



ENVIRONMENTAL ASSESSMENT REPORT

(under Section 79C of the Environmental Planning and Assessment Act 1979)

Application No.: DA 8467

Applicant: BMM Group Pty Ltd

Application Site: Blue Cow Terminal Building, Perisher Range Alpine Resort, Kosciuszko National Park

Proposal: Installation of telecommunication facility

Date: May 2017

1. BACKGROUND

1.1 Introduction

This report provides an assessment of a Development Application (DA 8467) lodged by BMM Group Pty Ltd on 12 May 2017 under Part 4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). The application seeks consent for the installation of a telecommunication facility on an existing lightning rod located on the roof of the Blue Cow Terminal Building, Perisher Range Alpine Resort within Kosciuszko National Park (**Figure 1**).

The proposal is described in detail in **Section 2** of this report.

1.2 The Site and Surrounding Development

The site is located on the roof of the Blue Cow Terminal Building. The Blue Cow Terminal is the last station on the ski tube rail line from Bullocks Flat to Blue Cow. The terminal provides food and drink services, a meeting/resting place, bathroom facilities and Perisher Blue offices.

Access to the site is achieved via the Perisher Blue Cow Link Road, which closes once it is covered by snow, during the ski season access is from the skitube within the Blue Cow Terminal Building or oversnow.

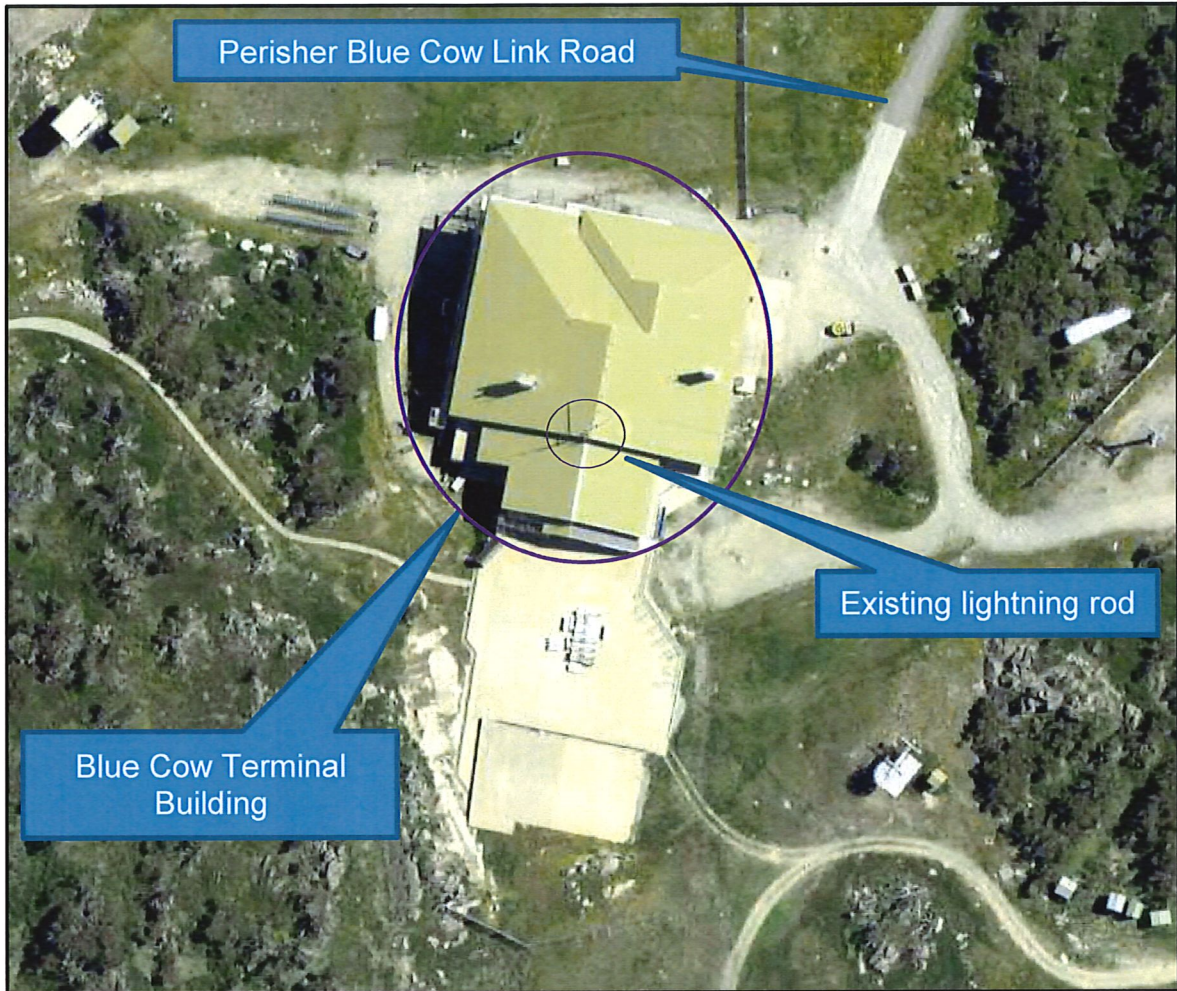


Figure 1: Blue Cow Terminal building (Source: Six maps 2017)



Figure 2: Blue Cow Terminal building and lightning rod

2. PROPOSED DEVELOPMENT

2.1 Proposal description

The development application seeks approval to install a telecommunications facility on an existing lightning rod on the Blue Cow Terminal Building, comprising the following:

- installation of three new panel antennas, coloured 'gull gray';
- installation of one new Tower Mounted Amplifier (TMA) below each panel antenna;
- installation of associated cable to run from the panel antennas through conduit routes to the existing communications room; and
- replacement of existing back bracket (structural bracing) on lightning conductor.

The proposal is requested on the basis that it would provide Vodafone customers with improved coverage and user capacity in the Blue Cow area.

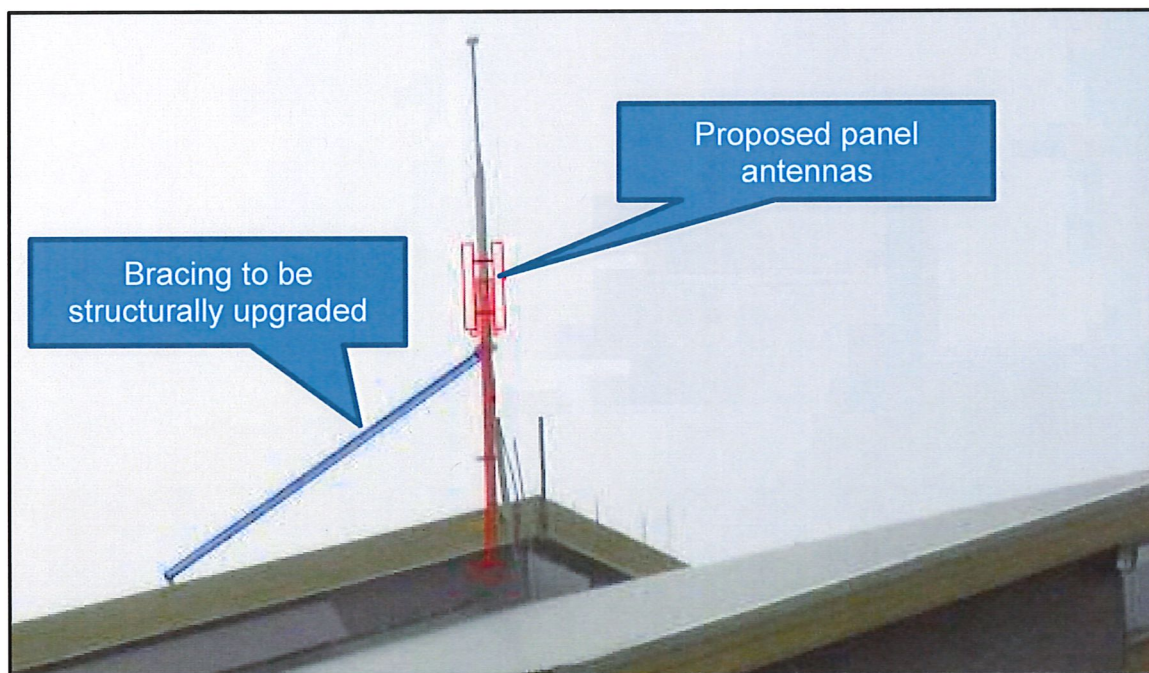


Figure 3: Proposed telecommunication facility

2.2 Other approvals

On 10 April 2014, the Team Leader, Alpine Resorts Team, as delegate for the Minister for Planning, granted approval for DA 6414 comprising the removal and replacement of telecommunications antennas on a chimney at the Blue Cow Terminal building.

The works associated with this DA were not undertaken and this application is submitted as an improved option for Vodafone.

3. STATUTORY CONTEXT

3.1 Consent Authority

Under clause 7 of *State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007* (the Alpine SEPP), the Minister for Planning is the consent authority for the application as the development takes place within a ski resort area as referred to in Clause 32C (2)(a) of Schedule 6 to the EP&A Act.

3.2 Determination under Delegation

In accordance with the Minister's delegation of 16 February 2015, the Team Leader, Alpine Resorts Team may determine the application as:

- the application is in relation to land which the Alpine SEPP applies; and
- there are less than 25 public submissions in the nature of objections.

3.3 Permissibility

The proposed facility is consistent with the definition of 'telecommunications facilities'. Pursuant to clause 11 of the Alpine SEPP, 'telecommunications facilities' are permissible with consent within the Perisher Range Alpine Resort.

3.4 Notification

After accepting the application, the Department placed the application on its website available to the public. Due to the location and nature of the proposal, the application was not notified or exhibited. No public submissions were received during the assessment of the application.

The Department notified the Office of Environment and Heritage about the proposal, who advised that the application does not need to be referred to them for comment.

The Applicant also consulted with Perisher Blue Pty Ltd during the preparation of the application.

3.5 Considerations under section 79C of the EP&A Act

Under section 79C of the EP&A Act, in determining a development application, a consent authority is required to take a number of matters into consideration in relation to the proposed development. The Department has given due consideration to the matters prescribed by section 79C.

The Department's consideration of the development against the provisions of section 79C of the EP&A Act is contained in **Section 4** and within **Appendix B** of this report.

3.6 Environmental Planning Instruments

Under section 79C of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any Environmental Planning Instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) and Development Control Plan/s (DCP) that apply to the proposal.

The Alpine SEPP is the only EPI which applies to the site for this type of development. An assessment against the requirements of the Alpine SEPP is provided in **Appendix C**. The Department is satisfied that the application is consistent with the requirements of the Alpine SEPP.

3.7 Objects of the EP&A Act

In determining an application, the consent authority should consider whether the proposal is consistent with the relevant objects of the EP&A Act.

The proposal complies with the objects as it promotes the orderly and economic use of the site for the benefit of the visitors to the Perisher Range Alpine Resort. The proposal would not result in an adverse environmental impact given the works are to the roof of an existing building and include measures to deliver an ecologically sustainable development (refer to **Section 3.8**).

3.8 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes. The Department has considered the project in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via an assessment of the impacts of the proposal.

3.9 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 7) and Fees (Part 15, Division 1) have been complied with.

4. ASSESSMENT

The Department has considered the relevant matters for consideration under section 79C of the EP&A Act, the SEE and supporting information in its assessment of the proposal. The key issues in the Department's assessment are:

- visual amenity;
- construction access and timing;
- managing environmental impacts; and
- Electro-Magnetic Energy (EME).

Each of these key issues is discussed in the following sections of the report.

4.1 Visual amenity

The potential visual impact associated installation of three new panel antennas and ancillary equipment is expected to be minimal. The Blue Cow Terminal accommodates existing telecommunications equipment on the chimney structures. The co-location of antennas on the existing lightning conductor will not result in a significant visual variation to the existing profile and visual amenity of the building. The height of the panel antennas would not protrude above the existing lightning conductor.

The panel antennas would be a 'gull grey' standard colour to camouflage the facility to the background landscape of the snowfields. Associated cabling will run through the roof space and into the internal communications room which will not be visible from the outside of the building.

Based on the above, the Department concludes that the visual impact of the proposal would be minimal and generally blend in with other rooftop infrastructure at the site (**Figures 4 and 5**).



Figure 4: View of building from the ski slope



Figure 5: View of building from hardstand courtyard area

4.2 Construction access and timing

The Applicant has indicated that they wish to complete the works prior to the 2017 ski season. The site would be accessed using a four-wheel drive vehicle via Perisher Blue Cow Link Road. If the road is closed due to snowfall or resort operations the Applicant advised they would wait until road access is available again after the season has ended. The Applicant does not intend to access the site via over-snow vehicle, train or helicopter.

Perisher Blue was consulted in the preparation of the application and would be advised prior to the commencement of works to confirm if access to the site is available.

Noting the above, the Department concludes that the proposal can be undertaken either prior to the 2017 season, weather permitting and with Perisher Blue's endorsement or alternatively after the season has ended.

4.3 Managing environmental impacts during construction

There are no works proposed that will cause any ground disturbance, as all works will take place above ground on the building's lightning rod situated on the roof of the building and within the communications room. No materials or waste will be stored on the ground of the subject site. A condition has also been recommended to ensure that no materials are stored on the subject site.

Construction vehicles will access the site via the existing road depending on weather and resort operations. There are no foreseeable issues in construction vehicles being parked at the site as there is adequate hardstand area available for parking and outside the ski season the building is not used by patrons.

It is proposed that the construction time would be two weeks. Construction impacts such as noise, dust and vibration would be minimal given the type of works proposed. There are no adjacent lodges that would be affected by the construction works and as such no conditions have been included regarding the protection of neighbour amenity.

4.4 Electromagnetic Energy (EME)

The Australian Communications and Media Authority (ACMA) set the standards that limit human exposure to EME. This standard has been prepared by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and is the *Radiocommunications (Electromagnetic Radiation-Human Exposure) Standard 2003*. Carriers must comply with standards set down by the ACMA. Therefore, Vodafone must comply with the appropriate exposure limits as set down by ACMA for the proposed telecommunications installation upgrade at the Perisher Valley. The EME levels at the site would be a maximum of 2.34% at between 50 – 100 metres of the ARPANSA exposure limit. The EME levels comply with the relevant standards.

5. CONCLUSION

The Department has assessed the merits of the proposal taking into consideration the key issues associated with the proposal and is satisfied that the impacts have been satisfactorily addressed within the proposal and the recommended conditions.

In relation to the proposal, the Department considers that:

- there will not be a significant impact on any threatened species, populations or ecological communities;
- the proposal is appropriate as it provides improved coverage for people using the Blue Cow area.

Overall, the Department is satisfied that the Development Application has been appropriately designed and recommends that the application be approved subject to the imposition of conditions.

6. RECOMMENDATION

It is recommended that the Team Leader, Alpine Resorts Team, as delegate of the Minister for Planning:

- a) **consider** all relevant matters prescribed in section 79C of the EP&A Act, including the findings and recommendations of this report; and
- b) **approve** the Development Application (DA 8467), under section 80(1)(a) of the EP&A Act, having considered matters in accordance with (a) above; and
- c) **sign** the Notice of Determination at **Appendix D**.



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Planning Officer
Alpine Resorts Team



29/5/2017

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APPENDIX A. RELEVANT SUPPORTING INFORMATION / SUBMISSIONS

The following supporting documents and information to this assessment report can be found on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8467

APPENDIX B. CONSIDERATIONS UNDER THE EP&A ACT

Section 79C(1) – Matters for consideration

Section 79C of the EP&A Act requires that the consent authority, when determining a development application, must take into consideration the following matters:

(a)(i) any environmental planning instrument (EPI)	Consideration of the provisions of all EPIs that apply to the proposed development is provided in Appendix C of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Not applicable.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The Department has undertaken its assessment in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has considered the likely impacts of the development in Section 4 of this report. The Department is satisfied that all environmental impacts can be appropriately managed and mitigated through recommended conditions of consent.
(c) the suitability of the site for the development,	The suitability of the site has been considered in Section 4 of this report.
(d) any submissions made in accordance with this Act or the regulations,	The Department did not receive any agency or public submissions regarding the application.
(e) the public interest.	<p>The proposed development is consistent with the aim and objectives of the Alpine SEPP and would benefit visitors to Perisher Range Alpine Resort. There would also not be an adverse impact on the environment and the proposal is consistent with the principles of ESD.</p> <p>The Department considers that the proposed development is therefore in the public interest.</p>

APPENDIX C. CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007

CI 14(1) – Matters to be considered by consent authority	
(a) the aim and objectives of this policy, as set out in clause 2	The proposal is consistent with the aim and objectives of the Alpine SEPP in that it is consistent with the principles of ESD and provides improved telecommunications coverage for the Blue Cow area.
(b) the conservation of the natural environment and any measures to mitigate environmental hazards (including geotechnical hazards, bush fires and flooding),	The proposal is appropriate as it allows for an improved experience for visitors and workers without an adverse impact on the environment. The improved coverage also improves safety for the users of the area.
(c) the cumulative impacts of development on existing transport, effluent management systems, waste disposal facilities or transfer facilities, and existing water supply,	No adverse cumulative impacts are anticipated as the proposal is located on the roof of an existing building.
(d) any statement of environmental effects,	The SEE supplied is considered adequate to enable a proper assessment of the proposal.
(e) the character of the alpine resort,	The proposal will not significantly alter the character of the resort.
(f) the Geotechnical Policy – Kosciuszko Alpine Resorts,	The structure would be fully supported by an existing building that does not result in the load-bearing capacity of the building being exceeded. Further, the works do not involve any ground disturbance and have been designed by an appropriately qualified structural engineer.
(g) any sedimentation and erosion control measures,	No sedimentation or erosion control measures are considered necessary given the scope of the proposal.
(h) any stormwater drainage works proposed,	No negative impacts to stormwater or drainage are anticipated.
(i) any visual impact of the proposed development, particularly when viewed from the Main Range,	The Blue Cow Terminal Building is visible from the Main Range, however the facility would be located near other rooftop telecommunication infrastructure thus minimising the visual impact.
(j) any significant increase in activities, outside of the ski season,	The proposal will not result in a significant increase in activities outside the ski season.
(k) if the development involves the installation of ski lifting facilities,	The proposal does not involve the installation of any new ski lifting facilities.
(l) if the development is proposed to be carried out in Perisher Range Alpine Resort: the document entitled Perisher Range Resorts Master Plan and the document entitled Perisher Blue Ski Slope Master Plan,	The proposal would generally support the overall use and enjoyment of Perisher consistent with the Master Plan.
(m) if the development is proposed to be carried out on land in a riparian corridor.	The proposal is not located within a riparian corridor.
CI 17 – Applications referred to the Office of Environment and Heritage (OEH)	
Due to the nature of the works, the proposal was not referred to the OEH.	
CI 26 – Heritage conservation	
European heritage	The proposal will not impact on any European heritage items.
Aboriginal heritage	The proposal will not impact on any Aboriginal heritage items.

APPENDIX D. RECOMMENDED CONDITIONS OF CONSENT
