at 105-109 Park Terrace, Salisbury for Telstra Corporation Ltd

REPRESENTORS

Item was presented to 28 September 2021 CAP meeting where representors were heard in relation to their representations.

Further written representation was submitted by Cr Graham Reynolds dated 23 February 2022, which was provided prior to the meeting to the CAP Members for consideration.

Aurecon provided a written and verbal response to Cr Graham Reynolds representation dated 23 February 2022, hardcopies were provided to CAP members at the meeting.

APPLICANT

Mr Adam Pfitzner, Senior Consultant (Aurecon), spoke on behalf of the applicant.

Mr R Bateup moved, and the Council Assessment Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 4 April 2019.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/128/2021/3B for Telecommunications Facility comprising 30 metre high monopole with triangular headframe supporting nine (9) antennas (31.3m max height) with associated equipment shelter and 2.4 metre high compound fencing in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Plan Consent Conditions

1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents,

except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
S107780 Issue 3	Site Access – Proposed Future Arrangement and Locality Plan	25 January 2022	Ericsson
S107780 Issue 3	Site Setout Plan	25 January 2022	Ericsson
S107780 Issue 2	Antenna Layout Plan	25 January 2022	Ericsson
S107780 Issue 3	Site Access – Existing Site Arrangement	25 January 2022	Ericsson
S107780 Issue 3	North East Elevation	25 January 2022	Ericsson
S107780 Issue 2	Antenna Configuration Table	25 January 2022	Ericsson
5108016	Environment EME Report	17 November 2020	Telstra
508778	Planning Report	17 December 2020	Aurecon Australasia Pty Ltd
N/A	Response to Representations	27 August 2021	Aurecon + Telstra
N/A	Response to RFI Letter	13 September 2021	Aurecon + Telstra
N/A	Response to Council Assessment Panel RFI	25 January 2022	Aurecon + Telstra

Reason: To ensure the proposal is established in accordance with the submitted plans.

2. Except where otherwise approved, the external finishes of the facility shall:
 - (a) Be of new non-reflective materials; and
 - (b) Be finished in materials and colours/tones as shown on the Approved Plans; and
 - (c) Be maintained in good condition at all times.

Reason: To maintain the visual appearance of the facility

3. The telecommunications tower must be obstacle lit with flashing red medium intensity lighting during the daylight hours at the highest point of the tower and must be obstacle lit with steady red low intensity lighting during the hours of darkness at the highest point of the tower.

Reason: To satisfy the Airports (Protection of Airspace) Regulations 1996 requirements and yet reduce the visual impact of the facility

4. Except where otherwise approved, outside lighting shall be restricted to that necessary for security purposes only and shall be directed and shaded to prevent light overspill and/or nuisance to adjacent occupiers or distraction to drivers on adjacent public roads.

Reason: To ensure that lighting does not cause nuisance or danger to adjoining occupiers or road users, thereby reducing the amenity of the locality and/or making road use unsafe.

Advice Notes

- Building Consent and Development Approval must be obtained within 24 months from the date of this Notification, unless this period has been extended by the Council. Work cannot commence until a Development Approval is obtained.
- This Development Approval does not constitute land owner's approval. The following applies to any works on Council land:
 - (a) Any person making alteration to Council land including erecting or installing a structure (pipes, wires, cables, fixtures, fittings), storing building materials, erecting temporary fencing, altering the kerb, gutter, footpath or crossover etc. in, on, under or over Council land, is subject to a permit from Council pursuant to Section 221 of the *Local Government Act 1999*.
 - (b) Service infrastructure should be located as far as practicable away from street trees, in order to protect the root zone and to prevent future damage to the infrastructure from root expansion.
 - (c) Residents and businesses are encouraged to develop and maintain the verge area between their property boundary and the kerb. However, some types of development such as irrigation, tree planting and landscaping may be restricted in some areas and therefore permission should be first sought from Council before commencing any works;
 - (d) It is the developer's/owner's responsibility to ensure that damage does not occur to verge infrastructure during construction. Council regularly inspects the condition of verge infrastructure during construction and where damage is observed, Council may recover the costs from the owner for reinstatement of any damage to the footpath, kerb or gutter and may also impose a substantial penalty for any wilful damage.
- Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the site from previous approvals that remain active.
- You will need to obtain permission from the neighbour should you wish to access their property to carry out construction work adjacent the boundary or if you wish to erect common boundary fencing or boundary retaining walls, pursuant to the *Fences Act 1975*. To find out more, please visit:
<https://lsc.sa.gov.au/resources/fencesandthelawbooklet.pdf>.

- The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

Parafield Airport

- The application has been assessed by Parafield Airport and the tower at an approximate height of RL 67.2m Australian Height Datum (AHD) will penetrate the Parafield Airport Obstacle Limitation Surfaces (OLS) which is protected airspace for aircraft operations.

The application will require approval in accordance with the *Airports Act 1996* and *Airports (Protection of Airspace) Regulations 1996* with final approval by the Department of Infrastructure, Transport, Regional Development and Communication. Crane operations associated with construction, if approved, will also be subject to a separate application.

OTHER BUSINESS

8.2.1 Assessment Manager Quarterly Report - September to December 2021

Mr M Atkinson moved, and the information be received and noted.

8.2.2 Council Assessment Panel 2022 Meeting Schedule

Ms S Reardon moved, and the Council Assessment Panel resolved to defer the item for consideration at the next meeting.

8.2.3 Appeal Update

Ms S Reardon moved, and the Council Assessment Panel noted the appeal by Mr Tony Maiello (N27 Pty Ltd) against to decision to refuse Development Plan Consent for development application 361/1618/2020/2A at 173-175 Park Terrace, Brahma Lodge and that further information will be provided to the Panel following the conference.

8.2.4 Status of Current Appeal Matters and Deferred Items

Nil

8.2.5 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.6 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 29 March 2022.

ADOPTION OF MINUTES

Mr M Atkinson moved, and the Council Assessment Panel resolved that the Minutes of the Council Assessment Panel Meeting be taken and read as confirmed.

The meeting closed at 7.00 pm

PRESIDING MEMBER: Mr T Mosel

DATE: 23 February 2022
(refer to email approving minutes registered in Dataworks
Document Number 7179951)