

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 29 August 2017

ATTENDANCE

Johan Pienaar, Kim Nolan, Hilary Metcalfe

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
21/08/2017	A224	51 (Lot 45) Bussell Highway, Augusta	Outbuilding Ancillary to Dwelling	P217511
21/08/2017	A8556	213 (Lot 17) Manear Road, Rosa Brook	Holiday House	P217512
21/08/2017	A12067	10 (Lot 70) McDowell Road, Witchcliffe	Water Tank Ancillary to Dwelling	P217513
22/08/2017	A644	Lot 270 Fisher Road, Kudardup	Replacement of Community Jetty Owned by Molloy Island	P217514
22/08/2017	A6401	Unit 3, 20 (Strata Lot 3 of Lot 229) Riedle Drive, Gnarabup	Holiday House - Renewal	P217515
22/08/2017	A12089	Lot 218 Coracina Avenue, Witchcliffe	Outbuilding and Water Tank Ancillary to Dwelling	P217516
23/08/2017	A12382	202 (Lot 112) Brockman Highway, Karridale	Dam	P217517
23/08/2017	A1683	21 (Lot 78) Elizabeth Street, Margaret River	Ancillary Dwelling and Outbuilding ancillary to Dwelling	P217518
25/08/2017	A1021	18 (Lot 37) William Place, Margaret River	Outbuilding ancillary to Dwelling	P217523
25/08/2017	A6426	Unit 28/20 (Strata Lot 28 of Lot 229) Riedle Drive, Gnarabup	Holiday House - Renewal	P217524

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
25/08/2017	A6298	9 (Lot 108) Parry Court, Augusta	Two Storey Dwelling	217328
22/08/2017	A11723	11 (Lot 564) Sargentii Circuit, Margaret River	Single Dwelling	217362
23/08/2017	A10680 A6265	Lot 61 West Road, Cowaramup	Shed	217363
24/08/2017	A9202	30 (Lot 38) Tinglewood Court, Cowaramup	Single Dwelling, Carport and Garage	217364
25/08/2017	A3451	21 (Lot 71) Barrett Street, Margaret River	Single Dwelling and Ancillary	217365
25/08/2017	A10530	39 (Lot 704) Burke Circle, Cowaramup	Swimming Pool & Pool Fence	217366
25/08/2017	A567	3 (Lot 50) Coronation Street, Margaret River	Patio	217367
25/08/2017	A5721	57 (Lot 187) Marmaduke Point Drive, Gnarabup	Shed	217368
25/08/2017	A9345	14 (Lot 23) Old Farm Road, Augusta	Shed	217371

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
25/07/2017	Matt Cuthbert	P217455	30 (Lot 552) Hudsbeth Way, Margaret River	Subdivision	Completed

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
16/06/2017	Matt Slocomb	22 (Lot 206) Villers Street, Cowaramup	Grouped Dwellings x 2	Approved	P217360
22/06/2017	Lara Hoole	9 (Lot 225) Lumber Crescent, Karridale	Water Tank Ancillary to Dwelling	Approved	P217374
21/07/2017	Eileen De San Miguel	Unit 2 12 (Strata Lot 2 of Lot 9) Town View Terrace, Margaret River	Holiday House Renewal	Approved	P217441
21/07/2017	Matt Slocomb	3 (Lot 815) Parakeet Road, Margaret River	Retrospective Approval - Dwelling Additions (Patio)	Approved	P217444
04/08/2017	Johan Pienaar	36 (Lot 2251) Bell Road, Treeton	Farm Building Ancillary to Agriculture-Extensive	Approved	P217480

16/08/2017	Johan Pienaar	790 (Lot 13) Wurring Road, Bramley	Section 40	Approved	P217500
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LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
22/05/2017	AS	Lot 4417 Rosa Glen Road, Rosa Glen	Telecommunications Infrastructure (Mobile Phone Tower)	Approve	P217319

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

OTHER APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
01/10/2014	Matt Cuthbert	Sussex Locations 2807 & 2812 Bussell Highway, Witchcliffe	Scheme Amendment No 28 to Local Planning Scheme No 1	Approved	P214499
14/01/2014	Matt Cuthbert	Lots 56, 57 and 58 Kevill Road East, Margaret River	Scheme Amendment No. 32 to Local Planning Scheme No. 1 and associated Local Development Plan	Approved	P215013

COMPLIANCE

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.

CLOSURE OF MEETING



DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services

Proposed Telecommunications Infrastructure (Mobile Phone Tower) at Lot 4417
Rosa Glen Road Rosa Glen

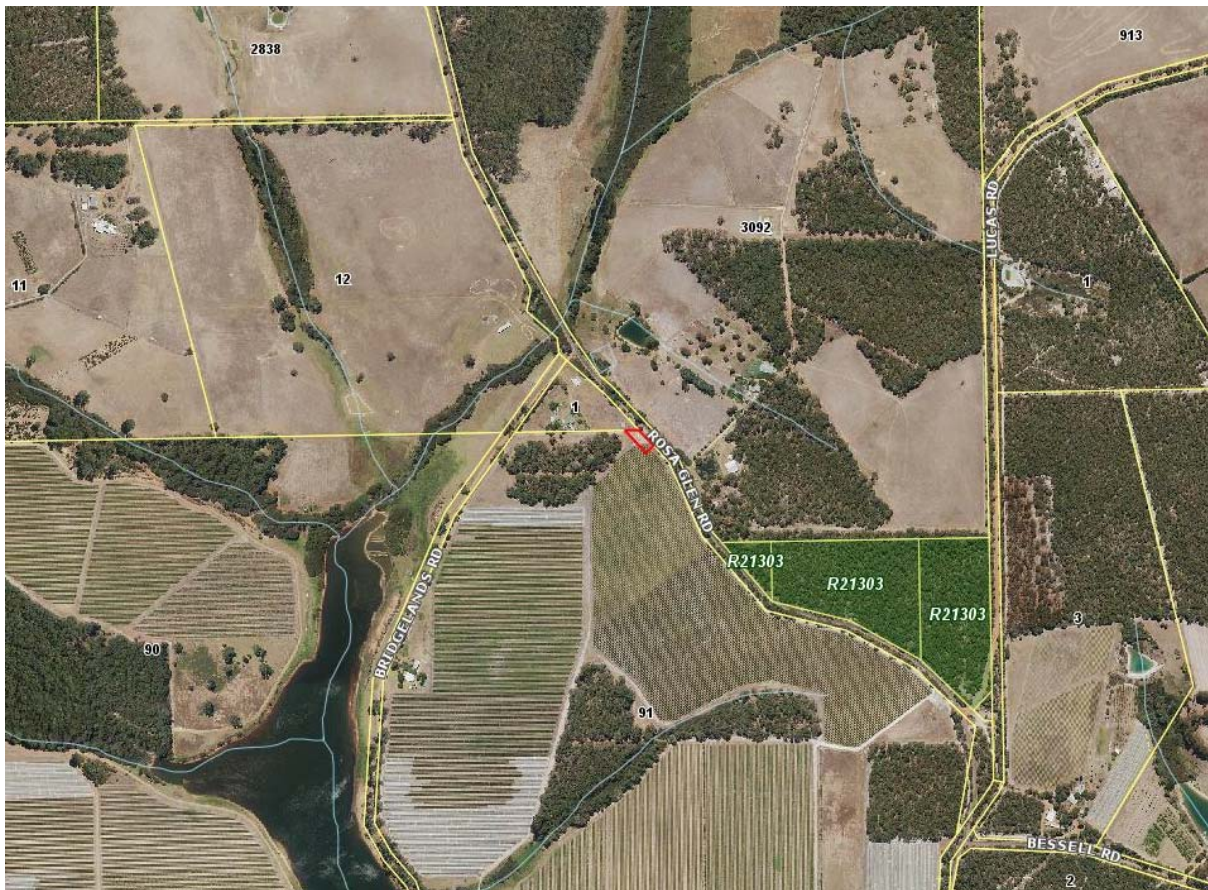
Major (Level 2)

P217319; PTY/4753

REPORTING OFFICER : **Angela Satre**
DISCLOSURE OF INTEREST : **Nil**

General Information	
Lot Area	1016m2
Zone	Priority Agriculture
Proposed Development	Mobile phone tower: <ul style="list-style-type: none">• One 40m high monopole fitted with antennae;• Equipment shelter (3m x 2.5m x 3m high); and• Within an existing Telstra compound area contained by a 2.4m high security fence.
Permissible Use Class	'D' discretionary approval required
Heritage/Aboriginal Sites	No
Encumbrance	Nil
Date Received	22/05/2017





Policy Requirements

Is the land or proposal referred to in any Council Policy? Yes No

Statement of Planning Policy 5.2 Telecommunications Infrastructure – SPP5.2 requires consideration of the location of new base stations in relation to existing stations to ensure they do not interfere with neighbouring cells. This has been considered by the proponent in the location of the proposed tower.

SPP5.2 also requires consideration of the visual impacts of the infrastructure and to locate towers away from:

- prominent visible significant viewing locations, such as scenic lookouts;
- heritage places/landmarks;
- sites of significance (environmental, heritage etc); and
- should be displayed using sympathetic colours and materials.

The proposed tower is not located in an area of visual significance as defined in the Shire's *Local Planning Strategy* nor is Rosa Glen Road classified as a strategic travel route. The site for the tower is very close to Rosa Glen Road. The view from this road is largely screened by fringing vegetation, with the exception of the roadside within approximately 60m of the site which is intermittently vegetated. There is little opportunity for the tower to be viewed from approaching vehicles from the north or south. The site is largely surrounding by undulating farm land and vegetation. The tower would not be located within sensitive areas as described in SPP5.2 and it meets the provisions of this policy in this regard.

The tower would be in view and close proximity to a dwelling approximately 120m to the north west and a dwelling approximately 220m to the east. The eastern dwelling is screened by existing vegetation mitigating the impacts of the view of the tower such that only the highest parts of the tower would potentially be visible from this dwelling. The north west dwelling is at lower ground level and largely faces to the north and away from the tower. While the tower would be visible from the area outside the dwelling, it is unlikely to be visible from within the main views cape of the dwelling due to screening vegetation around the dwelling. The location of the tower is considered acceptable and meets the provisions of SPP5.2. The visual impact of the tower base is recommended to be mitigated with a requirement for screening vegetation as a condition of any approval that may be granted consistent with the provisions of SPP5.2.

Structure Plans and Local Development Plans (DAP)

Is the land in any Structure Plan Area or subject to a DAP? Yes No

Advertising/Agency Referrals

Has the application been referred to adjoining landowners/agency? Yes No N/A

Has a submission been received by Council? Yes No N/A

No. received: 2

Have agency or authority comments been received?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
Name	Nature of Submission	Officer Comment		
Adjoining affected land owner	<p>Objection:</p> <ul style="list-style-type: none"> The proposal conflicts with the objectives of the agricultural zone. The rural character of the area will be destroyed including the rural scenery along a tourist route. The proposal is not compatible with the surrounding landscape. <i>SPP5.2 Telecommunication Infrastructure</i>, clause 5.1.1, seeks avoidance of prominently visible locations from significant viewing locations such as scenic routes, lookouts and recreation sites. 	<p>In response to the concerns raised in this submission the proponent states:</p> <p>We believe the proposal both satisfies the key zoning objectives and is not contrary to the zone. The proposed facility does not seek to alter the current land use zoning, with works largely confined to a 23.0m x 15.7m existing compound area, located on a large rural lot boundary. Proposed works will largely be confined to the existing Telstra exchange compound. Given this existing compound area, which is largely cleared, we believe our proposal will have a negligible impact on the agricultural land.</p> <p>The proposal would be setback approximately 10m to Rosa Glen Road; however, the view of the tower would be largely screened at ground level by roadside vegetation. The locality is picturesque; however, it is not identified as an area of landscape significance in the Shire's <i>Local Planning Strategy</i>.</p>		
Public submitter	<p>Why has this site been chosen, the site is not suitable, it should be placed on the top of a hill. 'People do not want to end up less than 5 kilometres from two blackspot towers and still have mobile coverage that is so poor...'. Wider areas should be covered.</p>	<p>In response to the concerns raised in this submission the proponent states:</p> <p>Federal Government Mobile Blackspot guidelines are found at: https://www.communications.gov.au/what-we-do/phone/mobile-services-and-coverage/mobile-black-spot-program</p> <p>Telstra's radio - frequency engineers have assessed this location as being most viable to achieve the specific coverage objectives of the facility site and the Federal Governments Mobile Black Spot program.</p> <p>The proposed tower design can structurally accommodate additional Telecommunication carrier/s / NBN. NBN facilities are located at 673 Rosa Brook Road.</p>		
Has the application been referred to internal departments?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Assessment of Application				
Is the land referred in the Heritage Inventory?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Are there any Contributions applicable?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Are there any compliance issues in relation to existing development?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
R Codes				
Are R Codes applicable?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Development Standards (Schedule 9)				
Are the development Standards applicable?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<i>Officer Comment</i>	<p>A 30m front setback applies in the zone; however given the small size of the lot achieving this setback will not be possible. A variation to the setback is required. The proposal would be setback 10m from the road, in the existing compound area, which is reasonable given the size of the lot. The variation is considered acceptable and approval to the variation pursuant to LPS1 clause 5.5 (discretion to modify) is recommended.</p>			
Building Height				
State the proposed building height		40m	<input checked="" type="checkbox"/> Complies	<input type="checkbox"/> Doesn't Comply
Officer Comment	<p>Pursuant to LPS1 clause 5.13.4, a transmitting tower is not subject to the height limits (11m for farm buildings) under the provisions of the Scheme.</p>			

Clause 67	
A. In the opinion of the officer, would approval of the planning consent be appropriate under Clause 67 of the Deemed Provisions of the Scheme?	
Officer Comment	Yes – The proposal was assessed with regard to the provisions of LPS1, namely clause 5.17 Telecommunications Infrastructure, and has been found to be acceptable. The proposal is acceptable when assessed against the provisions of LPS1 including the objectives and purpose of the zone. Given the small size of the lot, which is not used for agriculture but is developed with a Telstra facility, the proposal will not be adverse to the agricultural production on the land or in the locality.
B. In the opinion of the officer:	
i. Are utility services available and adequate for the development?	The tower will contribute to improved mobile coverage in the area.
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	Yes – no clearing required. Additional landscape screening to the compound is recommended.
iii. Has adequate provision been made for access for the development or facilities by disabled persons?	n/a
iv. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	There will a visual impact from the tower; however the impact will not be from significant viewing locations. Landscape screening of the compound is recommended to mitigate the visual impact of the tower base from the road and surrounding properties. The location and visual impact of the tower is considered acceptable with regard to the provisions of SPP5.2.
v. Is the development likely to comply with AS3959 at the building permit stage?	n/a
Other Comments	
Any further comments in relation to the application?	
Officer Comment	The proposal did raise two objections during the advertising period. The concerns raised have been addressed. The proposal is acceptable when assessed against the provisions of LPS1 and SPP5.2. Conditional approval is recommended.

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator GRANTS Planning Consent under Delegated Authority Instrument No. 16 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Telecommunications Infrastructure (Mobile Phone Tower) at Lot 4417 Rosa Glen Road Rosa Glen subject to compliance with the following conditions:

CONDITIONS

- The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 – P4 received at the Shire offices on 22 May 2017.
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- If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained. (P)
- Prior to commencement of development, a Landscape Plan shall be prepared and submitted to the Shire for approval. The Landscape Plan shall demonstrate installation of vegetation screening along the western, northern and eastern boundaries of the site with a combination of low, medium to high plantings to screen and soften the visual impact of the compound at the base of the tower.
- Within 30 days from practical completion of the development the subject of this approval, landscape screening shall be installed on site in accordance with the approved Landscape Plan. The landscape screening shall be maintained at all times thereafter to the satisfaction of the Shire.

ADVICE NOTES

- This is not a Building Permit. A Certified Building Permit application to commence work must be lodged to the Permit Authority in accordance with the *Building Act 2011*.