
Minutes of an ordinary meeting of the Development Support Special Committee held in the Council Chamber of the Administration Centre, 19 King Edward Street, Ulverstone on Monday, 19 February 2007 commencing at 4.00pm

Members attendance

Cr Mike Downie (Mayor)
Cr Warren Barker
Mrs Kathy Schaefer

Cr Brian Robertson (Deputy Mayor)
Cr Ken Haines

Members apology

Cr Tony van Rooyen

Employees attendance

Director Development Services (Mr Jeff McNamarra)
Land Use Planning Group Leader (Mr Shane Warren)
Town Planner (Ms Theresia Williams)

CONFIRMATION OF MINUTES OF THE COMMITTEE

13/2007 Confirmation of minutes

The Land Use Planning Group Leader reported as follows:

“The minutes of the previous meeting of the Development Support Special Committee held on 5 February 2007 have already been circulated. The minutes are required to be confirmed for their accuracy.

The *Local Government (Meeting Procedures) Regulations 2005* provide that in confirming the minutes of a meeting, debate is allowed only in respect of the accuracy of the minutes.”

- Cr Robertson moved and Cr Haines seconded, “That the minutes of the previous meeting of the Development Support Special Committee held on 5 February 2007 be confirmed.”

Carried unanimously

MAYOR’S COMMUNICATIONS

14/2007 Mayor’s communications

The Mayor reported as follows:

“Under the terms of appointments of the Development Support Special Committee, it acts in agreed circumstances as if it were the Council and, accordingly, as a planning authority under the *Land Use Planning and Approvals Act 1993*.

Members are reminded that the *Local Government (Meeting Procedures) Regulations 2005* provide that the general manager is to ensure that the reasons for a decision by a council acting as a planning authority are recorded in the minutes.

In the event that items listed for consideration are referred, under the terms of the Committee’s appointment, to the Council (e.g. any matter the Committee cannot determine unanimously), or if the Committee is unable to make a determination within the relevant statutory time limit, such items will be referred to a meeting of the Council for a decision.”

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- “Cr Haines moved and Cr Robertson seconded, “That the Mayor’s report be received.”

Carried unanimously

PECUNIARY INTEREST DECLARATIONS

15/2007 Pecuniary interest declarations

The Mayor reported as follows:

“Members are requested to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.”

The Land Use Planning Group Leader reported as follows:

“The *Local Government Act 1993* provides that a member must not participate at any meeting of a special committee in any discussion, nor vote on any matter, in respect of which the members has an interest or is aware or ought to be aware that a close associate has an interest.

Members are invited at this time to declare any interest they have on matters to be discussed at this meeting. If a declaration is impractical at this time, it is to be noted that a councillor must declare any interest in a matter before any discussion on that matter commences.

All interests declared will be recorded in the minutes at the commencement of the matter to which they relate.”

No interests were declared at this time.

ADJOURNMENT OF MEETING

16/2007 Adjournment of meeting

The Mayor reported as follows:

“In order to effectively consider the reports before this meeting of the Committee it is appropriate that I adjourn the meeting to enable the related documents to be workshopped prior to resumption of the meeting and formal resolution of the agenda items.”

The workshop having been concluded, the Mayor resumed the meeting.

DEPUTATIONS

17/2007 Deputations

The Director Development Services reported as follows:

“No requests for deputations to address the meeting or to make statements or deliver reports have been made.”

OPEN REPORTS

18/2007 Telecommunications Facility at 12 Quadrant, Ulverstone Application No. DEV2006.60

The Land Use Planning Group Leader reported as follows:

<i>“DEVELOPMENT APPLICATION No.:</i>	DEV2006.60
<i>APPLICANT:</i>	Ireneinc Planning obo Telstra
<i>OWNER:</i>	Central Coast Council
<i>LOCATION:</i>	12 Quadrant, Ulverstone
<i>ZONING:</i>	Business (BA) - Central
<i>PLANNING INSTRUMENT:</i>	Central Coast S.46 Planning Scheme No.1 of 1993 (the Scheme)
<i>ADVERTISED:</i>	4 January 2007
<i>REPRESENTATIONS EXPIRY DATE:</i>	23 January 2007
<i>REPRESENTATIONS RECEIVED:</i>	One
<i>42-DAY EXPIRY DATE:</i>	19 February 2007
<i>DECISION DUE:</i>	19 February 2007

PURPOSE

The purpose of this report is to consider the merits of a representation received to the above application and to discuss whether compliance with the Telecommunications Infrastructure Schedule of the Scheme has been achieved.

BACKGROUND

This report indicates the need for a telecommunication facility and some details on previous sites identified. One such site was the Telstra Exchange at 24 Victoria Street which the Council refused due to it not complying with the objectives and performance criteria of the Scheme as it related to telecommunication facilities.

DISCUSSION

To avoid extensive repetition the Planning Assessment prepared by the applicant is attached. This comprehensively details the proposal and judges its performance against the Telecommunications Schedule of the Scheme.

A copy of the application is attached as Annexure 1.

CONSULTATION

The application was subjected to the required 14-day public scrutiny process required by s.57 of the *Land Use Planning and Approvals Act 1993*. This requires advertising of the development by a notice on site and also by a notice placed once in a daily local newspaper. Correspondence to the adjoining owners inviting them to view the application was also undertaken.

The application as a matter of procedure was referred to the Council's Planning and Assessment Team. No extraordinary comments were received from the Planning and Assessment Team that cannot be included in the final determination of the application.

Representation

One representation was received during the public consultation period. This was from a resident of Clara Street, West Ulverstone.

The representation is attached as Annexure 2.

The issues raised in the objection and subsequent comments follow:

Point 1 - The transmitting wattage has not been stated.

Comments - (Extract from previous applications response to a 'clockstop' on this issue) 'Electro Magnetic Emission (EME) are taken very seriously by Telstra. Every base station that is planned goes through a thorough check to

ensure that the Australian Standard (AS) maximum power level cannot be exceeded in a public space’.

Point 2 - The town clock at the junction of Risby Street, Reibey Street and Alexandra Road could be used to avoid a further high tower in the vicinity.

Comment - The clock tower was not considered due to heritage issues.

Point 3 - The transmitting towers at Heazlewoods Hill could be utilised.

Comments - This site was investigated previously. It was determined to be too far from the CBD to be effective. The Heazlewoods Hill site is also too restricted and the existing tower would not support the additional weight of the antennas.

Point 4 - Other locations should be utilised as an alternative to the Quadrant site.

Comments - The following comments are extracted from a previous application and are general enough in nature to provide an adequate response.

‘A cellular network begins with a series of high sites that cover a large area. As these site’s capacity fill up additional sites are added to the network to take up the extra capacity. When a new base station is built within existing coverage it is called cell splitting. This is required for two reasons. Firstly the surrounding cells cannot have their capacity expanded any further. To be effective the new base station needs to be installed as near as possible to the area which the majority of the traffic is located.

The second reason is to improve depth of coverage. This describes the penetration of the mobiles’ signal into buildings. The coverage from base stations a kilometre away is consequently poor. In the case of Ulverstone the area was initially covered by a site at Sullocks Hill behind Penguin. Due to additional traffic a new base station was constricted at Kimberleys Road to the east of Ulverstone. This station is now almost full and due to Ulverstone being bracketed by base stations the next cellular step is to build a new base station near the greatest congregation of phone users. This is in the CBD between the two existing sites.’

IMPACT ON RESOURCES

This report has no impact on resources.

CORPORATE COMPLIANCE

The Central Coast Strategic Plan 2004-2009 includes the following objectives:

- Meet our statutory and regulatory obligations
- Plan for and develop a sustainable community
- Create a municipal area that is productive and socially and aesthetically attractive.

CONCLUSION

The telecommunication facility provides a benefit to the community who rely on cellular communication. The height of the pole is 20 metres less than the Scheme allows for and the co-location of the existing street light pole provides the Council with the opportunity to install a preferred floodlight in lieu of a standard streetlight.

Recommendation

It is recommended that the representation be deemed to have insufficient merit on planning grounds to justify refusal of the application and, on the basis that the proposal satisfies the telecommunication provisions of the Scheme, the application to develop a 20-metre high telecommunication facility at 12 Quadrant be approved subject to the following conditions:

- 1 The development is to be constructed and sited substantially in accordance with the submitted plans and associated documents that formed this application; and
- 2 Any infrastructure extensions required to service the development are to be at the developer's expense;

and further that the applicant be requested to note that:

- A a Building Permit is required for the proposed development; and
- B the developer is to contact the Council's Engineering Officer - Roads & Traffic regarding the type of street light and final position of the structure on site."

The Land Use Planning Group Leader reported as follows:

"Copies of the annexures referred to in the report have been circulated to all members."

■ Cr Haines moved and Cr Barker seconded, “That the representation be deemed to have insufficient merit on planning grounds to justify refusal of the application and, on the basis that the proposal satisfies the telecommunication provisions of the Central Coast S.46 Planning Scheme No. 1 of 1993, Application No. DEV2006.60 to develop a 20-metre high telecommunication facility at 12 Quadrant be approved subject to the following conditions:

- 1 The development is to be constructed and sited substantially in accordance with the submitted plans and associated documents that formed this application; and
- 2 Any infrastructure extensions required to service the development are to be at the developer’s expense;

and further that the applicant be requested to note that:

- A a Building Permit is required for the proposed development; and
- B the developer is to contact the Council’s Engineering Officer - Roads & Traffic regarding the type of street light and final position of the structure on site.”

Carried unanimously

Closure

There being no further business, the Mayor declared the meeting closed at 4.13pm.

CONFIRMED THIS DAY OF , 2007.

Chairperson

(jm:kaa)

QUALIFIED PERSON'S ADVICE

The *Local Government Act 1993* provides (in part) as follows:

. A general manager must ensure that any advice, information or recommendation given to the council is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

. A council is not to decide on any matter which requires the advice of a qualified person without considering such advice unless the general manager certifies in writing that such advice was obtained and taken into account in providing general advice to the council.

I therefore certify that with respect to all advice, information or recommendation provided to the Development Support Special Committee within these minutes:

(i) the advice, information or recommendation was given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and

(ii) where any advice was directly given by a person who did not have the required qualifications or experience that person has obtained and taken into account in that person's general advice the advice from an appropriately qualified or experienced person.

Katherine Schaefer
GENERAL MANAGER