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| <b>DEVELOPMENT NO.:</b>                    | 21027089  |
| <b>APPLICANT:</b>                          | Telstra Corporation Ltd   |
| <b>ADDRESS:</b>                            | 1-5 HARTLEY RD BRIGHTON SA 5048   |
| <b>NATURE OF DEVELOPMENT:</b>              | Construct a telecommunications facility consisting of a 30m-tall monopole, panel antennas and equipment shelter   |
| <b>ZONING INFORMATION:</b>                 | <p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Suburban Activity Centre</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Advertising Near Signalised Intersections</li> <li>• Hazards (Flooding - General)</li> <li>• Local Heritage Place</li> <li>• Major Urban Transport Routes</li> <li>• Noise and Air Emissions</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Traffic Generating Development</li> </ul> <p><b>Technical Numeric Variations (TNVs):</b></p> <ul style="list-style-type: none"> <li>• Maximum Building Height (Levels)</li> <li>• Interface Height</li> </ul> |
| <b>LODGEMENT DATE:</b>                     | 13 Sep 2021   |
| <b>RELEVANT AUTHORITY:</b>                 | Council Assessment panel – City of Holdfast Bay   |
| <b>PLANNING &amp; DESIGN CODE VERSION:</b> | 2021.13   |
| <b>CATEGORY OF DEVELOPMENT:</b>            | Code Assessed - Performance Assessed  |
| <b>NOTIFICATION:</b>                       | Yes   |
| <b>RECOMMENDING OFFICER:</b>               | Michael Gates<br>Development Services (Planning and Building) Lead  |
| <b>REFERRALS STATUTORY:</b>                | None  |
| <b>REFERRALS NON-STATUTORY:</b>            | Heritage  |

**CONTENTS:**

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- Attachment 1: Amended Plans and report**  
**Attachment 2: Referral response from Local Heritage Advisor**  
**Attachment 3: Previous report and attachments**
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**DETAILED DESCRIPTION OF PROPOSAL:**

This application is for the construction of a telecommunications facility consisting of a 30m-tall monopole, panel antennas and equipment shelter. The monopole will be constructed in the south-eastern corner of the allotment that fronts onto Hartley Road. The monopole will now be set 10 metres in from the southern boundary and 26 metres from the western boundary, with a small equipment shelter of 5sqm floor area located to the south of the monopole. Landscaping has now been included along the western boundary. Amended plans for the proposal and a supporting report are contained in **Attachment 1**.

**BACKGROUND:**

This application is being presented to the Panel again as having been deferred at a previous meeting. Except where varied by this report, the assessment in the previous report contained in **Attachment 3** is considered to be relevant.

The application was presented to the Council Assessment Panel on 27 January 2022, where the Panel moved the following motion to defer the application.

1. *Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application be deferred for the applicant to provide further information relating to:*
  - *Opportunity to relocate the tower further north of a suitable distance to provide suitable landscaping;*
  - *Landscaping plan for western and southern boundaries capable of softening the towers visual appearance;*
  - *Report prepared by a heritage architect/advisor for the impact on the heritage value of the property;*
  - *Further information regarding investigating alternative sites or the prospects of suitable sites.*

The applicant has provided amended plans with the following changes:

- The tower has been moved further to the north and is now proposed to be located 10 metres from the southern boundary;
- Landscaping has been added to the western boundary to minimise the visual impact to the neighbouring property;
- A report has been provided by the applicant assessing alternate sites in the locality;
- A referral response from Council's Local Heritage Advisor in relation to the nearby local heritage place is contained in **Attachment 2**.

**SUBJECT LAND & LOCALITY:****Site Description:**

**Location reference:** 1-5 HARTLEY RD BRIGHTON SA 5048

**Title ref.:** CT 5395/876 **Plan Parcel:** F20754 AL184 **Council:** CITY OF HOLDFAST BAY

**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT:** Telecommunications facility: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**  
Code Assessed - Performance Assessed
- **REASON**  
P&D Code

**INTERNAL REFERRALS****Local Heritage**

The application was referred to Council's heritage advisor for comments relating to the adjacent local heritage building, being the Telstra telephone exchange building that fronts onto Hartley Road.

The proposal is considered not to impact on the character of the local place for the following reasons:

The proposed development is acceptable in terms of heritage impact for the following reasons:

- The proposed tower is approximately 60 metres behind the 1927 building, the distance is sufficient to diminish the visual impact of the tower in the context of the 1927 building.
- For obvious reasons, the proposed works will not adversely impact on historic fabric of the 1927 building.
- The proposed cabling is mostly underground and distant from the 1927 building.
- The proposed shelter building is low and scale and will not be visible from the public realm.
- The historic telephone exchange building is robust in appearance and the impact of some infrastructure is not considered to be detrimental to its appearance nor its context and setting.
- The nature of the building's former and current use is such that the impact of some infrastructure is to be expected.

It is relevant that there is a similar 25 metre high tower in proximity to the Glenelg telephone exchange building at the corner of Brighton Road and Jetty Road.

Given its relatively substantial distance from the 1927 building and for reasons described above, the location of the tower as proposed is acceptable.

**PLANNING ASSESSMENT**

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

**Location of the Tower**

The amended plans now have the proposed tower located further to the north. The tower will be located 10 metres north of the southern boundary, and 26 metres from the western boundary. The amendment means that the tower will now be located more than 30 metres from the nearest residential property. This is considered to be an improvement on the previous proposal and is considered to sufficiently satisfy PO 6.3.

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| <p>PO 6.3</p> <p>Telecommunications facilities, particularly towers/monopoles, are located and sized to mitigate visual impacts by the following methods:</p> <p>(a) where technically feasible, incorporating the facility within an existing structure that may serve another purpose</p> <p>or all of the following:</p> <p>(b) using existing buildings and landscape features to obscure or interrupt views of a facility from nearby public roads, residential areas and places of high public amenity to the extent practical without unduly hindering the effective provision of telecommunications services</p> <p>(c) using materials and finishes that complement the environment</p> <p>(d) screening using landscaping and vegetation, particularly for equipment shelters and huts.</p> | <p>DTS/DPF 6.3</p> <p>None are applicable.</p> |
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### Alternative sites

One of the reasons for the deferral was to investigate possible alternative sites. The proposal is to be located in the Suburban Activity Centre Zone. Given the surrounding locality, this is considered to be the most appropriate Zone for the proposal, rather than the surrounding Neighbourhood type zones. The only possible alternative is the Employment Zone, which the application has said is not appropriate for the following reason.

The only Zone that is potentially suitable is the Employment Zone centred around the Brighton Railway Station. That location is too close to the existing Brighton Jetty facility and too far away from 530 Brighton Road to function as an effective replacement. It is also surrounded by residential uses.

As this is the only site within the locality that is already used as a telecommunications facility, it is considered to be the most appropriate site for this development.

### Landscaping

The applicant has proposed that landscaping be planted along the western boundary only. The applicant has stated the reason for this is:

*As can be seen on the aerial photo contained within the revised plans, there are substantial trees already existing in the rear yard and along the rear boundary of 4 Old Beach Street. Given the revised position of the monopole, this existing tree cover will sufficiently mitigate views of the structure and certainly to a greater extent than newly planted landscaping within the exchange could provide.*

*In terms of electing not to use landscaping to mitigate views directly to the south, the following points are noteworthy:*

- *The property directly to the south is a carpark associated with a commercial property within the Suburban Activity Zone.*
- *The residential flat building at 2 Old Beach Road is also within the Suburban Activity Zone. This is a 10-unit complex with 5 units upstairs and 5 downstairs, with four of the units having an outlook to the north and the remaining six having outlooks to the east and west.*

- *The revised monopole location is now an additional 6 metres north, placing it almost 30 metres from the rear face of the building at 2 Old Beach Road (noting this is further than the distance to residential properties to the west).*

*As such, given the non-residential nature of the zoning directly to the south, the separation of the residential use by another property and the increased separation brought about by the revised location of the monopole, landscaping along the southern boundary of the exchange would not have any meaningful impact on views from 2 Old Beach Road. Such landscaping would only, at best (once it clears the top of the fence) partially obscure views of the equipment shelter and base of the monopole.*



Given the amend location of the amend pole and the existing landscaping, the proposal is considered to be reasonable in this instance to satisfy PO 6.3. The applicant has suggested that the Panel as the relevant authority select the species to be used on site. It is recommended that a species with a relatively narrow species be used, such as ornamental pears, which are also relatively hardy and grow to a maximum height of 12 metres. This can also be addressed through a reserved matter, should the Panel think appropriate.

## **CONCLUSION**

It is acknowledged that telecommunications infrastructure can cause significant concern for nearby residents, when located in adjacent a Neighbourhood type Zone. In this instance the proposal is to be located in a Suburban Activity Centre, next a General Neighbourhood Zone. The applicant has demonstrated that the infrastructure is required for the locality, and given that the site is already used for telecommunications purposes, the site is considered

reasonable for the infrastructure. The structure will have a minor impact in regards to visual intrusion or overshadowing, and therefore the amended proposal is considered to warrant Planning Consent to be granted

## **RECOMMENDATION**

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21027089, by Telstra Corporation Ltd is granted Planning Consent subject to the following reasons/conditions/reserved matters:

## **CONDITIONS**

### Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. That all mechanical plant and equipment, including air conditioners, should be selected, designed, and installed to comply with the following mandatory criteria:
  - (a) Noise level not to exceed 52dB(A) between the hours of 7am and 10pm when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and
  - (b) Noise level not to exceed 45dB(A) between the hours of 10pm and 7am when measured and adjusted at the nearest residential zone interface in accordance with the Environment Protection (Noise) Policy 2007\*, and
  - (c) Where marked with an \* the above noise levels must include a penalty for each characteristic where tonal/modulating/impulsive/low frequency characteristics are present in accordance with the Environment Protection (Noise) Policy 2007.
3. The monopole is to be painted in a N53 blue-grey colour.
4. That the landscaping as shown on the approved plans be planted within 6 months of the development becoming operational

## ADVISORY NOTES

### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

### Planning Consent

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    - i. until the appeal is dismissed, struck out or withdrawn; or
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## OFFICER MAKING RECOMMENDATION

**Name:** Michael Gates

**Title:** Development Services (Planning and Building) Lead

**Date:** 7 April 2022