



AGENDA

FOR COUNCIL ASSESSMENT PANEL MEETING TO BE HELD ON

17 DECEMBER 2019 AT 6:30 PM

**IN THE LITTLE PARA CONFERENCE ROOMS , SALISBURY COMMUNITY HUB,
34 CHURCH STREET, SALISBURY**

MEMBERS

Mr T Mosel (Presiding Member)
Mr R Bateup
Ms C Gill
Mr M Canny
Mr B Brug

REQUIRED STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafiropoulos (Assessment
Manager)
Planning Consultant, Mr M Atkinson

APOLOGIES

LEAVE OF ABSENCE

ENDORSED MINUTES FROM PREVIOUS MEETING

Copy of the Endorsed Minutes of the Council Assessment Panel Meeting held on 26
November 2019.

DECLARATIONS OF CONFLICTS OF INTEREST

REPORTS

Development Applications

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147-153 Whites Road, Salisbury North SA 5108

Telecommunications facility comprising 31.7 metre high monopole with cluster mount headframe supporting six (6) antennas associated equipment cabinets and 2.2 metre high slatted fence with access gates

OTHER BUSINESS

5.2.1 Status of Current Appeal Matters and Deferred Items

5.2.2 Policy Issues is Arising from Consideration of Development Applications

5.2.3 Future Meetings & Agenda Items

CLOSE

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**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN THE COUNCIL
CHAMBER, 12 JAMES STREET, SALISBURY ON**

26 NOVEMBER 2019

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
Ms C Gill
Mr B Brug

STAFF

Manager Development Services, Mr C Zafiropoulos (Assessment Manager)
Planning Consultant, Mr M Atkinson
Development Officer – Planning, Ms K Brown
Team Leader Business Services, Ms H Crossley

The meeting commenced at 6.30pm

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

APOLOGIES

Apologies were received from Mr M Canny.

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 22 October 2019, be taken and read as confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

5.1.1 361/799/2019/2B

Scrap metal recycling facility (container and truck storage, weighbridge, bin storage, office/amenities, storage and processing shed, fencing and associated carparking, stormwater detention and landscaping) (staged development) at 361-369 Diment Road, Direk SA 5110 for Ferris Metal Recyclers

REPRESENTORS

Mr Rocco Caruso spoke to his representation.

APPLICANT

Ms Rosanne Calabrese, Planning Consultant and Mr Nicholas Calabrese, Environmental Consultant, spoke on behalf of the applicant.

Mr R Bateup moved and Ms C Gill seconded, 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 361/799/2019/2B for Scrap metal recycling facility (container and truck storage, weighbridge, bin storage, office/amenities, storage and processing shed, fencing and associated carparking, stormwater detention and landscaping) (staged development) in accordance with the plans and details submitted with the application and subject to the following reserved matter and conditions:

Reserved Matter

The following matter shall be submitted for further assessment and approval by the Manager – Development Services, as delegate of the Council Assessment Panel, as a Reserved Matter under Section 33(3) of the *Development Act 1993*:

1. Civil and stormwater plans prepared by a suitably qualified engineer are required detailing:
 - a. Finished floor levels for all buildings and hardstand surfaces
 - b. Cut/fill details
 - c. Retaining walls, kerbing or ramps, their design and grades
 - d. Pavement design details and gradients

- e. Car parking dimensions, aisle widths, circulation movements and associated parking markings and signage
 - f. Stormwater management arrangements, including accompanying design calculations, which consider the minor storm (Q10) and major storm (Q100) events. Discharge to the external underground stormwater system is not to exceed pre-development minor storm flows.
 - g. Water sensitive urban design measures to maximise stormwater detention on-site
 - h. Surface water treatment to ensure water quality objectives are met.
2. An amended Site Plan and boundary cross section shall be submitted for Approval and shall designate raised mounds to the external sides of the full length of the acoustic screen (i.e. container walls) adjacent to both side boundaries to in part screen the container walls and to provide visual relief. The boundary tree plantings shall be accommodated on top of the mounds and spaced to provide the effect of a continuous screen, together with an understory screen of approximately three metres. To the extent necessary to accommodate the mounds, the acoustic screen (i.e. container walls) shall be shifted inwards.

Note: Some consequential adjustment of the site layout may be necessary to accommodate this change.

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 Received By Council | Prepared By |
|----------------------------|-------------------------|-------------------------------------|-----------------------|
| 0119-004-02 Revision B | Site Plan | 20 August 2019 | Calabrese Partners |
| 0119-004-03 Revision B | Site Stormwater Plan | 20 August 2019 | Calabrese Partners |
| 0119-004-04 Revision B | Shed Elevations | 20 August 2019 | Calabrese Partners |
| 0119-004-B01 Revision B | Building Floor Plan | 20 August 2019 | Calabrese Partners |
| 0119-004-B02 Revision B | Building Elevations | 20 August 2019 | Calabrese Partners |
| 0119-004-B03 Revision B | Building Isometric | 20 August 2019 | Calabrese Partners |
| 0119-004-06 Revision B | Landscaping Plan | 12 September 2019 | Calebrese Partners |
| 0119-004-05 Revision B | Staging Plan | 20 August 2019 | Calabrese Partners |
| N/A | Planning Report | 10 May 2019 | Calabrese Partners |

| | | | |
|---------|--|----------------|--------------------|
| N/A | Response to Representations | 5 July 2019 | Calabrese Partners |
| S6102C2 | Environmental Noise Assessment Acoustic Report | 30 August 2019 | Sonus Pty Ltd |
| 19145 | Traffic and Parking Report | 30 August 2019 | CIRQA |

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

2. The development and operational activities shall be carried out in accordance with all noise attenuation measures contained within the Environmental Noise Assessment Acoustic Report, No. S6102C2, dated August 2019, prepared by Sonus Pty Ltd shall be implemented prior to the operation of the facility and maintained at all times to ensure compliance with the *Environment Protection (Noise) Policy*.

These measures shall include:

- a. Ensure the handling of ferrous materials occurs between the hours of 7.00am and 10.00pm only;
- b. Construct acoustic barriers to a minimum height of 7.8 metres at the locations and to the extent shown in Appendix B of the report. The height corresponds to three shipping containers placed on top of one another;
- c. Provide acoustic absorption to the face of the acoustic barriers for the full height of the barrier and to the extent show in Appendix B of the report. The acoustic barrier should have a minimum Noise Reduction Coefficient (NRC) of 0.8.

Reason: To limit the effect of noise on the locality.

3. Noise measured at the nearest residential property boundary shall remain within the requirements of the Environment Protection Authority (EPA) guidelines for development adjacent to residential areas.

Reason: To ensure that noise does not cause nuisance to adjoining residential occupiers or owners.

4. The proposed acoustic barriers will comprise of painted shipping containers, stacked a maximum three (3) high with an overall height of 7.8 metres. The acoustic barriers will be painted in a Pale Eucalypt colour and will be screened by landscaping, including evergreen trees with a mature height of ten (10) metres prior to the operation of the facility.

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

5. All waste and other rubbish shall be contained and stored pending removal in covered containers and waste containers must not be located within designated car parks or manoeuvring areas.

Reason: To maintain the amenity of the locality.

6. The designated landscaping areas as shown on the approved Landscaping Plan (Drawing No. 0119-004-06, Revision B), prepared by Calebrese Partners, received by Council dated 12 September 2019 shall be planted with shade trees, shrubs and ground covers as appropriate to complement the approved buildings and site layout and achieve a high level of amenity. Shade trees shall be planted throughout the car parking areas and screening shrubs shall be located to obscure views of large blank walls and less attractive elements of the development.

To avoid doubt, all landscaping shall be completed prior to the operation of the facility and shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council.

Reason: To ensure the subject land is landscaped so as to enhance the visual and environmental amenity of the locality.

7. Except where otherwise approved, the external finishes of the building shall:
 - (a) Be of new non-reflective materials;
 - (b) Be finished in natural tones in accordance with the Approved Plans;
 - (c) Be maintained in good condition at all times; and
 - (d) Be kept free of any graffiti. Any graffiti shall be removed within 24 hours.

Reason: To ensure the building appears as one and maintains the amenity of the locality.

8. All mechanical services to the building and in conjunction with the proposed use shall be designed, installed and operated in such a manner that any person or persons working within or adjacent to the site should not be subjected to any nuisance or inconvenience from noise or fumes.

Reason: To limit the effect of the mechanical services for activities on the subject land within the site, thereby maintaining the amenity of the locality.

9. All loading and unloading of vehicles and manoeuvring of vehicles in connection with the now approved land use shall be carried out entirely within the site at all times.

Reason: To ensure that vehicles associated with the land use do not cause disruption or danger to vehicles on adjoining public roads.

10. Stormwater systems shall be designed and constructed to cater for minor storm flows from a 10yr ARI event. No stormwater shall discharge to any adjoining private land.

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

11. Surface stormwater shall be managed in so that there is no ponding of water against buildings or structures, no runoff into neighbouring properties and does not put downstream property at risk during the 100yr ARI event.

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

12. Peak stormwater discharge from the site be restricted to the peak pre-development minor storm discharge rates for equivalent events up to the 100yr ARI event.

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

13. Storm runoff from building roof areas is to be separated from the runoff from ground or paved surfaces and may be discharged directly to Council's underground drainage system without treatment to improve water quality.

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

14. The following Water Sensitive Design elements and principles are to be included in the stormwater drainage design:

- a. Grassed or vegetated swale drains and sedimentation / detention basins are to be used to convey storm runoff from paved surfaces, including car parking areas, to Council's downstream drainage system to reduce the extensive use of hard concrete kerb edges and underground piped drainage systems. The use of permeable paving for car parking areas is suggested as a means of increasing the site stormwater detention / retention and infiltration rates and to reduce the volumes and peak discharge rates to Council's downstream system.
- b. Use of grassed swale systems is preferred in providing primary treatment of stormwater runoff by filtering and removal of silt, sediments, oil and grease before discharge to downstream drainage systems. Systems may incorporate bio-retention treatment systems.
- c. The minor stormwater drainage system of grassed swale drains, culverts, pits and pipes is to be designed with capacity to convey the runoff resulting from a 1 in 10 year ARI storm event.
- d. Development is to comply with principles and recommendations of Water Sensitive Urban Design in Greater Adelaide Technical Manual and Council's Flood Management Strategy. The following

water quality targets apply:

- ii. 80% retention of the typical urban annual load for Total Suspended Solids (TSS)
- iii. 60% retention of the typical urban annual load for Total Phosphorus (TP)
- iv. 60% retention of the typical urban annual load for Total Nitrogen (TN)
- v. 100% retention of the typical urban annual load for Gross Pollutants (litter)
- vi. No visible oil flows up to the 3month ARI peak flow.
- e. In addition to grassed swale systems, Gross Pollutant Traps (GPT's) including trash racks and trash nets (if applicable) are to be included in the stormwater drainage system to capture stormwater pollutants such as rubbish, floatable litter and to capture oil and grease. GPTs, stormwater quality improvement devices (SQID's) and drainage systems are to include high flow bypass and overflow provisions to accommodate extreme storm events.

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

15. Finished floor levels of buildings shall be the greater of the following:

- a. A minimum of 300mm above the crown of the Diment Road adjacent the building; or
- b. A minimum of 150mm above the Q100 flood level within the sealed area adjacent the building.

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

16. All driveways, manoeuvring areas and hardstand areas shall be constructed in accordance with the approved Site Plan and Staging Plan, prepared by Calabrese Partners, received by Council dated 20 August 2019. The surface shall consist of brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types. Individual car parking bays shall be clearly line-marked. Driveways and car parking areas shall be established in accordance with the staging plan and shall be maintained at all times to the reasonable satisfaction of Council.

Reason: To ensure access and car parking is provided on the site in a manner that maintains and enhances the amenity of the locality.

17. The developer shall employ measures to eliminate dust emission from the site during construction period so as not to cause nuisance to nearby residents.

Reason: To preserve the amenity of the locality during construction work.

18. 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 floodlighting 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.

19. All works for Stage 1 comprising part ferrous metal yard, all acoustic screening, stormwater detention basin, part stormwater swales, concrete rubble car parking area, part driveway, all boundary fencing and all landscaping shall be completed prior to the commencement of use.

All works for Stage 2, being the completion of the ferrous metal yard, completion of the stormwater swales, the weighbridge, bitumen car parking area and concrete driveway to the weighbridge shall be completed prior to the commencement of Stage 2.

All works for Stage 3, being the remainder of the development including the construction of the two (2) main buildings (office and processing buildings) and product storage bays shall be completed prior to the commencement of Stage 3.

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

EPA Conditions

20. Prior to the commencement of waste receipt, the following must be constructed as per the plans and details provided with Development Application 361/799/2019/2B:
- a. the access road including concreted entrance
 - b. the concrete crushed rubble base for the ferrous scrap yard
 - c. the concrete crushed rubble base for the truck turn around and parking areas
 - d. the concreted product storage bays and bin storage area
 - e. the oily waste concrete pad.
21. Liquid waste must be contained within a bunded area with a capacity of at least 120% of the total volume and must be constructed to prevent the escape of material into surface or underground water resources. Note: The EPA's Guidelines for Bunding and Spill Management, August 2012 can be accessed via the following link:
http://www.epa.sa.gov.au/xstd_files/Waste/Guideline/guide_bunding.pdf
22. Batteries received on site must be stored undercover.
23. Baling of non-ferrous metals and shearing of ferrous materials are only to be undertaken between 7am and 10pm.

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24. Prior to operation, acoustic barriers must be constructed to a minimum height of 7.8 metres and as described on Page 7 of the SONUS report: Ferris Metal Recycling, 361 Diment Road, Direk, Environmental Noise Assessment, August 2019 (August 2019) including height, location and Noise Reduction Coefficient of the absorption material.

Advice Notes

1. This is not a building consent, and a satisfactory application for Building Rules Consent must be submitted and approved before the Council can issue a Development Approval.

EPA Notes

2. The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, 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. This includes taking all reasonable and practical operational steps to reduce off site noise, and ensuring that all trucks and forklifts are fitted with broadband reverse beepers.
3. The applicant is reminded that noise from construction, demolition and site preparation activities is required to meet the mandatory provision of part 6 Division 1 of the Environment Protection (Noise) Policy 2007.
4. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here:
http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
5. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
6. The applicant should be aware of the relevant requirements within the Environment Protection (Noise) Policy 2007. Information is available at:
http://www.epa.sa.gov.au/data_and_publications/standards_and_laws/environment_protection_noise_policy
7. 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>

OTHER BUSINESS

5.2.1 Status of Current Appeal Matters and Deferred Items

Nil

5.2.2 Policy Issues Arising from Consideration of Development Applications

Nil

5.2.3 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 17 December 2019

ADOPTION OF MINUTES

Mr Brug 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 8.10pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 26 November 2019
(refer to email approving minutes registered in Dataworks
Document Number 5700039)

| | |
|-----------------------------|---|
| ITEM | 5.1.1 |
| | COUNCIL ASSESSMENT PANEL |
| DATE | 17 December 2019 |
| APPLICATION NO. | 361/1314/2019/2B |
| APPLICANT | Telstra Corporation Pty Ltd |
| PROPOSAL | Telecommunications facility comprising 31.7 metre high monopole with cluster mount headframe supporting six (6) antennas associated equipment cabinets and 2.2 metre high slatted fence with access gates |
| LOCATION | 147-153 Whites Road, Salisbury North SA 5108 |
| CERTIFICATE OF TITLE | Volume 5281 Folio 119 |
| AUTHOR | Matt Atkinson, Planning Consultant |

1. DEVELOPMENT APPLICATION DETAILS

| | |
|---------------------------------|--|
| Zone/Policy Area | Neighbourhood Centre Zone |
| Application Type | On-Merit Category 2 |
| Public Notification | Representations received: 2 Representations to be heard: 1 |
| Referrals - Statutory | Office of the Technical Regulator |
| Referrals – Internal | Development Engineering Department of Defence (Development Plan referral) |
| Development Plan Version | Salisbury (City) Development Plan Consolidated 4 April 2019 |
| Recommendation | Development Plan Consent with Conditions |
| Meeting Date | 17 December 2019 |

2. REPORT CONTENTS

Assessment Report

| | |
|---------------|---|
| Attachment 1: | Proposal plans and supporting information |
| Attachment 2: | Notice of Category 2 development, copy of representations and Applicant's response to representations |
| Attachment 3: | Referral responses |
| Attachment 4: | Approved Site Plan (361/547/2019/1B) |
| Attachment 5: | Development Plan extracts and location maps (consolidated 4 April 2019) |

3. EXECUTIVE SUMMARY

The Applicant seeks approval for the construction of a telecommunication facility comprising a 31.7 metre high monopole with a cluster mount headframe supporting six (6) antennas, associated equipment cabinets and the installation of a 2.2 metre high slatted fence with access gates.

The proposed telecommunications facility is proposed to be located within the car parking area of a group of shops within the Neighbourhood Centre Zone, adjacent to the corner of Whites Road and Waterloo Corner Road at Salisbury North. Whilst the subject land is relatively large, the site of the development is limited to a small area located adjacent to the southern car park entry from Whites Road, with the site having an area of 37.26 square metres.

The land is located within the Neighbourhood Centre Zone and is adjacent to the Residential Zone, which is located on the opposite side of Whites Road. The nearest residential properties are located approximately 30 metres south-east of the proposed telecommunications facility.

The land is located in Zone C of the Overlay Map Sal/1 – Development Constraints within the Salisbury Development Plan. As such, the application was referred to the Department of Defence as the monopole exceeds the 15 metre height limitation. The department advised that a Defence (Aviation Area) approval will be required to be obtained by the Applicant. This is separate to any approval that may be obtained under the planning legislation.

Access to the site is proposed via the existing car park entrance from Whites Road.

Development of the kind proposed is assessed “on-merit” and was a Category 2 form of development for the purposes of public notification. Two (2) valid representations were received during the public notification period, both were opposed to the development. One (1) of the representors wishes to make a verbal submission to the Panel.

This report provides a detailed assessment of the application against the relevant provisions of the Salisbury Development Plan. The assessment found that:

- The facility has been designed and sited to minimise the visual impact on the locality having regard to the surrounding land uses and more generally the size and role (both current and intended, with respect to the need for infrastructure) of the Neighbourhood Centre Zone;
- The facility will use materials and finishes to minimise visual impact (i.e. neutral grey finishes);
- The antennas are proposed to be mounted on a headframe at the top of the monopole, which is a typical configuration to allow all 3G and 4G services to be provided and sufficient space and structural capacity for future 5G services;
- The facility is located in a non-residential zone which is preferred in the context of the Development Plan;
- The facility will be designed and constructed to allow for future co-location to occur;
- The facility is not located in a prominent location within a significant vista; and
- The adjacent mature Eucalypt will assist in softening the appearance of the monopole when viewed from nearby land.

4. SUBJECT SITE

The subject land is located at 147-153 Whites Road, Salisbury North. The subject land comprises four (4) allotments configured in an 'L' shape. The Title that is proposed to accommodate the telecommunications facility (CT 5281/119) is not encumbered by any easements or other encumbrances.

The subject land is located on the northern corner of the intersection of Whites Road and Waterloo Corner Road at Salisbury North, and has a frontage to Waterloo Corner Road of approximately 90 metres, a frontage to Whites Road of approximately 85 metres, and an overall area of approximately 6,300 square metres.

The subject land currently contains an existing supermarket with a floor area of 1080 square metres (largely contained on Allotments 1 and 48), with the car parking area located primarily on Allotment 30. A separate storage and deliveries building (with a floor area of approximately 280 square metres) is located on Allotment 305 (which is otherwise vacant).

The existing supermarket is proposed to be relocated to the western portion of the land via DA 361/547/2019/1B, with the eastern portion of the land to be redeveloped for car parking purposes. The building works for this redevelopment have commenced. A copy of the approved site plan is provided in Attachment 4 for information.

The proposed telecommunications facility will be located in a portion of the car parking area adjacent the Whites Road boundary and will impact the carpark through the need to remove one parking space.

The site of the proposed telecommunications facility is relatively flat and minimal landscaping exists within the car parking area, with most of the landscaping having been removed when road widening occurred for the signalised intersection at the corner of Waterloo Corner Road and Whites Road.

The land is subject to a 6.0 metre road widening requirement (pursuant to the Metropolitan Adelaide Road Widening Plan), which runs along the Waterloo Corner Road frontage of the site.

Site photos are provided below.

Photo 1.

Looking north-east towards the site of the proposed facility from the shopping centre car park adjacent Waterloo Corner Road



Photo 2.

Looking north-east towards the site of the proposed facility from the verge on Whites Road



Photo 3.
Looking south-west towards the site of the proposed facility from Whites Road median



Photo 4.
Looking south-west towards the site of the proposed facility from the verge on Whites Road



5. LOCALITY

The locality is characterised by a range of land uses and built form. The site of the proposed telecommunications facility is bounded by Waterloo Corner Road to the south, Whites Road to the east, by existing shops that also form part of the Neighbourhood Centre to the north and by a reserve and recently constructed dwellings to the west.




The subject land is within a small neighbourhood centre made up of the existing supermarket and a range of specialty shops to the immediate north. The speciality shops include a hairdresser, a chemist and take-away food outlet. The remainder of the land within the Neighbourhood Centre Zone has been developed with residential dwellings, primarily fronting International Avenue.

A medical facility is located to the south of the subject land, on the opposite side of Waterloo Corner Road within the Residential Zone. Residential development within the locality is characterised by low density housing including a significant amount of redeveloped housing.



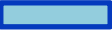

A large freestanding sign, a stobie pole with electricity infrastructure and a large Eucalyptus tree are located adjacent to the proposed site of the telecommunications facility and monopole.

In the wider locality, the Paralowie R-12 school is located approximately 500 metres south of the subject land.

Locality Plan - Aerial**Legend (Source: Nearmap)**

| | |
|---|-------------------|
|  | Subject site |
|  | Site boundary |
|  | Locality boundary |


Locality Plan – Cadastre**Legend (Source: Geocortex)**

| | |
|---|-------------------|
|  | Subject site |
|  | Site boundary |
|  | Locality boundary |
|  | Representors |

Contextual Plan:



Legend (Source: Nearmap)

| | |
|---|--------------|
|  | Subject site |
|---|--------------|

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development incorporates the following elements:

- a 31.7 metre tall monopole;
- six (6) panel antennas on a cluster mount headframe at the top of the proposed monopole;
- equipment cabinets to house the necessary base-station equipment;
- underground feeders to connect the equipment cabinets to the monopole;
- power and optic fibre connections (with associated pits); and
- installation of a 2.2 metre high slatted fence with access gates.

A copy of the proposal plans and supporting documentation are contained in **Attachment 1**.

7. CLASSIFICATION

The subject land is located within the Neighbourhood Centre Zone, as identified within the Salisbury Development Plan. The proposed development is neither listed as a complying or non-complying form of development in the Zone and therefore has been assessed ‘on-merit’.

8. PUBLIC NOTIFICATION

Pursuant to Section 38 of the *Development Act 1993*, development may be assigned to either Category 1 or Category 2 for notification purposes, by either the Salisbury Development Plan or Schedule 9 of the *Development Regulations 2008*.

All development within the Neighbourhood Centre Zone is Category 1 for public notification purposes, except for developments that are located on sites that abut another zone. In this instance, the subject land abuts the Residential Zone and, as such, the proposed development was assigned Category 2 for notification purposes, pursuant to Schedule 9 of the *Development Regulations 2008*.

The Category 2 notification process took place between 27 September 2019 and 11 October 2019. In total, two (2) valid representations were received as follows:

| Representations received | | | |
|--------------------------|---|-------------------|------------------|
| Representations received | | Support or Oppose | Wish to be Heard |
| 1 | B L Napier & K I Berecz 132 Whites Road SALISBURY NORTH SA 5108 | Oppose | ✓ |
| 2 | M E & M Faella 271 Waterloo Corner Road SALISBURY NORTH SA 5108 | Oppose | |

A copy of the Category 2 notice, the submissions received, and the Applicant's response are contained in **Attachment 2**. The content of the representations and the Applicant's response are summarised in the table below:

| Summary of Representations | |
|-----------------------------|--|
| Representation | Applicant's Response |
| Decrease in property values | <p>There are over 20,000 mobile telecommunications facilities installed across Australia. Telstra and S K Planning are not aware of any credible evidence that the installation of these facilities has had any adverse impact upon property values.</p> <p>Of course, property values are influenced by many factors, but Development Plans - or indeed the South Australian planning system - do not specifically reference land or property values and certainly not with respect to specific types of development. As such, the proposal must be assessed against the relevant provisions of the Development Plan.</p> |

| | |
|---|---|
| | <p>This approach was reaffirmed recently by the ERD Court in <i>Foresto & Ors v DAC & Ors</i>, when the Court offered comment on the relevance of property values in respect to a proper assessment of mobile phone towers, stating:</p> <p><i>“A fourth issue raised by the appellants in documentation (but not the hearing) is the possible effect of the proposal on land values of properties surrounding the recreation area. There is no relevant basis in the Development Plan provisions for an assessment of this issue and it is generally accepted that it is not a relevant factor to be taken into account in planning assessment and decision-making.” (paragraph 32)</i></p> <p>As such, the impact on residential (or other) property values is not relevant to the proper assessment of this proposal against the Development Plan and cannot be taken into account by Council.</p> |
| <p>Emit high frequency radio waves or microwaves which can interfere with your body’s EMF’s causing a variety of health problems</p> <p>Mobile towers can have detrimental impact on the elderly, children and pet’s health</p> <p>Radiation may cause cancer</p> | <p>Concerns over the potential for health impacts from telecommunication facilities are commonly raised during public consultation processes, with the concerns usually focussing on the effect of exposure of humans to electromagnetic energy, or EME.</p> <p>Telstra acknowledges some people are genuinely concerned about possible health effects from the EME generated by radio frequency technology and are committed to addressing these concerns responsibly.</p> <p>All radio communications facilities, including the one proposed, emit EME in order to operate. Such facilities include AM and FM radio, television, paging services, emergency services systems such as the Government Radio Network and CB Radio, many of which have been in use for decades.</p> <p>Telecommunications facilities emit and receive EME to transmit and receive the necessary information associated with</p> |

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| | <p>mobile handsets operating within that part of the network, but at power levels much less than any of the systems mentioned above.</p> <p>The proposed facility is designed to accommodate Telstra's Next G® network providing both '3G' and '4G' services, with '5G' services to follow. As with all cellular networks of this type, it utilises sophisticated power management techniques that constantly monitor power levels required to ensure only the minimum amount of power required is used by both the base-station and the handset. This is critical to the network, as it assists in minimising interference from surrounding base-stations.</p> <p>The EME levels emitted are very low and in the case of the subject proposal, are estimated to be, as a maximum, 1.019% of the exposure limits mandated by the Australian Communications & Media Authority (ACMA). It is important to note that in terms of the standard, the proximity of the proposed facility is an irrelevant consideration, as it is only the level of exposure at a particular location that is of interest.</p> <p>As with all mobile telecommunications facilities in Australia, the proposed facility is required to comply at all times with the relevant Radiation Protection Standard and once operational must have this compliance certified by an accredited person.</p> <p>At the levels mandated by the ACMA, which have also been adopted in about 25 countries around the world including the European Union, there is no scientifically substantiated evidence to suggest that EME cause adverse health effects. It should be noted that the standard incorporates a significant margin (about 50 times) to ensure potentially sensitive groups in the community, such as children, pregnant women and people who may be suffering health problems, are adequately protected.</p> |
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| | <p>It is also important to note that Telstra is not involved in the methodology of determining the appropriate exposure limits, but can assure Council that this proposal and all existing Next G® facilities adhere to the applicable limits – usually by a factor of many hundreds or even thousands of times.</p> <p>Organisations such as the World Health Organisation (WHO) routinely review the medical research and science relevant to the Electromagnetic Energy (EME) generated by radio communications services. The consensus is that there is no substantiated scientific evidence of health effects from the EME generated by radio communications services that comply with national and international safety guidelines.</p> |
| The monopole will cast a shadow over solar panels, reducing their effectiveness | No comment was made in the response to representation. |
| The infrastructure will produce an annoying buzzing noise | <p>The monopole and antennas themselves produce no noise at all and noise associated with the base-station equipment at the base of the monopole produces only low air-conditioning noise similar to a domestic air-conditioner. As such, any noise produced is below acceptable limits.</p> <p>The amended plans (provided after public notification) propose a reduction in the amount of ground-based equipment as well as a fence surrounding the equipment. This will further diminish any noise emanating from the facility and ensure it will produce no nuisance for nearby residents.</p> |
| Impact on the environment (i.e. bird life) | No comment was made in the response to representation. |
| The telecommunications tower will be an eyesore and will impact negatively on the street appearance | The most obvious impact of the proposed facility is that of visual impact, which is on most occasions, an unavoidable outcome. In this instance, the visual impact on the locality is most keenly felt by the small number of residential properties immediately to the east. Beyond that, whilst still able to be seen from some vantage points, the impact diminishes quickly, |

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| | <p>including when viewed from Waterloo Corner Road.</p> <p>The location selected, whilst at the front of the property, does not place the facility on the residential boundary, nor is it immediately adjacent residential backyards.</p> <p>Notwithstanding there is some impact, simply having visual impact is not a basis on which telecommunications facilities can or should be refused, as the Development Plan is structured to anticipate a detrimental impact from such facilities. However, the Development Plan does require that any detrimental impact is minimised.</p> <p>That approach is evidenced by previous comments from the ERD Court in respect of assessing the visual impact of proposed telecommunication facilities such as this. The Court stated a proper approach to assessment must include consideration of all aspects of the proposal, including relevant technical requirements.</p> <p>In <i>Telstra Corporation Limited v City of Norwood Payneham & St Peters</i> (ERD-05-111) the Court stated:</p> <p><i>“....the Plan does not contemplate a rejection of a telecommunications facility on the grounds of visual intrusiveness alone.”</i></p> <p>The visual impact from the subject proposal has been minimised to the extent it can be through the use of the absolute minimum number of antennas (to enable both 3G and 4G services) and use of a 'slimline' monopole. There is nothing further that can be done to the structure to further minimise its impact, as its height is a relatively fixed component.</p> <p>This is an approach endorsed by the Court in <i>Telstra v Holdfast Bay</i>³, which involved the construction of a similarly tall monopole near the corner of Jetty and Brighton Roads at Glenelg. The Court noted at paragraph 66 that whilst acknowledging that the facility</p> |
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| | <p>would be prominent in parts of the locality: <i>“However, not a lot more is possible, whilst fulfilling the technical needs of the appellant. For example, a lower pole would not meet the technical requirements of the appellant and unless it was significantly lower, any further minimisation of visual impact would be marginal.”</i></p> <p>In its concluding comments, the Court also noted at paragraph 76: <i>“...that visual amenity impacts on the locality and parts of it will be significant, but they are minimised to an appropriate and acceptable extent and are otherwise difficult to avoid;”</i></p> <p>This comment is highly relevant to the subject proposal, as there is little more that can be done in the existing landscape to reduce the impact of the monopole, particularly when technical requirements dictate the height of the facility.</p> <p>As such, in the context of the requirements of the Development Plan the proposed facility has minimised its visual impact on the locality to the extent it can (given there are no alternative sites available but acknowledging there are some direct impacts on a modest number of residential properties) by way of siting (including within a preferred zone) and design and that impact is therefore acceptable.</p> |
| Could result in legal action | No comment was made in the response to representation. |
| Installation works will be disruptive to adjacent residents (i.e. Wi-Fi and telephone services may not work) | No comment was made in the response to representation. |
| The proposed location of the monopole is not appropriate | The site was selected primarily due to its location within a ‘preferred’ zone in the context of the Telecommunications Facilities module of the Development Plan, namely a centre zone. There is no other more suitable zone in the surrounding area, nor is there any other available parcel of land in the surrounding area that would |

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| | <p>result in an obviously better visual outcome.</p> <p>In terms of the subject land, Telstra has worked with the landowner to secure a workable location on the land which is reflected in the proposal plans. Telstra has specifically discussed alternate locations on the subject land with the landowner who has advised no other location exists on the subject land which could be made available to Telstra. As such, the proposal is the only location available to Telstra on the subject land.</p> <p>Accordingly, given there are no other locations available on the subject land and no obviously better and available locations (still able to meet the technical and network requirements for the facility) in the surrounding area, the location selected is appropriate both in a practical sense and in the context of the Development Plan.</p> |
| A 30-metre high monopole is not required, a 10-metre high monopole would be adequate | Technical requirements dictate the height of the facility. |

9. REFERRALS – EXTERNAL

The Application was subject to the following referrals in accordance with Schedule 8 of the *Development Regulations 2008* and the Salisbury Development Plan.

| DEPARTMENT | SUMMARISED COMMENT |
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| Office of the Technical Regulator (OTR) (referred in accordance with Schedule 8 of the <i>Development Regulations 2008</i>) | <p>The Applicant did not want to complete the OTR clearance from powerlines form, due to potential concerns regarding the proximity to powerlines. They requested that the application be referred to the OTR.</p> <p>The OTR subsequently advised they do not have any objections to the project, as the structure appears to meet the required distances to the powerlines.</p> |
| Edinburgh (Department of Defence) (referred in accordance with the <i>Salisbury Development Plan - Overlay Map Sal/1 – Development Constraints</i>) | The Department of Defence advised that Defence (Aviation Area) approval is required. Until such time as an approval is obtained, the proponent cannot construct any structure on the site that exceeds 15m AGL. This is separate to any approval that may be obtained under the planning legislation. |

10. REFERRALS – INTERNAL

| DIVISION | SUMMARISED COMMENT |
|--------------------------------|--|
| <i>Development Engineering</i> | <i>The north eastern elevation shows a kerb approximately 1.2m away from the proposed access gates. This is not reflected on the plan view which shows this area to be car park. The plan also shows a 600mm clearance on the north eastern side of the proposed compound fence and this will be adequate to not impact the adjacent parking bay on the north eastern side of the tower.</i> |

11. DEVELOPMENT DATA

| Site / Design Characteristics | Data |
|--------------------------------------|--|
| <i>Site Area</i> | 6,300 square metres (approximately) |
| <i>Development Site Area</i> | 37.26 square metres |
| <i>Building Height</i> | Monopole – 31.7 metres |
| <i>Site Dimensions</i> | Frontages: Waterloo Corner Road – approximately 90 metres Whites Road – approximately 85 metres |
| <i>Site Gradient</i> | No contours provided but generally level |
| <i>Easements</i> | Nil |
| <i>Setbacks (monopole)</i> | |
| Primary street | 40.0 metres (approximately) Waterloo Corner Road |
| Secondary street | 6.0 metres (approximately) Whites Road |
| Northern boundary | 43.0 metres (approximately) Internal boundary with 139-145 Whites Road |
| <i>Car Parking & Access</i> | |
| Number of parks | One (1) car parking space will need to be removed to enable access to the proposed enclosure gates. No additional demand will be created as a result of this development |
| Driveway width | Unchanged |
| <i>Affected Trees</i> | |
| Significant | Nil |
| Regulated | Nil |
| <i>Street Infrastructure</i> | |
| Crossover | Adjacent crossovers to Whites Road not affected |
| Trees | Adjacent mature tree not affected |

12. ASSESSMENT

Pursuant to Section 35(2) of the *Development Act 1993*, it is recommended that the Panel determine that the proposed development is not seriously at variance with the Salisbury Development Plan, consolidated 4 April 2019. The following reasons are given in support of this recommendation:

- a) Telecommunication facilities are anticipated within Centre Zones, as is proposed;
- b) To achieve adequate telecommunication coverage, telecommunication towers are required at regular intervals;
- c) Within this locality, there are only a few sites that are located outside of the Residential Zone, the subject land was determined to be an appropriate site;
- d) The appearance of the proposed monopole will not unreasonably detract from the character and amenity of the local area.

Assessment

Detailed assessment of the application has taken place against the relevant provisions of the Salisbury Development Plan and is described below under headings.

An extract of the relevant provisions of the Development Plan, consolidated 4 April 2019, is contained in **Attachment 4**.

Land Use

The subject land is located within the Neighbourhood Centre Zone. The subject land is located at the interface with the Residential Zone, which is located to the east of the subject land at its nearest point.

The Neighbourhood Centre Zone envisages a range of commercial land uses including shopping, community, business and recreational facilities for the surrounding neighbourhood. Principle of Development Control 1 of the Telecommunications Facilities module in the General Section of the Development Plan states (in part):

1 Telecommunication facilities should:

...

- (d) *be located primarily in industrial, commercial, business, office, centre and rural zones.*

The proposed telecommunication facility is located within a centre zone, as prescribed by PDC 1 of the Telecommunications Facilities module.

Whilst the proposed development is not specifically an envisaged land use for the Zone, the proposed facility is considered to provide an essential service for both current and future businesses within the region and surrounding areas. By providing an essential service, the proposed facility will support business clusters that will help to provide a range of economic and environmental benefits.

As the proposed facility is confined to a small area, the proposed land use would not undermine existing and future opportunities for development on the land that is consistent with the Objectives of the Zone. Accordingly, the proposed development is considered to be an orderly and appropriate form of development.

Residential areas are located to the east, south and west and are separated from the Neighbourhood Centre Zone and the subject site by Whites Road and Waterloo Corner Road. Buildings in the locality are generally low-scale and one to two storeys in height, depending on the requirements of the particular land use.

The location selected does not interfere with access and has a minimal impact upon parking, and utilises an otherwise unused space on the subject land. It is also the only location on the subject land that the owner will permit Telstra to occupy. Whilst this does place it approximately 30 metres from the nearest dwellings on Whites Road, the shopping centre and associated car parking area, along with the Whites Road road reserve, provide a reasonable separation to surrounding land uses and to the locality generally.

The proposed land use and development is considered to be sited in an appropriate location within a shopping centre car park. Whilst the site of the monopole is near existing residential properties, the applicant has advised that there are no other feasible locations available within the locality.

While the proposed monopole and head-frame will have a visual impact on the character of the locality, that impact is not considered to be unreasonable as the site is located within the Neighbourhood Centre Zone and, aside from not constructing the telecommunications facility at all (which would compromise the coverage of the local area and impact on the local residents and businesses), there are no other viable siting options that have been identified.

Visual Impact, Amenity and Interface

Objective 2 and PDC 3 of the General Section “Telecommunication Facilities” recognise that there are visual impacts associated with telecommunication facilities and that the impacts on the local environment need to be minimised as much as possible through appropriate design and siting.

The location selected for the telecommunications facility does not interfere with access or parking and utilises an otherwise unused space on the subject land. It is also the only location on the subject land that the owner will permit Telstra to occupy. Whilst this does place the facility closer to dwellings immediately on Whites Road, overall the shopping centre and the associated car parking area, and the Whites Road road reserve, provide a reasonable separation to surrounding land uses and the locality generally.

In the matter of Development Assessment Commission v 3GIS Pty Ltd (2007) SASC, the Supreme Court provided guidance as to the way in which the visual impacts associated with telecommunications facilities should be assessed against Council Development Plans. The Court placed significant emphasis on the minimisation of visual impacts. The following are extracts from Paragraph 71 and 72 of the Court judgement:

“It recognises and assumes that telecommunications facilities will have a detrimental effect on visual amenity. Objective 88 makes this clear when it speaks of locating and designing facilities “to minimise” visual impact on the amenity of the local environment.the Plan encourages the development of low-impact facilities where possible “to minimise” visual impact on local environments. It encourages construction of such facilities in industrial and commercial and appropriate non-residential zones, and it requires facility design and location to ensure that visual impacts on the amenity of local environments are “minimised”.

To the extent that a planning authority must ensure that the installation of a proposed facility will minimise the effect on the environment, the planning authority will need to consider, where alternative sites or low-impact facilities are suggested, whether that minimisation can be better achieved by installation of a facility at some other preferred site. It will also need to consider whether that possible preferred site will meet the facility demand. If it will not, it may be discarded. There may be other reasons why a particular alternative site is inappropriate or impracticable.”

Whilst the proposed facility would be visible from surrounding roads and land, including adjacent residential areas on the eastern side of Whites Road, the Applicant has demonstrated that there are no other viable locations within the locality that will provide the necessary coverage.

Location and Alternate Sites

Telecommunication facilities are typically required to improve the capacity and/or coverage of mobile communication networks. For this reason, such facilities are recognised and anticipated within the Development Plan, provided that they are located on suitable sites.

Objective 1 and PDC 1 of the General Section “Telecommunication Facilities” state:

1 Telecommunications facilities provided to deliver communication services to the community.

1 Telecommunications facilities should:

- (a) be located in a co-ordinated manner to deliver communication services efficiently*
- (b) use materials and finishes that minimise visual impact*
- (c) have antennae located as close as practical to the support structure*
- (d) be located primarily in industrial, commercial, business, office, centre and rural zones*
- (e) where technically feasible, be co-located with other telecommunications facilities*
- (f) incorporate landscaping to screen the development, particularly equipment shelters and huts*
- (g) be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points and significant vistas.*

The Development Plan supports new telecommunication facilities in centre zones.

Three (3) alternate sites were considered as possible locations during the selection process by the Applicant, including Adams Oval (several locations), the reserve area off McCormack Crescent, and the land behind the nearby medical centre (off Golden Court). The alternate sites were eliminated for the following reasons:

- The Adams Oval locations were deemed to be too far north by Telstra's radio frequency Engineers;
- No suitable location could be found in the McCormack Crescent reserve;
- All other alternate locations were located within the Residential Zone.

The preferred option from a coverage perspective is the subject land, the proposed siting of the telecommunications facility on the subject land is the only area where the landowner will allow the facility to be constructed.

The proposed site is considered to be acceptable, as it is located within a shopping centre car parking area within the Neighbourhood Centre Zone and there are no other identified viable options available within the locality.

Landscaping

Principles of Development Control 1 and 2 under the General Section "Landscaping, Fences and Walls" state that:

- 1 *Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:*
 - (a) *complement built form and reduce the visual impact of larger buildings (e.g. taller and broader plantings against taller and bulkier building components)*
 - (b) *enhance the appearance of road frontages*
 - (c) *screen service yards, loading areas and outdoor storage areas*
 - (d) *minimise maintenance and watering requirements*
 - (e) *enhance and define outdoor spaces, including car parking areas*
 - (f) *maximise shade and shelter*
 - (g) *assist in climate control within and around buildings*
 - (h) *minimise heat absorption and reflection*
 - (i) *maintain privacy*
 - (j) *maximise stormwater re-use*
 - (k) *complement existing vegetation, including native vegetation*
 - (l) *contribute to the viability of ecosystems and species*
 - (m) *promote water and biodiversity conservation.*
- 2 *Landscaping should:*
 - (a) *include the planting of locally indigenous species where appropriate*
 - (b) *be oriented towards the street frontage*
 - (c) *result in the appropriate clearance from powerlines and other infrastructure being maintained.*

The lease area provides little opportunity for extensive landscaping due to its small size. The proposed redevelopment of the shopping centre and car parking area (approved via a separate application) will contain a reasonable amount of landscaping within the car parking area, which will assist in softening the appearance of the proposed development.

Given the scale and dimensions of the proposed facility, particularly the monopole, it is unlikely that any of the proposed landscaping will soften the appearance of the telecommunications tower when viewed from adjacent land.

A large mature Eucalyptus tree is located near the site of the proposed monopole, which will assist in obscuring views of the monopole from some of the adjacent residential areas.

Access and Car Parking

Principle of Development Control 23 of the 'Transportation and Access' General Section states:

23 Development should be provided with safe and convenient access which:

- (a) avoids unreasonable interference with the flow of traffic on adjoining roads*
- (b) provides appropriate separation distances from existing roads or level crossings*
- (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision*
- (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.*

Vehicular access to the subject land will remain unchanged as a result of the proposed development. Similarly, the existing car parking layout is not proposed to change, aside from the loss of one (1) car parking space, which is located adjacent to the proposed enclosure gates.

The Applicant amended the proposal in response to the representations received and the proposal now includes the construction of a 2.2 metre high slatted fence with pedestrian access gates. The Applicant has advised that the fence will improve the appearance of the base facility and that the siting of the fence will ensure the continued practical functioning of the adjacent car parking spaces. While the plans were amended to include a fence after public notification was undertaken, the inclusion of the fence is not thought to change the essential nature of the proposed development. Therefore, the proposal was not re-notified.

The proposed access gates are proposed adjacent to a car parking space on the north-western side of the enclosure. To ensure access to the enclosure is maintained for maintenance purposes, this would mean that this car parking space would need to be deleted or bollards put in place to prevent vehicle parking in front of the gates.

The Development Plan does not specify a minimum number of car parking spaces for telecommunication towers. However, while the proposed facility requires the removal of one (1) car parking space from within the car park, it is deemed that the loss of this space is not considered to have a material impact on the car parking provision vs. demand for the existing convenience store.

Perceived Health Impacts

There is a common perception that electromagnetic energy (EME) generated by telecommunications facilities has the potential to impact on human health. The Environment, Resources and Development Court has on many occasions deemed health-related impacts as immaterial in respect of a planning assessment of a telecommunications tower facility.

The tower must be designed and installed so that the maximum human exposure levels to radio frequency emissions conform to the EME exposure limits set by the Australian Communications & Media Authority (ACMA).

The Applicant has confirmed that the maximum EME that can be emitted from the base station will be 1.019% of the exposure limits mandated by the ACMA, which is well within the current guidelines by a significant margin.

There have been a number of studies undertaken in Australia in relation to this matter and regulation of these matters is held by the Commonwealth. The Courts have held that:

“It is not sufficient to simply raise personal concerns or to rely on general material published in various media. This issue and concern has previously been dealt with by this Court and others in Australia, it is regulated by the Commonwealth Government and there has been no finding that I am aware of to reject a telecommunications facility of this kind on the basis of potential health effects on the community.”

Foresto & Ors v DAC & Ors SAERDC 45 (2005)

On the information provided to Council, it must accept that the telecommunications facility would, if approved, operate in accordance with Commonwealth telecommunication regulations in order to avoid, or limit, health impacts to nearby land uses. It is considered that the tower is acceptable, taking into account relevant Development Plan principles relating to health.

13. CONCLUSION

The Applicant has stated that the need to improve customer voice and data services in the Salisbury North locality.

Both Council's Development Plan and the Courts have established that telecommunication facilities comprise essential infrastructure and that such facilities are required to meet community demand for communication technologies.

There have been a number of Court decisions dealing with telecommunication facilities. The assessment process relating to telecommunication facilities varies from standard development applications due to the identified need for such facilities by the relevant legislation and the Development Plan.

The Applicant has attempted to explore alternative sites. However, these sites were not considered viable due to number of reasons including the required coverage, landowner consent and siting within the Residential Zone.

This report has provided a detailed assessment of the application against the relevant provisions of the Salisbury Development Plan. The assessment found that:

- The facility has been designed and sited to minimise the visual impact on the locality having regard to the surrounding land uses and more generally the size and role (both current and intended, with respect to the need for infrastructure) of the Neighbourhood Centre Zone;
- The facility will use materials and finishes to minimise visual impact (i.e. neutral grey finishes);
- The antennas are proposed to be mounted on a headframe at the top of the monopole, which is a typical configuration to allow all 3G and 4G services to be provided and sufficient space and structural capacity for future 5G services;
- The facility is located in a non-residential zone which is preferred in the context of the Development Plan;
- The facility will be designed and constructed to allow for future co-location to occur;
- The facility is not located in a prominent location within a significant vista; and
- The adjacent mature Eucalypt will assist in softening the appearance of the monopole when viewed from certain vantage points.

Accordingly, it is recommended Development Plan Consent be granted, subject to conditions.

14. STAFF RECOMMENDATION

That the Council Assessment Panel resolve 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 361/1314/2019/2B for a Telecommunication Facility comprising a 31.7-metre high monopole with a cluster mount headframe supporting six (6) antennas, associated equipment cabinets and the installation of a 2.2m-high slatted fence with access gates, 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 Received By Council | Prepared By |
|--------------------|--|--------------------------|-------------|
| S107388 Issue 1 | Site Layout, Locality Plan and Site Access | 21 November 2019 | Ericsson |
| S107388 Issue 1 | Antenna Layout | 21 November 2019 | Ericsson |
| S107388 Issue 1 | North East Elevation | 21 November 2019 | Ericsson |
| S107388 | Antenna | 21 November 2019 | Ericsson |

| Issue 1 | Configuration Table | | |
|---------|-----------------------------|-------------------|----------------------|
| - | Environmental EME Report | 21 November 2019 | Telstra |
| - | Planning Statement | 11 September 2019 | S K Planning Pty Ltd |
| - | Response to Representations | 21 November 2019 | S K Planning Pty Ltd |

* The approved documents referred to above are subject to change permitted by minor variations through the Building Rules Consent process as per Regulation 47A of the *Development Regulations 2008*.

* Except where otherwise stated, the development shall be completed prior to occupation/commencement of use.

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

2. The buildings and structures approved herein shall be maintained in good repair and kept tidy and free of graffiti at all times.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated.

3. Except where otherwise approved, the external finishes of the facility shall:

- (a) Be finished in new non-reflective materials; and
- (b) Be finished in natural tones, in accordance with the approved plans; and
- (c) Be maintained in good condition at all times.

Reason: To maintain the visual appearance 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

- Defence (Aviation Area) approval is required from the Department of Defence. Until such time as an approval is obtained, the proponent cannot construct any structure on the site that exceeds 15 metres AGL. This is separate to this approval.
- The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, 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>.

CO-ORDINATION

| | | |
|----------|---------|---------|
| Officer: | GMCiD | MDS |
| Date: | 5.12.19 | 4.12.19 |

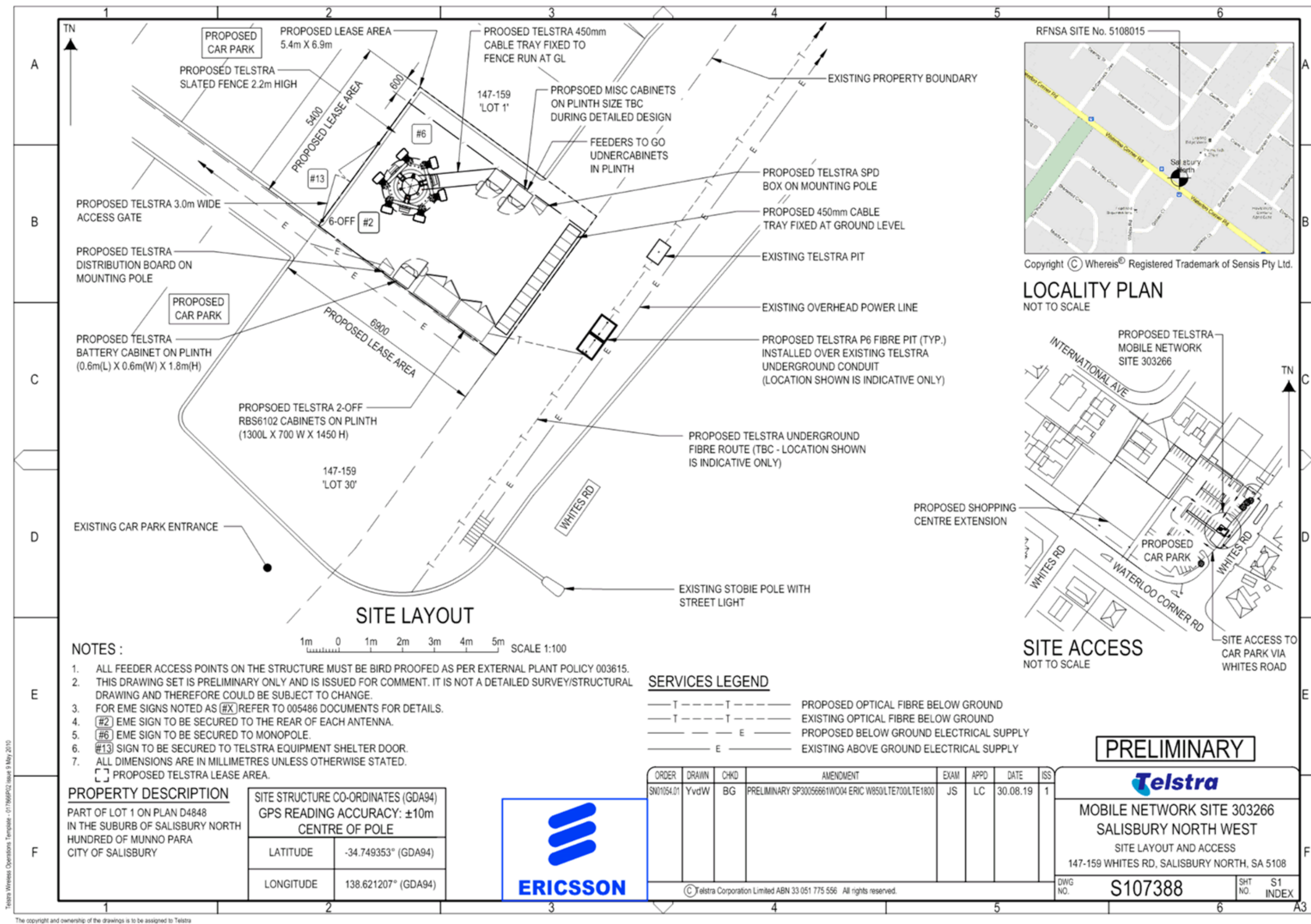
ATTACHMENTS

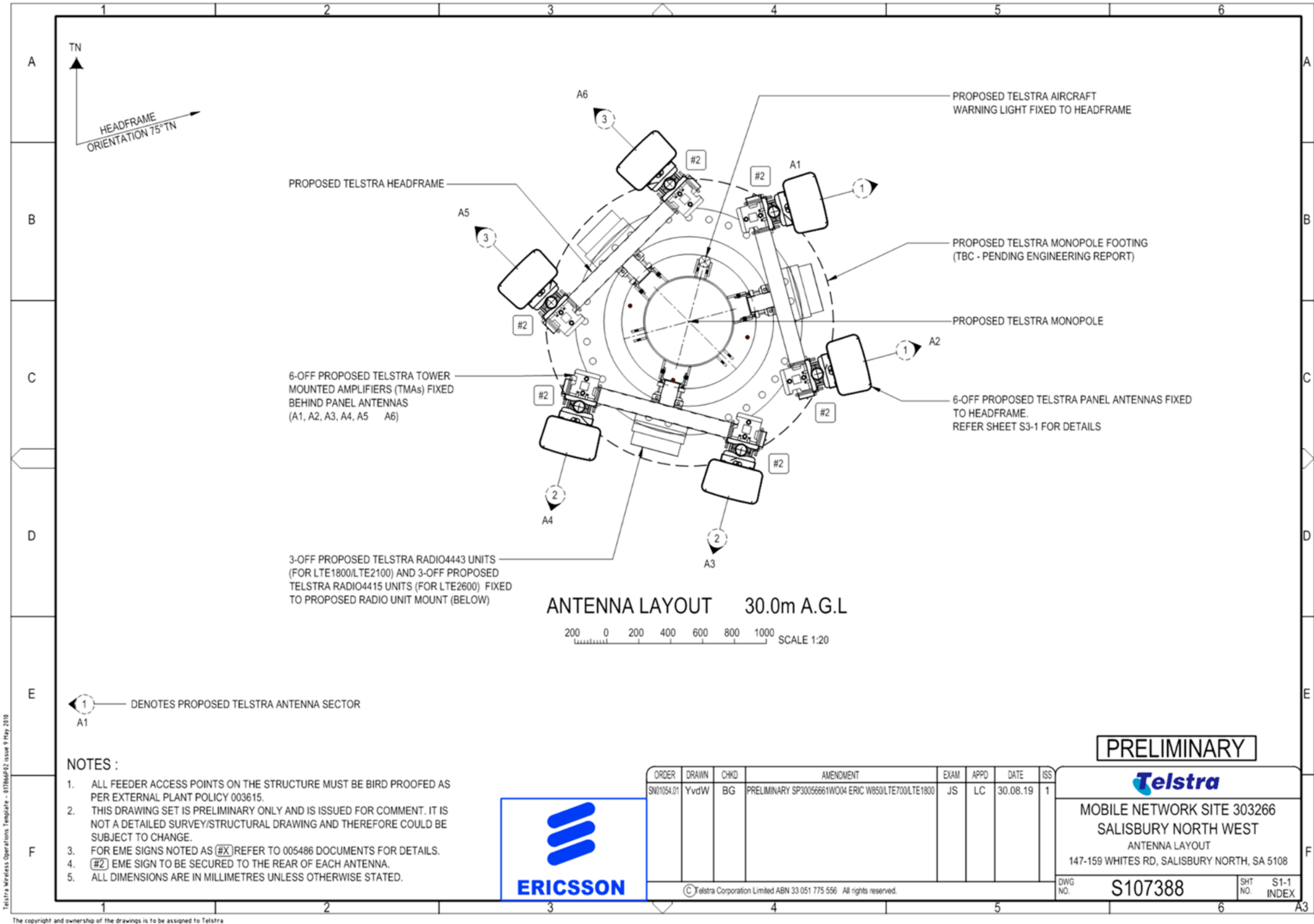
This document should be read in conjunction with the following attachments:

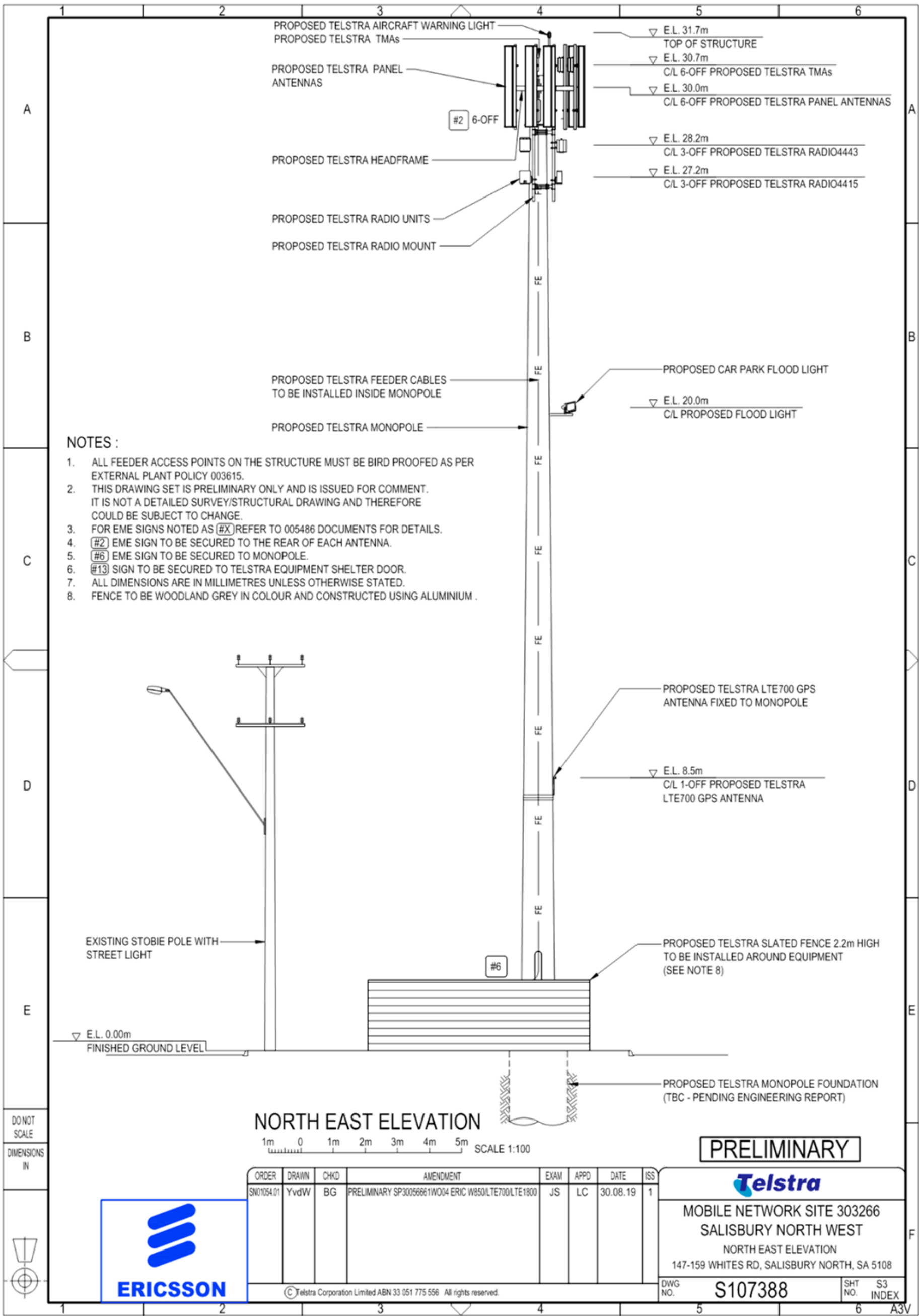
1. Proposal plans and supporting information
2. Notice of Category 2 development, copy of representations and Applicant's response to representations
3. Referral responses
4. Approved Site Plan (361/547/2019/1B)
5. Development Plan extracts and location maps (consolidated 4 April 2019)

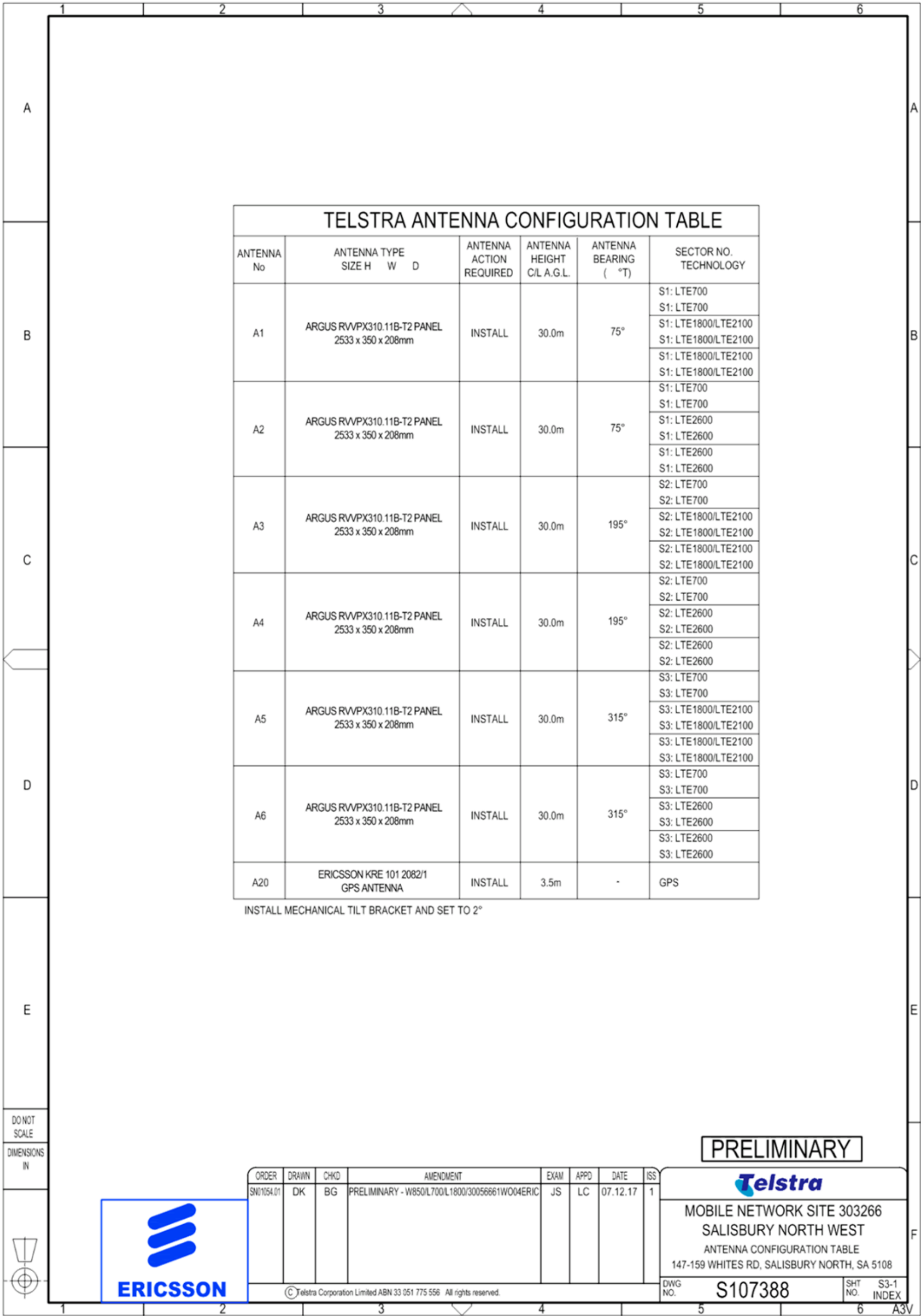
Attachment 1

Proposal Plans and Supporting Documentation











Our Ref: Salisbury NW

9 August 2019

George Pantelos
Principal Planner
City of Salisbury
P O Box 8
SALISBURY SA 5108

S K Planning Pty Ltd
ABN 76 108 325 435

P O Box 50
CLAYFIELD QLD 4011

m: 0417 088 000
e: markb@skplanning.com.au

Dear George

**RE: Proposed telecommunications facility
147-159 Whites Road, Salisbury North (CT 5281/119)**

I advise **S K Planning** acts on behalf of **Telstra Corporation Ltd** ('Telstra') in respect of this application. The proposal by Telstra is to establish a telecommunications facility, in the form of a mobile telephone base station, at the existing shopping centre located at 147-159 Whites Road, Salisbury North. The proposed facility will be 31.7m in height and located in the carpark. The location has been selected in careful discussions with the landowner, who is in the process of redeveloping the site.

The subject land is located within the *Neighbourhood Centre Zone* pursuant to the City of Salisbury Development Plan (consolidated 4 April 2019). The proposal is an 'on merit' kind of development and is a **category 2** type of development.

Attached are the Development Application Form, a set of proposal drawings (1 x A4) and a copy of the Certificate of Title. Once I have been advised of the necessary fees, I will also forward a detailed planning statement to assist in the determination of the application and a 'standard form' EME report, which provides an estimate of the maximum electro-magnetic energy to be emitted from the proposed facility.

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

Yours sincerely

MARK BAADE
B.Planning (Hons)
M: 0417 088 000
markb@skplanning.com.au

Attached:
Completed DA Form
Copy of proposal drawings (A4)
Copy of the Certificate of Title



Our Ref: Salisbury NW

11 September 2019

Karyn Brown
Development Officer- Planning
City of Salisbury
P O Box 8
SALISBURY SA 5108

S K Planning Pty Ltd
ABN 76 108 325 435

P O Box 50
CLAYFIELD QLD 4011

m: 0417 088 000
e: markb@skplanning.com.au

Dear Karyn

**RE: Proposed telecommunications facility - 147-153 Whites Road, Salisbury North
DA 361/1314/20019/2B**

As you are aware, **S K Planning** acts on behalf of **Telstra Corporation Limited** ('Telstra') in respect of this application.

The proposal by Telstra is to establish a telecommunications facility, in the form of a mobile telephone base station, at the existing shopping centre located at 147-153 Whites Road, Salisbury North. The proposed facility will be 31.7m in height and is located in the carpark area on the White Road boundary.

The subject land is located within the *Neighbourhood Centre Zone* pursuant to the City of Salisbury Development Plan (consolidated 4 April 2019). The location is not subject to any policy or precinct areas.

The proposal is an 'on merit' kind of development and is a **category 2** type of development pursuant to Schedule 9 of the *Development Regulations 2008*.

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 you in determining the application. The necessary fees have been paid.

The Subject Land

The subject land is located on the corner of Waterloo Corner Road and Whites Road at Salisbury North and is the site of a small neighbourhood shopping centre. The carparking area fronts both road frontages but access is only permitted from Whites Road. The existing buildings are separated from the roads by the carpark. The shopping centre is low in scale and landscaping is limited.

The proposed facility is in the carpark area of the shopping centre (although it does not occupy any parking spaces) and on the Whites Road boundary of the land.

The existing shopping centre is shortly to undergo a redevelopment (including expanding onto the vacant land to the west) and the proposed facility has been sited in accordance with that redevelopment and with the consent of the landowner. The proposal is the only location on the subject land the landowner will permit Telstra to occupy.

The location of the subject land is clearly shown on the attached plans and the parcel has Certificate of Title details Volume 5281 Folio 119 (previously supplied).



The subject land is located within the *Neighbourhood Centre Zone* pursuant to the City of Salisbury Development Plan. No referrals to the Commonwealth with respect to Parafield Airport is required in this location. A separate approval process from RAAF Edinburgh is required according to Concept Plan Map Sal/1.

The Locality

Apart from the shopping centre and a medical centre on the opposite side of Waterloo Corner Road, the locality is dominated by low-density housing, including a significant amount of redeveloped housing. Waterloo Corner Road is a major thoroughfare in this area, connecting Salisbury City Centre with Port Wakefield Road.

In the wider locality, the Paralowie R-12 School is located to the south-east and the Adams Oval complex to the north-east.

Overhead electrical infrastructure is generally small scale in this area (with only lighting at the Waterloo Corner/Whites Roads junction) and large trees are generally confined to reserves.

The proposed facility is similar in scale to many other existing Telstra facilities throughout the City of Salisbury, although there are no such structures in the locality.

The Proposal

The proposal consists of the following elements:

- a 30-metre tall monopole with an aircraft warning light at the top, giving an overall finished height above ground level of 31.7m;
- six (6) panel antennas (each 2.53m in length) mounted on a compact headframe at the top of the proposed monopole - three of the antennas are for '3G' services and three for '4G' services;
- six (6) remote radio units (each 518mm x 470mm) mounted directly below the headframe;
- a pre-fabricated equipment shelter (dimensions 2.28m x 3.28m x 3.0m) at the base of the monopole to house the necessary base-station equipment, with a ground-mounted and caged air-conditioning unit and a GPS antenna attached;
- An overhead cable tray connecting the equipment shelter to the monopole;
- A floodlight mounted at a height of 20 metres to assist in lighting to the carpark; and
- Bollards to protect the facility from vehicle impact.

As noted above, the proposal is in an area not currently utilised and does not occupy any car-parking spaces. Further, the proposal is in an area that will not be impacted by the redevelopment of the site.

Whilst not a relevant planning issue, it is worthy of note that the maximum levels of electromagnetic energy from the proposed facility will be approximately **1.086%** of the exposure limits set down by ARPANSA. A copy of the 'standard form' EME report is attached for Council's information.



Need for the Facility

The need for the proposed facility has arisen due to the on-going demand for network services in this area of Salisbury North. The new facility will ensure the network has sufficient capacity to meet on-going demand, particularly for data services such as mobile internet, and will accommodate 5G services when they become available. The dramatic increase in devices which use significantly more data, such as smartphones, tablets and internet dongles means the current network cannot adequately provide for that demand without additional infrastructure. Existing facilities surrounding the area cannot be upgraded to provide a long-term solution in the area.

To that end, it is necessary to place the proposed facility as close as possible to the area of demand and where coverage improvements, particularly inside buildings, can also be made. It's also necessary to consider the existing surrounding network and ensure the new facility is sufficiently distant from existing facilities as to not cause interference.

The proposed facility is placed almost exactly half way between the two nearest Telstra facilities (Strowan Reserve and 332-362 Waterloo Corner Road - both of which are roughly 1.5kms away) which means it is well placed to enhance the network performance in this area. This will not only provide an improved service to the area around the proposed facility but will also improve services to the areas surrounding existing network sites as they no longer need to service the area to be served by the new facility.

Alternate Locations

As is usual, other locations were considered for the potential location of the facility with regard being given to planning, property, design, construction and radio-frequency engineering issues.

Other locations considered as potential alternatives to that now proposed include:

- Adams Oval (several locations)
- Reserve area off McCormack Crescent
- Land behind the nearby medical centre (off Golden Court)

These locations were discounted by one or more of the disciplines listed above – in particular, the Adams Oval locations were deemed too far north by Telstra's radio-frequency engineers and no suitable location could be located in the McCormack Crescent reserve. All of the alternate locations are located in the *Residential Zone*.

As such, the proposed location was deemed to be the only viable location within the surrounding area.

Assessment against the Development Plan

As noted above, the subject land and proposal is in the *Neighbourhood Centre Zone* of the City of Salisbury Development Plan. The *Neighbourhood Centre Zone* at this location is modest in size and is completely surrounded by the *Residential Zone*.

In the *Neighbourhood Centre Zone*, a telecommunications facility is neither complying nor non-complying and pursuant to Schedule 9 of the *Development Regulations 2008* is a category 2 type of development.

Zone Provisions

The provisions of the *Neighbourhood Centre Zone* provide for a broad range of land uses associated and consistent with the hierarchy of the zone. As such, it is implicit that infrastructure such as that proposed, which provides a service to the surrounding community, is appropriate and to be expected within the zone.



The Desired Character statement for the zone only relates to another neighbourhood centre and cannot be readily applied to the subject land. There is also no concept plan for this particular neighbourhood centre.

Given the adjoining and vast residential zone surrounding the shopping centre, it is certainly a reasonable conclusion to draw that the *Neighbourhood Centre Zone* is a suitable zone for such a facility in this area.

The location selected does not interfere with access or parking and utilises an otherwise unused space on the property. It is also the only location on the subject land that the owner will permit Telstra to occupy. Whilst this does place it close to houses immediately opposite on Whites Road, overall the shopping centre and Waterloo Corner Road provide a reasonable separation to surrounding land uses and the locality generally.

On that basis, the establishment of the proposed facility in this zone is appropriate. The bulk and scale of the proposed facility is as is expected for a facility of this nature and will have no impact on the use of the zone. It is located such that the use of this parcel of land and the zone generally will not be materially compromised, including with respect to the impending redevelopment.

General Section Provisions

The General Section of the Development Plan contains a Telecommunications Facilities module. With respect to the Telecommunications Facilities module, the subject proposal meets the following requirements:

- The facility has been placed within the existing network to provide network coverage and capacity for the surrounding shopping area, thereby delivering high quality communication services to the community, particularly current requirements for both '3G' and '4G' services and provision for future '5G' services;
- The facility has been designed and sited to minimise the visual impact on the locality having regard for the size of the shopping centre and more generally the size and role of the neighbourhood centre, but the fact remains the monopole is required to be a certain height that will, by its very nature, be seen in varying amounts throughout the immediate locality;
- The facility has been located in a coordinated manner having regard for the surrounding network and the local technical objectives for the facility;
- The facility will use materials and finishes to minimise visual impact (ie. dull steel monopole, grey finishes etc);
- The antennas have been mounted on a headframe at the top of the monopole is a typical configuration to allow both 3G and 4G services to be provided;
- The facility is located in a centre zone, which is a 'preferred' zone - and in this particular location avoids the surrounding residential zone;
- There are no existing structures in the wider area on which the facility could be collocated and the network objectives for the site met;
- Given the lack of space it is unlikely any substantial landscaping could be planted or would be effective, but in any event the equipment shelter has only a limited impact on nearby residences;
- The facility is not located in a prominent location or within a significant vista;
- It is unlikely the use of an 'innovative design technique' will result in a substantially reduced visual impact in this particular location and given its location at the end of a car park such a design would be unlikely to 'positively contribute to the character of the area'; and
- There are no heritage items or areas affected by the proposal.



The structure of the Telecommunications Facilities module in the General section of the Development Plan specifically anticipates that there will be detriment caused by such facilities – that is, they are unlikely to improve the appearance of an area. Therefore, the key is to minimise the impact as much as practical whilst still ensuring technical requirements are met. This approach has been endorsed separately by the ERD and Supreme Courts (see *Development Assessment Commission v 3GIS Pty Ltd & Anor* [2007] SASC 216 para. 72) and is the accepted approach for the assessment of such facilities.

Conclusion

The proposal is to establish a monopole facility at 147-153 Whites Road, Salisbury North to accommodate Telstra's requirements for its Next G® mobile network which is currently operating across Adelaide and South Australia. The facility is typical of the design utilised and height required throughout the metropolitan area.

A requirement for a facility in this area has been identified by Telstra and will assist in providing greater depth of coverage and capacity to the surrounding residential area in particular. The new facility is proposed to accommodate both '3G' and '4G' technology and will also be used for future '5G' services.

The facility is designed and sited to minimise visual impact as much as reasonably possible whilst still satisfactorily meeting its network objectives, although of course it is acknowledged that some localised impact will occur.

Having regard to the requirements of the existing network and the provisions of the Development Plan, the proposal's location and profile in the context of its location minimises the visual impact to an acceptable extent and it is difficult to see how any other location in the area would produce an obviously better visual outcome. The proposal is also located in a 'preferred' zone, which is the only 'preferred' zone within the surrounding area.

Importantly, its location and design will not have any material impact on the continuing use and redevelopment of the shopping area or other parts of the zone and no car-parking spaces are lost as a result of the proposal. The proposal represents an orderly placement and development of what is now an essential piece of modern infrastructure.

Accordingly, I consider the subject proposal warrants Development Plan consent. Should Council require any additional information prior to making its determination, please do not hesitate to contact the undersigned.

Yours sincerely

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

Attached:
Standard form EME report

Environmental EME Report

| | | | |
|-----------------|--|------------------|---------|
| Location | 147-159 Whites Road, SALISBURY NORTH SA 5108 | | |
| Date | 23/08/2019 | RFNSA No. | 5108015 |

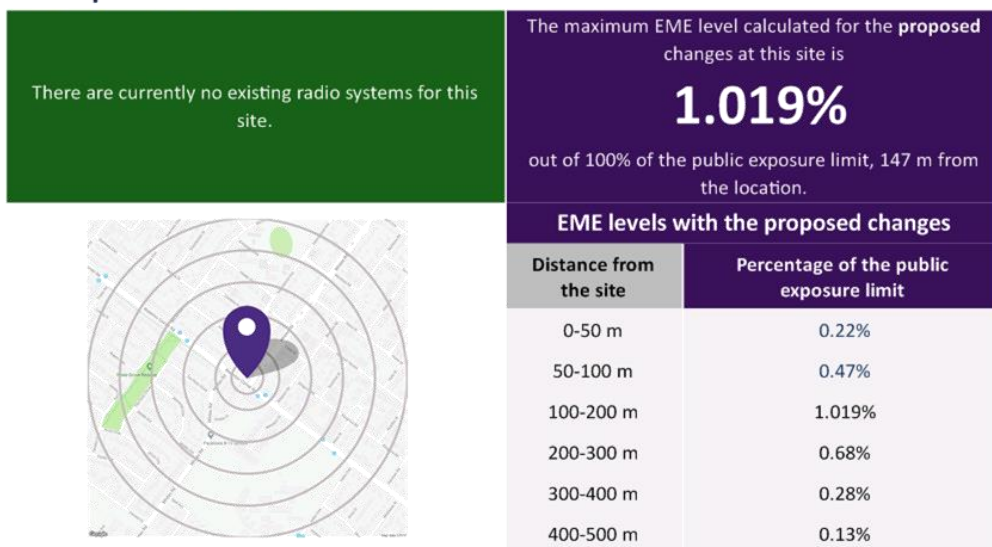
How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 147-159 Whites Road, SALISBURY NORTH SA 5108. These levels have been calculated by Telstra 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



For additional information please refer to the EME ARPANSA Report annexure for this site which can be found at <http://www.rfnsa.com.au/5108015>.

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 |
| Telstra | | | 4G | LTE700 (proposed), LTE1800 (proposed), LTE2100 (proposed), LTE2600 (proposed) |

Issued by: Telstra, NAD (v1.0.101121.32828)
Environmental EME report (v12.3 Feb 2019)

Produced with RF-Map 2.1 (Build 2.0)

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 | | | | 2.76 | 20.2 | 0.22% |
| 50-100m | | | | 2.78 | 20.53 | 0.47% |
| 100-200m | | | | 5.19 | 71.48 | 1.019% |
| 200-300m | | | | 4.43 | 52.095 | 0.68% |
| 300-400m | | | | 2.87 | 21.89 | 0.28% |
| 400-500m | | | | 1.98 | 10.36 | 0.13% |

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2018](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Maximum cumulative EME level for the proposed configuration

| Location | Height range | Electric field (V/m) | Power density (mW/m ²) | Percentage of the public exposure limit |
|-------------------------|--------------|----------------------|------------------------------------|---|
| No locations identified | | | | |

Attachment 2
Notice of Category 2 Development,
Copy of Representations and
Applicant's Response to
Representations

**DEVELOPMENT ACT 1993
CITY OF SALISBURY**

NOTICE OF APPLICATION FOR CATEGORY 2 DEVELOPMENT

Pursuant to Section 38(4) of the *Development Act 1993*

An application for development has been lodged with the Council for assessment. The details are as follows:

| | |
|-------------------------------|--|
| APPLICATION NO: | 361/1314/2019/2B |
| APPLICANT: | Telstra Corporation Ltd c/- S K Planning Pty Ltd PO Box 50 CLAYFIELD QLD 4011 |
| NATURE OF DEVELOPMENT: | Telecommunications Facility Comprising 31.7 Metre High Monopole With Cluster Mount Headframe Supporting Six (6) Antennas And Equipment Shelter |
| LOCATION: | 147-153 Whites Road, Salisbury North SA 5108 |
| CERTIFICATE OF TITLE: | CT-6101/376, CT-6057/548, CT-5261/118 and CT-5261/119 |
| ZONE: | Neighbourhood Centre |

The application may be examined at the Office of the Council located at 12 James Street, Salisbury during normal business hours (8.30am – 5pm Monday to Friday) and on Council's web site at www.salisbury.sa.gov.au. Any person or body may make representations in writing, or by email development@salisbury.sa.gov.au, concerning this application and should address their representation to the Chief Executive Officer at PO Box 8, Salisbury or representations@salisbury.sa.gov.au. Representations must be received **no later than Friday 11th October 2019**.

Each person making a submission should indicate whether they wish to appear personally, or be represented by another party, in support of their submission. Please note that should you nominate to be heard in support of your representation, you will be required to attend a Council Assessment Panel meeting held at the Council offices, scheduled on the fourth Tuesday of each month at 6.00pm (unless otherwise advised).

Please note that pursuant to Section 38(8) of the *Development Act 1993*, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

This development is classified as a Category 2 development under the Development Act. Please be aware that there is no right of appeal against Council's decision.

Signed: Karyn Brown, Development Officer

Date: 27 September 2019

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE

CATEGORY 2



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

To: City of Salisbury
PO Box 8, SALISBURY SA 5108
Email: representations@salisbury.sa.gov.au

9 OCT 2019

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

| | |
|-------------------------------|--|
| Application No: | 361/1314/2019/2B |
| Applicant: | Telstra Corporation Ltd |
| Location: | 147-153 Whites Road, Salisbury North SA 5108 |
| Nature of Development: | Telecommunications Facility Comprising 31.7 Metre High Monopole With Cluster Mount Headframe Supporting Six (6) Antennas And Equipment Shelter |

YOUR DETAILS: (this information must be provided to ensure that this is a valid representation)

NAME(S): Maria and Michele Faella

ADDRESS: 271 Waterloo Corner Road Salisbury North 5108

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

- ☒ The owner/occupier of the property located at: 271 Waterloo Corner Road Salisbury North 5108
- ☐ Other (please state):

YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

- ☐ Support the proposed development.
- ☒ Oppose the proposed development.

Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.

We oppose the development because
1. Radiation from the monopole especially the antennas, this may cause people with a low immunity to become sick with cancer & other diseases. This may

PTO

361/1314/2019/2B

Cause cancer to the general public / People who live in this area.

2. House prices will go down, people will sell their property, but may not be able to find buyers due to the 31.5 metre monopole.
3. The noise & the risk that it has to children & the elderly this is related to point 1 and also the risk to pregnant women
4. The works will disrupt the dwellings due to the installation and it may cause wifi & telephone to not be useable - this is important to many people.
5. Even though Telstra say that the radiation levels are low, the radiation itself is a major concern to the ~~best~~ health of everyone, especially as we as a nation are trying to be carbon neutral & environmentally friendly. ^{7pts}

My concerns would be addressed by: (state changes/actions to the proposal sought)

1. TO find another location that it is not so populated (house, school, shopping centre etc) and on the main road.
2. a much smaller maybe 10 metres would be ~~and~~ sufficient
3. there are not many 30 metres monopoles in the area and the few that are, are in a place that is not visible & that will not cause much harm to the people & the environment.
4. ~~Can it~~ Is it necessary? why is it ~~want~~ is Telstra wanting to build it?

PTO

The monopole will stand out and it will devalue the house prices in the area, it will also discourage people to buying a house in the area.

If you want Salisbury North, Salisbury etc to increase in value then need to look at ~~the~~ at the aesthetics, ~~or the~~ improve the footpaths, ~~at the~~ overgrown grass, trim & prune the trees and now are wanting to allow Telstra to install a 31.5 metre high monopole in an area that should be ~~encouraging~~ encouraging more people to live in, but instead will decrease the value & the name of Salisbury.

CATEGORY 2

Regulation 35(e) of the *Development Regulations 2008* requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☒ Do not wish to be heard in support of my representation.

☐ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

OR

☐ Represented by the following person:

Contact details:

(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).

Your written representation must be received by Council no later than 11.59pm on Friday 11th October 2019, to ensure that it is a valid representation and taken into account.

Representor's Declaration:

I am aware that the representation will become a public document as prescribed in the *Freedom of Information Act 1991*, and will be made available to the applicant, agencies and other bodies pursuant to the *Development Act 1993*, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: Monica Faella.....

Date: 7 / 10 / 2019.

Please complete this checklist to ensure your representation is valid:

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Friday 11th October 2019**.

CATEGORY 2



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

To: City of Salisbury
PO Box 8, SALISBURY SA 5108
Email: representations@salisbury.sa.gov.au

1 OCT 2019

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

| | |
|-------------------------------|--|
| Application No: | 361/1314/2019/2B |
| Applicant: | Telstra Corporation Ltd |
| Location: | 147-153 Whites Road, Salisbury North SA 5108 |
| Nature of Development: | Telecommunications Facility Comprising 31.7 Metre High Monopole With Cluster Mount Headframe Supporting Six (6) Antennas And Equipment Shelter |

YOUR DETAILS: (this information must be provided to ensure that this is a valid representation)

NAME(S): BEN WAPPER - Kathleen BERKEZ

ADDRESS: 132 WHITES RD SALISBURY NORTH SA 5108

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: SALISBURY NORTH

☐ Other (please state):

YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.

2. THE PROPOSED MOBILE TOWER WILL DECREASE PROPERTY VALUE
: IT WILL EMIT HIGH-FREQUENCY RADIO WAVES, OR MICROWAVES
WHICH CAN INTERFERE WITH YOUR BODY'S EMFS CAUSING A VARIETY OF
HEALTH PROBLEMS WHICH HAS BEEN LINKED TO CANCER AND MANY
PTO OTHER HARMFUL HEALTH ISSUES.

Item 5.1.1 - Attachment 2 - Notice of Category 2 development, copy of representations and Applicant's response to representations

361/1314/2019/2B

IT HAS ALSO BEEN PROVEN THAT MOBILE TOWERS CAN HAVE
 DETRIMENTAL AFFECT TO CHILDREN'S ^{PETS} HEALTH. IF THE ~~SELF~~ MOBILE
 TOWER IS ACCESS THE ROAD FROM MY HOUSE MY FAMILY AND PETS
 WILL BE EXPOSED TO HARMFUL RF RADIATION. IT WILL ALSO CAST
 A SHADOW OVER THE SOLAR PANELS ON MY HOUSE ROOF ~~WHEN~~ REDUCING
 IT EFFECTIVENESS IN PRODUCING POWER. IT WILL ALSO PRODUCE AN
 ANNOYING BUZZING NOISE. IT WILL ALSO HAVE AN AFFECT ON
 THE ENVIRONMENT (eg BIRDS, BEES ^{WILL} OTHER WILD LIFE & PLANTS). ITS ALSO A
 MASSIVE EYE SORE AND ^{WILL} HAVE A NEGATIVE AFFECT ON STREET APPEARANCE
 AND LAND VALUE, WHICH COULD LEAVE OPEN LEGAL ACTION FOR
 COMPENSATION.

My concerns would be addressed by: (state changes/actions to the proposal sought)

NOT TO PROCEED WITH PROPOSED DEVELOPMENT

PTO

CATEGORY 2

Regulation 35(e) of the *Development Regulations 2008* requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☐ Do not wish to be heard in support of my representation.

☒ Wish to be heard in support of my representation, and I will be:

☒ Appearing personally, *only if I can find someone to watch children.*

OR

☐ Represented by the following person:

Contact details:

(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).

Your written representation must be received by Council no later than 11.59pm on Friday 11th October 2019, to ensure that it is a valid representation and taken into account.

Representor's Declaration:

I am aware that the representation will become a public document as prescribed in the *Freedom of Information Act 1991*, and will be made available to the applicant, agencies and other bodies pursuant to the *Development Act 1993*, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: *[Signature]*

Date: 26 / 09 / 2019

Please complete this checklist to ensure your representation is valid:

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☐ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Friday 11th October 2019**.



Our Ref: Salisbury NW

21 November 2019

Karyn Brown
Development Officer- Planning
City of Salisbury
P O Box 8
SALISBURY SA 5108

S K Planning Pty Ltd
ABN 76 108 325 435

P O Box 50
CLAYFIELD QLD 4011

m: 0417 088 000
e: markb@skplanning.com.au

Dear Karyn

**RE: Proposed telecommunications facility - 147-153 Whites Road, Salisbury North
DA 361/1314/20019/2B
RESPONSE TO REPRESENTATIONS**

As you are aware, **S K Planning** acts on behalf of **Telstra Corporation Limited** ('Telstra') in respect of this application.

The proposal by Telstra is to establish a telecommunications facility, in the form of a mobile telephone base station, at the existing shopping centre located at 147-153 Whites Road, Salisbury North. The proposed facility will be 31.7m in height and is located in the carpark area on the Whites Road boundary.

The subject land is located within the *Neighbourhood Centre Zone* pursuant to the City of Salisbury Development Plan (consolidated 4 April 2019). The location is not subject to any policy or precinct areas. The proposal is an 'on merit' kind of development and is a **category 2** type of development pursuant to Schedule 9 of the *Development Regulations 2008*.

A planning statement has been provided to Council which clearly sets out my position on the need for the facility, alternative locations considered and the appropriateness of the zoning selected.

I am in receipt of three (3) representations received by Council following the category 2 public notification of the proposal. One of the representations was received 'out of time' and is therefore technically invalid. All three representations oppose the proposal.

The key issues raised by the representations are:

- Concern over potential health impacts
- Visual impact
- Property prices
- Noise

The potential for selecting an alternative location is also inherent in the representations and has also been raised by Council during the process to date.

Telstra has considered the representations and discussed the proposal further with the property owner. This letter sets out Telstra's response to the issues raised which, as described below, have resulted in amended plans being put forward.



Perceived health impacts/EME

There was some concern raised about the electromagnetic emissions that would be given out by the proposed facility and whether adverse health impacts would result.

Concerns over the potential for health impacts from telecommunication facilities are commonly raised during public consultation processes, with the concerns usually focussing on the effect of exposure of humans to electromagnetic energy, or EME.

Telstra acknowledges some people are genuinely concerned about possible health effects from the EME generated by radio frequency technology and are committed to addressing these concerns responsibly.

All radio communications facilities, including the one proposed, emit EME in order to operate. Such facilities include AM and FM radio, television, paging services, emergency services systems such as the Government Radio Network and CB Radio, many of which have been in use for decades.

Telecommunications facilities emit and receive EME to transmit and receive the necessary information associated with mobile handsets operating within that part of the network, but at power levels much less than any of the systems mentioned above.

The proposed facility is designed to accommodate Telstra's Next G[®] network providing both '3G' and '4G' services, with '5G' services to follow. As with all cellular networks of this type, it utilises sophisticated power management techniques that constantly monitor power levels required to ensure only the minimum amount of power required is used by both the base-station and the handset. This is critical to the network, as it assists in minimising interference from surrounding base-stations.

The EME levels emitted are very low and in the case of the subject proposal, are estimated to be, as a maximum, **1.019%**¹ of the exposure limits mandated by the Australian Communications & Media Authority (ACMA). It is important to note that in terms of the standard, the proximity of the proposed facility is an irrelevant consideration, as it is only the level of exposure at a particular location that is of interest.

A copy of the EME prediction for the proposal is attached and is in a standard format set down by the ACMA and used by all carriers. I would particularly direct attention to the footnotes, which assist in explaining the prediction techniques being used.

As with all mobile telecommunications facilities in Australia, the proposed facility is required to comply at all times with the relevant Radiation Protection Standard and once operational must have this compliance certified by an accredited person.

At the levels mandated by the ACMA, which have also been adopted in about 25 countries around the world including the European Union, there is no scientifically substantiated evidence to suggest that EME cause adverse health effects. It should be noted that the standard incorporates a significant margin (about 50 times) to ensure potentially sensitive groups in the community, such as children, pregnant women and people who may be suffering health problems, are adequately protected.

It is also important to note that Telstra is not involved in the methodology of determining the appropriate exposure limits, but can assure Council that this proposal and all existing Next G[®] facilities adhere to the applicable limits – usually by a factor of many hundreds or even thousands of times.

¹ Due to the amendments to the proposal plans there has been a small re-configuration of the antennas resulting a slightly different maximum predicted EME level than previously advised to Council – the updated EME report is attached.



Organisations such as the World Health Organisation (WHO) routinely review the medical research and science relevant to the Electromagnetic Energy (EME) generated by radio communications services. The consensus is that there is no substantiated scientific evidence of health effects from the EME generated by radio communications services that comply with national and international safety guidelines.

There are many other useful sources of information available, including on the WHO website (www.who.org) and the ACMA and ARPANSA websites. A relatively new and very detailed website at www.emfexplained.info is an excellent centralised location of information, including details and links to studies, myths and various other fact sheets and independent information.

There has also been a declaration by the WHO's International Agency for Research on Cancer (IARC) that radiofrequency electromagnetic fields associated with wireless phone use are possibly carcinogenic to humans based on an increased risk to glioma (a malignant form of brain cancer). To this end, a 'Group 2B' classification was given meaning "there could be some risk and therefore a close watch for a link between cell phones and cancer risk." (WHO Press Release No. 208).

Although the IARC classification does include both mobile phones and base-stations (because the study did not separate out different radio-frequency emitting devices), in the subsequent press conference the following qualifications were made with respect to base-stations:

1. *The IARC RF classification included towers and base stations, however, the data in relation to towers and base stations was "uninformative".*
2. *Typical exposures from roof top or tower mounted mobile phone base stations are lower by more than 5 orders of magnitude compared to mobile phone handsets. This means that the personal exposure levels from base stations are more than 100,000 times lower than from mobile phones.*

In March 2014, ARPANSA released a report following a review of all scientific literature from 2000-2012 on radiofrequency health effects and concluded:

"In their findings in this Report, the Expert Panel notes that since the preparation of RPS3 there have been significant advances in the science. Based on the assessment of the scientific evidence from January 2000 till August 2012, the Expert Panel find that the underlying basis of the ARPANSA RF exposure Standard remains sound and that the exposure limits in the Standard continue to provide a high degree of protection against the known health effects of RF electromagnetic fields."

The latest advice from ARPANSA states:

"Health authorities, including ARPANSA and the WHO have examined the scientific evidence regarding possible health effects from base stations. Current research indicates that there are no established health effects from the low exposure to the RF EME exposure from mobile phone base station antennas."

ARPANSA Fact sheet "Mobile Base Stations and Health"

With respect to the planning application, in Council's determination of the planning application before it, it is worthy of note the Environment, Resources and Development Court (ERDC) has examined the issue of telecommunication facility EME in detail, most notably in the matter of *Optus v City of Kensington and Norwood and Frost* (ERDC 344/97).



In its judgment, the Court stated:

"We acknowledge the desirability of adopting a precautionary approach to the assessment of risk to humans of new land uses, but we are satisfied that the Australian and New Zealand standard referred to above embraces the precautionary approach and that RFR levels are well within the standard."

The Court went on to address the issue of perceived amenity, both in relation to the visual impact of the tower and the health implications, and stated:

"thus we do not accept that it is reasonable for the residents to perceive that the amenity of the locality would be affected by the proposed development."

In more recent times, the ERD Court has again had cause to consider the perception of health impacts from mobile phone towers. In *Foresto & Ors v DAC & Ors*², the Court stated:

"It is not sufficient to simply raise personal concerns or to rely on general material published in various media. This issue and concern has previously been dealt with by this Court and others in Australia, it is regulated by the Commonwealth Government and there has been no finding that I am aware of to reject a telecommunications facility of this kind on the basis of potential health effects on the community. At this time the Court must accept that position." (para. 31)

The issue has also been considered by other courts across Australia and New Zealand and have resulted in similar outcomes and are further supported by on-going studies into the potential health effects of mobile phones.

Planning SA also stated in the Fact Sheet accompanying the *Telecommunications Facilities Statewide Policy Framework PAR*:

"it is not considered appropriate for Development Plan policies to require planning authorities to assess potential public health impacts."

Notwithstanding that the proposed facility meets the required standard by a significant margin and there is no cause for concern in that regard, the issue of health impacts, perceived or otherwise, is not a relevant planning issue in the determination of this matter.

Visual impact

The most obvious impact of the proposed facility is that of visual impact, which is, on most occasions, an unavoidable outcome. In this instance, the visual impact on the locality is most keenly felt by the small number of residential properties immediately to the east. Beyond that, whilst still able to be seen from some vantage points, the impact diminishes quickly, including when viewed from Waterloo Corner Road.

The location selected, whilst at the front of the property, does not place the facility on the residential boundary, nor is it immediately adjacent residential backyards.

Notwithstanding there is some impact, simply having visual impact is not a basis on which telecommunications facilities can or should be refused, as the Development Plan is structured to anticipate a detrimental impact from such facilities. However, the Development Plan does require that any detrimental impact is minimised.

² [2005] SAERDC 45



That approach is evidenced by previous comments from the ERD Court in respect of assessing the visual impact of proposed telecommunication facilities such as this. The Court stated a proper approach to assessment must include consideration of all aspects of the proposal, including relevant technical requirements.

In *Telstra Corporation Limited v City of Norwood Payneham & St Peters* (ERD-05-111) the Court stated:

"...the Plan does not contemplate a rejection of a telecommunications facility on the grounds of visual intrusiveness alone."

The visual impact from the subject proposal has been minimised to the extent it can be through the use of the absolute minimum number of antennas (to enable both 3G and 4G services) and use of a 'slimline' monopole. There is nothing further that can be done to the structure to further minimise its impact, as its height is a relatively fixed component.

This is an approach endorsed by the Court in *Telstra v Holdfast Bay*³, which involved the construction of a similarly tall monopole near the corner of Jetty and Brighton Roads at Glenelg. The Court noted at paragraph 66 that whilst acknowledging that the facility would be prominent in parts of the locality:

"However, not a lot more is possible, whilst fulfilling the technical needs of the appellant. For example, a lower pole would not meet the technical requirements of the appellant and unless it was significantly lower, any further minimisation of visual impact would be marginal."

In its concluding comments, the Court also noted at paragraph 76:

"...that visual amenity impacts on the locality and parts of it will be significant, but they are minimised to an appropriate and acceptable extent and are otherwise difficult to avoid;"

This comment is highly relevant to the subject proposal, as there is little more that can be done in the existing landscape to reduce the impact of the monopole, particularly when technical requirements dictate the height of the facility.

As such, in the context of the requirements of the Development Plan the proposed facility has minimised its visual impact on the locality to the extent it can (given there are no alternative sites available but acknowledging there are some direct impacts on a modest number of residential properties) by way of siting (including within a preferred zone) and design and that impact is therefore acceptable.

Impact on property values

There are over 20,000 mobile telecommunications facilities installed across Australia. Telstra and S K Planning are not aware of any credible evidence that the installation of these facilities has had any adverse impact upon property values.

Of course, property values are influenced by many factors, but Development Plans - or indeed the South Australian planning system - do not specifically reference land or property values and certainly not with respect to specific types of development. As such, the proposal must be assessed against the relevant provisions of the Development Plan.

³ [2008] SAERDC 47



This approach was reaffirmed recently by the ERD Court in *Foresto & Ors v DAC & Ors*, when the Court offered comment on the relevance of property values in respect to a proper assessment of mobile phone towers, stating:

"A fourth issue raised by the appellants in documentation (but not the hearing) is the possible affect of the proposal on land values of properties surrounding the recreation area. There is no relevant basis in the Development Plan provisions for an assessment of this issue and it is generally accepted that it is not a relevant factor to be taken into account in planning assessment and decision-making." (paragraph 32)

As such, the impact on residential (or other) property values is not relevant to the proper assessment of this proposal against the Development Plan and cannot be taken into account by Council.

Noise

Two of the representations were concerned with noise generated from the proposed facility, with one representor describing it as "an annoying buzzing noise".

The monopole and antennas themselves produce no noise at all and noise associated with the base-station equipment at the base of the monopole produces only low air-conditioning noise similar to a domestic air-conditioner. As such, any noise produced is below acceptable limits.

The amended plans now put forward (described further below) propose a reduction in the amount of ground-based equipment as well as a fence surrounding the equipment. This will further diminish any noise emanating from the facility and ensure it will produce no nuisance for nearby residents.

Alternate Locations

The planning statement provided to Council has already set out the alternate locations considered by Telstra. The proposal was selected primarily due to its location within a 'preferred' zone in the context of the Telecommunications Facilities module of the Development Plan, namely a centre zone. There is no other more suitable zone in the surrounding area, nor is there any other available parcel of land in the surrounding area that would result in an obviously better visual outcome.

In terms of the subject land, Telstra has worked with the landowner to secure a workable location on the land which is reflected in the proposal plans. Telstra has specifically discussed alternate locations on the subject land with the landowner who has advised no other location exists on the subject land which could be made available to Telstra. As such, the proposal is the only location available to Telstra on the subject land.

Accordingly, given there are no other locations available on the subject land and no obviously better and available locations (still able to meet the technical and network requirements for the facility) in the surrounding area, the location selected is appropriate both in a practical sense and in the context of the Development Plan.

Amended Plans

Further to the consideration of the representations and subsequent discussions with the landowner, Telstra has decided to amend the proposal plans.

The changes are:

- Replacement of the equipment shelter with equipment cabinets, which are shorter in height and have a smaller footprint;



- Installation of a 2.2m high slatted fence around the entire facility (with access gates), which would be constructed of aluminium and finished in *Woodland Grey*. This will improve the appearance of the base of the facility to residents opposite, users of Whites Road and at the entrance to the supermarket. The location of the fence has ensured continued practical functioning of the adjacent carpark spaces; and
- Small changes to the equipment at the top of the monopole.

The amended proposal plans are attached.

Council might also wish to consider a condition of approval requiring Telstra to paint the monopole and antennas to further minimise its impact.

I trust the above information and amended plans provide Council with sufficient information to assess and determine the application.

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', with a stylized flourish at the end.

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

Attached:
Standard form EME report (updated version)
Amended proposal plans

Attachment 3

Referral Responses

From: Struve, Reinhard (DEM) [<mailto:Reinhard.Struve@sa.gov.au>]
Sent: Monday, 26 August 2019 4:18 PM
To: Development
Subject: 20190826 147-153 Whites Rd, Salisbury North, Application no 361/1314/2019/2B [DLM=For-Official-Use-Only]

For Official Use Only

Dear Karyn,

Many thanks for referral of the application 361/1314/2019/2B.

We do not have any objections to the project, as the structure appears to meet the required distances to the powerlines.

Regards
Reinhard

Reinhard Struve
Principal Engineer (Electrical)

Energy and Technical Regulation
Department for Energy and Mining

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M +61 427 007 619
E reinhard.struve@sa.gov.au

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Government of South Australia
Department for Energy and Mining

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Australian Government
Department of Defence
 Estate and Infrastructure Group

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ID-EP-DLP&R/OUT/2019/BS6157005

Ms Karyn Brown
 City of Salisbury
 PO Box 8
 SALISBURY SA 5108

Dear Ms Brown,

**RE: 361/1314/2019/2B APPLICATION - NEW TELECOMMUNICATIONS FACILITY
 COMPRISING MONOPOLE WITH CLUSTER MOUNT HEADFRAME AND
 EQUIPMENT SHELTER – 147-153 WHITES ROAD, SALISBURY NORTH, SA 5108**

The Department of Defence (Defence) would like to thank the City of Salisbury (Council) for referring this matter for comment. Defence understands that the application is for a new telecommunication facility comprising of a 31.7 meter high monopole with cluster mount headframe supporting six antennas and equipment shelter at 147-153 Whites Road, Salisbury North. The subject site is approximately 3.4km south of the main runway at RAAF Base Edinburgh.

Defence has assessed the proposal as presented for any possible impact on the safety of flying operations at RAAF Base Edinburgh. Defence is seeking to ensure the long-term viability of RAAF Base Edinburgh is not compromised by inappropriate development on surrounding land, as this could potentially affect Australia's Defence capability. On this basis, Defence would like to make the following comments.

Defence (Aviation Area) Regulations

Under the Defence (Aviation Area) Regulations (DAA), the subject site is constrained by building height controls that protect airspace near RAAF Base Edinburgh to ensure the safety of aircraft on approach, departure and low-flying manoeuvres. The DAA provides for Defence approval of any structure that may pose a hazard to military aviation within a radius of approximately 15km of RAAF Base Edinburgh. This includes vegetation and man-made structures including temporary structures such as cranes.

The DAA constraint for the subject site is "*Structures higher than 15m require approval.*" The structure height refers to height above natural ground level. According to the information provided to Defence, the maximum height of the proposed telecommunications facility will be 31.7 metres above ground level (AGL). The proposed telecommunications facility will therefore infringe the building height restriction applicable to the subject site and the proponent is required to seek Defence approval under the DAA. To assist with an application, please refer to **Attachment A** that outlines the application process and the information required by Defence.

Until such time as an approval is obtained, the proponent cannot construct any structure on the site that exceeds 15m AGL. Please note that DAA approval is separate to any approval that may be obtained under South Australian Planning Legislation.

Defending Australia and its National Interests

Extraneous Lighting

The proposed development is located within the Civil Aviation Safety Authority's (CASA's) six (6) kilometre radius controlled light installation area. Defence has adopted CASA guidelines for extraneous lighting near its airfields. To mitigate potential safety issues associated with the proposed development, Defence recommends compliance with the extraneous lighting controls detailed in the CASA Manual of Standards (MOS-139) Aerodromes. In particular, outdoor luminaries with no upward light component (e.g. 'aero-screen' type fittings) should be used for any outdoor lighting to minimise potential conflict with aircraft operations. Defence notes that lighting design is a proponent's responsibility.

Additionally, large expanses of reflective building materials are also of concern with regard to aircraft safety. To reduce this risk, Defence requests that any new structures on the site use non-reflective building materials. If it is later found that lights or glare endangers the safety of aircraft operations, Defence or CASA may require the lighting to be extinguished or suitably modified.

Should you wish to discuss the content of this advice further my point of contact is Mr Matt Williams at (02) 6266 8124.

Yours sincerely



Timothy Hogan
Acting Director – External Land Planning and Regulation
Estate Planning Branch
10 October 2019

Defending Australia and its National Interests

Attachment A

Defence Aviation Area (DAA)

Part 11A of the Defence Regulations, 2016 provides a legal framework for controlling activities which may be dangerous to aviation around declared Defence Aviation Areas (DAA). The Defence Regulations can be downloaded at <https://www.legislation.gov.au/Details/F2018C00183>.

The regulations apply to permanent structures such as buildings and communication towers, and temporary structures such as cranes within approximately 15 kilometres of DAA. Vegetation, including trees and plants used for landscaping, and gas plumes emanating from an exhaust stack are also covered. The regulations also apply to any object hazardous to aircraft or aviation-related communications, navigation or surveillance regardless of whether the DAA height controls are triggered. If the height of a planned structure exceeds the trigger height for the area, the project must be referred to Defence for approval before construction commences.

Once an application is received, Defence conducts an assessment that includes consideration of safety criteria, consultation with Army, Navy and Air Force, Airservices Australia, flight path planners and other airport users, amongst others. An application normally takes up to two months to assess, as consultation needs to occur with a wide range of civilian and military stakeholders.

DAA Application Information Requirements

A DAA application must be accompanied by sufficient information to allow Defence and stakeholders to understand the possible impact on aviation safety. This includes:

- a brief description of the proposal;
- the street address and legal description of the subject site;
- a plan showing the proposed structure's location in relation to the property boundaries and surveyed natural ground levels in Australian Height Datum (AHD);
- plans and elevations of the proposed structures showing the maximum height including any lights, antennas, lightning protection and electrical equipment in both Australian Height Datum (AHD) and Above Ground Level (AGL) formats;
- geographical co-ordinates for the development provided in Latitude and Longitude in GDA 94; and Easting's and Northing's in MGA94.

If a temporary crane will be used during construction, the DAA can include approval for these concurrently. In this instance, coordinates defining the area where a mobile crane will operate within will be required and must also specify the AHD level for the crane platform and an elevation drawing for the type of crane and or other temporary structures to be used to erect the facility. Defence recommends the crane coordinates be provided in the following table format:

Crane Setout

| Crane Positioning Point | MGA94 | | GDA94 | |
|-------------------------|---------|----------|----------|-----------|
| | Easting | Northing | Latitude | Longitude |
| C1 | | | | |
| C2 | | | | |
| C3 | | | | |

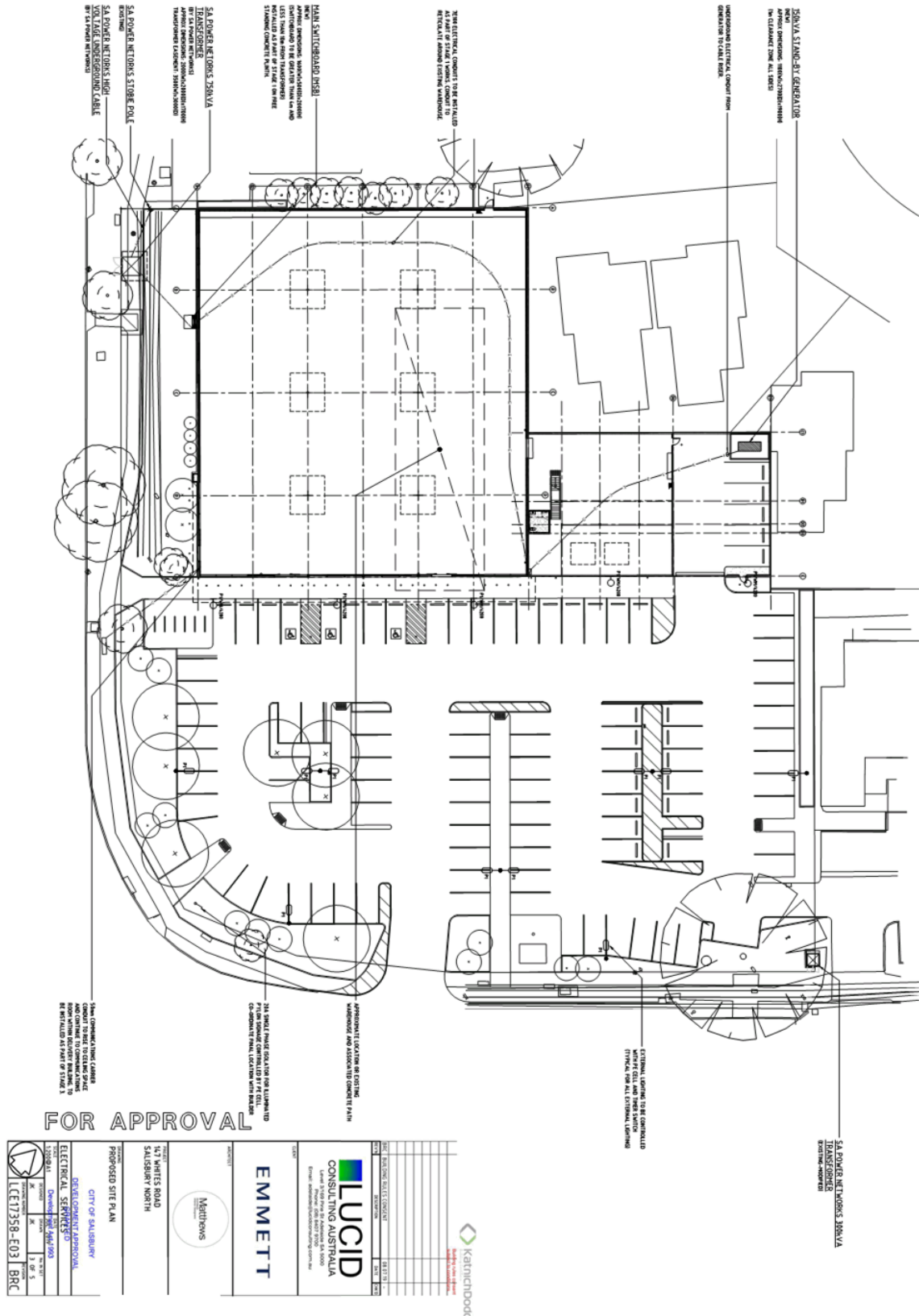
In the instance that the details of any cranes are not known at this stage, a temporary crane approval can be sought separately prior to the rigging of the crane and will be a condition of any DAA approval. This assessment is generally timelier with a local Air Force approval process for temporary structures.

The application must be emailed to land.planning@defence.gov.au

Defending Australia and its National Interests

Attachment 4
Approved Site Plan
(DA 361/547/2019/1B)

Item 5.1.1 - Attachment 4 - Approved Site Plan (361/547/2019/1B)



Attachment 5
Relevant Development Plan Extracts
and Location Maps
(Consolidated 4 April 2019)

Development Plan

Salisbury Council

Consolidated – 4 April 2019

Please refer to the Salisbury Council page at
www.sa.gov.au/developmentplans to see any
amendments not consolidated.



Government of South Australia
Department of Planning,
Transport and Infrastructure

Consolidated - 4 April 2019

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Building near Airfields

OBJECTIVES

- 1 Development that ensures the long-term operational, safety, commercial and military aviation requirements of airfields (airports, airstrips and helicopter landing sites) continue to be met.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 The height and location of buildings and structures should not adversely affect the long-term operational, safety, commercial and military aviation requirements of airfields.
- 2 Buildings and structures that exceed the airport building heights as shown on Overlay Maps – Development Constraints or *Concept Plan Map Sal/1 – Edinburgh Defence Airfield Defence (Area Control) Regulations* should not be developed unless a safety analysis determines that the building/structure does not pose a hazard to aircraft operations.
- 3 Development in the vicinity of airfields should not create a risk to public safety, in particular through any of the following:
 - (a) lighting glare
 - (b) smoke, dust and exhaust emissions
 - (c) air turbulence
 - (d) storage of flammable liquids
 - (e) attraction of birds
 - (f) reflective surfaces (eg roofs of buildings, large windows)
 - (g) materials that affect aircraft navigational aids.
- 4 Outdoor lighting within 6 kilometres of an airport should be designed so that it does not pose a hazard to aircraft operations.
- 5 Development that is likely to increase the attraction of birds should not be located within 3 kilometres of an airport used by commercial and military aircraft. If located closer than 3 kilometres the facility should incorporate bird control measures to minimise the risk of bird strikes to aircraft. Such development includes, but is not limited to, aquaculture, farming, food processing plants, water treatment and storage structures, non-food garbage landfill and food garbage disposal.
- 6 Development within areas affected by aircraft noise should be consistent with Australian Standard AS2022: - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction.

RAAF Base Edinburgh

Building Heights

- 7 Buildings and structures should not exceed the airport building heights as shown on *Concept Plan Map Sal/1 – Edinburgh Defence Airfield Defence (Area Control) Regulations*.

Interface between Land Uses

OBJECTIVES

- 1 Development located and designed to minimise adverse impact and conflict between land uses.
- 2 Protect community health and amenity from adverse impacts of development.
- 3 Protect desired land uses from the encroachment of incompatible development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:
 - (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
 - (b) noise
 - (c) vibration
 - (d) electrical interference
 - (e) light spill
 - (f) glare
 - (g) hours of operation
 - (h) traffic impacts.
- 2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.
- 3 Development adjacent to a **Residential Zone** should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.
- 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.

Noise Generating Activities

- 7 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant *Environment Protection (Noise) Policy* criteria when assessed at the nearest existing noise sensitive premises.
- 8 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.

Landscaping, Fences and Walls

OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
 - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
 - (b) enhance the appearance of road frontages
 - (c) screen service yards, loading areas and outdoor storage areas
 - (d) minimise maintenance and watering requirements
 - (e) enhance and define outdoor spaces, including car parking areas
 - (f) maximise shade and shelter
 - (g) assist in climate control within and around buildings
 - (h) minimise heat absorption and reflection
 - (i) maintain privacy
 - (j) maximise stormwater re-use
 - (k) complement existing vegetation, including native vegetation
 - (l) contribute to the viability of ecosystems and species
 - (m) promote water and biodiversity conservation.
- 2 Landscaping should:
 - (a) include the planting of locally indigenous species where appropriate
 - (b) be oriented towards the street frontage
 - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- 3 Landscaping should not:
 - (a) unreasonably restrict solar access to adjoining development
 - (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding

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General Section
Landscaping, Fences and Walls**

- (c) introduce pest plants
- (d) increase the risk of bushfire
- (e) remove opportunities for passive surveillance
- (f) increase leaf fall in watercourses
- (g) increase the risk of weed invasion
- (h) obscure driver sight lines
- (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.

4 Fences and walls, including retaining walls, should:

- (a) not result in damage to neighbouring trees
- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
- (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
- (e) assist in highlighting building entrances
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
- (h) be constructed of non-flammable materials.

Telecommunications Facilities

OBJECTIVES

- 1 Telecommunications facilities provided to deliver communication services to the community.
- 2 Telecommunications facilities sited and designed to minimise visual impact on the amenity of the local environment.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Telecommunications facilities should:
 - (a) be located in a co-ordinated manner to deliver communication services efficiently
 - (b) use materials and finishes that minimise visual impact
 - (c) have antennae located as close as practical to the support structure
 - (d) be located primarily in industrial, commercial, business, office, centre and rural zones
 - (e) where technically feasible, be co-located with other telecommunications facilities
 - (f) incorporate landscaping to screen the development, particularly equipment shelters and huts
 - (g) be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points and significant vistas.
- 2 Telecommunications facilities in areas of high visitation and community use should use innovative design techniques (eg sculpture and other artworks) where possible and where the resulting design would positively contribute to the character of the area.
- 3 Telecommunications facilities should be located in residential zones only if sited and designed to minimise visual impact by:
 - (a) using existing buildings and vegetation for screening
 - (b) incorporating the facility within an existing structure that may serve another purpose
 - (c) taking into account the size, scale, context and characteristics of existing structures, landforms and vegetation so as to complement the local environment.
- 4 Telecommunications facilities should not have a direct or significant effect on the amenity, character and settings of Historic Conservation Areas, local heritage places, State heritage places or State Heritage Areas.

Transportation and Access

OBJECTIVES

- 1 A comprehensive, integrated, affordable and efficient air, rail, sea, road, cycle and pedestrian transport system that will:
 - (a) provide equitable access to a range of public, community and private transport services for all people
 - (b) ensure a high level of safety
 - (c) effectively support the economic development of the State
 - (d) have minimal negative environmental and social impacts
 - (e) maintain options for the introduction of suitable new transport technologies.
- 2 Development that:
 - (a) provides safe and efficient movement for all motorised and non-motorised transport modes
 - (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
 - (c) provides off street parking
 - (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks.
- 3 A road hierarchy that promotes safe and efficient transportation in an integrated manner throughout the State.
- 4 Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks.
- 5 Safe and convenient freight movement throughout the State.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

Movement Systems

- 2 Development should be integrated with existing transport networks, particularly major rail and road corridors as shown on *Location Maps* and *Overlay Maps - Transport*, and designed to minimise its potential impact on the functional performance of the transport networks.
- 3 Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.
- 4 Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.

- (c) secure bicycle parking facilities provided at the rate set out in [Table Sal/3 - Off Street Bicycle Parking Requirements](#).
- 20 Pedestrian facilities and networks should be designed and provided in accordance with relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 13*.
- 21 Cycling facilities and networks should be designed and provided in accordance with the relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 14*.

Access

- 22 Development should have direct access from an all weather public road.
- 23 Development should be provided with safe and convenient access which:
 - (a) avoids unreasonable interference with the flow of traffic on adjoining roads
 - (b) provides appropriate separation distances from existing roads or level crossings
 - (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision
 - (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.
- 24 Development should not restrict access to publicly owned land such as recreation areas.
- 25 The number of vehicle access points onto arterial roads shown on *Overlay Maps - Transport* should be minimised, and where possible access points should be:
 - (a) limited to local roads
 - (b) shared between developments.
- 26 The number of access points for cyclists and pedestrians onto all adjoining roads should be maximised.
- 27 Development with access from roads with existing or projected traffic volumes exceeding 6000 vehicles per day should be sited to avoid the need for vehicles to reverse on to or from the road.
- 28 Development with access from arterial roads or roads as shown on *Overlay Maps - Transport* should be sited to avoid the need for vehicles to reverse on to or from the road.
- 29 Driveways, access tracks and parking areas should be designed and constructed to:
 - (a) follow the natural contours of the land
 - (b) minimise excavation and/or fill
 - (c) minimise the potential for erosion from run-off
 - (d) avoid the removal of existing vegetation
 - (e) be consistent with *Australian Standard AS 2890 Parking facilities*.

Access for People with Disabilities

- 30 Development should be sited and designed to provide convenient access for people with a disability.
- 31 Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.

Salisbury Council
Zone Section
Neighbourhood Centre Zone

Neighbourhood Centre Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

OBJECTIVES

- 1 A centre providing a range of shopping, community, business, and recreational facilities for the surrounding neighbourhood.
- 2 A centre that provides the main focus of business and community life outside a district centre, and provides for the more frequent and regularly recurring needs of a community.
- 3 A centre accommodating residential development in conjunction with non-residential development.
- 4 A new centre at Saints Road, Salisbury Plain in the City of Salisbury in which land uses, vehicle access points and landscape buffers are located in accordance with the [Concept Plan Map Sal/16 - Saints Road Neighbourhood Centre](#).
- 5 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

Precinct 18 Saints Road Neighbourhood Centre

The Saints Road, **Neighbourhood Centre Zone** within the suburb of Salisbury Plain will serve the weekly shopping and business needs for the surrounding area. The Centre will provide a range of convenience and specialty shops in the order of 9900 square metres in gross leasable area for conventional retail. Other land uses to be located in the Centre may include offices, consulting rooms, personal service establishments, community facilities, bulky goods outlets and restaurants. It is anticipated that some retail development elements may occur in the Car Parking Area.

Land uses within the designated Area 2 'Bulky Goods' shown on [Concept Plan Map Sal/16 - Saints Road Neighbourhood Centre](#) should primarily consist of service trade premises, retail showrooms, and bulky goods outlets.

Safe and convenient customer vehicular access to the site will be via Saints Road as well as a single left in only lane off of Main North Road into the Neighbourhood Centre. An additional ingress point to the site from Saints Road may also be required in the future. Staff and commercial vehicles associated with the loading and unloading of goods will be facilitated via Boolcunda Avenue. Vehicular and pedestrian linkages may be established over Cobbler Creek to connect the zone with the property to the south.

Redevelopment of the area designated as Area 1 'Conventional Retail' shown on [Concept Plan Map Sal/16 - Saints Road Neighbourhood Centre](#) should ensure future development incorporates appropriate traffic safety measures to enable improved traffic channelling in the Saints Road locality to enhance traffic safety and flows.

Pedestrian access will be upgraded to ensure there are direct lines of sight from bus stops on Main North Road and Saints Road to the entry doors into the shops. Pedestrian pathways will be well lit and designed to be visually prominent.

Buildings will be redeveloped to ensure they promote "active frontages" (eg number and variety of small tenancies that promote a high level of pedestrian movement) and use of verandas, particularly facing the existing car parking areas and Saints Road. Having regard to the topography of the zone in comparison to the Main North Road level, development will ensure that building roof infrastructure is well screened.



