



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that a **Planning Authority Committee** meeting of the Devonport City Council will be held in the Council Chambers, on Monday 13 February 2017, commencing at 5:15pm.

The meeting will be open to the public at 5:15pm.

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Paul West
GENERAL MANAGER

8 February 2017

**AGENDA FOR A MEETING OF THE PLANNING AUTHORITY COMMITTEE OF
DEVONPORT CITY COUNCIL HELD ON MONDAY 13 FEBRUARY 2017
AT THE COUNCIL CHAMBERS AT 5:15PM**

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Agenda of a meeting of the Devonport City Council's **Planning Authority Committee** to be held at the Council Chambers, 17 Fenton Way, Devonport on Monday 13, February 2017 commencing at 5:15pm.

PRESENT

		Present	Apology
Chairman	Ald S L Martin (Mayor)		
	Ald C D Emmerton		
	Ald G F Goodwin		
	Ald J F Matthews		
	Ald L M Perry		

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

1.0 APOLOGIES

2.0 DECLARATIONS OF INTEREST

3.0 DELEGATED APPROVALS

3.1 PLANNING APPLICATIONS APPROVED UNDER DELEGATED AUTHORITY - 30 NOVEMBER 2016 - 6 FEBRUARY 2017

ATTACHMENTS

1. Planning Applications approved under Delegated Authority - 30 November 2016 - 6 February 2017

RECOMMENDATION

That the list of delegated approvals be received.

Author:	Jennifer Broomhall	Endorsed By:	Brian May
Position:	Planning Administration Officer	Position:	Development Manager

Planning Applications Approved Under Delegated Authority – 30 November 2016 – 6 February 2017			
Application No.	Location	Description	Approval Date
PA2016.0147	72 Berrigan Road, Miandetta	Residential (as constructed shed) - assessment against performance criteria for setbacks and building envelope	20/12/2016
PA2016.0149	5 Saunders Court, Devonport	Boundary adjustment	6/12/2016
PA2016.0157	88 Stewart Street, Devonport	Residential (multiple dwellings x 8) – 7 additional dwelling units and refurbishment of heritage building (existing dwelling at 88 Stewart Street) with assessment against performance criteria under the Heritage Code (E5) and Traffic Generating Use and Parking Code (E9) – visitor parking variation	13/12/2016
PA2016.0163	36 Leary Avenue, Stony Rise	Residential (multiple dwellings x 2) – assessment against performance criteria for private open space location	7/12/2016
PA2016.0164	21a North Street, Devonport	Residential (single dwelling extension) – assessment against performance criteria for setback and building envelope	1/12/2016
PA2016.0165	67 Gunn Street, Devonport	Permitted: Business and Professional Services (Physiotherapy) Discretionary: subdivision within a heritage conservation area at 67 Gunn Street and consolidation with 77 Best Street - assessment against performance criteria for setback from zone boundary	12/12/2016
PA2016.0166	86 Middle Road, Devonport	Residential (multiple dwelling development x 3) – assessment against performance criteria for setbacks and building envelope and privacy for all dwellings	14/12/2016
PA2016.0167	134 Waverley Road, Don	Residential (as constructed carport and verandah) – assessment against performance criteria for Rural Living Provisions – 13.4.1, 13.4.2, 13.4.3 & Local Heritage Code (E5)	1/12/2016
PA2016.0168	30 Loanes Lane, Latrobe	Subdivision - excision of existing dwelling including the discretion to allow a lesser than permitted lot size	13/12/2016
PA2016.0169	104 Percy Street, Devonport	Residential (single dwelling extension) – assessment against performance criteria for setback and building envelope	3/01/2017
PA2016.0170	4 Parker Street, Devonport	Residential (multiple dwellings x 2) – assessment against performance criteria under clause 10.4.1, 10.4.2, 10.4.7 and Traffic Generating Use and Parking Code (fewer parking spaces than required)	20/12/2016
PA2016.0171	6-8 Thomas Street, East Devonport	Manufacturing and processing (alterations and additions) – discretion to allow a change to an existing non-conforming use	20/12/2016
PA2016.0172	9 Riverbend Drive, Don	Residential – assessment against performance criteria under 13.4.1 and 13.4.2	12/12/2016
PA2016.0173	8 Stephen Street, East Devonport	Transport depot and distribution (warehouse extension)	6/12/2016
PA2016.0174	12 Caringa Place, Devonport	Residential (as constructed garage) – assessment against performance criteria for setbacks and building envelope	22/12/2016
PA2016.0175	1 Coraki Street, East Devonport	Residential - multiple dwellings x 4	14/12/2016

Application No.	Location	Description	Approval Date
PA2016.0176	41-43 Middle Road, Devonport	School addition	13/12/2016
PA2016.0177	4 Melrose Street, East Devonport	Residential (alterations and additions to existing dwelling) – assessment against performance criteria for setbacks and building envelope	15/12/2016
PA2016.0178	62 Oldaker Street, Devonport	Business and professional services (extension to eye clinic facility) – assessment against performance criteria for clause 22.4.5 - setback from boundaries	9/01/2017
PA2016.0179	15/2-12 North Caroline Street, East Devonport	Holiday Unit	7/12/2016
PA2016.0180	4 Margaret Street, Devonport	Residential (awning addition to existing dwelling) – assessment against the performance criteria for setbacks and building envelope	14/12/2016

4.0 DEVELOPMENT REPORTS

4.1 PA2016.0162 UTILITIES - TELECOMMUNICATIONS FACILITY (MONOPOLE AND ASSOCIATED INFRASTRUCTURE) - 23 HILLCREST ROAD DEVONPORT

File: 33411 D457530

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 2.1.1 Apply and review the Devonport Interim Planning Scheme as required, to ensure it delivers local community character and appropriate land use
- Strategy 2.1.2 Provide high quality, consistent and responsive development assessment and compliance processes

PURPOSE

The purpose of this report is to enable Council's Planning Authority Committee to make a decision regarding planning application PA2016.0162.

BACKGROUND

Planning Instrument:	<i>Devonport Interim Planning Scheme 2013</i>
Applicant:	Optus Mobiles Pty Ltd, C/- Daly International
Owner:	Stewarts Sewing Machine Centre P/L
Proposal:	Utilities - Telecommunications Facility (Monopole and Associated Infrastructure)
Existing Use:	Site and existing buildings not under current use
Zoning:	Light Industrial
Decision Due:	21 February 2017

SITE DESCRIPTION

The site is identified by Certificate of Title 63840/23 and with the property address of 23 Hillcrest Road, Devonport. It comprises a land area of approximately 846m² and is designated a Light Industrial zoning under the *Devonport Interim Planning Scheme 2013* (DIPS). The site is further characterised by a relatively narrow frontage (approximately 16m) and with a side boundary length of approximately 55m.

The site features an industrial style shed structure constructed in accordance with a 1985 building permit issued by Council for a joinery workshop. This structure is not understood to be under any current use.



Figure 1 – Location of site 23 Hillcrest Road, Devonport (Source: DCC Geocortex – Aerial Imagery 2015).

The Light Industrial zoning of the site under the DIPS is a direct translation from the same zoning which was in effect under the previous *Devonport and Environs Planning Scheme 1984* (the previous planning scheme). As depicted in Figure 2 below the Light Industrial zoning also extends to adjacent properties along the eastern side of Hillcrest Road. Notwithstanding the Light Industrial zoning, a number of these properties are under residential use and development in the form of single dwellings.



Figure 2 – Zoning of

the site and surrounds (Source: DCC Geocortex – Aerial Imagery 2015).

In noting this existing residential use on Light Industrial zoned land it is relevant to consider the conformity or otherwise of that use with the DIPS. The Use Table for the Light Industrial zone makes no allowances for residential use and so it assumes a prohibited use status within this Zone. Notwithstanding this prohibited status, it represents use and development

lawfully in existence prior to the commencement of the DIPS and as such it adopts an existing non-confirming use¹ status.

While the Light Industrial zoning is perhaps not the most appropriate reflection of the existing residential use and development, this was a consequence of the direct translation of “like for like” zones when the DIPS was introduced in October 2013 and replaced the previous planning scheme. Irrespective of the Light Industrial zoning, these properties under residential use and development have been lawfully established and the *Land Use Planning and Approvals Act 1993* (the Act) provides for the use to continue.

In addition to Figure 2 above, Figure 3 below identifies properties within an approximate 100m radius of the subject site at 23 Hillcrest Road. Table 1 provides a general summary as to the existing use and development of these properties.



Figure 3 – Properties identified within approximate 100m radius of subject site. (Source: DCC - Geocortex).

Certificate of Title Reference	Property address	Land zoning under DIPS	Existing use and development
141218/2 141218/4 63840/27	39 Don Road	Light Industrial	Land generally occupied by “Treloar Transport”. Also provides soil, gravel, landscaping and other construction aggregate supplies.
141218/1	15-17 Hillcrest Road	Light Industrial	Land generally described as vacant. No current known use.
63840/24	25 Hillcrest Road	Light Industrial	Residential. Single dwelling.
63840/25	27 Hillcrest Road	Light Industrial	Residential. Single dwelling
63840/26	29 Hillcrest Road	Light Industrial	Residential and service industry. Single dwelling at the front of the

¹ Pursuant to provision 4.1.3 of the DIPS an existing non-confirming use means: a use which is prohibited under the planning scheme but is one to which section 12 of the *Land Use Planning and Approvals Act 1993* applies.

Report to Planning Authority Committee meeting on 13 February 2017

			site. Recent planning permit issued for a shed at the rear of the site to be used for minor mechanical and welding repairs.
60595/1	33 Hillcrest Road	General Residential	Residential. Single dwelling.
12048/18	6 Jarrod Court	General Residential	Residential. Multiple dwellings (x2).
44071/1	36 Hillcrest Road	General Residential	Residential. Single dwelling.
70495/11	34 Hillcrest Road	General Residential	Residential. Single dwelling.
70495/10	32 Hillcrest Road	General Residential	Residential. Single dwelling.
70495/9	30 Hillcrest Road	General Residential	Residential. Single dwelling.
247650/1	28A Hillcrest Road	Light Industrial	"PFD" wholesale food supply warehouse. Industrial style shed structures
123993/1	26 Hillcrest Road	Light Industrial	"Wiggies" automotive repair business. Industrial style shed structures.
70495/6	24 Hillcrest Road	Light Industrial	"Devon" automotive repair business. Industrial style shed structures.
70495/5	22 Hillcrest Road	Light Industrial	Previously occupied by Wooton & Byrne steel fabrication and manufacture. Industrial style shed structures.
120337/1	18-20 Hillcrest Road	Light Industrial	As above.

Table 1 – Details of properties within approximate 100m of subject site at 23 Hillcrest Road, Devonport.

APPLICATION DETAILS

The application seeks approval for the construction of an Optus telecommunications monopole (with attached antenna) and associated infrastructure. The proposed monopole and antenna will feature a total height of approximately 43m. The telecommunications infrastructure is proposed to be located in a leased compound area (approx 229m²) located to the rear of the existing shed structure on the site.

An elevation plan of the proposed development is detailed in Figure 4 below. The development plans and supporting documentation is appended as **Attachment 1**.

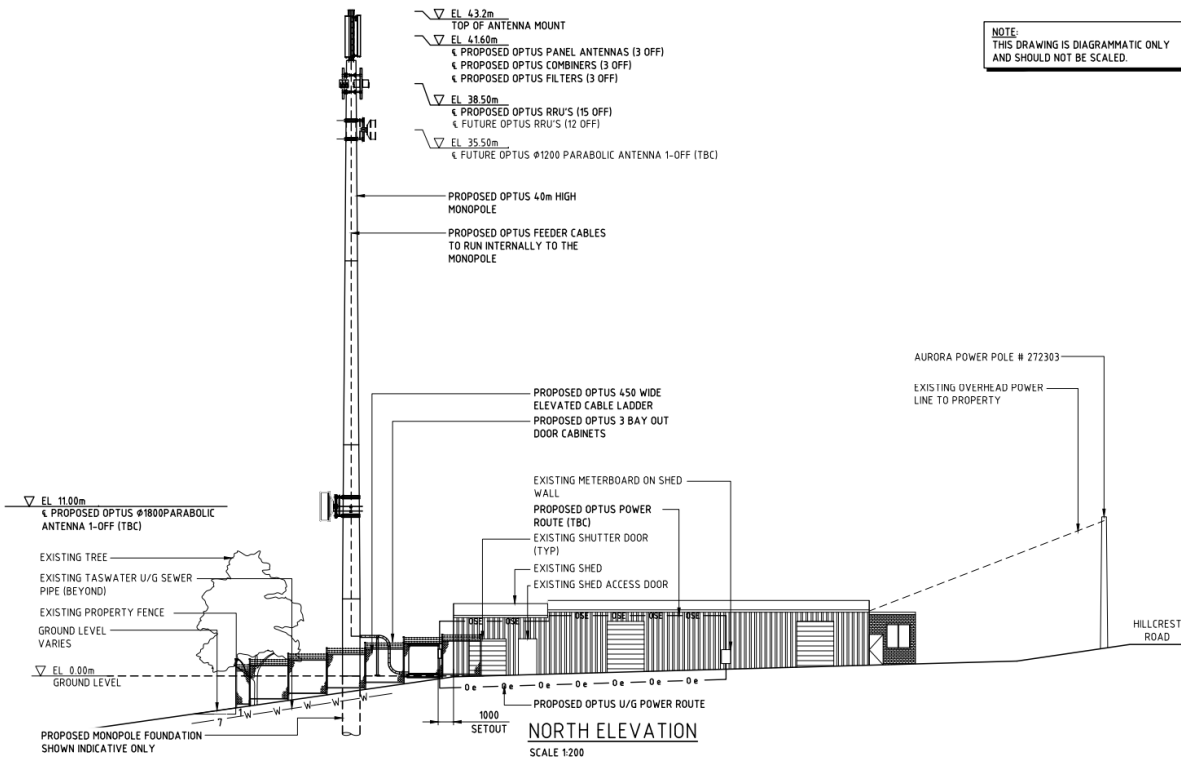


Figure 4 - Proposed telecommunications infrastructure elevation plan (Source: DCC – PA2016.0162 - Daly International (2016)).

A previous planning permit application for the development was made in September 2016 and was subject to the usual statutory public notification period prescribed under the Act. In accordance with normal process and legislative requirement the application was referred to TasWater as the proposed development was in close proximity to TasWater sewer infrastructure. Following an additional information request made by TasWater (and further liaison between the proponent and TasWater) amended plans showing the location of the monopole and associated infrastructure were lodged with the Council. The change to the plans was necessitated by the proximity of the development to the TasWater sewer infrastructure.

Noting that the plans had changed from those originally made with the application – specifically they were not the same as those made available for the statutory public notification period – it was determined to withdraw that application and proceed with a new application featuring the revised detail. This assessment is upon that new application.

Also included with the supporting documentation accompanying the planning permit application, the proponent has provided information relating to site selection and a summary of alternative sites considered for the proposed telecommunications infrastructure. This summary is reproduced in Figure 5 below.

Candidate	Site Details	Facility Type	Description
A	23 Hillcrest Road, DEVONPORT TAS 7310	Monopole	This site is located at the back of a small industrial block located within the industrial estate. To the north, east and west are industrial activities. To the south is industrial zoning, however the current use is residential. The proposed site location utilises an disused portion located at the back of the property. The site is well located to provide high quality coverage to a wide variety of land uses.
B	11 Hillcrest Road. DEVONPORT TAS 7310	Co-location on existing 30m Telstra monopole	This site was discounted by radiofrequency engineers. The proposal was to co-locate on the existing 30m monopole, however both the actual monopole was unsuitable for co-location, and the proposed elevation was too low to provide efficient coverage.
C	28A Hillcrest Road, DEVONPORT TAS 7310	Monopole	This site was a favourable planning location, however tenure negotiations were not as secure as Candidate A. Hence Candidate A has been pursued at this current time.
D	26 Hillcrest Road, DEVONPORT TAS 7310	Monopole	This site was a favourable planning location, however tenure negotiations were not as secure as Candidate A. Hence Candidate A has been pursued at this current time.
E	39 Don Road, DEVONPORT TAS 7310	Monopole	This site was a favourable planning location, however tenure negotiations were not as secure as Candidate A. Hence Candidate A has been pursued at this current time.
F	Don Reserve 260 Steele Street, DEVONPORT TAS 7310	Monopole	This site is zoned Recreation. After brief discussions with Council this site was not pursued.

Figure 5 – Summary of site candidates investigated for proposed telecommunications infrastructure (Source: PA2016.0162 – Supporting Documentation (Daly International, August 2016)).

It is noted that site candidate F in the above table includes the commentary “*After brief discussions with Council this site was not pursued*”. Whilst it is unclear as to the exact nature of this “consultation” with the Council, it is likely that it was confined to matters relating to land tenure – it did not extend to the Council providing land use planning advice.

PLANNING ISSUES

The proposal requires the exercise of discretion on a number of use and development standards prescribed under the DIPS. These include standards applicable under the Light Industrial Zone and Telecommunication Code.

In providing an assessment against the requirements of the Telecommunication Code, it is relevant to provide some commentary as to the operation of codes under the DIPS. Codes establish use and development standards that may apply to more than one zone and matters not described by zone boundaries. The operation of a code is to require compliance with additional provisions that apply over and above the provisions prescribed for a zone. Pursuant to clause 7.3.4 of the DIPS where there is conflict between a provision in a code and a provision in a zone, the code provision prevails.

The Telecommunications Code (E8) of the DIPS establishes development standards that specifically relate to telecommunications infrastructure. These include standards relating to such matters as height, setback from boundaries, visual amenity, and the opportunity for co-location of telecommunication providers on existing infrastructure.

In this situation and whilst the underlying Light Industrial zoning of the site establishes whether the proposed use is allowable (and the status of that use), it is the specific development standards detailed under the Telecommunications Code which primarily form the basis for assessment.

A use or development must comply with the Acceptable Solution or the Performance Criterion for an applicable standard prescribed under the DIPS. Essentially the Acceptable Solution prescribes the "permitted standard" whilst the corresponding Performance Criteria allows for a discretion to consider circumstances where the permitted standard is not satisfied.

Light Industrial Zone

In accordance with the requirements of the DIPS all use and development must be categorised into a prescribed use class as detailed under provision 8.2. The proposed telecommunications facility is appropriately categorised as *utilities*². The Use Table for the Light Industrial zone prescribes the use of land for *utilities* a discretionary use status (unless for minor utilities which is permitted). The proposed telecommunications infrastructure does not conform to the definition of minor utilities³ provided under provision 4.1.3 of the DIPS and so the discretionary use status applies.

Provision 24.3.1 P1 of the DIPS provides that discretionary uses within the Light Industrial zone must:

- (a) be consistent with local area objectives;
- (b) be consistent with any applicable desired future character statements; and
- (c) avoid any likely conflict or impact on amenity for existing use and potential use of adjacent land for –
 - (i) manufacturing, processing, service, repair, storage and transport activity within the zone boundaries; and
 - (ii) use on land beyond the zone boundaries.

² Provision 8.2 of the Devonport Interim Planning Scheme 2013 (DIPS), provides a description for the *utilities* use class as:

The use of land for utilities and infrastructure including:

- (a) *telecommunications;*
- (b) *electricity generation;*
- (c) *transmitting or distributing gas, oil or power;*
- (d) *transport networks;*
- (e) *collecting, treating, transmitting, storing or distributing water; or*
- (f) *collecting, treating, or disposing of storm or floodwater, sewage or sullage.*

Examples include an electrical sub-station or powerline, gas, water or sewerage main, optic fibre main or distribution hub, pumping station, railway line, retarding basin, road, sewage treatment plant, storm or flood water drain, water storage dam and weir.

³ Pursuant to provision 4.1.3 of the DIPS, *minor utilities* means use of land for utilities for local distribution or reticulation of services and associated infrastructure such as a footpath, cycle path, stormwater channel, water pipes, retarding basin, telecommunication lines or electricity substation and power lines up to but not exceeding 110Kv.

The provisions for the local area objectives and desired future character statements are considered relatively broad in nature and predictably promote the use of land within this Zone for light industrial type uses. Whilst some direction is established as to mitigating adverse effects of land use beyond the zone boundary – these provisions do not appear to provide for the consideration of existing uses such as residential within the Light Industrial zone. Subsequently, the proposed telecommunications use is considered generally consistent with the intent and purpose of the Light Industrial zone.

It follows that the application must now be assessed against the specific development standards prescribed by the Telecommunication Code.

Telecommunications Code

In accordance with provision E8.1.1 of the DIPS the purpose of the Telecommunication Code is to –

- (a) recognise equitable provision and access to high-speed broadband and telecommunication networks is essential for the prosperity, security and welfare of the community;
- (b) require proposals for the installation of telecommunication and digital facilities to form part of a local or regional network plan for all carriers to enable consideration of proposals on a broader and potentially regional basis;
- (c) encourage shared use and co-location of facilities to minimise the number of towers and antenna within the municipal area;
- (d) minimise the likely adverse impact of communication systems on community health and safety; and
- (e) minimise adverse visual impact of towers and antenna in urban, rural and conservation settings.

The development standards of the Telecommunication Code are reproduced as below. Discussion is also included on the assessment of the proposed telecommunications infrastructure against these standards.

E8.6.1 – Shared use and co-location

Objective: Telecommunication infrastructure is to minimise the total number of required towers and antenna within the municipal area.	
Acceptable Solutions A1 A new freestanding aerial, tower or mast must be structurally and technically designed to accommodate comparable additional users, including by the subsequent rearrangement of existing antenna and the mounting of antenna at different heights.	Performance Criteria P1 It must not be possible for a new freestanding tower to include capacity for co-location of aerials for reasons of – (a) technical capacity; (b) structural capacity; or (c) security.
Discussion: Opportunity for compliance with Acceptable Solution via the inclusion of an appropriate planning permit condition.	

Acceptable Solutions	Performance Criteria
<p>A2 New antenna must be located on an existing freestanding aerial, tower or mast.</p>	<p>P2 There must be –</p> <ul style="list-style-type: none"> (a) no existing tower or structure located within the network area with the technical capacity to meet the requirements for the antenna; (b) no existing tower or structure of sufficient height to meet the requirements of the antenna; (c) no existing tower or structure with sufficient structural strength to support the proposed antenna and related equipment; (d) risk of electromagnetic interference between the antenna and an existing antenna on the tower or structure; (e) disclosed limiting factors that render existing towers and structures unsuitable; or (f) no suitable alternative technologies that do not require the use of towers or structures such as cable network. Cost of alternative systems which exceed cost of a tower are not presumed to render such technology unsuitable.
<p>Discussion: Relies on Performance Criteria.</p> <p>The proposal is for the construction of a new tower (monopole) to accommodate the antenna infrastructure.</p> <p>An existing Telstra telecommunication monopole (with a height of approximately 30m) is located to the north at 11 Hillcrest Road. As part of the site selection process undertaken by the proponent the option of co-location with this existing Telstra facility appears to have been considered, however this option was not pursued on the basis that the existing monopole was deemed unsuitable to accommodate additional antenna infrastructure, and the available height for co-location was unfavourable for efficient signal coverage.</p> <p>Whilst definitive commentary upon matters such as the structural capacity of monopole infrastructure to accommodate co-location and also the optimum heights for antenna location are matters best addressed by persons with the relevant expertise – the statements offered by the proponent on the issue of co-location invite some observations that perhaps warrant further comment.</p> <p>The planning permit for the existing Telstra monopole at 11 Hillcrest Road was issued in 1999 under the Devonport and Environs Planning Scheme 1984 (the previous planning scheme). This permit included a specific condition requiring that:</p> <p>Telstra, or any subsequent carrier, is to make the tower/facility available for the co-location of facilities if approved by the Planning Authority.</p> <p>The basis for the inclusion of the above-mentioned condition was established by Principle 1 (ii) of the Telecommunications Infrastructure Schedule of the previous planning scheme:</p>	

'to encourage co-location and sharing of facilities, where such capacity exists, and where doing so will not compromise the objectives as stated in Appendix 1.'

A similar 'principle' is included in the DIPS under the purpose statement for the Telecommunication Code at provision E8.1.1 (c) which prescribes: 'encourage shared use and co-location of facilities to minimise the number of towers and antenna within the municipal area.' The intent of this statement is reinforced through the Objective for the statement for the shared use and co-location standard which prescribes that 'telecommunication infrastructure is to minimise the total number of required towers and antenna within the municipal area.' Provision 7.5.4 of the DIPS allows for the consideration of the objective for a relevant standard to assist in the determination of compliance with the performance criterion for that standard.

The planning permit issued for the Telstra monopole at 11 Hillcrest Road was on the basis that it would provide the opportunity for co-location with additional telecommunication carriers – a specific permit condition was provided to this effect. In this context that monopole should have the structural capacity to accommodate additional antenna infrastructure.

It is further noted that the commentary of the proponent regarding the capacity of the existing Telstra monopole to accommodate additional antenna weight was based upon the antenna design originally proposed. A revised antenna design was submitted (as a means to address visual impact considerations) which features a more compact, slimline antenna headframe (see Figure 6 below). A reasonable observation follows that the revised compact antenna headframe could be expected to weigh less than the original antenna proposed. This gives rise to the question: *Would a revised antenna design be more suitable for co-location with the existing Telstra monopole?*

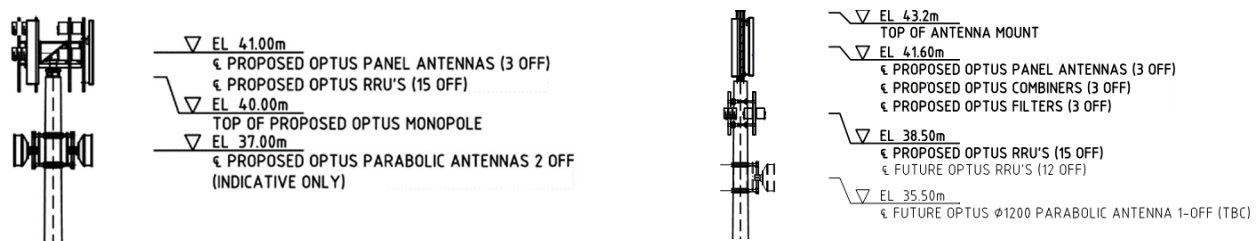


Figure 6 – Diagrams showing the original antenna headframe design on the left and the revised compact headframe on the right (Source: Antenna design images supplied by Daly International (2016)).

Turning to the issue of available height for co-location of antenna on the existing Telstra monopole, the proponent submits that only lower elevations (at approximately 20m high) are available and this would be too low to provide efficient coverage.

As detailed by the proponent, the subject site at 23 Hillcrest Road is considered favourable because of its elevated position and is situated on and around the 60m Australian Height Datum (AHD) contour level. The locality is one of the highpoints in the urban area of Devonport.

As mentioned previously in this report, the proponent investigated a number of other alternative sites for the proposed telecommunications infrastructure. One of those alternative sites was the Don Reserve area at 260 Steele Street, with the intention presumably to situate the monopole in the vicinity of the Splash Devonport Aquatic and Leisure Centre. The aquatic centre is situated upon land generally on and around the 20m AHD contour level.

In line with the above observations and noting the difference in land elevation between the Hillcrest Road and Don Reserve sites, a further question presents: *would an antenna co-located with the existing Telstra monopole (at a height of 20m) at 11 Hillcrest Road provide a comparable level of coverage to that associated with a new monopole structure at 260 Steele Street?*

To reiterate, the above observations and queries that flow from these are not intended to be definitive assessments. Issues pertaining to structural capacity of monopole infrastructure and signal coverage relative to antenna height are best addressed by persons suitably qualified in such matters. However, given that such queries have been identified this is deemed indicative that the justifications against co-location have not been appropriately made out and not sufficiently apparent to conclude that the requirements of P2 have been satisfied.

E8.6.2 – Health, safety and visual impact

Objective:

Telecommunication infrastructure is to minimise likely adverse effect on –

- (a) health and safety of the community; and
- (b) visual amenity of a locality by reducing prominence of telecommunications infrastructure.

Acceptable Solutions	Performance Criteria
A1 Telecommunications infrastructure must – <ul style="list-style-type: none"> (a) be located within an existing utility corridor or site; or (b) only erect and operate aerial telecommunication lines or additional supporting structures in residential and commercial areas if overhead cables are operated by other existing utilities; (c) only clear vegetation if required for functional and safety requirements; (d) locate telecommunication infrastructure to – <ul style="list-style-type: none"> (i) avoid skyline positions and potential to be seen in silhouette; (ii) cross hills diagonal to the principal slope; (iii) cross at the low point of a saddle between hills; or (iv) be located around the base of hills or along the edge of existing clearings; and (e) screen equipment housing and other visually intrusive telecommunication infrastructure to view from public areas. 	P1 Telecommunications infrastructure must minimise the visual impact of infrastructure within the surrounding natural or built environment.

Discussion:

Deemed to rely on Performance Criteria.

The Acceptable Solutions established under A1 are structured in such a way that compliance is to be achieved against the requirements of (a) or the collective of (b) – (e).

It is noted that the DIPS does not provide a definition for the term “*utility corridor*” as referred to in A1 (a) above. Notwithstanding, and consistent with the definition of the *utilities* use class provided previously in this report, the existing use and development of the site and surrounds is not considered to represent a utility corridor for the purposes of A1 (a).

As the proposal is deemed non-compliant with A1 (a) the assessment reverts to the remaining Acceptable Solutions of (b) – (e) which are to be considered collectively.

As its name suggests, Hillcrest Road is located within an elevated position and is one of the highpoints in the urban area of Devonport. The existing Telstra monopole (at a height of approximately 30m) at 11 Hillcrest Road provides a useful reference for the visual impact of the proposed new monopole and the following photographs (Figures 7 – 12) detail that structure from different vantage points. It is noted that the proposed new monopole and antenna (at a total height of approximately 43m) will be 10m taller than the existing Telstra structure.



Figure 7 – View from Hillcrest Road looking north (Source: DCC – January 2017)



Figure 8 – View from Lawrence Drive looking north-west (Source: DCC – January 2017)



Figure 9 – View from Surrey Street looking south-east (Source: DCC – January 2017)



Figure 10 – View from Watkinson Street looking south (Source: DCC – January 2017)



Figure 11 – View from Cutts Road looking east (Source: DCC – January 2017)



Figure 12 – View from Leary Avenue looking north-west (Source: DCC – January 2017)

Upon consideration of photo images depicted in Figures 7-12 above, noting the elevated position of the Hillcrest Road site, and the proposed height of the monopole and antenna – it seems reasonable to reach the conclusion that the structure will have a visual impact on the skyline. It follows that A1 (d) is deemed unsatisfied and compliance with the Acceptable Solutions fails. The development must therefore be determined against the corresponding Performance Criteria of P1.

P1 succinctly states that telecommunications infrastructure must minimise the visual impact of infrastructure within the surrounding natural or built environment. Further reference to the Objective for this standard emphasises that telecommunications infrastructure is to minimise likely adverse effect on the visual amenity of a locality by reducing the prominence of such infrastructure.

As part of the supporting documentation the proponent has provided an approximate visual representation of the proposed new structure. This representation is reproduced in Figure 13 below, however it should be noted that this detail was provided under the previous planning application – the tower has now been moved further to the north of the site (a consequence of the proximity of the TasWater sewer main), and a revised compact antenna design is now proposed. Notwithstanding these modifications, the below representation is still considered to provide an appropriate reference in the assessment of visual impact.



Figure 13 – Visual representation of proposed telecommunications infrastructure at 23 Hillcrest Road (Source: Image supplied by Daly International (October 2016)).

With reference to the previous photographs (Figures 7-12) and also the visual representation of the structure provided by the proponent, it is reasonable to determine that the proposed new monopole and antenna, with a height approximately 10m greater than the existing Telstra structure, will pose a substantial visual impact and be visible for a significant distance away from the site.

As previously mentioned, a number of properties adjacent to the subject site at 23 Hillcrest (along the Eastern side of Hillcrest Road) feature existing residential use and development. Irrespective of these properties being designated a Light Industrial zoning under the DIPS, this residential use and development has been lawfully established and it has existing rights to continue. Given the presence and established nature of such use it is reasonable to assume these properties enjoy a level of residential amenity – just because they have a Light Industrial zoning does mean that such amenity does not exist or they have no entitlement to it.

With note to the proximity of the proposed monopole to adjoining residential use and development upon 25 Hillcrest Road, the location of the 43m high structure at a distance of approximately 12m from the northern boundary of 25 Hillcrest Road is considered to have a significant visual impact upon that property to the extent that the level of visual amenity it otherwise enjoys is unreasonably diminished.

Furthermore, the existing built form and natural vegetation profile of the surrounding area is not considered to mitigate or otherwise offset visual impact. Indeed the proponent appears to concede the matter of visual impact in the commentary provided in the supporting documentation relating to the consideration of an alternative site at the Don Reserve, stating *"...this was due to the property hosting dense bushland that was considered to provide advantageous visual mitigation for the proposed monopole."*

While it is noted that the proponent has submitted measures to try and ameliorate visual

impact such as a compact antenna design and the option to paint the monopole a suitable colour – such measures are not considered sufficient to mitigate the adverse visual impacts associated with the structure.

In accordance with the above commentary it is difficult to reconcile how the location of the proposed 43m high monopole and attached antenna will not have a significant adverse visual impact within the surrounding natural or built environment. Accordingly, the development is deemed non-compliant with P1.

Acceptable Solutions	Performance Criteria
A2 The height of a freestanding aerial, tower or mast must not be more than – (a) 60m on land within the Rural Resource or Rural Living zones; (b) 45m on land within the Light Industrial, General Industrial, Commercial, Utility, or Port and Marine zone; (c) 40m on land within the Local Business, General Business, or Central Business zone; and (d) 20m on land within the General Residential, Low Density Residential, Urban Mixed Use, Village, Environmental Living, Environmental Management, Major Tourism, Open Space, Community Purpose or Recreation zones.	P2 A freestanding aerial, tower or mast must only exceed prescribed height limits if – (a) a pattern of infrastructure or vegetation above the specified height limit exists in a particular location; (b) it has no adverse impact on heritage or ecological value or significant visual amenity; or (c) required for operational efficiency of the facility within the network.

Discussion:

Complies with the Acceptable Solution.

The site is zoned light industrial and the proposed total height of approximately 43m does not exceed the permitted standard of 45m established by A2 (b) above.

Acceptable Solutions	Performance Criteria
A3 A freestanding aerial, tower or mast must be setback from the base of the tower to the exterior boundary of the site by – (a) not less than 60m or 300% of the height of the tower, whichever is the greater, in any residential zone; and (b) not less than 30m or 100% of the height of the tower, whichever is the greater, in any other zone.	P3 The setback of a freestanding aerial, tower or mast must not be less than is – (a) necessary for operational efficiency; and (b) without risk for the health and safety of existing and potential use on adjacent land.

Discussion:

Reliant on Performance Criteria.

The proposed monopole relies on the discretion to allow a lesser than permitted setback. A3 (b) above prescribes a permitted setback from the base of a tower to the boundary of a site by not less than 30m or 100% the height of the tower, whichever is the greater. This setback applies to all boundaries of a site. In this case the total height of the monopole structure is approximately 43m so a permitted boundary setback of that size is established.

The approximate setbacks proposed for the monopole on the site are:

Boundary (Orientation)	Setback of monopole from boundary (approx.)
Side (northern)	2m
Rear (eastern)	9m
Side (southern)	12m
Front (western)	45m

As evidenced above the discretion sought is to allow a setback for the rear and side boundaries that is significantly less than the permitted standard of 43m. Compliance therefore must be achieved against the corresponding Performance Criteria of P3.

In accordance with section 54 of the *Land Use Planning and Approvals Act 1993* an additional information request was also issued upon the applicant to provide supporting rationale as to why a lesser than permitted setback should be allowed - particularly noting the proximity of the tower to adjacent existing residential use and development (also under a light industrial zoning).

In response to this additional information request the applicant has provided supporting statements, including:

- (a) the size of the site prevents compliance with the permitted setback standards;
- (b) that the existing Telstra monopole to the north at 11 Hillcrest Road has a lesser than permitted setback;
- (c) the elevated terrain of the Hillcrest Road site and the height of the monopole provide favourable conditions for the operational efficiency of telecommunications infrastructure; and
- (d) the predicted levels of radio frequency (RF) electromagnetic energy (EME) for the facility are within the public exposure limits calculated within the recognised industry standard of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The maximum predicted EME level is 0.34% of the public exposure limit.

The predicted EME levels for the proposed telecommunications infrastructure are detailed in the Environmental EME report included within the application documentation comprising Attachment 1. This report (dated 20 December 2016) details the maximum EME level for the proposed infrastructure as 0.34% of the public exposure limit.

The Environmental EME report is a federal requirement of the Australian Communications and Media Authority (ACMA) which must be produced by a telecommunications carrier for the development of a new mobile base station facility (or tower/monopole) before such infrastructure is commissioned⁴. This report details the calculated levels of EME around the facility to establish that the EME exposure levels do not exceed the safety limits established under the ARPANSA standard⁵. The ACMA regulates EME levels through conditions it imposes on the licenses it issues to mobile telecommunication carriers⁶.

In line with the above information and noting the specific technical nature of data and calculation of EME levels, it is deemed appropriate to rely upon the documentation provided by suitably qualified persons in such matters and in accordance with the recognised ARPANSA standards – particularly where such matters largely extend beyond the expertise of Council Land Use Planning staff.

⁴ *Mobile phone base stations*, Australian Communications and Media Authority – www.acma.gov.au (accessed January 2017).

⁵ *Ibid.*

⁶ *Ibid.*

In addition to the above commentary and notwithstanding that the construction of P3 is relatively simplistic, provision 7.5.4 of the DIPS allows for the consideration of the objective for a relevant standard to assist in the determination of compliance with the performance criterion for that standard. The Objective for the health, safety and visual impact standard (E8.6.2) provides that telecommunications infrastructure is to minimise likely adverse effect on health and safety of the community, and visual amenity by reducing the prominence of telecommunications infrastructure.

In this context, and noting the specific inclusion of building height and setback standards as derived from the above-mentioned objective statement, it seems logical to conclude that the reference to the safeguarding of *"health and safety of existing and potential use on adjacent land"* not only relates to RF and EME exposure levels, but also to the physical dimensions of the monopole and its setbacks to the boundaries of the site.

While perhaps an unlikely scenario, the event of a tower collapse should not be entirely discounted and compliance with the permitted setback standards assists to mitigate any off-site damage to life and property. In this instance the "fall zone" in the event of a tower collapse would extend well beyond the property boundaries. This observation, particularly relevant for the existing residential use and development on adjacent land to the south, leads towards a reasonable conclusion that the level of risk is made more prevalent under the significantly lesser than permitted setbacks proposed.

Furthermore, the issue of setback is also considered directly related to visual amenity impacts and the permitted setback standards are considered to help ameliorate visual impacts associated with bulk and scale. This matter is especially pertinent for the adjoining residential use and development (and the amenity of that use) to the south at 25 Hillcrest Road. The proposed setback of the tower of 12m, a factor of more than 3 times less than the permitted 43m setback standard, from the southern (side) boundary of the site which adjoins 25 Hillcrest Road can reasonably be expected to be substantially more visually intrusive than a tower setback in accordance with the permitted standard.

Notwithstanding the proposed monopole does comply with the permitted height standard prescribed under E8.6.2 A2 (b), it seems further logical to make the connection that the height of the tower has a direct influence on the appropriate setback of that tower from the boundaries of a site.

It is evident that the size of the site prevents compliance with the permitted setback standards. In this case and particularly noting the discretion sought is for a setback significantly less than the permitted standard, a discretion based on the size of the site is not sufficient as it invites consideration of the suitability of the site in the first instance.

Similarly, the justification put forward by the proponent that a lesser than permitted setback can be considered due to the existing Telstra monopole at 11 Hillcrest having a lesser than permitted setback is also considered insufficient. As mentioned earlier in this report, the planning permit for the existing Telstra monopole at 11 Hillcrest Road was issued in 1999 under the previous planning scheme, which prescribed different use and development standards to those currently in force under the DIPS. A planning permit application must be considered against the requirements of the planning scheme currently in effect with the DIPS specifically providing development standards for the setback of telecommunication towers from property boundaries. It is further noted that the proposed monopole is approximately 10m higher than the existing Telstra monopole.

In line with the above commentary, the discretion sought for a lesser than permitted setback of the tower from the rear and side boundaries of the site is deemed to exceed that which should be reasonably considered.

While the Performance Criteria does offer the discretion to consider a lesser than permitted setback for the monopole, in this instance the discretion sought is significantly

less than the permitted standard – by a factor of more than three times less than the permitted setback prescribed for the rear and side boundaries.

The size of the site prevents compliance with the permitted setback standards for a tower of the height proposed, and the discretion sought for the setbacks of the tower are of an extent to reasonably conclude that the site is unsuitable for the proposed development.

While the location of the tower may provide operational efficiency for the purposes of P3 (a), the discretion to allow a significantly lesser than permitted setback to the extent proposed is deemed non-compliant with the requirements of P3 (b) which provide for the reasonable safeguarding of the health and safety of existing and potential use on adjacent land.

Acceptable Solutions	Performance Criteria
A4 Telecommunications infrastructure servicing a network (facilities not requiring installation on an individual street basis) must not be located on land in a residential zone.	P4 Location of telecommunications infrastructure servicing a network (facilities not requiring installation on an individual street basis) on land within a residential zone must be required for operational efficiency of the network.

Discussion:

Not applicable.

The site is zoned Light Industrial. It is not land in a residential zone.

Acceptable Solutions	Performance Criteria
A5 A freestanding aerial, tower, or mast must – (a) be finished and maintained with a galvanised steel surface or painted a neutral colour so as to reduce visual obtrusiveness; (b) not affix or mount a sign other than necessary warning or equipment information; (c) not be artificially lit or illuminated unless required for air navigation safety or for security; (d) if security fencing is required, such fencing must be of a design, material and colour that reflect the character of the location; and (e) provide a buffer not less than 2.0m wide outside the perimeter of the compound of plant material to effectively screen the tower compound from public view and from adjacent land.	P5 The location of the tower must be sufficiently remote from other use and unlikely to have adverse visual impact.

Discussion:

Opportunity for compliance with Acceptable Solution via the inclusion of an appropriate planning permit condition.

Acceptable Solutions	Performance Criteria
<p>A6</p> <p>If an antenna is installed on a structure other than a tower, the antenna and the support equipment must be a painted neutral colour that is identical to or closely comparable with the colour of the supporting structure so as to make the antenna and equipment as visually unobtrusive as possible.</p>	<p>P6</p> <p>The location of the antenna must be sufficiently remote from other use and unlikely to have adverse visual impact.</p>
<p>Discussion:</p> <p>Deemed not applicable.</p> <p>The above provision relates to the installation of antenna on a structure other than a tower.</p>	
Acceptable Solutions	Performance Criteria
<p>A7</p> <p>If an aerial, tower or mast is modified or replaced to facilitate co-location of additional antenna –</p> <p>(a) the modified or reconstructed tower must be of the same type as the existing tower unless reconstructed as a monopole tower;</p> <p>(b) the reconstructed tower must satisfy the applicable setback and separation distances; and</p> <p>(c) if there is more than one tower on a site, reconstruction must not occur unless the outcome is that only one tower is to remain on the site.</p>	<p>P7</p> <p>It must be necessary for operational efficiency to –</p> <p>(a) replace an aerial, tower or mast with a structure other than a monopole;</p> <p>(b) locate a replacement aerial, tower or mast otherwise than in accordance with the applicable setback and separation distances; and</p> <p>(c) to replace an aerial, tower or mast and retain another aerial, tower or mast on the same site.</p>
<p>Discussion:</p> <p>Deemed not applicable.</p> <p>The application seeks approval for the construction of a new tower (monopole). No modification of existing structures is proposed as part of this application.</p>	
Acceptable Solutions	Performance Criteria
<p>A8</p> <p>The location of aerial telecommunication infrastructure must –</p> <p>(a) provide clearance for vehicular traffic; and</p> <p>(b) not pose a danger or encumbrance to other users or aircraft.</p>	<p>P8</p> <p>There are no performance criteria.</p>
<p>Discussion:</p> <p>Complies with Acceptable Solution.</p> <p>The location of the monopole at the rear of the site is not considered to impede vehicular traffic on Hillcrest Road.</p> <p>Noting that the site is further identified as being within the area mapped as operational airspace under the DIPS the application was also referred to the Tasmanian Ports Corporation who have advised that the monopole will not penetrate the airport obstacle</p>	

limitation surface (OLS) and will not affect airport operations.

The above TasPorts advice is also a demonstration of compliance against the permitted standards of the Airport Impact Management Code of the DIPS (notably provision E2.6.2 A2).

COMMUNITY ENGAGEMENT

On 01/11/2016, Council received an application for the above development. Under Section 57(3) of the *Land Use Planning and Approvals Act 1993*, the Planning Authority must give notice of an application for a permit. As prescribed at Section 9(1) of the *Land Use Planning and Approvals Regulations 2014*, the Planning Authority fulfilled this notification requirement by:

- (a) Advertising the application in *The Advocate* newspaper on 14/01/2017;
- (b) Making a copy of the proposal available in Council Offices from the 14/01/2017;
- (c) Notifying adjoining property owners by mail on 12/01/2017; and
- (d) Erecting a Site Notice for display from the 13/01/2017.

The period for representations to be received by Council closed on 30/01/2017. In addition to the statutory requirements for public notification, the application (including plans and supporting documentation) was made available for viewing via the Council's website during the abovementioned 14-day exhibition period.

REPRESENTATIONS

Three submissions were received from the adjoining landowner of 25 Hillcrest Road during the statutory 14-day public notification period required by the *Land Use Planning and Approvals Act 1993*.

These have been considered collectively as a single representation and the issues raised therein are generally summarised in Table 2 below. The correspondence comprising the representation is reproduced in full as **Attachment 2**.

Issue raised in representation	Comment
Process regarding selection of site.	<p>The site selection process (including the methodology and criteria applied to these investigations) was undertaken by the proponent. The Council had no direct role in the selection of the subject site or any alternative.</p> <p>As mentioned previously in this report, the supporting documentation provided with the application included information relating to site selection and a summary of alternative sites considered for the proposed tele-communications infrastructure. This information details that candidacy for an alternative site at 260 Steele Street (the Don Reserve Area adjacent to the aquatic centre) was investigated but concluded with the commentary: "After brief discussions with Council this site was not pursued".</p>

	<p>Whilst it is unclear as to the exact nature of this "consultation" with the Council, it is likely that it was confined to matters relating to land tenure – it did not extend to the Council providing land use planning advice.</p> <p>The Council's role as planning authority is to assess the planning permit application in accordance with the requirements of the DIPS.</p>
Submits that an alternative zoning should be applied to 25, 27 and 29 Hillcrest Road in assessing the impacts of the proposed telecommunications infrastructure.	<p>This report has previously provided commentary that the Light Industrial zoning is perhaps not the most appropriate reflection of the existing residential use and development on Hillcrest Road. The allocation of this zone was a consequence of the direct translation of "like for like" zones when the DIPS was introduced in October 2013 and replaced the previous planning scheme.</p> <p>Irrespective of the above comments, the designation of the Light Industrial zoning for these properties remains. It is not the appropriate forum or the appropriate legislative process for the consideration of an alternative zoning for these properties. The provisions of an alternative zone cannot be supplanted in the place of an incumbent zone simply because the alternative may be viewed as more appropriate or desirable.</p> <p>Issues relating to visual impact and amenity have been considered as part of this assessment in relation to the requirements of the Telecommunication Code prescribed under the DIPS.</p>
Visual impact	<p>Issues relating to visual impact and amenity have been considered as part of this assessment in relation to the requirements of the Telecommunication Code prescribed under the DIPS.</p>
Health and safety impacts – including queries on the veracity of the data and calculations for predicted electromagnetic energy (EME) associated with the new facility	<p>As mentioned earlier in this report, the predicted EME levels for the proposed telecommunications infrastructure are detailed in the Environmental EME report included within the application documentation. This report prepared in accordance with the recognised industry standard ARPANSA details the maximum EME level for the proposed facility as 0.34%</p>

	<p>of the public exposure limit.</p> <p>Noting the specific technical nature of data and calculation of EME levels, it is deemed appropriate to rely upon the documentation provided by suitably qualified persons in such matters and in accordance with the recognised ARPANSA standards – particularly where such matters largely extend beyond the expertise of Council land use planning staff.</p> <p>Notwithstanding, health and safety considerations associated with the discretion sought to allow a significantly lesser than permitted rear and side setbacks for the proposed monopole have been considered in this assessment and detailed previously in this report.</p>
Impact on property value	<p>Property valuation is not a land use planning matter, nor within the scope of consideration established by the planning scheme. No further comment on this matter is appropriate.</p>

Table 2 – Summary of issues raised in the representation

DISCUSSION

This report has provided an assessment of the proposal against the requirements of the DIPs and in particular those matters where the exercise of discretion has been sought. Foremost amongst the discretions relied upon is a significantly lesser than permitted setback of the tower from the rear and side boundaries of the site. The discretion sought in this regard is considered to exceed that which should be reasonably considered without undue adverse impact upon adjacent residential use and development, and the amenity they have reasonable entitlement to. The size of the site prevents compliance with the permitted setback standards for a tower of the height proposed, and the discretion sought for the setbacks of the tower are of an extent to reasonably question the suitability of the site in the first instance.

The proposed new monopole and antenna, at a total height of approximately 43m, is deemed to pose a substantial visual impact and be visible for a significant distance away from the site – a consequence made more prevalent by the elevated position of Hillcrest Road in the urban area of Devonport. There is no existing built form or natural vegetation profile of the surrounding area that is considered to adequately mitigate or otherwise offset this visual impact.

Noting the detail contained within the accompanying documentation provided by the proponent in support of the planning permit application, it seems reasonable to conclude that a primary factor influencing the selection of the site at 23 Hillcrest Road was the ability to secure tenure with the landowner. The security or otherwise of obtaining land tenure is not a land use planning consideration, nor is it a reasonable justification on which to confer discretion relating to the suitability of the site to accommodate the proposed use and development.

The matters raised in the representation including adverse visual impact and an unreasonable loss of amenity are consistent with the previous commentary provided in the assessment of the proposal against the requirements of the DIPS, and in particular the discussion provided against the development standards of the Telecommunication Code.

As part of the normal assessment procedure, the application was internally referred to the various Council departments with an interest in development applications. The requirements/comments of these referrals have been incorporated into this assessment as appropriate.

Noting the location of the site within the area mapped as operational airspace under the DIPS the application was also referred to the Tasmanian Ports Corporation, with the subsequent response also included in this assessment.

In accordance with the requirements of the *Water and Sewerage Industry Act 2008* the application was referred to TasWater who subsequently issued a Submission to Planning Authority Notice stating no objection to the proposed development and requiring no conditions to be imposed in the event of Council granting a planning permit.

FINANCIAL IMPLICATIONS

No financial implications are predicted unless an appeal is made against the Council's decision to the Resource Management and Planning Appeal Tribunal (RMPAT). In such instance legal counsel may be required to represent Council. The opportunity for an appeal exists as a result of the Council determining to either approve or refuse the application.

RISK IMPLICATIONS

No risk implications are associated with a determination of this planning permit application.

CONCLUSION

The application seeks approval for the use and development of a telecommunications monopole with attached antenna and associated infrastructure. The proposed monopole and antenna will feature a total height of approximately 43m.

The proposal relies on a number of Performance Criteria prescribed for the development standards under the Telecommunication Code of the DIPS. The Acceptable Solution prescribes the "permitted standard" whilst the Performance Criteria allows for the discretion to consider circumstances where the permitted standard is not satisfied. In accordance with the requirements of the DIPS if the Performance Criteria of an applicable zone or code standard are relied upon but cannot be satisfied, then the application for a use or development cannot be granted a permit.

In this case the proposal is deemed non-compliant with the following Performance Criteria of the development standards established under the Telecommunication Code of the DIPS:

- E8.6.2 P3 (b) – The discretion sought is to allow a setback of the proposed tower from the rear and side boundaries of the site that is significantly less (by a factor of more than 3 times less) than the permitted standard of 43m. Noting the proximity of adjoining residential use and development the discretion sought is deemed to exceed that which should be reasonably considered.
- E8.6.2 P1 – Noting the elevated position of Hillcrest Road and the proximity of the site to adjacent residential use and development, the proposed structure is deemed to establish a significant visual impact within the surrounding natural and built

environment. It is further considered that the existing amenity enjoyed by adjacent residential use and development is unreasonably compromised by the visual intrusion of the proposed 43m high monopole structure.

- E8.6.1 P2 – A key tenet of the Telecommunications Code is to promote the shared use and co-location of telecommunications infrastructure and to minimise the number of towers in the municipal area. The planning permit issued by the Council in 1999 for the Telstra monopole at 11 Hillcrest Road was on the basis that it would provide the opportunity for co-location with additional telecommunication carriers – a specific permit condition was provided to this effect. In this context that monopole should have the structural capacity to accommodate additional antenna infrastructure. It is considered that the justifications provided by the proponent against co-location have not been appropriately made out and not sufficiently apparent to conclude that the requirements of P2 have been satisfied.

On the basis of the assessment against all applicable standards, as set out in the report, It is recommended that the application be refused.

ATTACHMENTS

1. Application - PA2016.0162 - 23 Hillcrest Road Devonport
2. Representation - Johns - PA2016.0162 - 23 Hillcrest Road Devonport

RECOMMENDATION

That the Planning Authority, pursuant to the provisions of the *Devonport Interim Planning Scheme 2013* and Section 57 of the *Land Use Planning and Approvals Act 1993* in relation to the planning application PA2016.0162 for a telecommunications facility (monopole and associated infrastructure on land located at 23 Hillcrest Road, Devonport refuse the application due to its non-compliance with Performance Standards E8.6.2 P3 (b), E8.6.2 P1 and E8.6.1 P2 Telecommunication Code E8 of the *Devonport Interim Planning Scheme 2013*.

Author:	Mark McIver	Endorsed By:	Brian May
Position:	Planning Officer	Position:	Development Manager



24 October 2016

REF: Devonport West H0025

Dear Town Planner,

Re: Application for planning permit for proposed Optus telecommunications facility AT 23 Hillcrest Road, DEVONPORT TAS

Daly International Pty Ltd on behalf of Optus Mobile Ltd are lodging an application for a planning permit for a 40m monopole located in the light industrial precinct west of Devonport.

Please note this is a new planning application submitted for the above mentioned site. Please ensure that council refers the application to Tas Water and also re-notifies the application as per email correspondence dated the 30 October 2016 between Petra Kovacs and Mark McIver (Council town planner).

Please forward new application number once Council has processed the application.

Please find attached:

- Cheque for **\$300 fee to cover public notification**
- **Revised** proposal drawings
- **Revised** survey
- Completed application for planning permit form

Please also include a receipt pertaining to the application fee cheque either via email or by post.

Any questions regarding this application please do not hesitate to contact Petra Kovacs on 03 9628 5300 or via email PKovacs@dalyinternational.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Petra Kovacs".

Petra Kovacs
Senior Town Planner
Daly International
T 03 9628 5314
PKovacs@dalyinternational.com.au

Office use
Application no. _____
Date received: _____
Fee: _____
Permitted/Discretionary

Devonport City Council*Land Use Planning and Approvals Act 1993**Devonport Interim Planning Scheme 2013***Application for Planning Permit****Use or Development Site**Street Address: 23 Hillcrest RoadDevonport TASCertificate of Title Reference No.: CT 63840123**Applicant's Details**Full Name/Company Name: Optus Mobiles Pty LtdPostal Address: Care of Daly Int
210 601 Bourke St
Melbourne VIC 3000Telephone: 03 9628 5300Email: pkovacs@dalyinternational.com.au**Owner's Details (if more than one owner, all names must be provided)**

Full Name/Company Name: _____

J. M. Dooley
Stewarts Sewing Machine Centre Pty LtdPostal Address: 23 Hillcrest RoadDevonport TAS

Telephone: _____

Email: stewart2@bigpond.com

MUST
advertise
under!

ABN: 47 611 446 016
PO Box 604
17 Fenton Way
Devonport TAS 7310
Telephone 03 6424 0511
Email
council@devonport.tas.gov.au
Web
www.devonport.tas.gov.au

Sufficient information must be provided with an application to demonstrate compliance with all applicable standards, purpose statements in applicable zones, codes and specific area plans, any relevant local area objectives or desired future character statements.

Please provide one copy of all plans with your application.

Assessment of an application for a Use or Development

What is proposed?: 40m Telecommunications Facility

Description of how the use will operate: Please see submitted application

Use Class (Office use only):

Applications may be lodged by email to Council - council@devonport.tas.gov.au. The following information and plans must be provided as part of an application unless the planning authority is satisfied that the information or plan is not relevant to the assessment of the application:

Application fee
Completed Council application form
Copy of certificate of title, including title plan and schedule of easements
Demonstration of compliance with performance criteria and relevant codes
A site analysis and site plan at an acceptable scale on A3 or A4 paper (1 copy) showing:
<ul style="list-style-type: none"> • The existing and proposed use(s) on the site • The boundaries and dimensions of the site • Typography including contours showing AHD levels and major site features • Natural drainage lines, watercourses and wetlands on or adjacent to the site • Soil type • Vegetation types and distribution, and trees and vegetation to be removed • The location and capacity of any existing services or easements on the site or connected to the site • Existing pedestrian and vehicle access to the site • The location of existing adjoining properties, adjacent buildings and their uses • Any natural hazards that may affect use or development on the site • Proposed roads, driveways, car parking areas and footpaths within the site • Any proposed open space, communal space, or facilities on the site • Main utility service connection points and easements • Proposed subdivision lot boundaries, where applicable • Details of any proposed fencing
Where it is proposed to erect buildings, a detailed layout plan of the proposed buildings with dimensions at a scale of 1:100 or 1:200 on A3 or A4 paper (1 copy) showing:
<ul style="list-style-type: none"> • The internal layout of each building on the site • The private open space for each dwelling • External storage spaces • Car parking space location and layout • Major elevations of every building to be erected • The relationship of the elevations to natural ground level, showing any proposed cut or fill • Shadow diagrams of the proposed buildings and adjacent structures demonstrating the extent of shading of adjacent private open spaces and external windows of buildings on adjacent sites • Materials and colours to be used on roofs and external walls
A plan of the proposed landscaping including:
<ul style="list-style-type: none"> • Planting concept • Paving materials and drainage treatments and lighting for vehicle areas and footpaths • Plantings proposed for screening from adjacent sites or public spaces
Details of any signage proposed

If all of the above information is not provided to Council at the time of lodgement the application will not be accepted.

Value of use and/or development

\$ 250,000

Notification of Landowner/s (s.52 Land Use Planning and Approvals Act, 1993)

If land is not in applicant's ownership

I, Petra Kovacs declare that the owner /each of the owners of the land has been notified/will be notified within 7 days from date of making this permit application.

Applicant's signature: PKA

Date: 24/10/2016

If the application involves land owned or administered by the Devonport City Council

Devonport City Council consents to the making this permit application.

General Manager's signature: _____

Date: _____

If the application involves land owned or administered by the Crown

Consent must be included with the application.

Signature

I apply for consent to carry out the development described in this application. I declare that all the information given is true and correct. I also understand that:

- if incomplete, the application may be delayed or rejected;
- more information may be requested within 21 days of lodgement; and
- The application may take 42 days to determine.

PUBLIC ACCESS TO PLANNING DOCUMENTS

I, the undersigned understand that all documentation included with this application will be made available for inspection by the public. Copies of submitted documentation, with the exception of plans which will be made available for display only, may be provided to members of the public, if requested.

Applicant's signature: PKA

Date: 24/10/2016

PRIVACY ACT

The personal information requested on this form is being collected by Council for processing applications under the *Land Use and Planning Approvals Act 1993* and will only be used in connection with the requirements of this legislation. Council is to be regarded as the agency that holds the information.

Fee & payment options – Please pay fee when lodging your completed application form

	Payment in Person Customer Service hours are between 8.30am and 5.00pm, Mon-Fri. Payment may be made by cash, credit card, cheque or EFTPOS.
	Payment by Mail Cheques should be made payable to Devonport City Council and posted to The General Manager, Devonport City Council, PO Box 604, Devonport, TAS, 7310.
	Credit Card Payment by Phone Please contact the Devonport City Council offices on 6424 0511. Customer Service hours are between 8.30am and 5.00pm, Monday to Friday.

22/08/2016 D435577

**RESULT OF SEARCH**

RECORDER OF TITLES

Issued Pursuant to the Land Titles Act 1980

SEARCH OF TORRENS TITLE

VOLUME	FOLIO
63840	23
EDITION	DATE OF ISSUE
2	21-May-2012

SEARCH DATE : 07-Oct-2015

SEARCH TIME : 09.16 AM

DESCRIPTION OF LAND

City of DEVONPORT

Lot 23 on Diagram 63840 (formerly being 161-20D)

Derivation : Part of Lot 5275 Gtd. to J.M. Dooley

Prior CT 4058/21

SCHEDULE 1

B300764 STEWARTS SEWING MACHINE CENTRE PTY LTD

SCHEDULE 2

Reservations and conditions in the Crown Grant if any

105723 BOUNDARY FENCES CONDITION in Transfer

B300765 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 08-Sep-1989 at 12.01 PMD57560 MORTGAGE to Australia and New Zealand Banking Group
Limited Registered 21-May-2012 at noonUNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

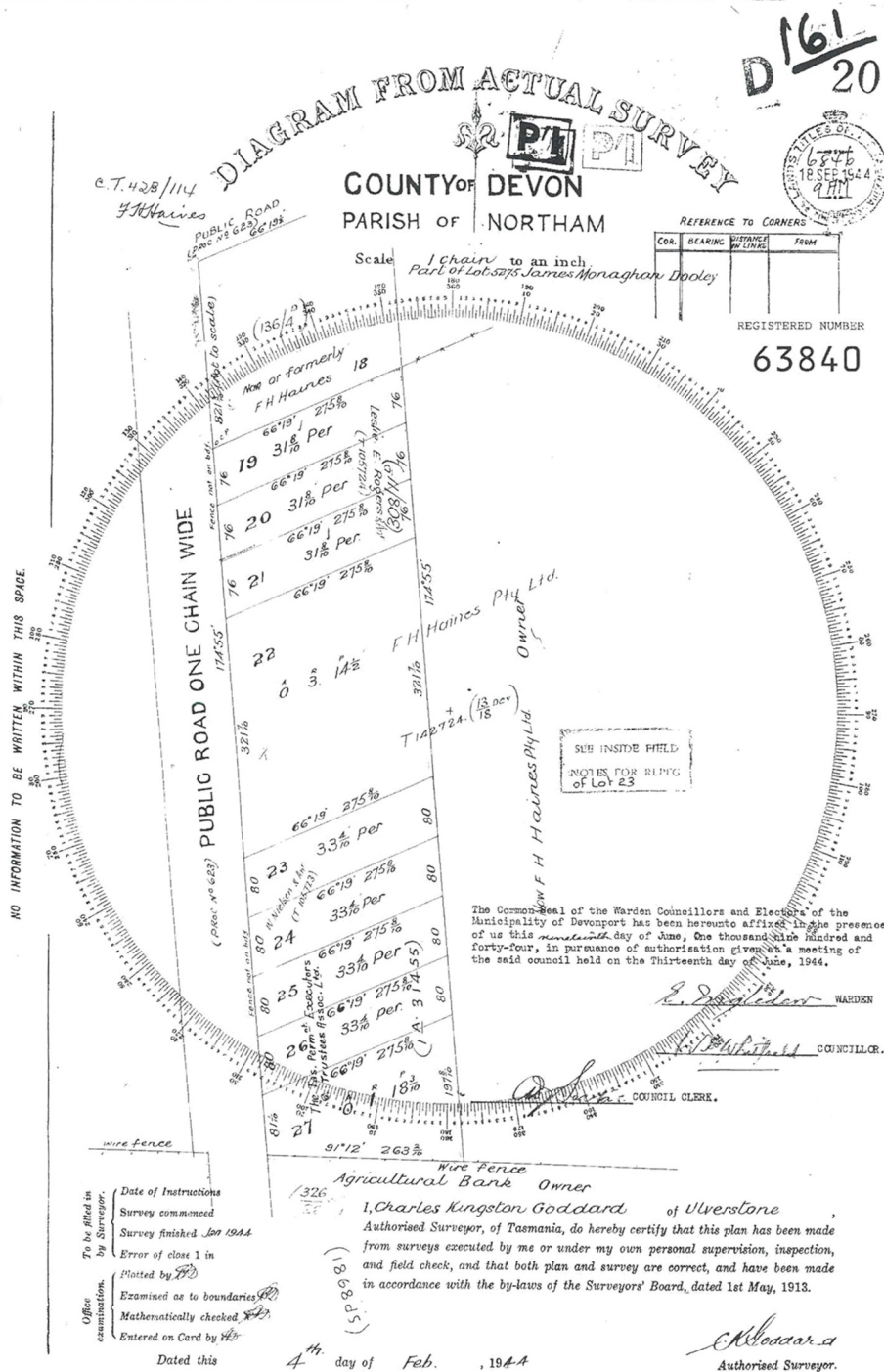
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FOLIO PLAN

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22/08/2016 D435577



Planning Application Proposed New Telecommunications Facility

**Lot 23 63840
23 Hillcrest Road
DEVONPORT TAS 7310**

Prepared on behalf of **Optus**
by Daly International Pty Ltd
August 2016

22/08/2016 D435577



DA for New Telecommunications Facility at
23 Hillcrest Road DEVONPORT TAS 7310

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EXECUTIVE SUMMARY

Proposal	<p>Optus Mobiles Pty Ltd (Optus) propose installation of a new 40m telecommunications facility within the industrial estate located west of Devonport. The proposal is part of a nationwide rollout to improve mobile coverage and access to enhanced services via the Optus mobile network in metropolitan, regional and rural areas. The proposed works are as follows:</p> <ul style="list-style-type: none"> • Installation of one (1) new 40m monopole; • Installation of three (3) new panel antennas, to be mounted at the top of the monopole on a hexagonal headframe; • Installation of one (1) new equipment shelter, with a floor area of 7.5m², located adjacent to the new monopole, • Two parabolic antenna to provide linkage into the Optus network; • Installation of a security chain link fence; and • Installation of ancillary equipment associated with the operation of the facility. 	
Purpose	<p>The primary objective is to improve and provide quality in-building coverage and on-street to the area located west of Devonport, encompassing residential, commercial, industrial and some rural uses west of the Don River (please see Figure 1). This area currently resides in an Optus coverage black hole which results in poor reception.</p>	
Property Details	<p>Property Description: Lot 23 63840 Street Address: 23 Hillcrest Road, Devonport TAS 7310</p>	
Town Planning Scheme	<p>Council: Devonport City Council Zone: Light Industrial Principal Designated Use: Industrial Definition: Utilities (Telecommunications Tower – Discretionary)</p>	
Planning Considerations	Council Overlays	Obstacle Surface Limitation Overlay from Devonport Airport
	State Referrals	Referral regarding Devonport Airport (Tasmania Ports)
	State Planning	Living on the Coast: The Cradle Coast Regional Landuse Planning Framework, October 2011
Application	<p>Installation of a new mobile telecommunications base station on the premises.</p>	
Applicant	<p>Daly International Level 10, 601 Bourke Street MELBOURNE VIC 3000 Contact: Petra Kovacs 03 9628 5300 PKovacs@dalyinternational.com.au Ref: Devonport West RFNSA Ref: 7310024</p>	
Quality and Assurance Check	<p>Report prepared by: Petra Kovacs</p>	

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1 PURPOSE OF THE PROPOSAL

To cater for the growing demand for mobile services, Optus has embarked on a nationwide rollout to deliver an improved, reliable telecommunications network to the Australian public. The rollout will provide improved mobile coverage and enhanced services in metropolitan, regional and rural areas throughout Australia. This rollout consists of the upgrade of existing telecommunications facilities and where required the installation of new mobile base stations to expand the coverage footprint and offer seamless mobile services.

Additional base stations are required where surrounding facilities cannot provide sufficient coverage to a target area. New facilities are also required when existing base stations are fully utilised and cannot serve additional users in the area. Optus has undertaken analysis of their mobile network in the vicinity of the area west of Devonport. Optus has found that this to be an area hosting multiple zonings and land uses, and an area where Optus coverage and network quality needs to be improved. If this investment is not made, the following main issues will arise:

1. Users may have difficulty connecting to the mobile network or the call may drop out. This impacts businesses, residents, visitors to the area and the ability of the user to contact emergency services.
2. User may experience reduced data speeds, longer download times and poor network performance at busy times of the day with data intensive and time sensitive applications (e.g. newscasts, social media, mobile banking, weather forecasts, sports highlights etc.)

Once Optus identifies the need for improved network performance, the optimisation of existing Optus facilities throughout the region is explored and undertaken where required. In some cases this option resolves network deficiencies in an area. However, in this situation the optimisation of surrounding facilities has not been able to achieve a satisfactory outcome for the network as there are no nearby telecommunications facilities of sufficient height to allow a successful co-location of Optus antenna. In this instance there is a Telstra facility located to the north, however the 30m slimline monopole does not have the required structural capacity or height to support and elevate the proposed Optus antenna. It should be noted that lowered antenna elevation shrinks the coverage footprint of the wireless signal.

As such it was concluded that the deployment of a new Optus mobile base station in the area west of Devonport, was the only viable solution.

As a licensed telecommunications Carrier, Optus must operate under the provisions of the *Telecommunications Act 1997* ("The Act") and the *Telecommunications Code of Practice 1997*. This proposal will require development permit and will trigger assessment subject to the *Landuse Planning & Approval Act 1993* and the *Devonport Interim Planning Scheme 2013*.

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2 BACKGROUND

2.1 *What is a mobile base station facility and how do they work?*

A mobile base station is a facility that provides mobile telephone services to a geographical area. A mobile phone network is made up of base stations which operate together to provide service to users moving from place to place within the coverage area. A mobile base station typically consists of the following components: antennas, support structure, base station and transmission equipment. The antennas are connected by cable to radio equipment usually housed in a room, shelter or outdoor unit. Base stations are connected to the core network by microwave or fibre. Mobile phones work by sending and receiving low power radio signals, much like 2 way radio system. The signals are sent and received from antennas that are attached to radio transmitters and receivers, commonly referred to as mobile phone base stations. The base stations are linked to the rest of the mobile and fixed phone network and pass the signal/call on into those other parts of the network.

To provide a high quality mobile service, base stations need to be located where people use their devices. A mobile network is typically designed on a "cell grid" basis that's covers certain geographic areas. Mobile base stations are located either in each cell or on the corner of a group of cells. The number of base stations required for a given area will depend on the terrain and population of the area. Given the statistics provided in the Introduction, it is assumed that the majority of the population has at least one mobile phone, giving a good indication of the need for mobile base stations.

Mobile networks have a finite capacity which means the ability to cater for simultaneous device use is limited in peak demand times, unless there is sufficient infrastructure in place. The more people using devices, the more capacity is required and this usually means more base stations closer together. For instance inner city CBD areas will have multiple antenna in a relatively small area due to heavy wireless usage. Mobile networks must be designed according to the local population and number of people using the network.

A good example of the finite capacity of an individual mobile bases station is the pressure new residential subdivisions place on the existing networks. In these instances a new mobile base station is required to service the additional population.

2.2 *Benefits of Mobile Technologies*

Mobile telecommunications play a central role in society and are becoming more deeply integrated into our day to day lives. Mobile communications networks shape how and when people communicate and how we access information on a daily basis. Today, improved connectivity means that mobile devices are used for everything from commerce and research to location-based services and social media. Individuals,

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families, businesses and society are all benefiting from the improved connectivity facilitated by mobile technologies.

In addition to its personal and social value, the evolution of mobile technologies has delivered significant benefits to the Australian economy by improving productivity, business management and customer engagement. Since its introduction, mobile technology has played a key role in stimulating labour productivity growth by allowing employees to be more efficient, with more productive use of time. According to Deloitte (2016), the Australian economy is approximately \$34 billion larger in 2015 than it would otherwise be due to the long-term productivity of mobile technologies.

Mobile technology's economic contribution is not limited to improving productivity. It improves connectivity and participation in the workforce. Mobile technology also provides employees with the flexibility to work from home, promoting sustainable commuting and also reducing traffic congestion. According to the Australian Mobile Telecommunications Association (AMTA), two decades ago only 4% of Australians owned a mobile device. According to the Australia Bureau of Statistics, there are now over 21 million subscribers with internet access connections via a mobile handset in Australia (ABS, 2015). Mobile technology's continual development has allowed it to become the preferred channel to access the internet for most people in Australia and the rest of the world.

2.3 Network Coverage Objectives

Optus regularly undertake detailed assessments of the performance and coverage of the digital mobile telephone network to ensure the system is reliable and achieving the required objectives. Reference to customer demand also provides an indication of areas of poor performance or where coverage does not exist.

Another impetus for this Optus rollout was the growing demand for data for increasing online activities, including but not limited to video streaming, business and government moving services online etc. which places stress on the existing base station network. It is expected that the capabilities and uses of smart devices will continue to expand, meaning further demand on the network. Optus are aware that their customers are sensitive to network dropouts and poor speed, and want to provide services that meet the expectations of the Australian community.

The proposed mobile base station as found in this submitted planning application, seeks to introduce and provide high quality Optus coverage to the west of Devonport, as generally denoted by **Figure 1**. Actual coverage may vary as the coverage footprint is affected by many factors including the number of users at any one time and variations in terrain. "Optus Proposal" in **Figure 1** denotes the proposed site location.

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Figure 1 – General area intended for coverage: Google Earth Pro 5 August 2016

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3 SITE SELECTION

3.1 Site Selection Process

Optus regularly undertakes analysis of its network to analyse performance and to identify any coverage black spots. Optus also takes into consideration customer feedback within this process. Through this analysis portions of the network are identified as requiring either upgrade or new greenfield sites are identified to be built.

A number of disciplines are involved in the site selection process including property, engineering and planning disciplines. In addition specialist expert advice may be required in regards to vegetation, geotechnical analysis, radiofrequency optimisation etc.

Site selection is ultimately a balance between varying and competing factors. Examples of factors given consideration in the selection of an appropriate site include:

- Requirements of radiofrequency engineers. Radiofrequency engineers determine the extent and depth of coverage required in an area. If you have ever experienced a mobile phone drop out or slow internet speeds you have inadequate coverage or are located too far away from an existing mobile phone tower. It is the job of a radiofrequency engineer to ensure high quality coverage is achievable by the proposed mobile base station
- The ability to secure tenure with a willing landowner
- The ability of the land and soil to support a structure i.e. suitable soil and slope conditions, free from flood affected land
- The amount of native vegetation clearing required
- The availability of power and clear unobstructed access from a main road
- The proximity of community sensitive area
- The availability of existing vertical structure which will enable co-location. This option will always be examined before a greenfield site is decided upon. In many areas there are no existing vertical or telecommunications structures in place.

Given that wireless coverage is used both in the home and the workplace some mobile tower infrastructure will be required to be located within residential areas.

3.2 Co-location with an existing facility

The Communications Alliance Industry Code – Mobile Phone Base Station Deployment is an industry adopted code which promotes the use of existing telecommunications sites and vertical structures i.e. High Voltage towers, multistorey buildings, in order to mitigate the effects of facilities on the landscape. Typical co-location options can include high voltage towers and existing telecommunications

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infrastructure or rooftops of commercial buildings. A co-location refers to the antenna being attached to the apex of the aforementioned structures.

Co-location may not always be feasible simply because there may be no existing vertical infrastructure or commercial rooftops available within the area experiencing poor or no coverage. Depending on the nature of the commercial areas, the rooftop heights may not be able to provide the required elevation for antenna. Another common scenario preventing co-location is the existing structure may already be structurally overloaded. In these cases a new "greenfield" facility is required.

In the case of this proposal there are no existing structures which would provide both a viable co-location opportunity to this area west of Devonport. As depicted by **Figure 1**, the intended target coverage area is dominated by a variety of land uses spanning both sides of the Don River.

As depicted by **Figure 2**, there is an existing 30m Telstra slimline monopole structure. Only lower elevations on this slim line structure, at approximately 20m, are available for Optus co-location. The lower the elevation of the antenna, the smaller the area covered by the wireless signal. This is not ideal in a predominantly residential and industrial setting where mobile and internet usage would be high. Please see **Figures 1 & 3** and **Table 1** for further elaboration on site selection.



Figure 2. 30m Telstra structure located to the north – note the very slimline nature of the pole which makes attaching extra weight in the form of antennas very difficult.

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3.3 Identification of this site and other alternative sites

The intended coverage area (**Figure 1**) covers a large area both west and east of the Don River, spanning a number of land use zonings. The intended coverage is intended to primarily provide high quality wireless coverage to the residential and industrial in the area.

To the north, east and west are industrial activities. To the south is industrial zoning, however the current use appears to have remained residential housing. To the south west across Hillcrest Road is *General Residential* zoning, which is the dominant zoning heading further southwards.

The built form is predominantly single to double storey warehousing style buildings. Some residential style single storey brick and fibro housing is interdispersed between the industrial uses. Various large scale earth moving and storage activities are taking place in the immediate vicinity of the Optus proposal.

If feasible, Optus prefers to locate a facility within industrial zoned land if available, as the activities taking place within these land uses are compatible with a telecommunications facility. For this reason candidates examined as outlined in Table 1, are all proposals on land zoned for industrial purposes.

One recreational land use further north was also considered. This was due to the property hosting dense bushland that was considered to provide advantageous visual mitigation for the proposed monopole.

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Figure 3. – Candidates considered. Source: Google Earth Pro 5 August 2016

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Table 1 – Summary of the investigated alternative site candidates

Candidate	Site Details	Facility Type	Description
A	23 Hillcrest Road, DEVONPORT TAS 7310	Monopole	This site is located at the back of a small industrial block located within the industrial estate. To the north, east and west are industrial activities. To the south is industrial zoning, however the current use is residential. The proposed site location utilises an disused portion located at the back of the property. The site is well located to provide high quality coverage to a wide variety of land uses.
B	11 Hillcrest Road. DEVONPORT TAS 7310	Co-location on existing 30m Telstra monopole	This site was discounted by radiofrequency engineers. The proposal was to co-locate on the existing 30m monopole, however both the actual monopole was unsuitable for co-location, and the proposed elevation was too low to provide efficient coverage.
C	28A Hillcrest Road, DEVONPORT TAS 7310	Monopole	This site was a favourable planning location, however tenure negotiations were not as secure as Candidate A. Hence Candidate A has been pursued at this current time.
D	26 Hillcrest Road, DEVONPORT TAS 7310	Monopole	This site was a favourable planning location, however tenure negotiations were not as secure as Candidate A. Hence Candidate A has been pursued at this current time.
E	39 Don Road, DEVONPORT TAS 7310	Monopole	This site was a favourable planning location, however tenure negotiations were not as secure as Candidate A. Hence Candidate A has been pursued at this current time.
F	Don Reserve 260 Steele Street, DEVONPORT TAS 7310	Monopole	This site is zoned Recreation. After brief discussions with Council this site was not pursued.

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4 Site Context

4.1 Subject Site and Surrounds

The proposed monopole compound is situated within the *Light Industrial Zone* under the *Devonport Interim Planning Scheme 2013*. The main land use in the intended coverage area are industrial and residential land uses. The surrounding landform is gently undulating. The proposed monopole site is located in a highpoint in the terrain. There is remnant bushland and mature vegetation scattered throughout the surrounding area that will assist in visually mitigating portions of the facility, however buildings in close proximity will have direct views to the facility.

Please refer **Figures 4-11**, showing the site context and aerial photographs concerning the immediate surrounds around the monopole. The red arrow indicates approximate proposed location of the monopole.



Figure 4. Entrance to 23 Hillcrest Road (view south)

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Figure 5. View down driveway towards the proposed compound location



Figure 6. View to proposed compound location

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Figure 7. View north west from proposed monopole location (pink peg)



Figure 8. View south west from proposed monopole location

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View 9. View north of 23 Hillcrest Property (from driveway) towards existing 30m Telstra facility



Figure 10. View north along Hillcrest Road.

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Figure 11. View south down Hillcrest Road

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5 THE PROPOSAL

The proposal is install a new 40m monopole and ancillary equipment at the rear of an industrial complex (please see **Appendix 1**). There is adequate parking space onsite for a maintenance vehicle which will visit the site at least annually.

Detailed plans showing the location of the facility, the type, location and configuration of antenna structures and the location of ancillary equipment are provided in **Appendix 1**.

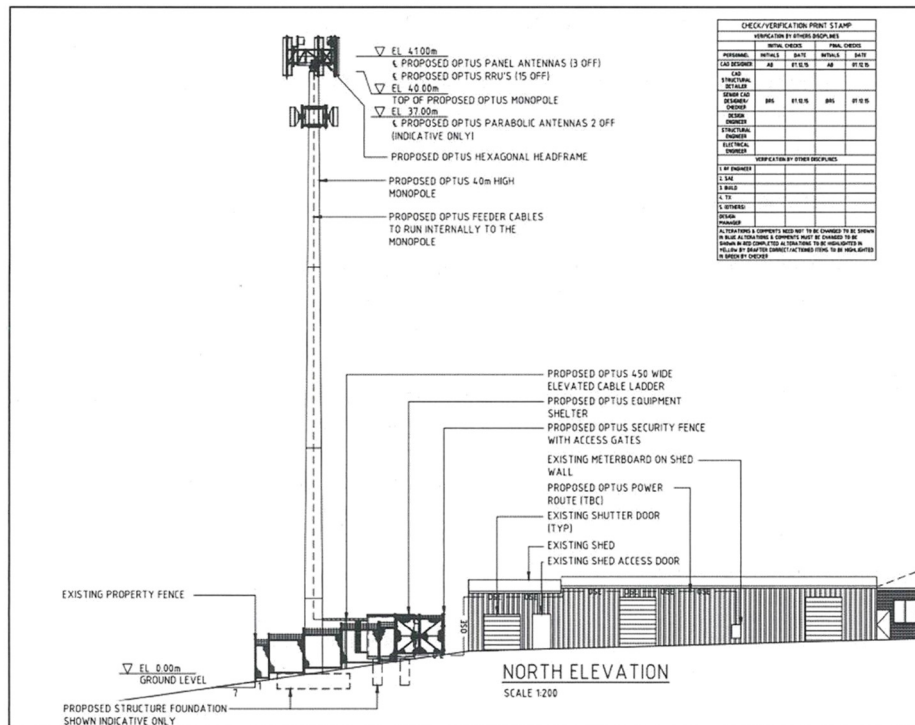


Figure 12. Excerpt from Appendix 1



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5.1 Installation details

The proposed upgrade will involve the following activities:

- Installation of one (1) new 40m monopole;
- Installation of three (3) new panel antennas, each measuring less than 2.8m in length, to be mounted on a hexagonal headframe;
- Installation of fifteen (15) Remote Radio Units;
- Installation of one new equipment shelter, with a floor area of 7.5m², located adjacent to the monopole;
- Installation of ancillary equipment associated with operation of the facility; and
- Installation of security fencing surrounding the facility.

The antennas and other equipment are to be finished in standard factory grey colour. The new facility is to be located within a leased compound.

5.2 Access details

Access to the site is proposed via the established access from Hillcrest Road. There is an existing sealed access leading to the proposed compound site.

As the facility will operate on a continuously unmanned basis, and will only require periodic visits for maintenance purposes, no dedicated car parking is proposed at the site. There will be no adverse impact on local traffic flow.

Refer to **Appendix 1** for plans showing the proposed access route to subject site.

5.3 Power details

The power will be run underground to the facility from the nearest transformer. Please see drawings in **Appendix 1**.

5.4 Construction of the Proposed Facility

The construction and upgrade of an existing telecommunications facility fundamentally consists of four stages:

1. Site preparation (battering included)
2. Installation of the replacement and new mobile infrastructure
3. Installation and upgrading of equipment within the existing equipment shelter
4. Connecting the facility to the network

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Any traffic impacts associated with construction will be of a short-term duration and are not anticipated to adversely impact on the surrounding road network. In the unlikely event that road closure will be required, Optus will request permission from the relevant authorities if required.

Noise and vibration emissions associated with the proposed facility will be limited to the construction phase outlined above. Noise generated during the construction phase will be of short duration and will be in accordance with Victorian State Standards. Construction will only occur between the hours of 7.00am and 6.00pm or as prescribed in the conditions of consent.

There will be some low level noise from the ongoing operation of air conditioning equipment associated with the equipment shelter, once installed. Noise emanating from the air conditioning equipment is at a comparable level to a domestic air conditioning installation, and will generally accord with the background noise levels prescribed by *Australian Standard AS1055*.

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6 COMMONWEALTH PLANNING CONTROLS

6.1 Commonwealth Legislation

Licensed telecommunications carrier, must operate under the provisions of the *Telecommunications Act 1997* and the following supporting legislation:

- *The Telecommunications Code of Practice 1997*;
- *The Telecommunications (Low-impact Facilities) Determination 1997* (as amended); and
- *The Environment Protection and Biodiversity Conservation (EPBC) Act 1999*.

6.2 Telecommunications Act 1997

The *Telecommunications Act 1997* has been operative since 1 July 1997. This legislation establishes the criteria for 'low impact' telecommunication facilities. If a proposed facility satisfies the requirements of a 'low impact' facility, the development is exempt from the planning approval process.

Further clarification of the term 'low impact' is provided in the *Telecommunications Act 1997* and the *Telecommunications (Low Impact Facilities) Determination 1997*, which was gazetted subsequent to the Act. The *Telecommunications (Low Impact Facilities) Determination 1997* establishes certain facilities, which cannot be considered low impact facilities.

In this specific instance, the proposal is not defined as a low impact facility and is subject to the provisions of the *Land Use Planning and Approvals Act 1993* and the *Devonport Interim Planning Scheme 2013*.

6.3 Telecommunications Code of Practice 1997

Under the *Telecommunications Act 1997* the Government established the *Telecommunications Code of Practice 1997*, which sets out the conditions under which a carrier must operate.

Section 2.11 of the *Telecommunications Code of Practice 1997* sets out the design, planning and installation requirements for the carriers to ensure the installation of facilities is in accordance with industry 'best practice'.



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6.4 The Environment Protection and Biodiversity Conservation (EPBC) Act 1999

The *EPBC Act 1999* obliges telecommunications carriers to consider 'matters of national environmental significance'. Under this legislation, an action will require approval from the Minister of Environment if the action has or is likely to have an impact on a matter of 'national environmental significance'. According to the *EPBC Act 1999*, there are seven matters of national significance which must be considered.

The nine matters of national environmental significance protected under the *EPBC Act* are:

- World heritage properties
- National heritage places
- Wetlands of international importance (listed under the Ramsar Convention)
- Listed threatened species and ecological communities
- Migratory species protected under international agreements
- Commonwealth marine areas
- The Great Barrier Reef Marine Park
- Nuclear actions (including uranium mines)
- A water resource, in relation to coal seam gas development and large coal mining development

As can be seen from **Figure 13**, there are no matters for consideration under the EPBC Protected Matters Search.

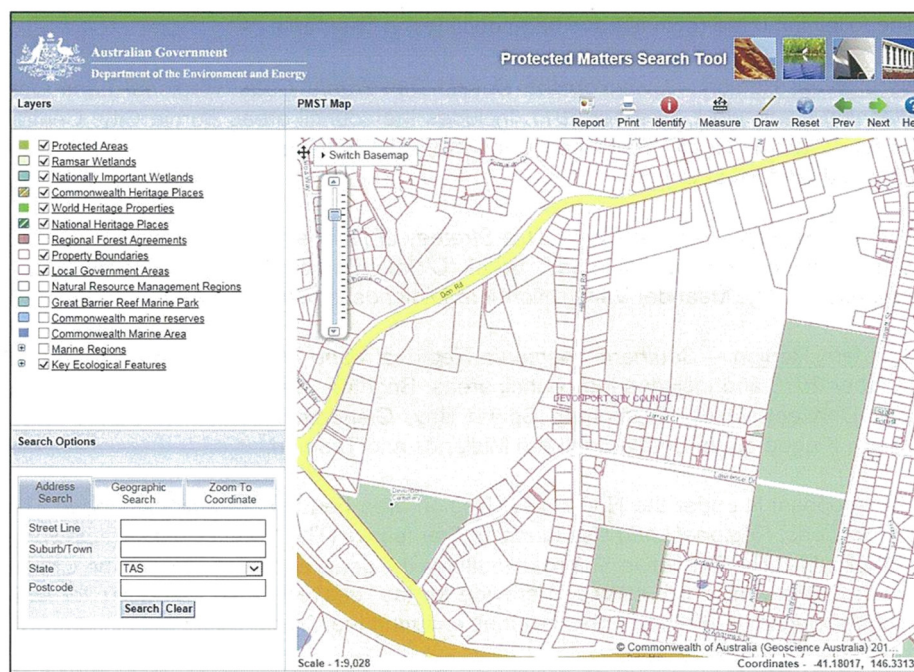


Figure 13. EPBC Protected Matters Search Source: <http://www.environment.gov.au>

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7 STATE PLANNING CONTROLS

7.1 Land Use Planning and Approvals Act 1993

In Tasmania the key Act setting out the planning process, including the roles and functions of the Minister for Planning and Local Government and Councils, is the *Land Use Planning and Approvals Act 1993*. It also sets out the various requirements and timeframes that apply to the planning process in Tasmania.

7.2 State Policies

State Policies are made under the *State Policies & Project Act 1993*. State policies that may be applicable to proposal may include the *Tasmanian State Coastal Policy 1996 (the Coastal Policy)*.

The Coastal Policy's central objective is "*sustainable development*" and the key objectives of the Coastal Policy are listed under the heading of Objectives (pp4). The document does not provide any maps indicating the delineation of the area considered to be Coastal. The mobile base station proposal is not located on the coastline.

7.3 Regional land use strategies

The following three regions have been declared in Tasmania

North West Region - *Living on the Coast: The Cradle Coast Regional Land Use Planning Framework, October 2011*. Includes the council areas Burnie City, Central Coast, Circular Head, Devonport City, Kentish, King Island, Latrobe, Waratah-Wynyard, and West Coast.

Northern Region - *Regional Land Use Strategy of Northern Tasmania January 2016* which includes the council areas: Break O'Day, Dorset, Flinders, George Town, Launceston City, Meander Valley, Northern Midlands, and West Tamar.

Southern Region - *Southern Tasmania Regional Land Use Strategy 2010-2035 1 October 2013* and includes the council areas: Brighton, Central Highlands, Clarence City, Derwent Valley, Glamorgan Spring Bay, Glenorchy City, Hobart City, Huon Valley, Kingborough, Sorell, Southern Midlands and Tasman.

This proposal is under the North West Region area hence *Living on the Coast: The Cradle Coast Regional Land Use Planning Framework* (The Cradle Coast Framework) is applicable. The Executive Summary outlines the goals and strategies of The Cradle Coast Framework which strives to provide for the "*desired future outcomes for land use planning in the Region*". This includes ensuring the Cradle Coast area is viewed

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as having a high degree of “liveability” which encompasses a wide variety of factors including safety, amenity, nature, cleanliness, social cohesion, public transport and communication.

Section 5 Infrastructure – supporting people and economies is probably the most relevant subsection to the telecommunications proposal. It mentions that “*emerging digital communication technologies will enhance participation and provide new opportunities for economic and social activity at a global scale*”. It should be noted that the Devonport area hosts numerous industrial sites and significant port activity.

Section 5.5 Telecommunications specifically refers to Telecommunications facilities and the provision of services both by government and private entities. It should be noted that the NBN services referred to do not provide mobile phone call services, only access to mobile broadband. Section 5.5 acknowledges the physical nature of the structures that may have an impact on the amenity of the surroundings and that notes that the National standards are in place for mobile base stations i.e. emission standards etc.

Section 5.5 goes on to further note that “*it is essential for the social and economic sustainability of the Region that it is well positioned and prepared to take advantage of such technologies as they emerge*”.

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8 LOCAL PLANNING PROVISIONS

8.1 Devonport Planning Interim Scheme 2013

The *Devonport Planning Interim Scheme 2013* (the planning scheme) sets out the orderly and sustainable use and development of land within the area designated by the planning scheme. The objectives of the planning scheme are outlined under 3.1 *Objectives* of the planning scheme. These included a wide range of objectives which encompass residential growth, public and social investment, protect agricultural and forestry land and economic growth.

Section 3.1.2 lists the municipal strategies, policies under provisions of this planning scheme which may be applicable to this telecommunications proposal:

- Devonport Strategic Plan 2009-2030
- Devonport Heritage Study 2001

The planning scheme defines the proposal as “telecommunications infrastructure” (under Utilities):

“means any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network”

There are no heritage items listed on the property.

8.2 Devonport Strategic Plan 2009-2030 (2014 Review)

The Devonport Strategic Plan 2009-2030 (2014 Review) (The Strategic Plan), states that Devonport is the retail and service centre for North West Tasmania.

The Strategic Plan outlines the goals for the Devonport Region including social, environmental and economic. These plans are outlined as Goals. Goal 3 outlines “*growing a vibrant economy*” mentions modern communications technology to engage with the world’s markets, consumers and travellers. One of the goals of the Strategic Plan is to promote the Devonport area as a regional business hub. Having a reliable telecommunications network is key to Goal 3.



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8.3 Zoning

Under the *Devonport Interim Planning Scheme 2013* the property is zoned *Light Industrial*. Please see **Figure 14** below.

Under *Clause 8.0 Assessment of an Application for Use or Development* a telecommunications facility is included under the definition of *Utilities*. Under *Clause 24.0 Light Industrial Zone* a *Utilities Use Class* under *Clause 24.2 Use Table* is listed as a discretionary approval by Council.

Under *Clause 24.1.1 Zone Purpose Statements* summarises the intent of the *Light Industrial* zone as follows:

"To provide for manufacturing, processing, repair, storage and distribution of goods and materials where off-site impacts are minimal or can be managed to minimise conflict or impact on the amenity of any other uses".

The proposed telecommunications facility will not interfere with any current uses on the land as the rear portion of the property is unused. The Optus proposal will not compromise vehicle or movement of the public.

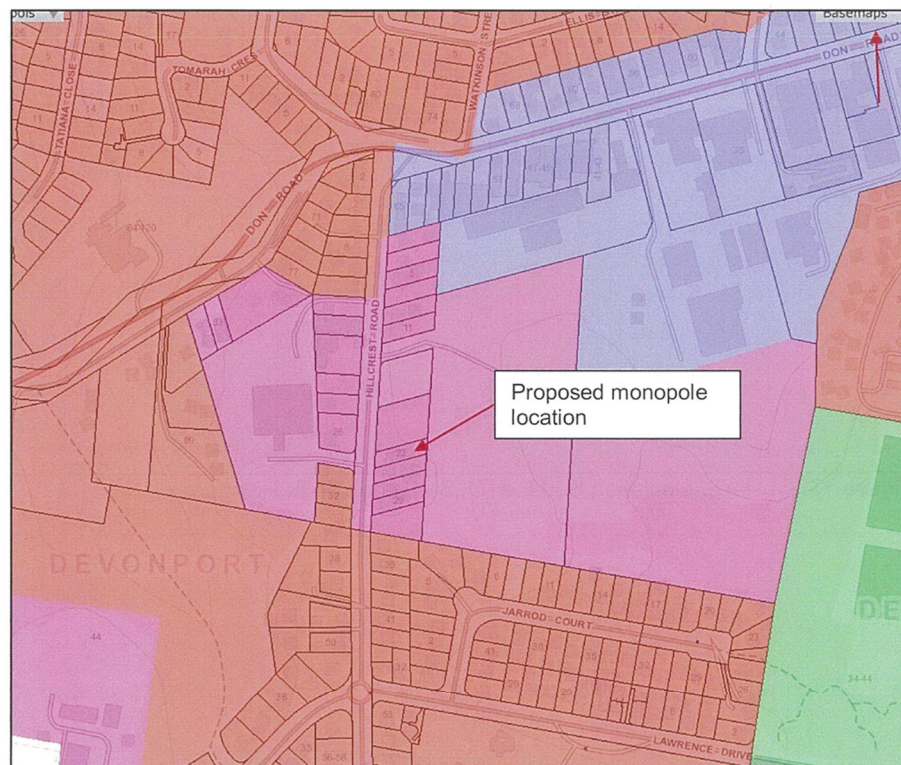


Figure 14 – Devonport Interim Planning Scheme 2013 - Zoning Map

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8.4 Overlays

The subject lot and large portions of the general Devonport area are under the overlay for operational airspace (obstacle limitation surface) for the Devonport Airport, located 5km to the east.

The Tasmanian Ports Corporation was contacted via email regarding the proposal located within the industrial area. Email correspondence dated the Monday 25 July 2016 was received from Tasmanian Ports Corporation (Airport Operations/Compliance Supervisor) which stated that they hold no objection to the Optus proposal located at 16-40 James Street, Devonport.



Figure 15. Obstacle Limitation Surface (OLS) overlay on the property.

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8.5 Telecommunications Code

The *Devonport Interim Planning Scheme 2013* contains the Telecommunications Code as outlined in Part E Codes (E8 Telecommunication Code). The Schedule sets the development standards for telecommunications within the municipality.

The purpose of the Code is to:

- (a) recognise equitable provision and access to high-speed broadband and telecommunication networks is essential for the prosperity, security, and welfare of the community;
- (b) require proposals for the installation of telecommunication and digital facilities to form part of a local or regional network plan for all carriers to enable consideration of proposals on a broader and potentially regional basis;
- (c) encourage shared use and co-location of facilities to minimise the number of towers and antenna within the municipal area;
- (d) minimise likely adverse impact of communication systems on community health and safety; and
- (e) minimise adverse visual impact of towers and antenna in urban, rural, and conservation settings

Table 2. Table E8.6.2 Health, safety and visual impact

Objective		
Telecommunication infrastructure is to minimise likely adverse effect on –		
(a) health and safety of the community; and		
(b) visual amenity of a locality by reducing prominence of telecommunications infrastructure		
Acceptable Solutions	Performance Criteria	Assessment
A1 Telecommunication infrastructure must – <ul style="list-style-type: none"> (a) be located within an existing utility corridor or site; or (b) only erect and operate aerial telecommunication lines or additional supporting structures in residential and commercial areas if overhead cables are operated by other existing utilities; (c) only clear vegetation if required for functional and safety requirements; 	P1 Telecommunication infrastructure must minimise the visual impact of infrastructure within the surrounding natural or built environment	In assessing potential site locations to provide the best possible Optus coverage to the surrounding residential development, the visual mitigation afforded by the site was also taken into account in selecting the current site location. The proposed site location is within an industrial zone surrounded by industrial activities. Given that the zoning is light industrial and there is another vertical structure in the form of a

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<p>locate telecommunication infrastructure (d) to –</p> <ul style="list-style-type: none"> (i) avoid skyline positions and potential to be seen in silhouette; (ii) cross hills diagonal to the principal slope; (iii) cross at the low point of a saddle between hills; or (iv) be located around the base of hills or along the edge of existing clearings; and (e) screen equipment housing and other visually intrusive Telecommunication infrastructure to view from public areas 		<p>30m high Telstra monopole in close vicinity, the visual impact is deemed appropriate. The residential zoning is located approximately 100m to the south already have existing views to the 30m Telstra monopole. Please see Section 9 of this development application for photos depicting the immediate view sheds.</p>
<p>A2</p> <p>The height of a freestanding aerial, tower, or mast must not be more than –</p> <ul style="list-style-type: none"> (a) 60m on land within the Rural Resource or Rural Living zones; (b) 45m on land within the Light Industrial, General Industrial, Commercial, Utility, or Port and Marine zone; (c) 40m on land within the Local Business, General Business, or Central Business zone; and (d) 20m on land within the General Residential, Low Density Residential, Urban Mixed Use, Village, Environmental Living, Environmental Management, Major Tourism, Open Space, Community Purpose or Recreation zones 	<p>P2</p> <p>A freestanding aerial, tower, or mast must only exceed prescribed height limits if –</p> <ul style="list-style-type: none"> (a) a pattern of infrastructure or vegetation above the specified height limit exists in a particular location; (b) it has no adverse impact on heritage or ecological value or significant visual amenity; or (c) required for operational efficiency of the facility within the network 	<p>The proposed Optus monopole is located within the light industrial zone, were total heights of 45m are allowable. The proposed total height of the proposed Optus monopole is approximately 42.4m.</p> <p>There are no heritage or ecological overlays over the property. As mentioned above (A1), given the zoning and the existing presence of another telecommunications facility the impact is considered appropriate.</p>
<p>A3</p> <p>A freestanding aerial, tower, or mast must be setback from the base of the tower to the exterior boundary of the site by –</p> <ul style="list-style-type: none"> (a) not less than 60m or 300% of the height of the tower, whichever is the greater in any residential zone; and 	<p>The setback of a freestanding aerial, tower or mast must not be less than is –</p> <ul style="list-style-type: none"> (a) necessary for operational efficiency; and 	<p>Given the small land area available on the subject property, setback distances were not achievable. The adjacent property zonings are Light Industrial, hence only future industrial uses are anticipated.</p>

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(b) not less than 30m or 100% of the height of the tower, whichever is the greater, in any other zone	(b) without risk for the health and safety of existing and potential use on adjacent land	
A4 Telecommunication infrastructure servicing a network (facilities not requiring installation on an individual street basis) must not be located on land in a residential zone	P4 Location of telecommunication infrastructure servicing a network (facilities not requiring installation on an individual street basis) on land within a residential zone must be required for operational efficiency of the network	The Optus proposal is located on land zoned Light Industrial.
A5 A freestanding aerial, tower, or mast must – (a) be finished and maintained with a galvanised steel surface or painted a neutral colour so as to reduce visual obtrusiveness; (b) not affix or mount a sign other than necessary warning or equipment information; (c) not be artificially lit or illuminated unless required for air navigation safety or for security; (d) if security fencing is required, such fencing must be of a design, material and colour that reflect the character of the location; and (e) provide a buffer not less than 2.0m wide outside the perimeter of the compound of plant material to effectively screen the tower compound from public view and from adjacent land	P5 The location of the tower must be sufficiently remote from other use and unlikely to have adverse visual impact	Please see explanation in response to A1 regarding visual amenity. In regards to the possibility of painting the monopole, type of fencing and potential landscaping Optus is satisfied to incorporate Councils preferred finishes. However please note that the facility is setback from any public footpath areas. Optus standard drawings incorporate a standard security fence and steel monopole, however these aesthetic finishes can be guided by Councils preferences.
A7 If an aerial, tower or mast is modified or replaced to facilitate collocation of additional antenna –	P7 It must be necessary for operational efficiency to – (a) replace an aerial, tower or mast with a structure other than a monopole;	Not applicable.

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<p>(a) the modified or reconstructed tower must be of the same type as the existing tower unless reconstructed as a monopole tower;</p> <p>(b) the reconstructed tower must satisfy the applicable setback and separation distances; and</p> <p>(c) if there is more than one tower on a site, reconstruction must not occur unless the outcome is that only one tower is to remain on the site</p>	<p>(b) locate a replacement aerial, tower or mast otherwise than in accordance with the applicable setback and separation distances; and</p> <p>(c) to replace an aerial, tower or mast and retain another aerial, tower or mast on the same site</p>	
<p>A8 The location of aerial telecommunication infrastructure must –</p> <p>(a) provide clearance for vehicular traffic; and</p> <p>(b) not pose a danger or encumbrance to other users or aircraft</p>	<p>P8 There are no performance criteria</p>	<p>Please see section 8.6 below. The proposed Optus installation will not change current vehicular movement patterns or public access.</p>

8.6 Referral Tasmanian Ports Corporation

The subject lot and large portions of the general Devonport area are under the overlay for operational airspace (obstacle limitation surface) for the Devonport Airport located 5km to the east.

As such the Tasmanian Ports Corporation was contacted via email regarding the proposal located within the industrial estate. On email correspondence dated the Monday 25 July 2016 received from Tasmanian Ports Corporation (Airport Operations/Compliance Supervisor) state that they hold no objection to the Optus proposal located at 23 Hillcrest Drive, Devonport.

Relevant email correspondence can be forwarded on Councils request.

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8.7 The Suitability of the Site for the Development

The proposal has been sited at the rear of an industrial property. The subject proposal is considered suitable for the following reasons:

- There is easy availability to access and power
- The *Light Industrial* zoning
- The location chosen on the property will not interfere with current or future on-site activities
- The site is not subject to any environmental, heritage or flood overlays
- There is an existing 30m telecommunications facility in the immediate areas view sheds

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9 ENVIRONMENTAL CONSIDERATIONS

This section assesses the proposal against the following environmental areas of relevance:

- Visual impacts
- Heritage
- Flora and Fauna
- Bushfire Requirements
- Health and safety
- Traffic generation
- Flood Proneness
- Acid Sulphate Soils
- Utility services
- Noise
- Social and economic impact

9.1 Visual Impacts

9.1.1 Existing Visual Environment

9.1.1.1 Land Form

The landform in the general area is gently undulating. There is good remnant bushland throughout the area which will aid in visual mitigation from a distance.

9.1.1.2 Land Use

The proposed Optus monopole location is situated on the southern boundary of the industrial estate. The immediate zoning in the area is *Light Industrial*, however the *General Residential* zone begins approximately 100m to the south and south west. The buildings to the north are predominantly single and double storey warehousing style structures, with large tracts of land used for storage (land to the east). Moving further to the south the majority of buildings are free standing single storey residential dwellings.

9.1.1.3 Significant views in the immediate vicinity of the proposal

The most significant views will be those in the immediate vicinity of the monopole, within an approximate 100m radius. As can be seen from **Figures 19-20**, there are already existing views to a 30m Telstra monopole from the surrounding view sheds. This existing facility provides a useful visual reference for the visual impact of the proposed Optus monopole. The visual impact of the proposed Optus monopole will be similar to the Telstra facility, however the Optus monopole will appear taller as the structure proposed is 40m (10m taller than the existing Telstra facility).

The red arrow in the photos indicates approximate location of the Optus proposal.

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Figure 16. View east towards the property entrance



Figure 17. View north east from Hillcrest Road towards industrial activities adjacent to subject property.

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Figure 18. View south down Hillcrest Road



Figure 19. View north up Hillcrest Road – Telstra monopole can be seen in the distance. Optus proposal will appear slightly higher than the existing 30m Telstra monopole

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Figure 20. View north east from Hillcrest Road.



Figure 21. View south east from Hillcrest Road towards proposed Optus site

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Figure 22. View south east towards proposed monopole site



Figure 23. View north towards existing 30m Telstra monopole

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Figure 24. View south along Hillcrest Road as viewed from the location of the existing Telstra compound at 11 Hillcrest Road.

9.2 Heritage

Heritage searches were undertaken per the relevant heritage registers and database including the Tasmanian Heritage Database and the local heritage overlays as per the *Devonport Interim Planning Scheme 2013*. No heritage items have been identified. Please also see **Figure 13** which is an excerpt from the EPBC Protected Matters search which lists no Commonwealth areas of significance.

The site is not considered to be an Area of Environmental Significance or Environmentally Sensitive Area as such the proposal will not result in the degradation of any local historic character.

9.3 Flora and Fauna

The subject site is located in an area which has previously experienced significant disturbance and has been cleared and developed. The site is not vegetated (apart from being grassed and a single lone tree) and the facility will not adversely impact on local flora and fauna.

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9.4 Bushfire Requirements

Not applicable.

9.5 Health and Safety

Public health and safety is of paramount importance to Optus.

Optus operates within the operational standards set by the Australian Communication and Media Authority (ACMA) and Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). ARPANSA is a Federal Government agency incorporated under the Health and Ageing portfolio and is charged with the responsibility for protecting the health and safety of both people and the environment from the harmful effects of radiation (ionising and non-ionising). The operational standards are based on international standards set by the International Commission for Non-Ionizing Radiation protection (ICNRP).

All Optus are installed, designed and certified by qualified professionals in accordance with all relevant Australian Standards. This ensures that the facility will not result in any increase in the level of risk to the public. This facility is to be operated in compliance with the mandatory standard for human exposure to EME – currently the *Radio communications (Electromagnetic Radiation Human Exposure) Standard 2003*.

In addition to this, Optus undertakes further measures when designing the facility, to minimise the EME exposure to the general public, by installing the facility in accordance with the Australian Mobile Telecommunications Association (AMTA) Radio frequency (RF) Safety Compliance Program – Base Station Design Guidelines Engineering for Access Control to minimise EME. Other preventative measures also include:

- Utilising Dynamic/Adaptive Power Control network feature that automatically adjusts the power and hence minimises EME from the facility.
- Varying the facility's transmit power to the minimal required level, minimising EME from the network, and
- Discontinuous transmission, a feature that reduces EME emissions by automatically switching the transmitter off when no data is being sent.

The proposed facility will also have restrictions aimed at preventing public access, including a secured compound fence with a locked gate and warning signs placed around the facility.

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The EME Report associated with this site is attached in **Appendix B**. The report shows that the maximum predicted EME levels will equate to **0.23%** of the maximum exposure limit under the Australian Standard.

This measurement is based on the maximum worst case scenario, considering direct exposure at full operational capacity of the facility which is generally not a true representation of a real life scenario. The signal from the facility is normally affected by various factors including service demand and call traffic, network support of surrounding base stations, distance, topography, physical and natural barriers (such as hills, trees, buildings etc), antenna specifications, azimuth and power input to name a few.

9.6 Traffic Generation

Although some additional traffic will be generated during construction of the facility, this will be only of temporary nature. Once constructed, the facility will only require periodic visits for maintenance purposes, generally 1-5 times per year. The facility will otherwise operate on a continuously unmanned basis.

As a result, the traffic generation will therefore be minimal and not sufficient to create any adverse impacts in this regard or by creating a demand for parking facilities.

9.7 Flood Proneness

The facility is not located on flood prone land.

9.8 Acid Sulphate Soils

The geotechnical report will confirm the soil conditions. It is not anticipated that acid sulphate soils are present.

9.9 Utility Services

All services required for the ongoing operation of the base station are capable of being provided to the facility without impacting on the supply or reliability of these services to any existing consumers in the locality.

The facility will be connected to electricity but, due to its unmanned nature, will not be connected to potable water or sewerage.

Given the small footprint of the facility and limited amount of hardstand, drainage onsite will not be affected and no stormwater works are proposed as a part of the proposal.

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9.10 Noise

The facility is not considered to be a significant noise generator. The only noise produced by the facility, while operating, is low level noise from the air conditioning equipment on the equipment shelter. Noise emanating from the air conditioning equipment is at a comparable level to a domestic air conditioning installation, and will comply with the background noise levels prescribed by Australian Standard AS1055.

Some noise and vibration emissions may be produced during the construction phase of the project, though any noise generated will be of short duration and will be in accordance with relevant applicable Victorian standards and legislation.

9.11 Social and Economic Impacts

Expansion of mobile infrastructure is a reflection of required utility services in modern society. As new technologies arise and the demand for this service grows exponentially, so does the demand for improved telecommunications infrastructure and reliable services.

Melbourne is experiencing significant urban growth on its fringes and residential infill in areas that were previously rural. One of the main goals of Optus is to ensure that telecommunications infrastructure could be rolled out at a pace that kept up with expanding residential development. If telecommunications infrastructure cannot be rolled out in tandem with expanding suburbia the result are wireless coverage black holes. These coverage black holes are very difficult to remedy once residential development in place and other infrastructure seeks to become established.

The demand for improved mobile services is not limited to one particular sector, but is linked to a number of different sources such as the residential, commercial, educational and medical sectors. It is anticipated as residential expansion increases so will accompanying facilities such as schools, banks, libraries, medical centres, commercial districts etc. Wireless telecommunications facilities will support the growth of these key service areas which all to one extent or another rely on a hybrid mix of telecommunications services which include fibre and the more flexible wireless option.

The proposal is anticipated to have positive impacts as a result of enhanced mobile telephone coverage and faster data transfer services.

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9.12 The Public Interest

Recent technological advances have led to a greater demand for improved mobile phone and wireless coverage which in turn leads to greater demand for telecommunications infrastructure.

Telecommunications services form an integral component in everyday home and working life, therefore it is in the public interest that the telecommunications infrastructure and services are reliable and keep up with consumer uptake of these services.

The facility will enable productivity and service delivery in various sectors such as, but not limited to, health, education, finance and business. Because transmission infrastructure will eventually be upgraded, this facility will also provide surrounding towns with greatly improved mobile services.

The proposed telecommunications facility will have significant benefit to this section of Devonport, which hosts multiple uses including industrial, commercial and residential. In addition this facility will form an important part of the wider Optus Network in this northern region of Tasmania.

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10 CONCLUSION & SITE SUITABILITY

Optus propose to upgrade a telecommunications facility servicing the western area of Devonport, in the vicinity of the Don River as illustrated by **Figure 1**.

The facility will form an integral component in the Optus mobile phone network and will provide an important community benefit by providing improved and reliable communications services to the emerging community.

The proposed development is considered appropriate in light of the relevant legislative, environmental, technical, radio coverage and public safety requirements and is considered acceptable in social, economic and environmental terms as demonstrated in this Statement of Environmental Effects.

The proposal is not likely to have any significant environmental impacts, as it is located in the *Light Industrial zone*, and it satisfactorily meets the requirements of the relevant state and local planning instruments and policies.

For these reasons, it is respectfully requested that Council look favourably at this application and that an approval be issued for the works to proceed.



21 December 2016

REF: File 33411

General Manager
Devonport City Council
council@devonport.tas.gov.au

Dear Mark McIver,

Re: Request for further information PA2016.0162, 23 Hillcrest Road, DEVONPORT TAS 7310

A request for additional information dated the 3 November 2016 has been received from Devonport City Council. Please find the matters raised in Council correspondence addressed below.

Please note the previous planning application PA2016.0115 was formally withdrawn on the 25 October 2016 (via email to Mark McIver).

The new application **PA2016.0162** was submitted electronically on the 24 October 2016. The need for a new application was precipitated due to the change in the compound location as necessitated by the Tas Water pipe discovery on the 4 October 2016 (as received from Tas Water Customer service survey). The Tas Water report is attached in **Appendix 3** and is still considered to be relevant to the new application PA2016.162. The services located on-site is reflected in the revised survey attached in **Appendix 2**.

Correspondence in response to both residential and Council inquiries for the original planning application PA2016.0115 has been attached in **Appendix 4**. It is considered the comments relating to EME and property values are still relevant to the new application PA2016.0162.

Please see revised material contained in the Appendices (listed below), in particular the revised preliminary drawings which now depict a compact headframe in response to visual amenity concerns.

Appendix 1 – Revised Preliminary Drawings

Appendix 2 Survey Plans

Appendix 3 Tas Water Survey

Appendix 4 Previous RFI Material dated the 3 October 2016 File No 33153

Appendix 5 Revised EME Report



1. Appropriate rational as to why a lesser than permitted setback should be allowed – particularly noting the proximity of the tower to adjacent existing residential use and development (also under a light industrial zoning)

Performance Criteria Provision E8.6.2 P3

The following excerpt from the E8 Telecommunications Code E8.6.2 Health Safety and Visual Impact Performance Criteria 3:

Objective: Telecommunication infrastructure is to minimise likely adverse effect on – (a) health and safety of the community; and (b) visual amenity of a locality by reducing prominence of telecommunications infrastructure		
A3 A freestanding aerial, tower, or mast must be setback from the base of the tower to the exterior boundary of the site by: (a) not less than 60m or 300% of the height of the tower, whichever is the greater in any residential zone; and (b) not less than 30m or 100% of the height of the tower, whichever is the greater, in any other zone	P3 The setback of a freestanding aerial, tower or mast must not be less than is – (a) necessary for operational efficiency; and (b) without risk for the health and safety of existing and potential use on adjacent land	The subject property 23 Hillcrest Road, is a narrow rectangular lot, approximately 14m in width (with approximate length 55m). The majority of the subject property is taken up by existing sheds and a driveway down the northern boundary. There is no feasible ability to set back a telecommunications facility by 40m from the property boundary in either direction. It is also noted that the Telstra facility to the north is also not set back from the western boundary (public interface) by 30m, and located on a similar narrow rectangular block. To the north, west and south of the proposed Optus compound is industrial uses, including earthworks activities. It is not considered that non-compliance with setbacks is an issue in an industrial setting. However the issue in this application is that residential dwellings exist to the south of the Optus proposal, under an industrial zoning. This is an unusual situation as directly to the east of the subject residential are large scale earthworks activities.

Daly International ABN 17054 002 461

2



		<p>In addressing P3:</p> <p>(a) The subject site has been chosen for the elevated terrain. Height and elevated terrain is a necessary functioning requirement for telecommunications facilities.</p> <p>The compound has been moved from its original position on the southern boundary, which was closer to the boundary of 25 Hillcrest Drive (Figure 1) to the northern boundary of the subject property to increase distance from the dwelling to the south and to avoid the Tas Water pipe running diagonally across the subject property. This is necessary for operational efficiency as build cannot commence over water infrastructure.</p> <p>(b) The revised ARPANSA report is included in Appendix 5. Please note the proposed facility complies with all health and safety requirements in regards to EME levels with the maximum predicted levels being 0.34%. (The limit is 100%).</p>
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Figure 1. Location of proposed Optus compound on northern property boundary.

2. Appropriate rational as how the visual impact of the proposed monopole structure is mitigated, noting the elevated position of Hillcrest Road

Please find revised drawings in Appendix A which demonstrates a revised design, which now includes a compact headframe.

In addition Optus are prepared to paint the monopole a color of Council's choice if required.

These visual mitigation measures are usually not undertaken in industrial precincts, however given the presence of residential dwellings under industrial zoning in this circumstance, Optus is satisfied to undertake these works.

DALY
INTERNATIONAL

OPTUS

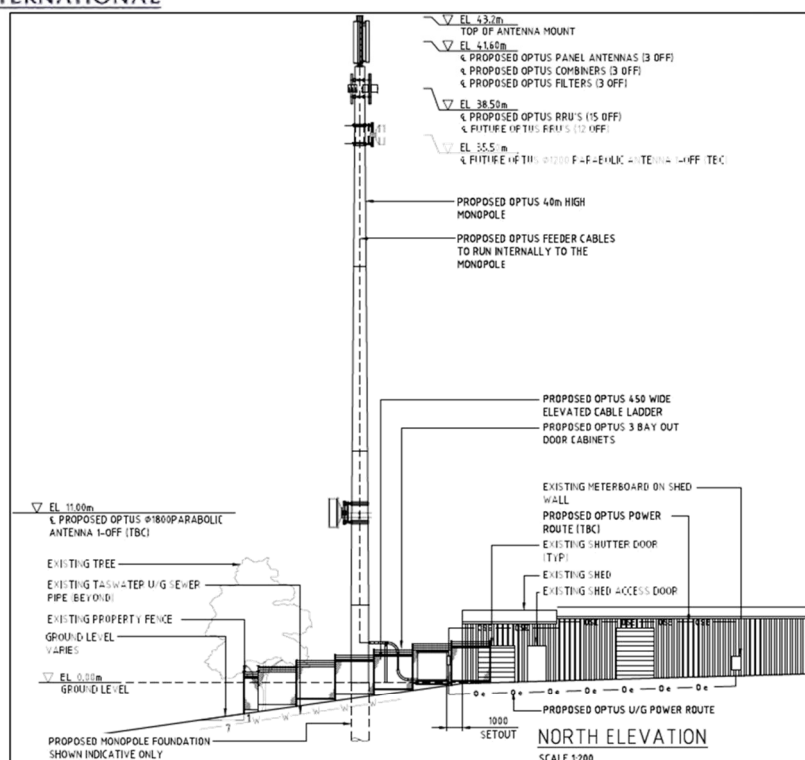


Figure 2. Revised compact headframe design

3. The submitted plans (specifically Drawing no. H0025-P1 Rev 3) appear to show the proposed Optus lease area to extend beyond the property boundaries of the site. It is assumed that the proposed lease area would be confined to the property boundaries of 23 Hillcrest Road, so the plans should be amended to reflect this.

Please be aware that even though the monopole and ODU's have been moved to the northern boundary of the property, Optus is leasing the entire back portion of the property. The survey contained in **Appendix 2** reflects the entire lease area, which is contained wholly within the property boundaries. The Optus monopole and ODU will be contained within the surveyed area.



4. That the supporting documentation provided with the previous planning permit application (now withdrawn, but still referred to in this application) to be revised to incorporate the new detail and the additional submissions made in respect of the previous application.

To this end please find the revised attachments contained within the Appendix and the corresponding statements within this correspondence. In particular, residential and Council inquiries for the original planning application PA2016.0115 has been attached in **Appendix 4**. It is considered the comments relating to EME and property values are still relevant to the new application PA2016.0162. The Tas Water survey locating services on-site is also pertinent to application PA2016.0162.

Please find revised EME Report in **Appendix 5**.

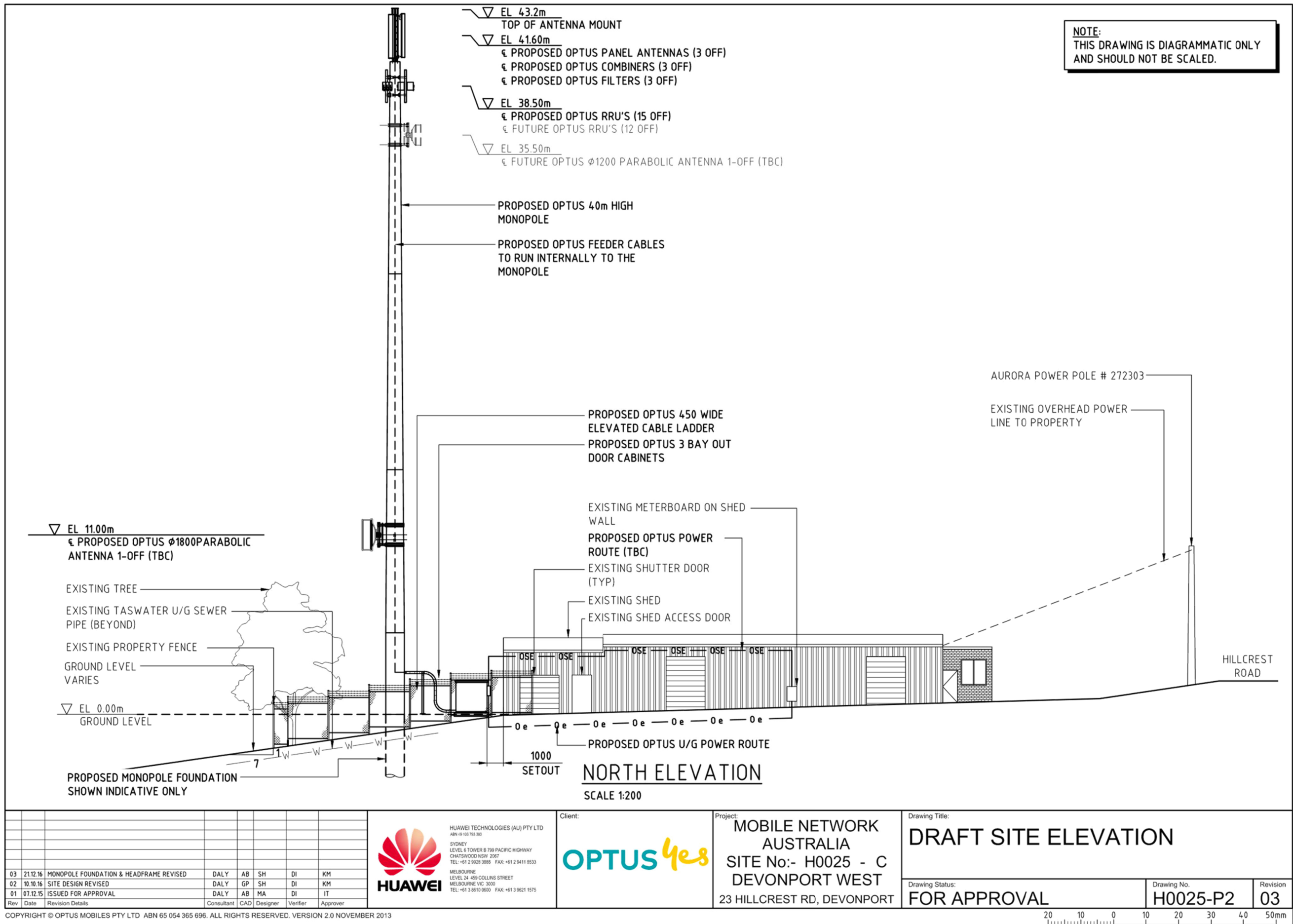
Any questions regarding this application please do not hesitate to contact Petra Kovacs on 03 9628 5300 or via email PKovacs@dalyinternational.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Petra Kovacs".

Petra Kovacs
Senior Town Planner
Daly International
T 03 9628 5314
PKovacs@dalyinternational.com.au

Appendix 1 – Revised Preliminary Drawings



Appendix 2 Revised Survey Plans – Please note the entire rear portion of the property is leased, however please refer to Preliminary drawings that clarify the location of the monopole and equipment shelter

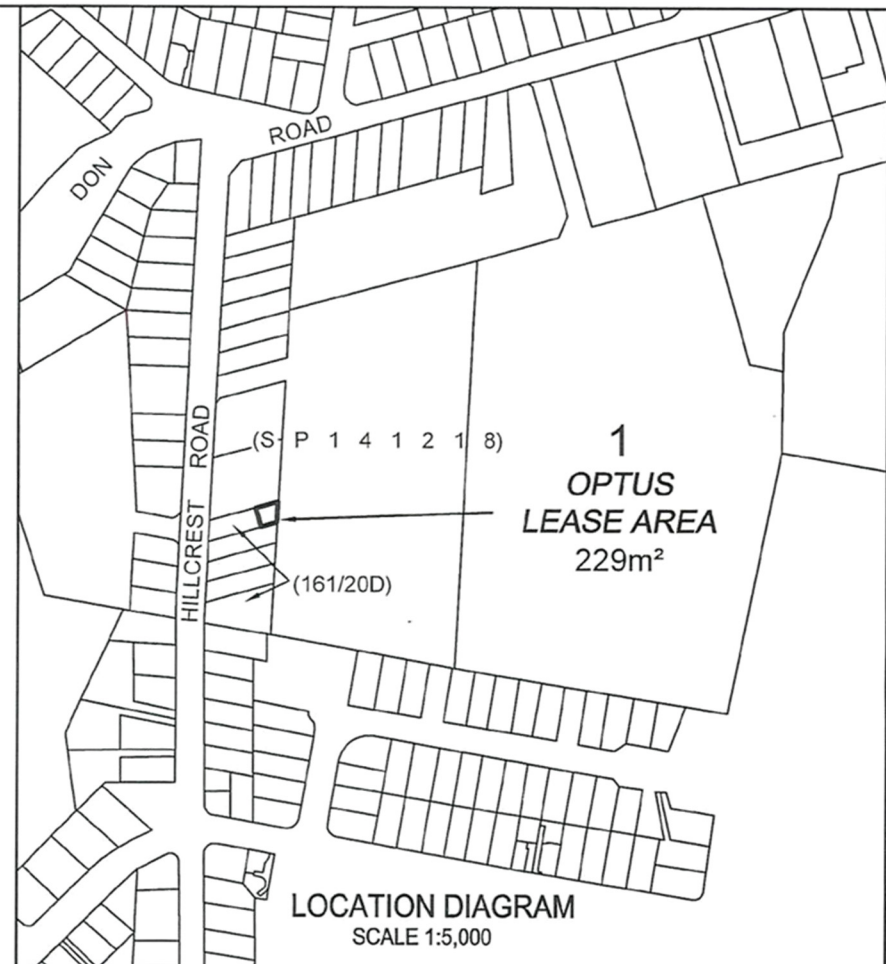


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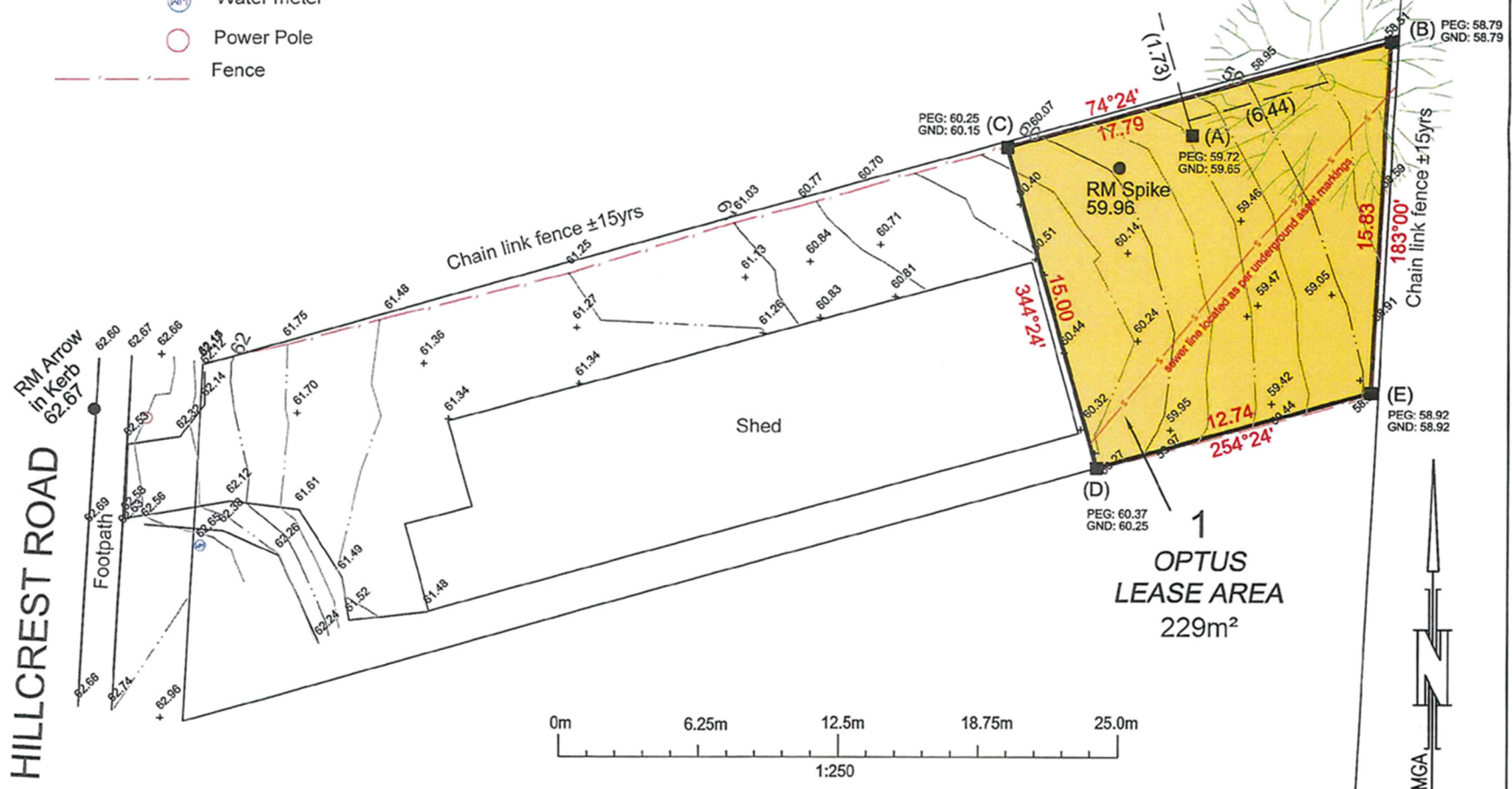


VIEW TOWARDS LEASE AREA

MGA COORDS
(A) MONOPOLE (B) CP (C) CP
E 443913.133 E 443921.985 E 443904.856
N 5440636.078 N 5440640.311 N 5440635.528



LEGEND
 Water meter
 Power Pole
 Fence



NOTES

1. SITE SURVEY BY ROGERSON & BIRCH SURVEYORS.
2. ALL LEVELS ARE IN METRES TO AHD PER SPM 6087.
3. GRID COORDINATES ARE TO MGA ZONE 55.
4. TITLE REFERENCE: C.T. 63840/23
5. OWNER: STEWARTS SEWING MACHINE CENTRE PTY LTD
6. THE TITLE BOUNDARIES SHOWN HEREON WERE NOT MARKED AT THE TIME OF SURVEY AND HAVE BEEN DETERMINED BY PLAN DIMENSIONS AND NOT BY FIELD SURVEY.
7. CONTOUR INTERVAL: 0.25m
8. LEASE AREA DETAIL & ORIENTATION BASED ON INFORMATION SUPPLIED BY DALY INTERNATIONAL.
9. THE LEASE AREAS ARE WHOLLY CONTAINED WITHIN THE TITLE BOUNDARIES.

I, Craig Rogerson of Rogerson & Birch Surveyors at 1, 2 Kennedy Drive, Cambridge TAS 7170 certify that the GDA94 Coordinates (M.G.A Datum) and Australian Height Datum height measurements are within an absolute accuracy of 0.20 metres as per computations from nearby coordinated survey marks.

.....Registered Land Surveyor
13-10-2016.....Date



Level 6 Tower B The Zenith
821-843 Pacific Highway
Chatswood NSW 2067
Australia (Ph (02) 9419-2199)
www.dalyinternational.com



HUAWEI TECHNOLOGIES (AU) PTY LTD
ABN 61 161 763 342
SYDNEY
LEVEL 6, 200/201 BROADWAY
CHATSWOOD NSW 2067
TEL +61 2 9529 3888 FAX +61 2 9411 8533
MELBOURNE
LEVEL 24, 450 COLLING STREET
MELBOURNE VIC 3000
TEL +61 3 8610 0020 FAX +61 3 9521 1575



SITE No: H0025 - C
DEVONPORT WEST

LOCATION:
23 HILLCREST ROAD
DEVONPORT
TAS 7310

LEASE DETAIL SURVEY PLAN

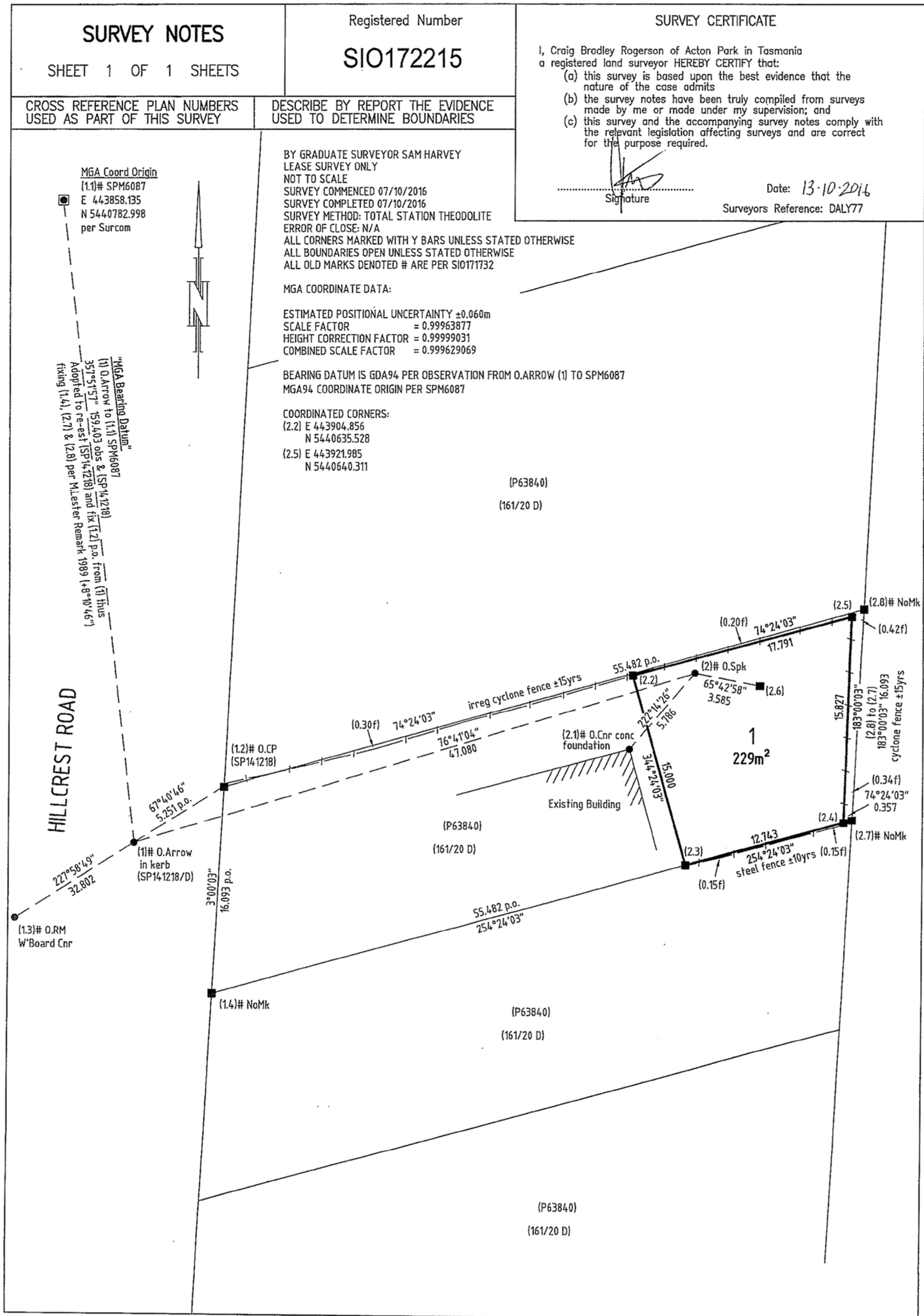
SHEET 1 OF 1

SCALE 1: 250

DATE 10/10/2016

REF. No. DALY77
9683-03

ITEM 4.1



LAND TITLES OFFICE www.dpiw.tas.gov.aucontact ldrbsearch@dpiw.tas.gov.au Ph 6233 3585

LTO COVER PAGE
FOR
SURVEY INFORMATION ONLY SURVEY NOTES
DEPOSITED FOR PUBLIC RECORD PER LTO CIRCULAR 1 OF 2007

Surveyor to complete this Section where shown thus * :

The attached survey notes deposit is for public record, and not for titling purposes directly. Would you please file with the MAIN LTO PLAN No. shown below.

* NAME OF REGISTERED SURVEYOR: CRAIG BRADLEY ROGERSON

* SURVEY FIRM: ROGERSON & BIRCH SURVEYORS

* MAIN LTO PLAN: (enter the Volume No. of the main title affected): _____
leave blank if unsure

* No. OF PAGES DEPOSITED - (including this sheet): _____

* Signed by: , 13/10/16
(Registered Land Surveyor) (Date)

SEE ATTACHED SURVEY NOTES FOR SURVEY PURPOSE

* OPTIONAL SURVEY PURPOSE CONTINUATION - (*NB: NOT FOR SURVEYOR REPORTING*):-

SURVEY FOR LEASEHOLD ESTATE TO ACCOMMODATE
NEW COMMUNICATIONS INFRASTRUCTURE

COPY

SIO REFERENCE (ALLOCATED BY LTO) : 172215

WARNING: ALWAYS SEARCH THE CURRENT CADASTRE.

Address: Level 1, 134 Macquarie Street, Hobart

Postal Address: PO Box 541, Hobart, 7001

Appendix 3 Tas Water Survey

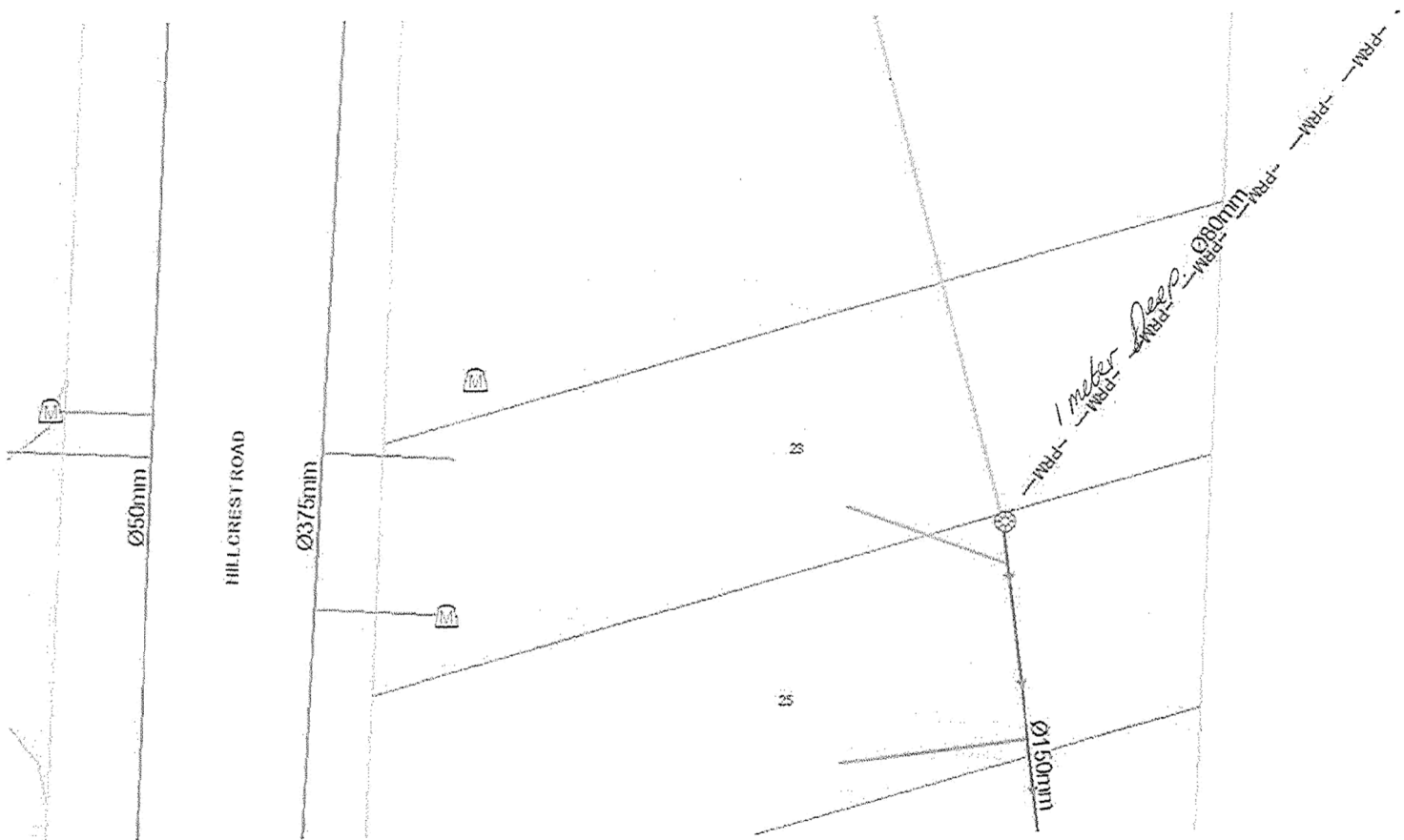


SERVICE LOCATION REPORT

LOCATION INFORMATION (Incl. pole numbers)	23 Hillcrest Road, Devonport Needs done ASAP		ON SITE CONTACT	Petra Kovacs - 0421699789 or 0396285300 PKovacs@dalyinternational.com.au	
				No on site contact <input type="checkbox"/>	
SERVICE ORDER	SO502157	JOB NUMBER		HPRM REFERENCE	B16/156118
CONDITIONS APPLIED					
Distance from main pipe				WATER	SEWER
Vac truck	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Clear		
Hand dig required	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Restriction		
Mechanical excavation	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Located		
OTHER CONDITIONS	Rising Sewer main marked out on the 30-9-16				
	1 meter Deep, spoke to petra Advising location				
COMPLETED BY			ON SITE CONTACT		
Name	a. hooper		Name		
Date	30-9-16		Date	Signature	
		Signature	No on site contact <input type="checkbox"/>		
External paperwork returned to customer Yes <input type="checkbox"/> N/A <input type="checkbox"/>					



SERVICE LOCATION MAP



Issue Date: 09/10/2015
Request Date: 23/09/2016

Document No: TCSFOR17
Uncontrolled when printed

Page 2 of 2
Version No: 4

Appendix 4 Previous RFI Material dated the 3 October 2016 File No 33153



3 October 2016

REF: File 33153

General Manager
Devonport City Council
council@devonport.tas.gov.au

Dear Mark McIver,

**Re: Request for further information and extension of planning notification timeframe
PA2016.0115 23 Hillcrest Road, DEVONPORT TAS 7310**

Daly International has been in receipt of a number of requests for further information regarding the application for a 40m Optus monopole located on light industrial zoned land at the subject address, 23 Hillcrest Road, Devonport.

I request that any further correspondence from interested parties please be passed through Council channels as the extension period for further information requests has now expired.

Correspondence to date received to date:

- Tas Water request for additional information dated 5 September 2016
- Devonport City Council correspondence dated the 16 September 2016 advising of extension to notification period
- Email from Council officer dated the 12 September 2016 containing a query from resident located at 23 Hillcrest Road (responded to on the 14 September 2016)
- Email from Council officer dated the 15 September containing information request from 23 Hillcrest Road
- Email from 23 Hillcrest Road dated the 27 September 2016 containing a further information request

The below response has been provided by Optus Mobiles Pty Ltd. Other information has been collected from the appropriate referral agencies applicable to the subject proposal.

Daly International ABN 17054 002 461

1



Tas Water request for additional information

On the 30 October 2016 a Tas Water representative was engaged to visit the subject site and conducted a camera probe to accurately locate the Tas Water services on-site. The Tas Water representative confirmed that the piping layout followed the supplied Tas Water diagrams.

Please note in response to this confirmation of services the site plans are currently undergoing an amendment. Tas Water requires that any infrastructure be at least 2m from the pipeline. In response to this engineers are proposing to separate the monopole structure and outdoor equipment unit and will examine the feasibility of placing these structures separately against the northern boundary of the property. An amended site plan of this condensed engineering solution will be forwarded to Council when completed. The remainder of the Optus proposal remains unchanged.

There should be no requirement to re-locate any existing piping services on-site with the above amendments proposed.

Noise level from proposed Outdoor Equipment Unit (ODU)

In response to the change in design the equipment shelter has been changed to a more compact model. Please note that these facilities air conditioning mechanism produces the equivalent noise of a domestic air conditioning unit. In addition the air conditioning mechanism is temperature controlled which means it only activates in times when air temperature becomes elevated i.e. the operation is not continuous.

Electromagnetic Energy

Optus has provided two separate responses in relation to the EME query. The first is an amendment to the existing ARPANSA report to include Hillcrest Primary School and Karingal Home. Please find attached in **Attachment 1** to this correspondence.

Provided in **Table 1** below are the calculated maximum cumulative EME levels at the 'Areas of Interest' requested. **These levels incorporate readings from both the existing Telstra facility and the proposed Optus installation.** Please note that the maximum allowable exposure limit is measured at 100%. The supplied cumulative readings below are at below 1% for each location specified.



Table 1 - These levels incorporate readings from both the existing Telstra facility and the proposed Optus installation.

Areas of Interest	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment (% of ARPANSA exposure limits)
Hillcrest Primary School	0.18%
Karingal Home	0.12%
Soccer Centre	0.15%
Karingal Home Adjacent Residences	0.18%
11 Hillcrest Road	0.08%
12 Hillcrest Road	0.22%
25 Hillcrest Road	0.48%
29 Hillcrest Road	0.43%
36 Hillcrest Road	0.16%

Property Values

Analysis of the Optus mobile network in the Devonport West area has identified an area where coverage and network quality needs to be improved. There is widespread recognition that mobile telecommunications play a key economic role within society and the provision of these services in the wider community is in the public interest. Many residents and businesses in the wider area are dependent on having access to reliable mobile network services. Improved coverage in this area means that residents, business owners, employees and customers will have access to improved mobile phone and wireless internet services via the Optus mobile network as well as the reassurance communications brings in the event of emergency.

In regards to impact on property values, research in this area indicates that there is currently no evidence to suggest that telecommunication facilities cause a reduction in property prices. The presence of mobile and wireless telecommunications services generally encourages further growth and development. Having access to a reliable mobile network is an essential service for local businesses throughout the area and is a desirable asset when new businesses and potential home buyers are looking to obtain new premises. It is considered that the proposed facility will therefore be in the public interest and will outweigh any offset in visual amenity by providing the users of the surrounding area with access to enhanced telecommunications services.



In response to the survey quoted conducted by the *National Institute for Science, Law & Public Policy 2014*, the results quoted do not seem to reflect the long term trend and continued reality of rising housing prices in Australia, particularly in the city and suburban areas, areas which are well serviced by multiples carriers and visible mobile phone tower infrastructure. Whilst it is acknowledged some individuals may prefer not to live near mobile towers, the absence of wireless coverage is deemed by many residents and businesses in blackspot areas to be a highly negative impact. It is impossible to generalise over a large population as to their motivations in regards to housing purchases, as this decision is influenced by multiple factors, the chief of which is the budget of the individual and other considerations such as access to schools, work, transport services and the "perception" of the suburb in general.

Whilst Optus has provided a response to the above query, it should be noted that property prices are not a planning consideration.

Visual representation

An approximate visual representation has been supplied below in **Figure 1**. The representation is taken from Hillcrest Road facing east towards the entrance to the property.

Please keep in mind once the site plan is amended the depicted monopole may move slightly further to the left of the photo.



Figure 1. View from Hillcrest Road looking east.



Further Actions

Provide Council with amended plans as a matter of urgency.

Any questions regarding this application please do not hesitate to contact Petra Kovacs on 03 9628 5300 or via email PKovacs@dalyinternational.com.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Petra Kovacs".

Petra Kovacs
Senior Town Planner
Daly International
T 03 9628 5314
PKovacs@dalyinternational.com.au



Appendix 1 – Revised ARPANSA



Environmental EME Report 23 Hillcrest Road, DEVONPORT TAS 7310

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 28/9/2016

RFNSA Site No. 7310024

Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 23 Hillcrest Road DEVONPORT TAS 7310. These levels have been calculated by Huawei using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 0.36% of the public exposure limit.

The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all mobile phone antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m²) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

Results

The maximum EME level calculated for the proposed systems at this site is 3.12 V/m; equivalent to 25.78 mW/m² or 0.36% of the public exposure limit.

Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Optus	LTE700 (proposed), WCDMA900 (proposed), WCDMA2100 (proposed), LTE2600 (proposed), LTE1800 (proposed)

Calculated EME Levels

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.

Distance from the antennas at 23 Hillcrest Road in 360° circular bands	Maximum Cumulative EME Level – All carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits
0m to 50m				2.4	15.25	0.2%
50m to 100m				2.014	10.76	0.13%
100m to 200m				2.33	14.46	0.22%
200m to 300m				3.12	25.78	0.36%
300m to 400m				3.02	24.19	0.33%
400m to 500m				2.39	15.1	0.21%
Maximum EME level				3.12	25.78	0.36
				259.77 m from the antennas at 23 Hillcrest Road		

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations	Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
		Electric Field V/m	Power Density mW/m ²	% of ARPANSA exposure limits
Hillcrest Primary School	0m to 10m	1.93	9.91	0.14%
Karingal Home	0m to 10m	1.17	3.63	0.054%

RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m²), microwatts per square centimetre (μW/cm²) and milliwatts per square metre (mW/m²). Note: 1 W/m² = 100 μW/cm² = 1000 mW/m².

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m ² = 375 μW/cm ² = 3750 mW/m ²
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 μW/cm ² = 4500 mW/m ²
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 μW/cm ² = 4500 mW/m ²
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m ² = 900 μW/cm ² = 9000 mW/m ²
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²

Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document "Understanding the ARPANSA Environmental EME Report"
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies"
- the current RF EME exposure standard
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, 'Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz', Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.
[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 'Mobile Phone Base Station Deployment' is available from the Communications Alliance Ltd website, <http://commsalliance.com.au>.

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

Appendix 5 Revised EME Report



Environmental EME Report

23 Hillcrest Road, DEVONPORT TAS 7310

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 20/12/2016

RFNSA Site No. 7310024

Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 23 Hillcrest Road DEVONPORT TAS 7310. These levels have been calculated by Huawei using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 0.34% of the public exposure limit.

The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all wireless base station antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m²) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

Results

The maximum EME level calculated for the proposed systems at this site is 3.02 V/m; equivalent to 24.2 mW/m² or 0.34% of the public exposure limit.

Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Optus	LTE700 (proposed), WCDMA900 (proposed), WCDMA2100 (proposed), LTE2600 (proposed), LTE1800 (proposed)

Calculated EME Levels

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.

Distance from the antennas at 23 Hillcrest Road in 360° circular bands	Maximum Cumulative EME Level at 1.5m above ground – all carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m²	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m²	% ARPANSA exposure limits
0m to 50m				1.83	8.89	0.15%
50m to 100m				1.6	6.82	0.097%
100m to 200m				2.14	12.18	0.19%
200m to 300m				3.02	24.2	0.34%
300m to 400m				2.95	23.12	0.32%
400m to 500m				2.37	14.84	0.2%
Maximum EME level				3.02	24.2	0.34
				270.19 m from the antennas at 23 Hillcrest Road		

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations		Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
			Electric Field V/m	Power Density mW/m²	% of ARPANSA exposure limits
1	Hillcrest Primary School	0m to 10m	1.88	9.36	0.13%
2	Karingal Home	0m to 10m	1.42	5.34	0.077%

RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m²), microwatts per square centimetre (μW/cm²) and milliwatts per square metre (mW/m²). Note: 1 W/m² = 100 μW/cm² = 1000 mW/m².

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m ² = 375 μW/cm ² = 3750 mW/m ²
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 μW/cm ² = 4500 mW/m ²
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 μW/cm ² = 4500 mW/m ²
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m ² = 900 μW/cm ² = 9000 mW/m ²
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m ² = 1000 μW/cm ² = 10000 mW/m ²

Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document "Understanding the ARPANSA Environmental EME Report"
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies"
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Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, 'Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz', Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.
[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 'Mobile Phone Base Station Deployment' is available from the Communications Alliance Ltd website, <http://commsalliance.com.au>.

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

18/01/2017

File No: D455861

G & V Johns
25 Hillcrest Road
Devonport
TAS, 7310

The General Manager
Devonport City Council
P.O Box 604
Devonport, TAS 7310

Re: PA2016.0162 – Telecommunications facility (monopole & associated infrastructure) – 23 Hillcrest Road, Devonport.

Dear Sir,

Site Selection Process,

Given that there is current legislation, codes of practice and council regulations in place setting out the guidelines in relation to selecting a site for a Mobile Phone Base Station. I request that you explain how the site at 23 Hillcrest Road was selected, when it does not even come close to regulations. The persons responsible for selecting a suitable site, one would assume would be familiar and aware with requirements to be met.

Answer then how; a site that can not meet required setbacks, has restricted access, has three (3) occupied dwellings within 40m of proposed monopole, posing a direct risk to adjoining properties. Has a pressurised sewer main running directly through the site and is within 300m of a Primary School can be an appropriate choice. As it is predominantly residential it will have a high visual impact to the many residences in the vicinity in a 500 metre radius.

We further note *Candidate F*, Don Reserve, 260 Steele Street as it was a preferred site, why was this site discounted out of hand. As this particular site would have posed no immediate risk to its surroundings and achieve the same outcome.

Has a risk assessment been applied on the proposed site at 23 Hillcrest Road and Don Reserve, 260 Steele Street. *Candidate F*?

It is clear to us, the person/s engaged to assess the site either need to be retrained, are ill informed of their responsibilities, or simply incompetent.

In conclusion the person/s selecting this site has acted without due diligence or consideration of current legislations and regulations.

Yours Sincerely

.....
Greg and Vonda Johns
25 Hillcrest Road,
Devonport, TAS 7310

18/01/2017

File No: D455861

G & V Johns
25 Hillcrest Road
Devonport
TAS, 7310

The General Manager
Devonport City Council
P.O Box 604
Devonport, TAS 7310

Re: PA2016.0162 – Telecommunications facility (monopole & associated infrastructure) – 23 Hillcrest Road, Devonport.

Dear Sir,

It is not unreasonable to expect when requesting information pertaining to the proposed development at 23 Hillcrest Road, that the enquiries are responded to in a prompt and forthright manner.

Our previous attempts to obtain correct information and data on the previous development application **PA2016.0115** was arduous, we simply did not receive the information to our questions. We do not seek unqualified opinions, but factual documentation.

We now request the following information:

Provide us with an RF Map that shows potential EME (Hot Spots) predictions incorporating the EME from proposed Optus installation and including existing Telstra Tower overlaid on a location map that encompasses an area not less than a 500m radius from the towers.

- Level of electromagnetic energy (EME) from associated infrastructures within the compound?
- Decibel (DB) levels from associated infrastructures within the compound?

Environmental EME Report: RFNSA Site No. 7310024, needs to included in calculated EME levels at other areas of interest, 25, 27, 29 Hillcrest Road.

We request an Environment EME Report that combines RFNSA Site No. 7310024 and RFNSA Site No. 7310005 which includes 25, 27, 29 Hillcrest Road.

Who is the Liability Responsible Entity?

In the event of the 43.2m monopole or compound catching fire, collapsing, parts falling from tower on to adjoining property or persons and surrounding infrastructure. (These events have occurred)

- a) Optus Mobile Pty Ltd
- b) Approving Authority
- c) Contractor (construction/maintenance)
- d) Land Owner on which tower is sited

e) Other

and

Valuation may not be a planning matter, this is an opinion. The onus may fall on the appropriate authority or party that they be liable through the courts to pay compensation. Who is responsible?

- f) Optus Mobile Pty Ltd (Lease Holder)
- g) Devonport Council
- h) Stuarts Sewing Machine Centre Pty Ltd (Property Owner)
- i) Other

Further to note, works commenced at 23 Hillcrest Road on the 18th of November 2016. The On-site Contractor informed 25 Hillcrest Road residential owner Greg Johns the installation of pipework and pits was for the proposed Optus Monopole installation. These works correspond with the compound indicated through-out the proposal, which is a contravention under the **Land Use Planning and Approval Act 1993, Section 63B**. *Can you please advise who authorised these works?*

Please advise if Optus Mobile Pty Ltd currently lease 23 Hillcrest Road, Devonport or if and when this lease commences.

Please advise the pad and footing details, (drawing details) for the proposed structure foundation of the 43.2m monopole?

Figure 1 on page 75 is misleading as it depicts a 25m Monopole and does not include 25 Hillcrest Road. Please provide a picture of the 43.2m Monopole as it would be seen from 25, 27 and 29 Hillcrest Road. To scale from their back doors, front and back of their property boundaries.

Comments

The telecommunications facility subject to the application is 43.2m in height as indicated by page 61 of PA2016/0162 – Drawing No H0025-P2, Revision 3. Which now depicts a compact headframe does not address visual amenity concerns and shows the monopole to be 43.2m high, this will not diminish visual impacts. It is also not unusual for residential dwellings to exist within a light industrial settings within a Rural State such as Tasmania. A rational author would of researched and anticipated the unique Tasmanian economy. Victorian State Standards as cited by Petra Kovacs are not applicable and should not be applied to any Developmental Application within Tasmania, **5.4 Construction and Proposed Facility**. The proposed 43.2m monopole has high visual impact and direct impact on health and safety of adjoining owners North, South, East and West. The compound and monopole have been moved 5m, it is now approximately 10m from 25 Hillcrest Road, 30m from 27 Hillcrest Road and 40m from 29 Hillcrest Road.

It is stated Telstra's facility to the North does not meet setbacks and this is Petra Kovacs reasoning for Optus Mobile Pty Ltd non-compliance to E8 Telecommunications Code E8.6.2 Health Safety and Visual Impact Performance Criteria. This statement is not rational but highlights the safety concerns and installation over sights by the approving authority of the Telstra Monopole at 11 Hillcrest Road, Devonport.

We appreciate your offer to paint the 43.2m monopole, realistically any attempted to disguise or camouflage the monstrosity would be in vain. We are not concerned with the colour, our primary worry is health and safety of ourselves and immediate neighbours.

The property owners of 25 Hillcrest Road have engaged a registered property evaluator and local real estate agent, who have confirmed a 43.2m monopole will have a negative impact on their property value and other near by residences.

The comments of Petra Kovacs of behalf of Optus Mobile Pty Ltd is a conflict of interest. We ask all parties involve to get independent valuations for 25 Hillcrest Road and other nearby residences before work commences for future reference and potential court proceedings?

It is imperative to receive the answers and documentation to our enquiries before the 30th of January to prepare our representation in a timely manner.

Please forward our queries to Petra Kovacs and where appropriate carbon copy us into correspondence.

Yours Sincerely

.....
Greg and Vonda Johns
25 Hillcrest Road,
Devonport, TAS 7310

26/01/2017

File No: D455861

File No: 33411

G & V Johns
25 Hillcrest Road
Devonport
TAS, 7310

The General Manager
Devonport City Council
P.O Box 604
Devonport, TAS 7310

Re: PA2016.0162 – Telecommunications facility (monopole & associated infrastructure) – 23 Hillcrest Road, Devonport.

Dear Sir,

We object to the proposed development:

1) 3.1 Site Selection Process, pg 8 of 46

Given that there is current legislation, codes of practice and council regulations in place setting out the guidelines in relation to selecting a site for a Mobile Phone Base Station. It is incomprehensible of how the site at 23 Hillcrest Road was selected, when it does not even come close to regulations. The persons responsible for selecting a suitable site, one would assume would be familiar and aware with requirements to be met.

A site that can not meet required setbacks, has restricted access, has three (3) occupied dwellings within 40m of proposed monopole base, posing a direct risk to adjoining properties. Has a pressurised sewer main running directly through the site and is within 300m of a Primary School could of been an appropriate choice. As it is predominantly residential it will have a high visual impact to the many residencies in the vicinity in a 500 metre radius.

We further note *Candidate F*, Don Reserve, 260 Steele Street as it was a preferred site, this particular site would of posed no immediate risk to it's surroundings and achieve the same outcome.

A risk assessment should have been applied on the proposed site at 23 Hillcrest Road and Don Reserve, 260 Steele Street. *Candidate F*.

It is clear to us, the person/s engaged to assess the site either need to be retrained, are ill informed of their responsibilities, or simply incompetent.

The person/selecting this site have appeared to of acted without due diligence or consideration of current legislations and regulations.

2) 4.1 Subject Site and Surroundings, pg 13 of 46

Please refer Figure 1 and 2 showing the site context concerning the adjoining landowners and residences in close proximity who will have direct views of the facility.



Figure 1 – Entrance to 25, 27 and 29 Hillcrest Road, Devonport



Figure 2 – View to proposed monopole, Back Door of 25 Hillcrest Road, Devonport

3) Zoning, pg 26 of 46

Under the Devonport Interim Planning Scheme 2013 the property is zoned Light Industrial. The residences of 25, 27 and 29 Hillcrest Road have been lived in for 50 years and had previously been General Residential Zoning.

Under Clause 8.0 Assessment of an Application for Use or Development a telecommunications facility is included under the definition of Utilities. This application should be reviewed acknowledging the occupants who will be directly impacted. 15.0 Urban Mixed Use Zone or 10.0 General Residential Use Zone should be applied to 25, 27 and 29 Hillcrest Road in relation to this application.

4) 8.5 Telecommunications Code, pg 28 of 46

**Table 2. Table E8.6.2 Health, safety and visual impact
Acceptable Solutions, Performance Criteria and Assessment**

A5) A free-standing aerial, tower, or mast must –

- a) be finished and maintained with a galvanised steel surface or painted a neutral colour so as to reduce visual obtrusiveness;
- b) not affix or mount a sign other than necessary warning or equipment information;
- c) not be artificially lit or illuminated unless required for air navigation safety or for security
- d) if security fencing is required, such fencing must be of a design, material and colour that reflect the character of the location and
- e) provide a buffer not less than 2.0 wide outside the perimeter of the compound of plant material to effectively screen the tower compound from public view and from adjacent land

P5) The location of the tower must be sufficiently remote from other use and unlikely to have adverse visual impact

Response:

The visual impact will be extreme to the residences of 25 Hillcrest Road (us) as the compound and monopole will be sited approximately 27m from our back door.

The telecommunications facility subject to the application is 43.2m in height as indicated by page 61 of PA2016/0162 – Drawing No H0025-P2, Revision 3.

EL 11.00m Proposed Optus 1800 Arabolic Antenna 1-Off
 EL 35.50m Future Optus 1200 Parabolic Antenna 1-Off
 EL 38.50m Proposed Optus RRU's (15 Off)
 EL 38.50m Future Optus RRU's (12 Off)
 EL 41.60m Proposed Optus Panel Antenna's (3 Off)
 EL 41.60m Proposed Optus Combiners (3 Off)
 EL 41.60m Proposed Optus Filters (3 Off)
 EL 43.20m Top Of Antenna Mount

The revised preliminary drawings (No H0025-P2, Revision 3) which now depict a compact headframe does not address visual amenity concerns and shows the monopole to be 43.2m high, this will not diminish visual impacts. It is also not unusual for residential dwellings to exist within a light industrial settings within a Rural State such as Tasmania. A rational author would of researched and anticipated the unique Tasmanian economy. Victorian State Standards as cited by Petra Kovacs are not applicable and should not be applied to any Developmental Application within Tasmania, **5.4 Construction and Proposed Facility**. The proposed 43.2m monopole has high visual impact and direct impact on health and safety of adjoining owners North, South, East and West. The

compound and monopole have been moved 5m, it is now approximately 10m from 25 Hillcrest Road, 30m from 27 Hillcrest Road and 40m from 29 Hillcrest Road.

We appreciate the offer to paint the 43.2m monopole, realistically any attempted to disguise or camouflage the monstrosity would be in vain. We are not concerned with the colour, our primary worry is visual impact, health and safety of ourselves and immediate neighbours.

4.1) E8.6.2 Health, safety and visual impact

A3) A free-standing aerial, tower, or mast must be setback from the base of the tower to the exterior boundary of the site by –

b) not less than 30m or 100% of the height of the tower, whichever is the greater, in any other zone

P3) The setback of a free-standing aerial, tower or mast must not be less than is –

a) necessary for operational efficiency; and

b) without risk for the health and safety of existing and potential use on adjacent land

A5) A free-standing aerial, tower, or mast must –

e) provide a buffer not less than 2.0m wide outside the perimeter of the compound of plant material to effectively screen the tower compound from public view and from adjacent land.

Response:

It is stated on page 29 of PA2016/0162 Telstra's facility to the North **does not meet setbacks** and this is Petra Kovacs reasoning for Optus Mobile Pty Ltd **non-compliance** to E8 Telecommunications Code E8.6.2 Health Safety and Visual Impact Performance Criteria. This statement is not rational but highlights the safety concerns and installation over sights by the Authorising Authority of the Telstra Monopole at 11 Hillcrest Road, Devonport.

“Given the small land area available on the subject property, setback distances were not achievable” - page 29 of 46

As the compound and monopole will be less than 10m from our side boundary we have real concerns regarding our health and safety whilst going about our daily activities on our property whilst directly under the 43.2m monopole, power antenna's and fixtures. The application does not comply with A5(e) and A3(b).

In the event of the 43.2m monopole or compound catching fire, collapsing, parts falling from tower on to adjoining property or persons and surrounding infrastructure. (These events have occurred) liability comes into question?

Request for additional information on the 18th of January was not received, we asked to be advised of pad and footing details of proposed structure foundation of the 43.2m monopole and contingencies for adhering to setback (fall zone) regulations outlined by Devonport Council and TasWater (pressurised main).

Response:

The proposed monopole and compound being sited basically on our doorstep we believe will result in devaluation of our property. We will be requesting the applicant have regard to a valuation prior to works commencing, followed by one after. (before and after construction)

The property owners of 25 Hillcrest Road have engaged a registered property evaluator and local real estate agent, who have confirmed a 43.2m monopole will have a negative impact on their property value and other near by residences.

Valuation may not be a planning matter, but should be taken into consideration.

Response: Industry Code Mobile Phone Base Station Deployment

10.3.2 *The Carrier must not assert anything to the effect that the absence of scientific proof means that there is no possibility of risk arising from the operation of mobile communications infrastructure.*

We formally requested that the applicant provides us with an RF Map that shows potential EME (Hot Spots) predictions incorporating the EME from proposed Optus installation and including existing Telstra Tower overlaid on a location map that encompasses an area not less than a 500m radius from the towers.

- Level of electromagnetic energy (EME) from associated infrastructures within the compound?
- Decibel (DB) levels from associated infrastructures within the compound?
- An RF Map for exposure predictions expressed in micro-watts per sq cm, 23 Hillcrest Road and 11 Hillcrest Road combined exposure.

This information was not received.

The proposed Radio Systems outlined in page 61 also do not collate with the Huawei Environmental EME Report. It is proposed that the base station will have equipment for transmitting the following services:

LTE700, WCDMA900, WCDMA2100, LTE2600, LTE1800

We note that the applicant acknowledges there is a Telstra Telecommunications Tower at 11 Hillcrest Road, but does not address the EME of the tower or the combined EME of both monopoles. We further note the the telstra tower at 11 Hillcrest RFNSA Site No 7310005 reported dated 28/5/2014 indicates the maximum EME level from this tower to be 0.68. How is it the table on page 73 of PA2016/0612 indicated the EME to be lower with the combined Optus and Telstra. The calculations appear to be erroneous.

5) Subject Site and Surrounds

“Best Practice” involves the carrier complying with any relevant industry code or standard that is registered by the ACMA under Part 6 of the Act.

4.1.1) Applies if a Carrier proposes to select a new site for the deployment of Mobile Phone Radiocommunications Infrastructure.

4.1.5) The procedures must require, as a minimum, that for each site the Carrier have regard to;

- a) The reasonable service objectives of the Carrier including;
- b) Minimisation of EMR exposure to the public
- c) The likelihood of an area being a community sensitive location. (Examples of site which sometimes have been considered to be sensitive include residential areas, schools, aged care centres)
- d) The objective of avoiding community sensitive locations
- f) The outcomes of consultation processes with Councils and Interested and Affected Parties as set out in Clause 6.7
- l) The availability of land and public utilities

Response:

We do not believe due diligence and best practice has been applied regarding the site selection process. As future development on the land immediately to the North and East of the selected site the proposed development could become ‘boxed in’. The only access would be a 5m wide strip of land on the Northern Boundary of 23 Hillcrest Road this could impede any activities associated with the monopole and compound maintenance, applying additional antenna’s, setting up cranes, etc.

6) Industry Code – Mobile Phone Base Station Deployment Objectives

1.2 Objectives

- c) To ensure that the exposure of the community to EMR is minimised;
- f) To consider the impact on the well-being of the community, physical or otherwise, of Mobile Phone Radiocommunications Infrastructure

Response:

The proposed site is in close proximity to the existing Telstra monopole at 11 Hillcrest Road. Having two telecommunication base stations so close will increase the EME, EMR and RF emissions in the immediate area. Particularly the 100-300m range. **See Appendix A**

We will ask the ACMA request a copy of the site EMR estimate, which the Carrier must provide the estimate to the ACMA within two weeks of the request being made.

7) Failure To Update Interested and Affected Parties

6.7.7) The Carrier must keep website information up-to-date with significant developments, such as delays or deferrals, and provide that information to members of the public who have previously requested it by other means

Response:

We can not find a website with up-to-date significant developments, such as the pressurised main or EME reports and we wonder where this information is located. As set out in 6.7.7 above.

8) Environmental Consideration, pg 33 to 46

9.1.1.2 Land Use (visual impacts)

The proposed Optus monopole location is situated next to a residential dwelling, the immediate zoning of this area should be General Residential or Urban Mixed. The General Residential zone may begin approximately 100m to the south, but as seen by Figure 1 and 2 in this representation, has major visual impact on adjoining land owners.

9.1.1.3 Significant view in the immediate vicinity of the proposal (visual impacts)

The most significant views will be 25 Hillcrest Road, as seen by Figure 1 and 2 in this representation as the Optus monopole is 43.2m tall.

9.11 Social and Economic Impacts, pg 41 of 46

Petra Kovacs has written a paragraph about Melbourne experiencing significant urban growth on it's fringes and residential infill in areas that were previously rural and keeping up with expanding development. The Devonport municipality does not have "black holes" and are serviced successfully by their competitors with already established infrastructure.

9) The site suitability of the site for the developments

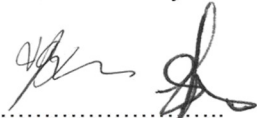
The proposal has been sited at the rear of 23 Hillcrest Road, Devonport. The subject proposal is considered unsuitable for the following reasons:

- The proposed development is not appropriate in light of the relevant legislative, environmental, technical, radio coverage and public safety requirements and is unacceptable in social, economic and environmental terms as demonstrated in our representation.
- The proposal has significant visual impacts to adjoining owners and nearby residences
- The proposal has significant environmental impacts, as it is located 10m from a residential property and 300m from a primary school.
- Non-compliance with setbacks is not acceptable
- The revised ARPANSA reports appear to be erroneous

- The installation of proposed monopole padding and footing will not meet Devonport Council and Taswater setback requirements
- Does not comply with ACMA guidelines
- Does not comply with many of the Telecommunication Mobile Base Station Deployment Code of Practice (Industry Code C564:2012) that must be adhered to

In conclusion the proposed monopole at 23 Hillcrest Road, Devonport should not be authorised to proceed.

Yours Sincerely

Handwritten signatures of Greg and Vonda Johns, appearing as two distinct cursive signatures side-by-side.

.....
Greg and Vonda Johns
25 Hillcrest Road,
Devonport, TAS 7310

Appendix A

RF Map

How much radiation exposure will result from the installation of a mobile phone antenna?

This is an important question for councils considering the approval of a new facility and for communities living nearby.

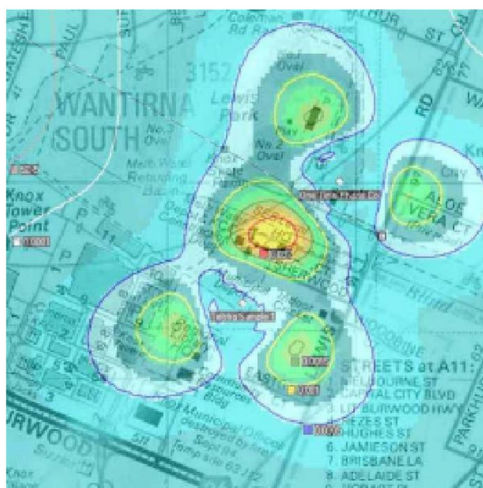
Telstra Research Laboratories has developed a software package that is able to calculate likely exposures from any proposed new facility. The RF-map software presents information in a graphic form that is easy to understand.

It can:

- calculate the exposures from single or multiple antennas;
- be overlaid on locality maps, thus showing the exposure in any given location;
- give graphics in plan and elevation;
- be used for mobile phone antennas and other technologies;
- present information in microwatts per square cm or as a percentage of the standard.

RF map predictions can be obtained from most carriers.

EMR Australia Pty Ltd recommends that councils request this information with each assessment and request exposure predictions in microwatts per square cm.



5.0 CLOSURE

There being no further business the Chairman declared the meeting closed at pm.