

Our ref: Muirhead

11 June 2026



Development Consent Authority
Darwin Office
GPO Box 2520
DARWIN NT 0801

SAQ Consulting Pty Ltd
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To whom it may concern:

RE: Proposed telecommunications facility
28 Tambling Terrace, LYONS

I advise **SAQ Consulting Pty Ltd** acts on behalf of Waveconn Operations Pty Ltd ('Waveconn') in respect of this application.

Waveconn is a licenced carrier for the purposes of the *Telecommunications Act 1997 (Cth)* and operates as an infrastructure provider or 'neutral host', whereby new facilities are sited, designed, acquired, built and maintained by Waveconn but utilised by carriers - such as the mobile carriers - as part of their respective networks.

The proposal by Waveconn is to establish a telecommunications facility, in the form of a mobile telephone base station, at 28 Tambling Terrace, LYONS. Optus will utilise the proposed facility as part of its existing 4G and 5G network in Darwin.

The subject land is located within the *Organised Recreation Zone* pursuant to the Northern Territory Planning Scheme 2020 (NTPS) and is an impact-assessable form of development in accordance with the zoning table.

This letter constitutes a detailed planning statement as to the merits of the proposal to assist in the determination of the application.

Need for the Facility

The installation will improve access to 4G and 5G services on the Optus network to the surrounding area, which is primarily within the suburb of Lyons but improvements will also be provided to adjacent parts of Muirhead, Wanguri and Tiwi. The practical improvements for customers will include improved voice call quality, high speed broadband internet access, video calling and other data services, as well as significant improvements to indoor coverage availability.

Figure 1 below is an extract from www.rfnsa.com.au (a database showing all proposed and existing sites in Australia) showing the proposed facility (orange square) and existing telecommunication facilities within the wider area. The facilities circled in green are existing facilities where there is already Optus equipment.

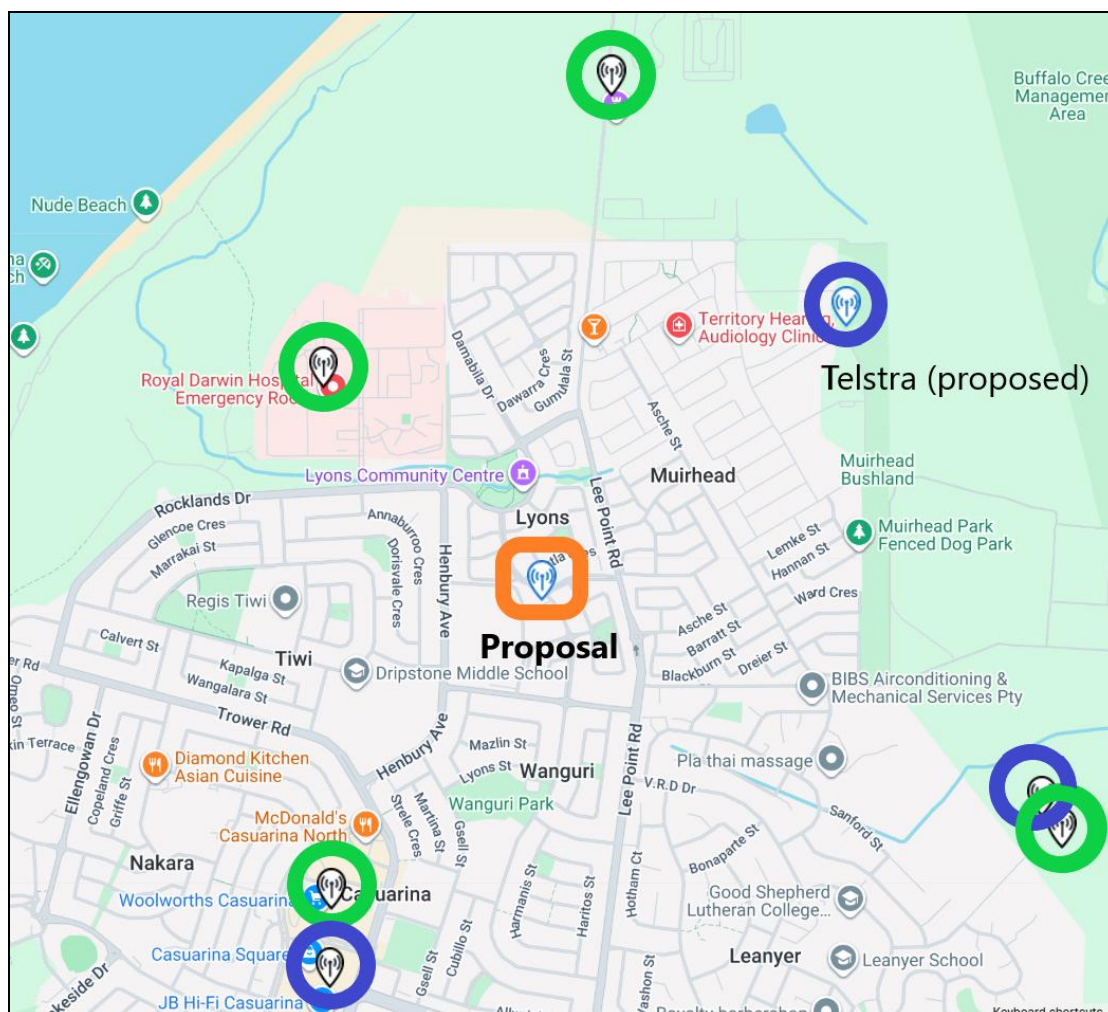


Figure 1: Proposed facility (orange square) and other telecommunications facilities in surrounding locality (Optus in green)

As can be seen, Optus has an existing presence at all four existing tower locations (noting that there are separate but proximate facilities at Leanyer and Casuarina), with distances from the proposed facility ranging from 1.1km (Royal Darwin Hospital) to more than 2kms (Leanyer).

As a general rule, at distances of more than about 1-1.2 kilometres between base-stations 4G services are unreliable with generally poor data performance and indoor service, particularly where there is dense tree cover. The situation is even more so for 5G services, which usually require a greater density of base-stations than 4G to perform effectively, allowing for much higher data speeds and greater network capacity (ability to serve more customers concurrently).

As such, there are no existing opportunities for collocation and the existing Optus facilities cannot be upgraded or augmented to cover the Lyons area, as they are too far away from the area being targeted for approval.

The only other telecommunications facility of relevance is a proposed Telstra facility on the north-eastern edge of Muirhead, about 1.5kms away. However, this too would be too far away to service the Lyons area.



As there are no collocation opportunities available in this instance and no existing suitably tall buildings in the area on which the proposed facility could be located, a new structure is therefore required.

The Proposal

The proposal is to establish a telecommunications facility at 28 Tambling Terrace, Lyons. The proposal will accommodate the requirements for the Optus 4G and 5G mobile network and will provide additional network coverage and capacity to surrounding area.

More particularly, the proposal consists of the following elements:

- a 30-metre tall monopole located in an 8m x 8m compound (total 64 sqm) on the northern side of the Tracy Village Social and Sports Club, near the Danimila Terrace frontage
- three (3) panel antennas, each 2.8m in length mounted to a new compact-style headframe on the top of the proposed monopole;
- a new Optus equipment cabinet (dimensions 2.32m H x 0.75m D x 1.5m L), connected to the monopole by a cable tray;
- Various ancillary infrastructure such as pits, cabling and other necessary connections; and
- 2.4m-high security fencing with double access gates.

All cables connecting to the antennas will be internal to the monopole, except where they exit the monopole to connect to the relevant antennas. The monopole does not have any provision to allow it to be climbed and will be specifically designed to allow for collocation to occur.

The proposed infrastructure will be in compliance with the ACMA EME regulatory arrangements. The facility will also comply with Australian government regulations in relation to emission of electromagnetic energy (EME), this specifically being Australian Standard Radiation Protection Series S-1 Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) in 2021.

Whilst not a relevant planning issue, it is worthy of note that the maximum levels of electromagnetic energy from the combined existing and proposed facility at 1.5m above the ground is estimated at **1.45%** of the exposure limits mandated by the Commonwealth Government. A copy of the standard form EME report is **attached**.

The location will be accessed by way of the existing cross-over and driveway arrangement from Danimila Terrace.

The location selected is currently unutilised and the proposal does not require the removal of any vegetation and does not impact on the normal operations of the land, or any adjoining land.

The Subject Land

The subject land is located on the northern side of Tambling Terrace and on the eastern side of Henbury Avenue at Lyons. The land also has frontages to Gulida Crescent, Danimila Terrace and Demda Circuit. An internal road also runs through the land connecting Henbury Avenue to Tambling Terrace. The land is formally known as Parcel 9775.

The subject land is a large landholding of 12.89 hectares and is primarily zoned *Organised Recreation* (with a narrow strip along Henbury Avenue zoned *Public Open Space*). The land is the site of four separate sporting areas including two ovals and an athletics area, as well as a separate baseball diamond, which includes eight (8) existing lighting towers. In the north-eastern part of the land is the Tracy Village Social and Sports Club and several carparking areas. The subject land and its layout are shown in the map extract in Figure 2 below.

The proposed facility will be located to the north-east of the social and sports club complex, near the Danimila Terrace frontage – which is essentially the building’s ‘back of house’. The proposed facility occupies an already cleared and utilised area, which takes advantage of existing tree cover, especially to the east and north.



Figure 2: Subject land with proposed facility location shown (red dot)

The Locality

The surrounding locality is almost entirely residential in nature, apart from a community services and school complex to the south-west, as shown generally in Figure 3 below.



Figure 3: Locality with subject land highlighted

There are no existing telecommunications facilities within the locality and the dwelling nearest the proposed facility are located about 50 metres away at the western end of Dulinda Terrace.

Assessment against the Planning Scheme

Section 51(1)(a) of the *Northern Territory Planning Act 1999* requires the Consent Authority, in considering a development application, to take into account any planning scheme that applies to the land to which the application relates.

The proposed facility, which is defined as a ‘telecommunications facility’ pursuant to Schedule 2 of the NT Planning Scheme, is located within the *Organised Recreation Zone*. Pursuant to the scheme’s zoning matrix, the proposed development is an impact-assessable form of development.

The proposal is also subject to assessment against the General Development Requirements as set out in Part 5 of the scheme. Clause 5.8.10 of the NTPS is a critical clause for the purpose of this development application as it relates solely to telecommunications facilities.



Organised Recreation Zone

The purpose of the *Organised Recreation Zone* is stated as:

Provide for the development of community and commercial facilities for organised recreation activities.

The proposed facility has been sited on the subject land in such a way it does not interfere with existing recreational activities on the land or the operations of the social club, nor does it occupy any land that would reasonably be needed for future recreation uses. As a non-residential zone, it is generally suitable for the proposed facility (particularly given the surrounding locality is almost entirely residential) and as such, the proposal does not negatively impact on the zone purpose.

The zone outcomes sought are:

1. *Development primarily for sport and recreation, leisure and recreation and community centre that cater for the organised active recreation needs of the community, including supporting infrastructure such as amenities blocks, outbuildings, spectator stands and lighting infrastructure.*
2. *Temporary or periodic uses, such as markets or outdoor entertainment events, that can be reasonably accommodated by the existing facilities and do not unduly impact on the amenity and character of the surrounding area.*
3. *Other development that is complimentary to and supports organised recreational activities, such as car park, club, food premises-restaurant and shop may also be established, where they do not compromise or conflict with the primary use of the land.*
4. *All development, including public infrastructure and outbuildings, is located, designed, operated and maintained to:*
 - a. *make a positive contribution to the locality by incorporating a high quality of built form and landscape design;*
 - b. *minimise unreasonable impacts to the amenity of surrounding premises and any residential land;*
 - c. *mitigate the potential for land use conflict with existing and intended surrounding development;*
 - d. *avoid adverse impacts on the local road network;*
 - e. *provides safe and convenient pedestrian and bicycle access within the development and strong connections to external transport networks;*
 - f. *avoid any adverse impacts on ecologically important areas; and*
 - g. *allow passive surveillance of public spaces.*
5. *Development that is not defined in Schedule 2 (Definitions) may occur only when assessment has determined that the development is appropriate in the zone, having regard to the purpose and outcomes of this zone and such matters as the location, nature, scale and intensity of the development.*

With respect to these outcomes, the following comments are made:

- The proposed facility does not detract from, compromise or conflict with the primary use of the land, including expansion of that use. The location selected (being 64sqm in total) is not utilised for anything in particular and can be accessed using existing arrangements from Danimila Terrace;
- The proposed facility requires sufficient height in order to operate effectively but has minimised its impact (and therefore any unreasonable impacts on amenity) through its location in amongst existing tree cover and through the use of a compact antenna headframe;
- Users of the recreation area and surrounds will directly benefit from the improved telecommunications services to be delivered by the proposed facility; and
- The proposal is properly defined as a 'telecommunications facility' which is defined in Schedule 2.

As such, the proposed development is generally consistent with the intent of the *Organised Recreation Zone* and is appropriately located, sited and designed on the subject land to enable it to provide telecommunications infrastructure to the surrounding suburb of Lyons, whilst minimising its impact to the extent it can. The type of structure proposed and its appearance are similar to many other similar facilities within the City of Darwin.

Part 5 – General Development Requirements

With respect to the General Development Requirements relevant to the proposal and the location, the following comments are made.

5.2.1 General Height Control

Telecommunications facilities are specifically exempted from height controls with the NTPS.

5.2.4 Vehicle Parking

There is no requirement for a dedicated parking space for a telecommunications facility, noting that once operational visits to the facility are very infrequent (perhaps 2-4 times per year).

5.2.6 Landscaping

Given the proposed facility is set behind existing vegetation which effectively screens the base and much of the monopole from the street, there is no utility in providing additional landscaping in this instance. It should be noted that no removal of existing vegetation is required.

5.8.10 Telecommunications Facility

This clause is the most relevant to the proposed development.

In its decision of November 2019, the Northern Territory Civil and Administrative Tribunal in *Telstra Corporation Limited and Development Consent Authority* (File No: 2021-00101-CT), stated at paragraphs 15 and 16 (having regard for Part 1 of the NTPS and in particular clause 1.11(2) and Schedule 3):

15. On my reading of Schedule 3, the exceptions exist to enable the provision of particular types of infrastructure and facilities. Telecommunications is one of those facilities. The effect of Schedule 3 is that nothing in the NTPS (other than clause



5.8.10 in certain circumstances) operates to prevent the construction of facilities for the transmission of telecommunications services.

16. Accordingly, clause 5.8.10 is, at the very least, the critical part of the NTPS to be taken into account in a consideration of the present application. In my view, if the development application complies with 5.8.10, other parts of the NTPS do not operate to prevent the development from proceeding.

It is noted that Schedule 3 has since had the reference to 5.8.10 (and therefore telecommunications facilities) removed, but the fact remains clause 5.8.10 is still the critical part of the NTPS when assessing such applications given zone provisions do not deal specifically or particularly well with such infrastructure.

The Tribunal also stated at paragraphs 19 and 21:

19. The scheme operates to enable and facilitate the development of telecommunications infrastructure. A critical component of the purpose of the clause is “facilitating the provision of telecommunications infrastructure to meet community needs.”

21. The NTPS is designed to enable facilities to be built to meet such community expectations and needs. The “requirements” in 5.8.10 that amenity impacts are “minimised” presupposes that there will be amenity impacts. The first limb of the “purpose” presupposes that the amenity impacts will be negative: they will “detract” from amenity. The criteria exists to ensure that the detrimental impact will not be unreasonable.

The above findings from the Tribunal (along with the balance of the decision) provide a clear way forward for the assessment of the subject proposal and in particular the application of clause 5.8.10, despite the changes to schedule 3.

The purpose of 5.8.10 states:

Ensure the development of a telecommunications facility does not unreasonably detract from the amenity of a locality whilst facilitating the provision of telecommunications infrastructure to meet community expectations and needs.

As noted above, the design and height of the proposed facility is typical for urban areas and similar to many other existing telecommunications facilities in suburban Darwin.

The location selected is set on unutilised land within a non-residential and benefits significantly from the screening provided by existing vegetation, particularly to the north and along the Danimila Terrace frontage, which assists in mitigating the impacts on the nearest dwellings. The antenna headframe is of a compact design and accommodates only three panel antennas, in recognition of the nearby residential interface.

The proposed facility is well placed to provide improved telecommunications in the area in line with community expectations as to the reliability and availability of mobile phone coverage and reception, including robust data connections and in-building service. As such, an appropriate balance has been struck between need for the facility and impacts on amenity in the locality. The proposal therefore meets the purpose of clause 5.8.10.



The administration section of clause 5.8.10(2) states:

1. *An application for a telecommunications facility is to include:*
 - a. *information demonstrating how the visual amenity impacts of a proposal have been minimised using visual communications methods such as photographic images; and*
 - b. *a statement and/or map indicating the extent to which the proposed facility addresses the network capacity for future demand and/or current gaps in service.*
2. *The consent authority may consent to a telecommunications facility that is not in accordance with sub-clause 5 if it is satisfied the facility does not unreasonably impact on the visual amenity of the public domain.*
3. *The consent authority may consent to a telecommunications facility that is not in accordance with sub-clause 6 if it is satisfied the facility is located and designed to be sympathetic to the heritage place and conserve its heritage value.*
4. *The consent authority may consent to a telecommunications facility that is not in accordance with sub-clauses 7 if it is satisfied the facility does not unreasonable impact on the visual amenity of adjoining residential uses or the public domain.*

As set out above, the siting and design of the facility enables it to minimise its visual impact on the locality and in particular the nearest residential uses, to the extent it can and direct impacts on dwellings and outdoor living areas will not occur to any unreasonable extent. The location selected does not interfere with any of the operations or activities on the subject land and existing access arrangements from Danimila Terrace will be utilised.

A set of four photomontages is attached showing the proposed facility as it is likely to appear from the surrounding residential area, noting there are various existing vertical elements throughout the locality including relatively bold street lighting structures and the tall lighting structures at the baseball diamond.

As such, it is considered that the proposed facility does not unreasonably impact on the visual amenity of the public domain. There are also no heritage matters for consideration and as set out above there is no utility in providing landscaping in this instance, as the ground equipment is already screened from the public domain and nearest residential uses by existing vegetation.

The requirements section of clause 5.8.10 states:

5. *A telecommunications facility is to:*
 - a. *use materials and colours that reduce its visual dominance in the landscape;*
 - b. *use non-reflective finishes;*
 - c. *be appropriately sited and located to minimise visual amenity impacts including impacts on surrounding residential uses and other sensitive land uses; and*
 - d. *avoid unreasonable impacts on significant view lines and/or vistas.*



6. *A telecommunications facility is not to be located on or adjoining a heritage place declared under the Heritage Act 2011.*
7. *Ground level equipment (i.e. mechanical plant, ancillary buildings and structures) is to be visually screened to the public domain and adjoining residential uses by landscaping or vegetation.*

With respect to these requirements, the following comments are made:

- The monopole, headframe and antennas can be painted/finished to ensure a consistent, low-reflective finish – a suitable grey (such as N53 blue-grey) is recommended in this setting;
- As set out above, the proposed facility is appropriately sited and designed to ensure there are no unreasonable visual impacts on the locality, including residential uses;
- There are no heritage issues associated with the subject land or any adjoining land; and
- The base of the facility (compound, ground equipment and bottom section of the monopole) are sited such that they are screened from the public domain and residential uses by existing vegetation and no additional landscaping is necessary in this instance.

Accordingly, it is considered the proposed facility demonstrates a high level of consistency with the outcomes desired by clause 5.8.10.

Other Parts of the Planning Scheme

The proposal is also generally in accordance with the following part of *Part 2 – Strategic Framework*:

1 *The Strategic Framework:*

*(d) **balances** the following considerations to inform strategic planning and decision making for development:*

i. the sustainable use of resources and the protection of the natural environment and ecological processes;

ii. the integration of land use planning with transport and physical infrastructure planning to provide for the equitable, accessible, logical and efficient provision of such services;

iii. the facilitation of industrial, business and other employment and wealth generating activities to promote, support and engender economic development;

iv. the promotion of diverse housing options and the integration of planning for community facilities and services to foster a more connected, resilient and supported society;

v. the recognition of the unique characteristics, challenges and aspirations in different areas and communities within the scheme area; and

vi. the protection of places and buildings, which are of heritage or cultural value.

(emphasis added)



The siting of the facility, which will provide improved efficiency for the delivery of telecommunications services to the surrounding area, has no impact on the operations or use of the recreational land and has balanced its impacts on residential uses with the utility of the service improvements to be delivered.

The Darwin Regional Land Use Plan 2015 is noted under s2.4(1), noting Lyons is not contained in any Area Plan or sub-regional plan. The Darwin Regional Land Use Plan does not make any specific mention of telecommunications, not even within the 'infrastructure' sub-section. However, there is a clear recognition of the need for essential services generally and as the proposed facility is located in an established active recreation area with no impacts on land supply for residential (or any other land use), there is little of application in the document.

As such, the proposed facility does not demonstrate any conflict with the Darwin Regional Land Use Plan 2015.

NT Planning Act 1999 - Section 46(3)

The application documentation, including this planning statement, complies with the relevant requirements of Section 46(3) of the *NT Planning Act 1999*, as set out below:

- (aa) all relevant details regarding the applicant and the landowner have been provided. These entities are also the parties between which the relevant tenure arrangements have been struck.
- (a) Contained in this planning statement
- (b) Not applicable
- (c) The application does not require referral to the NT EPA
- (d) Contained in this planning statement
- (e) Contained in this planning statement
- (f) Not applicable
- (g) The proposed facility requires only connection to electricity and fibre, which are both readily available in the area
- (h) Contained in this planning statement
- (i) Not used
- (j) Contained in this planning statement
- (ja) Not applicable
- (k) Not applicable
- (l) Not applicable



Conclusion

The proposed telecommunications facility at 28 Tambling Terrace, Lyons will provide significantly improved Optus 4G and new 5G coverage and network capacity to the suburb of Lyons and nearby areas.

The provision of a reliable service in this area is important for local residents, businesses and visitors to the area, which includes an extensive and well-patronised recreation area and social club. The improvements arising also directly benefit public safety and improved access to more robust wireless data services, which is important for local businesses and those working from home or remotely.

Having regard to the requirements of the existing network and the applicable policies within the NTPS, it is considered the proposal is appropriately located within the *Organised Recreation Zone* and has no impact on the operations of the social club or the use of the balance of the land for active recreational purposes.

Further, as required by clause 5.8.10, has demonstrated that the proposed facility has minimised its impact on amenity to the extent it can, has avoided any unreasonable impacts on nearby residential uses through siting and design, while still meeting community expectations and needs for telecommunications services, as is desired by the NTPS.

Accordingly, the proposal represents an orderly placement and development of what is now an essential piece of modern infrastructure envisaged by the NTPS and to that end the subject proposal warrants a planning permit.

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mark Baade', written over a light blue circular scribble.

MARK BAADE

B. Plan (Hons)

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Attached:

Proposal plans

EME report

Photomontages