
AGENDA - LPP

Meeting:	Georges River Local Planning Panel (LPP)
Date:	Thursday, 10 November 2022
Time:	4.00pm
Venue:	Blended Meeting Online and Georges River Civic Centre Corner Dora and MacMahon Streets, Hurstville
Participants:	Sue Francis (Chairperson) Michael Leavey (Expert Panel Member) Awais Piracha (Expert Panel Member) Erin Sellers (Community Representative)

1. On Site Inspections – Carried out by Panel Members prior to meeting
2. Opening
3. Consideration of Items and Verbal Submissions
LPP053-22 279 Rocky Point Road, Sans Souci (Report by Principal Planner)
LPP054-22 279 Rocky Point Road, Sans Souci (Report by Principal Planner)
4. Local Planning Panel Deliberations in Closed Session
5. Confirmation of Minutes

**REPORT TO GEORGES RIVER COUNCIL
LPP MEETING OF THURSDAY, 10 NOVEMBER 2022**

LPP053-22

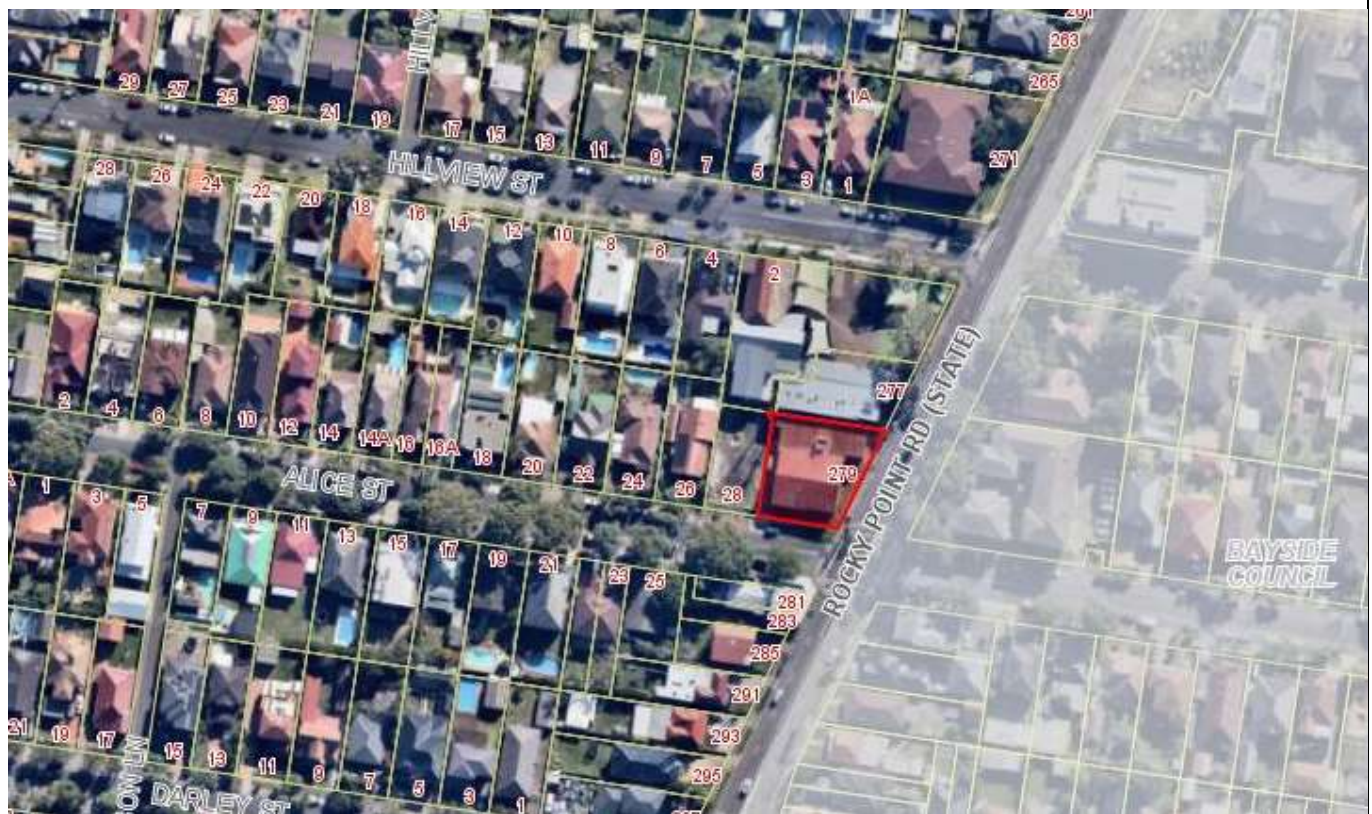
LPP Report No	LPP053-22	Development Application No	DA2022/0119
Site Address & Ward Locality	279 Rocky Point Road, Sans Souci Kogarah Bay Ward		
Proposed Development	Fit out and change of use to a community facility		
Owners	Exodus Youth Worx Incorporated		
Applicant	Avenue Planning Pty Ltd		
Planner/Architect	Avenue Planning Pty Ltd / iBIM		
Date Of Lodgement	14/04/2022		
Submissions	46 objections / One submission in support		
Cost of Works	\$181,500.00		
Local Planning Panel Criteria	Determination of the application by the Local Planning Panel is in the public interest.		
List of all relevant s.4.15 matters (formerly s79C(1)(a))	State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, Georges River Local Environmental Plan 2021, Georges River Development Control Plan 2021.		
List all documents submitted with this report for the Panel's consideration	Architectural Plans, Traffic and Parking Report, Statement of Environmental Effects, Waste Management Plan, Social Impact Comment, Plan of Management, Survey Plan and Submissions		
Report prepared by	Principal Planner		

Recommendation	That the application be approved subject to conditions of consent.
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Summary of matters for consideration under Section 4.15 Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report?	Yes

Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (under s7.24)?	Not Applicable
Conditions Have draft conditions been provided to the applicant for comment?	No, standard conditions have been attached with no design changes

Site Plan



Executive Summary Proposal

1. Development consent is sought for fit out and use of an existing building as a community facility, known as Exodos Youth Worx.
2. The building has previously been used as a Telstra exchange building and was recently sold to the applicant as it became surplus to the infrastructure requirements of Telstra.
3. The proposed fitout will provide administration and storage areas, meeting rooms, staff rooms and facilities, counselling spaces, a community meeting space, kitchen and meals area and bathroom facilities.

4. Building works include blocking two existing doors and one existing window, new concrete pavement areas in the front setback to Rocky Point Road and construction of a ramp, landing and stairs to improve pedestrian access to the building.
5. The facility will provide a range of services for the community including case management, addiction counselling (gambling, alcohol, social media), job readiness, bible study, and youth and seniors meeting groups.
6. The facility will operate Monday to Friday, from 9.00am to 9.30pm. The maximum number of staff on the premises at any time is 5 and the maximum number of patrons in any one group session is 14.
7. The typical timetable of activities each day comprises the following:

	9am-1pm	1pm-5pm	5pm-9.30pm
Monday			
Activities	Counselling Programs	Counselling Programs	Youth Program
Max. Staff	5	5	2
Max. Patrons	5	5	12
Tuesday			
Activities	Counselling Programs	Counselling Programs	Nil
Max. Staff	5	5	0
Max. Patrons	8	5	0
Wednesday			
Activities	Counselling Programs	Counselling Programs	Nil
Max. Staff	5	5	0
Max. Patrons	5	5	0
Thursday			
Activities	Counselling Programs	Counselling Programs	Youth Program
Max. Staff	5	5	2
Max. Patrons	10	5	14
Friday			
Activities	Counselling Programs	Counselling Programs	Nil
Max. Staff	5	5	0
Max. Patrons	5	5	0

Site and Locality

8. The subject site is located on the corner of Alice Street and Rocky Point Road. The legal description of the site is Lot 2 in DP1200052, and the site is known as 279 Rocky Point Road, Sans Souci.
9. The site has a frontage to Rocky Point Road of 32.545m and a frontage to Alice Street of 24.255m giving a total site area of 905sqm. Vehicular access to the site is via a driveway from Alice Street.

10. The site is burdened and benefitted by a number of easements in relation to the telecommunications facilities on the site and access to them.
11. The site is occupied by a vacant single storey building, which was previously used as a Telstra exchange building. Two Telstra telecommunication poles, at a height of 11m each, are situated in the north-eastern corner of the site. A separate Development Application (DA2022/0215) has been submitted and is under assessment, for replacement of the two existing poles with one 25m telecommunications tower.
12. The site is located in an area characterised by dwelling houses to the south and west, a primary school to the north, residential flat development to the east, on the opposite side of Rocky Point Road, and a small shop-top housing development on the opposite corner of Alice Street.

Zoning and Permissibility

13. The site is zoned SP2 Telecommunications Facilities under the provisions of Georges River Local Environmental Plan 2021 (GRLEP 2021). Health service facilities are permitted with consent.

Georges River Development Control Plan 2021

14. The provisions of Georges River Development Control Plan 2021 are applicable to the proposed development. A detailed assessment of the proposal against the relevant controls is provided later in this report.

Submissions

15. 47 submissions were received. The concerns raised include, but are not limited to, alleged safety risks for residents and school children from people attending the facility, traffic and parking concerns, waste management and hours of operation. These are considered later in this report.

Reason for Referral to the Local Planning Panel

16. This application is referred to the Georges River Local Planning Panel for determination as a large number of submissions were received objecting to the proposed use and it is in the public interest to have the application determined by the Panel.

Conclusion

17. Having regard to the matters for consideration under section 4.15(1) of the Environmental Planning and Assessment Act 1979 and following a detailed assessment, the proposed Development Application (DA2022/0119) is recommended for approval subject to conditions of consent.

Report in Full

Proposal

18. Development consent is sought for fit out and use of an existing building as a community facility.
19. The building has previously been used as a Telstra exchange building and was recently sold to the applicant as it became surplus to the infrastructure requirements of Telstra.

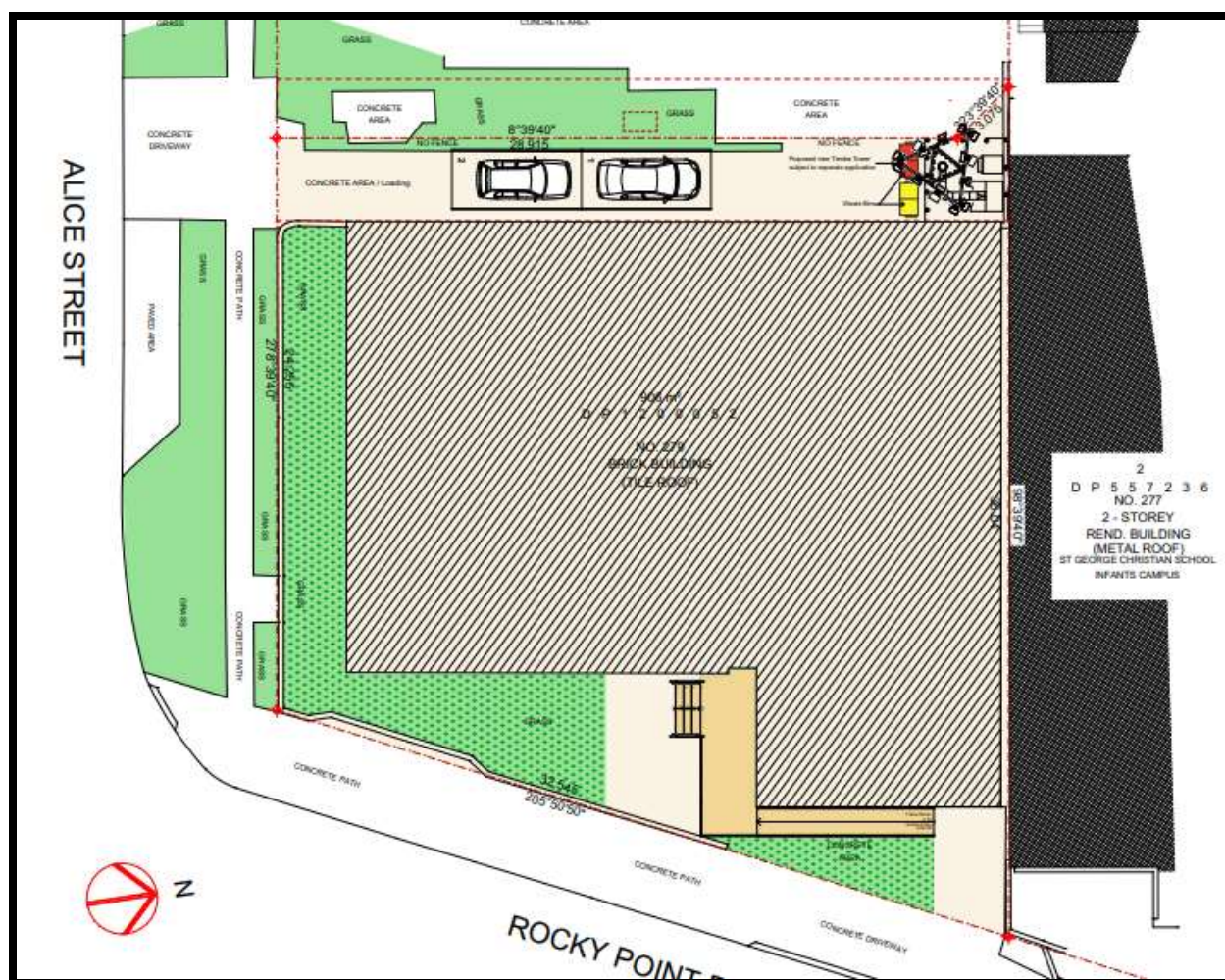


Figure 1: Site Plan

20. The proposed fitout will provide administration and storage areas, meeting rooms, staff rooms and facilities, counselling spaces, a community meeting space, kitchen and meals area and bathroom facilities.
21. Building works include blocking two existing doors and one existing window, new concrete pavement areas in the front setback to Rocky Point Road and construction of a ramp, landing and stairs to improve pedestrian access to the building.
22. The proprietor of the facility is known as Exodus Youth Worx and currently operate at a location in Rockdale. The facility will provide a range of services for the community including case management, addiction counselling (gambling, alcohol, social media), job readiness, bible study, youth and seniors meeting groups.
23. A Social Impact Comment has been submitted by the applicant which provides further detail on the services to be provided at the centre. This has been provided to the Panel under separate cover and, upon its receipt in July 2022 along with further additional information requested of the applicant during the assessment process, was made available on Council's DA Tracker website.
24. The facility will operate Monday to Friday, from 9.00am to 9.30pm. The maximum number of staff on the premises at any time is 5 and the maximum number of patrons in any one group session is 14.
25. Parking is provided on site for two staff vehicles.

26. The typical timetable of activities each day comprises the following (noting this timetable is typical only and programs may change from time to time):

	9am-1pm	1pm-5pm	5pm-9.30pm
Monday			
Activities	Counselling Programs	Counselling Programs	Youth Program
Max. Staff	5	5	2
Max. Patrons	5	5	12
Tuesday			
Activities	Counselling Programs	Counselling Programs	Nil
Max. Staff	5	5	0
Max. Patrons	8	5	0
Wednesday			
Activities	Counselling Programs	Counselling Programs	Nil
Max. Staff	5	5	0
Max. Patrons	5	5	0
Thursday			
Activities	Counselling Programs	Counselling Programs	Youth Program
Max. Staff	5	5	2
Max. Patrons	10	5	14
Friday			
Activities	Counselling Programs	Counselling Programs	Nil
Max. Staff	5	5	0
Max. Patrons	5	5	0

27. The scope of services to be provided at the facility include:
- Case Management to assist clients with identifying their strengths and areas for personal growth including education, employment, health, emotional and behavioural wellbeing, social and living skills, finances and legal issues.
 - Counselling for depression, anxiety, addiction (gambling, alcohol, social media) relationships and family therapy.
 - Assistance finding accommodation.
 - Job readiness programs.
 - Community Connect Meeting for youth to meet and discuss topical issues.
 - Bible Study group with 10 members.
28. A Plan of Management has been submitted, and is attached to this report, which details the services provided, operational details including hours of operation, typical timetable of activities, deliveries, waste and parking, a complaints management and handling system and measures to mitigate impacts on neighbouring properties . An extract of the Applicant's Plan of Management is provided below:

4.1 Client Profile and Community Risks

The clientele who rely on the services of Exodus are normal people that live in the immediate area that are undergoing some form of struggle or need for social intervention by the centre. This centre is not set up to attract anti-social behaviour or members of the community who pose a threat to the surrounding area.

The centre has operated for 21 years without the need of Police Intervention or security as clients are normal members of the community who find themselves needing support in the form of counselling, life coaching and advice, job readiness, accommodation assistance etc.

Given the existing clientele serviced by Exodus, the use of the premise at 279 Rocky Point Road, Sans Souci will not attract any activity or patrons other than existing community members of the area that rely on the services provided.

In light of the existing clientele services by Exodus and the very fact that such people are community members that pose no material health and safety risks, the likelihood of adverse impacts on the social fabric of the area is extremely low. In fact, the centre has been established to potentially assist with the needs of immediately surrounding residents should they find themselves in a vulnerable situation.

4.2 Qualified Staff and Security

Mitigation measures to be employed by the centre to safeguard the surrounding residents from adverse social impacts include the following:

- The site will be occupied and managed by experienced social workers that are trained in managing and assisting vulnerable community members; and
- The centre is not established to attract violent persons or persons that would pose an immediate impact on the safety of surrounding residents. Should such clients seek assistance from the Centre, staff will ensure that such community members are attended to offsite in a safe and alternative location;
- Management and staff will take all reasonable steps to control the behaviour of patrons of the premises whilst at, and when they enter and leave the premises. This includes discouraging anti-social behaviour, the use of offensive music and minimising the congregation of groups of people at the frontage of the premises.

Additional Measures to Mitigate Impacts

The only impacts posed to surrounding residents would be as a result of the operational impacts of the community centre. As noted above, the clientele

attracted to the centre are not of antisocial or violent backgrounds, they are simply vulnerable families and people who live in the local community.

The measures to mitigate impacts are identified in the accompanying Town Planning Report and would be typical measures applied to any commercial activity that would occupy the premise. Such measures include the following:

- **Hours of Operation** – no operation on weekends and public holidays. Weekday operating hours are modest and will not impact on the amenity of neighbours;
- **Internalised Premises** – the existing premise offers various internal spaces that allow for the delivery of the identified services. The centre does not contain any external space that will be used for outdoor games or activities that would generate noise and impacts;
- **Amplified Music / Noise Impacts** – There will be no amplified music beyond that of standard background noise used at and within the premise. Staff will be made aware of the need to minimize noise generation and to encourage noise minimization to patrons.
- **Consumption of Drugs, Alcohol and Smoking** – The consumption of drugs, alcohol and smoking cigarettes is strictly prohibited at the premise at all times.
- **Cleaning** – All internal and external spaces will be regularly cleaned (daily or as is necessary) and presented in a tidy manner.
- **Public Transport Awareness** - All staff will be trained on the nearest light rail stop, buses stops, taxi pick up zone to enable staff to respond to patron questions on public transport.

Site and Locality

29. The subject site is located on the corner of Alice Street and Rocky Point Road. The legal description of the site is Lot 2 in DP1200052, and is known as 279 Rocky Point Road, Sans Souci.
30. The site has a frontage to Rocky Point Road is 32.545m and a frontage to Alice Street of 24.255m giving a total site area of 905sqm. Vehicular access to the site is via a driveway from Alice Street.
31. The site is burdened and benefitted by a number of easements in relation to the telecommunications facilities on the site and access to them.
32. Situated on the site is a vacant single storey building, which was previously used as a Telstra exchange building. Two Telstra telecommunication poles, at a height of 11m each, are situated in the north-eastern corner of the site. A separate Development Application (DA2022/0215) has been submitted and is under assessment, for replacement of the two existing poles with one 25m telecommunications tower.

33. The site is located in an area characterised by dwelling houses to the south and west, a school to the north, residential flat development to the east on the opposite side of Rocky Point Road and a small shoptop housing development on the opposite corner of Alice Street.

Background

34. The application was lodged on 14 April 2022.
35. The building on the site has previously been used as a Telstra exchange building and the land was recently sold to the current owner as it became surplus to the infrastructure requirements of Telstra.
36. A separate Development Application (DA2022/0215) has been submitted and is under assessment, for replacement of the two existing poles with one 25m telecommunications tower.



Figure 2: View of the site from Rocky Point Road



Figure 3: View of the site from Alice Street



Figure 4: Adjacent site to the west at No. 28 Alice Street (vacant)



Figure 5: Adjacent school to the north at No. 277 Rocky Point Road



Figure 6: Development on the opposite corner of Alice Street and Rocky Point Road

Compliance and Assessment

37. The development has been assessed having regard to Matters for Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policies (SEPPS)

38. Compliance with the relevant State Environmental Planning Policies is summarised in the following table and discussed in further detail below.

State Environmental Planning Policy Title	Complies
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes

LPP053-22

State Environmental Planning Policy (Biodiversity and Conservation) 2021

39. The relevant parts of the above Policy that apply to this application are Chapter 2 – Vegetation in non-rural areas, and Chapter 11 – Georges River Catchment.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

40. The relevant parts of the above Policy that apply to this application are Chapter 2 – Vegetation in non-rural areas, and Chapter 11 – Georges River Catchment.

Chapter 2 - Vegetation in Non-Rural Areas

41. Chapter 2 aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.
42. This chapter applies to clearing of:
- Native vegetation above the Biodiversity Offset Scheme (BOS) threshold where a proponent will require an approval from the Native Vegetation Panel established under the Local Land Services Amendment Act 2016; and*
 - Vegetation below the BOS threshold where a proponent will require a permit from Council if that vegetation is identified in the council's development control plan (Development Control Plan).*
43. No vegetation is impacted by the proposal.

Chapter 11 – Georges River Catchment

44. The primary relevant aims and objectives of this plan are:
- to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
 - to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
 - to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,*
 - to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,*
45. The proposal is for a fit-out and use and as such the existing stormwater management system will remain in place without alteration.
46. The proposal is consistent with the objectives and purpose of Chapter 11 of the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021

47. Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 is relevant to the proposal.
48. Chapter 4 aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.
49. Clause 4.6 requires contamination and remediation to be considered in determining a DA. The consent authority must not consent to the carrying out of development on land unless it has considered whether or not the land is contaminated.
50. A review of historic aerial photography indicates that the site has historically been used as a telecommunications facility. The proposal does not include residential development.

State Environmental Planning Policy (Transport and Infrastructure) 2021

51. Compliance with SEPP (Transport and Infrastructure) 2021 has been considered.
52. Ausgrid was consulted as required by Chapter 2. No objection was raised and no conditions required.
53. Transport for NSW was consulted in accordance with Clause 2.118 of the SEPP. No objection was raised subject to conditions being imposed in relation to the removal of the redundant driveway crossing on Rocky Point Road. These conditions are included in the recommended conditions at the end of this report.

Georges River Local Environmental Plan 2021

54. The subject site is zoned SP2- Telecommunications Facilities under the provisions of the Georges River Local Environmental Plan 2021. Refer to zoning map below:

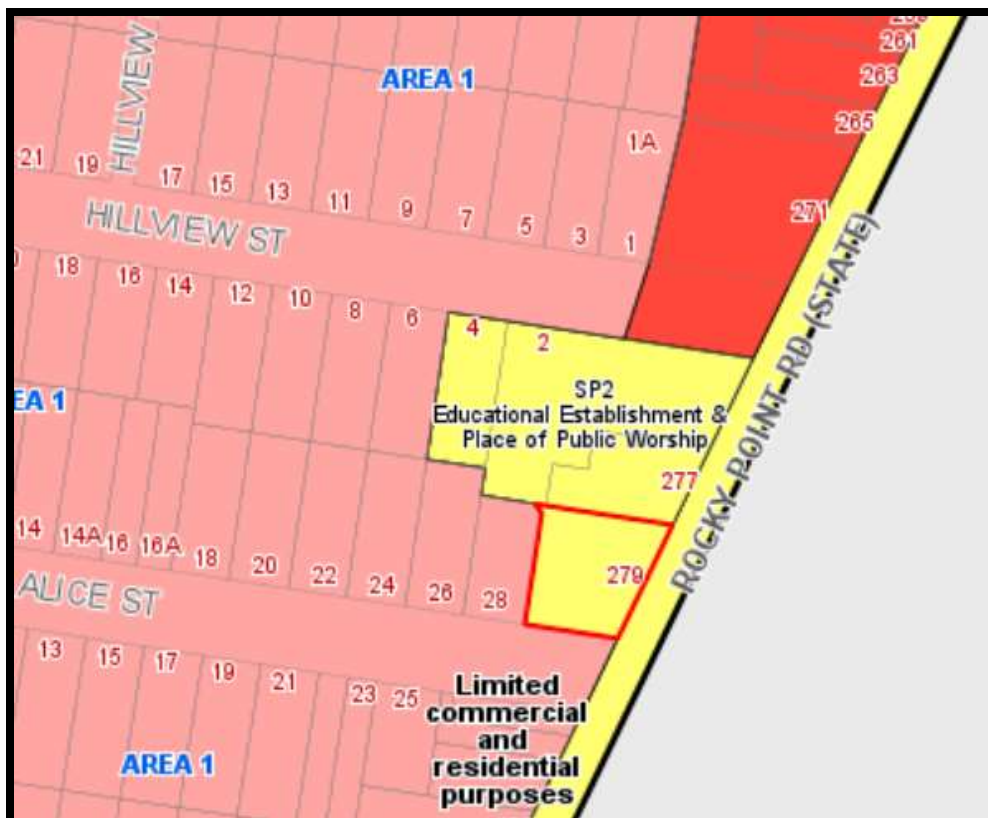


Figure 7: Zoning map (GRLEP 2021) – site edged red

55. The objectives of the zone are as follows:
- *To provide for infrastructure and related uses.*
 - *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
 - *To protect and provide for land used for community purposes and public infrastructure.*
56. The proposal involves the fitout and use of the building as a community facility, which is defined as:
- community facility** means a building or place—
- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*
57. The proposal being a community facility is permitted in the zone. The proposal generally satisfies the objectives of the zone.
58. The extent to which the proposed development complies with the Georges River Local Environmental Plan 2021 (GRLEP 2021) is detailed and discussed in the table below.

Clause	Standard	Proposed	Complies
Part 1 – Preliminary			
1.2 – Aims of the Plan	In accordance with Clause 1.2 (2)	The development is consistent with the aims of the plan.	Yes
1.4 - Definitions	community facility means a building or place— (a) <i>owned or controlled by a public authority or non-profit community organisation, and</i> (b) <i>used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.</i>	The proposed development is consistent with the definition.	Yes
Part 2 - Permitted or prohibited development			
2.3 - Zone objectives and Land Use Table	Meets objectives of SP2 Zone.	The proposal meets all objectives.	Yes
	Development must be permissible with consent	The proposal is permissible with development consent.	Yes

Clause	Standard	Proposed	Complies
Part 4 - Principal Development Standards			
4.3 – Height of Buildings	No height standard.	N/A	NA
4.4 – Floor Space Ratio	No FSR standard.	N/A	NA
Part 5 - Miscellaneous Provisions			
5.10 – Heritage conservation	In accordance with Clause 5.10 (2)	The site is not a heritage item and not located within the vicinity of any heritage items. Site is not in a heritage conservation area.	NA
5.11 – Bush Fire Hazard Reduction	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent.	The subject land is not within a bush fire prone area.	NA
Part 6 - Additional Local Provisions			
6.1 – Acid sulfate soils	<p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <p>Class 5: Works within 100 metres of adjacent Class 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 2, 3 or 4 land.</p>	The land is classified as Class 5 and is not within 100m of Class 2, 3 or 4 land. No excavation is proposed as part of the development.	Yes
6.2 – Earthworks	<p>(2) Development consent is required for earthworks unless—</p> <p>(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks are</p>	No earthworks are proposed.	Yes

Clause	Standard	Proposed	Complies
	ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.		
6.3 – Stormwater Management	<p>(2) In deciding whether to grant development consent for development, the consent authority must be satisfied that the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater detention or retention to minimise stormwater runoff volumes and reduce the development's reliance on mains water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland, receiving waters and the downstream stormwater system or, if the impact cannot be reasonably avoided, minimises and mitigates the impact, and</p> <p>(d) is designed to minimise the impact on public drainage systems.</p>	No change to existing stormwater management on the site.	Yes
6.9 - Essential services	Development consent must not be granted to development unless the consent authority is	No change to existing.	Yes

Clause	Standard	Proposed	Complies
	satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the supply of telecommunications facilities, (d) the disposal and management of sewage, (e) stormwater drainage or on-site conservation, (f) suitable vehicular access.		

LPP053-22

Georges River Development Control Plan 2021

59. The proposed development is subject to the provisions of the Georges River Development Control Plan 2021. The following comments are made with respect to the proposal considering the objectives and controls contained within the DCP.

Part 3 – General Planning Considerations

Control	Proposal	Compliance
3.2.1 Trees and Vegetation	Applicable	
Development is to comply with the provisions of the relevant SEPP's and Council's Tree Management Policy.	No impacts on vegetation.	Yes
3.3 Landscaping	Applicable	
Landscaping on site should be incorporated into the site planning of a development to (where appropriate): i. Reinforce the desired future character of the locality; ii. Maintain significant landscape features; iii. Be consistent with any dominant species in the adjoining area of ecological significance; iv. Incorporate fire resistant species in areas susceptible to bushfire hazard; v. Provide planting within setback zones; vi. Soften the visual impact of	There is currently no landscaping on the site, other than a grassed area along the frontage to Rocky Point Road. New turf is to be laid in this area as part of the development. The adjacent site to the west is covered in concrete slabs and the school to the north has buildings directly adjacent to the shared boundary with the site.	Yes

<ul style="list-style-type: none"> vii. buildings, carpark and roads; viii. Cater for outdoor recreation areas; ix. Separate conflicting uses; x. Screen undesirable elements; xi. Provide opportunities for on-site stormwater infiltration, in particular around existing trees and vegetation; xii. Consider the future maintenance requirements of landscaped areas; xiii. Protect the effective functioning of overhead, surface level or underground utilities; and xiv. Improve the aesthetic quality of the development. 		
Landscape planting should achieve a mature height in scale with the structures on the site.	No change to existing.	Yes
Where landscaping is required, this should incorporate locally indigenous plants listed in the GRDCP 2021 Backyard Biodiversity Guide and Council's Tree Management Policy.	No change to existing.	Yes
3.5 Earthworks	Applicable	
Natural ground level should be maintained within 900mm of a side or rear boundary.	No alteration to natural ground level is proposed.	Yes
Cut and fill should not alter natural or existing ground levels by more than 1m	No excavation is proposed.	Yes
Habitable Rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.	N/A	N/A
Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.	N/A	N/A
Development is to be located so that the clearing of vegetation is avoided.	There is no vegetation on site.	N/A
Cut and fill within a tree protection zone of a tree on the development site or adjoining land must be undertaken in accordance with AS4970 (protection of trees on development sites).	N/A	N/A
Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.	N/A	N/A
Earthworks are not to increase or concentrate overland stormwater flow or aggravating existing flood conditions on	N/A	N/A

adjacent land.		
Fill material must be virgin excavated natural material (VENM)	N/A	N/A
For flood affected sites, cut and fill is to comply with the requirements of Chapter 6 of Council's Stormwater Management Policy	N/A	N/A
3.5.2 Construction Management/Erosion and Sediment Control		
<p>Development must minimise any soil loss from the site to reduce impacts of sedimentation on waterways through the use of the following:</p> <ul style="list-style-type: none"> - Sediment fencing; - Water diversion; - Single entry/exit points - Filtration materials such as straw bales and turf strips. <p>Development that involves site disturbance is to provide an erosion and sediment control plan which details the proposed method of soil management and its implementation. Such measures are to be in accordance with The Blue Book – Managing Urban Stormwater, Soils & Construction by LandCom</p>	Conditions recommended in this regard.	Conditions
Development is to minimise site disturbance including impacts on vegetation and significant trees and the need for cut and fill.	No excavation is proposed.	Yes
Development which has a high potential risk to groundwater must submit a geotechnical report to address how possible impacts on groundwater are minimised.	N/A	N/A
3.10 Water Management	Applicable	
<p>Stormwater Management</p> <p>(a) Development must comply with Council's Stormwater Management Policy.</p> <p>(b) Water Sensitive Urban Design (WSUD) principles are to be incorporated into the design of stormwater drainage, on-site retention and detention, landscaping and within the overall design of the development.</p>	No change to the existing stormwater management system.	Yes
<p>Flood Risk Management</p> <p>(a) Development must comply with the</p>	N/A	N/A

Flooding and Overland Flow Section of Council's Stormwater Management Policy in conjunction with the NSW Government's Floodplain Development Manual 2005.		
Water Quality (a) Measures to control pollutants in stormwater discharge from development sites are to be included in any development. (b) Runoff entering directly to waterways or bushland is to be treated to reduce erosion and sedimentation, nutrient and seed dispersal.	N/A	N/A
3.12 Waste Management	Applicable	
Development must comply with Appendix 4 of the DCP.	The proposal complies with this document.	Yes
3.13 Parking Access and Transport	Applicable	
Community Facilities; information and education facilities; public administration building: Identify car parking demand through a Transport and Parking Assessment Study based on a survey of similar developments.	2 staff spaces provided. A Traffic and Parking Impact Assessment Report was submitted with the DA and has been reviewed by Council's Senior Traffic Engineer.	Yes – refer to discussion below.

Discussion on car parking

60. Two staff parking spaces are provided on the site. The two spaces are located on the site however within an easement for access to the telecommunication facility in the north-western corner of the site.
61. The DA for the replacement of the existing telecommunication poles is also on the agenda of the meeting of the LPP of 10 November 2022, the same agenda as this report.
62. The Statement of Environmental Effects for that DA states that the facility is unmanned and operated remotely and as such parking is not required, and in relation to maintenance states:

“The proposed telecommunications facility is self-contained and operates on a continuous un-staffed basis. Once operational, and integrated with the Telstra mobile network, the facility typically requires only infrequent maintenance inspections which are on average between 2 -4 times per year.

There may be periods when maintenance operations are undertaken on a more frequent basis, such as during network optimisation however, this would not be for a prolonged period. Maintenance vehicles are usually utility vehicles. To ensure there is no interruption with traffic flow on site, maintenance vehicles will be parked on Alice Street.”

63. A Traffic and Parking Impact Assessment Report was submitted with the DA and has been reviewed by Council's Senior Traffic Engineer who provided the following comments:

The TPIA provides an assessment of the likely on street parking demand utilizing a survey of the demand associated with the similar Exodus Youth Worx facility at Rockdale.

The report indicates the highest demand for on street parking occurs as follows:

1. *Thursday from 9am-1pm when there are estimated to be (11) vehicles (8 attendees and 3 staff).*
2. *Tuesdays from 9am-1pm when there are estimated to be nine (9) vehicles (6 attendees and 3 staff).*

The weekday car parking occupancy survey shows that in general there is available parking in relatively close proximity to the site.

Alice Street is likely to be the preferred street for parking at the above times having regard to the western side of Rocky Point Road being a clearway from 6am and 10am and part of Hillview Street on its south side being the subject of a school drop off zone from 8am-9.30am.

It is considered the increased parking demand during these highest parking demand times will not have a detrimental impact on residents of Alice and other streets. On street parking demand for the facility in the evenings from 5pm-9pm is lower and unlikely to impact residents seeking parking at the end of the day both at and in the vicinity of their homes.

Traffic movements generated by the facility will have a minimal impact on traffic flow in streets and intersections in the vicinity.

RECOMMENDATION

It is recommended the application be approved subject to the following:

Construction vehicle and pedestrian plan of management

Prior to the issuing of a Construction Certificate, a Construction Vehicle and Pedestrian Plan of Management (CVPPM) shall be submitted to Council for the approval of Council's Senior Traffic and Parking Assessment Officer. The CVPPM shall detail, but not be limited to, details of the following:

- (a) *The routes to be taken by trucks in the Georges River Council area when travelling to and from the site.*
- (b) *The maximum truck size proposed during the various stages of development.*
- (c) *The approved hours of construction.*
- (d) *The location and length of any proposed Works Zones.*

NOTE: *The installation of Works Zones and any associated changes to existing parking control signs and Council infrastructure to implement the zones requires the prior approval of the Georges River Council Traffic Committee.*

- (e) *Any changes to on street parking at and near the site during the various stages of development including during and outside the approved hours of construction.*
- (f) *Any changes proposed to the movements of pedestrians and/or cyclists past the site both during and outside the approved hours of construction.*

A copy of the approved CVPPM must be kept at the site and made available to the Principal Certifying Authority or Council on request:

Worksite traffic and pedestrian control

Traffic and pedestrian control shall be in accordance with TfNSW 'Traffic Control at Works Sites- Technical Manual' version 6.1.

Marking of parking spaces and certification

Prior to the issue of an Occupation Certificate, all parking spaces shall be clearly designated and linemarked to comply with AS1742, Manual of uniform Traffic Control Devices.

Documentation from a suitably qualified and experienced Traffic Engineering consultant shall be submitted to the Principal Certifying Authority certifying the carparking spaces have been marked in accordance with the approved plans and the above Australian Standard.

Delivery of goods

Loading and unloading of vehicles and delivery of goods to the building are to be carried out fully within the confines of the site.

Paving - Car Spaces 1 and 2

Car spaces 1 and 2 and associated driveway within the site shall have a paved width catering for the suitable access, parking and door opening of the B99 Australian Standard Design vehicle.

Prior to issue of the Construction Certificate, documentation prepared by a suitably qualified and experienced Traffic Engineering professional shall be submitted to the Principal Certifying Authority for approval confirming the width of paving required. Any new paving necessary to meet the required width and withstand imposed wheel loadings shall be carried out prior to the issue of the Occupation Certificate.

Driveway grated drain-Alice Street boundary

A 200mm wide grated drain shall be installed on the driveway within the site at the Alice Street boundary to catch runoff waters and convey it via a sealed pipeline to Council's gutter.

Details of the grated drain and pipeline shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate and installed prior to the issue of the Occupation Certificate.

NOTE: *The connection of the pipeline to the kerb shall comply with Council's design standard for roll kerbing.*

64. The recommended conditions have been included in the conditions of consent at the end of this report.

3.15 Public Domain	Applicable		
Public domain should be improved by new street plantings and footpath improvements	N/A		N/A
3.18 Advertising and Signage	The existing Telstra		N/A

	signage will be removed. Future signage will be a matter for a separate application.	
3.19 Crime Prevention/Safety and Security	Applicable	
Surveillance 1. Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space.	The internal spaces of the building have windows to both street frontages.	Yes
2. In commercial, retail or public buildings, facilities such as toilets and parents rooms are to be conveniently located and designed to maximise casual surveillance to facility entries.	The bathrooms are located adjacent to the administration and office spaces.	Yes
3. Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment.	There are no external areas with the potential for concealment or entrapment.	Yes
4. Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development. Where practicable lift lobbies, stairwells, hallways and corridors should be visible from the public domain.	The single public entry point is defined by a ramp, landing stairs and paving.	Yes
5. Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night.	The main entry to the building is visible from the reception area and community meeting space.	Yes
6. Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.	Staff parking is directly adjacent to the staff entry of the building.	Yes
Access Control 7. Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.	NA	NA
8. Development should comprise elements that contribute to effective access control by creating: i Landscapes and physical locations that	There are no public spaces	NA

channel and group people into public areas; ii Public spaces that attract, rather than discourage people from gathering; and iii Restricted access to high crime risk areas such as car parks and other rarely visited areas.	proposed on site. There are no public spaces proposed on site. The parking area is clearly visible from Alice Street and there are no other spaces on site that would be rarely visited.	NA Yes
9. Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.	The building does not include such features.	Yes
Territorial Reinforcement 10. Development should incorporate design elements that contribute to the creation of a sense of community ownership of public spaces by: i Encouraging people to gather in public spaces and feel some responsibility for its use and condition; ii Clearly defining transitions and boundaries between public and private spaces; and iii Clearly defining the use of public spaces.	 NA – no public places proposed on site. The private and public areas are defined through landscaping and fencing. NA – no public places proposed on site.	 NA Yes NA
3.20 Noise and Vibration	Applicable	
Road and Rail Corridors Development to comply with the relevant Transport and Infrastructure SEPP requirements.	Yes – refer to SEPP assessment earlier in this report.	Yes
Noise Generating Development 1. Development should be sited and designed so that noise is kept to a minimum and does not create offensive noise as defined by the Protection of the Environment Operations Act 1997.	The use of the building as a community facility will not generate offensive noise. Group activities are limited to a maximum of 14 people and 5 staff at any time.	Yes
2. Noise generating developments should be accompanied by an acoustic report that demonstrates the development is sited and designed to: i. Minimise the effect of noise and vibration on surrounding sensitive landuses; and ii. Comply with relevant State Government and Council guidelines.	The proposal is not considered to be a noise generating development. The use of the building as a community facility will not generate offensive noise. Group activities are limited	Yes

	<p>to a maximum of 14 people and 5 staff at any time.</p> <p>Conditions of consent have been recommended to require compliance with relevant noise standards.</p>	
<p>3. The location and design of noise generating activities, such as loading and unloading areas, garbage collection areas, driveways, parking areas, active recreation areas, air conditioning or mechanical plants, should be sited away from adjacent sensitive landuses and/or screened by walls or other acoustic treatments.</p>	<p>The parking area is located adjacent to a vacant lot and allows parking for 2 cars.</p> <p>Waste will be collected from the kerb side once a week as is the case with surrounding residential development.</p> <p>There are no outdoor gathering areas.</p>	Yes
<p>4. In addition to physical noise mitigation measures, noise impact management measures should be used to further limit potential noise impacts on sensitive landuses such as:</p> <ul style="list-style-type: none"> i. Scheduled times to undertake noise generating activities and/or use of noise generating machinery; and ii. Reasonable hours of operation including delivery hours. <p>Notes: Noise generating development may include, but is not limited to the following: child care centres, schools, places of public worship, industrial uses, commercial developments, hotels, backpackers' accommodation, and some active recreational facilities.</p>	<p>The use is not a noise generating development and is located in an area with an elevated and ongoing background noise level due to the operation of Rocky Point Road. Accordingly, additional noise mitigation measures are not required.</p>	NA

65. The proposal is therefore considered appropriate with regards to the GRDCP2012.

Impacts

Natural Environment

66. The proposed works are not expected to have an adverse effect on the built environment.

Built Environment

67. The proposed works are not expected to have an adverse effect on the built environment.

Social Impact

68. The assessment demonstrates that the proposal as put forward will have no unreasonable adverse impact on the character of the locality and the amenity of neighbouring properties.

69. The proposed use aims to provide community services for the improvement of the health and wellbeing of vulnerable community members is encouraged and the application is supported.
70. There is no evidence that the use proposed will result in any significant adverse social impact.

Economic Impact

71. The proposal is not considered to result in unreasonable material economic impact.

Suitability of the Site

72. The site is zoned SP2 - Telecommunications. The proposal will have no adverse impacts on the adjoining properties and the streetscape in its current form.

Submissions, Referrals and the Public Interest

73. The application was notified for 14 days in accordance with Council's notification policy. 45 submissions were received. The concerns raised in the submissions are addressed in the table below.

Concern	Comment
Inconsistent information between reports	<p>Amended reports and documentation were requested of the applicant during the assessment process and made available on Council's DA Tracker webpage following their receipt in August 2022.</p> <p>The operational aspects of the proposal are detailed in this report and a Plan of Management has been included in the approved list of plans and documents and are considered to be satisfactory.</p>
Lack of detail on operational details	<p>Operational details have been clarified in the amended Statement of Environmental Effects and Social Impact Comment made available on Council's DA Tracker webpage following their receipt in August 2022.</p> <p>A Plan of Management has been included in the approved list of plans and documents.</p>
Traffic congestion on Alice Street	<p>Council's Senior Traffic Engineer has reviewed the Traffic and Parking Impact Assessment submitted with the DA and raises no objection to the proposal on traffic or parking grounds.</p> <p>The TPIA provides an assessment of the likely on street parking demand utilizing a survey of the demand associated with the similar Exodus Youth Worx facility at Rockdale.</p> <p>The report indicates the highest demand for on street parking occurs as follows:</p> <ol style="list-style-type: none"> 1. Thursday from 9am-1pm when there are estimated to be (11) vehicles (8 attendees and

	<p>3 staff).</p> <p>2. Tuesdays from 9am-1pm when there are estimated to be nine (9) vehicles (6 attendees and 3 staff).</p> <p>The weekday car parking occupancy survey shows that in general there is available parking in relatively close proximity to the site.</p> <p>Alice Street is likely to be the preferred street for parking at the above times as the western side of Rocky Point Road is a clearway from 6am and 10am and part of Hillview Street on its south side is a school drop off zone from 8am-9.30am.</p> <p>It is considered the increased parking demand during these highest parking demand times will not have a detrimental impact on residents of Alice and other streets.</p> <p>On street parking demand for the facility in the evenings from 5pm-9pm is lower and unlikely to impact residents seeking parking at the end of the day both at and in the vicinity of their homes.</p> <p>Traffic movements generated by the facility will have a minimal impact on traffic flow in streets and intersections in the vicinity.</p>
Undesirable clientele visiting the facility in a residential neighbourhood and adjacent to a school is a threat to safety of residents	<p>The facility will cater for a range of clientele and will provide health and wellbeing services, counselling, prayer groups, youth and seniors programs. The facility does not propose any medical services or provide residential accommodation.</p> <p>A Plan of Management has been included in the approved list of plans and documents.</p> <p>There is no evidence that those attending the use proposed will adversely impact upon the neighbourhood in terms of anti-social behaviour.</p>
Crime rates will increase	<p>The proposal is for the use of the site as a community facility. There is no evidence or basis to conclude that this use will result in an increase in local crime.</p>
Hours of operation are excessive	<p>The proposed hours of operation are:</p> <p>Weekdays – 9am to 9.30pm</p> <p>Weekends/Public Holidays – closed</p> <p>A condition of consent has been recommended for these hours.</p>

	Given the proposal is not assessed to have an acoustic impact on the surrounding environment, noting the proximity of Rocky Point Road, and its limited scale, it is considered that the hours proposed are reasonable in the context of the site.
No need for extra pastoral care in the locality	The need for additional pastoral care services in a locality is a matter for the service provider.
Lack of waste management	<p>An amended waste management plan was submitted in August 2022 during assessment of the application.</p> <p>1 x 660L waste bin and 1 x 660L recycling bin will be provided on site. These bin sizes will be adequate for the proposed use.</p> <p>The bins will be collected weekly by a private waste contractor.</p>
Lack of surveillance	<p>The internal rooms have windows that will look out to both street frontages, the kitchen has a window to the parking area and there are two staff access points from the parking area.</p> <p>The proposed layout does not provide undefined space requiring any additional surveillance measures.</p>
Inadequate parking provided	<p>Council's Senior Traffic Engineer has reviewed the Traffic and Parking Impact Assessment Report submitted by the applicant and raises no objections to the proposal on traffic or parking grounds.</p> <p>The TPIA provides an assessment of the likely on street parking demand utilizing a survey of the demand associated with the similar Exodus Youth Worx facility at Rockdale.</p> <p>The report indicates the highest demand for on street parking occurs as follows:</p> <ul style="list-style-type: none"> • Thursday from 9am-1pm when there are estimated to be (11) vehicles (8 attendees and 3 staff). • Tuesdays from 9am-1pm when there are estimated to be nine (9) vehicles (6 attendees and 3 staff). <p>The weekday car parking occupancy survey shows that in general there is available parking in relatively close proximity to the site.</p> <p>Alice Street is likely to be the preferred street for parking at the above times having regard to the western side of Rocky Point Road being a clearway from 6am and 10am and part of Hillview Street on its south side being the subject of a school drop off zone from 8am-9.30am.</p>

	<p>It is considered the increased parking demand during these highest parking demand times will not have a detrimental impact on residents of Alice and other streets.</p> <p>On street parking demand for the facility in the evenings from 5pm-9pm is lower and unlikely to impact residents seeking parking at the end of the day both at and in the vicinity of their homes.</p> <p>Traffic movements generated by the facility will have a minimal impact on traffic flow in streets and intersections in the vicinity.</p>
Structural inadequacy of the building	A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure is required to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.
Undefined food production	<p>Food for consumption unrelated to the use is not proposed to be produced on the site and the kitchen will service the staff and light refreshments for clients during their sessions.</p> <p>A condition of consent has been recommended that the kitchen fit our comply with the Food Act 2003, Food Regulation 2015 and relevant Australian Food Standards.</p>
The facility will bring people from outside the neighbourhood to the area on the weekends	The facility is closed on weekends and public holidays.
No parking is permitted on the right of way for the Telstra tower	<p>Two staff parking spaces are provided on the site. The two spaces are located on the site within an easement for access to the telecommunication facility in the north-western corner of the site.</p> <p>The DA for the replacement of the existing telecommunication poles is also on the agenda of the meeting of the LPP of 10 November 2022, the same agenda as this report.</p> <p>The Statement of Environmental Effects for that DA states that the facility is unmanned and operated remotely and as such parking is not required, and in relation to maintenance states:</p> <p><i>“The proposed telecommunications facility is self-contained and operates on a continuous un-staffed basis. Once operational, and integrated with the Telstra mobile network, the facility typically requires only infrequent maintenance inspections which are</i></p>

	<p><i>on average between 2 -4 times per year.</i></p> <p><i>There may be periods when maintenance operations are undertaken on a more frequent basis, such as during network optimisation however, this would not be for a prolonged period. Maintenance vehicles are usually utility vehicles. To ensure there is no interruption with traffic flow on site, maintenance vehicles will be parked on Alice Street.”</i></p>
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Traffic Engineer

74. The proposal was referred to Council's Traffic Engineer who found the proposal to be satisfactory subject to conditions of consent.

Building Surveyor

75. The proposal was referred to Council's Building Surveyor who found the proposal to be satisfactory subject to conditions of consent.

Environmental Health Officer

76. The proposal was referred to Council's Environmental Health Officer who found the proposal to be satisfactory and provided conditions of consent.

External Referrals

Ausgrid

77. The application was referred to Ausgrid as per State Environmental Planning Policy (Transport and Infrastructure) 2021. Comments received raising no concerns.

Transport for NSW

78. Transport for NSW was consulted in accordance with Clause 2.118 of the SEPP. No objection was raised subject to conditions being imposed.

Contributions

79. The proposal is exempt from Section 7.12 levies in accordance with Georges River Council Local Contributions Plan 2021 as the applicant is a registered charity organisation and the use will not result in any increase on demand for public facilities.

Conclusion

80. Development consent is sought for the fit out and use of the existing building as a community facility.
81. The facility will provide a range of services for the community including case management, addiction counselling (gambling, alcohol, social media), job readiness, bible study, youth and seniors meeting groups.
82. The proposal has been assessed with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is an appropriate response to the context of the site and will result in an acceptable outcome for the locality, with the environmental impacts expected to be reasonable and minimal.

83. The proposal has been assessed against the provisions of the relevant State Environmental Planning Policy, Georges River Local Environmental Plan 2021 and Georges River Development Control Plan 2021 and complies with the development standards of the Local Environmental Plan and Development Control Plan.

Determination and Statement of Reasons

Statement of Reasons

84. The reasons for this recommendation are:

- The proposal is an appropriate response to the site and the SP2 Telecommunications Facilities zoning of the property.
- The facility will provide services to the local community to assist with a range of personal and family needs.
- Operation of the facility will not result in an adverse amenity impact on the neighbouring properties or community.

Determination

85. Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, as amended, the Georges River Local Planning Panel approve DA2022/0119 for fit out and change of use to a community facility on Lot 2 in DP1200052 on land known as 279 Rocky Point Road, Sans Souci subject to the following conditions:

1. **Approved Plans** - The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site Plan	DA-01	25/7/22	B	iBIM
Existing Floor Plan	DA-02	25/7/22	B	iBIM
Demolition Plan	DA-03	25/7/22	B	iBIM
Proposed Floor Plan	DA-04	30/10/22	C	iBIM
Elevations	DA-06	30/10/22	C	iBIM
Sections	DA-07	30/10/22	C	iBIM
Operational Plan of Management		21 October 2022	A	Avenue Town Planning

Separate Approvals Required Under Other Legislation

2. **Section 138 Roads Act 1993 and Section 68 Local Government Act 1993** - Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the Roads Act 1993 and/or Section

68 of the Local Government Act 1993 for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a “works zone”;
- (i) Digging up or disturbing the surface of a public road (eg Opening the road for the purpose of connections to utility providers);
- (j) Stormwater and ancillary works in the road reserve;
- (k) Stormwater and ancillary to public infrastructure on private land; and
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website www.georgesriver.nsw.gov.au. For further information, please contact Council's Customer Service Centre on (02) 9330 6400.

3. **Road Opening Permit** - A Road Opening Permit must be obtained from Council, in the case of local or regional roads, or from the RMS, in the case of State roads, for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.

Requirements of Concurrence, Integrated and Other Government Authorises Sydney Water

4. **Trade Waste Agreements** - A Trade Waste Agreement with Sydney Water may be required. Details of any work required to comply with the agreement must be detailed on the plans lodged with the Construction Certificate. If no trade waste agreement or grease trap is required, a letter from Sydney Water to this effect must be submitted with the application for the Construction Certificate.

Transport for NSW

5. The redundant driveway on Rocky Point Road shall be removed and kerb and gutter reinstated to match existing.
6. The design and construction of the kerb and guttering on Rocky Point Road shall be in accordance with TfNSW requirements. Details of these requirements should be obtained by email to developerworks.sydney@transport.nsw.gov.au.

Detailed design plans of the proposed kerb and guttering are to be submitted to TfNSW for approval prior to the issue of a Construction Certificate and commencement of any road works. Please send all documentation to development.sydney@transport.nsw.gov.au.

A plan checking fee and lodgement of a performance bond is required from the applicant prior to the release of the approved road design plans by TfNSW.

7. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on Rocky Point Road during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.

In addition, TfNSW also provides the following advisory comments for Council's consideration in the determination of the application:

Prior to the Issue of a Construction Certificate

8. **Fire Safety Measures** - Prior to the issue of a construction certificate a list of the essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.
9. **Structural details** - Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works. A copy shall be forwarded to Council where Council is not the PCA.
10. **Engineer's Certificate** - A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.
11. **Access for persons with disabilities** - Access for persons with disabilities must be provided direct to the site, including to all common areas, foyers, retail areas, carpark and required sanitary facilities in accordance with the Premises Standards, the Building Code of Australia and AS 1428.1. Details must be submitted with the Construction Certificate Application.
12. **Slip Resistance** - All pedestrian surfaces in areas such as foyers, public corridors, common areas, stairs and ramps as well as floor surfaces in all wet rooms including in any residential units must have slip resistance classifications, as determined using test methods in either wet or dry conditions, appropriate to their gradient and exposure to wetting. The classifications of the new pedestrian surface materials, in wet or dry conditions, must comply with AS/NZS4586:2004 - Slip Resistance Classifications of New Pedestrian Materials and must be detailed on the plans lodged with the application for the Construction Certificate.

- 13. Fees to be paid** - The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.georgesriver.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Builders Damage Deposit	\$1,900.00
Inspection Fee for Refund of Damage Deposit	\$ 160.00

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

- 14. Damage Deposit - Minor Works** - In order to insure against damage to Council property the following is required:
- Pay Council, before the issue of the Construction Certificate, a damage deposit for the cost of making good any damage caused to any Council property as a result of the development: **\$1,900.00**
 - Pay Council, before the issue of the Construction Certificate, a non-refundable inspection fee to enable assessment of any damage and repairs where required: **\$175.00**
 - Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

- 15. Site Management Plan** - A Site Management Plan must be submitted with the application for a Construction Certificate, and include the following:
- location of protective site fencing;
 - location of site storage areas/sheds/equipment;
 - location of building materials for construction, e.g. stockpiles
 - provisions for public safety;

- (e) dust control measures;
- (f) method used to provide site access location and materials used;
- (g) details of methods of disposal of demolition materials;
- (h) method used to provide protective measures for tree preservation;
- (i) provisions for temporary sanitary facilities;
- (j) location and size of waste containers/skip bins;
- (k) details of proposed sediment and erosion control measures;
- (l) method used to provide construction noise and vibration management;
- (m) construction and demolition traffic management details.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

16. Erosion & Sedimentation Control - Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) Removal or disturbance of vegetation and topsoil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water runoff is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with [Managing Urban Stormwater – Soils and Construction \(Blue Book\) produced by Landcom 2004](#).

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

17. Food Premises - The following information shall be provided and shown on the Construction Certificate Plans:

(a) Plans and Specifications

Details of the construction and fit out of food premises must be submitted to Council's Environmental Health Officer. The plans and specifications must demonstrate compliance with the:

- i. [Food Act 2003](#) (as amended)
- ii. [Food Regulation 2015](#) (as amended)
- iii. Food Standards Code as published by Food Standards Australia
- iv. New Zealand and Australian Standard AS4674:2004 Design, Construction and fit out of food premises (as amended)
- v. Sydney Water – trade Waste Section.

The Environmental Health Officer must advise in writing that the plans and specification are considered satisfactory prior to the issue of any Construction.

18. **Construction vehicle and pedestrian plan of management-** Prior to the issuing of a Construction Certificate, a Construction Vehicle and Pedestrian Plan of Management (CVPPM) shall be submitted to Council for the approval of Council's Senior Traffic and Parking Assessment Officer. The CVPPM shall detail, but not be limited to, details of the following:

- (g) The routes to be taken by trucks in the Georges River Council area when travelling to and from the site.
- (h) The maximum truck size proposed during the various stages of development.
- (i) The approved hours of construction.
- (j) The location and length of any proposed Works Zones.

NOTE: The installation of Works Zones and any associated changes to existing parking control signs and Council infrastructure to implement the zones requires the prior approval of the Georges River Council Traffic Committee.

- (k) Any changes to on street parking at and near the site during the various stages of development including during and outside the approved hours of construction.
- (l) Any changes proposed to the movements of pedestrians and/or cyclists past the site both during and outside the approved hours of construction.

A copy of the approved CVPPM must be kept at the site and made available to the Principal Certifying Authority or Council on request.

19. **Worksite traffic and pedestrian control** - Traffic and pedestrian control shall be in accordance with TfNSW *'Traffic Control at Works Sites- Technical Manual'* version 6.1.
20. **Paving - Car Spaces 1 and 2** - Car spaces 1 and 2 and associated driveway within the site shall have a paved width catering for the suitable access, parking and door opening of the B99 Australian Standard Design vehicle.

Prior to issue of the Construction Certificate, documentation prepared by a suitably qualified and experienced Traffic Engineering professional shall be submitted to the Principal Certifying Authority for approval confirming the width of paving required. Any new paving necessary to meet the required width and withstand imposed wheel loadings shall be carried out prior to the issue of the Occupation Certificate.

21. **Driveway grated drain-Alice Street boundary** - A 200mm wide grated drain shall be installed on the driveway within the site at the Alice Street boundary to catch runoff waters and convey it via a sealed pipeline to Council's gutter.

Details of the grated drain and pipeline shall be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate and installed prior to the issue of the Occupation Certificate.

NOTE: The connection of the pipeline to the kerb shall comply with Council's design standard for roll kerbing.

Prior to Commencement of Works

- 22. Utility Arrangements** - Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicants expense.

During Construction

- 23. Cost of work to be borne by the applicant** - The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.
- 24. Obstruction of Road or Footpath** - The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the Roads Act 1993 and/or under Section 68 of the Local Government Act 1993. Penalty infringement Notices may be issued for any offences and severe penalties apply.
- 25. Hours of construction for demolition and building work** - Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Saturday inclusive. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Note: A penalty infringement notice may be issued for any offence.

- 26. Road Opening Permit** - A Road Opening Permit must be obtained from Council for every opening of a public road reserve to access services including sewer, water mains, gas mains, connecting of stormwater to the kerb and telecommunication. This is for any work that involves excavation through or within a public road, kerb and gutter, and or the public footway between the road and the property boundary. The permit is to be lodged prior to the commencement of works. Additional approval is required from Roads and Maritime Services for works on a State Road.
- 27. Damage within Road Reserve and Council Assets** - The owner shall bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.
- 28. Site Maintenance** - The premises shall be maintained in a manner that will not adversely impact upon public health and safety until such time as an occupation certificate is issued. The premises shall be maintained during construction in accordance with the following:
- a) There must be no burning of any material.
 - b) All putrescible waste must be removed daily.
 - c) All grass and vegetation must be maintained so the grass and vegetation (excluding trees) does not exceed a height of 100 mm above ground level.

- d) Any accumulated or ponded water must be removed within 5 days (weather permits). The removal of any water must comply with the Protection of the Environment Operations Act 1997 (NSW) so as to not cause a pollution incident.
- e) Fencing must be provided and installed within the boundary of the premises. Fencing must be maintained so to eliminate access to the public.
- f) All Activity associated with the development including storage or depositing of any goods or maintenance of any machinery and equipment must be conducted within the premises.

Prior to the Issue of the Occupation Certificate

29. Fire Safety Certificate before Occupation or Use - In accordance with the Environmental Planning and Assessment Regulations, on completion of building works and prior to the issue of an Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with the aforesaid Regulations. The Fire Safety Certificate must be in the form or to the effect of outlined in the Regulations. In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate is to state:

- (a) That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so.
- (b) That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the attached Schedule.

A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

30. Marking of parking spaces and certification - Prior to the issue of an Occupation Certificate, all parking spaces shall be clearly designated and linemarked to comply with *AS1742, Manual of uniform Traffic Control Devices*.

Documentation from a suitably qualified and experienced Traffic Engineering consultant shall be submitted to the Principal Certifying Authority certifying the carparking spaces have been marked in accordance with the approved plans and the above Australian Standard.

Operational Conditions (Ongoing)

- 31. Noise Control** - The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the [Protection of the Environment Operations Act 1997](#) (as amended).
- 32. Outdoor Lighting** - To avoid annoyance to the occupants of adjoining premises or glare to motorists on nearby roads, outdoor lighting must comply with *AS 4282-2019: Control of*

the obtrusive effects of outdoor lighting.

- 33. Lighting – General Nuisance** - Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.

Flashing, moving or intermittent lights or signs are prohibited.

- 34. Amenity of the neighbourhood** - The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

- 35. Activities and storage of goods outside building** - There shall be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

- 36. Hours of operation** - The approved hours of operation shall be restricted to Monday to Friday 9.00am to 9.30pm.

- 37. Plan of Management** – The approved operational Plan of Management as referenced in this consent shall be kept on-site and made available upon request from the Public.

The facility must operate at all times in accordance with the requirements of the approved Plan of Management.

- 38. Site Capacity** – To manage amenity and parking impacts, a maximum of 5 staff and 14 patrons are permitted on the premises at a time.

- 39. Delivery of goods** - Loading and unloading of vehicles and delivery of goods to the building are to be carried out fully within the confines of the site.

- 40. Offensive Noise** - The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in [the Protection of the Environment Operations Act 1997](#) (as amended).

- 41. Annual Fire Safety Statement** - The owner of the building premises must ensure the Council is given an annual fire safety statement in relation to each essential fire safety measure implemented in the building. The annual fire safety statement must be given:

- (a) Within 12 months after the date on which the fire safety certificate was received.
- (b) Subsequent annual fire safety statements are to be given within 12 months after the last such statement was given.
- (c) An annual fire safety statement is to be given in or to the effect of Clause 181 of the [Environmental Planning and Assessment Regulation 2000](#).
- (d) A copy of the statement is to be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.

Prescribed Conditions

42. **Clause 98 – Building Code of Australia & Home Building Act 1989** - Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the Home Building Act 1989 relates, there is a requirement for a contract of insurance to be in force before any work commences.
43. **Clause 98A – Erection of Signs** - Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the Principal Certifying Authority and the Principal Contractor.
44. **Clause 98E – Protection & support of adjoining premises** - If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.

Operational Requirements

45. **Requirement for a Construction Certificate** - The erection of a building must not commence until a Construction Certificate has been issued by the consent authority, the Council (if the Council is not the consent authority) or an accredited certifier.

An application form for a **Construction Certificate** is attached for your convenience.

46. **Appointment of a Principal Certifying Authority** - The erection of a building must not commence until the beneficiary of the development consent has:
- (a) appointed a Principal Certifying Authority (PCA) for the building work; and
 - (b) if relevant, advised the PCA that the work will be undertaken as an Owner-Builder.

If the work is not going to be undertaken by an Owner-Builder, then the beneficiary of the consent must:

- (a) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the Home Building Act 1989) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (b) notify the PCA of the details of any such appointment; and
- (c) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

An **Information Pack** is attached for your convenience should you wish to appoint Georges River Council as the Principal Certifying Authority for your development.

47. **Notification of Critical Stage Inspections** - No later than two (2) days before the building work commences, the PCA must notify:
- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
 - (b) the beneficiary of the development consent of the critical stage inspections and other inspections that are to be carried out with respect to the building work.
48. **Notice of Commencement** - The beneficiary of the development consent must give at least two (2) days notice to the Council and the PCA of their intention to commence the

erection of a building.

A **Notice of Commencement Form** is attached for your convenience.

49. **Critical Stage Inspections** - The last critical stage inspection must be undertaken by the Principal Certifying Authority. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the Environmental Planning and Assessment Regulation 2000.
50. **Notice to be given prior to critical stage inspections** - The principal contractor for a building site, or the owner-builder, must notify the principal certifying authority at least 48 hours before each required inspection needs to be carried out.

Where Georges River Council has been appointed PCA, forty eight (48) hours notice in writing, or alternatively twenty four (24) hours notice by facsimile or telephone, must be given to when specified work requiring inspection has been completed.

51. **Occupation Certificate** - A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

Only the Principal Certifying Authority appointed for the building work can issue the Occupation Certificate.

An **Occupation Certificate** Application Form is attached for your convenience.

52. **Appointed as the CA** - Should the Council be appointed as the Certifying Authority, the Construction Certificate Application must be accompanied by the following details, with plans prepared and certified by an appropriately qualified person demonstrating compliance with the BCA:
- Changes including the location of new walls must be endorsed by the original Fire Engineer, responsible for the buildings alternate solutions.
 - Egress provisions including the operation and swing of final exit doors shall be in accordance with Part D2.20.
 - The allocation and the number of sanitary facilities for staff and for students must be in accordance with Part F2.
 - Paths of travel to an exit must be in accordance with D1.6
 - The number of persons accommodating must not exceed D1.13
 - Changes to the floor plan layouts shall not hinder the operations of the buildings essential fire safety measures.

In this regard, detailed construction plans and specifications that demonstrate compliance with the above requirements of the BCA must be submitted to the Certifying Authority with the Construction Certificate Application.

In the event that full compliance with the BCA cannot be achieved and the services of a fire engineer are obtained to determine an alternative method of compliance with the BCA, such report must be submitted to and endorsed by the Certifying Authority prior to issue of the Construction Certificate.

END CONDITIONS

NOTES/ADVICES

1. **Review of Determination** - Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: Review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney South Planning Panel or the Land & Environment Court.

2. **Appeal Rights** - Part 8 (Reviews and appeals) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
3. **Lapsing of Consent** - This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended

Notification of Food Business under Section 100 of the [Food Act 2003](#) requires the proprietor of a food business to give written notice, in the approved form, before conducting a food business. Penalties apply for failure to comply.

4. **Noise** - Council will generally enforce noise related conditions in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) publish by the Department of Environment and Conservation. Other state government authorities also regulate the [Protection of the Environment Operations Act 1997](#).

Useful links relating to Noise:

- (a) Community Justice Centres—free mediation service provided by the NSW Government (www.cjc.nsw.gov.au).
- (b) Department of Environment and Conservation NSW, Noise Policy Section web page (www.environment.nsw.gov.au/noise).
- (c) New South Wales Government Legislation home page for access to all NSW legislation, including the Protection of the Environment Operations Act 1997 and the Protection of the Environment Noise Control Regulation 2000 (www.legislation.nsw.gov.au).
- (d) Australian Acoustical Society—professional society of noise-related professionals (www.acoustics.asn.au/index.php).
- (e) Association of Australian Acoustical Consultants—professional society of noise related professionals (www.aaac.org.au).

(f) Department of Gaming and Racing - (www.dgr.nsw.gov.au).

5. **Food Premises** - Information on Australian Standards can be obtained from www.standards.com.au


Guidelines and Food Safety Standards may be obtained by contacting the Food Standards Australia New Zealand Authority at foodstandards.gov.au or the NSW Food Authority on 1300 552 406, email: contact@foodauthority.nsw.gov.au or by visiting the website www.foodauthority.nsw.gov.au

6. **Council Appointed as the PCA** - Should the Council be appointed as the Principal Certifier in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the BCA. However, if a performance solution is proposed it must comply with the performance requirements of the BCA, in which case, the performance solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justify the non-compliances with a detailed report, suitable evidence and expert judgement.

In this regard, detailed construction plans and specifications that demonstrate compliance with the above requirements of the BCA, including in relation to the provision of egress and the protection of openings etc. must be submitted with the Construction Certificate Application.

7. **Energy Efficiency Provisions** - Should Council be appointed as the Principal Certifying Authority, a report prepared and endorsed by an Energy Efficiency Engineer or other suitably qualified person must be submitted, detailing the measures that must be implemented in the building to comply with Section J. The proposed measures and feature of the building that facilitate the efficient use of energy must be identified and detailed on the architectural plans. At completion of the building and before the issue of an Occupation Certificate, a certificate certifying that the building has been erected to comply with the energy efficiency provisions must be submitted to the Principal Certifying Authority.

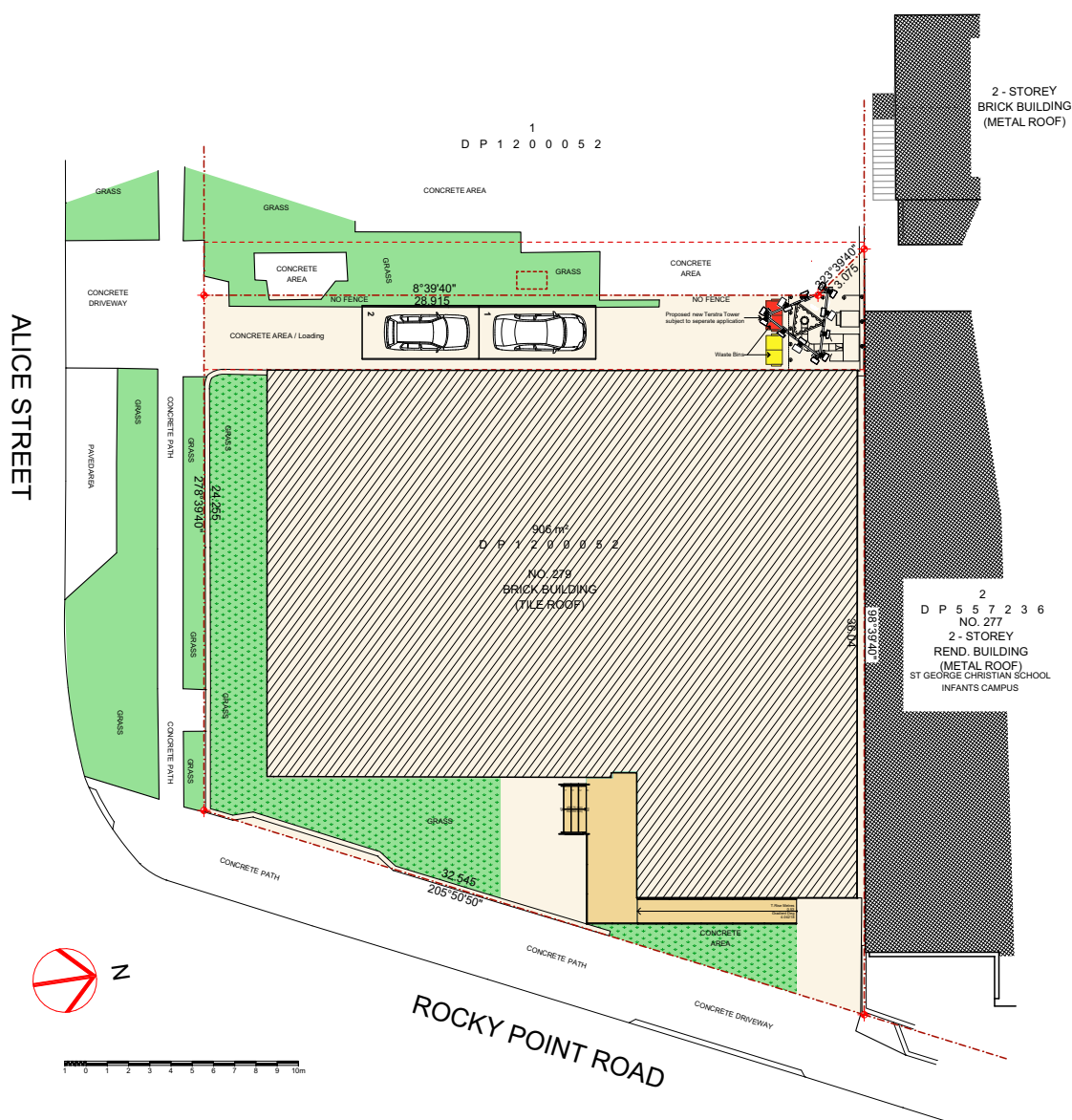
ATTACHMENTS

Attachment [↓1](#) 

Plans

Attachment [↓2](#) 

Plan of Management



Site Plan
Scale 1:200

Note: All dimensions to be confirmed on site.

iBIM
integrated building information modelling
Registered Architect:
Sam Bassilious
NSW Registration No. 7543
E: sam@copt.org.au
M: +61 407 236 045

Exodus - Ramsgate
279 Rocky Point Road Ramsgate NSW 2217

B DA Submission - Updated 25 Jul 22
A DA Submission Issue 15 Feb 22

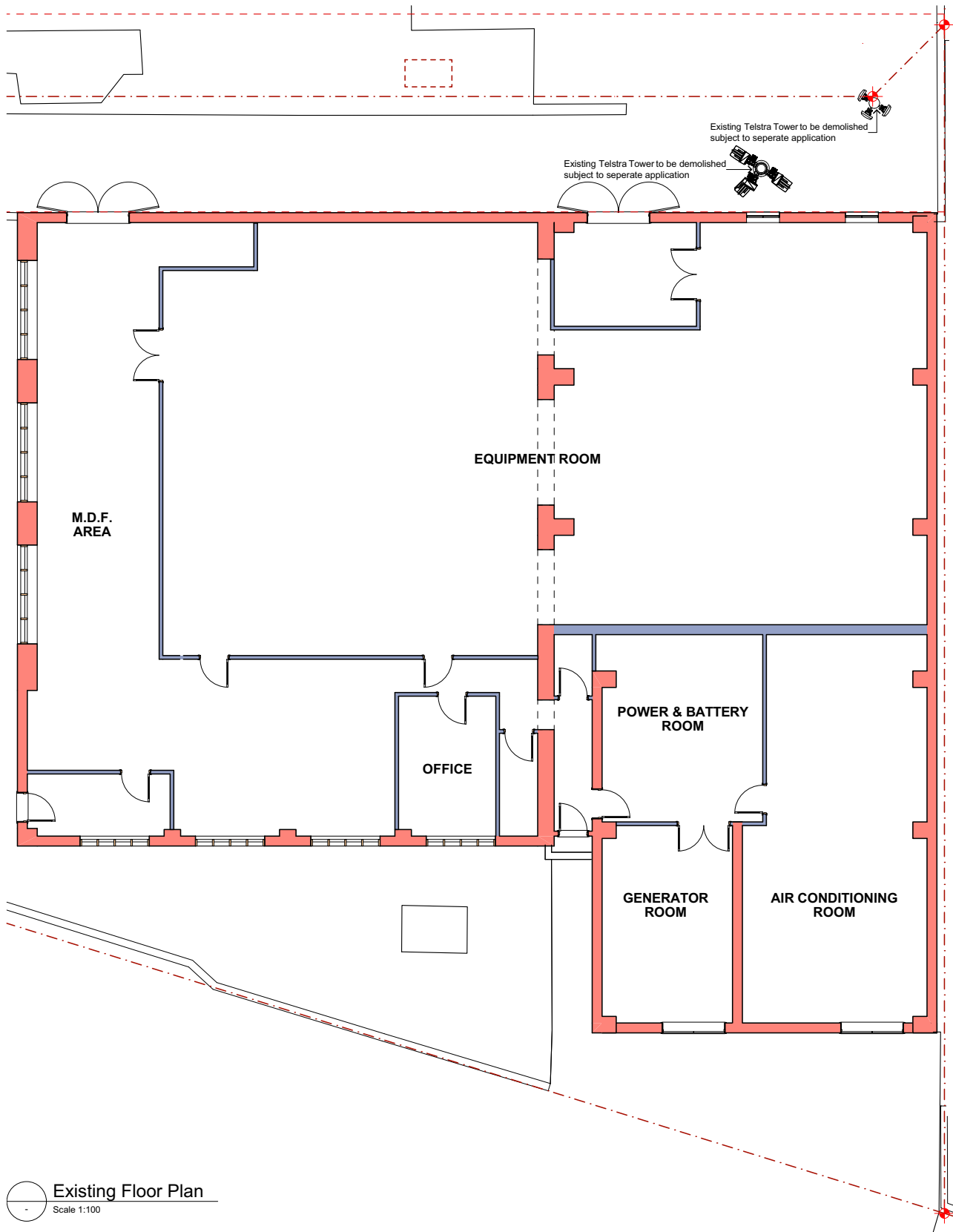
Rev Comments Date

Site Plan

Drawing Title

Status:
DA Submission

Scale: As shown
Drawn: Sam **DA-01 B**
Drawing No Revision



 Existing Floor Plan
 Scale 1:100

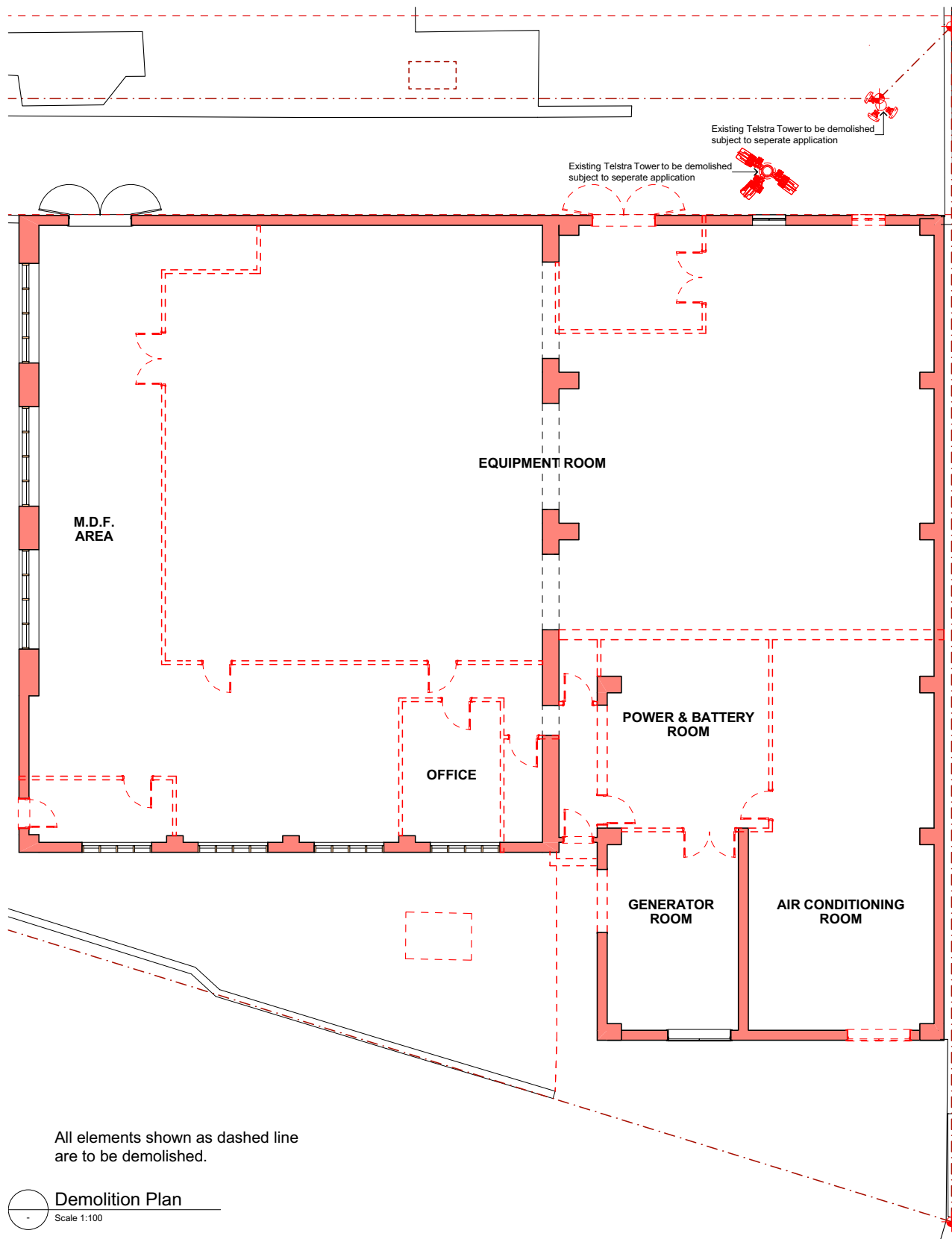
Note: All dimensions to be confirmed on site.

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 E: sam@copt.org.au
 M: +61 407 236 045

Exodus - Ramsgate
 279 Rocky Point Road Ramsgate NSW 2217

B	DA Submission - Updated	25 Jul 22
A	DA Submission Issue	15 Feb 22
Rev	Comments	Date
Existing Floor Plan		
Drawing Title		

Status:
DA Submission
 Scale: As shown
 Drawn: Sam
DA-02 B
 Drawing No Revision



Note: All dimensions to be confirmed on site.

iBIM
 integrated building information modelling
 Registered Architect:
 Sam Bassilious
 NSW Registration No. 7543
 E: sam@copt.org.au
 M: +61 407 236 045

Exodus - Ramsgate
 279 Rocky Point Road Ramsgate NSW 2217

B	DA Submission - Updated	25 Jul 22
A	DA Submission Issue	15 Feb 22
Rev	Comments	Date
Demolition Plan		
Drawing Title		

Status:
DA Submission
 Scale: As shown
 Drawn: Sam
DA-03 B
 Drawing No Revision



Note: All dimensions to be confirmed on site

Exodus - Ramsgate
279 Rocky Point Road Ramsgate NSW 2217

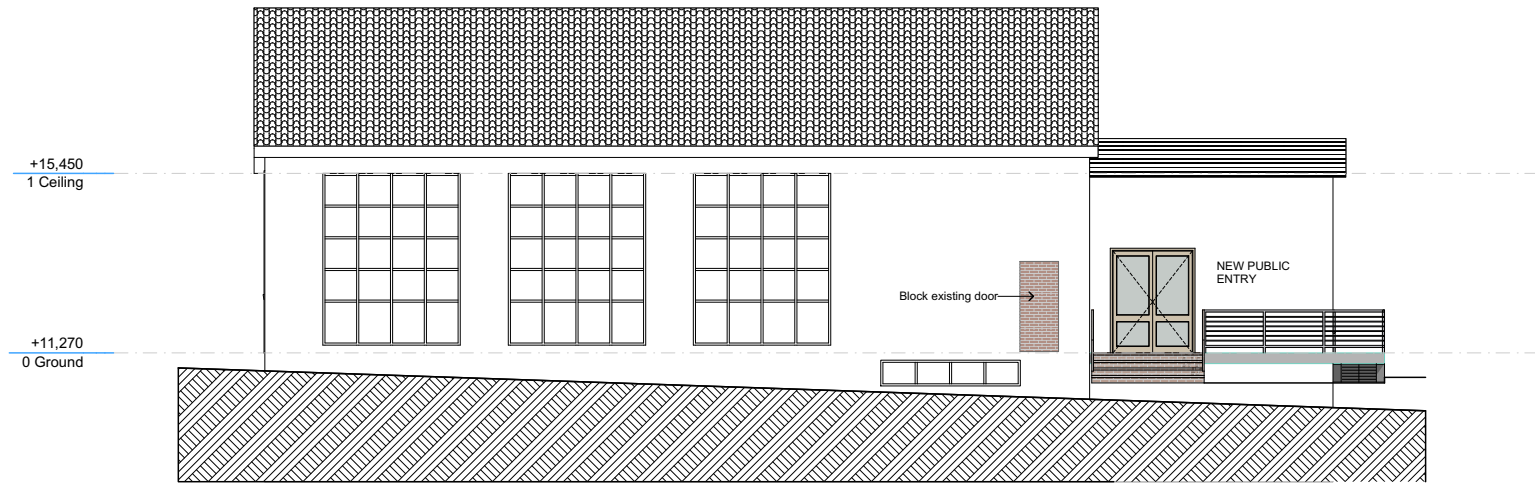
Rev	Comments	Date
	Proposed Floor Plan	

Scale: As shown
Drawn: Sam

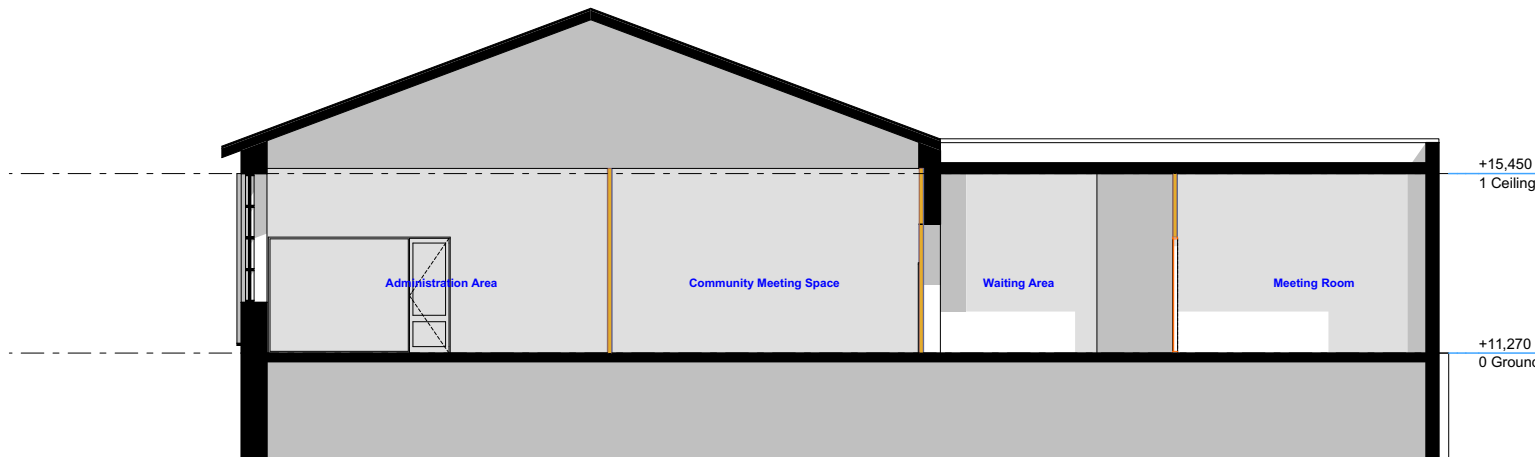
DA-04 **C**

Drawing No Rev

Proposed Floor Plan



South Elevation
 Scale 1:100



Section looking West
 Scale 1:100

Note: All dimensions to be confirmed on site.

iBIM
 Integrated building information modelling
 Registered Architect:
 NSW Practising No. 7543
 M: +61 407 236 045

Exodus - Ramsgate
 279 Rocky Point Road Ramsgate NSW 2217

DA Submission Issue
 A
 Rev
 Comments
South Elevation + Section
 Date
 30 Oct 22
 Drawing Title

Status: **DA Submission**
 Scale: As shown
 Drawn: Sam
 Drawing No
DA-07
 Revision
A

OPERATIONAL PLAN OF MANAGEMENT

USE OF BUILDING AS A COMMUNITY FACILITY

279 ROCKY POINT ROAD | SANS SOUCI
Document REF: 2122 Rev A

DATE: 21 OCTOBER 2022

1 INTRODUCTION

This Operational Plan of Management has been prepared to support a development application to Georges River Council for the fit out and use of and existing building as a community facility at No. 279 Rocky Point Road, Sans Souci.

This Plan of Management is designed to provide Council, the operators of the premises and the surrounding residents with clear guidelines that are to be employed to ensure that the proposed facility will operate as proposed and in such a way that minimises impacts on surrounding properties.

The following sections of the POM identify the objectives and operational arrangements of the facility as well as measures to monitor and respond to complaints.

2 OBJECTIVES

The objectives of this Operational Plan of Management are as follows:

1. Outline the operational details of proposal to provide Council, the operator and the surrounding residents with clarity on the nature of the proposed use and mitigation measures proposed;
2. Establish a transparent complaints and review process to allow for ease of monitoring of the activity by Council.

3 OPERATIONAL DETAILS

The community facility will operate as follows:

3.1 Opening Hours

- Monday to Friday – 9.00am until 9.30pm
- Saturday Sunday and Public Holidays – Closed.

3.2 Community Services Offered

Provided below is a scope of community services offered by the centre:

- **Case Management** –We currently have two full time case managers and a part time case manager, with a total case count of approximately 20 clients. Case managers assist clients in identifying their strengths and their areas for personal growth. Areas for growth include education, employment, health, emotional and behavioural wellbeing, social and living skills, finances, and legal issues.
- **Counselling** – We currently have two part-time counsellors. They provide therapy for issues such as depression, anxiety, addiction (gambling, alcohol, social media), relationship counselling and family therapy. A lot of our counsellor's work is offsite, as Exodus is contracted to provide school counselling at St Mary's Coptic Orthodox College in Bexley (both primary, and senior campuses). Both our counsellors also see clients at our Exodus office. They see a maximum of 10 clients combined each week at our office. The rest of their counselling is conducted over the telephone.

- **Accommodation Assistance** – We assist individuals at risk of homelessness, or victims of domestic violence, in finding safe and secure accommodation. All accommodation is off site and is in the form of private rental properties leased through Exodus. We currently have five such properties at Brighton Le-Sands, Rockdale, Miranda, Kogarah and Drummoyne.
- **I-Worx Job Readiness Program** – Our job readiness program assists young people who have either just left school or are seeking work experience while at school. We currently have five teenagers on this program. They assist in completing basic tasks within the Exodus office, and in the local community, such as assisting in cutting lawns and cleaning the local area. These teenagers do not drive so they use public transport to access our service.
- **Community Connect Meeting** – This meeting is every Monday night from 7.30pm-9.30pm. It allows young people to have a safe non-judgemental space in which they can experience connection and community.
- **Bible Study** - This meeting is every Wednesday night from 7:30pm-9:30pm.
- **Seniors Program** – This meeting is every fortnight and takes place off site at Peakhurst Coptic Church. Our dedicated Senior's Case Manager assists with transport, shopping, completing Centrelink forms, IT support, etc.
- **Food/Groceries Services for those facing financial hardship** – Clients in financial hardship contact us via telephone requesting food or groceries. A staff member will then drop off the food/groceries to the clients home.
- **Pastoral Care at our local schools** – Our dedicated Pastoral Care Coordinator provides support to St Marks Coptic Orthodox College in Wattle Grove and St Marys Coptic Orthodox College in Bexley. This service takes place off site at the school campuses.
- **Weekly Liturgy (Prayer Service)** – On Thursday mornings at 9am we pray a Liturgy that is open to all staff and donors and supporters of Exodus. We normally have approximately 10 community members who attend.

3.3 Number of Persons Attending the Facility

Staff: The facility will accommodate a maximum of 5 staff at any one time, comprising qualified counsellors, youth workers and support staff.

Patrons: There will be a maximum of 14 patrons attending the facility for care and support at any one time.

3.4 Typical Timetable of Activities

The below is a timetable demonstrating the typical operational arrangements for the centre.

EXODUS COMMUNITY OPERATION TIMETABLE			
	9am-1pm	1pm-5pm	5pm-9.30pm
SUNDAY			
Activities	Nil	Nil	Nil
Max staff	0	0	0
Max patrons	0	0	0

Operational Plan of Management
(COMMUNITY FACILITY)
279 Rocky Point Road, Sans Souci

EXODUS COMMUNITY OPERATION TIMETABLE			
	9am-1pm	1pm-5pm	5pm-9.30pm
MONDAY			
Activities	Counselling Programs	Counselling Programs	Youth Program
Max staff	5	5	2
Max patrons	5	5	12
TUESDAY			
Activities	Counselling Programs. Elderly support	Counselling Programs	Nil
Max staff	5	5	0
Max patrons	8	5	0
WEDNESDAY			
Activities	Counselling Programs	Counselling Programs	Nil
Max staff	5	5	0
Max patrons	5	5	0
THURSDAY			
Activities	Counselling Programs	Counselling Programs	Youth Program
Max staff	5	5	2
Max patrons	10	5	14
FRIDAY			
Activities	Counselling Programs	Counselling Programs	Nil
Max staff	5	5	0
Max patrons	5	5	0
SATURDAY			
Activities	Nil	Nil	Nil
Max staff	0	0	0
Max patrons	0	0	0

3.5 Deliveries, Waste and Parking

Deliveries: Deliveries to the site will be infrequent and will be made by standard vans that will park in the available street network in the vicinity of the site.

Waste: Waste will be storeyed within the identified waste receptacles on the approved site plan. Wase bins will be transported to the street for kerbside collection on a weekly basis.

Parking: The site contains parking in the form of 2 x tandem staff parking spaces.

4 OPERATIONAL MANAGEMENT MEASURES

Provided below is a summary of the operational measures that will be employed to mitigate impacts on neighbours and surrounding properties.

4.1 Client Profile and Community Risks

The clientele who rely on the services of Exodus are normal people that live in the immediate area that are undergoing some form of struggle or need for social intervention by the centre. This centre is not set up to attract anti-social behaviour or members of the community who pose a threat to the surrounding area.

The centre has operated for 21 years without the need of Police Intervention or security as clients are normal members of the community who find themselves needing support in the form of counselling, life coaching and advice, job readiness, accommodation assistance etc.

Given the existing clientele serviced by Exodus, the use of the premise at 279 Rocky Point Road, Sans Souci will not attract any activity or patrons other than existing community members of the area that rely on the services provided.

In light of the existing clientele services by Exodus and the very fact that such people are community members that pose no material health and safety risks, the likelihood of adverse impacts on the social fabric of the area is extremely low. In fact, the centre has been established to potentially assist with the needs of immediately surrounding residents should they find themselves in a vulnerable situation.

4.2 Qualified Staff and Security

Mitigation measures to be employed by the centre to safeguard the surrounding residents from adverse social impacts include the following:

- The site will be occupied and managed by experienced social workers that are trained in managing and assisting vulnerable community members; and
- The centre is not established to attract violent persons or persons that would pose an immediate impact on the safety of surrounding residents. Should such clients seek assistance from the Centre, staff will ensure that such community members are attended to offsite in a safe and alternative location;
- Management and staff will take all reasonable steps to control the behaviour of patrons of the premises whilst at, and when they enter and leave the premises. This includes discouraging anti-social behaviour, the use of offensive music and minimising the congregation of groups of people at the frontage of the premises.

Additional Measures to Mitigate Impacts

The only impacts posed to surrounding residents would be as a result of the operational impacts of the community centre. As noted above, the clientele

Operational Plan of Management
(COMMUNITY FACILITY)
279 Rocky Point Road, Sans Souci

attracted to the centre are not of antisocial or violent backgrounds, they are simply vulnerable families and people who live in the local community.

The measures to mitigate impacts are identified in the accompanying Town Planning Report and would be typical measures applied to any commercial activity that would occupy the premise. Such measures include the following:

- **Hours of Operation** – no operation on weekends and public holidays. Weekday operating hours are modest and will not impact on the amenity of neighbours;
- **Internalised Premises** – the existing premise offers various internal spaces that allow for the delivery of the identified services. The centre does not contain any external space that will be used for outdoor games or activities that would generate noise and impacts;
- **Amplified Music / Noise Impacts** – There will be no amplified music beyond that of standard background noise used at and within the premise. Staff will be made aware of the need to minimize noise generation and to encourage noise minimization to patrons.
- **Consumption of Drugs, Alcohol and Smoking** – The consumption of drugs, alcohol and smoking cigarettes is strictly prohibited at the premise at all times.
- **Cleaning** – All internal and external spaces will be regularly cleaned (daily or as is necessary) and presented in a tidy manner.
- **Public Transport Awareness** - All staff will be trained on the nearest light rail stop, buses stops, taxi pick up zone to enable staff to respond to patron questions on public transport.

Operational Plan of Management
(COMMUNITY FACILITY)
279 Rocky Point Road, Sans Souci

5 COMPLAINT RECORDING AND HANDLING PROCESS;

This Plan of Management and the below complaints recording log is to be kept on site at all times. Any complaints made are to be recorded as follows and are to be made available to Council staff for review upon their request.

Complaints Log			
Date	Time	Nature of Complaint	Action Taken

Operational Plan of Management
(COMMUNITY FACILITY)
279 Rocky Point Road, Sans Souci

Complaints Log			
Date	Time	Nature of Complaint	Action Taken

6 REVIEW PROCESS TO CONTINUOUSLY IMPROVE THE POM

In the event a complaint is continually recorded and resolved in a simple operation manner, this Plan of Management is to be updated to incorporate this management process to avoid further disturbance and complaints.

7 UNDERSTANDING OF MANAGEMENT

To be signed prior to the use of the Community Facility.

I the Manager of the community facility have read and understand this Operational Plan of Management.

Date
(Note: to be executed prior to use of the Premise)

**REPORT TO GEORGES RIVER COUNCIL
LPP MEETING OF THURSDAY, 10 NOVEMBER 2022**

LPP054-22

LPP Report No	LPP054-22	Development Application No	DA2022/0215
Site Address & Ward Locality	279 Rocky Point Road, Sans Souci Kogarah Bay Ward		
Proposed Development	Demolition of existing telecommunications facility and construction of new telecommunication facility and associated ancillary works		
Owners	Exodus Youth Worx Incorporated		
Applicant	Telstra Corporation Limited C/O Aurecon Australasia Pty Ltd		
Planner/Architect	Aurecon Australasia Pty Ltd		
Date Of Lodgement	11/07/2022		
Submissions	Four (4) submissions		
Cost of Works	\$478,500.00		
Local Planning Panel Criteria	Determination of the application by the Local Planning Panel is in the public interest.		
List of all relevant s.4.15 matters (formerly s79C(1)(a))	State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, Georges River Local Environmental Plan 2021, Georges River Development Control Plan 2021.		
List all documents submitted with this report for the Panel's consideration	Architectural Plans, Statement of Environmental Effects, EPBC Act Protected Matters Report, Environmental EME Report, Site Location and Photos, Submissions		
Report prepared by	Principal Planner		

Recommendation	That the application be approved in accordance with the conditions referenced at the end of this report.
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Summary of matters for consideration under Section 4.15 Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report?	Yes
Clause 4.6 Exceptions to development standards	

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	Not Applicable
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (under s7.24)?	Not Applicable
Conditions Have draft conditions been provided to the applicant for comment?	No, standard conditions have been attached

Site Plan



Figure 1: Site Plan

Executive Summary Proposal

1. Development consent is sought for demolition of the existing telecommunications facilities and construction of a new telecommunications facility and associated ancillary works.
2. The two existing 11m high timber poles are to be removed and replaced with a single, 25m high, monopole facility.
3. The building on the site has previously been used as a Telstra exchange building and the land was recently sold to the current owner as it became surplus to the infrastructure requirements of Telstra.

4. A separate Development Application has been lodged and is currently under assessment for the fitout and use of the existing building as a community facility (DA2022/0119).

Site and Locality

5. The subject site is located on the corner of Alice Street and Rocky Point Road. The legal description of the site is Lot 2 in DP1200052, and is known as 279 Rocky Point Road, Sans Souci.
6. It has a primary frontage to Rocky Point Road of 32.545m and a secondary street frontage in Alice Street of 24.255m providing for a total site area of 905.9sqm by DP. Vehicular access to the site is via a driveway from Alice Street.
7. The site is burdened and benefited by a number of easements in relation to the telecommunications facilities on the site and access to them.
8. Situated on the site is a vacant single storey building, which was previously used as a Telstra exchange building. Two (2) 11m high Telstra telecommunication poles, are located in the north-eastern corner of the site.
9. The site is located in an area characterised by dwelling houses to the south and west, a primary school to the north, residential flat development to the east on the opposite side of Rocky Point Road and a small shop-top housing development on the opposite corner of Alice Street.

Zoning and Permissibility

10. The site is zoned SP2 Telecommunications Facilities under the provisions of Georges River Local Environmental Plan 2021 (GRLEP 2021). Telecommunications facilities are permitted with consent. There is no maximum height control or floor space ratio development standard applicable to this site.

Georges River Development Control Plan 2021

11. The provisions of Georges River Development Control Plan 2021 are applicable to the proposed development. A detailed assessment of the proposal against the relevant controls is provided later in this report.

Submissions

12. Four (4) submissions were received, three of which were from residents of the Bayside local government area and one from a Bayside Council employee. The concerns raised include health impacts from the facility and the potential for decommissioning of existing facilities in the Bayside local government area. These concerns are addressed later in this report.

Reason for Referral to the Local Planning Panel

13. This application is referred to the Georges River Local Planning Panel for determination as it is in the public interest given the nature of the proposal.

Conclusion

14. Having regard to the matters for consideration under section 4.15(1) of the Environmental Planning and Assessment Act 1979 and following a detailed assessment, the proposed Development Application (DA2022/0215) is recommended for approval subject to conditions of consent.

Report in Full

Proposal

15. Development consent is sought for demolition of the existing telecommunications facilities and construction of a new telecommunications facility and associated ancillary works.
16. The two existing 11m high timber poles are to be removed and replaced with a single, 25m high, monopole facility.

The proposal is described as follows:

- Demolition/removal of two (2) existing 11m high timber poles.
- Installation and erection of a 25m high monopole to enable 4G and Telstra's next generation 5G technology, is to be provided in the north western corner of the subject site.
- Excavation to a depth of 5m is required to support the pole.

The upgrade is required as the existing facilities will not structurally accommodate any future equipment upgrades.

17. The applicant states in the SEE submitted with the DA:

"Telstra has recently undertaken a radio frequency coverage assessment of the existing facilities located at the Ramsgate Telstra Exchange. The assessment concluded that the existing infrastructure, including two 11m high wooden poles, cannot structurally accommodate any future equipment upgrades. The Telstra Exchange building and the associated wooden facilities located at the rear of the property have been established in the area for many years.

In view of this, Telstra proposes to construct a new telecommunications facility to replace the existing wooden pole facilities. The proposed facility will have the structural capacity to accommodate the existing 4G equipment currently located on the two wooden poles as well as Telstra's Next Generation 5G technology."

18. The building on the site has previously been used as a Telstra exchange building and the land was recently sold to the current owner as it became surplus to the infrastructure requirements of Telstra.
19. A separate Development Application is under assessment for the fitout and use of the existing building as a community facility (DA2022/0119).

Site and Locality

20. The subject site is located on the corner of Alice Street and Rocky Point Road. The legal description of the site is Lot 2 in DP1200052, and is known as 279 Rocky Point Road, Sans Souci.
21. It has a primary frontage to Rocky Point Road of 32.545m and a secondary street frontage in Alice Street of 24.255m providing for a total site area of 905.9sqm by DP. Vehicular access to the site is via a driveway from Alice Street.
22. The site is burdened and benefitted by a number of easements in relation to the telecommunications facilities on the site and access to them.

23. Situated on the site is a vacant single storey building, which was previously used as a Telstra exchange building. Two (2) 11m high Telstra telecommunication poles are located in the north-western corner of the site.
24. The site is located in an area characterised by dwelling houses to the south and west, a school to the north, residential flat development to the east on the opposite side of Rocky Point Road and a small shoptop housing development on the opposite corner of Alice Street.

Background

25. The application was lodged on 22 July 2022.
26. The building on the site has previously been used as a Telstra exchange building and the land was recently sold to the current owner as it became surplus to the infrastructure requirements of Telstra.
27. A separate Development Application is under assessment for the fitout and use of the existing building as a community facility (DA2022/0119).



Figure 2: View of the site from Rocky Point Road



Figure 3: View of the site from Alice Street



Figure 4: Adjacent site to the west at No. 28 Alice Street (vacant)



Figure 5: Adjacent school to the north at No. 277 Rocky Point Road



Figure 6: Development on the opposite corner of Alice Street and Rocky Point Road

Compliance and Assessment

28. The development has been assessed having regard to Matters for Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policies (SEPPs)

29. Compliance with the relevant State Environmental Planning Policies is summarised in the following table and discussed in further detail below.

State Environmental Planning Policy Title	Complies
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes

LPP054-22

State Environmental Planning Policy (Biodiversity and Conservation) 2021

30. The relevant parts of the above Policy that apply to this application are Chapter 2 – Vegetation in non-rural areas, and Chapter 11 – Georges River Catchment.

Chapter 2 - Vegetation in Non-Rural Areas

31. Chapter 2 aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.
32. This chapter applies to clearing of:
- Native vegetation above the Biodiversity Offset Scheme (BOS) threshold where a proponent will require an approval from the Native Vegetation Panel established under the Local Land Services Amendment Act 2016; and*
 - Vegetation below the BOS threshold where a proponent will require a permit from Council if that vegetation is identified in the council's development control plan (Development Control Plan).*
33. No vegetation is impacted by the proposal.

Chapter 11 – Georges River Catchment

34. The primary relevant aims and objectives of this plan are:
- to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
 - to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
 - to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,*
 - to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,*
35. The proposal does not require connection to the stormwater system.
36. The proposal is consistent with the objectives and purpose of Chapter 11 of the SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021

37. Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 is relevant to the proposal.

38. Chapter 4 aims to promote the remediation of contaminated land in order to reduce the risk of harm to human health or any other aspect of the environment.
39. Clause 4.6 requires contamination and remediation to be considered in determining a DA. The consent authority must not consent to the carrying out of development on land unless it has considered whether or not the land is contaminated.
40. A review of historic aerial photography indicates that the site has historically been used as a telecommunications facility and the proposal continues this use.

State Environmental Planning Policy (Transport and Infrastructure) 2021

41. Compliance with SEPP (Transport and Infrastructure) 2021 has been considered.
42. Ausgrid was consulted as required by Chapter 2. No objection was raised and no conditions are required to be imposed.
43. Division 21 of the SEPP applies to Telecommunications and other communications facilities. An assessment of the proposal against the relevant controls of Division 21 is provided in the table below.

Clause	Standard	Proposed	Complies
2.143 Development permitted with consent	(1) Development for the purposes of telecommunications facilities, other than development in section 2.141 or development that is exempt development under section 2.20 or 2.144, may be carried out by any person with consent on any land.	The facility requires development consent.	Yes
	(2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.	Refer to assessment following this table against the <i>Planning Circular PS10-018 Telecommunications Facilities</i> .	Yes

Planning Circular PS10-018 Telecommunications Facilities

44. A Planning Circular was issued by the NSW Government on 16 July 2010 and sets out a 4 step assessment process to determine if the installation of a telecommunications facility is satisfactory, having regard to electromagnetic energy and radiation standards set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The 4 step assessment process was created as a result of a court appeal in Telstra Corp Ltd v Hornsby Shire Council [2006] NSWLEC 133.

45. The detailed principles are under the following broad headings:

Principle 1: A telecommunications facility is to be designed and sited to minimise visual impact

46. The telecommunications tower will be 25m in height and is a slimline monopole in design with the headframe being the bulkiest component of the application. The proposed monopole will replace the two existing poles currently on the site.

47. In the context of the location of the tower, it is located to the rear of the Telstra Exchange building located on the corner of Rocky Point Road and Alice Street. The land to the west includes a vacant lot immediately adjacent to the site, and residential development along Alice Street, predominantly single storey in height. To the north is a school occupying the land on the corner of Rocky Point Road and Hillview Street, with a built form of two storeys adjoining the boundary shared with the subject site.

48. The proposed monopole design has been selected as an alternative to the larger and more visually intrusive lattice tower structures. The pole is to replace the existing poles on site and while it will project above the surrounding built form in the immediate locality, the design of the monopole and projecting antenna, subject to the pole being painted a recessive colour, meets Principle 1.

49. A condition of consent has been recommended for the pole to be painted with a matt (non-reflective) black finish to minimise its visual presence in the streetscape.

Principle 2: Telecommunications facilities should be co-located wherever practical

50. The applicant has submitted documentation with the DA identifying existing infrastructure where co-location could be considered. The figure below was provided in the SEE submitted with the DA and identifies possible co-location sites within a 100m radius of the site selection area.

51. The possible sites were not deemed suitable as they were too low to provide adequate coverage, and the existing 11m high poles on the site do not have the required height or structural capacity to provide for future upgrades. The proposal meets Principle 2.

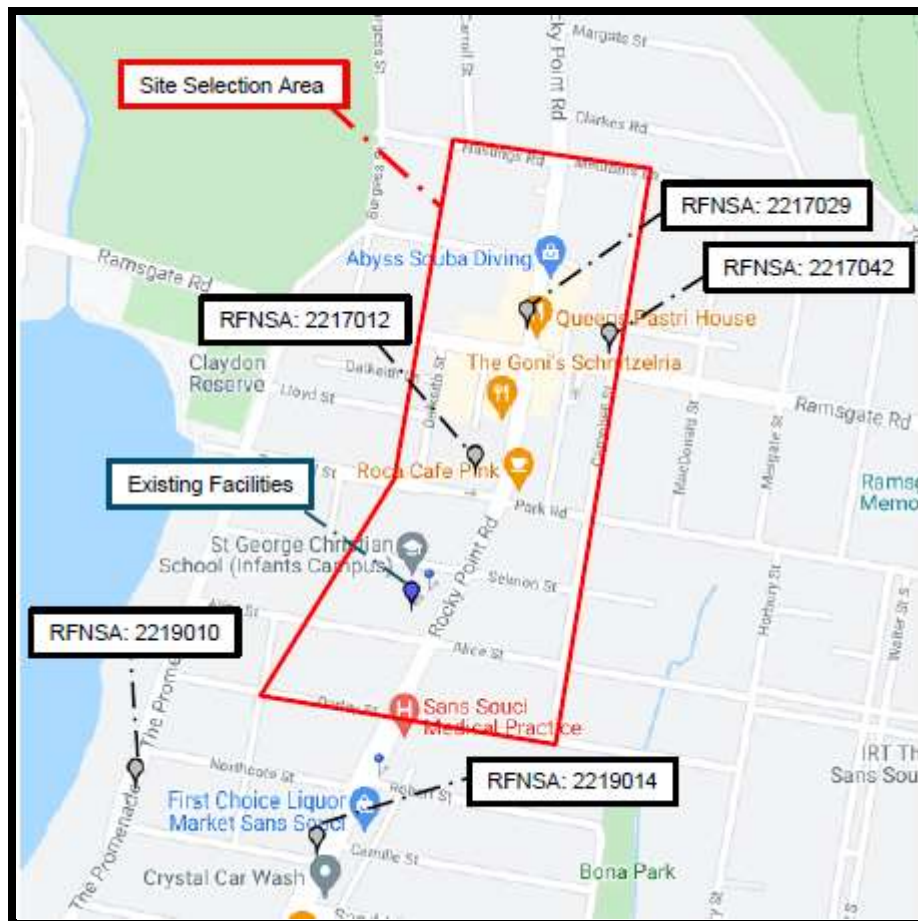


Figure 7: Co-location investigation map

Principle 3: Health standards for exposure to radio emissions must be met

52. The applicant has advised that the maximum output of the tower will only be 3.61% out of 100% of the public exposure limit, 63m from the location. This level is lower than the current level of 3.90% of the existing poles on the site.

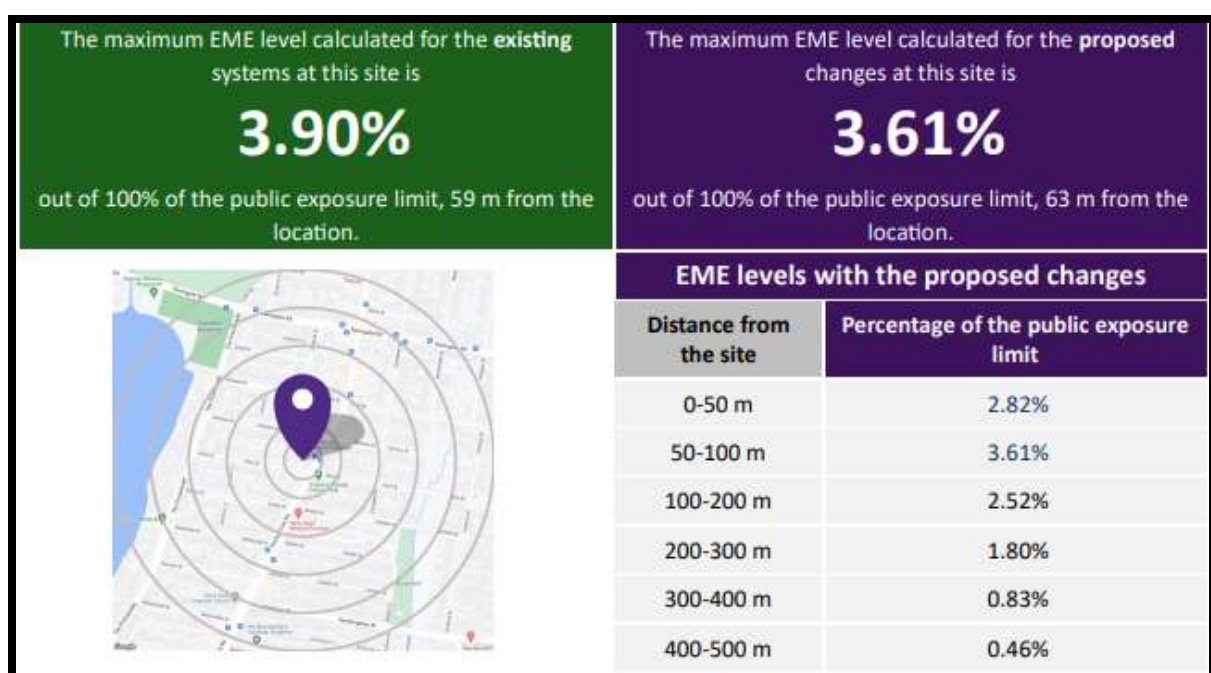


Figure 8: EME levels at the site

53. While there will be EME exposure to adjacent residential and school uses, the output of EME is significantly below the ARPANSA threshold.
54. The 360 degree EME map submitted with the application shows that EME output at the school (being within the 0-50m band of EME output) has a peak EME of 2.82% of the ARPANSA threshold.
55. The dwellings located to the west, south and east are located within the 0-500m EME output band where peak EME is a maximum of 2.82% of the ARPANSA threshold.
56. ARPANSA states that public concern has also been expressed regarding the possibility of adverse health effects from mobile phone base stations that are sited on or near places where children spend large amounts of time, for example, in or outside their home, kindergartens, schools, playgrounds etc. The balance of evidence does not indicate a risk to the health of people, including children, living in the vicinity of base stations where the exposure levels are only small fractions of the ARPANSA Standard.
57. The following extract is from the Australian Government Department of Infrastructure, Transport, Regional Development and Communications website regarding EME:

“5G and EME

All people in Australia, regardless of where they live or work, should be able to access modern telecommunications services. Often, this means the installation of new network facilities to provide those services. Network facilities for wireless telecommunications, such as radio, mobile phones and other every day devices use radiofrequency spectrum to operate and emit electromagnetic energy (EME). Understandably, some in the community want to know if EME from these facilities and devices, including 5G, are safe. In Australia, EME from telecommunications is extensively researched and strict regulations are in place to ensure facilities and devices operate safely.

EME is one of the most heavily studied types of energy in the world. Decades of research shows there is no verifiable evidence that EME from telecommunications facilities pose a negative health risk, especially when emission levels are below the maximum exposure limits set out in the Standard for Limiting Exposure to Radiofrequency Fields – 100 kHz to 300 GHz (the Standard). That’s the science of safe connection.

58. A condition of consent is imposed to require the persons or entity having the benefit of the consent to certify that EME levels do not exceed those stated in the application. If there is/are exceedances, the condition will require the persons or entity having the benefit of the consent to undertake rectification works to reduce the EME to the quoted levels in the application prior to the issue of any Occupation Certificate. Certification must be provided to the Private Certifying Authority to ensure compliance.”
59. The proposal meets Principle 3.

Principle 4: Minimise disturbance and risk and maximise compliance

60. Excavation is limited to that required for the footings of the structure located directly below the pole. The applicant provided the following footing plan to demonstrate the required depth of excavation of 5m with a width of 1.5m:

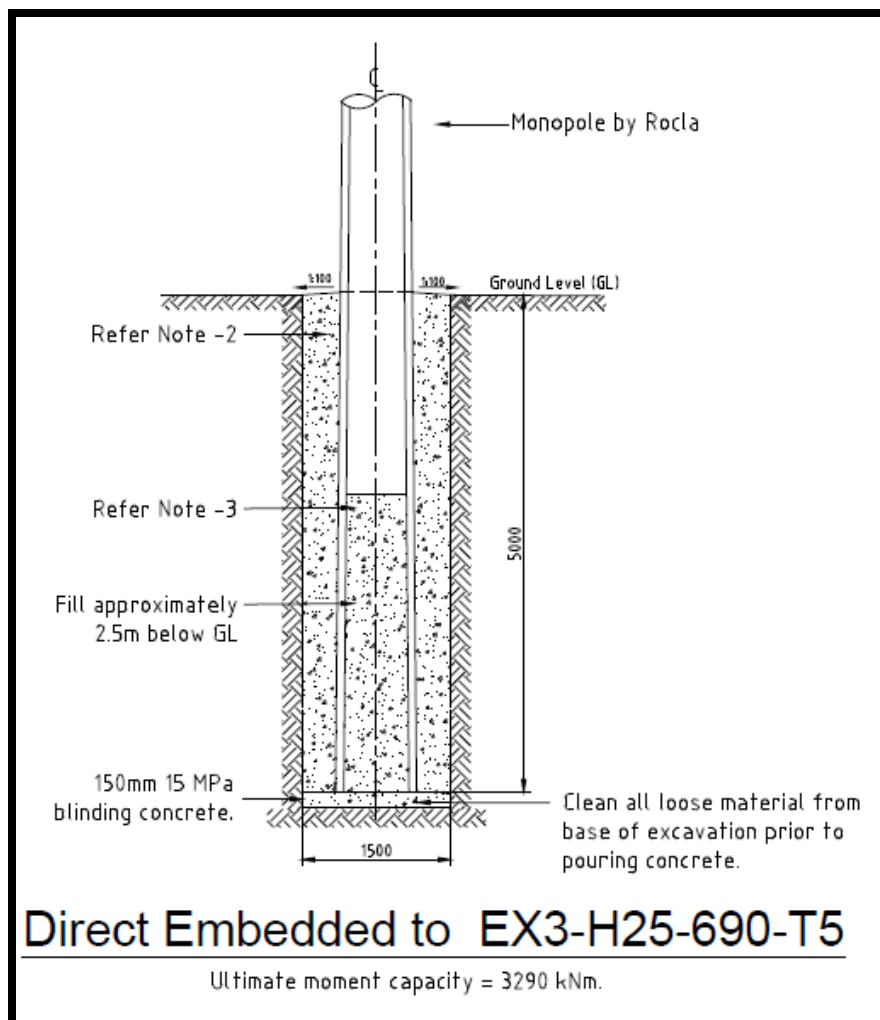


Figure 9: Footings plan

61. The proposal meets Principle 4.

Georges River Local Environmental Plan 2021

62. The subject site is zoned SP2- Telecommunications Facilities under the provisions of the Georges River Local Environmental Plan 2021. Refer to zoning map below:



Figure 10: Zoning map (GRLEP 2021) – site edged red

63. The objectives of the zone are as follows:
- *To provide for infrastructure and related uses.*
 - *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
 - *To protect and provide for land used for community purposes and public infrastructure.*
64. The proposal involves removal of existing, and replacement with new, telecommunications facilities, which is defined as:
- telecommunications facility** means—
- (a) *any part of the infrastructure of a telecommunications network, or*
 - (b) *any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or*
 - (c) *any other thing used in or in connection with a telecommunications network.*
65. The proposal being a telecommunications pole is a telecommunications facility and as such is permitted in the zone. The pole will provide for infrastructure and is replacing other poles that already exist on the site.
66. The extent to which the proposed development complies with the Georges River Local Environmental Plan 2021 (GRLEP 2021) is detailed and discussed in the table below.

Clause	Standard	Proposed	Complies
Part 1 – Preliminary			
1.2 – Aims of the Plan	In accordance with Clause 1.2 (2)	The development is consistent with the aims of the plan.	Yes
1.4 – Definitions	telecommunications facility means— (a) any part of the infrastructure of a telecommunications network, or (b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or (c) any other thing used in or in connection with a telecommunications network.	The proposed development is consistent with the definition.	Yes
Part 2 - Permitted or prohibited development			
2.3 - Zone objectives and Land Use Table	Meets objectives of SP2 Zone.	The proposal meets all objectives.	Yes
	Development must be permissible with consent	The proposal is permissible with development consent.	Yes
Part 4 - Principal Development Standards			
4.3 – Height of Buildings	No height standard.	The proposed monopole has a height of 25m. The applicant has prepared a statement in relation to the height of the pole.	N/A, however a discussion has been provided below this table on how it integrates within the locality and meets the height control objectives.
4.4 – Floor Space Ratio	No FSR standard.	The proposal does not generate GFA.	N/A
Part 5 - Miscellaneous Provisions			
5.10 – Heritage conservation	In accordance with Clause 5.10 (2)	The site is not a heritage item and not	N/A

Clause	Standard	Proposed	Complies
		located within the vicinity of any heritage items. Site is not in a heritage conservation area.	
5.11 – Bush Fire Hazard Reduction	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent.	The subject land is not within a bush fire prone area.	N/A
Part 6 - Additional Local Provisions			
6.1 – Acid sulfate soils	<p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p> <p>Class 5: Works within 100 metres of adjacent Class 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 2, 3 or 4 land.</p>	The land is classified as Class 5 and is not within 100m of Class 2, 3 or 4 land that is below 5 metres AHD. Excavation is limited to 1.5m (w) x 5m (d) for the footing of the pole.	Yes
6.2– Earthworks	<p>(2) Development consent is required for earthworks unless—</p> <p>(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.</p>	Excavation is limited to 1.5m (w) x 5m (d) for the footing of the pole.	Yes
6.3 – Stormwater Management	(2) In deciding whether to grant development consent for development, the	The proposal does not require stormwater	N/A

Clause	Standard	Proposed	Complies
	<p>consent authority must be satisfied that the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater detention or retention to minimise stormwater runoff volumes and reduce the development's reliance on mains water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland, receiving waters and the downstream stormwater system or, if the impact cannot be reasonably avoided, minimises and mitigates the impact, and</p> <p>(d) is designed to minimise the impact on public drainage systems.</p>	connection.	
6.9 - Essential services	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p>	These facilities are available on site..	Yes

Clause	Standard	Proposed	Complies
	(c) the supply of telecommunications facilities, (d) the disposal and management of sewage, (e) stormwater drainage or on-site conservation, (f) suitable vehicular access.		

LPP054-22

Discussion on height of the proposed monopole

67. There is no maximum height standard applicable to the site under Clause 4.3 of the GRLEP 2021 and the site is zoned SP2 “Telecommunications Facilities” and contains existing communication poles.
68. This notwithstanding, given the extent of additional height proposed and the location of the pole adjacent to low density zoned land, the applicant was requested to provide justification and analysis of proposal with regards to its height.
69. In response the applicant provided a statement responding to the objectives of Clause 4.3 Height of Buildings and the objectives of the SP2 Infrastructure zone. The full justification is provided as an attachment to this report, with relevant extracts provided below:
70. Applicant’s Justification of Pole Height

“Clause 4.3(1) states the following:

4.3 Height of buildings

1. *The objectives of this clause are as follows—*
 - (a) *to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,*
 - (b) *to minimise the impact of overshadowing, visual impact, disruption of views and loss of privacy on adjoining properties and open space areas,*
 - (c) *to ensure an appropriate height transition between new buildings and—*
 - (i) *adjoining land uses, or*
 - (ii) *heritage items, heritage conservation areas or Aboriginal places of heritage significance.*

In addition, an assessment against the objectives of the SP2 Infrastructure zone has also been included.

- Overview of proposal

The proposal is for the development and operation of a new mobile phone base station comprising a 25 m monopole, antennas, transmission equipment and ground equipment. The proposal will meet the requirement for Telstra as a licensed carrier to provide adequate mobile phone coverage to their customers in Sans Souci and surrounds. Furthermore, the existing telecommunication facilities consisting of wooden pole structures, will be removed once the proposed facility is in use.

The following information provides an assessment of the proposal with regards to these objectives so that development consent may be granted.

- Compliance with 4.3(a): to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.

It is acknowledged that the proposed facility is at a height that is greater than the surrounding buildings. The height of the proposed facility is necessary as the nature of telecommunications facilities requires them to protrude above all surrounding vegetation and structures to be able to provide adequate coverage.

A slim-line monopole has been proposed as an alternative to a larger and more visual intrusive lattice tower structure. The bulk of the facility is minor in comparison to a multi storey commercial or residential building. Telecommunication facilities are common within urban areas as they must be located close to areas that require mobile voice and data services. The height, bulk and scale of the proposed facility is similar to other monopoles located in the Georges River LGA including:

16 Production Ave KOGARAH NSW 2217 – 30m concrete monopole located near to residential apartment blocks.

Further information justifying the height of the facility is contained in Section 6.1.2 of the Statement of Environment Effects (SEE).

71. Statement of Environmental Effects Section 6.1.2 Height of facility

The total height of the proposed replacement facility has been calculated at 26.5m. Telstra has given careful consideration towards deciding on the height of the facility. In summary, the height of the facility has been chosen for the following reasons:

- To ensure EME compliance is achieved over the occupational roof areas of surrounding buildings. This point is provided with reference to Section 7 of this report, outlining the public health and safety requirements that Telstra will adhere to.
- The surrounding coverage clutter has increased over time and with potential redevelopments in the future, a 25 m monopole will be adequate to serve Telstra customers now and in the future.
- The area is difficult to obtain more greenfield macro sites and this site redevelopment provides the chance to improve Telstra coverage in the Ramsgate and Sans Souci area.
- As the proposal involves the deployment of 5G, which operate at much higher frequencies, line of sight is necessary to deliver good coverage and performance.
- With the surrounding area consisting largely of residential dwellings, and with more subscribers working from home, a 25 m monopole will provide dominant coverage depth for this increase in service and performance demand.
- Due to the lack of a macro site to the area South-East of the exchange (Cnr of Sandringham St & Grand Parade) and a sector bearing in this direction, coverage will improve in this area with the increased site height.
- There will also be improved coverage to the North towards the industrial estate (Cnr Rocky Point Road & Production Ave) as that area is currently not covered by the nearby macro site.
- A 25m monopole also has the potential for a co-location with the other carriers if the opportunity arises, with Telstra being the lead carrier at the top of the monopole.

In accordance with the findings of the viewpoint analysis combined with the above points provided by a radio frequency engineer, Telstra considers the proposed facility height to be viable at the current Telstra Exchange site, zoned specifically for telecommunication facilities.

- ***Compliance with 4.3(b): to minimise the impact of overshadowing, visual impact, disruption of views and loss of privacy on adjoining properties and open space areas,***

The height of the proposed facility is necessary as the nature of telecommunications facilities requires them to protrude above all surrounding vegetation and structures to be able to provide adequate coverage. As such, visual impact from some areas is expected. Section 6.1.1 of the SEE provides a viewpoint analysis and has concluded that negligible to moderate impact is expected in the area, depending on the location.

A slim-line monopole has been proposed as an alternative to a larger and more visually intrusive lattice tower structure. This will minimise the impact of overshadowing, reduce the visual impact and reduce the disruption of views. There will not be a loss of privacy associated with an unmanned telecommunications facility. Furthermore, the proposed facility makes use of a location that already contains existing telecommunication infrastructure.

Telstra has proposed a non-reflective light grey colour to better integrate with the skyline.

72. Applicant's Visual Analysis – Section 6.1.1 Statement of Environmental Effects

6.1.1 Viewpoint analysis

It is recognised that, similar to all forms of development, telecommunication facilities may have a visual effect. This visual effect can be attributed to two unavoidable characteristics of telecommunication facilities:

- They are structures which generally protrude above other structures
- They need to be located at suitable heights in order to operate effectively

These characteristics mean that by necessity, telecommunication facilities may be and often are visible in urban and rural landscapes. Telstra has endeavoured to strike a balance between providing services and minimising visual impact on the community and local environment. To address visual amenity associated with the proposed facility, Telstra undertake a detailed assessment of the surrounding landscape.

The visual assessment has incorporated viewpoints to understand the level of visual modifications from surrounding areas. Consideration has been given towards the height and scale of the structure and proposed development on the land, along with environmental factors such as landform, vegetation, land use, and visual context. The viewpoint locations have been chosen in consideration of the nearby sensitive uses and local road approaches to the subject site (Figure 10).

Photomontage images have been included for some of the viewpoints within this assessment, with high resolution photomontages of all viewpoints provided in Appendix C.




Figure 10: Location of viewpoints (Source: Nearmaps 2021)

Viewpoint 1 – Rocky Point Road / Ritchie Street intersection

This viewpoint location is located on Rocky Point Road / Ritchie Street intersection. This location is approximately 135 m south of the proposed replacement facility and includes a photomontage. This viewpoint is looking north towards the proposed replacement facility. The visual context of this viewpoint is detailed in Table 8.


Table 8: Viewpoint 1 – Rocky Point Road / Ritchie Street intersection

Viewpoint 1	
Typical local landscape character (photomontage included)	 <p>The photomontage shows a street intersection with a proposed facility in the background. The facility is a tall, thin structure, possibly a tower or antenna, visible against a blue sky with white clouds. The foreground shows a paved road, a sidewalk, and some residential buildings and trees.</p>
	<p>The viewpoint is orientated north east towards the proposed replacement facility and features mature vegetation, power lines, power poles and low density residential dwellings in the foreground. A photomontage of the proposed replacement facility is featured in the background. The viewpoint depicts a highly modified urban environment.</p>
Landform	The land surrounding this viewpoint is flat. The landform in this area is highly modified.
Vegetation	The vegetation featured in this viewpoint is of moderate to large height and scale in comparison to the existing buildings in the foreground.
Land use	The land uses located within the immediate vicinity of this viewpoint consist of one storey residential uses and two storey commercial uses.
Level of Impact	<p>In consideration of the height of the proposed replacement facility and existing landform in this area, the proposed replacement facility will maintain a low level of modification to views from this location.</p> <p>A low level of modification has been determined. While it is acknowledged that the proposed replacement facility will be visible from this location, the facility will be seen in the context of a highly modified urban environment.</p>

Viewpoint 2 – Adjacent to 40 Alice Street

This viewpoint location is located adjacent to 40 Alice Street. This location is approximately 170 m east of the proposed replacement facility. This viewpoint is looking west towards the proposed replacement facility and includes a photomontage. The visual context of this viewpoint is detailed in Table 9.


Table 9: Viewpoint 2 – Adjacent to 40 Alice Street)

Viewpoint 2	
Typical local landscape character	 <p>The viewpoint is orientated west towards the proposed replacement facility and features mature vegetation, power lines, power poles, light poles and low to medium density residential dwellings. This viewpoint depicts a highly modified urban environment.</p>
Landform	The land surrounding this viewpoint is flat. The landform in this area is highly modified.
Vegetation	There is a large range of vegetation featured in this image. Large mature vegetation is featured in the background in close proximity to the proposed replacement facility.
Land use	The land uses located within the immediate vicinity of this viewpoint consist of low to medium density residential houses.
Level of Impact	<p>In consideration of the height of the proposed replacement facility and existing landform in this area the proposed replacement facility will maintain a negligible level of modification to views from this location.</p> <p>A negligible level of modification has been determined as the facility will be predominantly screened by mature vegetation. The proposed replacement facility may be glimpsed between mature trees at similar height and scale. Other vertical elements including existing power lines, power poles and light poles are featured.</p>

Viewpoint 3 – Rocky Point Road / Selmon Street intersection (looking towards St George Christian School)

This viewpoint location is located on Rocky Point Road and features the St George Christian School in the foreground. This location is approximately 100 m north east of the proposed replacement facility. This viewpoint is looking south west towards the proposed replacement facility. The visual context of this viewpoint is detailed in Table 10.


Table 10: Viewpoint 3 – Rocky Point Road / Selmon Street intersection (looking towards St George Christian School)

Viewpoint 3	
Typical local landscape character (photomontage included)	 <p>The viewpoint is orientated south west towards the proposed replacement facility and features the St George Christian School in the foreground. Mature vegetation, residential dwellings, power lines and power pole are also featured. The proposed replacement facility is mostly screened by mature vegetation. The viewpoint depicts a highly modified urban environment.</p>
Landform	The land surrounding this viewpoint is relatively flat. The landform in this area is highly modified.
Vegetation	The vegetation featured in this viewpoint is of moderate to large height and scale in comparison to the nearby dwellings. It is observed that the proposed replacement facility is predominantly obstructed by vegetation when viewed from this location.
Land use	The land uses located within the immediate vicinity of this viewpoint consist of two storey educational buildings and low density residential land uses.
Level of Impact	<p>In consideration of the height of the proposed replacement facility and existing landform in this area, the proposed replacement facility will maintain a low to moderate level of modification to views from this location.</p> <p>A low to moderate level of modification has been determined as it is acknowledged that the proposed replacement facility will be visible and not screened from some areas in the immediate vicinity of this intersection. However, it is also acknowledged that the proposed replacement facility will be seen in the context of a highly modified urban environment and will be screened by vegetation from the southern approach to the intersection.</p>

Viewpoint 4 – Adjacent to 13 Hillview Street

This viewpoint location is located on Hillview Street, approaching the subject site from the north west. This location is approximately 105 m north west of the proposed replacement facility. This viewpoint is looking south east towards the proposed replacement facility and includes a photomontage. The visual context of this viewpoint is detailed in Table 11.

Table 11: Viewpoint 4 – Adjacent to 13 Hillview Street

Viewpoint 4	
Typical local landscape character (photomontage included)	 <p>The image is a photomontage showing a street scene from Viewpoint 4. In the foreground, there is a paved road with several cars parked along the side. To the right, there are two-story residential houses. In the background, a tall, thin structure labeled 'Proposed facility' is visible against a clear blue sky. The scene includes mature trees and power lines, representing a highly modified urban environment.</p>
	<p>The viewpoint is orientated south east towards the proposed replacement facility and features mature vegetation, power lines, power poles and two storey residential dwellings in the foreground. This viewpoint depicts a highly modified urban environment.</p>
Landform	<p>The land surrounding this viewpoint is relatively flat. The landform in this area is highly modified.</p>
Vegetation	<p>The vegetation featured in this viewpoint is mature and is of similar height to the residential dwellings located along Hillview Street.</p>
Land use	<p>The land uses located within the immediate vicinity of this viewpoint consist of two storey residential dwellings.</p>
Level of Impact	<p>In consideration of the height of the proposed replacement facility and existing landform in this area, the proposed replacement facility will maintain a moderate level of modification to views from this location.</p> <p>A moderate level of modification has been determined as it is acknowledged that the proposed replacement facility will be visible from most areas in the vicinity of this viewpoint. However, it is also acknowledged that the proposed replacement facility will be seen in the context of a highly modified urban environment.</p>

A summary of findings from the viewpoint analysis is provided in Table 12.

Table 12: Summary of findings from the viewpoint analysis

Viewpoint	Elements considered				Level of Impact
	Vegetation screening	Building screening	Distance from proposed replacement facility	Landform	
Viewpoint 1 – Rocky Point Road / Ritchie Street intersection	No	Yes	Moderate	Modified	Low
Viewpoint 2 – Adjacent to 40 Alice Street	Yes	Yes	Moderate	Modified	Negligible
Viewpoint 3 – Rocky Point Road / Selmon Street intersection (looking towards St George Christian School)	Yes	Yes	Low	Modified	Low to Moderate
Viewpoint 4 – Adjacent to 13 Hillview Street	No	Yes	Moderate	Modified	Moderate

The proposed replacement facility will be seen from many areas within 200 m of the subject site. However, the visual assessment has concluded that the proposed replacement facility will be seen in the context of a highly modified urban environment. The facility will be fully screened or partially obstructed by building and trees when viewed from many areas at ground level. The assessment has concluded that no adverse (high) level of impact to the amenity of the immediate area will occur.

- Compliance with 4.3(c): to ensure an appropriate height transition between new buildings and –
 - (i) adjoining land uses, or
 - (ii) heritage items, heritage conservation areas or Aboriginal places of heritage significance.

The proposed facility is a structure and not technically a building. Telstra regards Clause 4 (i) as a reference to new buildings which have a much larger bulk than telecommunication facilities. The proposed facility will have a greater height than adjoining land uses. However, the height of the proposed facility is necessary as the nature of telecommunications facilities requires them to protrude above all surrounding vegetation and structures to be able to provide adequate coverage.

There are no heritage items, heritage conservations areas or cultural heritage places near the proposed facility.

- Compliance with the objectives of the zone

The proposed facility is located within the SP2 Infrastructure (Telecommunications facilities) zone. The objectives of the zone are:

- *Provide for infrastructure and related uses.*
- *Prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- *To protect and provide for land used for community purposes and public infrastructure.*

Enhanced 5G coverage will provide infrastructure that supports faster data speeds, lower latency and greater capacity for Sans Souci, Ramsgate and surrounding areas. In view of this, the proposed replacement facility is consistent with the first objective of the zone.

The proposed replacement facility is also to be located in the same area as existing telecommunication facilities located at the rear of the property so that it does not detract, or impact land used for community purposes. Furthermore, the subject site is specifically zoned for telecommunication uses. As such, the proposed replacement facility is considered to be consistent with the objectives for the zone and the general purpose of the zoning.”

- Conclusion

The proposed facility is recognised to be compliant with the objectives of Clause 4.3 Height of Buildings and with the objectives of the SP2 Infrastructure zone in accordance with the Georges River LEP. Given the nature of telecommunications facilities, strict height restrictions are considered unreasonable as the operation of the proposal could not provide adequate coverage to the Sans Souci and Ramsgate area. The proposed facility is considered to have sufficient environmental planning grounds as the facility would deliver improved internet services to the area contributing socially and economically to Sans Souci, Ramsgate and the LGA more generally.

The area of Sans Souci and its surrounds is a dynamic community where many residents and visitors require and expect a high degree of service infrastructure, including mobile phone and internet availability. The proposed development is generally consistent with the objectives of the height of buildings standard and the SP2 Infrastructure (Telecommunications facilities) zone and would not have adverse implications to the built form or environmental values of the area.

While technically the facility is defined as a building, the structure does not comprise any windows or floors. It is not believed that this clause of the LEP relating to maximum building heights, is intended to include unmanned structures which require sufficient height to be able to operate.

In this instance, we believe it is appropriate to apply some flexibility to this particular development standard as it is not intended for application to telecommunications facilities, which requires height to operate effectively, as is evident throughout the broader LGA.

Aurecon on behalf of Telstra requests that Council support this proposal and provide consent for the proposed telecommunications facility at Sans Souci to allow improved mobile coverage for the community.

The applicant has stated the following within Section 6.1.2 Height of facility within the SEE explaining why the pole needs to be 25m in height:

Telstra has given careful consideration towards deciding on the height of the facility. In summary, the height of the facility has been chosen for the following reasons:

- *To ensure EME compliance is achieved over the occupational roof areas of surrounding buildings. This point is provided with reference to Section 7 of this report, outlining the public health and safety requirements that Telstra will adhere to.*
- *The surrounding coverage clutter has increased over time and with potential redevelopments in the future, a 25 m monopole will be adequate to serve Telstra customers now and in the future.*
- *The area is difficult to obtain more greenfield macro sites and this site redevelopment provides the chance to improve Telstra coverage in the Ramsgate and Sans Souci area.*
- *As the proposal involves the deployment of 5G, which operate at much higher frequencies, line of sight is necessary to deliver good coverage and performance.*
- *With the surrounding area consisting largely of residential dwellings, and with more subscribers working from home, a 25 m monopole will provide dominant coverage depth for this increase in service and performance demand.*
- *Due to the lack of a macro site to the area South-East of the exchange (Cnr of Sandringham St & Grand Parade) and a sector bearing in this direction, coverage will improve in this area with the increased site height.*
- *There will also be improved coverage to the North towards the industrial estate (Cnr Rocky Point Road & Production Ave) as that area is currently not covered by the nearby macro site.*
- *A 25m monopole also has the potential for a co-location with the other carriers if the opportunity arises, with Telstra being the lead carrier at the top of the monopole.”*

73. Council Assessment Planner's Assessment and Comment:

As part of the assessment process, Council's Assessment Planner attended the site and the surrounding locality to consider the impact of the proposed structure.

Central to consideration at to whether the height is appropriate for this site at this location are the site's zoning, the development standards applying to the site under the Local Environmental Plan, and the merit suitability of the proposal given the land zoning and the existing and future likely context for land surrounding the site. These are considered in turn below:

74. *Site Zoning*

The site is zoned under the Georges River Local Environmental Plan 2021 as SP2 Infrastructure, and the specific site is listed as being for telecommunications facilities, and therefore anything associated with infrastructure for telecommunication facilities is permissible in the zone.

The objectives of the zone are to:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- *To protect and provide for land used for community purposes and public infrastructure.*

These objectives, and the purpose listed on the zoning maps, speak to the land being used specifically for telecommunications facilities and being zoned to ensure their future provision.

In this case, as the proposed monopole is serving the purpose for which the land has been zoned, and will provide the infrastructure defined under the zoning, the proposal is permissible and consistent with the objectives of the applicable zone. The pole results from a need to upgrade and improve on the existing telecommunication coverage in the precinct.

75. *Applicable Height Standard*

No maximum height applies to the site on the Height of Buildings map under the LEP and as such no height standard is applicable.

76. *Merit Consideration of proposed height*

It is noted that the site adjoins a school (without a height limit) to the north, public roads to the east (the Rocky Point Road corridor) and south, and land zoned R2 Low Density Residential with a 9m height limit to the west (and across Alice Street to the south).

The subject site, in its existing and proposed form, is clearly different and separate in character to the residential zone adjoining, this will continue to be the case, and is so intended in the site zoning.

In terms of other matters:

- The design of the structure is slim-line and recessed as far as practical from the street;
- The pole is partially screened by the existing exchange building (to be retained) and setback from the street when viewed from the east (Rocky Point Road);
- The pole is partially screened by the two-storey buildings of the school when viewed from the north from the public domain;
- Existing street planning also serves to partially screen the tower from a number of viewpoints;
- The pole replaces two existing (albeit shorter) poles and
- The zoning of the site for the foreseeable future is SP2 Infrastructure – Telecommunication Facilities which is zoned specifically for the provision of infrastructure of this kind.

The above notwithstanding, the proposed metallic finish of the proposal is not supported as it increases the visual prominence of the tower while also accentuating its utilitarian appearance at odds with the surrounding, predominantly, residential suburban streetscape. A condition of consent requiring a matt (i.e. non-reflective) black finish is included in the recommendation to resolve this concern.

77. *Conclusion of height assessment*

The site is zoned for telecommunication infrastructure such as that proposed and does not have an applicable height standard. The existing site has an existing character distinct from surrounding developments and this will continue to be the case.

While the proposed tower is substantially taller than the existing towers on the site (which are to be removed), it is set to the rear of the site, and singular in form. Subject to an appropriate recessive, non-reflective finish (as recommended in the conditions in this report), it is considered that the visual impact resulting from the height of the proposal is acceptable in the context of the infrastructure and telecommunication coverage upgrade which the tower is proposed to provide.

Georges River Development Control Plan 2021

78. The proposed development is subject to the provisions of the Georges River Development Control Plan 2021. The following comments are made with respect to the proposal considering the objectives and controls contained within the DCP.

Part 3 – General Planning Considerations

Control	Proposal	Compliance
3.2.1 Trees and Vegetation	Applicable	
Development is to comply with the provisions of the relevant SEPP's and Council's Tree Management Policy.	No anticipated impacts on vegetation.	Yes
3.3 Landscaping	Applicable	
Landscaping on site should be incorporated into the site planning of a development to (where appropriate): <ul style="list-style-type: none"> i. Reinforce the desired future character of the locality; ii. Maintain significant landscape features; iii. Be consistent with any dominant species in the adjoining area of ecological significance; iv. Incorporate fire resistant species in areas susceptible to bushfire hazard; v. Provide planting within setback zones; vi. Soften the visual impact of buildings, carparks and roads; vii. Cater for outdoor recreation areas; viii. Separate conflicting uses; ix. Screen undesirable elements; x. Provide opportunities for on-site stormwater infiltration, in particular around existing trees and vegetation; xi. Consider the future maintenance requirements of landscaped areas; xii. Protect the effective functioning of overhead, surface level or underground utilities; and 	<p>There is currently no landscaping on the site, other than a grassed area along the frontage to Rocky Point Road. The adjacent site to the west is covered in concrete slabs and the school to the north has buildings directly adjacent to the shared boundary with the site.</p> <p>Landscaping is unable to be provided around the base of the pole as access to the pole is required for maintenance and fencing is also provided around the pole and equipment cabinets.</p>	N/A

Control	Proposal	Compliance
xiii. Improve the aesthetic quality of the development.		
Landscape planting should achieve a mature height in scale with the structures on the site.	No change to existing.	Yes
Where landscaping is required, this should incorporate locally indigenous plants listed in the GRDCP 2021 Backyard Biodiversity Guide and Council's Tree Management Policy.	No change to existing.	Yes
3.5 Earthworks	Applicable	
3.5.1 Earthworks (including cut and fill)		
Natural ground level should be maintained within 900mm of a side or rear boundary.	No alteration to natural ground level is proposed.	Yes
Cut and fill should not alter natural or existing ground levels by more than 1m	Excavation is limited to 1.5m (w) x 5m (d) for the footing of the pole.	Acceptable
Habitable Rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.	N/A	N/A
Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.	N/A	N/A
Development is to be located so that the clearing of vegetation is avoided.	There is no vegetation on site.	N/A
Cut and fill within a tree protection zone of a tree on the development site or adjoining land must be undertaken in accordance with AS4970 (protection of trees on development sites).	N/A	N/A
Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.	N/A	N/A
Earthworks are not to increase or concentrate overland stormwater flow or aggravating existing flood conditions on adjacent land.	N/A	N/A
Fill material must be virgin excavated natural material (VENM)	N/A	N/A
For flood affected sites, cut and fill is to comply with the requirements of Chapter 6 of Council's Stormwater Management Policy	N/A	N/A
3.5.2 Construction Management/Erosion and Sediment Control		
Development must minimise any soil loss from the site to reduce impacts of sedimentation on waterways through the use of the following:	Conditions recommended in this regard.	Conditions

Control	Proposal	Compliance
<ul style="list-style-type: none"> - Sediment fencing; - Water diversion; - Single entry/exit points - Filtration materials such as straw bales and turf strips. <p>Development that involves site disturbance is to provide an erosion and sediment control plan which details the proposed method of soil management and its implementation. Such measures are to be in accordance with The Blue Book – Managing Urban Stormwater, Soils & Construction by LandCom</p>		
Development is to minimise site disturbance including impacts on vegetation and significant trees and the need for cut and fill.	Excavation is limited to 1.5m (w) x 5m (d) for the footing of the pole and there is no vegetation on the site or adjoining sites.	Yes
Development which has a high potential risk to groundwater must submit a geotechnical report to address how possible impacts on groundwater are minimised.	N/A	N/A
3.13 Parking Access and Transport	Applicable	
No parking requirement.	Access to the proposed facility for construction purposes will be via the existing access driveway off Alice Street. No additional access is required. As the use is unmanned and operated remotely, formal car parking is not required and has not been proposed.	Yes

Part 4 – General Land Use

Control	Proposal	Compliance
4.9 Telecommunications Facilities	Applicable	
Visual Amenity		
1. Carriers are to design antennas and supporting infrastructure in a such a way as to minimise or reduce the visual and cumulative visual impact from the public domain and adjacent areas.	Refer to discussion under the heading <i>Planning Circular PS10-018 Telecommunications Facilities</i> .	Yes
2. Within the local context, the infrastructure design must take account of: i. Colour; ii. Texture;	The pole is located in the north-western corner of the site. It will be partially screened by the existing exchange building when	Yes

Control	Proposal	Compliance
iii. Form; and iv. Bulk and scale.	<p>viewed from the east and the two-storey school buildings when viewed from the north.</p> <p>A condition has been imposed for the pole to be painted with a non-reflective black finish, a recessive colour, to minimise the visual impact of the pole when viewed from other perspectives in the locality.</p>	
3. Infrastructure must: i. Be well-designed; ii. Integrated with the existing building structure unless otherwise justified in writing to Council; iii. Have concealed cables where practical and appropriate; iv. Be unobtrusive where possible, and v. Be consistent with the character of the surrounding area. A discussion on facility design can be found in Low Impact Facilities for Better Visual Outcomes that can be accessed at www.amta.org.au/mcf	<p>The existing equipment cabinets on the site will be retained.</p>	Yes
4. Infrastructure must be removed when no longer being used.	<p>The two existing timber poles are to be removed and the existing equipment cabinets retained for connection to the proposed monopole.</p>	Yes
5. The site must be restored following construction of the infrastructure.	<p>Existing ground level to be retained around the new pole and existing cabinets.</p>	Yes
Co Location		
6. Co-location is the practice of siting a number of different telecommunication facilities, often owned by different carriers, in one location.	<p>Co-location is not proposed.</p>	N/A
7. Co-location, may not always be a desirable option where: i. Cumulative emissions are a consideration; ii. It may be visually unacceptable; iii. There are physical and technical	<p>Co-location is not proposed.</p>	N/A

Control	Proposal	Compliance
limits to the amount of infrastructure that structure are able to support; or iv. The required coverage cannot be achieved from the location.		
8. Carriers should demonstrate a precautionary approach and effective measures to minimise the negative impacts on co-location.	Co-location is not proposed.	N/A
Location		
9. The carrier should demonstrate that, in selecting a site, it has adopted a precautionary approach in regards to minimising EMR exposures consistent with Section 5.1 of the ACIF Code.	Refer to discussion under the heading <i>Planning Circular PS10-018 Telecommunications Facilities</i> .	Yes
10. The preferred land use is within Industrial zones.	There are no industrial zones within the site selection area to accommodate the pole and meets required coverage.	N/A
11. The carrier should demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas: i. Where occupants are located for long periods of time (e.g. dwellings); ii. That are frequented by children (e.g. schools, child care centres); and iii. Health care facilities (e.g. hospitals, aged care facilities, specialist medical centres).	The maximum output of the tower will only be 3.61% out of 100% of the public exposure limit, 63m from the location. This level is lower than the current level of 3.90% of the existing poles on the site.	Yes
Heritage and Environment		
12. Infrastructure proposed for areas of environmental significance as defined in Telecommunications (Low-impact Facilities) Determination 2018 (LIF Determination) require: i. Development consent under the LIP Determination and Council's planning instrument and policies; ii. The applicant is to have regard to avoiding or minimising the visual impact of any proposed facility on the heritage significance of adjacent / adjoining / surrounding heritage items and conservation areas. iii. The application is to provide a heritage report / impact statement in accordance with Council's planning instruments and policies.	The site is not located in proximity to any heritage items or special character areas.	Yes

Control	Proposal	Compliance
iv. For proposals within heritage conservation and / or special character areas, consideration should be given to the impact of the proliferation of telecommunication facilities on the integrity of the heritage conservation and / or special character areas.		
Facility Design Controls		
13. Infrastructure should be of high quality design and construction.	The proposed replacement facility has been designed and will be built in accordance with Australian Standards.	Yes
14. Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under Section 5.2.3 of the ACIF Code.	The site selection process is provided in Section 3 of the SEE. A new greenfield facility is required. However, EMR emissions are exposure levels are within the standard exposure limits set out by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).	Yes
15. The plan for the facility should include measures to restrict public access to the antenna(s). Approaches to the antenna(s) should contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner / manager.	The proposed replacement facility involves the construction of a monopole. The public cannot access areas close to the antennas. Standard signage is provided in the design.	Yes
16. The minimum requisites that should apply where relevant are the BCA for purposes of construction and the relevant exposure levels as directed by the Australian Communications Authority (ACA). The applicant should provide Council with certification above the standards with which the facility will comply.	The design has been produced in accordance with the BCA. The final design will be certified by a suitably qualified person prior to construction.	Yes
Facility Health Controls		
17. The applicant is to demonstrate the precautions it has taken to minimise (EMR) exposures to the public.	A monopole facility has been proposed. The height of antennas relative to publicly accessible areas will ensure that the public cannot be exposed to high levels of EMR.	Yes

Control	Proposal	Compliance
	The ARPANSA EME report provides the maximum exposure limit surrounding the proposed replacement facility.	
18. The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA.	ARPANSA EME Report submitted with the DA.	Yes
19. The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal.	ARPANSA EME Report submitted with the DA.	Yes

79. The proposal is therefore considered appropriate with regards to the GRDCP 2021.

Impacts

Natural Environment

80. The proposed works are not expected to have any unreasonable or significant impact on any natural area, or the natural environment more broadly.

Built Environment

81. The proposal is a tall structure and will be visible in the local skyline from some view points. This notwithstanding, the proposal is slender in form, and subject to appropriate conditions around finishes, the proposal is not expected to have an unreasonable impact on the built environment, noting its recessed position on the site, the sites zoned purpose for the provision of telecommunication infrastructure (a purpose the proposal seeks to serve), and its slender form.

Social Impact

82. The assessment demonstrates that the proposal in its current form is not expected to have and significant social impact on the locality.

Economic Impact

83. The proposal is not considered to result in unreasonable material economic impact.

Suitability of the Site

84. The site is zoned SP2 – Telecommunications and the proposal will replace two existing telecommunication towers. The proposal is not expected to have an unreasonable impact on the surrounding streetscape.

Submissions, Referrals and the Public Interest

85. The application was notified for 14 days in accordance with Council's notification policy. Four (4) submissions were received, three of which were from residents of the Bayside local government area and one from a Bayside Council employee. The concerns raised in the submissions are addressed in the table below.

Concern	Comment
Adverse health impacts of facility	<p>The applicant has provided a response to this concern and it is provided as an attachment to this report.</p> <p>This has also been referred to Councils Environmental Health Officer who has provided conditions of consent requiring an acoustic assessment be submitted to Council 3 months after installation to ensure the facility complies with the NSW Environment Protection Authority's "Noise Policy for Industry (2017)", and other conditions to ensure ongoing maintenance of noise mitigation treatments.</p> <p>Based upon the documentation provided Council has no basis on which to conclude that the proposed facility will have an adverse impact on community health.</p>
Property devalued	Property value is not a consideration in the assessment of Development Applications.
Whether other existing telecommunications facilities investigated for co-location along Rocky Point Road in the Ramsgate Town Centre can be decommissioned.	The decommissioning of other telecommunications infrastructure, aside from the two proposed to be removed on the site, is not proposed under this application and is a separate matter for the infrastructure operator.
The guidelines as required by Section 2.143 of <i>SEPP (Transport and Infrastructure) 2021</i> .	This was considered in the assessment of the application – refer to discussion under <i>SEPP (Transport and Infrastructure) 2021</i> in this report.
Potential for added clutter along Rocky Point Road, considering existing facilities above roof tops on the western side of this corridor (opposite Evans Street) and other carriers being able to use this structure (as identified in the Statement of Environmental Effects).	<p>It is acknowledged that utility infrastructure can add visual clutter to existing streetscapes. It is noted that while the proposed tower will have added visibility by virtue of its height, it consolidates infrastructure on the site from the two towers currently existing. In addition the proposal is recessed as far as practical from both public streets and will provide a predominantly slender form.</p> <p>Conditions are proposed to ensure a matt (non-reflective) black finish to provide a visually recessive tone to the proposal.</p> <p>Applications from other carriers for the use of the proposed facility will be assessed on their merits at the time of application.</p>

Council Referrals

Development Engineer

86. The proposal was referred to Councils Development Engineer. No objections were raised and conditions of consent provided.

Environmental Health Office

87. The proposal was referred to Councils Environmental Health Officer. No objections were raised and conditions of consent provided.

External Referrals

Ausgrid

88. The application was referred to Ausgrid as per State Environmental Planning Policy (Transport and Infrastructure) 2021. Comments were received raising no concerns.

Transport for NSW

89. Transport for NSW was consulted in accordance with Clause 2.118 of the SEPP. No objection was raised subject to conditions being imposed.

Contributions

90. Section 7.12 levies apply in accordance with Georges River Council Local Contributions Plan 2021 and a condition of consent for their payment has been included.

Conclusion

91. Development consent is sought for demolition of the existing telecommunications facilities and construction of a new telecommunications facility and associated ancillary works.
92. The proposal has been assessed with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal is an appropriate response to the context of the site and will result in an acceptable outcome for the locality.
93. The proposal has been assessed against the provisions of the relevant State Environmental Planning Policy, Georges River Local Environmental Plan 2021 and Georges River Development Control Plan 2021 and complies with the relevant development standards of the Local Environmental Plan and Development Control Plan. The proposal is consistent with the purpose for which the land is zoned, and is considered appropriate in the context of the needed upgrade, the removal of two existing poles on site, subject to the structure being appropriately finished.

Determination and Statement of Reasons

Statement of Reasons

94. The reasons for this recommendation are:
- The proposal is an appropriate response to the site and the SP2 Telecommunications Facilities zoning of the property.
 - The site is currently used for telecommunication facilities and the proposed replacement of the existing infrastructure will improve mobile coverage in the locality.
 - While the proposal has a substantial height, this is driven by infrastructure needs, and the impact of this is managed reasonably by the positioning of the tower away as far as is practical from public roads, and the consolidation of existing telecommunication poles on site, and can be improved by a condition requiring a black, non-reflective finish which is intended to reduce the tower's infrastructure character and visual prominence.

Determination

95. Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, as amended, the Georges River Local Planning Panel approve DA2022/0215 for demolition of the existing telecommunications facilities and construction of a new telecommunications facility and associated ancillary works on Lot 2 in DP1200052 on land known as 279 Rocky Point Road, Sans Souci subject to the following conditions:

Development Details

1. **Approved Plans** - The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site Plan	N111559	12.10.22	1	Telstra
Site Layout	N24612	12.4.2022	9	Amplitel
Antenna Layout	N24612	12.4.2022	5	Amplitel
North Elevation	N24612	12.4.2022	8	Amplitel
Configuration Table	N24612	12.4.2022	4	Amplitel

Separate Approvals Required Under Other Legislation

2. **Road Opening Permit** - A Road Opening Permit must be obtained from Council, in the case of local or regional roads, or from the RMS, in the case of State roads, for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.
3. **Sydney Water – Tap in TM** - The approved plans must be submitted to a Sydney Water Tap inTM to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to 'Plumbing, building and developing' section of Sydney Water's web site at www.sydneywater.com.au then see 'Building', or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap inTM agent has appropriately stamped the plans prior to the issue of the Construction Certificate.

Prior to the Issue of a Construction Certificate

4. **Fees to be paid** - The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at www.georgesriver.nsw.gov.au).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:

Fee Type	Fee
GENERAL FEES	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See https://portal.longservice.nsw.gov.au/bci/levy/	
Builders Damage Deposit	\$1,900.00
Inspection Fee for Refund of Damage Deposit	\$ 175.00
DEVELOPMENT CONTRIBUTIONS	
Georges River Council Local Infrastructure Contributions Plan 2021	\$4,785.00

General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Development Contributions

A Section 7.12 contribution has been levied on the subject development pursuant to the Georges River Council Local Infrastructure Contributions Plan 2021.

Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of the *all current Development Contributions Plans* may be inspected or a copy purchased at Council's offices (Georges River Civic Centre, MacMahon Street, Hurstville and Kogarah Library and Service Centre, Kogarah Town Square, Belgrave Street, Kogarah) or viewed on Council's website www.georgesriver.nsw.gov.au.

5. **Damage Deposit - Minor Works** - In order to insure against damage to Council property the following is required:

- a) Pay Council, before the issue of the Construction Certificate, a damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$1,900.00
- b) Pay Council, before the issue of the Construction Certificate, a non-refundable inspection fee to enable assessment of any damage and repairs where required: \$175.00
- c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of work Council will inspect the public works, and the damage deposit will be refunded in full upon completion of work where no damage occurs. Otherwise the amount will be either forfeited or partly refunded according to the amount of damage.

6. Site Management Plan -

Minor Development

A Site Management Plan detailing all weather access control points, sedimentation controls, fencing, builder's site sheds office, amenities, materials storage and unloading arrangements must be submitted with the application for the Construction Certificate.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

7. Required design changes - The following changes are required to be made and shown on the Construction Certificate plans:

Colour of the monopole	To reduce the visual prominence and utilitarian appearance of the proposal, the monopole and associated elements are to be finished with a matt (non-reflective) black paint.
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8. Erosion & Sedimentation Control - Erosion and sediment controls must be provided to ensure:

- (a) Compliance with the approved Erosion & Sediment Control Plan
- (b) Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- (c) All clean water runoff is diverted around cleared or exposed areas
- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with [Managing Urban Stormwater - Soils and Construction \(Blue Book\) produced by Landcom 2004](#).

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

Prior to the Commencement of Work (Including Demolition & Excavation)

9. **Demolition & Asbestos** - The demolition work shall comply with the provisions of Australian Standard AS2601:2001 - Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the [NSW Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015).

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: www.SafeWork.nsw.gov.au.

10. **Demolition Notification Requirements** - The following notification requirements apply to this consent:
- (a) The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.
 - (b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
 - (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.
11. **Demolition work involving asbestos removal** - Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the [Work Health and Safety Regulation 2011](#).

12. **Before You Dig Australia** - The applicant shall contact “Before You Dig Australia” at <https://www.byda.com.au/> to obtain a Service Diagram prior to the issuing of the Construction Certificate. The reference number for the enquiry obtained from “Before You Dig Australia” shall be forwarded to the Principal Certifying Authority (PCA) and Council for their records.
13. **Utility Arrangements** - Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicant’s expense.

During Construction

14. **Site sign - Soil & Erosion Control Measures** - Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.
15. **Hours of construction for demolition and building work** - Unless authorised by Council:
- Building construction and delivery of material hours are restricted to: 7.00 am to 5.00 pm (inclusive) Monday to Saturday and no work on Sundays and Public Holidays.
 - Demolition and excavation works are restricted to: 8.00 am to 5.00 pm (inclusive) Monday to Friday only. Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site.
16. **Cost of work to be borne by the applicant** - The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.
17. **Obstruction of Road or Footpath** - The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.
18. **Waste Management Facility** - All materials removed from the site as a result of demolition, site clearing, site preparation and, or excavation shall be disposed of at a suitable Waste Management Facility. No vegetation, article, building material, waste or the like shall be ignited or burnt.

Copies of all receipts for the disposal, or processing of all such materials shall be submitted to the PCA and Council, where Council is not the Principal Certifying Authority.

Prior to the issue of the Occupation Certificate

- 19. Occupation and Use - EME Certification** - Prior to the issue of any Occupation Certification and prior to the commencement of use, the persons or entity having the benefit of this consent must certify that the electromagnetic energy (EME) output of the telecommunications tower does not exceed 4.85% of the Federal Government's Australian Radiation Protection and Nuclear Safety Agency RF Standard threshold for telecommunication towers.

Prior to the issue of any Occupation Certification and prior to the commencement of use, the persons or entity having the benefit of this consent must certify that the electromagnetic energy (EME) output of the telecommunications tower does not exceed the electromagnetic output/percentage of public exposure limit at each band radiating from the tower as shown in the Environmental EME Report dated 06/05/2022 RFNSA No. 2217013.

This consent does not imply and/or authorise greater EME emissions than what has been permitted above.

- 20. Structural Adequacy** - Prior to the issue of the Occupation Certificate, works are to be certified by a professional engineer, with Works-As-Executed drawings supplied to Council detailing the structural adequacy of the facility.
- 21. Signage** - Appropriate warning signs must be installed on the security fencing. Signage must provide contact details (mobile phone number and email) of the facility manager. Warning signs regarding electromagnetic radiation must also be installed.
- Signage must be maintained in good order for the life of the development and must be removed once the facility ceases to operate.
 - Signage must not be illuminated at any time.
 - All signage must be weather proof.
 - Signage must be installed on each boundary fence side surrounding the compound.

This signage must be installed prior to the issue of the occupation certificate and not exceed 600mm (h) x 600mm (w) per sign, with a maximum of four signs erected in total.

Operational Conditions (On-Going)

- 22. Use to be in accordance with EME Certification** - The persons or entity having the benefit of this consent must ensure that the electromagnetic energy (EME) output of the telecommunications tower does not exceed 4.85% of the Federal Government's Australian Radiation Protection and Nuclear Safety Agency RF Standard threshold for telecommunication towers and that the electromagnetic energy (EME) output of the telecommunications tower does not exceed the electromagnetic output/percentage of public exposure limit at each band radiating from the tower as shown in the Environmental EME Report dated 06/05/2022 RFNSA No. 2217013 at any time.

- 23. Acoustic Report – Commercial/industrial - Verification of Noise report** -Within three months from the date of issue of an Occupation Certificate, an acoustic assessment must be carried out by an appropriately qualified acoustic consultant, in accordance with the NSW Environment Protection Authority's "Noise Policy for Industry (2017)" and must be submitted to Council for consideration.

Where any noncompliance results in breach of the above Policy, the use must cease, and rectification works must be completed prior to the use recommencing.

- 24.** Note: Where rectification works require further development consent or owners' consent these must be sought prior to such works being carried out.
- 25. Offensive Noise** -The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the Protection of the Environment Operations Act 1997 (as amended).
- 26. Acoustic mitigation infrastructure – Maintenance** -Noise mitigation treatments must be maintained at all times to ensure their acoustic performance is not diminished and noise emission remains compliant and in accordance with these conditions.
- 27. Lighting - General Nuisance** - Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.
- Flashing, moving or intermittent lights or signs are prohibited.
- 28. Outdoor Lighting** - To avoid annoyance to the occupants of adjoining premises or glare to motorist on nearby roads, outdoor lighting must comply with AS 4282-1997: Control of the obtrusive effects of outdoor lighting.
- 29. Amenity of the neighbourhood** - The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.
- 30. Activities and storage of goods outside buildings** - There shall be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

Operational Requirements Under the Environmental Planning & Assessment Act 1979

- 31. Requirement for a Construction Certificate** - The erection of a building must not commence until a Construction Certificate has been issued.
- 32. Appointment of a PCA** - The erection of a building must not commence until the applicant has:
- (a) appointed a PCA for the building work; and
 - (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (a) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (b) notify the PCA of the details of any such appointment; and
- (c) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

An Information Pack is attached for your convenience should you wish to appoint Georges River Council as the PCA for your development.

33. Notification Requirements of PCA - No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

34. Notice of Commencement - The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

A Notice of Commencement Form is attached for your convenience.

35. Critical Stage Inspections - The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2000](#).

36. Notice to be given prior to critical stage inspections - The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out.

Where Georges River Council has been appointed as the PCA, 48 hours notice in writing, or alternatively 24 hours notice by facsimile or telephone, must be given when specified work requiring inspection has been completed.

37. Occupation Certificate - A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

Only the PCA appointed for the building work can issue the Occupation Certificate.

An Occupation Certificate Application Form is attached for your convenience.

Prescribed Conditions

38. **Clause 98A - Erection of Signs** - Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.
39. **Clause 98E - Protection & support of adjoining premises** - If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.
40. **Clause 98E - Site Excavation** - Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

END CONDITIONS

NOTES / ADVICES

1. **Review of Determination** - Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: Review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney South Planning Panel or the Land & Environment Court.

2. **Appeal Rights** - Part 8 (Reviews and appeals) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
3. **Lapsing of Consent** - This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.

Access to NSW Legislations (Acts, Regulations and Planning Instruments) - NSW legislation can be accessed free of charge at www.legislation.nsw.gov.au

4. **Long Service Levy** - The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

5. **Security deposit administration & compliance fee** - Under Section 97 (5) of the [Local Government Act 1993](#), a security deposit (or part) if repaid to the person who provided it is to be repaid with any interest accrued on the deposit (or part) as a consequence of its investment.

Council must cover administration and other costs incurred in the investment of these monies. The current charge is \$50.00 plus 2% of the bond amount per annum.




The interest rate applied to bonds is set at Council's business banking facility rate as at 1 July each year. Council will accept a bank guarantee in lieu of a deposit.

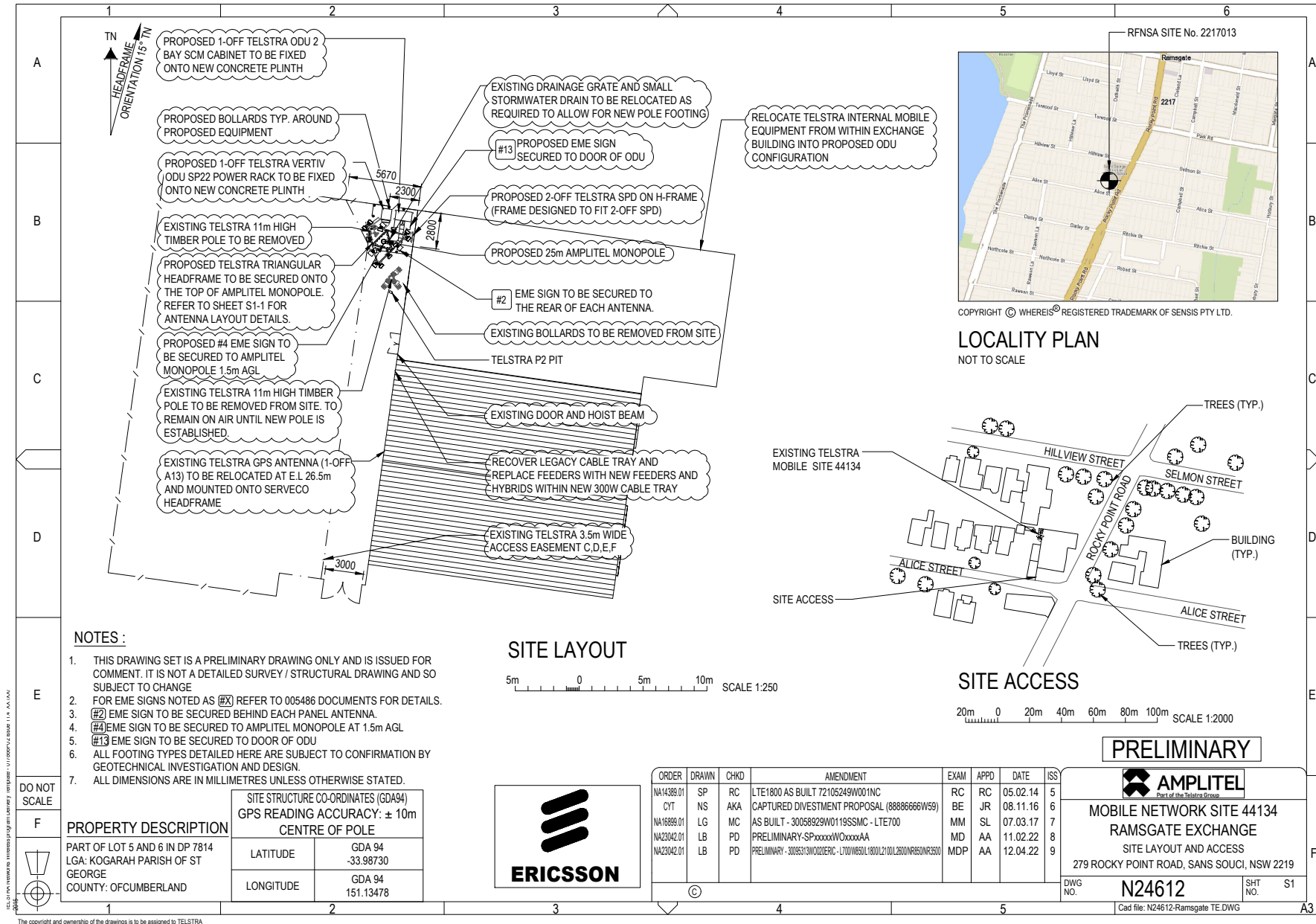
All interest earned on security deposits will be used to offset the Security Deposit Administration and Compliance fee. Where interest earned on a deposit is not sufficient to meet the fee, it will be accepted in full satisfaction of the fee.

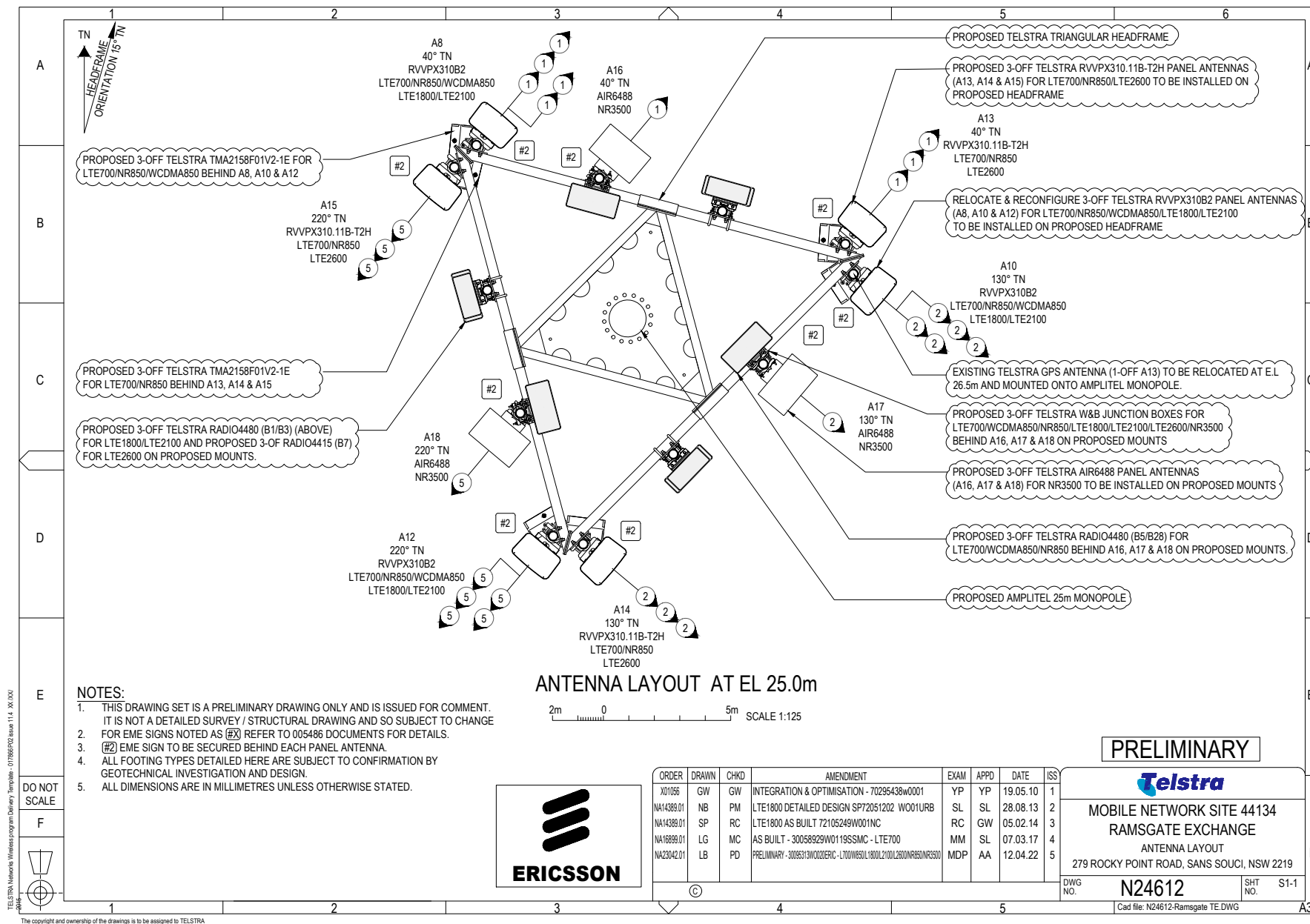
6. **Council as PCA - Deemed to Satisfy Provisions of BCA** - Should the Council be appointed as the PCA in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the BCA. However, if an alternative fire solution is proposed it must comply with the performance requirements of the BCA, in which case, the alternative solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justifying the non-compliances with a detailed report, suitable evidence and expert judgement. Council will also require if deemed necessary, for the alternative solution to undergo an independent peer review by either the CSIRO or other accredited organisation. In these circumstances, the applicant must pay all costs for the independent review.
7. **Site Safety Fencing** - Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

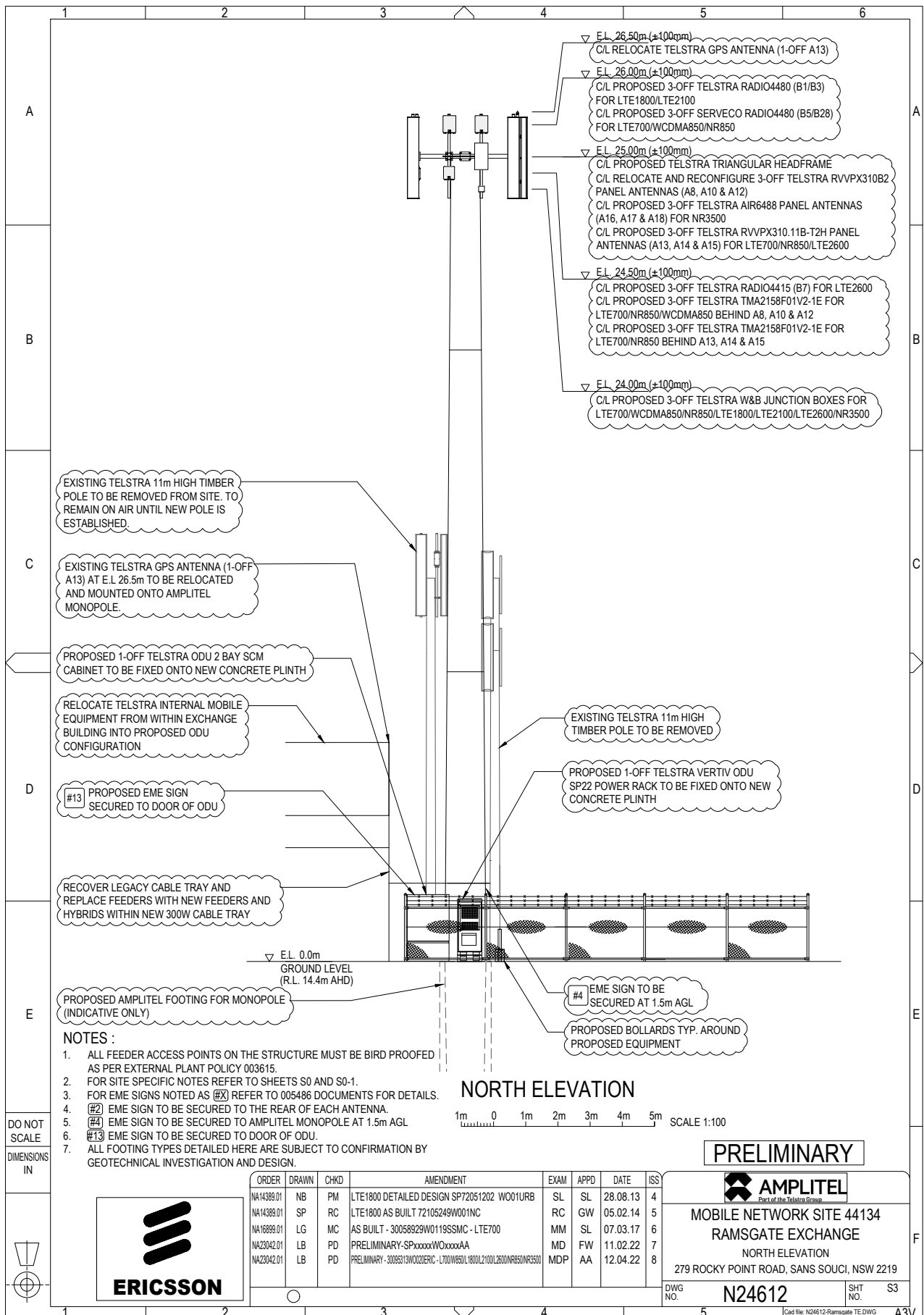
A demolition licence and/or a high risk work license may be required from SafeWork NSW (see www.SafeWork.nsw.gov.au).

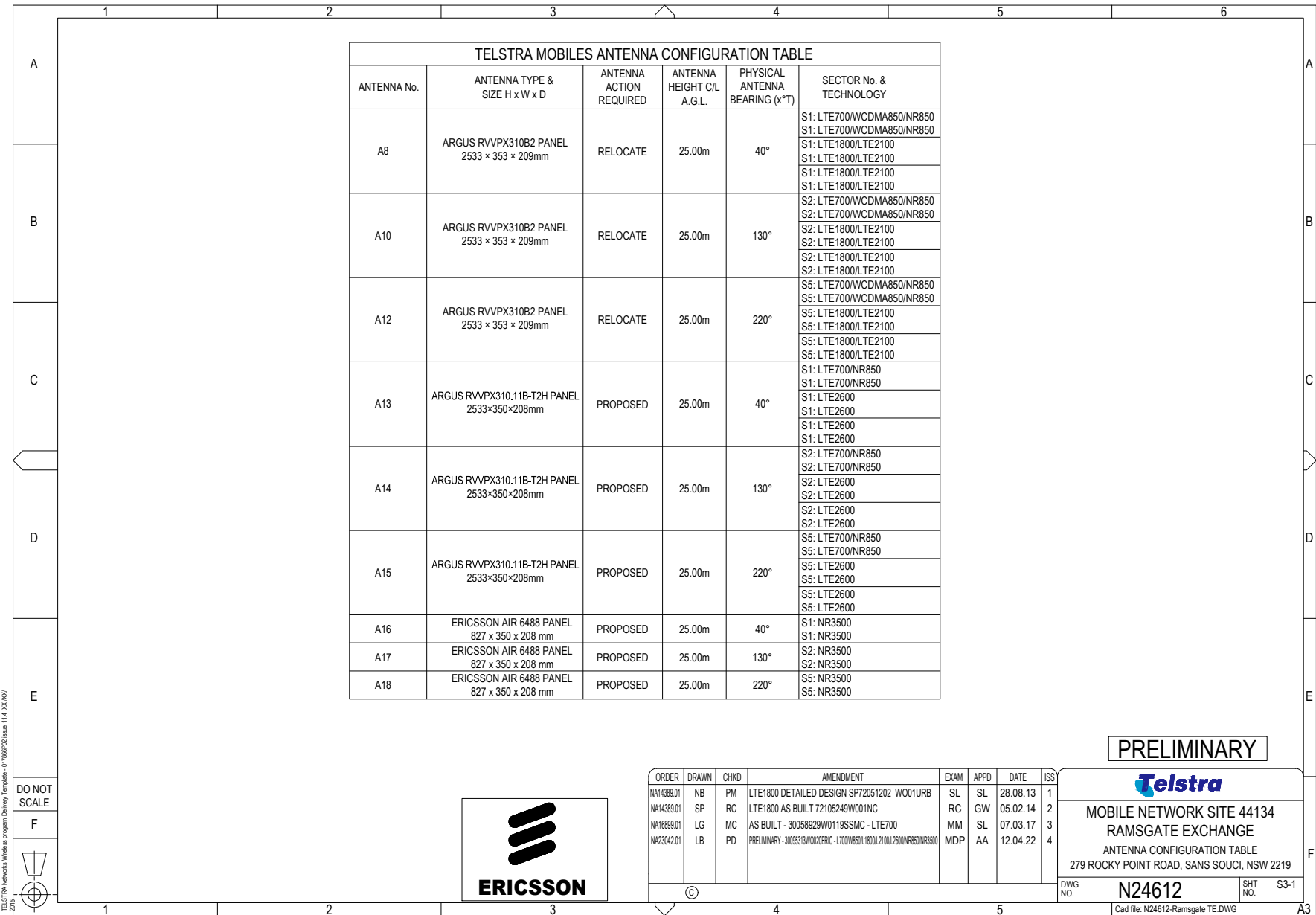
ATTACHMENTS

- Attachment [↓1](#)  Plans
- Attachment [↓2](#)  Assessment of height
- Attachment [↓3](#)  Response to public submissions









TELSTRA Networks Wireless program Delivery Template - 017699202 issue 11.4 XX (XX)

The copyright and ownership of the drawings is to be assigned to TELSTRA

Aurecon Australasia Pty Ltd
ABN 54 005 139 873
Ground Floor, 25 King Street
Bowen Hills QLD 4006
Locked Bag 331
Brisbane QLD 4001
Australia

T +61 7 3173 8000
F +61 7 3173 8001
E brisbane@aurecongroup.com
W aurecongroup.com



2022-09-02

Planning Department
c/- Linley Love
Georges River Council
PO Box 205
Hurstville BC NSW 1481

Dear Linley,

DA2022/0215 - Request for compliance with Clause 4.3 of the LEP for telecommunication facility development at 279 Rocky Point Road Sans Souci NSW 2219 Australia (Lot 2 on DP1200052)

Aurecon received your email on 19 August 2022 requesting that the Applicant provide Council with a 4.6 Variation Request. The email advises that the lot associated with the proposed facility is not subject to any building height standards. As such, the proposed variation request has been submitted for the purpose of demonstrating compliance with the objectives of Clause 4.3 of the LEP rather than addressing non-compliance with the building height standards. An assessment against Clause 4.6 'Exceptions to development standards' of the LEP is not considered to be necessary.

Clause 4.3(1) states the following:

4.3 Height of buildings

1. The objectives of this clause are as follows—
 - (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
 - (b) to minimise the impact of overshadowing, visual impact, disruption of views and loss of privacy on adjoining properties and open space areas,
 - (c) to ensure an appropriate height transition between new buildings and—
 - (i) adjoining land uses, or
 - (ii) heritage items, heritage conservation areas or Aboriginal places of heritage significance.

In addition, an assessment against the objectives of the SP2 Infrastructure zone has also been included.

1 Overview of the proposal

The proposal is for the development and operation of a new mobile phone base station comprising a 25 m monopole, antennas, transmission equipment and ground equipment. The proposal will meet the requirement for Telstra as a licensed carrier to provide adequate mobile phone coverage to their customers in Sans Souci and surrounds. Furthermore, the existing telecommunication facilities consisting of wooden pole structures, will be removed once the proposed facility is in use.

The following information provides an assessment of the proposal with regards to these objectives so that development consent may be granted.



2 Compliance with 4.3(a): to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,

It is acknowledged that the proposed facility is at a height that is greater than the surrounding buildings. The height of the proposed facility is necessary as the nature of telecommunications facilities requires them to protrude above all surrounding vegetation and structures to be able to provide adequate coverage.

A slim-line monopole has been proposed as an alternative to a larger and more visual intrusive lattice tower structure. The bulk of the facility is minor in comparison to a multi storey commercial or residential building. Telecommunication facilities are common within urban areas as they must be located close to areas that require mobile voice and data services. The height, bulk and scale of the proposed facility is similar to other monopoles located in the Georges River LGA including:

- 16 Production Ave KOGARAH NSW 2217 – 30m concrete monopole located near to residential apartment blocks.

Further information justifying the height of the facility is contained in Section 6.1.2 of the Statement of Environment Effects (SEE).

3 Compliance with 4.3(b): to minimise the impact of overshadowing, visual impact, disruption of views and loss of privacy on adjoining properties and open space areas,

The height of the proposed facility is necessary as the nature of telecommunications facilities requires them to protrude above all surrounding vegetation and structures to be able to provide adequate coverage. As such, visual impact from some areas is expected. Section 6.1.1 of the SEE provides a viewpoint analysis and has concluded that negligible to moderate impact is expected in the area, depending on the location.

A slim-line monopole has been proposed as an alternative to a larger and more visually intrusive lattice tower structure. This will minimise the impact of overshadowing, reduce the visual impact and reduce the disruption of views. There will not be a loss of privacy associated with an unmanned telecommunications facility. Furthermore, the proposed facility makes use of a location that already contains existing telecommunication infrastructure.

Telstra has proposed a non-reflective light grey colour to better integrate with the skyline.

4 Compliance with 4.3(c): to ensure an appropriate height transition between new buildings and –

- (i) **adjoining land uses, or**
- (ii) **heritage items, heritage conservation areas or Aboriginal places of heritage significance.**

The proposed facility is a structure and not technically a building. Telstra regards Clause 4 (i) as a reference to new buildings which have a much larger bulk than telecommunication facilities. The proposed facility will have a greater height than adjoining land uses. However, the height of the proposed facility is necessary as the nature of telecommunications facilities requires them to protrude above all surrounding vegetation and structures to be able to provide adequate coverage.

There are no heritage items, heritage conservations areas or cultural heritage places near the proposed facility.



5 Compliance with the objectives of the zone

The proposed facility is located within the SP2 Infrastructure (Telecommunications facilities) zone. The objectives of the zone are:

- Provide for infrastructure and related uses.
- Prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To protect and provide for land used for community purposes and public infrastructure.

Enhanced 5G coverage will provide infrastructure that supports faster data speeds, lower latency and greater capacity for Sans Souci, Ramsgate and surrounding areas. In view of this, the proposed replacement facility is consistent with the first objective of the zone.

The proposed replacement facility is also to be located in the same area as existing telecommunication facilities located at the rear of the property so that it does not detract, or impact land used for community purposes. Furthermore, the subject site is specifically zoned for telecommunication uses. As such, the proposed replacement facility is considered to be consistent with the objectives for the zone and the general purpose of the zoning.

6 Conclusion

The proposed facility is recognised to be compliant with the objectives of Clause 4.3 Height of Buildings and with the objectives of the SP2 Infrastructure zone in accordance with the Georges River LEP. Given the nature of telecommunications facilities, strict height restrictions are considered unreasonable as the operation of the proposal could not provide adequate coverage to the Sans Souci and Ramsgate area. The proposed facility is considered to have sufficient environmental planning grounds as the facility would deliver improved internet services to the area contributing socially and economically to Sans Souci, Ramsgate and the LGA more generally.

The area of Sans Souci and its surrounds is a dynamic community where many residents and visitors require and expect a high degree of service infrastructure, including mobile phone and internet availability. The proposed development is generally consistent with the objectives of the height of buildings standard and the SP2 Infrastructure (Telecommunications facilities) zone and would not have adverse implications to the built form or environmental values of the area.

While technically the facility is defined as a building, the structure does not comprise any windows or floors. It is not believed that this clause of the LEP relating to maximum building heights, is intended to include unmanned structures which require sufficient height to be able to operate.

In this instance, we believe it is appropriate to apply some flexibility to this particular development standard as it is not intended for application to telecommunications facilities, which requires height to operate effectively, as is evident throughout the broader LGA.

Aurecon on behalf of Telstra requests that Council support this proposal and provide consent for the proposed telecommunications facility at Sans Souci to allow improved mobile coverage for the community.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Max Peel'.

Max Peel
Senior Consultant
Environment and Planning, Aurecon

Aurecon Australasia Pty Ltd
ABN 54 005 139 873
Ground Floor, 25 King Street
Bowen Hills QLD 4006
Locked Bag 331
Brisbane QLD 4001
Australia

T +61 7 3173 8000
F +61 7 3173 8001
E brisbane@aurecongroup.com
W aurecongroup.com



2022-09-02

Linley Love
Acting Coordinator Development Officer
Georges River Council
Email: llove@georgesriver.nsw.gov.au

Dear Linley,

Applicant response to submissions received during public notification period for application DA2022/0215 – Proposed telecommunications facility at 279 Rocky Point Road, Sans Souci.

We refer to the combined public submissions document provided to Aurecon on 31 August 2022 regarding application DA2022/0215.

Please find below our formal response to the themes raised in the public submissions.

EME and safety

It is the responsibility of expert authorities to continually review the science on electromagnetic energy (EME) and to protect public safety. There has been over 50 years of scientific research into the possible health effects of the radio frequency signals used for mobile and wireless services.

ARPANSA: *"Based on current research there are no established health effects that can be attributed to the low RF EME exposure from mobile phone base station antennas."*
<https://www.arpansa.gov.au/understanding-radiation/radiation-sources/more-radiation-sources/mobile-phone-base-stations>.

[ICNIRP Guidelines](#) are also based on careful analysis of the scientific literature and are designed to offer protection for all ages, including children and pregnant women, against identified health effects of EME with a large in-built safety margin. You can read the [Frequently Asked Questions](#) to confirm the ICNIRP Guidelines cover all people including children and cover the frequencies used for all mobile technologies including 5G. The ARPANSA EME standard RPS S-1 protects all people including children.

ARPANSA, is aware that there is a lot of concerning misinformation circulating throughout the community about the possible impacts of EME. You may wish to contact ARPANSA directly. ARPANSA provides an opportunity for the public and community to talk directly with scientists on issues about radiation exposure and protection in Australia. You can send an enquiry via ARPANSA's online contact form.

If you have any further queries or concerns regarding EME and safety, please feel free to contact me. Alternatively, you may wish to utilise the 'Talk to a Scientist' service provided by ARPANSA using the link below.

<https://www.arpansa.gov.au/contact-us/talk-to-a-scientist>



The Regulatory Framework:

The Australian Communications and Media Authority (ACMA) has set mandatory limits for EME exposure for all devices that produce Radiofrequency signals. Mobile phones and their base stations are included in these mandatory limits, as are AM/FM radio and TV broadcast stations.

The levels are set by the Australian Radiation Protection and Nuclear Safety Agency - ARPANSA Maximum Exposure Levels to Radiofrequency Fields (RPS S-1) which is derived from the International Commission Non-Ionizing Radiation Protection (ICNIRP) Guidelines.

The safety regulations operate by placing a limit on the strength of the signal (or radiofrequency EME) that Telstra can transmit. They are not based on distance or creating "buffer zones" for zoned areas such as residential. The environmental standard limits the network signal strength to a level low enough to protect all people, in all environments, 24-hours a day, 7 days a week. The safety limit itself, has a significant safety margin, or precautionary approach built into it.

ARPANSA environmental EME report

The ARPANSA EME Report provides public information on the maximum EME level calculated for the proposed changes to the site, including all existing carriers. The Environmental EME Report provides calculations of the maximum levels of radiofrequency (RF) electromagnetic energy (EME) around a base station or in this case, base stations. It provides objective estimates of the maximum levels of EME from a wireless base station.

The EME Report shows the maximum calculated levels for a specific installation and compares them against the exposure limits in the ARPANSA Standard. The tables of calculated EME levels provide values at 1.5 m above a flat landscape. The EME Report attached to the notification letter stipulates that the maximum percentage of the public exposure limit is within a distance between 50 – 100m of the site at a level of 3.61% where the maximum public exposure limit of 100% is still safe. It is also noted that the existing maximum EME level that is produced by the existing facility is 3.90%. The proposed replacement facility will therefore result in a 0.29% decrease to the maximum EME level.

The method for calculation has been developed by the ARPANSA. A document describing how to interpret this report is available at ARPANSA's website:

<https://www.arpansa.gov.au/research/surveys/environmental-electromagnetic-energy-reports>

If there are public concerns regarding cumulative EME levels from other base stations, the Australian Communications and Media Authority (ACMA) recommend that for an independent assessment of a site for EME (at the individuals' cost), the National Association of Testing Authorities (NATA) has accredited a number of organisations in Australia that measure and assess radiofrequency field strengths.

5G safety and research

The initial radio frequencies used specifically for 5G in Australia are 3.5-3.6GHz, which are in the existing mobile band. The ARPANSA Standard RPS S-1 includes all Australia's 5G frequencies. You can see the science studied in the References section at the [end of the report](#). Telstra regularly conducts extensive real-world EME testing and analysis on the 5G



Network across Australia. The test results show EME levels are similar to the existing mobile technologies and well below the EME safety limits. You can read about them [here](#).

Research on the possible human health effects of exposure to radio frequencies used for 5G (including millimetre wave frequencies), goes back many decades and is continuing. In terms of research specifically on millimetre wave frequencies, the WHO and EMF Portal database lists approximately 350 studies on millimetre wave electromagnetic energy (EME) health related research. <https://www.emf-portal.org/en>. This fact sheet also addresses the issue:

http://www.mwfai.org/docs/eng/2019_08_13_MWF_mmWaves.pdf.

In January 2020 the Australian Government Chief Medical Officer issued a press release to reassure all Australians that 5G is safe. <https://www.health.gov.au/news/safety-of-5g-technology>

In February 2020, the global health body that set the international EME safety standards published an update reflecting the extensive research over decades into radio frequency safety and EME, and they specifically highlighted that the new standards cover 5G. https://www.icnirp.org/cms/upload/presentations/ICNIRP_Media_Release_110320.pdf

The radio frequencies that 5G uses are not new and have been part of the global EME safety research programs. 5G is different in that it is more efficient, has lower latency which is the response time and has greater capacity than 4G which leads to all the new revolutionary applications that you see promoted. Essentially, it's a smarter way of using the existing radio frequencies that have been used for decades for communication.

Latest advice from the [WHO](#) states: *"As the frequency increases, there is less penetration into the body tissues and absorption of the energy becomes more confined to the surface of the body (skin and eye). Provided that the overall exposure remains below international guidelines, no consequences for public health are anticipated."*

Devaluation of property

Property valuation is a complex issue, with fluctuations in price being subject to a number of factors. Many of these are subjective, and may be as diverse as aspect, views, condition of the property, local amenity and access to services, including high quality communications.

Since the mid-1990s, thousands of telecommunication facilities have been installed throughout Australian metropolitan and regional areas. During this period, property values have increased, showing no clear signs of deterioration as a result of the location of communication facilities.

Unlike a transmission line or power easement, utility installations such as mobile phone base stations do not materially affect the ability of adjoining landowners to develop or enjoy the use of their properties. Telstra does not consider this argument to be a planning matter.



In summary, Telstra considers the proposal to be compliant with the ARPANSA Maximum Exposure Levels to Radiofrequency Fields (RPS S-1) and therefore safe to the public. All objection themes are not considered to be planning related matters.

Yours sincerely

A handwritten signature in black ink, appearing to be "Max Peel", written over a horizontal line.

Max Peel
Senior Consultant - Aurecon

Enc: Copy of redacted submissions