



REPORTS AND RECOMMENDATIONS
FOR THE
DEVELOPMENT ADVISORY UNIT
MEETING
HELD ON
TUESDAY, 9 JANUARY 2018

1. This Meeting makes Recommendations to the Manager Statutory Planning.
2. Should any Elected Member wish to discuss the content of any item included as part of the attached agenda, please contact Peter Prendergast, Manager Statutory Planning. Contact should be established as soon as possible after the publication of the agenda to the City of Melville website. Contact details are as follows: peter.prendergast@melville.wa.gov.au or Tel 9364 0626.
3. Should an Elected Member propose that an item on this agenda be referred to Council for determination, a request to that effect must be made to the Chief Executive Officer (CEO). This request shall be made in accordance with the requirements set out by Clause 3.5.4 of Local Planning Policy LPP 1.1 'Planning Process and Decision Making'.
4. Should any applicant or adjoining property owner object to any proposal included as part of this DAU agenda, then an opportunity exists to request that the application be determined by Council. All such requests should be referred to an Elected Member of Council for the Ward within which the development application is located. An Elected Member may request that the application be determined by Council. Any call up request from an Elected Member shall be made in accordance with the requirements set out by Clause 3.5.4 of Local Planning Policy LPP 1.1 'Planning Process and Decision Making'.
5. In the absence of any referral request, a decision on any application included as part of this DAU agenda can take place under delegated authority to the Manager Statutory Planning, after midday on the second Monday after the Friday publication of the minutes to the City's website. In the event that the DAU minutes are not published to the City's website until the Monday after the DAU meeting, a decision on the application can still take place the following Monday.

DISTRIBUTED: FRIDAY, 12 JANUARY 2018



**REPORTS AND RECOMMENDATIONS FROM THE DEVELOPMENT ADVISORY UNIT
MEETING HELD IN, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD,
BOORAGOON, COMMENCING AT 9:00 AM ON TUESDAY, 9 JANUARY 2018**

PRESENT

P Prendergast
M Scarfone
T Capobianco
B Ashwood
Gavin Ponton

Manager Statutory Planning
Planning Services Coordinator
Manager Building Services
Senior Planning Officer
Planning Officer

DISCLOSURES OF INTEREST

Nil

**DISCLOSURE OF FINANCIAL INTERESTS
LOCAL GOVERNMENT ACT 1995****Members' interests in matters to be discussed at meetings to be disclosed**

S.5.65 (1) A member who as an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

Meeting to be informed of disclosures

S.5.66 If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

Disclosing members not to participate in meetings

S.5.67 A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

Please refer to your Handbook for definitions of interests and other detail.

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Ward : Palmyra – Melville - Willagee
 Category : Operational
 Application Number : DA-2017-1203
 Property : Telstra Exchange Palmyra, 273 Canning Highway, PALMYRA WA 6157
 Proposal : Telecommunications Infrastructure
 Applicant : Service Stream Communications Pty Ltd
 Owner : Australian Telecommunications Commission
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : DA-2017-384 Telecommunications Tower (18m high).
 Responsible Officer : Mark Scarfone
 Acting Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input checked="" type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council to note.</i>

U18/0498 – PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE AT TELSTRA EXCHANGE PALMYRA, 273 CANNING HIGHWAY, PALMYRA WA 6157 (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- The City has received a proposed application for a telecommunications infrastructure located at the rear of the Telstra Exchange building at No.273 Canning Highway, Palmyra.
- The application proposes the installation of a new 25m high telecommunication monopole, and installation of ancillary equipment at ground level. As part of the proposed development the existing antennas on top of the Telstra Building will be removed. A similar application was lodged in 2017 for an 18m high telecommunication monopole which was advertised, no objections received and approved under delegation.
- The telecommunication infrastructure will enable co-location of Telstra and Optus equipment and therefore additional height is required compared to the previous approval.
- Two submissions were received in response to the formal consultation period both objecting to the proposal.
- Notwithstanding the objections received, it is considered that the development is acceptable when assessed against LPP1.7 Telecommunications Facilities and Communications Equipment, and State Planning Policy 5.2 Telecommunications Infrastructure.
- In accordance with Council Delegation DA-201: Planning and Related Matters, the application has been referred to the Development Advisory Unit for determination.
- It is recommended that the proposed telecommunications infrastructure be approved with conditions.

U18/0498 – PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE AT TELSTRA EXCHANGE PALMYRA, 273 CANNING HIGHWAY, PALMYRA WA 6157 (REC) (ATTACHMENT)



Figure 1 – Aerial Photography

BACKGROUND

Scheme Provisions

MRS Zoning	: Urban
LPS Zoning	: C3- Neighbourhood Centre
R-Code	: N/A
Use Type	: N/A
Use Class	: N/A

Site Details

Lot Area	: 1386m ²
Retention of Existing Vegetation	: N/A
Street Tree(s)	: N/A
Street Furniture (drainage pits etc)	: N/A
Site Details	: Refer to Figure 1 above

A copy of the plans forms part of the attachments to the Agenda which were distributed to Elected Members on Friday, 12 January 2018.

U18/0498 – PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE AT TELSTRA EXCHANGE PALMYRA, 273 CANNING HIGHWAY, PALMYRA WA 6157 (REC) (ATTACHMENT)

DETAIL

The City has received an application for telecommunication infrastructure including antennas attached to a 25 metre high monopole and associated equipment in a base station at ground level, to be located at the rear of the Telstra Exchange building at, 273 Canning Highway, Palmyra. The purpose of the new telecommunications infrastructure is to improve mobile telecommunications service within and around the suburb of Palmyra. The telecommunications infrastructure has been designed to enable co-location of Telstra and Optus equipment.

Site Context

Telstra Exchange Palmyra is located within the existing shopping centre at the corner of Canning Highway and Petra Street, Palmyra. The site is within a “District Centre (C3)” under State Planning Policy 4.2 and Local Planning Scheme No. 6 (LPS6), and is principally a single storey retail centre flanked by substantial at-grade car parking. The closest residential dwellings are located 75m to the south and 115m to the east.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Advertising Required: Yes
 Neighbour’s Comment Supplied: Yes
 Reason: As per Part 4 of LLP1.7 Telecommunications Facilities and Communications Equipment
 Support/Object: Object

Submission Number	Summary of Submission	Support/Objection	Officer’s Comment	Action (Condition/Uphold/Not Uphold)
1	Excessively large and will be visual pollution.	Object	Preferred location is in accordance with LLP1.7 Telecommunications Facilities and Communications Equipment and SPP 5.2 Telecommunications Infrastructure.	Not Uphold
2	Excessively large and will be visual pollution.	Object	As above	Not Uphold

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II. OTHER AGENCIES / CONSULTANTS

Required: Yes
Reason: Abuts Primary Regional Road
Support/Object: Support

Agency	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/Uphold/Not Uphold)
Main Roads	The proposed location of the proposed tower will have no impact on the road network.	Support	Noted	Uphold

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for planning approval, the applicant will have the right to have the decision reviewed in accordance with part 14 of the *Planning and Development Act 2005*.

FINANCIAL IMPLICATIONS

There are no financial implications for the City relating to this proposal.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic, risk or environmental management implications with this application.

POLICY IMPLICATIONS

LPP1.1 Planning Process and Decision Making
LLP1.7 Telecommunications Facilities and Communications Equipment

COMMENT

The proposed development is for new telecommunications infrastructure including a f 25m slim-line monopole structure supporting nine panel antennas over two sectors and associated ancillary equipment being located within the grounds of the existing Telstra exchange Lot. As part of the proposed development the existing antennas on top of the Telstra Building will be removed.

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The new infrastructure is proposed to be located at the rear of the lot in the south-east corner which abuts Stammers Shopping Centre which has its walls on the boundary and as a result of this there will be no material impact on the adjoining lot to the east and south. Views from the west are from the large carpark and one other commercial lot.

The City received an application for the same lot in May 2017 for an 18m high Optus phone tower which was advertised for 14 days, no objections were received. Since the approval was issued, Telstra has requested that they be permitted to relocate three singular roof mounted antennas from the exchange building roof to the tower; therefore the proposed new height of 25m is required for co location.

With regards to visual impact the proposed telecommunication monopole has been assessed against LPP1.7 *Telecommunications Facilities and Communications Equipment*, and State Planning Policy 5.2 *Telecommunications Infrastructure* and is considered to satisfy the following provisions:

1. Under the provisions of LPP 1.7, the proposal meets the preferred locational characteristics for additional telecommunications infrastructure in that it is an existing telecommunications site and the additional installations will have little additional impact. In addition, where possible site sharing arrangements (co location options) are actively pursued so as to prevent the proliferation of mobile phone towers and masts.
2. Under the provisions of SPP5.2, the State Planning Policy acknowledges the importance of providing telecommunications services to the community through the rollout of new networks but seeks for this to occur in a balanced manner that minimises the visual impact on the surrounding area. The policy states that telecommunications infrastructure should be sited and designed to minimise visual impact and wherever possible.

The proposal will not be prominently visible from any significant viewing locations nor detract from significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land, and is not located on sites where environmental, cultural heritage, social and visual landscape values may be compromised. The position of the proposed Telecommunications Infrastructure to the rear of the property next to a high boundary wall and brick fence ensures that the lower portion of the development is screened from view. The positioning also ensures that the proposal has minimal impact when viewed from Canning Highway and surrounding streets.

The scale, materials, external colours and finishes are considered to be sympathetic to the surrounding landscape.

The visual impact from the surrounding residential area is reduced due to the topography of the surrounding land, the distance (80m) between the telecommunication monopole and the closest residential dwellings and the height of the commercial building.

U18/0498 – PROPOSED TELECOMMUNICATIONS INFRASTRUCTURE AT TELSTRA EXCHANGE PALMYRA, 273 CANNING HIGHWAY, PALMYRA WA 6157 (REC) (ATTACHMENT)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

This application is proposed to be approved under delegation through the Development Advisory Unit (DAU) process.

Should Elected Members have an alternative view; the DAU 'call-up' procedures provide opportunity to call this matter up for formal Council consideration.

CONCLUSION

The application is consistent with the State Planning Policy 5.2 *Telecommunications Infrastructure* and *LPP1.7 Telecommunications Facilities and Communications Equipment*, with regards to co-location and amenity requirements and is therefore recommended for approval with conditions.

OFFICER RECOMMENDATION**APPROVAL**

1. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the Manager Statutory Planning and are to be removed prior to initial occupation of the development.
2. A Construction Management Plan is to be prepared by the Applicant and submitted to the Manager Statutory Planning for approval at least 30 days prior to the commencement of works. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
 - public safety and site security;
 - hours of operation,
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;
 - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
 - the parking arrangements for contractors and sub-contractors;
 - on-site delivery times and access arrangements;
 - the storage of materials and equipment on site (no storage of materials on the verge will be permitted) ; and
 - any other matters likely to impact upon the surrounding properties or road reserve.

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Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the Manager Statutory Planning.

- 3. The telecommunication infrastructure in its entirety being located within the boundary of the subject land.**