

EXTRACT FROM MINUTES OF THE ORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

10TH MARCH 2009

RESOLUTION COMPLETED

DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

DSDS12	TELECOMMUNICATIONS TOWER - WILLAWARRIN
FILE: T6-08-464	SDS {Folio No. 392791}

SUMMARY:

Reporting that Council has received an application to erect a telecommunications tower and equipment shed.

SECTION 375A OF LOCAL GOVERNMENT ACT REQUIRES THAT A DIVISION BE CALLED IN RESPECT TO THIS REPORT

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Applicant: Connell Wagner
Subject Property: Lot 22 DP862857
2418 Armidale Road, Willawarrin
Zone: 1(a1) Rural

DESCRIPTION:

This report has been presented to Council following a previous request by Council that all applications for telecommunication facilities be referred to Council for determination.

The application is to install a telecommunications tower and an equipment / maintenance shed on the subject site. ([Appendix R – Page G92](#))

The application's Statement of Environmental Effects describes the proposed development as follows:

- Construction of one (1) new lattice tower 58.8 metres in height;
- Installation of three (3) panel antennas (each measuring 2.6 metres in length) at EL 58 metres;
- Installation of one (1) parabolic antenna (1200mm in diameter) at EL 58 metres;
- Installation of one (1) equipment shelter (3 metres x 2.5 metres) at base of the lattice tower.

The application's Site Plan indicates the proposed development is to be located at the peak of the hill on the subject site.

Public Exhibition:

The application was advertised from 30th December 2008 to 13th January 2009 and adjoining owners were notified.

Whilst the original notification was consistent with Council's policy, given the prominent location of the tower over-looking Willawarrin, it was considered appropriate to expand the range of notification. As such, the development application was re-notified to all dwellings, businesses and public buildings on Main

Street, Willawarrin. Notification included the Willawarrin Post Office, Willawarrin Hotel, Upper Macleay Pre-School, the Department of Education, Nulla Nulla Boongutti Aboriginal Corporation, the Country Women's Association of NSW, the Willawarrin Public Hall Committee, the Anglican Church of Australia, and the All Saints Roman Catholic Church.

No objections were received in regard to the proposal.

RECOMMENDATION IMPLICATIONS:

- ***Environmental***

Health - The cumulative radiofrequency electromagnetic energy of the telecommunications tower, in relation to possible health impacts, is below the Australian Radiation Protection and Nuclear Safety Agency (ARPNSA) public exposure limits. ARPNSA is considered the leading authority on the impacts of mobile base telecommunications towers. As the predicted exposure is below the ARPNSA limitations it is considered the risk to public health is minimal.

Visual Impacts - The telecommunications tower would be prominent on the south-western skyline from the village of Willawarrin. The tower would be positioned on the peak of the hill and is proposed to be approximately fifty-nine (59) metres in height. There is a cluster of trees to the north of the proposed position of the tower that may act as a minor visual shield, however the upper-half of the tower would be visible above the tree-line. The tower is not an obstruction to line of sight of any natural feature or significant views from Willawarrin.

As the visual impact of the tower should be minimal from all elevations the visual impact of the tower is considered acceptable.

Public Interest - The tower would provide mobile telephone coverage for the village of Willawarrin and surrounding areas. Mobile telephone coverage in Willawarrin is currently very poor, with many areas providing no service. Installation of the proposed tower would offer a mobile telecommunications service currently unavailable in Willawarrin.

- ***Social***

Nil

- ***Economic (Financial)***

Nil

- ***Policy or Statutory***

Nil

Director Sustainable Services Department Recommendation:

- A. That development application T6-08-464 be approved subject to the conditions prescribed below:**

PARAMETERS OF THE CONSENT

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	-	Connell Wagner P/L	19.12.08
Site Elevation Plan	-	Connell Wagner P/L	19.12.08
Site Layout Plan	-	Connell Wagner P/L	19.12.08
Site Location Plan	-	Connell Wagner P/L	-

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.

The approved plans and supporting documents endorsed with the Council stamp and authorised signature must be kept on site at all times while work is being undertaken.

2. **Compliance with Building Code of Australia**
All building work must be carried out in accordance with the requirements of the Building Code of Australia as in force on the date the application for the relevant construction certificate or complying development certificate was made.

This condition does not apply:

- a. to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
- b. to the erection of a temporary building.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE FOR BUILDING WORKS

3. This consent does not permit commencement of any works
This consent does not permit commencement of any works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifying Authority.
4. **Engineer's details**
Structural Engineer's Details for the lattice tower, all antennas, the maintenance shed, and the reinforced concrete slab are to be submitted to Council prior to the issue of a Construction Certificate.
5. **Section 88B Instrument requirements**
A Section 88B Instrument and 1 copy are to be submitted to Council prior to the issue of Construction Certificate. The Section 88B Instrument is to be provided for the item listed in the following table:

Item for inclusion in Section 88B Instrument	Details of Item
Rights of Carriageway	The creation of suitable rights of carriageway over the access to proposed Lot 22.

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH PRIOR TO ANY BUILDING OR CONSTRUCTION WORKS COMMENCING

6. **Erosion & sediment control - special measures required**
Erosion and sedimentation controls are to be in place in accordance with the Development Control Plan (DCP) 36 prior to the commencement of any works.

Erosion and sediment controls are to be maintained at all times to the satisfaction of Council until the site has been stabilised by hard surface or permanent vegetation.

Note: Council may impose on-the-spot fines of up to \$600 for non-compliance with this condition.

7. **Toilet facilities**
Toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a toilet connected to an accredited sewage management system approved by the Council.

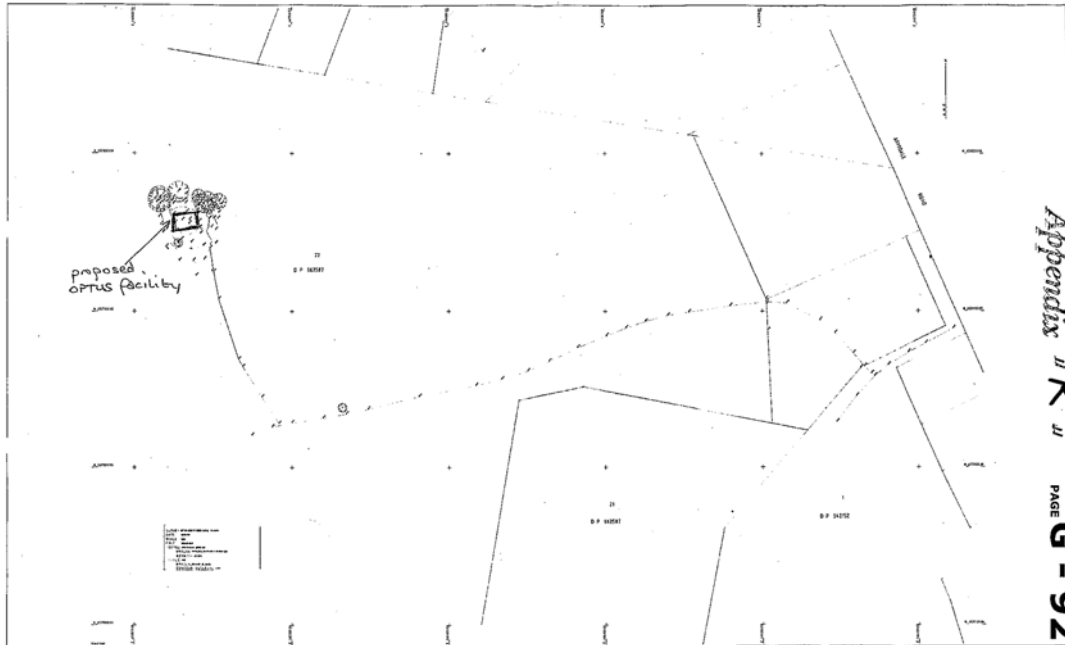
8. **Site construction sign required**
A sign or signs must be erected before the commencement of the work in a prominent position at the frontage to the site:
- a. showing the name, address and telephone number of the principal certifying authority for the work;
 - b. showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
 - c. stating that unauthorised entry to the work site is prohibited.

The sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed. No sign is to have an area in excess of one (1) m².

THE FOLLOWING CONDITIONS ARE TO BE COMPLIED WITH DURING CONSTRUCTION

9. **Construction times**
Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:
- Monday to Friday, from 7 a.m. to 6 p.m.
 - Saturday, from 8 a.m. to 1 p.m.

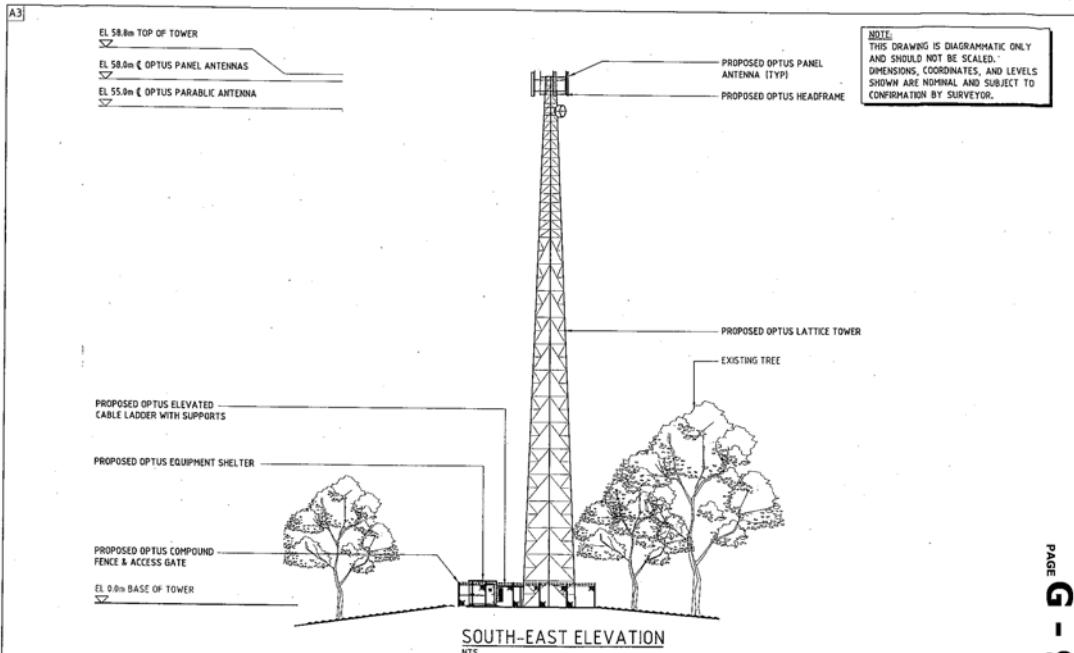
No construction work is to take place on Saturdays and Sundays adjacent to Public Holidays and Public Holidays and the



Appendix "R" PAGE G - 92

from: LIZ EASTON
CONNELL WAGNER
02. 8197 4617

22103 / S8242 HICKEYS CK
proposed OPTUS facility @ ARMIDALE RD
WILLAWARRIN DA 167/2008



SOUTH-EAST ELEVATION
NTS

FOR APPROVAL

NO.	REV.	DATE	DESCRIPTION

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 115 Mallett Street (PO Box 625) Westmead NSW 2115 Fax: +61 2 9455 5556
 Email: connel@connel.com.au



MOBILE NETWORK
 AUSTRALIA
 PS301 - S8242 - C
 HICKEYS CREEK
 OFF ARMIDALE RD, WILLAWARRIN

Drafting Title
DRAFT SITE ELEVATION

Project	
Client	
Drawn by	
Checked by	
Scale	
Date	
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Project	S8242C-P2 02

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