

9. **CONFIDENTIAL REPORTS**

9.1 **SUMMARY DETAILS**

Application No.	580/302/11
Applicant	Optus Mobile Pty Ltd
Subject Land	SEC: 695 TYP: HP PLN: 105300 CR: 5696/856 von Doussa Road HAHNDORF.
Ward	North
Proposal	Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH).
Zone	Rural Watershed Protection
Form of Assessment	Merit
Public Notification	Category 2
Representations	Nine (9)
Persons to be heard	N/A
Agency Consultation	Nil
Responsible Officer	Andy Humphries
Main Issues	<ul style="list-style-type: none">• Siting• Impacts on Amenity and Visual Amenity
Recommendation	RESOLVE to SUPPORT THE AMENDED PLANS AS A COMPROMISE by Optus Mobile Pty Ltd to construct a Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH) at Section 695, von Doussa Road, Hahndorf

1. **BACKGROUND**

In response to the panel's decision to refuse the application, the applicant has appealed the decision through the Environment Resources and Development Court. Accordingly, Council received notification of the appeal on the 26 October 2011 and attended the preliminary conference on the 21 November 2011.

Subsequent to discussions held at the preliminary conference the applicant has provided amended plans that seek to address the issues raised by the panel which resulted in the refusal of the application. Specifically, the recommendation for refusal was based on the grounds that the proposal would have a detrimental impact on the character and amenity of an area of significant public open space characterised by its high visitation, community use, recreation, conservation and environmental attributes.

Refer to **Attachment One** for details of the Council's Original Planning Report, a copy of representations and the minutes of the CDAP resolution.

2. PROPOSAL

In an attempt to address the reasons for refusal issued by the CDAP, the applicant has provided the following amended plans and details:

Amended Plans provided by Access Planning Pty Ltd.

- The location for the facility has been moved approximately 35m north of the original site.
- Black chain wire fencing to the perimeter of the compound area (in place of the standard galvanised wire);
- Colourbond Wilderness Green equipment shelter (in place of the standard shelter);
- The compound size has been reduced from 6m x 10m to 5m x 8m.
- In conjunction with Trees for Life the applicant has agreed to fund Trees for Life to plant a variety of 50 trees and shrubs to assist in screening the compound from the east of the subject site and Fairview Road.

Refer to **Attachment Two** for amended plans and supporting details.

3. PLANNING ASSESSMENT

As previously stated in the original report, the siting and design of the telecommunications facility does attempt to minimise its impact when viewed from main road approaches to townships, the South Eastern Freeway and the township of Hahndorf itself.

The reasons for refusal were on the grounds that the proposal would have a detrimental impact on the character and amenity of an area of significant public open space characterised by its high visitation, community use, recreation, conservation and environmental attributes.

The following provisions of development control are pertinent to the assessment of the changes proposed:

PDC310 Telecommunications facilities should:

- (a) be located and designed to meet the communication needs of the community;***
- (b) utilise materials and finishes that minimise visual impact;***
- (c) have antennae located as close as practical to the support structure;***
- (d) primarily be located in industrial, commercial, business, office, centre, and rural zones;***
- (e) incorporate landscaping to screen the development, in particular equipment shelters and huts; and***
- (f) be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points or significant vistas.***

With regards to PDC310, the original proposal achieved parts a, b, c and d but failed to address parts e and f. The proposal has been amended to shift the facility approximately 35m to the north to remove the facility from the central parking and lookout area. The new location whilst being further removed from the car park and lookout area, also takes advantage of existing vegetation adjacent Fairview Road and to the south of the proposed location. This will greatly reduce the facility's impact on the car park and lookout.

Furthermore, the applicant has now, in conjunction with 'Trees for Life', offered to plant a variety of 50 trees and shrubs to assist in screening the compound from the east of the subject site and Fairview Road.

The amendments are considered to sufficient satisfy PDC310 (e) in so far that the compound will be able to be sufficiently screened from the active spaces within the subject land.

In addition, although the proposal will have some measurable impact on an area of the local environment, it is not considered to be proposed within a visually prominent area, main focal point or negatively impact on a significant vista.

PDC313 Telecommunications facilities in areas of high visitation and community use should utilise, where possible, innovative design techniques, such as sculpture and art, where the facilities would contribute to the character of the area.

Although this provision of development control has not prompted the applicant to propose a facility that incorporated innovative design techniques, a facility of that nature would likely be out of character and excessive for a site such as this. Given the subject land's amenity value can be attributed to the existing remnant vegetation, elevated position above the township of Hahndorf, its existing walking trails and native fauna, a facility that incorporate sculpture

and art would likely be severely out of character. Accordingly, the proposal is not considered to greatly offend this provision.

PDC315 Telecommunications facilities should not detrimentally affect the character or amenity of Historic Conservation Zones or Policy Areas, Local Heritage Places, State Heritage Places, or State Heritage Areas.

The proposal does attempt to reduce the facility's visual impact when viewed from the Historic Township Zones via its siting and design, and although it will have some negative visual impact, it is considered that the proposal does not offend Council Wide PDC315.

PDC254 Development should take place in a manner which will not visually interfere with the:

- (a) existing character of key landmarks, such as the Mount Barker Summit and significant public open space reserves; and***
- (c) ridgelines of land that can be prominently viewed from public roads and significant public open space.***

The newly proposed siting, vegetative screening, changes to the materials of the equipment shelter and changes to the fencing style/colours will go a long way towards minimising the impact of the facility within the subject land. Whilst it is acknowledged that the facility will have some impact on the visual amenity of the area, it is difficult to provide a telecommunications facility without some level of visual intrusion. Accordingly, the proposed changes are considered to have mitigated the potential for the facility to have an unacceptable impact on the subject land.

4. CONCLUSION

The proposed location for the telecommunications facility is within the Rural Watershed Protection Zone and according to the Development Plan is a preferred zone for such a facility. The proposal only takes up a small portion of the subject land and is not predicted to adversely affect water quality and/or the fundamental use of the land.

In its favour the proposal:

- Provides improved mobile broadband and phone coverage;
- Is located in an envisaged zone;
- Has been sited to take advantage of existing vegetation;
- Minimises cut and fill;
- Will not lead to unsafe traffic conditions;
- Has been designed to reduce its visual impact on the immediate and wider area;
- Has incorporated screening into the proposal to reduce the visual impact of the equipment shelter; and
- Will not require the removal of any native vegetation.

Against the proposal:

- It will have a measurable impact on an area of significant public open space;
- Does not contribute to the character of an area of high visitation and community use.

The relevant provisions of the development plan clearly envisage installations such as this within this zone provided that an effort is made to minimise their visual impact by way of siting and design. When this was originally presented to the CDAP it was finely balanced. However, given the proposed additional screening and in light of the above it is concluded that the proposal has sufficient merit to be supported.

In conclusion, I consider that the amendments to the application have sufficiently minimised the impact on visual amenity and resultant impact on the amenity of the locality and forms the basis of a compromise.

5. RECOMMENDATION

It is recommended that the Development Assessment Panel:

RESOLVE to SUPPORT THE AMENDED PLANS AS A COMPROMISE by Optus Mobile Pty Ltd to construct a Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH) at Section 695, von Doussa Road, Hahndorf subject to the following conditions and notes:

1. The development herein approved to be carried out in accordance with the plans and details submitted to Council on the 5 December 2011 by Access Planning Pty Ltd., except where amended by the following conditions:

2. Effective measures shall be implemented:

- That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
- prevent silt run-off from the land to adjoining properties, roads and drains;
- control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
- ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
- ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and

- ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.

3. Landscape screening shall be established in accordance with the plans and letter submitted to Council on the 5 December 2011 by Access Planning Pty Ltd.

6. REPORTS BY OFFICERS

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6.1 SUMMARY DETAILS

Application No.	580/302/11
Applicant	Optus Mobile Pty Ltd
Subject Land	SEC: 695 TYP: HP PLN: 105300 CR: 5696/856 von Doussa Road HAHNDORF.
Ward	North
Proposal	Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH).
Zone	Rural Watershed Protection
Form of Assessment	Merit
Public Notification	Category 2
Representations	Nine (9)
Persons to be heard	Four (4)
Agency Consultation	Nil
Responsible Officer	Andy Humphries
Main Issues	<ul style="list-style-type: none"> • Appropriate Land Use • Design and Siting • Impacts on Amenity and Visual Amenity • Access
Recommendation	RESOLVE to REFUSE Development Approval to the application by Optus Mobile Pty Ltd to construct a Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH) at Section 695, von Doussa Road, Hahndorf (Development Application 580/302/11)

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1. PROPOSAL

It is proposed to construct a Telecommunications Facility comprising:

- A 20m high monopole with a 4m turret mount (total height 24m);
- Three (3) panel antennae (2630mm x 370mm x 120mm) installed in a turret mount;
- One (1) 600mm diameter parabolic antennae installed at a height of 20.7m;
- An equipment shelter (3mL x 2.5mW x 3mH) sited directly north of the monopole, approximately 11m from the western property boundary. The compound is surrounded by a 2.4m high chain link fence which includes a 3m wide access gate around the perimeter of the compound (6m x 10m).

A number of possible sites on the outskirts of the township were investigated but none, apart from the subject site apparently meet the applicant's selection criteria.

The site is in a cleared area near the western property boundary of the subject land (Yantaringa Reserve), in between a lookout parking area and an adjoining public road.

Refer to **Attachment One** for details of the proposal.

2. LOCATION / LOCALITY

The subject land is identified as Section 695, in the Hundred of Kuitpo and is held in Certificate of Title Volume: 5696 Folio: 856. The site is a Reserve and has an approximate site area of 7.983 hectares with frontage to Fairview Road, Von Doussa Road and Storey Road.

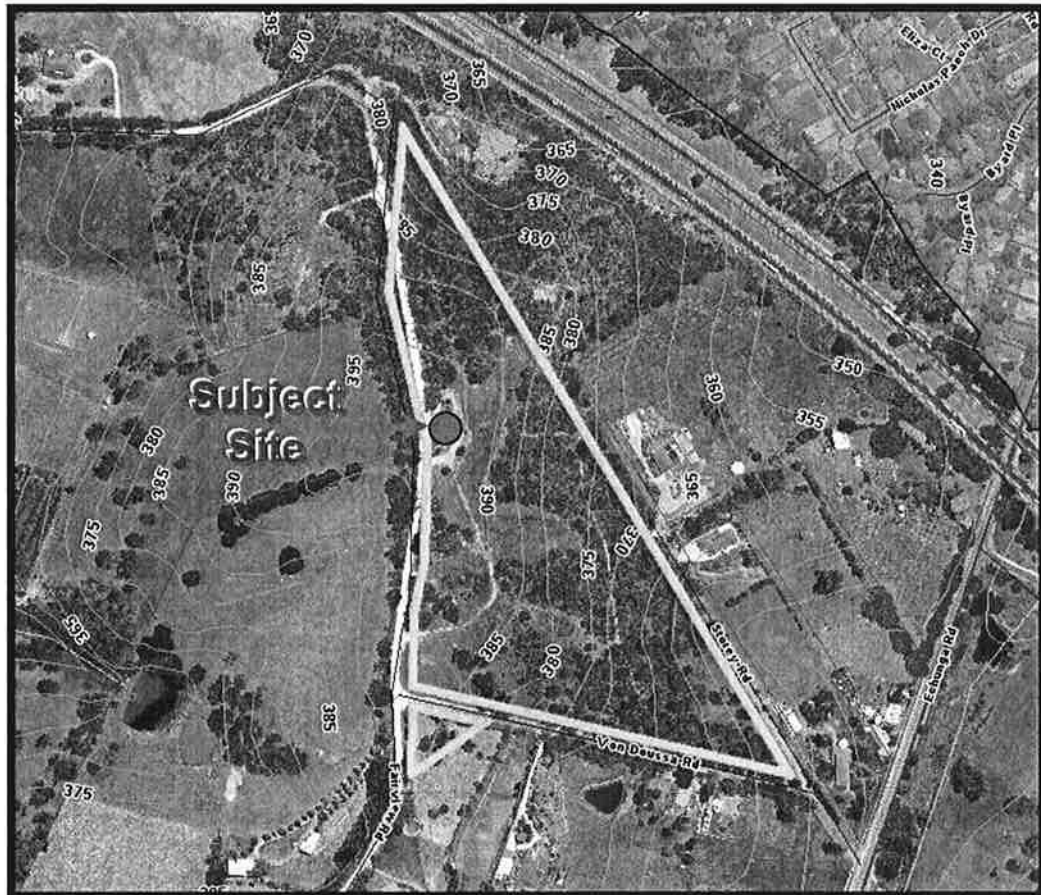
The land is located on the eastern side of a ridgeline that runs along a North West axis. There is approximately 45m of fall across the subject land with the highest point being the car park and lookout area and the lowest point being in the south eastern corner of the allotment. The west, south western and northern portions of the subject land are covered with dense native vegetation.

The subject site is located approximately 370m from the township boundary of Hahndorf and approximately 270m from the South Eastern Freeway. The Hahndorf Recreation Grounds are located approximately 170m from the southern boundary and the eastern side of the subject land is bordered by the Historic Township (Rural Setting Heritage) Zone (HT(4)).

The property is owned by the Crown and is in the care and control of the District Council of Mount Barker.

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Refer to **Attachment Two** for a Zone Map



3. SUMMARY OF KEY ISSUES

- Appropriate Land Use
- Design and Siting
- Impacts on Visual Amenity
- Access

4. GOVERNMENT AGENCY SUBMISSIONS

Not applicable

5. COUNCIL DEPARTMENT COMMENTS

5.1 Assets and Infrastructure

No comment

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5.2 Development & Environmental Services

No comment

6. PUBLIC NOTIFICATION

The application was advertised in accordance with Part 4 of the Development Act 1993 (Category 2 Notification) pursuant to Schedule 9, 26(1) of the Development Regulations 2008.

Adjacent land owners were notified in accordance with part 4 of the Development Act 1993 on the 8 June 2011.

Pursuant to Part 4, Section 38(10)(a) of the Development Act, 1993 Councils Development Assessment Panel may at its discretion allow a person who made written representation to appear personally or by representative before it to be heard in support of the representation.

6.1 Representations

Nine (9) representations were received as a result of the public notification, and are summarised as follows.

	Representor	Address	Summary of Issues	Request to be heard (Cat 2)
1	A & V Gilligan	24 Storey Road, Hahndorf	<ul style="list-style-type: none"> • Location in a conservation reserve • Impact on Rural Watershed Protection Zone • Impact on Bush for Life Volunteers • Health Issues • Monitoring of EME levels • Property Values 	Yes
2	T Evans	30 Pine Avenue, Hahndorf	<ul style="list-style-type: none"> • Location in a conservation reserve • Visual Amenity Impact 	No
3	D Evans	74 Echunga Road, Hahndorf	<ul style="list-style-type: none"> • Location in a conservation reserve • Visual Amenity Impact 	No
4	L Treloar	179 Fairview Road, Hahndorf	<ul style="list-style-type: none"> • Impact on 	Yes

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			Hahndorf Tourism <ul style="list-style-type: none"> • Future extension to Monopole • Impact on native remnant vegetation • Visual Amenity Impact • Impact on Bush for Life Volunteers 	
5	A & M Brigante	33 von Doussa Road, Hahndorf	<ul style="list-style-type: none"> • Visual Amenity Impact • Health Issues • Location away from the 'historical township' 	No
6	M & C Mulvinill	21 von Doussa Road, Hahndorf	<ul style="list-style-type: none"> • Impact on endangered flora • Health issues • Need for Optus telecommunication facility • Visual Amenity Impact 	Yes
7	R & M Willoughby	28 Storey Road, Hahndorf	<ul style="list-style-type: none"> • Location in a conservation reserve • Impact on the lookout • Health issues for humans and native fauna • Visual Amenity Impact 	No
8	T & J Harrington	168 Fairview Road, Hahndorf	<ul style="list-style-type: none"> • Impact on remnant native vegetation • Impact on the work of bush for life volunteers • Health issues • Visual Amenity Impact • Property values • Co-location of the facility • Impact on endangered flora • Impact on the natural and rural character of the 	Yes

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			locality	
9	A & j Rasheed	64 Fairview Road, Hahndorf	• Proximity to houses	No

** The location of the representors is shown on the map below*



Refer to **Attachment Three** for a copy of the representations received.

6.2 Response to Representations

Access Planning on behalf of the applicant has offered a detailed response to each representation. The response is summarised below.

Location in a Conservation Reserve

Although the proposed siting of the telecommunications facility is within a Reserve, its proposed siting will not necessitate the removal of any vegetation. Furthermore, the existing vegetation to the west will assist in screening the structures from the Fairview Road and provide a backdrop when viewed from the East.

Impact on the Lookout

It is accepted that the proposal will have some visual amenity impact on the lookout and its immediate surrounds. The nature of the site will however provide visual relief from outside the subject land via the existing vegetation.

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The purpose of the lookout is to look over the Township of Hahndorf and as such people looking to take advantage of that will have their backs to the proposed development.

Impact on the Rural Watershed Protection Zone

The proposed development is not considered to be detrimental to any land uses sought within the Zone. The proposal will not impact on the natural resources, water quality, sustainability of rural activities, native/remnant vegetation, and tourism industry sought within the Rural Watershed Protection Zone.

No native vegetation will be removed during construction and will not be required as part of the developments ongoing maintenance.

The proposed telecommunications facility will assist in meeting the telecommunication needs of the community whilst ensuring the objectives of the zone are not adversely impacted upon.

Impact on Bush for Life volunteers/ Impact on endangered flora/ impact on remnant native vegetation

The proposed site for the telecommunications facility has been significantly modified and is clear of vegetation. The graded track through the lookout area provides access and egress from the site and is unlikely to be considered for re-vegetation.

Furthermore, the proposal will not cause any nuisance via:

- The introduction of pest plants and/or weeds;
- A change in groundwater recharge, stream flows or the reduction of water availability;
- An increase in fire risk.

The proposed development will not have any impact on flora and fauna.

Visual Amenity

The existing vegetation around the subject site will in the most part screen the development from the immediate surrounds.

Perceived Health Issues/ Regulation and Monitoring of EME Levels

It is acknowledged that the telecommunications facility, much the same as televisions, radios, iPods, pagers, microwave ovens and laptops, emit a small amount of Electromagnetic Energy (EME). However, the levels are sufficiently weak enough that exposure limits could only be exceeded if a person came within only a few metres directly in front of the antennae. EME at ground level and areas normally accessed by the public are hundreds of times below the hazard level.

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There is no substantive scientific evidence of any health risk associated with mobile phone facilities or mobile phone use. As such the Department for Planning and Local Government has not seen fit to impose minimum setback distances for telecommunication facilities adjacent sensitive land uses (i.e. schools, child care centres, hospitals and residential homes).

Impact on Property Values

Property values are not a relevant planning consideration for the Council as the assessing authority. The proposal must be assessed against the Development Plan and not by assertions as to the impacts on property values.

Need for Telecommunications Coverage

The cost associated with the implementation of a new telecommunications facility is very high and as such they are not provided unless they are needed to meet shortfalls in network coverage. The Hahndorf site is needed to provide 3G services to the community and has been sited to minimise visual impact on the Historic Township of Hahndorf and the surrounding locality.

Location away from the 'historical township'

Consideration has been given to the heritage value and integrity of the township of Hahndorf and as such has led to the selection of the subject site. It is considered that the proposed site is adequately screened from the South Eastern Freeway and the township of Hahndorf as well as being separated from residential development in the vicinity.

Impact on Hahndorf as a tourist destination

Tourism has an important economic role at a domestic level and as such reliable telecommunications coverage is integral to both the economic and tourism development of Hahndorf.

Future co-location/ extension to the proposed monopole

Although two representors raised concerns with possible future co-location of facilities, Optus welcomes any carrier or emergency services to co-locate as this reduces the proliferation of telecommunication facilities in the area.

Any future extension of the tower will need to comply with the relevant legislation at the time. Moreover, the extension of the tower may reduce the need for an additional facility in the area.

Proximity to residential development

In part the site has been selected because of its separation from existing residential development. The closest dwelling is approximately 180m east of the subject site.

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Refer to **Attachment Four** for a copy of the applicant's response to the representations.

7. ASSESSMENT

7.1 Classification of Development

The proposed development is neither identified as being complying nor non-complying in the Zone, and accordingly is required to be assessed on its merits having regard to the relevant provisions of Council's Development Plan.

7.2 Relevant Development Plan Provisions

The development application is required to be assessed against the Development Plan in effect at the time of lodgement, being the Mount Barker (DC) Development Plan Consolidated 16 December 2010.

Mount Barker (DC) Objectives: 11, 42, 59, 66, 67, 68, 75, 76, 94, 101

Mount Barker (DC) Principles of Development Control: 3, 4, 5, 173, 175, 252, 254, 257, 259, 311, 312, 313, 315, 366, 367

Rural Watershed Protection Zone Objectives: 1, 2, 6, 7, 9, 10

Rural Watershed Protection Zone Principles of Development Control: 1, 2, 11, 14, 20, 22, 35, 47, 49, 50, 66, 69, 71, 73, 74, 75

While all of the above provisions are considered applicable, only the most relevant to this site and application, are discussed in detail below.

Appropriate Land Use

Council wide and zone provisions call for the protection of surface and underground waters and the retention of land for low-intensity agricultural activities.

The nature of the proposal ensures that the fundamental use of the land will not be altered on the basis that the facility will utilise a small portion of the subject land. Furthermore, the telecommunications facility will not have any measurable impact on water quality.

In addition, Principle of Development Control 310 in the Council Wide section of the Development Plan stipulates that telecommunication facilities should be primarily located within the rural zones. Schedule 9 within the Development Regulations 2008, Part 2, 26 (1) stipulates that telecommunications facilities are a category 2 form of development when they are located within a rural/watershed protection zone.

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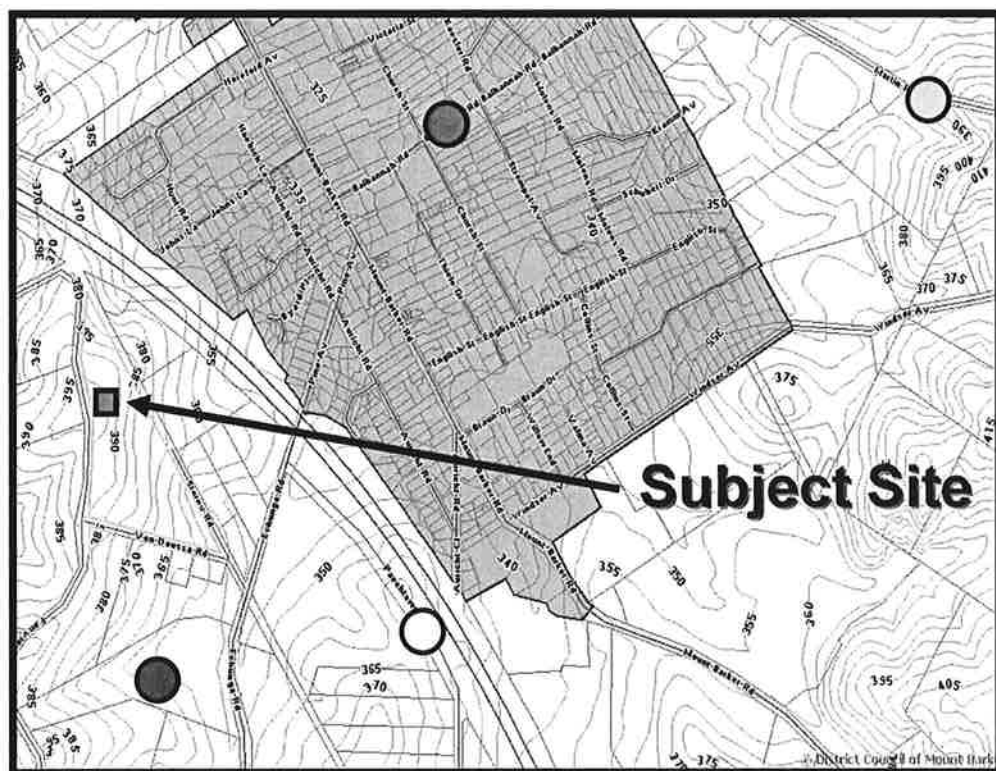
Given the above there is no argument that both the Development Plan and the Development Regulations 2008 envisage telecommunication facilities within this type of zone.

As discussed further in this report a fundamental consideration in the assessment of the subject application, is whether or not the proposal is a suitable form of development within the subject site and locality, given potential impacts on amenity.

Siting and Design

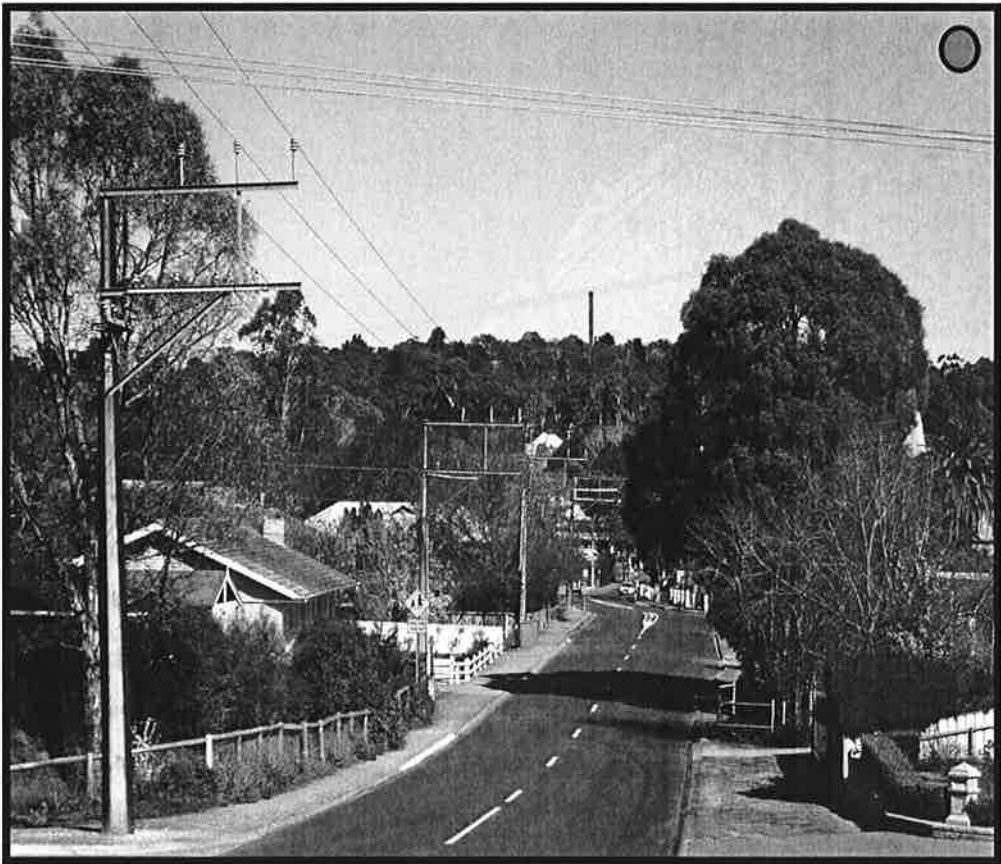
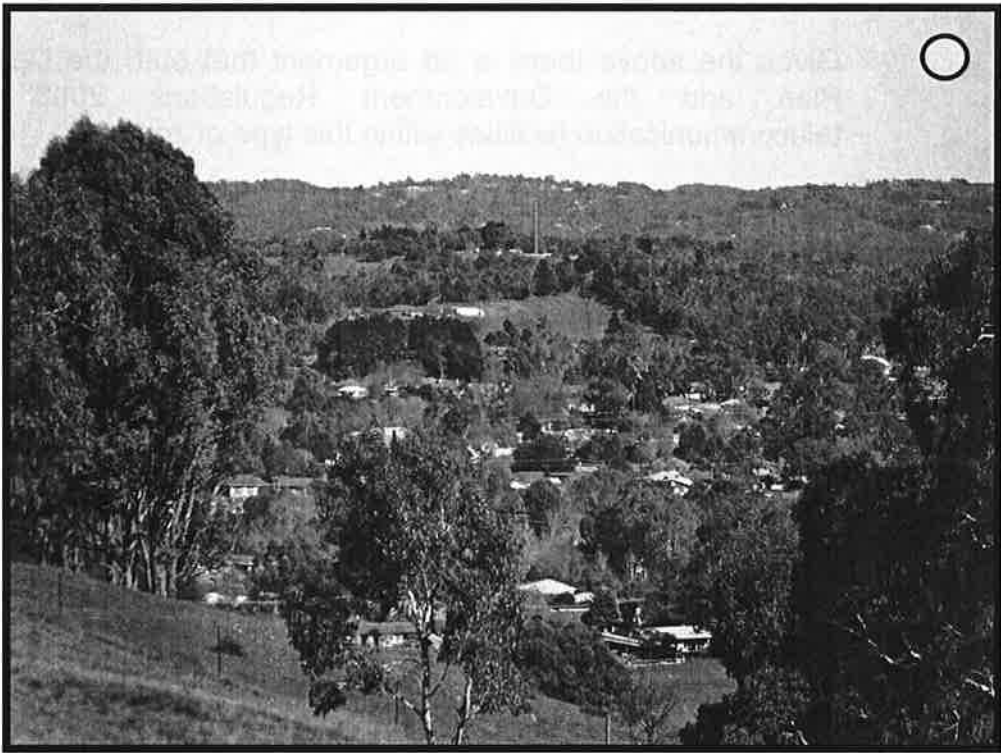
The zone provisions call for the maintenance and preservation of the natural, rural character of the zone whilst ensuring that native vegetation is conserved and retained.

The following images are taken from key vantage points in and around the Township of Hahndorf which demonstrate the potential visual impact of the proposed telecommunications facility.

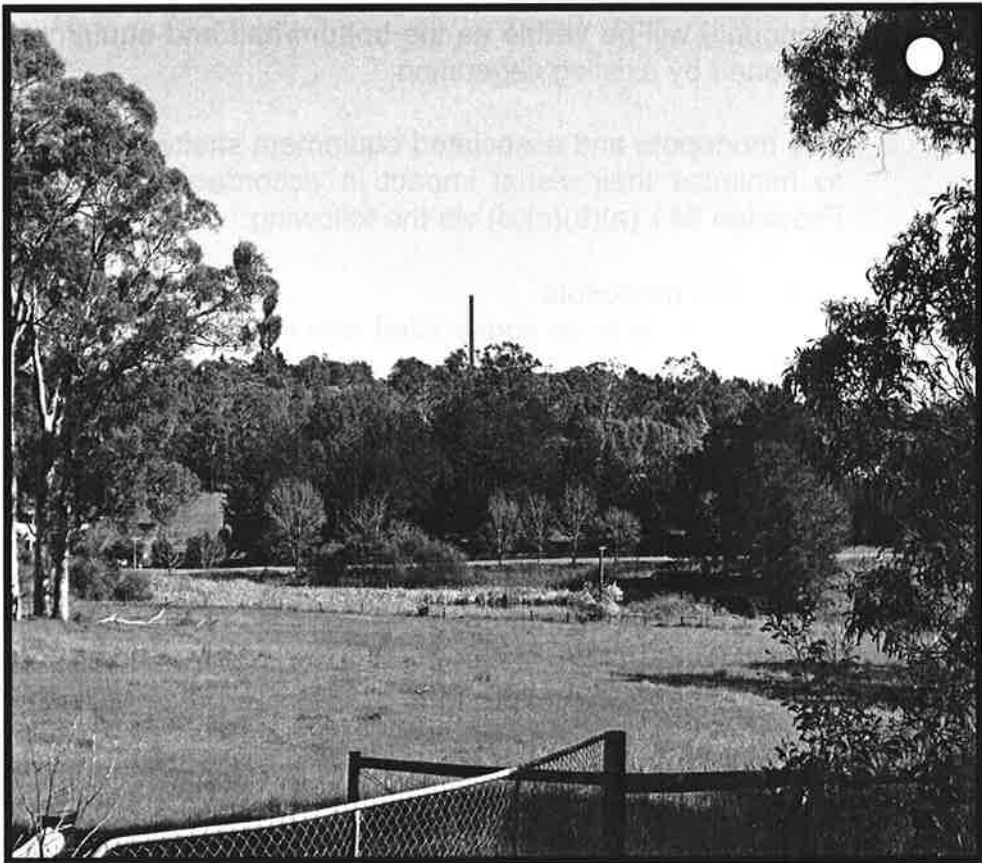
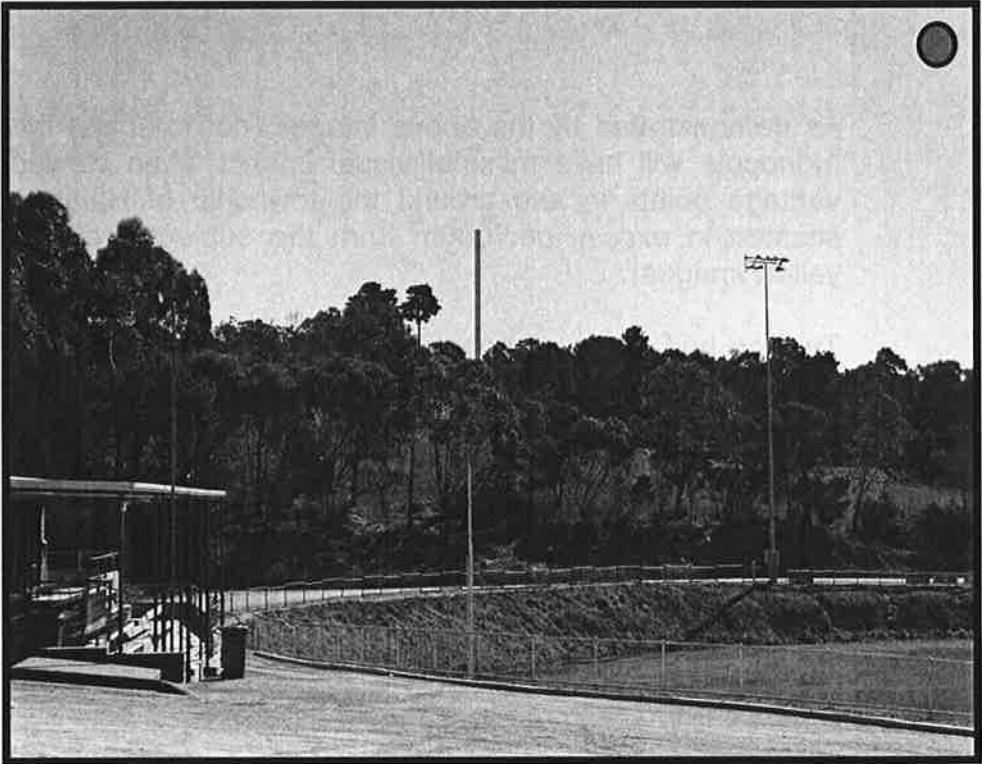


The colours represent the photo (on the following page) from each individual vantage point

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As demonstrated by the above images (not to scale) the proposed monopole will have minimal visual impact when viewed from key vantage points in and around the township of Hahndorf that are situated in excess of 1000m from the subject site (green, red & yellow images).

The top half of the monopole will be visible from both the Hahndorf scenic route along Echunga Road and the South Eastern Freeway. However, the facility is some 300m from the freeway and 500m from the Hahndorf scenic route. As such, the proposal is not considered to greatly offend the provisions of development control (CWPDC 254 & 259) relating to the prevention of visual interference when viewed from main road approaches to townships, public roads and the freeway. Although the upper portion of the tower would no doubt be visible from these roads, you would have to actively look for it whilst driving in a vehicle, given the tower is located a considerable distance from these roads.

The greatest visual impact the facility is likely to have will be from the Hahndorf Community Grounds (blue image) located approximately 500m away from the subject site. However, only the top half of the monopole will be visible as the bottom half and equipment shelter is screened by existing vegetation.

The monopole and associated equipment shelter has been designed to minimise their visual impact in accordance with Council Wide Provision 311 (a)(b)(c)(d) via the following:

- The monopole:
 - is to be constructed with materials that will weather to a dull grey;
 - is painted with a non-reflective neutral colour that will blend with the landscape;
 - has been designed to be as narrow as possible and as short as possible whilst ensuring the necessary radiofrequency requirements are provided;
 - is designed to keep the antennae as close as possible to the monopole.
- The equipment shelter is constructed with Colourbond Wilderness and the fencing is Colourbond Willow.

In summary, the siting and design of the telecommunications facility does attempt to minimise its impact when viewed from main road approaches to townships, the South Eastern Freeway and the township of Hahndorf itself.

Notwithstanding the aforementioned, the applicant's attempt to minimise the facility's impact on amenity when viewed from within the subject site and its immediate locality has not been sufficiently

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addressed. This will now be discussed in the next section of this report.

Impact on Amenity and Visual Amenity

PDC310 *Telecommunications facilities should:*

- (e) incorporate landscaping to screen the development, in particular equipment shelters and huts; and*
- (f) be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points or significant vistas.*

PDC313 *Telecommunications facilities in areas of high visitation and community use should utilise, where possible, innovative design techniques, such as sculpture and art, where the facilities would contribute to the character of the area.*

PDC315 *Telecommunications facilities should not detrimentally affect the character or amenity of Historic Conservation Zones or Policy Areas, Local Heritage Places, State Heritage Places, or State Heritage Areas.*

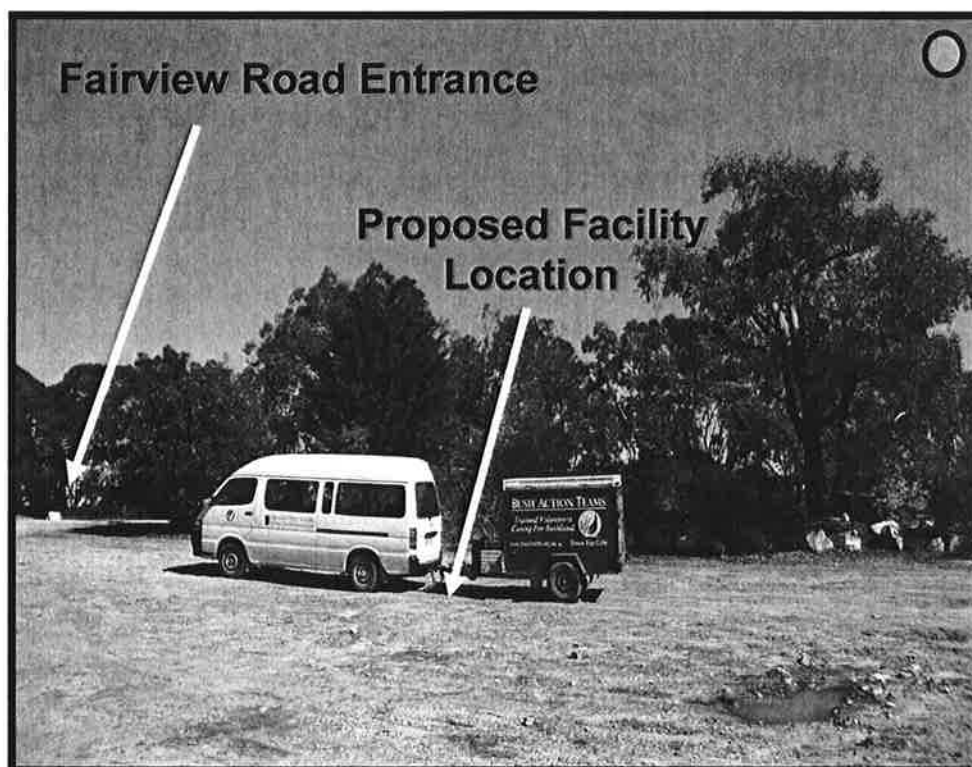
PDC254 *Development should take place in a manner which will not visually interfere with the:*

- (a) existing character of key landmarks, such as the Mount Barker Summit and significant public open space reserves; and*
- (c) ridgelines of land that can be prominently viewed from public roads and significant public open space.*

As already highlighted, the proposal has been designed and sited to reduce its visual impact when viewed from main road approaches to townships, the South Eastern Freeway and the township of Hahndorf itself.

Furthermore, the siting of the facility has also sought to take advantage of existing vegetation sited along the Fairview Road boundary. However, the ability of the existing vegetation to sufficiently screen the development from Fairview Road is marginal. More importantly, the proposal has failed to incorporate additional landscape screening around the base of the structure to screen the equipment shelter, in accordance with PDC 311 (e). The image below (pink image) illustrates how exposed the proposed facility will be from within the site and Fairview Road.

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Importantly, the subject land is considered to be a high quality reserve frequently utilised by the community including, bush for life volunteers, tourists and the general public. The subject allotment is one of largest examples of public land within the township of Hahndorf and the wider area. As such, the subject land is deemed to be an area of 'significant public open space' and an area of 'high visitation and community use'.

Developments in areas such as this are specifically addressed in Council Wide PDC's 254 and 313. It is important to note that the applicants planning report has failed to address these provisions in their proposal.

The subject land's amenity value can be attributed to the existing remnant vegetation, elevated position above the township of Hahndorf, its existing walking trails and the native fauna which all contribute to the subject land's overall amenity, recreation and conservation value. Council Wide PDC's 254 and 313 seek to prevent development which would visually interfere and negatively impact on the character of such areas. The proposed facility is likely to significantly diminish both the amenity and character of the locality with the proposed telecommunication facility intruding into an area exhibiting significant environmental, conservation and community value.

In addition, the facility will have a negative visual impact on the Hahndorf Community Grounds located approximately 500m from the subject site (see blue image) which is also an area of high community visitation and significant public open space.

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Arguably the proposal will have a detrimental impact on the use of the subject land insofar as the impact on character and amenity may affect the land's use for recreation and conservation purposes. A key theme throughout the representations was that the land's use for recreation and conservation was based around its amenity. As such, the function of the land for recreation and conservation purposes may be adversely affected by the construction of a telecommunications facility.

The proposal does attempt to reduce the facility's visual impact when viewed from the Historic Township Zones via its design and although it will have some negative visual impact, it is considered that the proposal does not greatly offend Council Wide PDC315 (see images red, yellow & green).

In summary, the proposed development is to be held within an area of high visitation and community use as well as it being a significant area of public open space. The proposal will have a considerable negative impact on the character of the subject land and locality, including the nearby Hahndorf Community Grounds. The proposal has failed to incorporate innovative design techniques aimed at contributing to the character of the area and is therefore at variance with Council Wide PDC 313. The proposed facility will have a significant impact on both the amenity and character of the locality insofar as a man made structure will be intruding within an area of significant environmental, conservation and community value.

Access

The applicant has indicated that access and egress via Fairview Road is sufficient to allow for access to the site during construction and ongoing maintenance. Once the facility is established the applicant has indicated that there is minimal maintenance required and inspections are typically undertaken every 6 to 12 months. As such, both the subject site and Fairview Road are considered suitable to deal with the traffic and ongoing maintenance of the facility.

It is important to note that during construction an underground power route is required to service the facility. The applicant has failed to demonstrate that the construction of the power connection will not damage the vegetation between the proposed facility and Fairview Road.

8. CONCLUSION

The proposed location for the telecommunications facility is within the Rural Watershed Protection Zone and according to the Development Plan is a preferred zone for such a facility. The proposal only takes up a small portion of the subject land and is not

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predicted to adversely affect water quality and/or the fundamental use of the land.

In its favour the proposal:

- Provides improved mobile broadband and phone coverage;
- Is located in an envisaged zone;
- Minimises cut and fill;
- Will not lead to unsafe traffic conditions;
- Has been designed to reduce its visual impact on the wider area; and
- Will not require the removal of any native vegetation.

Against the proposal:

- It will have a considerable impact on an area of significant public open space;
- Does not contribute to the character of an area of high visitation and community use;
- Has not incorporated screening into the proposal to reduce the visual impact of the equipment shelter; and
- Will potentially impact on vegetation abutting Fairview Road.

The application is finely balanced given some aspects of the proposal will provide a positive benefit to the community and notwithstanding this, is an envisaged form of development within the zone. However the proposed facility will have a significant impact on both the amenity and character of the locality resulting in an unacceptable intrusion into an area of significant environmental, conservation and community value. On balance the proposal is therefore considered at variance with the Development Plan and warrants refusal.

9. **RECOMMENDATION**

It is recommended that the Development Assessment Panel:

RESOLVE to REFUSE Development Approval to the application by Optus Mobile Pty Ltd to construct a Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH) at Section 695, von Doussa Road, Hahndorf .

This recommendation for refusal is on the grounds that the proposal will have a detrimental impact on the character and amenity of an area of significant public open space characterised by its high visitation, community use, recreation, conservation and environmental attributes.

In particular, the subject development is contrary to the following provisions and considered at variance to the Development Plan:

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Mount Barker (DC) Objectives: 59, 67, 68, 76, 94

Mount Barker (DC) Principles of Development Control: 254 (a) & (c), 257, 311 (e) & (f), 313, 366, 367

Rural Watershed Protection Zone Objectives: 7, 10

Rural Watershed Protection Zone Principles of Development Control: 20, 47, 49, 50, 66, 69, 71, 74, 75

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ITEM 6.1 ATTACHMENT ONE

SEARCH OF CROWN RECORD

* VOLUME 5696 FOLIO 856 *

COST : \$18.70 (GST exempt)
REGION : EMAIL
AGENT : ACC4 BOX NO : 391
SEARCHED ON : 10/04/2011 AT : 21:29:56

NO PARENT TITLE
AUTHORITY : RT 8755512
DATE OF ISSUE : 29/09/1999
REGISTRATION : 1

OWNER

THE CROWN

CUSTODIAN

THE DISTRICT COUNCIL OF MOUNT BARKER OF PO BOX 54 MOUNT BARKER SA 5251

DESCRIPTION OF LAND

SECTION 695
HUNDRED OF KUITPO
IN THE AREA NAMED HAHNDORFTOTAL AREA: 7.983 HECTARES CALCULATED
DIAGRAM BOOK PAGE 121

EASEMENTS

NIL

SCHEDULE OF INTERESTS

LAND DEDICATED FOR STONE PURPOSES PURSUANT TO THE CROWN LANDS ACT, 1929 BY
GAZETTE 23.8.1984

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE-----
NIL

REGISTRAR-GENERAL'S NOTES

NIL

CONT.

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SEARCH OF CROWN RECORD

* VOLUME 5696 FOLIO 856 *

REGION : EMAIL

AGENT : ACC4 BOX NO : 391

SEARCHED ON : 10/04/2011 AT : 21:29:56

NO PARENT TITLE

AUTHORITY : RT 8755512

DATE OF ISSUE : 29/09/1999

REGISTRATION : 1

ADMINISTRATIVE INTERESTS AND CROWN NOTES

AUTHORITY DOCKET D.L. 7030/82

END OF TEXT.



12 April 2011

Ref: 4668 Hahndorf South DA Report

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Ms Judith Urquhart
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

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Dear Judith

RE: PROPOSED OPTUS TELECOMMUNICATIONS FACILITY SECTION 695, FAIRVIEW ROAD, HAHNDORF

Please find herewith the following documentation in respect to a proposal by Optus Mobile Pty Ltd to erect a telecommunications facility with an overall height of 24 metres at the above address.

- Completed development application form;
- Application fees of \$290.50 being made up of:
 - \$111.50 Lodgement Fee
 - \$ 89.50 Development Plan Assessment Fee
 - \$ 89.50 Public Notification Fee (Cat 2 DA)
- Three sets of proposal plans (Attachment A);
- Current Certificate of Title (Attachment B); and
- EME Report (Attachment C)
- Electricity declaration form (Attachment D)



1.0 PROPOSED DEVELOPMENT

The proposal, as set out in the accompanying plans, includes:

- the construction of a 20 metre high monopole with 4 metre turret mount (total height of the development is 24 metres);
- three (3) panel antennae (2630mm x 370mm x 120mm) installed in a turret mount;
- one (1) 600mm diameter parabolic antenna installed at a height of 20.7 metres;
- an equipment shelter (3.0mL x 2.5mW x 3.0mH) installed at the base of the tower; &
- 2.4 metre high chainlink fence, which includes a 3 metre wide access gates around the perimeter of the compound (6.0m x 10.0m).

The proposed facility is to be sited near the western property boundary between the lookout parking area and Fairview Road.

TOWN PLANNING CONSULTANTS

ACCESS PLANNING (S.A.) PTY LTD ABN 57 089 702 241

200 KENSINGTON ROAD, MARRYATVILLE, SOUTH AUSTRALIA 5068

TELEPHONE (08) 8364 1956 FAX (08) 8364 1960 EMAIL plan@accessplanning.com.au

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2.0 CONSIDERATION OF ALTERNATE SITES

Optus carefully weighed potential options for alternative sites before lodging a Development Application with Council, and considers this proposal to be the most appropriate solution to improve and expand mobile communications in the Hahndorf township and surrounds.

An extensive site selection process has been undertaken by the project team, with input from the disciplines of town planning, property acquisition, technical design and radio frequency engineering.

2.1 Aims

The objectives of the project team were to;

- select a site that fulfils the technical requirements of the network and provides the best mobile coverage for the local community and visitors to the area.
- weigh the available options and the extent to which they would each minimise visual impact on the amenity of the locality.

2.2 Alternate sites

A number of sites that could meet the radio frequency requirements of the network were discounted from consideration as they were likely to detract from the heritage character and value of the Hahndorf Township.

Six alternative sites that were considered by Optus during the site selection process are identified and discussed below:



Figure 1: Aerial view indicating alternate sites.

Source: Google Earth 2011

ACCESS PLANNING**ITEM 9.1 ATTACHMENT ONE****ITEM 6.1 ATTACHMENT ONE****2.2.1 109A Mount Barker Road, Hahndorf (Candidate A)**

A monopole was considered on rural land located at 109A Mount Barker Road. The site is within the Hahndorf Township (Rural Setting Heritage Area) Zone and some 360 metres from the main street of Hahndorf.

This site was not selected because a facility in this location would result in a greater visual impact on the Hahndorf Township than that of the site subject to this application.



Photograph 1: Candidate A: View from the site looking south east to the Hahndorf Township.

2.2.2 Lot 7 Boehm Drive, Hahndorf (Candidate B)

A monopole was considered on a rural living style property south west of the Hahndorf Township, at Lot 7 Boehm Drive. The land is well-elevated above the township and located approximately 350 metres from Mount Barker Road.

The land is well vegetated with a variety of tall mature trees that would assist in screening the lower portion of the pole and the associated ground works however this site was discounted from further consideration because a facility in this location would result in a greater visual impact on the Hahndorf Township than that of the site subject to this application.



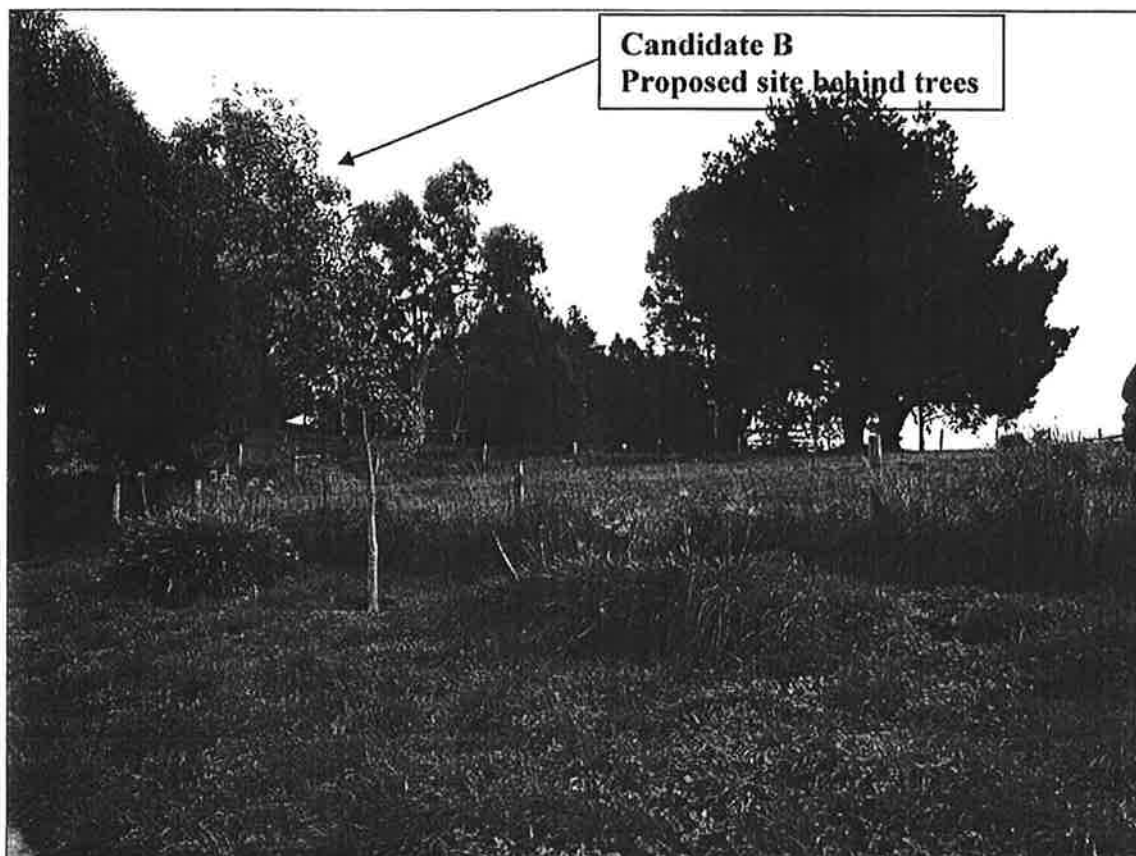
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Photograph 2: Candidate B: View from the site looking east to the Hahndorf Township.



Photograph 3: Candidate B: Site location.

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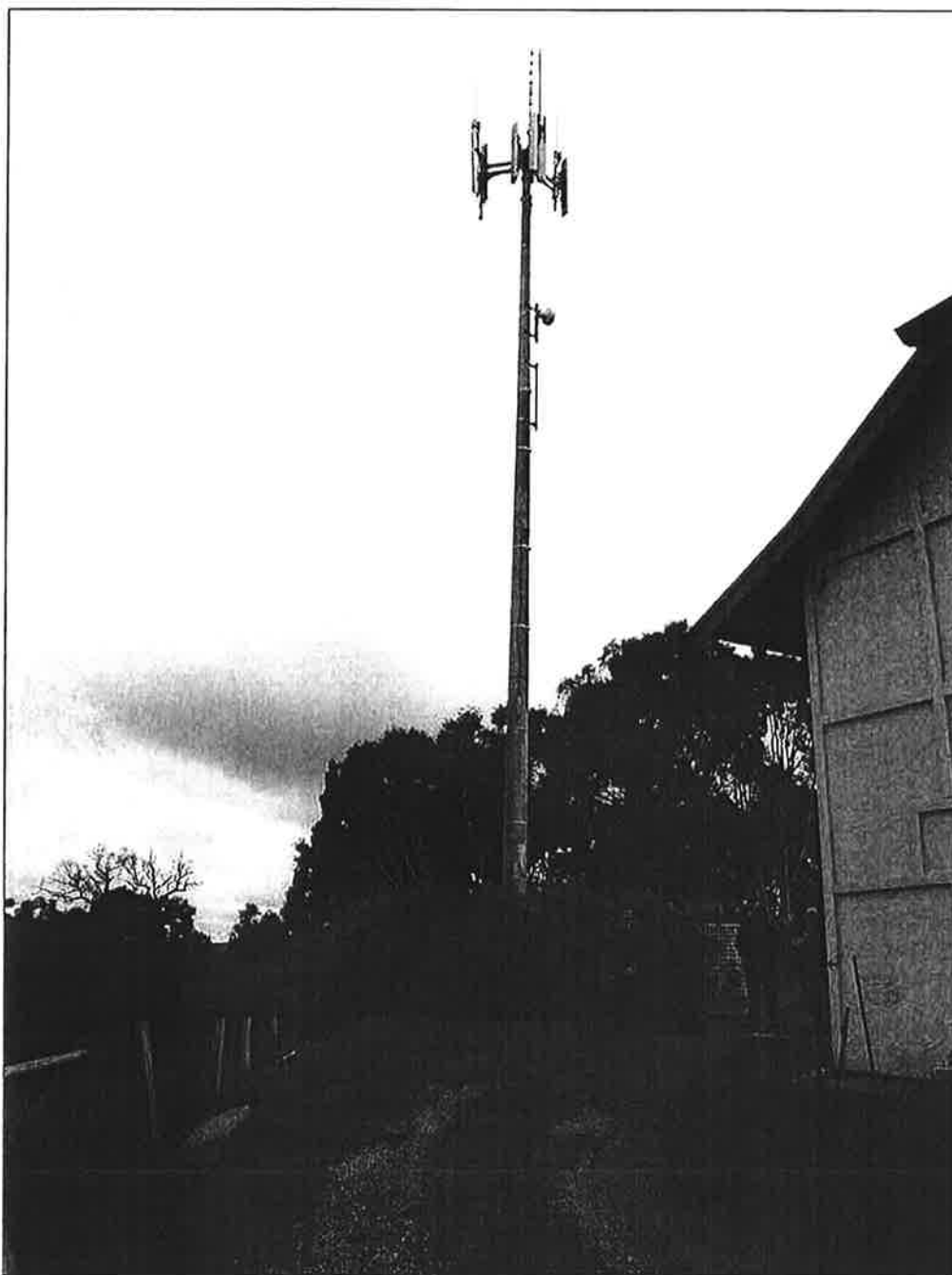
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2.2.3 Hahndorf Resort 145 Main Street (Candidate C)

When establishing new facilities, Optus' preference is to co-locate on existing infrastructure. This is generally the most cost effective and certainly the easiest form of establishing a base station, as in most circumstances it does not require Council consent, being exempt from such approval under the Telecommunications Act 1997.

Co-location on the existing 30 metre high Telstra monopole was explored. Telstra has existing antennae attached on a triangular headframe at the top of the tower. The centreline height of the antennae is 30.50 metres and a parabolic antenna is attached at a centreline height of 23 metres. The maximum height available to Optus is 21 metres and this is not suitable to satisfy the minimum coverage requirements for the network.



Photograph 4: View of existing Telstra monopole.



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A new monopole some 44 metres ENE of the existing Telstra monopole was considered. As a general rule, if co-location on the same structure cannot be achieved, a 40-50 metre separation distance (depending upon the orientation of the antennae) is required to ensure there is no interference to transmission.

There is an existing cleared area 44 ENE of the existing site, at the rear of the Hahndorf Resort and a stand of tall mature native trees are positioned such that they would form a backdrop to the facility from Mount Barker Road to the north and screen views from the South Eastern Freeway to the south.

The site was not selected as it was considered that a facility in this location would result in a greater visual impact than that of the site subject to this application and because the land is within the Historic Township (Rural Setting Heritage Area) Zone where such facilities are not supported by the Mount Barker (DC) Development Plan.



Photograph 5: View from the site looking east.

2.2.5 Greenfield Lot 112 Pine Avenue, Paechtown (Candidate E)

A monopole was considered on rural land located at Lot 112 Pine Avenue, Paechtown (NE of the existing Veterinary Clinic). The site is elevated above the Hahndorf Township and densely vegetated. A facility in this location would be well screened however significant vegetation clearance and excavation would be required for construction and maintenance access purposes.

Candidate E has been discounted from further consideration.



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Photograph 6: View from the site looking east to Hahndorf Township over South Eastern Freeway.

2.2.6 Greenfield Section 693 Fairview Road, Hahndorf (Candidate F)

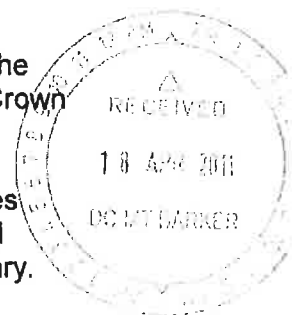
The site is located a short distance west of the proposed facility on the opposite side of Fairview Road on private farmland. Access could be gained from Fairview Road and no vegetation clearance would be required however the landowner was not willing to enter into an agreement with Optus and the site is discounted from further investigation and consideration.

3.0 SUBJECT LAND AND LOCALITY

The proposed development is located on Crown land (in the care and control of the District Council of Mount Barker) dedicated for stone purposes and identified in Crown Record: Volume 5696 Folio 846 as Section 695, Hundred of Kuitpo.

The subject land is a near triangular shaped allotment of approximately 7 hectares containing the Yantaringa Reserve and a cleared area set aside as a lookout and informal vehicle parking and manoeuvring; adjacent the western property boundary.

The land is enclosed by three graded, unmade roads; Fairview Road to the east, Von Doussa Road to the south and Storey Road to the east. Storey Road has been gazetted along the entire eastern boundary of the subject land however it is only partially constructed to provide access to 28 Storey Road (CT 5558/384).



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The land is elevated over the Hahndorf Township and is undulating with a moderate fall from the west to east. It is located approximately 650 metres south west of the town centre of Hahndorf and separated from Hahndorf by the South Eastern Freeway.

On this, the south western side of the Freeway, the locality exhibits an open semi-rural character with the land divided into a mixture of rural living size allotment and larger allotments primarily used for agricultural purposes. Farming land adjoins the site to the west and recreation facilities (oval, tennis courts, clubrooms etc) are located further to the south.

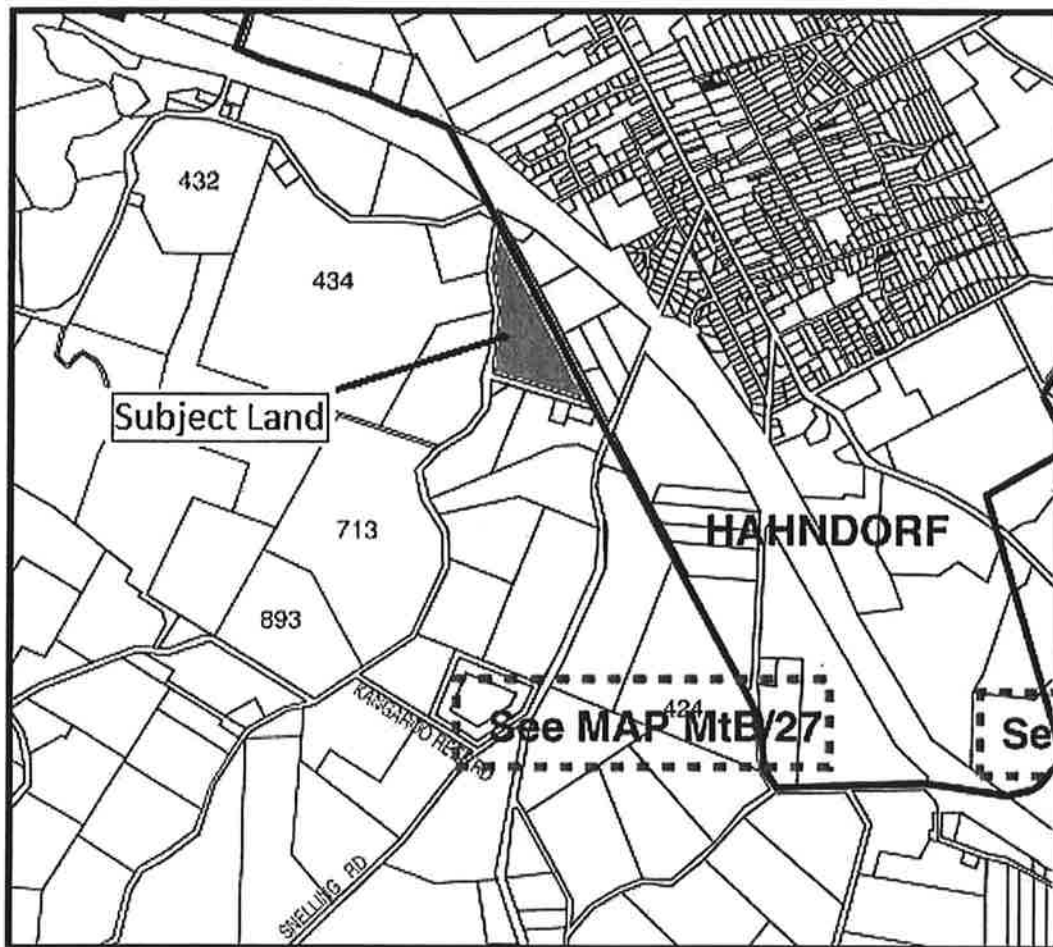


Figure 2: Zone map indicating proposed site, subject land and locality.

Source : Map MtB/4 of the Mount Barker Development Plan, Consolidated 16 December 2010.



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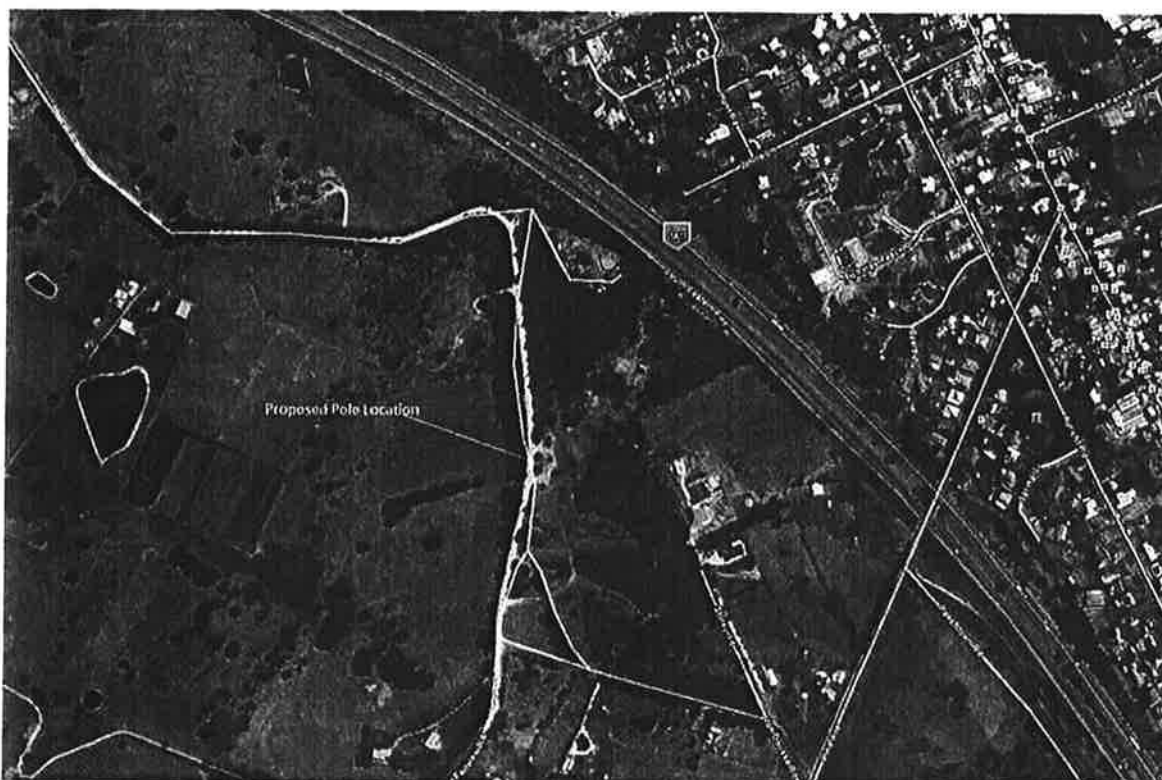
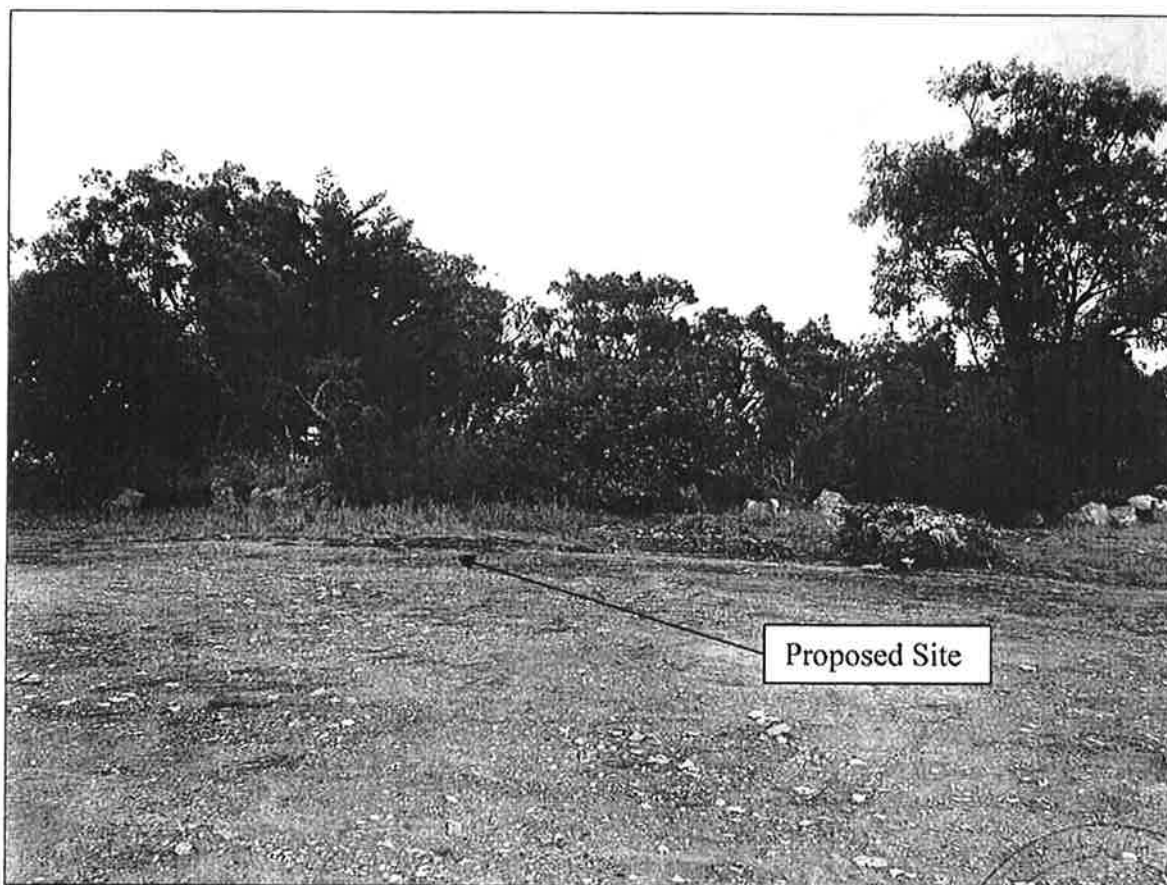


Figure 3: Aerial photograph indicating proposed site, subject land and locality.
Source : Google Earth, 2010



Photograph 7: Proposed Site



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ACCESS PLANNING
ITEM 6.1 ATTACHMENT ONE**4.0 ZONING & CATEGORISATION**

The proposed site lies within the Rural Watershed Protection Zone as depicted on Maps MtB/25 and MtB/27 of the Mount Barker (DC) Development Plan, Consolidated 16 December, 2010. Within this Zone, a telecommunications facility exceeding 30 metres in height is a non-complying form of development.

The proposed tower has a finished height of 24 metres and is considered neither a complying nor non-complying form of development. As such, this application is required to be assessed on its merits.

Clause 26 of Schedule 9 of the Development Regulations 2008 states that a telecommunications facility with total height of which does not exceed 40 metres in a Rural or Watershed Protection Zone as delineated in the relevant Development Plan is a Category 2 form of development.

5.0 DEVELOPMENT ASSESSMENT

In preparing this report, I have familiarised myself with the proposal, inspected the subject land and locality and reviewed the relevant provisions of the Mount Barker (DC) Development Plan, Consolidated 16 December 2010.

In assessing the merits of the application, the primary planning issues relevant to the Development Plan have been discussed under the following sub-headings:

5.1 Design and Siting***Rural Watershed Protection Zone***

Objective 6: *The preservation and restoration of remnant native vegetation in the Mount Lofty Ranges region.*

Objective 9: *Retention of native vegetation.*

Objective 10: *Buildings and other structures sited on allotments in a manner which minimises the requirement to clear or remove native vegetation.*

Principles of Development Control

20 *Buildings, including structures, should be located in unobtrusive locations and, in particular, should:*

- (a) be located well below the ridge line;*
- (b) be located within valleys or behind spurs;*
- (c) be located in such a way as to not be visible against the skyline when viewed from public roads and especially from the Mount Lofty Ranges scenic road;*
- (d) be set well back from public roads, particularly when the allotment is on the high side of the road;*
- (e) be sited on an excavated rather than a filled site in order to reduce the vertical profile of the building;*
- (f) where possible be located in such a way as to be screened by existing native vegetation when viewed from public roads and especially from the Mount Lofty Ranges scenic road; and*
- (g) be located in such a way as to maximise the retention of existing native vegetation and the protection and retention of watercourses in their natural state.*



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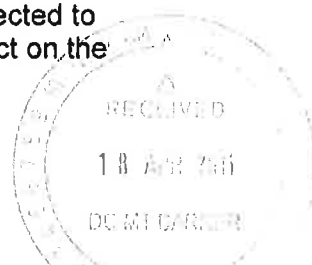
- 21** *Buildings, including structures, should be designed in such a way and be of such a scale as to be unobtrusive and not detract from the desired natural character of the Mount Lofty Ranges region and, in particular:*
- (a) the profile of buildings should be low and the roof lines should complement the natural form of the land;*
 - (b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land; and*
 - (c) large eaves, verandahs and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings.*
- 22** *The external materials of buildings should:*
- (a) have surfaces which are of a low light-reflective nature; and*
 - (b) be of natural colours so as to be unobtrusive, blend with a natural rural landscape and minimise any visual intrusion.*
- 47** *Within the Mount Lofty Ranges region, buildings and other structures should not be located within areas of native vegetation.*
- 48** *Buildings and other structures near native vegetation should be sited only where there is an existing cleared area of sufficient size to ensure (on the advice of the Country Fire Service) the safety of the proposed structures from fire hazard without the need for further clearance.*
- 49** *No change of land use should occur in or near areas of native vegetation which are likely to adversely impact on the vegetation.*
- 71** *The rural character, comprising natural features and man-made activities, should be preserved by careful siting, design and landscaping of new building development and or intensive land uses.*
- 72** *Building development should be located and designed in respect of the size, colour, form, siting, architectural style and materials of construction of buildings to harmonize with, the objectives for an area, other buildings of historical significance or heritage value or, in the absence of guidance from these, the predominant character of existing building development.*
- 74** *Buildings or structures should be sited unobtrusively and be of a character and design which will blend naturally with the landscape*

Council Wide**Principles of Development Control**

- 259** *Development visible from the South Eastern Freeway should be sited, and landscaped so as to protect and enhance the views from the freeway.*
- 366** *Development should be undertaken with the minimum effect on natural features, land adjoining water, scenic routes or scenically attractive areas.*
- 367** *Development should take place in a manner that will not result in the removal of significant vegetation or have an adverse impact upon adjacent vegetation.*

The Rural Watershed Protection Zone places strong emphasis on development being designed and sited with regard to maintaining the natural and rural character of the Zone and stresses the need for preservation of remnant native vegetation in the region. The proposed development will not result in any native vegetation clearance.

Telecommunications facilities by their very nature cannot be set below ridgelines or in valleys away from their target area however the proposed site has been selected to minimise the visual intrusion of the development on the locality and its impact on the rural character of the Zone.



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The proposed development has been set well back from tourist roads (including the South Eastern Freeway) in the locality, is well separated from residential development in the locality and located approximately 650 metres south west of the town centre of Hahndorf.

Whilst the proposed facility is sited on elevated land, the undulating topography of the locality and existing tall mature vegetation within the Yantaringa Reserve will significantly screen the proposed facility from surrounding land, the Hahndorf Township and the South Eastern Freeway (refer to Photograph 8 below).

The visual impact of the proposed development has been minimised by the design and siting of the facility.

- The monopole is
 - to be constructed of materials that will weather to a dull grey;
 - of a suitable non-reflective neutral colour against most backgrounds to which the facility will be viewed;
 - as narrow as possible and the height has been kept to the absolute minimum to meet the radiofrequency requirements of the network; and
 - designed such that the antennae are as close as practical to the monopole.
- The colour of the equipment shelter is Colorbond Wilderness and the fencing is Colorbond Willow



Construction of the proposed facility will require no native vegetation clearance and the design does not require any alteration to the existing land form.



Photograph 8: View of site looking east to Hahndorf and South Eastern Freeway

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5.2 Amenity / Visual impact**Rural Watershed Protection zone**

Objective 2: *The maintenance of a pleasant, attractive rural landscape characterized by verdant undulating pasture lands, dotted with clumps of large majestic gum trees with the occasional cluster of farm buildings.*

Objective 7: *The enhancement of the amenity and landscape of the Mount Lofty Ranges region for the enjoyment of all residents and visitors.*

Principles of Development Control

- 14** *Development should not detrimentally affect the amenity of its locality or cause nuisance to the community:*
- (a) by the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, waste products, electrical interference or light; or*
 - (b) by stormwater, or the drainage of run-off from the land; or*
 - (c) by the loss of privacy.*
- 44** *Development should not detract from the natural and rural landscape character of the region.*
- 66** *Development should take place in a manner which will not visually interfere with the achievement of the objective for an area or, otherwise the existing character of scenically or environmentally important areas, or areas which are prominently visible from other land or which are frequented by the public.*
- 69** *The appearance of land, buildings and objects should not impair the amenity of the locality in which they are situated.*

Council Wide

- Objective 59:** *Protection of the environment from noise and visual pollution and the pollution of air, land or water.*
- Objective 66:** *The protection and enhancement of the views from the South Eastern Freeway.*
- Objective 67:** *The amenity of localities not impaired by the appearance of land, buildings, and objects.*
- Objective 68:** *Conservation and preservation of the attractive open rural character of the district.*

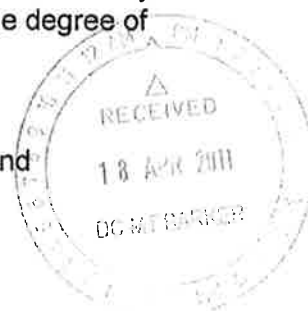
Principle of Development Control

- 252** *Trees, other vegetation and earth mounding should be retained or provided as part of the development where the environment will be visually improved by such a provision.*
- 257** *The appearance of land, buildings and objects should not impair the amenity of the locality in which they are situated.*

Like most infrastructure, the facility is utilitarian in appearance but is slim, with little bulk or mass, and with limited protrusions that would otherwise increase its visibility. The location of the equipment shelter between the Yantaringa Reserve and existing vegetation along the Fairview Road boundary further assists in reducing the visual impact of the development.

Whilst it is acknowledged that the facility will have some impact on the visual amenity of the area, it is difficult to provide telecommunications facilities without some degree of visual intrusion. However, as discussed before the;

- undulating topography;
 - setback to nearby residential development;
 - setback to the South Eastern Freeway and the Hahndorf Township; and
 - existing vegetation,
- assist to reduce the visual impact of the proposed facility.



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Although the upper portion of the tower will be visible from within the broader locality, I am of the opinion that the visual amenity impact on the locality will be minor. Such facilities are common within rural areas, and in time will integrate into the landscape.

Outside of the minor visual intrusion, the proposed facility will not have any impact outside of the site as the development will not create any nuisances outlined in Rural Watershed Protection Zone PDC 14 or Council Wide Objective 59.

Having regard to the above, I consider the degree of visual impact is acceptable.

5.3 Land Use**Rural Watershed Protection Zone**

Objective 1: *A zone primarily for low-intensity farming on large holdings which does not pollute surface or underground water resources.*

Principles of Development Control

- 1** *Development within the Mount Lofty Ranges region should be compatible with its use as a water catchment and storage area, and with its values as an area of agricultural production and scenic quality.*
- 2** *Development should primarily be limited to that which is essential for the maintenance of sustainable grazing, commercial forestry and mixed agricultural activities.*
- 11** *Development should take place in a manner which will not interfere with the effective and proper use of other land in the vicinity and which will not prevent the attainment of the objectives for that other land.*

Council Wide**Principles of Development Control**

- 3** *Development should take place on land which is suitable for the intended use of that land having regard to the location and condition of that land and the objectives for the zone in which it is located.*
- 4** *Development should take place in a manner which will not interfere with the effective and proper use of other land in the vicinity and which will not prevent the attainment of the objectives for that other land.*
- 5** *Development should not take place in advance of a demonstrated need for the use for which it provides.*
- 244** *Development and the use of land should take place in a manner which is not liable to contribute to pollution of air, water or land.*

The intent of the Rural Watershed Protection Zone is to retain land for low-intensity agricultural activities and to protect surface and underground water resources. The proposed development will not conflict with the objectives for the Zone nor will it introduce a land use conflict to the locality.

The proposal will not fundamentally alter the use and character of the allotment from its current approved use.

Little land is lost for the proposed development which will provide reliable mobile telephone and high speed broadband services to Hahndorf which are considered an essential part of the social, educational, cultural, employment, recreational, safety and economic needs of the community.



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5.4 Access**Rural Watershed Protection Zone****Principles of Development Control**

- 35** The construction of access ways onto public roads should:
- (a) not interfere with or restrict drainage channels or watercourses;
 - (b) be located in a safe and convenient location; and
 - (c) provide adequate parking/turning areas on site.
- 42** Roadside vegetation should be preserved and replanted where practical.
- 50** The provision of services, including power, water, effluent and waste disposal, access roads and tracks should be effected over areas already cleared of native vegetation or, if this is not possible, cause the minimum interference or disturbance to native vegetation.
- 73** Driveways and access tracks to properties should be designed and constructed to blend sympathetically with the landscape and to minimise interference with natural vegetation and landforms.

Council Wide

Objective 42: The free flow of traffic on roads by minimising interference from adjoining development.

Objective 94: The preservation and replanting of roadside vegetation.

Principles of Development Control

- 173** Development and associated points of access and egress should not create conditions that cause interference with the free flow of traffic on adjoining roads.
- 175** Development should include appropriate provision on site to enable the parking, loading, unloading, turning and fuelling of vehicles.

The facility has been sited in a cleared area which prevents the need for vegetation clearance on the land and construction access will be taken directly from an established access track off Fairview Road. This access will not impede the free flow of traffic on Fairview Road and will not result in any vegetation clearance either on the site or within the road reserve.

Following construction, very few additional traffic movements associated with the development are expected to the site as the telecommunications base station is an automatic facility and operates on a continuous unmanned basis. The equipment requires minimal maintenance and inspections are typically undertaken every 6 to 12 months, once the facility is operational and integrated with the existing Optus network.

5.5 Telecommunication Facilities**Council Wide**

Objective 75: Telecommunications facilities provided to meet the needs of the community.

Objective 76: Telecommunications facilities located and designed to minimise visual impact on the amenity of the local environment.

Principles of Development Control

- 311** Telecommunications facilities should:
- (a) be located and designed to meet the communication needs of the community;
 - (b) utilise materials and finishes that minimise visual impact;
 - (c) have antennae located as close as practical to the support structure;



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- (d) *primarily be located in industrial, commercial, business, office, centre, and rural zones;*
- (e) *incorporate landscaping to screen the development, in particular equipment shelters and huts; and*
- (f) *be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points or significant vistas.*

312 *Where technically feasible, co-location of telecommunications facilities should primarily occur in industrial, commercial, business, office, centre and rural zones.*

Mobile phone and broadband services now represent an increasingly important part of everyday life, both personally and for business purposes. It has become an essential part of today's society in much the same way that other utilities are required to service development and the activities/services which they offer. As a consequence, the demand for facilities, such as that now proposed, is also growing rapidly to a point where it can reasonably be expected that telecommunications services will be available to meet consumer needs.

The subject site has been selected to meet the mobile telephone and high speed broadband needs of the wider Hahndorf community with the least possible visual impact on the environment.

The proposed telecommunication tower will be located within the Rural Watershed Protection Zone. Whilst it is recognised that the proposed 24 metre structure will introduce some visual element to the locality, it is sited some distance from the township, well separated from residential development and screened by the topography and existing vegetation.

The likely further growth of the trees in the Yantaringa Reserve will also assist in providing even more screening to the facility.

The proposed facility will have a non-reflective finish and the antennae are to be located within the turret mount to ensure they are located as close as practically possible to the support structure.

Optus is committed to co-location with other telecommunications facilities. In fact, all carriers are required under the Telecommunications Code of Practice 1997, to cooperate and co-locate where possible. In this instance, co-location with other telecommunications providers within the locality is not a feasible option as discussed within Section 2.2.3 of this report.

The proposed development is considered to satisfy the provisions relating to Telecommunication Facilities.

5.6 Setbacks

Rural Watershed Protection Zone

Principles of Development Control

- 76** *The distance by which building development is set-back from a road should be related to the effectiveness of the screening of views of the building development from that road by existing vegetation, natural landforms or other natural features or by other existing buildings.*



ITEM 9.1 ATTACHMENT ONE

ACCESS PLANNING

ITEM 6.1 ATTACHMENT ONE

Council wide

284 *No building should be erected or added to on any land so that any portion of the building is sited nearer to the boundary of a road or land required for road widening than the distances prescribed for each road or portion thereof in Column 2 Table MtB/2. However a lesser distance than that prescribed may be appropriate where:*

- (a) the set-back of the proposed building is consistent with the set-back of existing buildings on adjoining or nearby land; or*
- (b) the proposed building will be substantially screened by existing vegetation, natural form and features of the land or by the adjacent existing buildings; or*
- (c) the depth, or in respect of a corner allotment, the width of the allotment is insufficient to allow compliance with the distance prescribed; or*
- (d) where the reduced setback of the proposed building will not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.*

Table MtB/2 recommends development be setback 15 metres from any road boundary within the Rural Watershed Protection zone. The proposed facility is to be setback approximately 11 metres from Fairview Road.

While at variance with the recommended setback, Fairview Road is a low traffic generating road and the existing vegetation between the road and the proposed site will provide screening of the facility (Photograph 9 below), particularly the equipment shelter and base of the proposed monopole from this road.

It is noted that the upper part of the pole will be seen in varying degrees from vantage points in the locality and the shortfall in the setback distance to Fairview Road will make no difference to the visual impact on the locality.

With regard to the above, the proposed setback is considered appropriate.



Photograph 9: Existing vegetation between proposed site and Fairview Road.



ITEM 9.1 ATTACHMENT ONE

ACCESS PLANNING

ITEM 6.1 ATTACHMENT ONE

5.7 Bushfire Protection

Objective 101: *Development should minimise the threat and impact of bushfires on life and property while protecting the natural and rural character.*

The subject land and surrounds are located within a high bushfire risk area as depicted on Figure MtB(BPA)/3. The proposed development will not increase the risk of bushfire in the area.

The proposed development will substantially improve mobile telephone and high speed broadband services in the area and assist in increasing the safety for local residents during extreme fire days.

The CFS use an Emergency Alert System that sends messages to land line and mobile phones (in addition to updates on the website) to warn people in affected areas of a range of emergency situations, including bushfires and extreme weather events.

This system is capable of sending 300 text messages per second to mobile phones and 1000 voice messages per minute to land lines. Mobile phones are the most effective way of notifying people during emergency situations.

The proposed telecommunications facility will assist to minimize the threat and impact of bushfires on life and property.

6.0 SUMMARY

The proposed development is considered to be appropriately located.

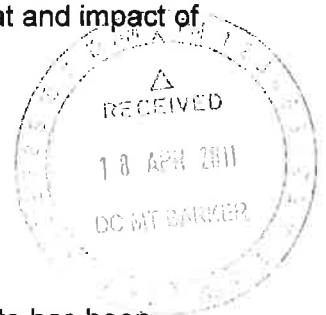
Whilst it is recognised that there will be some visual impact the subject site has been selected because it imposes the least visual impact on the locality.

The principal role of the Rural Watershed Protection Zone is for low-intensity farming on large holdings which does not pollute surface or underground water resources and the maintenance of a pleasant, attractive rural landscape. The proposed development does not introduce a land use conflict to the locality nor will it pollute surface or underground water resources. The facility imposes little negative visual amenity impact and will improve mobile voice and high speed wireless broadband cover to Hahndorf and surrounds.

The proposed development has been designed to ensure the narrowest possible structure and antennae will be located within a turret mount to ensure they are situated as close as practically possible to the pole to minimise the visual impact on the locality.

I consider the degree of visual impact and resultant impact to the amenity of the locality to be acceptable, particularly when balanced against the Objectives and Principles of Development Control that seek to provide telecommunications facilities to meet the needs of the community.

Having regard to the preceding assessment of the proposed development against the relevant provisions of the Mount Barker (DC) Development Plan, I am of the opinion that



ITEM 9.1 ATTACHMENT ONE

ACCESS PLANNING

ITEM 6.1 ATTACHMENT ONE

it is generally consistent with the relevant Objectives and Principles of Development Control and worthy of the support of Council.

If you have any questions or require any further information in respect to the above, please do not hesitate to contact me on 8364 1956.

Yours sincerely,



Lynette Brandwood
ACCESS PLANNING



ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT ONE

ATTACHMENT C

EME REPORT



ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT ONE

'yes'
OPTUS

Summary of Estimated RF EME Levels around the Proposed Mobile Phone Base Station at A8157 Handorf South 3G, Handorf South 3G, SA

Introduction:

Date 10/5/2010

NSA Site No (5245003)

This report summarises the estimated maximum cumulative radiofrequency (RF) electromagnetic energy (EME) levels at ground level emitted from the proposed Mobile Phone Base Station antennas at A8157 Handorf South 3G Handorf South 3G, SA. Maximum EME levels are estimated in 360° circular bands out to 500m from the base station. The procedures for making the estimates have been developed by the Australian Radiation Protection And Nuclear Safety Agency (ARPANSA)¹. These are documented in the ARPANSA Technical Report; "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>

EME Health Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio has established a Radiation Protection Standard² specifying limits for continuous exposure of the general public to RF transmissions at frequencies used by mobile phone base stations. Further information can be gained from the ARPANSA web site.

The Australian Communications and Media Authority (ACMA)³ mandates exposure limits for continuous exposure of the general public to RF EME from mobile phone base stations. Further information can be found at the ACMA website <http://emr.acma.gov.au>

Proposed Site Radio Systems

Optus WCDMA900	Optus GSM1800		

Table of Predicted EME Levels – Proposed

Distance from the antennas at A8157 Handorf South 3G in 360° circular bands	Maximum Cumulative EME Level – All carriers at this site
	(% of ARPANSA exposure limits ²) Public exposure limit = 100%
0m to 5m	0.00036%
5m to 50m	0.012%
50m to 100m	0.078%
100m to 200m	0.18%
200m to 300m	0.094%
300m to 400m	0.043%
400m to 500m	0.024%
Maximum EME level 129.13 m, from the antennas at A8157 Handorf South 3G	0.18%

Table: Estimation for the maximum level of RF EME at 1.5m above the ground from the proposed antennas assuming level ground. The estimated levels have been calculated on the maximum mobile phone call capacity anticipated for this site. This estimation does not include possible radio signal attenuation due to buildings and the general environment. The actual EME levels will generally be significantly less than predicted due to path losses and the base station automatically minimising transmitter power to only serve established phone calls⁵. Where applicable, particular locations of interest in the area surrounding the base station, including topographical variations, are assessed in Appendix A "Other areas of Interest" table on the last page.

Summary – Proposed Radio Systems

RF EME levels have been estimated from the proposed antennas at **A8157 Handorf South 3G** Handorf South 3G, SA. The maximum cumulative EME level at 1.5 m above ground level is estimated to be **0.18 %** of the ARPANSA public exposure limits.

ITEM 9.1 ATTACHMENT ONE
Appendix A**Table of Other Areas of Interest**

Additional Locations	Assessment
ACIF Code Section 5.5 -community consultation plan new sites Topography/Buildings Other (e.g. significant previous community concern)	Existing Site Update - No additional locations identified refer to previous table for the environmental EME assessment No locations identified No locations identified

ITEM 6.1 ATTACHMENT ONE**Estimation Notes / Assumptions – Other Areas of Interest**

Variable ground topography has been included in the assessment of the "Other Areas of Interest" as per ARPANSA methodology
Insert other data / notes as required



ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT ONE

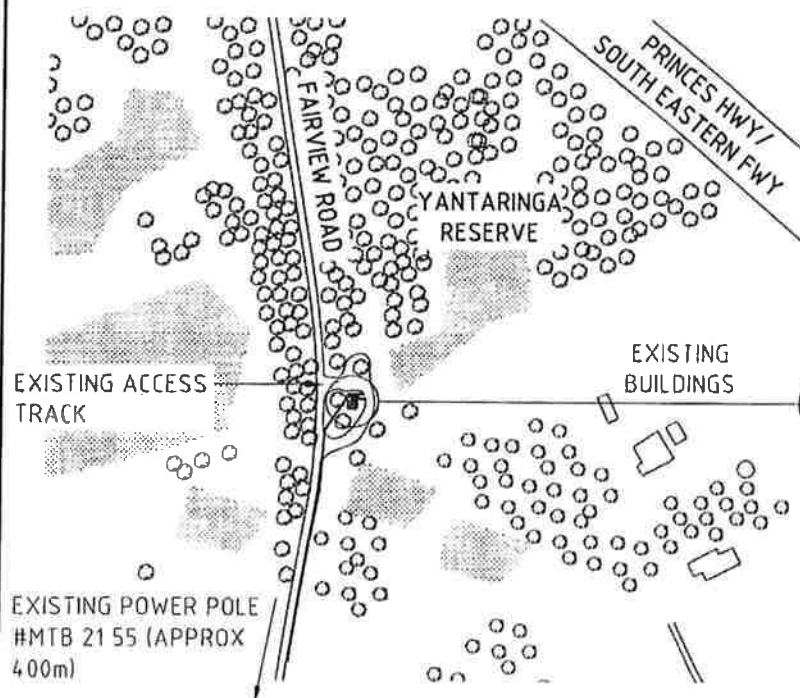
ATTACHMENT A

PROPOSAL PLANS



ITEM 6.1 ATTACHMENT ON

COPYRIGHT © NEARMAP



SCALE 1:5000

PROPOSED OPTUS 2.4m HIGH —
CHAINLINK SECURITY COMPOUND
WITH 3.0m WIDE ACCESS GATE

SECT

DE
SCA

01	07.03.11	ISSUED FOR APPROVAL			DALY	LM	FM	DI	CT
Rev	Date	Revision Details			Consultant	CAD	Designer	Verifier	Approver



DALY
INTERNATIONAL

Client:

'yes'
OPT

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT ONE

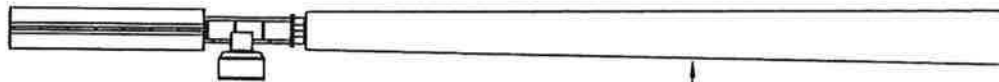
NOTE:THIS DRAWING IS DIAGRAMMATIC ONLY
AND SHOULD NOT BE SCALED.

▽ EL 24.00m
TOP OF PROPOSED OPTUS TURRET MOUNT
AND PANEL ANTENNAS

▽ EL 22.68m
& PROPOSED OPTUS PANEL ANTENNAS

▽ EL TBC
& PROPOSED OPTUS Ø600 PARABOLIC ANTENNA (AZIMUTH TBC)

▽ EL 20.00m
TOP OF PROPOSED OPTUS MONOPOLE



PROPOSED OPTUS 20m HIGH
MONOPOLE WITH 4m TURRET
MOUNT

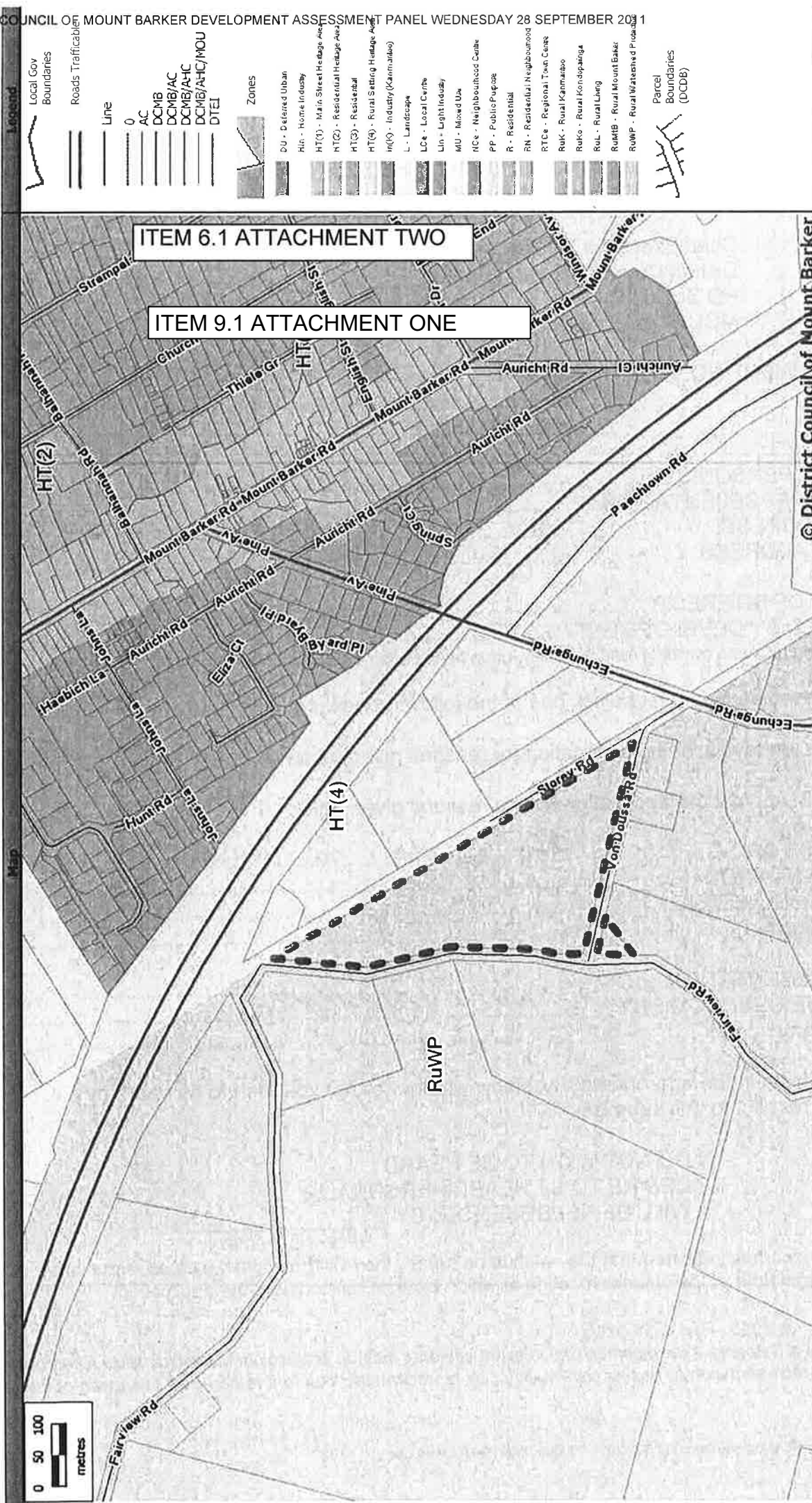
01	07/03/11	ISSUED FOR APPROVAL	DALY	LH	FM	DI	CT
Rev	Date	Revision Details	Consultant	CAD	Designer	Verifier	Approver

DALY
INTERNATIONAL

Client:

'yes'
OPTUS

Road and Zone Map

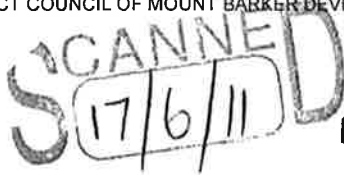


Map Zoom: 2017 m
Map Scale: 1:8,232
Created on: Friday, 16 September 2011 By: mtb

District Council of Mount Barker
Building 3, 6 Dutton Road
Mount Barker SA 5251
Telephone (08) 8391 7200
Facsimile (08) 8391 7299



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ITEM 6.1 ATTACHMENT THREE

Cat 2/3

DEVELOPMENT ACT, 1993

ITEM 9.1 ATTACHMENT ONE ✓

DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251



DEVELOPMENT NO. 580/302/11
Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

ALICK & JOY RASHEED
64 FAIRVIEW ROAD HAHNDORF SA 5245
BOX 108 HAHNDORF SA 5245

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT

Neighbour

(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.

☒

Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

Too CLOSE to HOUSES



MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

NOT APPLICABLE

Please indicate in the appropriate box below whether or not you wish to be heard by
Council in respect to this submission:-

I DO NOT WISH TO BE HEARD
I DESIRE TO BE HEARD PERSONALLY
I WILL BE REPRESENTED BY

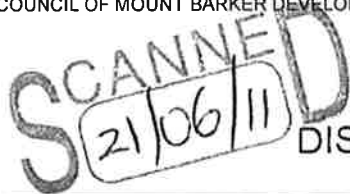
☒
☐
☐

(PLEASE SPECIFY)

Where a person has indicated that they wish to be heard, they will be notified by a separate letter
of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person
who made a representation to appear personally or by representative before it to be heard in support of the
representation.



ITEM 6.1 ATTACHMENT THREE

DEVELOPMENT ACT, 1993

DISTRICT COUNCIL OF MOUNT BARKER

Von Doussq⁵²
Rd, Hahn
(Pd 12003)

STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

DC Mt Barker
File No: 0302/11
20 JUN 2011
Doc No: 11/52669

DEVELOPMENT NO. 580/302/11
Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

TREVOR + JENNY HARRINGTON
168 Fairview Rd
PO Box 63 HAHNDORF
5245

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT

Adjacent landowners

(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.

ITEM 9.1 ATTACHMENT ONE

☒

Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

crossing another site

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

I DO NOT WISH TO BE HEARD
we ~~do~~ DESIRE TO BE HEARD PERSONALLY
I WILL BE REPRESENTED BY _____

☐
☒
☐

(PLEASE SPECIFY)

Where a person has indicated that they wish to be heard, they will be notified by a separate letter of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT THREE

Chief Executive Officer
District Council of Mt Barker
19/06/2011

In response to the Development Application by Optus regarding the erection of a 24metre monopole in Yantaringa Reserve our objections include the following:

The area concerned is within the Rural Watershed Protection Zone and has been earmarked as a Bush care site and reserve and is also a tourist destination as a lookout for Hahndorf .As such the lookout area should be upgraded to compliment one of the very few remaining areas of natural vegetation in a rapidly expanding region rather than desicrating the whole area with a tower.

: The objectives for the Development Plan for the Rural Zone state,

_ "The preservation and restoration of remnant native vegetation"

_ "Buildings including structures should be designed in such a way and to be of such a scale as to be unobtrusive and not detract from the desired natural character"- "and in particular the profile of buildings should be low "

_Within the Mt Lofty Ranges region buildings and other structures should not be located within areas of native vegetation."

_ "Development should take place in a manner that will not have an adverse impact on adjacent vegetation."

With regard to the above ,the Rural and Protection Zone places strong emphasis on development being designed and sited with regard to maintaining the natural and rural character of the zone and stresses the need for preservation of native remnant vegetation in the region. This being the case it is hard to believe that council would consider putting the tower on a bushcare site which has some identified rare and endangered species.

The Mt Barker Council is a very rapidly developing region in which this is one of the very few remaining areas of natural vegetation that have been preserved.In the councils own community profile on its website ,Hahndorf Oval and Recreational reserve and Yantaringa reserve are listed as 2 of the 6 major features of the area and the proposal would place the tower within meters of both.

The Plan also states,

_ "Development and use of the land should take place in a manner which is not liable to contribute to pollution of air water or land".

There is now significant scientific data about the biological effects of EMR and in particular about radiofrequency radiation and its ability to alter our DNA to argue for precautionary measures even though it is too early to conduct longitudinal studies.We have experienced the results of ignoring early warnings with asbestos and tobacco.My husband and I both have medical backgrounds and when looking to relocate one of our prime criteria was that there be no electricity pylons or telecommunication towers nearby.We were extremely upset to be informed of this proposal on our boundary shortly after purchasing our property.An offer was made to us to put it on our land which we had no hesitation in rejecting.As many other people share our serious health concerns along with the bad visual impact it also devalues the properties in the area. We are upset at the sense of big developers "trampling over the local community."



ITEM 6.1 ATTACHMENT THREE

ITEM 9.1 ATTACHMENT ONE

Under the Principles of Development control for telecommunications it is stated the facilities should,

_"be located and designed to minimize visual impact and the amenity of the local community-This is objective clearly not met.

_"Where feasible be collocated with other telecommunication facilities.

The existing Hahndorf Resort site seems to have been primarily rejected because the land is within the Historic Township Zone where such facilities are not supported by the Mt Barker Development plan. This makes no sense as the Telstra tower is already located there.

IN CONCLUSION

We acknowledge the need for modern technology but believe it can be sited in a far more appropriate and less sensitive area.

[1] The proposal is clearly contrary to the Mt Barker Development Plan which states 'development should not detract from the natural rural landscape character of the region---and should not visually interfere with the achievement of the objective for the area.'

and preservation of the attractive open rural character of the district." "conservation

The company acknowledge that this siting of their tower will have an impact on the visual amenity of the area.

[2] One of our few very important Bushcare areas will be seriously impacted.

[3] Many in the area are extremely concerned about the health implications.

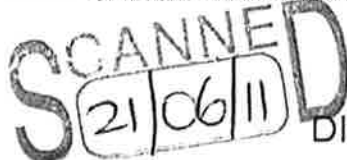
[4] Local properties will be devalued.

[5] The majority of people in the town, all of whom will be impacted, have not been informed or consulted.

~~Yours~~ sincerely

Jenny and Trevor Harrington

Trevor Harrington
Jenny Harrington



ITEM 6.1 ATTACHMENT THREE
DEVELOPMENT ACT, 1993

DISTRICT COUNCIL OF MOUNT BARKER

Von Doussa
Re: Hahn.
(Pc) 12003

STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

DC Mt Barker
File No: 0302/11
20 JUN 2011
Doc No: 11/52674

DEVELOPMENT NO. 580/302/11
Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

ROBERT WILLOUGHBY
MARIA THRESE WILLOUGHBY
28 STORRY ROAD HAINSDORF
PO Box 422 HAINSDORF

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT
(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

ADJOINING RESIDENT

This representation is (please tick one of the following boxes):

☐ In favour of the application for reasons given below.

ITEM 9.1 ATTACHMENT

☒ Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

Please see attachments

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

NO TOWER BUILT ON YAMARINA
RESERVE

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I WILL BE REPRESENTED BY



Where a person has indicated that they wish to be heard, they will be notified by a separate letter of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.



ITEM 9.1 ATTACHMENT ONE

Robert & Maria Willoughby

28 storey road

Hahndorf

ITEM 6.1 ATTACHMENT THREE

We are writing this letter against the application 580/302/11 for a telecommunications tower on the Yantaringa reserve for the following reasons

1. The reserve is Crown Land and is currently a native reserve with moves afoot for it to become a conservation area. We object to any commercial structure being placed on that property to interfere with the natural scrub and theme of the land. We do not want it polluted for the native animals by radiation from the tower and just the plain aesthetics of the proposed structure. Many local volunteers have been working with Council approval to protect the site from weed invasion restore native vegetation
2. It is the only free land available to the public of Hahndorf. Many people use the reserve for nature walking and for a lookout. The tower will virtually stop that in its tracks with no local wanting to sit under or near a tower to look out over Hahndorf. No tourist or local will use the lookout or frequent the park with such a dangerous eye sore there. It is not vacant unused land
3. There is a growing body of evidence that the EMR from such towers is harmful to animals and humans. We will be 300 to 400 meters from the tower and as such are greatly concerned for the health of our family. Many people currently walk right under on near the proposed construction site

All electromagnetic frequency even at weak levels have biological effects and we strongly oppose, as adjoining landowners the erection of this tower for all the reasons mentioned above

A handwritten signature in black ink, appearing to read 'Robert Willoughby', is written over a faint, larger handwritten signature that appears to read 'Maria Willoughby'.

PCL: 12003

22/6/11
DEVELOPMENT ACT, 1993 ITEM 6.1 ATTACHMENT THREE
DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

DC Mt Barker
File No: 0302/11
21 JUN 2011
Doc No: 11/54057

DEVELOPMENT NO. 580/302/11
Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S) Matthew + Cheryl Mulvini
MAKING REPRESENTATION
HOME ADDRESS: 21 Von Doussa Rd, Hamdorf 5245
POSTAL ADDRESS A/A

NATURE OF INTEREST Adjoining Resident
AFFECTED BY DEVELOPMENT
(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

ITEM 9.1 ATTACHMENT ONE

- ☐ In favour of the application for reasons given below.
- ☒ Against the application for the reasons given below

REASONS FOR REPRESENTATION
(Please attach additional pages if required)

Attached

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

NA

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

- I DO NOT WISH TO BE HEARD ☐
- I DESIRE TO BE HEARD PERSONALLY ☐
- I WILL BE REPRESENTED BY Andrew webber ☒
(PLEASE SPECIFY)

Where a person has indicated that they wish to be heard, they will be notified by a separate letter of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT THREE

We live across the road from the Yantaringa Reserve on which the 24m Optus tower is proposed to be erected. There are several reasons why we oppose this construction and these are as follows. The Yantaringa Reserve is a beautiful area that for longer than we have lived here has been preserved by volunteers – I am told they have been looking after it for 30 years. It seems to us like a bit of a slap in the face, after all these years they have cared for this land (Crown Land), just so that it can be used for a phone tower. This site is a 'Bush Care' site and we have been told by volunteers that there is rare and endangered plant life in this area.

We often see tourists walking up Von Doussa Road making their way to the lookout 'Blueberry Hill'. As we all know, Hahndorf is a major tourist attraction and it does not make sense to damage such a beautiful view with an imposing piece of equipment. Blueberry Hill has so much potential without this tower commanding attention.

We are also very concerned about the electromagnetic fields (EMF's) that are emitted from phone towers especially due to the fact that we have young children. We have recently had our hands on overseas studies outlining the biological effects of even low level electromagnetic frequencies on humans. We believe that not enough is known about the long term effects of these EMFs. We don't want to find out in years from now EMFs are more dangerous than first thought and our children have had long term exposure to them due to this proposed phone tower. We do not want to take this risk with our children especially since we have no qualms with our coverage and are wondering why we need a tower here at all.

ITEM 9.1 ATTACHMENT ONE

DEVELOPMENT ACT, 1993

ITEM 6.1 ATTACHMENT THREE

DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
 District Council of Mount Barker
 PO Box 54
 MOUNT BARKER SA 5251

DEVELOPMENT NO. 580/302/11
 Telecommunications Facility – monopole 24m high and
 equipment shelter

NAME OF PERSON(S) ALBERTO & MARIA BRIGANTE
 MAKING REPRESENTATION
 HOME ADDRESS: 33 VON DOUSSA RD HAHNDORF
 POSTAL ADDRESS P.O. BOX 122 HAHNDORF 5245

NATURE OF INTEREST
 AFFECTED BY DEVELOPMENT
 (eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.

☒

Against the application for the reasons given below

REASONS FOR REPRESENTATION
 (Please attach additional
 pages if required)

MY REPRESENTATION
 WOULD BE OVERCOME BY
 (state action sought)

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

I DO NOT WISH TO BE HEARD ☐
 I DESIRE TO BE HEARD PERSONALLY ☐
 I WILL BE REPRESENTED BY _____ ☐
 (PLEASE SPECIFY)

Where a person has indicated that they wish to be heard, they will be notified by a separate letter of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

SCANNED
22/6/11

PCL: 12003

DC Mt Barker
File No. 0302/11
22 JUN 2011
Doc. No. 11/54062

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT THREE

To whom it may concern,

I am writing in response to the Development Application by Optus to erect a mobile phone tower in Hahndorf Yantaringa Reserve. As an adjoining landowner I am a concerned resident and strongly oppose this 24m monopole.

Hahndorf is a well know tourist destination and the entire community work together to keep it pristine, erecting this communication tower will be aesthetic vandalism to an area set aside for people to enjoy. 'Blue Berry Hill' (Yantaringa Reserve) is looked after by community volunteers and to even consider constructing a phone tower in the reserve is ludicrous.

Another and more important factor is the continual exposure to electromagnetic radiation emissions. Recent studies indicate that at even low levels EMFs are dangerous to human health. This poses a significant risk to my family, I strongly oppose the erection of a phone tower for all the reasons mentioned above.

There are many other suitable locations away from the historical township and residence that must be considered.

Yours sincerely,

Alberto & Maria Brigante

8388 7111

SCANNED
22/6/11

ITEM 6.1 ATTACHMENT THREE
DEVELOPMENT ACT, 1993
DISTRICT COUNCIL OF MOUNT BARKER

DC MT BARKER
File No. 0302/11
Rec 21 JUN 2011

✓

STATEMENT OF REPRESENTATION

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

Doc No. 11/54061

TO: Chief Executive Officer ITEM 9.1 ATTACHMENT ONE
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251



DEVELOPMENT NO. 580/302/11
Telecommunications Facility – monopole, 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

Linda Ann Treloar
179 Fairview Rd
179 Von Doussa Rd Hahndorf

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT

adjoining resident

(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.

☒

Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

please refer to attached key
conc. exns. in relation to opus
application for tower

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

not applicable

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I WILL BE REPRESENTED BY Andrew Webber

(PLEASE SPECIFY)

☐
☐
☒

I concur
Andrew Webber

Where a person has indicated that they wish to be heard, they will be notified by a separate letter of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

ITEM 9.1 ATTACHMENT ONE

To the General Manager
Strategy & Development Service

ITEM 6.1 ATTACHMENT THREE

Re: Application for development by OPTUS at section 695 Yantaringa Reserve Hahndorf.

With reference to the development application by Optus for erection of a 24 metre monopole at Yantaringa Reserve Hahndorf I submit my representation against the application as a landowner adjoining the reserve.

Yantaringa Reserve; zoned Rural Watershed Protection zone, is an environmentally sensitive area of bushland. Currently it is Crown land and the Mount Barker Council are its custodian. It has also been earmarked as a Bush Care site and reserve and currently is being tended to by volunteers to improve existing native vegetation with the support of Council.

It is a tourist destination as it is one of the high points on the landscape and is a lookout over Hahndorf - the most visited tourist destination in S.A.

The remnant vegetation (with identified rare and endangered species) should be maintained and the lookout space rejuvenated.

Serious consideration should be given by council to rezone the area to Rural Conservation - this would be in keeping with the objectives of the development plan for the rural watershed protection zone, Not a 24 metre Telco tower highly visible to all.

My other concerns and objectives are listed below:

1. If Optus build a tower there at 24 metres what is to stop them from extending the height to further improve mobile phone reception? The precedent will have been set also allowing other Telco's to apply for similar developments on the same site. This creates an even greater blight on the landscape.
2. The value of my property and other landowners will most likely depreciate, aside from the safety concerns, potential buyers would be averse to purchasing homes so close to a 24 metre tower - this is borne out by the fact that at least 3 adjoining owners have been approached privately by Optus for placement of the tower. All rejected the offer for the reason above.
3. Yantaringa Reserve, even though zoned a rural area, is practically a residential area. There are at least 30 dwellings within 1 kilometre of the proposed tower. This includes properties on Fairview Road, Von Doussa Road, Kangaroo Reef Road and Storey Road.

ITEM 9.1 ATTACHMENT ONE**ITEM 6.1 ATTACHMENT THREE**

4. Any screening suggested by Optus will not blend a steel or concrete tower and the adjoining shed and 2.4 metre fence with the natural surrounds of the reserve. The tower will be clearly visible and well above the canopy line. It will be visible from the Hahndorf township and the South East Freeway.
5. The development would be in violation of councils own principles to minimise the impact on the landscape. The tower would not be below hilltops and prominent ridgelines and would be regarded as obtrusive on the landscape.
Would I for example, as an adjacent landowner be given approval to place a 24 metre high wind turbine to generate electricity? - I think not.
6. The Mount Barker council's responsibility should firstly be towards the rate payers and residents they represent. Although it is appreciated the council follow a "due process" for these Telco applications, so often the needs of the community take second place to major corporate and developers.
7. A precedent for rejecting a similar application by Optus has been set in regard to the Paddy's Hill reserve in Mount Barker back in 2008.
The fact that the application was a category 3 application meant a far greater outcry from the residents of the Mount Barker township ensued. Never the less, the same criteria for rejection of the category 2 application should apply.
ie. The proposal is clearly contrary to the Mount Barker Councils Development plan.
8. Mount barker council need to be aware that there is no existing proof that mobile tower emissions (EMR's) are safe. There are a considerable number of volunteer Bush carers who work on the site regularly to improve the site in conjunction with Trees for Life and your own council. It is also part of a bush walk recommended by the Tourist Bureau and is used regularly by myself, nearby residents and visitors.
It is not sufficient for Optus to simply respond to safety concerns by saying they comply with Australian standards. Overseas scientific studies indicate an ability for radio frequency radiation to alter human and animal DNA. This is reason for concern.

There is already a Telstra tower located at the Hahndorf resort. Optus have not given satisfactory reasons to reject this site as being inappropriate.

Your sincerely,

Linda A Treloar.

SCANNED
23/06/11

ITEM 6.1 ATTACHMENT THREE
DEVELOPMENT ACT, 1993
DISTRICT COUNCIL OF MOUNT BARKER

File No. 0302/11
Rec 22 JUN 2011
Doc. No. 11/59135

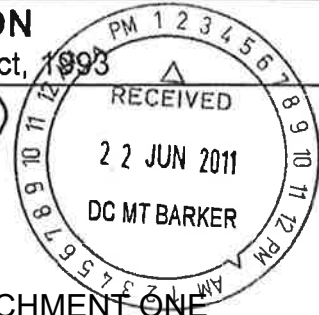
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STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

(Pd 12003)



DEVELOPMENT NO. 580/302/11 ITEM 9.1 ATTACHMENT ONE
Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

DAVID EVANS

30 PIN 74 ECHANGA RD
HALLNDORF

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT
(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

LIVE RIGHT NEXT TO RESERVE
LAND VALUE DECREASE & UGLY VIEWS

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.



Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

LAND IS A RESERVE & SHOULD STAY
AS ONE - NO DEVELOPMENT &
NO UGLY DEVELOPMENT

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

Please indicate in the appropriate box below whether or not you wish to be heard by
Council in respect to this submission:-

I DO NOT WISH TO BE HEARD
I DESIRE TO BE HEARD PERSONALLY
I WILL BE REPRESENTED BY _____

☒
☐
☐

(PLEASE SPECIFY)

Where a person has indicated that they wish to be heard, they will be notified by a separate letter
of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person
who made a representation to appear personally or by representative before it to be heard in support of the
representation.

23/06/11

ITEM 6.1 ATTACHMENT THREE
DEVELOPMENT ACT, 1993
DISTRICT COUNCIL OF MOUNT BARKER

File No. 0302/11
Recd 22 JUN 2011
Doc. No. 1159136

STATEMENT OF REPRESENTATION

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

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

(Pc/12003)



DEVELOPMENT NO.

580/302/11

ITEM 9.1 ATTACHMENT ONE

Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

TODD EVANS
30 PINE AVE
A. HANCOCK

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT

LIVE NEXT TO THE PARK
UGLY VIEWS

(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.

☒

Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

A NATURAL PARK TURNED INTO
AN UGLY SCENE & PROPERTY
VALUE AS INCOME WILL DECREASE

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

I DO NOT WISH TO BE HEARD
I DESIRE TO BE HEARD PERSONALLY
I WILL BE REPRESENTED BY

☒
☐
☐

(PLEASE SPECIFY)

Where a person has indicated that they wish to be heard, they will be notified by a separate letter of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

ITEM 6.1 ATTACHMENT THREE DEVELOPMENT ACT, 1993

DISTRICT COUNCIL OF MOUNT BARKER

Doc No:

22 JUN 2011

11/59137

STATEMENT OF REPRESENTATION

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

TO:

Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

DEVELOPMENT NO.

580/302/11

ITEM 9.1 ATTACHMENT ONE

Telecommunications Facility – monopole 24m high and equipment shelter

NAME OF PERSON(S)
MAKING REPRESENTATION
HOME ADDRESS:
POSTAL ADDRESS

Anthony Gilligan
Victoria Gilligan
24 Storey Road
Hawthorn, 5245

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT

Adjoining Resident

(eg. adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)

This representation is (please tick one of the following boxes):

☐

In favour of the application for reasons given below.

☒

Against the application for the reasons given below

REASONS FOR
REPRESENTATION
(Please attach additional
pages if required)

As Attached

MY REPRESENTATION
WOULD BE OVERCOME BY
(state action sought)

No telecommunications facility
on Yantaringa Reserve

Please indicate in the appropriate box below whether or not you wish to be heard by
Council in respect to this submission:-

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I WILL BE REPRESENTED BY

(PLEASE SPECIFY)

☒
☒
☐

Where a person has indicated that they wish to be heard, they will be notified by a separate letter
of the date and time of the Council meeting at which Council will consider the application.

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development-the relevant authority may, in its absolute discretion, allow a person
who made a representation to appear personally or by representative before it to be heard in support of the
representation.

24 Storey Road, Hahndorf

ITEM 9.1 ATTACHMENT ONE

21/6/11

ITEM 6.1 ATTACHMENT THREE

Dear Mr. Humphries,

Thankyou for the opportunity to oppose this proposed telecommunications facility, development number 580/302/11. Yes, there are still rights we and our local elected officials maintain, that allow us local control of the number, size and placement of these towers. The industry need to respect these community desires. Protection of citizens' health and propoting rights should be foremost in the responsibilities of local government. We urge our elected officials to protect the health and welfare of the citizens who live here, rather than big-money interests with profit as their bottom line. Contrary to what the communications industry tell us, there is vast scientific epidemiological and medical evidence that confirms that exposure omitted from cell towers, even at low levels does have profound adverse effects on biological systems.

Therefore the number one opposition to this plan would be health hazards associated with effects that electromagnetic radiation cause. On looking on the hundreds of sites on the internet associated with ealth issues, and similar protests that have been forward, no-one in their right mind would want to live near one of these towers. No doubt you are aware of all these ailments which we will remind you of:- Cancer being the number one effect, causing tumors, brain disorders, breast cancer, muscle disorders, immune and nervous disorders, organ problems, birth defects, reproductive problems, prostrate, pancreas, leukemia & bowel cancer, lung and blood cancer, mental excitation, poor memory, depression, appetite disorders, listlessness, increased heart rates, low sperm counts, confusion, anxiety, skin melanoma, decreased libido, fatigue, hormonal imbalance, heart disease and many, many more.

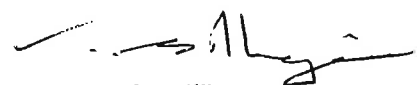
We plan on living here for many years and being just 300- 400 metres from this tower would seem very life threatening for us, whether these ailments appear in 10months or 10 years time. There is no safe level of radiation. Low levels of radiation can be effective up to 2 and half km away. More important than the intensity of electromagnetic radiation emitted at the tower is the strength of the resulting EMF wherever people live. This depends on the intensity at the source and ones' distance from it. Also the levels maintained after its erection which could possibly go undetected and go over legal limits.

Taking into account all these health hazards that effect and alter DNA , we strongly oppose, as adjoining landowners, the erection of this tower. Also this reserve is Crown Land and currently a native reserve with plans to become a conservation area. The work of many volunteers working there would be jeopardized as would the wildlife and the many bushwalkers and tourists that frequent there.

Our home is very precious to us and having its' value decreased by this unhealthy and unsightly erection surely is not right. Also being within the Rural Watershed Protection Zone would not seem right either.

Please consider opposing this project, we are very sure the above reasons have been stated by thousands of other concerned citizens over similar developments close to their homes and their families and their surrounding native vegetation, wildlife and suburbs.

Regards,



Tony & Vicky Gilligan

Von Doussa Road,
HAHNDORF

19 JUL 2011



DC Mt Barker
File No: 0302/11
19 JUL 2011
Doc No: 11/82203

15 July, 2011

Ref: 4668 Hahndorf South Res to Reps

ITEM 9.1 ATTACHMENT ONE

REL: 12003

ITEM 6.1 ATTACHMENT FOUR

Mr Andy Humphries
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

Dear Andy

**RE: PROPOSED OPTUS TELECOMMUNICATIONS FACILITY AT
SECT: 695 HP: 105300 CR: Vol 5696 Folio 856
DEVELOPMENT APPLICATION 580/302/11**

I write in response to the nine (9) representations (summarised below) received following public notification of the abovementioned development proposal.

	Representor	Concerns
1	R Willoughby & MT Willoughby 28 Storey Rd	Location in a conservation area Impact to the lookout Visual amenity impact Health impact on humans and native fauna
2	A Gilligan & V Gilligan 24 Storey Rd	Location in a conservation area Impact on the Rural Watershed Protection Zone Impact on the work of Bush for Life volunteers Health issues (humans and fauna) Monitoring of EME levels Property Values
3	D Evans 74 Echunga Rd	Location in a conservation area Visual amenity impact
4	T Evans 30 Pine Rd (assumed as 74 Echunga Rd)	Location in a conservation area Visual amenity impact
5	M & C Mulvinill 21 Von Doussa Rd	Impact on endangered flora Visual amenity impact Health issues Need for Optus telecommunication coverage
6	A & M Brigante 33 Von Doussa Rd	Visual amenity impact Location away from 'the historical township' Health issues
7	L Treloar 179 Fairview Rd	Impact on the work of Bush for Life volunteers Impact on Hahndorf as a tourist destination Impact to remnant native vegetation Visual amenity impact Future extension to the proposed monopole

TOWN PLANNING CONSULTANTS

ACCESS PLANNING (S.A.) PTY LTD ABN 57 089 702 241

200 KENSINGTON ROAD, MARRYATVILLE, SOUTH AUSTRALIA 5068

TELEPHONE (08) 8364 1956 FAX (08) 8364 1960 EMAIL plan@accessplanning.com.au

ACCESS PLANNING**ITEM 9.1 ATTACHMENT ONE****ITEM 6.1 ATTACHMENT FOUR**

		Property Values Health issues Consideration of co-location on the existing Telstra monopole within land occupied by the Hahndorf Resort 145 Main Street Hahndorf
8	T & J Harrington 168 Fairview Rd	Impact on remnant native vegetation Impact on the work of Bush for Life volunteers Impact on the natural and rural character of the locality Impact on endangered flora Visual amenity impact Health issues Property values Co-location of the facility
9	A & J Rasheed 64 Fairview Rd	Proximity to residential dwellings

1. Location in a conservation area

Yantaringa Reserve has been significantly modified and the area within which the development is proposed to be sited is clear of vegetation. Existing vegetation to the adjacent west of the subject site will assist in screening the proposed development from Fairview Road and also provide a backdrop to views from the east.

The proposed development will not impact on the biodiversity of the area.



Photograph 1: Proposed site

ACCESS PLANNING

ITEM 9.1 ATTACHMENT ONE

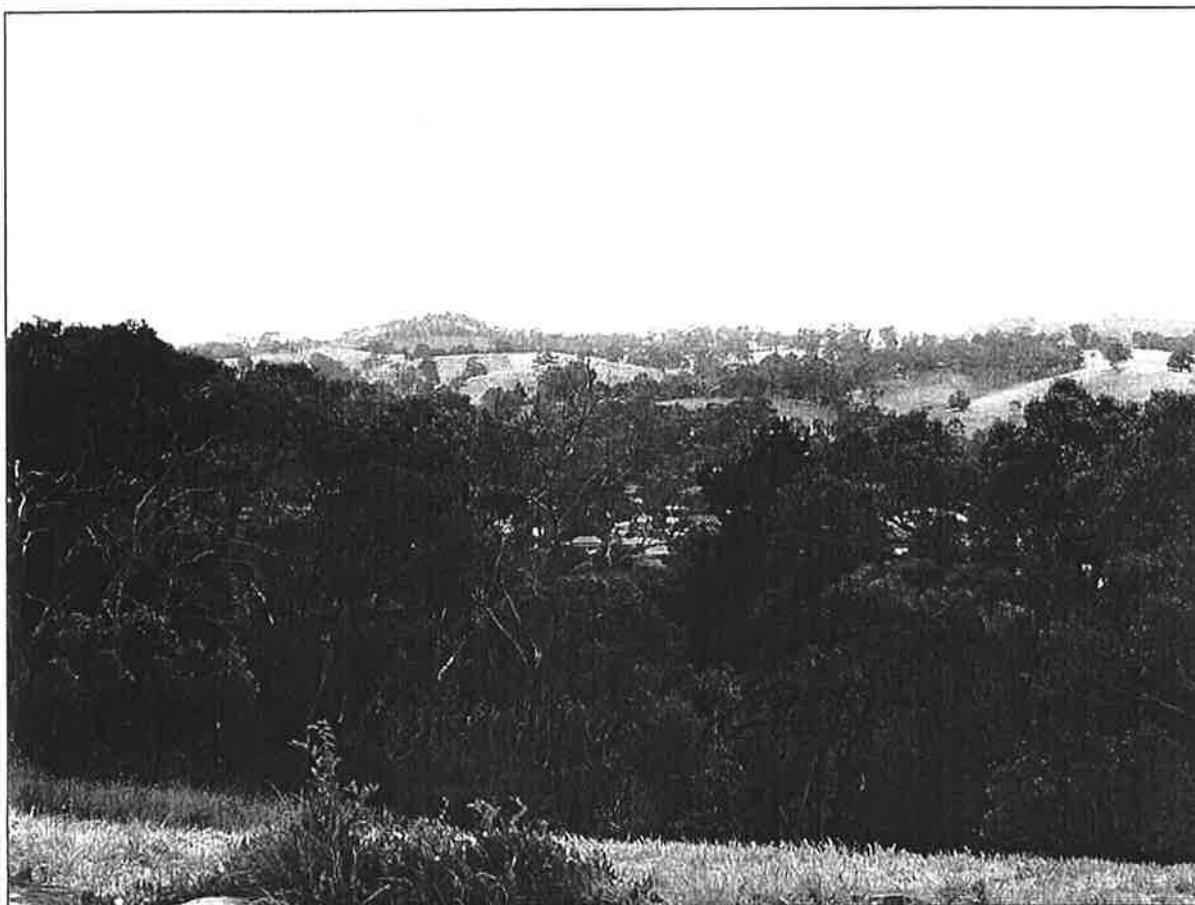
ITEM 6.1 ATTACHMENT FOUR

2. Impact on the lookout

Portion of Yantaringa Reserve is utilised as a lookout over the Hahndorf township and its surrounds. It is accepted that the proposed development will have some visual amenity impact on the lookout and its immediate surrounds however existing vegetation in all directions will largely screen the proposed development from views outside of the lookout area.

The purpose of this lookout is to look out over the Hahndorf township and its surrounds. A person wanting to experience views from the lookout will have their back to the proposed development.

Were a person to look west toward Fairview Road, the only view available below sky level is vegetation at ground level.



Photograph 2: A view over the Hahndorf township from Yantaringa Reserve

ACCESS PLANNING**ITEM 9.1 ATTACHMENT ONE****ITEM 6.1 ATTACHMENT FOUR**

Photograph 3: View to the west of the subject site

3. Impact on the Rural Watershed Protection Zone

The proposed development will not impact on any land uses sought for the Zone. Further, it will not impact on the;

- natural resources of the Mount Lofty Ranges region;
- water catchments in the Mount Lofty Ranges region;
- long term sustainability of rural production;
- preservation and restoration of remnant native vegetation;
- sustainable tourism industry for the region; or
- retention of native vegetation.

No native vegetation clearance will be required for the construction or ongoing maintenance of the proposed development.

The Development Plan states that the Mount Lofty Ranges 'Region continues to grow in importance, particularly for primary production and is developing as a tourism destination.' Mobile telephone and high speed broadband coverage has become an essential part of today's society in much the same way that other utilities are required to service development and the activities/services which they offer.

The proposed development will assist in meeting the telecommunication needs of the local community and tourists to the area without impacting on the objectives of the Rural Watershed Protection Zone.

ACCESS PLANNING

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT FOUR

4. Impact on the work of Bush for Life volunteers / Impact on endangered flora / Impact on remnant native vegetation

The proposed development will not impact on the valuable work of Bush for Life volunteers. As previously stated, the proposed site has been significantly modified and is clear of vegetation.

The graded track through the lookout area provides vehicle access and egress to the lookout area and it is highly unlikely that re-vegetation will be considered for the subject site.

Further, the proposed development will not cause any nuisance by way of, inter alia;

- the introduction of pest plants or weeds;
- a change in groundwater recharge, stream flows or the reduction of water availability; or
- an increase in fire risk

Yantaringa Reserve contains some remnant native vegetation including '6 plants of conservation significance including the Candle bark which is considered rare in the region and South Australia.'¹ The proposed development will have no impact on any flora or fauna.

Optus considers the existing substantial vegetation (which provides screening and a backdrop to the proposed development) to be an integral part of the siting and design of the proposed development. No vegetation clearance will be undertaken as a result of the construction or maintenance of the proposed development.

5. Visual amenity impact

The visual amenity impact of the proposed development has been considered in my report to Council dated 12 April 2011 however I reiterate that existing vegetation surrounding the subject site and roadside vegetation in the area will in the most part screen the proposed development from view outside of the immediate area.

6. Perceived health issues / Regulation and monitoring of EME levels

Health issues are commonly raised in respect to telecommunications facilities. Current concerns generally centre on human exposure to Electromagnetic Energy (EME) or Electromagnetic Fields (EMF).

It is acknowledged that telecommunications facilities (as do inter alia televisions, radio, microwave ovens, pagers, CB radio and emergency services communications, iPods and laptops) emit EME however, the levels are sufficiently weak that exposure limits can only be exceeded if a person is able to approach within a few metres, directly in front of the antennae. EME at ground level and in regions normally accessible to the public are hundreds of times below the hazard level.

¹ District Council of Mount Barker, 2009, *Rural Issues Discussion Paper*, http://www.dcmtbarker.sa.gov.au/webdata/resources/files/64_005_130_Attachment_1_Rural_Issues_Discussion_Paper.pdf

ACCESS PLANNING

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT FOUR

The level of human exposure to EME from telecommunications base stations and other radiocommunications equipment is regulated by the Australian Government's Australian Communications Authority (ACA). The regulations operate by limiting signal strength, not by placing limitations on where facilities can be located. It is common to find telecommunications installations within public reserves, on hospitals and on residential apartment buildings.

At the levels set by the ACA there is no substantiated evidence to suggest that EME causes adverse health impacts. The standards incorporate substantial safety margins for potentially sensitive groups in the community.

An EME Report indicating predicted EME levels for the proposed development forms Attachment A. The maximum predicted EME level is 0.051% of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) public exposure limit.

In South Australia, the issue of EME from mobile phone base stations has been examined in detail by the Environment Resources and Development (ERD) Court, most notably in the matter of Optus v City of Kensington and Norwood and Frost, ERDC 344/97.

In the above matter the Court said;

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

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

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

The issue has also been considered by other Courts across Australia and New Zealand with similar findings.

With respect to current South Australian planning controls, I note that Department of Planning and Local Government has not seen fit to impose setback requirements for telecommunications facilities from sensitive land uses such as schools, childcare centres, hospitals and residential dwellings.

There is no substantiated scientific evidence of any health risk from mobile phone base stations or mobile phone use.

Australian standards incorporate substantial safety margins for potentially sensitive groups in the community such as children, pregnant women and the elderly. The regulations do not prohibit the location of antennae in residential areas or recreational open space; they are permissible in any environment. This is because national public health and safety regulations operate by limiting the signal strength, or power from the antennae, rather than placing a limit on where they can be sited.

ACCESS PLANNING**ITEM 9.1 ATTACHMENT ONE****ITEM 6.1 ATTACHMENT FOUR**

All mobile phone networks, AM and FM radio, television and paging networks are regulated for environmental performance. Optus is no exception. They must abide by the legally binding national safety regulations set by ARPANSA and the ACA.

Australia has harmonised its safety guidelines with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines. ICNIRP is a non-profit organisation based in Germany that does not receive any funding from the telecommunications industry (AMTA, 2004)².

Abstracts of all the research into biological effects at non-thermal levels reviewed by ARPANSA can be found at
<http://www.arpansa.gov.au/RadiationProtection/Factsheets/index.cfm>

Despite public perception, potential human health impacts of radio frequency energy have been studied in great detail over the past 50 years.

Swiss scientists from the University of Basel have completed a WHO funded review of the literature relating to studies looking at human health and telecommunication base stations. The review is an update of the genotoxicity portion of the 2009 ICNIRP review.

In conclusion, they find that the literature *"does not indicate an association between any health outcome and radiofrequency electromagnetic field exposure from mobile phone base stations at levels typically encountered in people's everyday environment"*³.

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

The International Agency for Research on Cancer (IARC), a specialist agency of WHO and ARPANSA routinely review the medical research and science relevant to EME generated by radio communications services. The consensus is that there is no substantiated scientific evidence of health effects from EME generated by radio communications services that comply with national and international safety guidelines.

Having regard to the above, Optus does not consider that it will put the public at risk from the low levels of EME generated by the proposed development.

I do not consider this issue to be a relevant planning concern.

7. Impact on property values

Property values are not a relevant planning issue for consideration by Council.

Property values can be affected by a wide range of factors which may or may not be directly related to local conditions.

The Development Plan does not refer to property values except in the most oblique and inferential way, and certainly not in direct reference to specific forms of development.

This proposal must be assessed against the relevant provisions of the Development Plan and not by assertions as to impacts on property values.

² Australian Mobile Telecommunications Authority

³ The International Commission on Non-Ionizing Radiation Protection:

ACCESS PLANNING

ITEM 9.1 ATTACHMENT ONE

ITEM 6.1 ATTACHMENT FOUR

8. Need for Optus telecommunication coverage

The Development Plan recognises that telecommunication facilities should be provided to meet the needs of the community. The proposal is required to improve network performance within Hahndorf and its surrounds.

Whilst mobile phones are a convenient form of communication, they also play a critical role in providing public access to emergency services in the event of need, such as car accidents, reporting fires and for contacting police.

In the 2005/2006 financial year, Telstra's 000 service operators answered 10.6 million calls (on average approx 29,000 calls a day). Some 63% of these calls were made from mobile phones. Of these 58.9% were to police, 32.2% to ambulance, 8.8% to fire and 0.1% were to other services (SES, Surf Lifesaving etc). Mobile phones to this extent have become an essential service.

Regardless, the Full Bench of the Supreme Court of South Australia in the matter *Development Assessment Commission v 3GIS Pty Ltd & ANOR* [2007] SASC 216 (18 June 2007) found that;

"...a planning authority is not required to assess the social utility of a telecommunication service... The questions which it is required to address... were whether a facility was needed to provide the service in the relevant area and whether it was located and designed to minimise the visual impact on the amenity of the locality..."

The cost of designing, locating, constructing and integrating a telecommunications base station is very high – approximately \$800,000 each site. Facilities are only provided where they are necessary to meet shortfalls in network coverage.

The 'Hahndorf' site is needed for the Optus network to provide 3G service in Hahndorf and has been sited to minimise the visual impact of the proposed development on the historic township of Hahndorf and it's the locality.

9. Location away from 'the historical township'

One representor states that *'there are many other suitable locations away from the historical township and residence [sic] that must be considered.'* Optus has given consideration to the heritage value and integrity of the Hahndorf township which has led to the selection of the subject site which;

- is well separated from residential development; and
 - is well screened from the Hahndorf township and the South Eastern Freeway;
- The proposed development will not have an impact on the heritage value and integrity of the Hahndorf township.

10. Impact on Hahndorf as a tourist destination

Tourism has a significant economic impact at a domestic level in terms of employment and economic development.

ACCESS PLANNING**ITEM 9.1 ATTACHMENT ONE****ITEM 6.1 ATTACHMENT FOUR**

Reliable telecommunication coverage links products and services to tourists and is integral to the safety and convenience of tourists.

The proposed development will not impact on the Hahndorf township.

Views from the lookout have been considered earlier in this response.

The proposed development will provide a positive impact on Hahndorf as a tourist destination.

11. Co-location on the existing Telstra telecommunication facility

Co-location on the existing Telstra monopole has been considered in my report to Council dated 12 April 2011.

The maximum height available is not suitable to satisfy the minimum coverage requirement of the network.

12. Future co-location / extension to the proposed monopole

Whilst two (2) representors consider future co-location on the proposed facility to be a negative issue, Optus welcomes any carrier or emergency service to co-locate on the proposed development because co-location assists in reducing the proliferation of telecommunication structures in a locality.

Any extension to the proposed development will have to comply with the relevant legislation at the time. Regardless, an extension to an existing structure may reduce the need for an additional structure.

13. Proximity to residential development

In part, the subject site has been selected because it is well separated from existing residential development (the nearest dwelling is approximately 180 metres east of the subject site).

I would appreciate you advising me of the time and date of the meeting at which this matter is to be heard so that I may respond to any issues raised at that meeting.

If you have any questions or require any further information or clarification in respect to the above, please do not hesitate to contact me by telephone on (08) 8364 1956 or via email at Lynette@accessplanning.com.au

Yours sincerely,



Lynette Brandwood
ACCESS PLANNING

ITEM 9.1 ATTACHMENT ONE

DISTRICT COUNCIL OF MOUNT BARKER
MINUTES OF THE DEVELOPMENT ASSESSMENT PANEL
MEETING WEDNESDAY 28 SEPTEMBER 2011

2

6. **REPORTS BY OFFICERS**

6.3 **CATEGORY 2 APPLICATIONS**

6.3.1 **SUMMARY DETAILS**

Application No.	580/302/11
Applicant	Optus Mobile Pty Ltd
Subject Land	SEC: 695 TYP: HP PLN: 105300 CR: 5696/856 von Doussa Road HAHNDORF.
Ward	North
Proposal	Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH).
Zone	Rural Watershed Protection
Form of Assessment	Merit
Public Notification	Category 2
Representations	Nine (9)
Persons to be heard	Four (4)
Agency Consultation	Nil
Responsible Officer	Andy Humphries
Main Issues	<ul style="list-style-type: none">• Appropriate Land Use• Design and Siting• Impacts on Amenity and Visual Amenity• Access
Recommendation	RESOLVE to REFUSE Development Approval to the application by Optus Mobile Pty Ltd to construct a Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH) at Section 695, von Doussa Road, Hahndorf (Development Application 580/302/11)

- 9.38 A Weber spoke against the application
- 9.45 Mrs Harrington spoke against the application
- 9.49 Mr Willoughby spoke against the application
- 9.52 L Brandwood spoke on behalf of Optus Mobile Pty Ltd

Moved B Gamble that the Development Assessment Panel:

RESOLVE to REFUSE Development Approval to the application by Optus Mobile Pty Ltd to construct a Telecommunications Facility - 20m high Monopole, 4m high Turret Mount with 3 panel antennae, total height 24m - Equipment Shelter (3mL x 2.5mW x 3mH) at Section 695, von Doussa Road, Hahndorf .

This recommendation for refusal is on the grounds that the proposal will have a detrimental impact on the character and amenity of an area of significant public open space characterised by its high visitation, community use, recreation, conservation and environmental attributes.

In particular, the subject development is contrary to the following provisions and considered at variance to the Development Plan:

Mount Barker (DC) Objectives: 59, 67, 68, 76, 94

Mount Barker (DC) Principles of Development Control: 254 (a) & (c), 257, 311 (e) & (f), 313, 366, 367

Rural Watershed Protection Zone Objectives: 7, 10

Rural Watershed Protection Zone Principles of Development Control: 20, 47, 49, 50, 66, 69, 71, 74, 75

Seconded L Stokes and carried

ITEM 9.1 ATTACHMENT TWO



2 December, 2011

Ref: 4668 Amended site

District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251
ATTENTION: Mr Andy Humphries



Dear Andy

**RE: PROPOSED OPTUS TELECOMMUNICATIONS FACILITY
FAIRVIEW ROAD, HAHNDORF : DA 580/302/11 ERD-11-282**

North of the lookout on the subject land there is an established track forming a loop area around a small amount of native vegetation.

Council has recently placed boulders at the end of the track (refer Figure 1) to prevent the free flow of vehicles through this area.

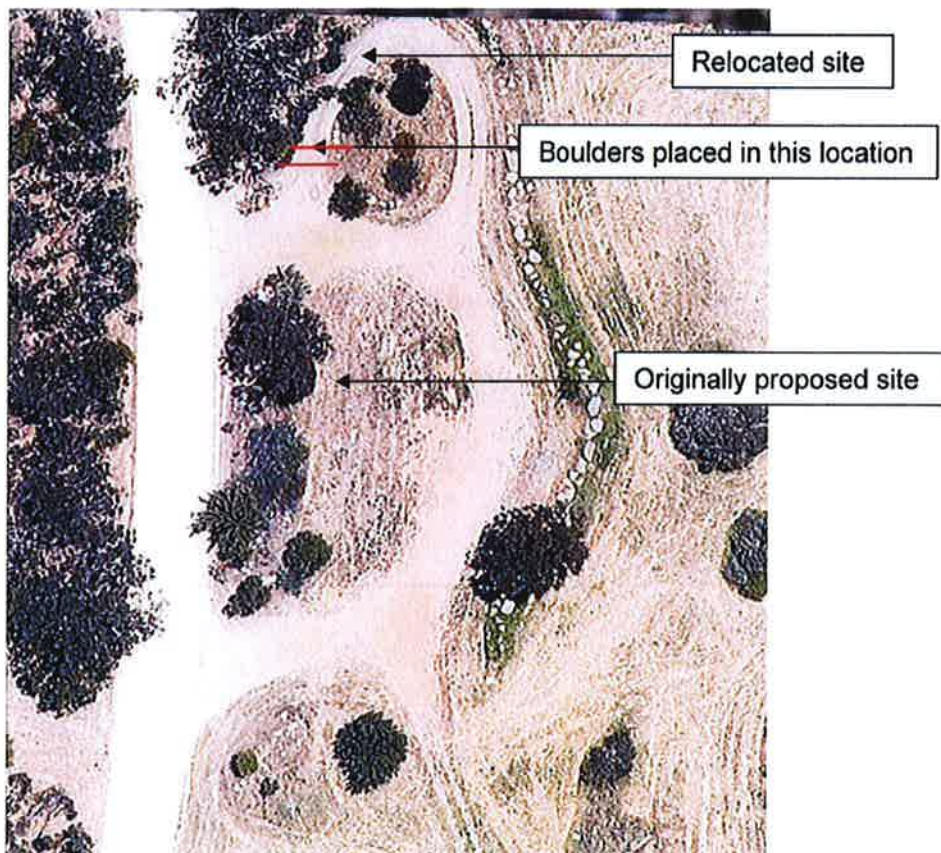


Figure 1: Subject site

TOWN PLANNING CONSULTANTS

ACCESS PLANNING (S.A.) PTY LTD ABN 57 089 702 241
200 KENSINGTON ROAD, MARRYATVILLE, SOUTH AUSTRALIA 5068
TELEPHONE (08) 8364 1956 FAX (08) 8364 1960 EMAIL plan@accessplanning.com.au

ITEM 9.1 ATTACHMENT TWO



Photograph 1: View looking south from the proposed site.

Optus met on site with Trees for Life and the alternate location has been suggested.

Trees for Life has supplied Optus with a list of endemic species (attached) appropriate for screening the proposed development from view.

The suggested area to be re-vegetated will provide screening to the ground works and majority of the pole to all areas along Fairview Road.

Landscaping suggested is to;

- the east of the subject site;
- scattered plantings to the west to provide a more dense buffer to Fairview Road;
- and
- plantings to the north of the boulders to prevent views from Fairview Road.

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ITEM 9.1 ATTACHMENT TWO



Photograph 2: Boulders placed on existing track

Trees for Life has suggested 50 plants will be required. Should approval be granted, Optus will contract Trees for Life to undertake such works.

The compound area has been reduced from 6m x 10m to 5m x 8m.

The equipment shelter is to be Colorbond 'Wilderness' and security fencing around the development is to be black chain link.

In all other respects the proposed development remain the same.

The attached drawings reflect the minor changes made to the development.

If you have any questions please do not hesitate to contact me.

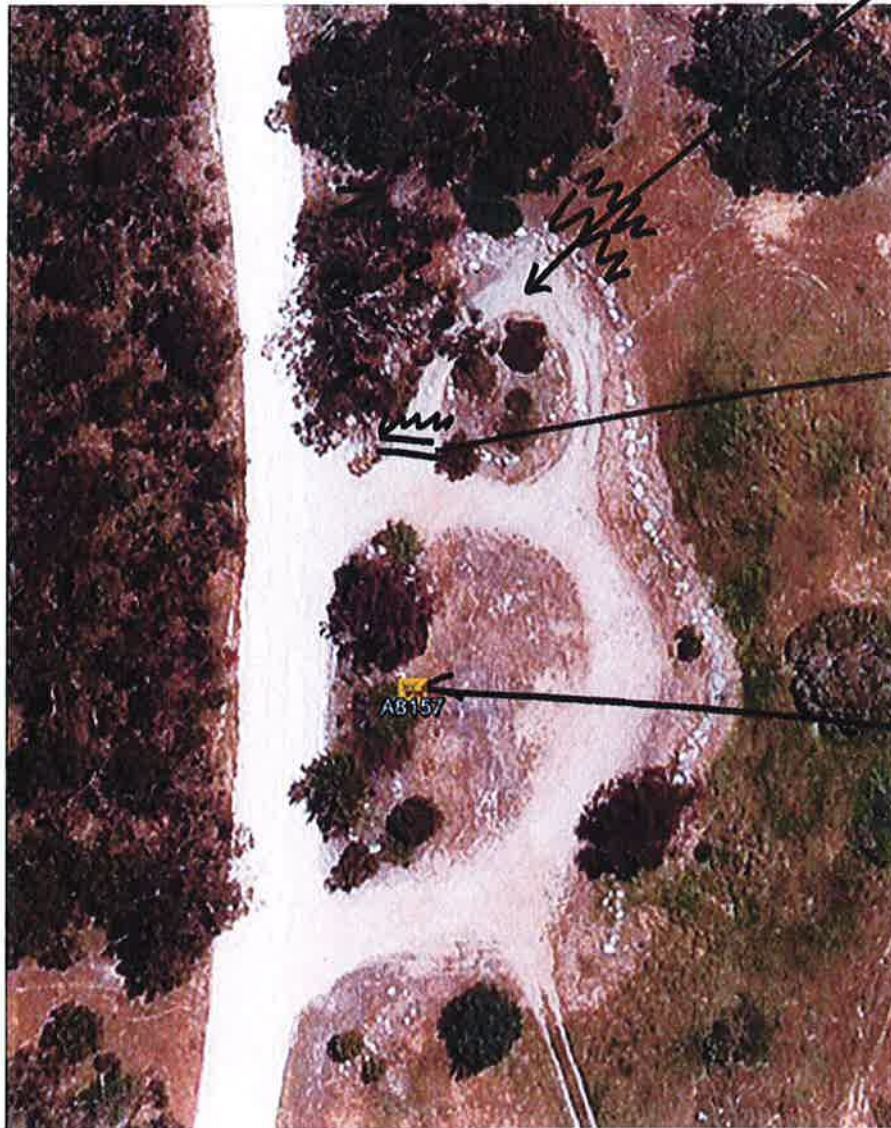
Yours faithfully,



Lynette Brandwood

TFL has suggested plantings from the attached list.

~~~~ = vegetation to be planted



This track doesn't contain vegetation (ref photos)

Council has put boulders here, presumably to control traffic.

Currently proposed

x ACCESS TO TFL COMMITTING TO FUND TFL TO DO THE WORK.  
HOW MUCH \$ = WHAT.

x GREATER SCREENING AROUND EAST.

x ANY NEED FOR REMOVAL.



## ITEM 9.1 ATTACHMENT TWO

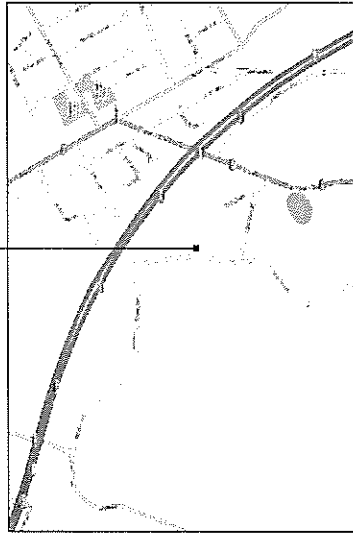

**2011 Project Order Form for Provenance  
Adelaide Hills = Zone AH**

| Species                          | Common name            |               | No. of plants |
|----------------------------------|------------------------|---------------|---------------|
| ACACIA melanoxylon               | Blackwood              |               |               |
| ACACIA myrtifolia                | myrtle wattle          |               | 3             |
| ACACIA paradoxa                  | kangaroo thorn         |               |               |
| ACACIA pycnantha                 | golden wattle          |               | 5             |
| ACACIA retinodes                 | hills wirilda          |               |               |
| ALLOCASUARINA muelleriana        | slaty sheoak           |               | 3             |
| ALLOCASUARINA striata            | small bull oak         |               | 3             |
| ALLOCASUARINA verticillata       | drooping sheoak        |               |               |
| AUSTROSTIPA elegantissima        | elegant spear grass    |               | 20            |
| BURSARIA spinosa                 | sweet bursaria         | Winter sowing |               |
| CALLISTEMON sieberi              | river bottle-brush     |               |               |
| DODONAEA viscosa spatulata       | sticky hop bush        |               |               |
| EUCALYPTUS baxteri               | brown stringybark      |               |               |
| EUCALYPTUS camaldulensis         | river red gum          |               |               |
| EUCALYPTUS cosmophylla           | cup or swamp gum       |               |               |
| EUCALYPTUS dalrympleana          | mountain gum           |               |               |
| EUCALYPTUS fasciculosa           | pink gum               |               |               |
| EUCALYPTUS leucoxylon            | southern blue gum      |               |               |
| EUCALYPTUS obliqua               | messmate stringybark   |               |               |
| EUCALYPTUS viminalis             | manna gum              |               |               |
| EUCALYPTUS viminalis cygnetensis | rough-barked manna gum |               |               |
| HAKEA carinata                   | needlewood             |               | 3             |
| HARDENBERGIA violacea            | native lilac           |               |               |
| JUNCUS pallidus                  | pale rush              |               |               |
| KENNEDIA prostrata               | running postie         |               | 5             |
| LEPTOSPERMUM continentale        | prickly tea-tree       |               | 3             |
| LEPTOSPERMUM lanigerum           | silky tea-tree         |               |               |
| MELALEUCA decussata              | totem poles            |               |               |
| OLEARIA ramulosa                 | twiggy daisy bush      |               | 5             |
| XANTHORRHOEA quadrangulata       | Mt Lofty grass tree    | Winter sowing |               |
| XANTHORRHOEA semiplana           | yakka/grass tree       | Winter sowing |               |
| I will supply the seed           |                        |               |               |

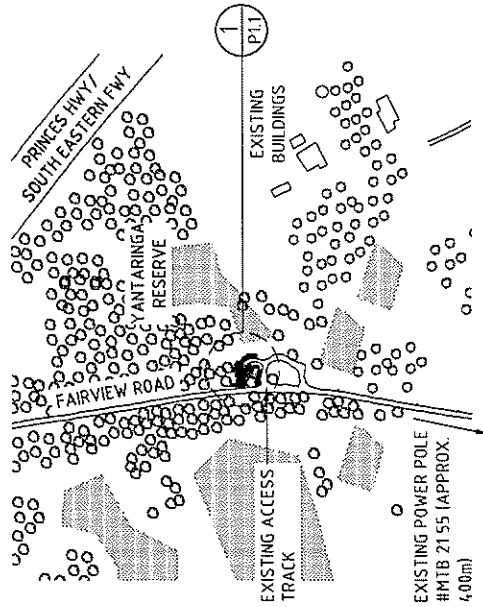
|                      |           |
|----------------------|-----------|
| <b>TOTAL ORDERED</b> | <b>50</b> |
|----------------------|-----------|



PROPOSED OPTUS  
BASE STATION



LOCALITY MAP



OVERALL SITE PLAN

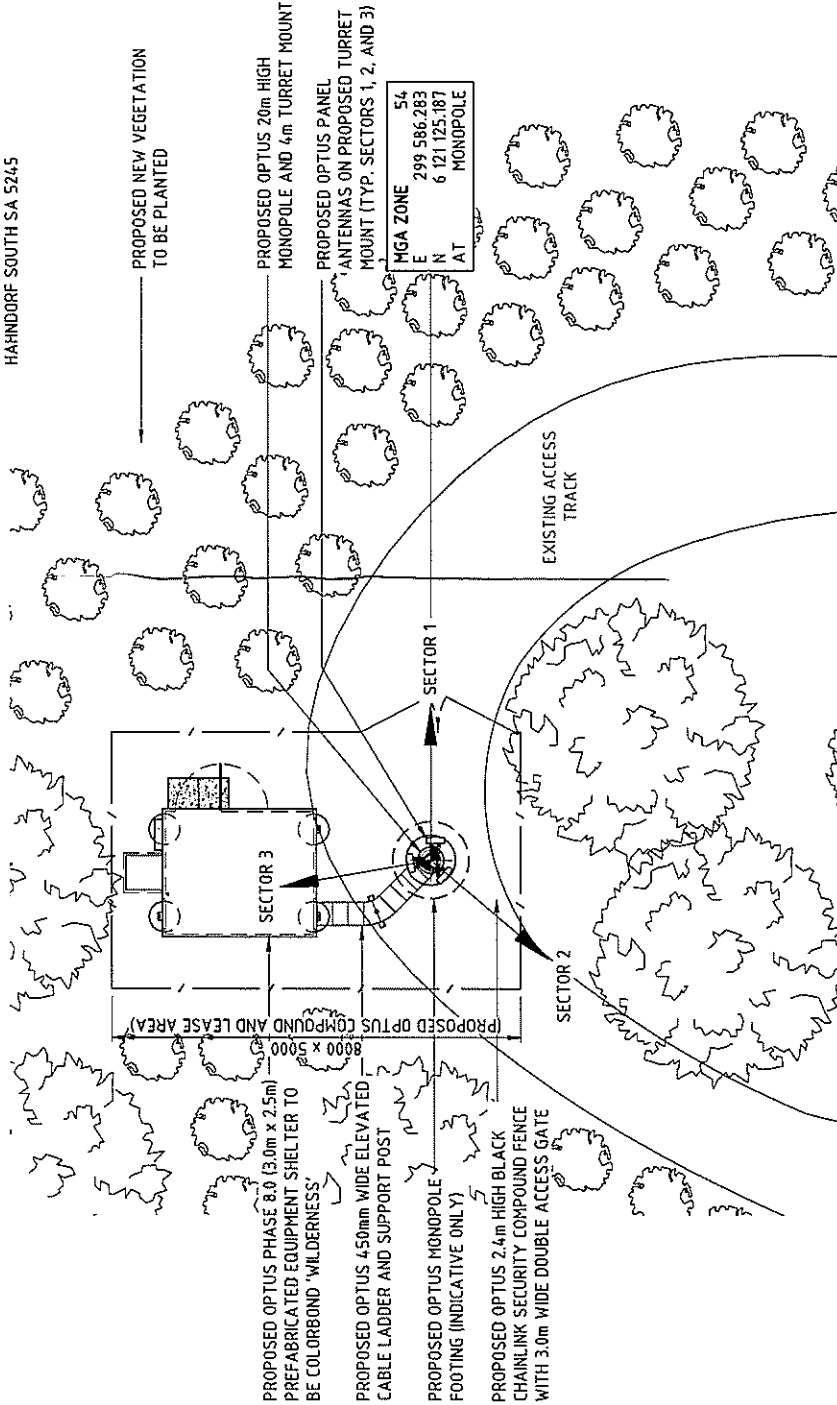
SCALE 1:5000

DETAIL 1  
SCALE 1:100  
P1.1

**NOTE:**  
THIS DRAWING IS DIAGRAMMATIC ONLY  
AND SHOULD NOT BE SCALED.  
DIMENSIONS, COORDINATES, AND LEVELS  
SHOWN ARE NOMINAL AND SUBJECT TO  
CONFIRMATION BY SURVEYOR.

**SITE ADDRESS:**

YANTARINGA RESERVE  
OFF FAIRVIEW ROAD  
HAHNDORF SOUTH SA 5245



**NOTES:**  
1. NO VEGETATION IS TO BE REMOVED

Project  
MOBILE NETWORK  
AUSTRALIA  
SA - A8157 - G  
HAHNDORF SOUTH  
FAIRVIEW ROAD

Client  
**'yes' OPTUS**

**DAILY INTERNATIONAL**

Drawing Title  
**DRAFT SITE LAYOUT**

Drawing No  
**A8157-P1**

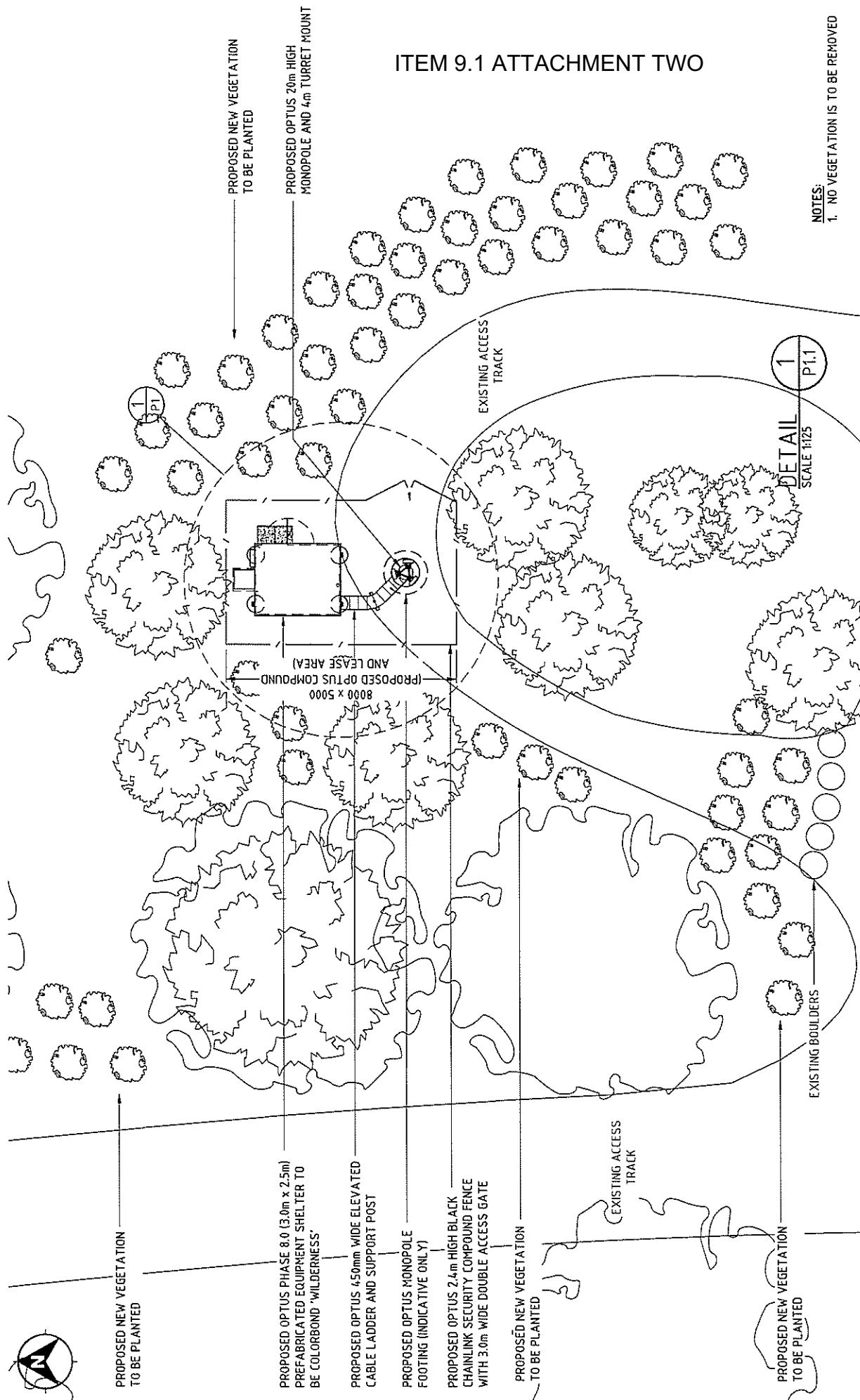
Revision  
**03**

Drawing Status  
**FOR APPROVAL**

20 10 0 10 20 30 40 50mm

A3

## ITEM 9.1 ATTACHMENT TWO



Drawing Title

**DRAFT SITE LAYOUT**

Project

MOBILE NETWORK  
AUSTRALIA  
SA - A8157 - G  
HAHNDORF SOUTH  
FAIRVIEW ROAD

Client

**'yes' OPTUS**

**DAILY INTERNATIONAL**

Drawing No  
**A8157-P1.1 03**

Revision

FOR APPROVAL

20 10 0 10 20 30 40 50mm

10.11 ISSUED FOR APPROVAL

Rev Date Description

DAILY DHI FH D CT

Constant (CO) Designer Verifier Approver



DRAFT SITE ELEVATION

Project  
MOBILE NETWORK  
AUSTRALIA  
SA - A8157 - G  
HAHNDORF SOUTH  
FAIRVIEW ROAD

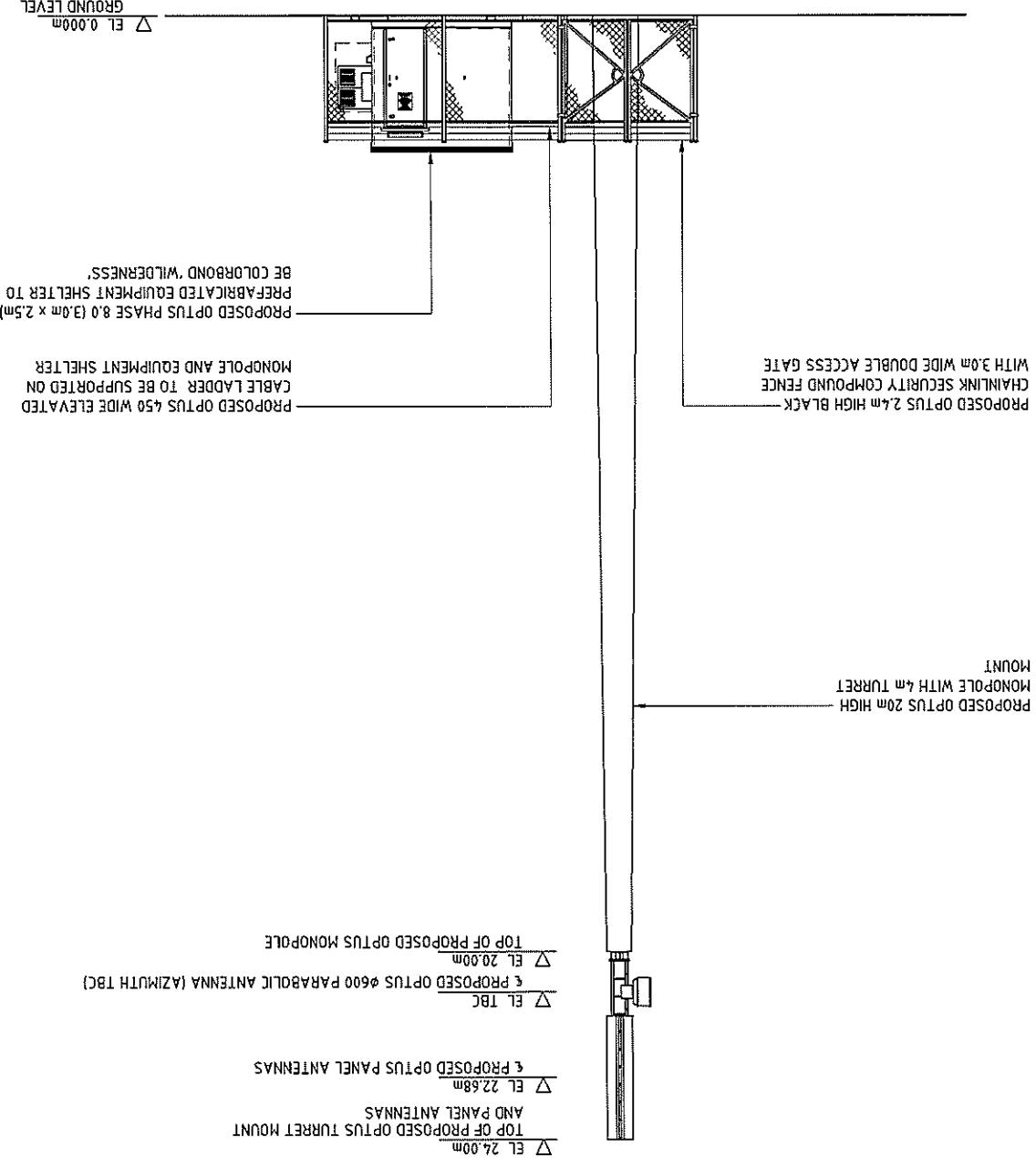
Client  
**'yes' OPTUS**

**DAILY INTERNATIONAL**

| Rev | Date     | Revised By             | Revised For              | Constant | QA  | Designer | Checker | Approver |
|-----|----------|------------------------|--------------------------|----------|-----|----------|---------|----------|
| 01  | 12/11/10 | OPTUS                  | COMPUND LOCATION REVISED | DAILY    | DLH | PH       | DLH     | CT       |
| 02  | 28/11/10 | COMPUND GATE RELOCATED | DAILY                    | DLH      | PH  | DLH      | DLH     | CT       |
| 03  | 07/03/11 | ISSUED FOR APPROVAL    | DAILY                    | DLH      | PH  | DLH      | DLH     | CT       |

ITEM 9.1 ATTACHMENT TWO

**EASTERN ELEVATION**  
SCALE 1:100



NOTE:  
THIS DRAWING IS DIAGRAMMATIC ONLY  
AND SHOULD NOT BE SCALED.