



DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

11th September 2007

DSDS1	PROPOSED TELSTRA MOBILE PHONE TOWER LOT 4 DP 1087626 No 185 SUMMER ISLAND ROAD, SUMMER ISLAND FILE: T6-07-155 PRJ	{Folio No. *}
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SUMMARY:

Reporting that additional information has been received relating to potential impacts associated with a proposed mobile phone tower.

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Applicant: Telstra Corporation C/- Angelini Planning Services
Subject Property: Lot 4 DP1087626 No. 185 Summer Island Road,
Summer Island
Owners: Crotty J, Crotty S, Moore A & Crotty-Moore M

History

The application was reported to the July 2007 meeting of Council whereby Council resolved:-

"That the contractors be invited to come back to Council and explain why this Telstra tower cannot be relocated to a more suitable site and to explain the cumulative effects of E.M.E. from the towers on both sides of the dwelling".

The applicants have now submitted additional information explaining why the Telstra tower cannot be relocated to a more suitable site and a separate RF EME Survey Report that identifies the cumulative effects of E.M.E. radiation from the existing and proposed towers. [\(Appendix A – Page G1\)](#)

Location of Facility

The applicants have provided the following rationale for the preferred location of the Mobile phone tower:

Alternatives	Applicants Comments
Unused water reservoir site off Church Lane, north of "Pleasant Hill".	A site inspection was held between Telstra, Councillors and Council officers during 2005 at the unused

	<p>water reservoir site off Church Lane, north of "Pleasant Hill" to determine suitability for a mobile phone pole site. It was agreed at the meeting that, due to the elevation of the site (located on top of a knoll), a tower or pole structure at this location would be prominent in the rural landscape and that it would be more appropriate for Telstra to establish any new facility closer to the existing Broadcast Australia (BA) facilities so it would be viewed in the context of the existing tall BA structures.</p>
<p>Use of Broadcast Australia tower structures</p>	<p>Broadcast Australia advised Telstra that it does not support the attachment of antennas on its facilities.</p> <p>The guyed mast is actually "live" i.e. electrified and it would not be possible to attach antennas to it in any case.</p>
<p>New tower facility on Broadcast Australia land</p>	<p>Telstra investigated the feasibility of establishing a separate tower on the BA land. The separation distance required from the existing towers dictated that this would need to be located adjacent to Summer Island Road. After 6-8 months of negotiations, Telstra and BA were unable to reach a commercial agreement to establish a new telecommunications structure on the BA property.</p>
<p>Nestle complex in Smithtown</p>	<p>The landowner was not interested in a Telstra facility.</p>
<p>Preferred site as lodged</p>	<p>There are currently no existing Telstra or other carrier mobile phone base station facilities in the Smithtown locality or within 20km of the village.</p> <ul style="list-style-type: none"> • It utilises land that is close to existing BA infrastructure, thereby consolidating radio-communication facilities in a single locality.

	<ul style="list-style-type: none"> • Good proximity to Smithtown and Gladstone villages and will achieve the coverage objectives for the locality • It is not introducing a new 'stand alone' vertical element into the landscape, as it will be viewed as one of a number of pole/tower structures against the skyline, the others being the two existing taller Broadcast Australia towers to the south of the site.
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Electromagnetic Emissions (EME)

Radhaz Consulting P/L undertook measurements of the existing EME levels at various locations in the vicinity of the proposed base station and predictions of the cumulative EME levels for all services which were previously circulated to Councillors.

The maximum existing cumulative RF EME level (all services) measured at locations in the vicinity of the proposed site was (well below) the allowable ARPANSA General Public Exposure Limit to impacts.

The highest predicted RF EME levels (all services), with the base station facility located at the site proposed in the DA (scenario 1), is (3,597 times below) the General Public Limit.

Accordingly the predicted RF EME levels that include the proposed Telstra facility at either location are well below the ARPANSA RPS3 general public exposure limits and should pose no risk to the community.

REPORT IMPLICATIONS:

- ***Environmental***

From the information supplied to council, it is not anticipated that there will be any adverse environmental/health impacts from the proposed development as lodged.

- ***Social***

The proposed development will improve communication facilities in the locality. It will thus have a positive impact on the social and economic environment of Smithtown and Gladstone.

There is a strong public interest vested in seeing the establishment of improved mobile phone facilities in the locality, to ensure that regional customers receive services comparable with their urban counterparts.

- **Economic (Financial)**

Improved access to 3G and high speed internet will improve business opportunities for the villages of Smithtown and Gladstone and surrounding areas.

- **Policy or Statutory**

The proposal has been assessed under Section 79C(1) of the Environmental Planning and Assessment Act 1979, Kempsey Local Environmental Plan 1987, North Coast Regional Environmental Plan and Model Provisions 1980.

RECOMMENDATION:

A. That consent be granted subject to the following conditions:

General

1. Development is to be in accordance with approved plans

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Version	Prepared by	Dated
Statement of Environmental Effects	April 2007	Angelini Planning Services	April 2007
S0,S1-S3 plans & notes	N27518	Telstra	4/04/07
EO1/D07070 Electrical Services	C	Clarence Consultants Pty Ltd	June 07
Letter to Council	22 August 2007	Angelini Planning Services	22 August 2007
RF EME Survey Report In relation to the Environmental RF EME levels at Summer Island Road Smithtown, NSW	#21818-1	Razhaz Consulting Services	August 2007

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained. A Construction Certificate may be obtained from Council upon application being made or from an accredited certifier.

3. Compliance with EME report

Within three months of the site becoming operational, a site compliance certificate is to be carried out by an appropriately qualified person, in accordance with the Australian Radiation Protection and Nuclear Safety Agency. This certificate should include but not be limited to, details verifying that the site complies with the requirements and limits of the Australian Radiation Protection and Nuclear Safety Agency, Radiation Protection Standard, 2002 Maximum Exposure Levels to Radio Frequency Fields – 3 kHz to 300 GHz.

This certificate is to be submitted to Council for consideration within three (3) months of the tower becoming operational.

4. Two days prior to commencing work Form 7 under Environmental Planning and Assessment Act Regulations, Notice of Commencement of Building or Subdivision work and Appointment of Principal Certifying Authority is to be submitted to Council.
5. The building is not to be occupied until all conditions of Council's consent have been complied with and an Occupation Certificate has been obtained from Council or an accredited certifier and submitted to Council.

Prescribed Conditions

6. All excavation and backfilling are to be executed safely and in accordance with appropriate professional standards, and are to be properly guarded and protected to prevent them from being dangerous to life or property.
7. A sign is to be provided in a prominent and visible position (on the fence) stating "Unauthorised entry to the site is not permitted", together with the name of the person responsible for the site and a contact number outside working hours.
8. A builder's toilet complying with Clause 78I of the Environmental Planning and Assessment Regulation, and connected directly to the sewer is required on site throughout the entire building operation.

Note: Clause 78 I requires that the toilet must be provided before any work is commenced.

Compliance with the Building Code of Australia

9. All building work must be carried out in accordance with the requirements of the (BCA). A construction

certificate shall not be issued until the Principal Certifying Authority (PCA) is satisfied that the plans and specifications comply with the BCA.

Size, Shape, Bulk, Appearance and Siting of Building

10. A Survey Report is to be submitted on completion of base station to ensure the location of the building is in accordance with the approval issued.

Amenity of Neighbourhood

11. Building materials are not to be stored within the road reserve or any other public place.

Flooding

12. A Survey Certificate is to be submitted upon completion of the base station to ensure that the finished floor level is at or above 4.3 metres A.H.D.
13. Fixed electrical installations are to be at least 500mm above the 1 in 100 flood level (ie at 4.8m AHD or higher).
14. Submission of a certificate from a Structural Engineer advising that the building has been designed to withstand the forces created by floodwaters and debris loading anticipated for that area prior to release of the Construction Certificate.

Access Traffic and Parking

15. Construction of a vehicular access from the road formation to the property boundary in accordance with Council's Standard for Access to Rural Properties. Applicant is to consult Council's Sustainable Development Services Department for requirements before commencing construction.

Advices

The applicant/owner should note that the Commonwealth Disability Discrimination Act 1992 provides opportunity for public complaint possibly leading to legal action if access to premises by people with disabilities or their carers is precluded. This may require action to provide or improve access in addition to the minimum requirements of the Building Code of Australia.

The Human Rights and Equal Opportunity Commission can provide further information on this issue (tel: 088-021-199 toll free).

- B. That objectors be notified of Council's determination.

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R B Pitt
DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES