



ENVIRONMENTAL ASSESSMENT REPORT

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

Application No.: DA 8866

Applicant: Catalyst One Pty Ltd

Application Site: Bullocks Flat Skitube Terminal Building, Perisher Range Alpine Resort, Kosciuszko National Park

Proposal: Installation of Optus in-building coverage facilities

Date: December 2017

1. BACKGROUND

1.1 Introduction

This report provides an assessment of a Development Application (DA 8866) lodged by Catalyst One Pty Ltd on 30 October 2017 under Part 4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). The application seeks consent for the installation of improved telecommunication coverage within the Bullocks Flat Skitube Terminal Building, Perisher Range Alpine Resort within the Kosciuszko National Park (**Figure 1**).

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



Figure 1: Site location (Source: SIX Maps 2017)

1.2 The Site and Surrounding Development

The site is located within the Bullocks Flat Skitube Terminal Building, which is the first 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.

Construction vehicles will access the site via the Alpine Way and into the Bullocks Flat car parking area adjacent to the building.

2. PROPOSED DEVELOPMENT

2.1 Development description

The application seeks approval to install a new in-building coverage facility within the Bullocks Flat Skitube Terminal Building including the:

- installation of four omni antenna within the concourse area;
- installation of two panel antenna within the concourse area;
- installation of associated electronic equipment within the switch room;
- installation of an air conditioning outdoor unit on the roof adjacent to the existing air conditioning outdoor unit, with the new outdoor unit being of a similar scale and colour to the existing unit; and
- installation of associated ancillary equipment and works.

The proposal has a cost of works of approximately \$145,200.

2.2 Justification for proposal

The Applicant states that Optus has undertaken an analysis of their mobile network across Perisher and the surrounding areas, and identified areas where coverage and network quality needs to be improved. If these investments are not made, two main issues arise:

- Users may have difficulty connecting to the mobile network or the call may drop out. This impacts businesses, residents and visitors to the area and the ability of users to contact emergency services.
- Users may experience reduced data speeds, longer download times and poor network performance at busy times of the day with data intensive and time sensitive applications due to the available capacity being shared across too many customers.

Having identified the need for improved network performance, the optimisation of existing Optus facilities throughout the region was explored and undertaken where possible. In some instances, these activities have resolved the network deficiencies, however on this occasion the optimisation of surrounding facilities has not been able to deliver a satisfactory outcome within the Bullocks Flat Terminal.

Accordingly, Optus intends to supplement the existing coverage by providing in-building coverage at the Bullocks Flat Terminal. The installation of the proposed infrastructure will provide improved service reliability solely for mobile phone users operating inside the building.

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 11 October 2017, 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 proposal includes alterations to the Bullocks Flat Skitube Terminal Building's internal communication systems to improve facilities within the building. The works are consistent with the definition of 'telecommunication facilities' as defined in the Alpine SEPP. Pursuant to clause 11 of the Alpine SEPP, 'telecommunications facilities' is permissible with consent with the Perisher 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 proposal was referred to the Office of Environment and Heritage (OEH) pursuant to clause 17 of Alpine SEPP. Comments received from the OEH (provided in **Appendix A**) related to fauna and flora and leasing. In addition, the OEH noted that given the works are located within the existing building no comment is provided on aboriginal cultural heritage and no impacts are expected on municipal services, public health and heritage.

The Department has included discussion on relevant matters in the OEH comments in **Section 4** and recommended conditions in the instrument of consent at **Appendix D**.

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 5** 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 seeks approval for works aimed at providing improved telecommunication coverage and facilities within an existing building. The proposal will not result in any detrimental impacts to the amenity of the surrounding locality.

The proposal also promotes the orderly and economic use of the site and will not have an impact on the environment thus being ecologically sustainable development (**Section 3.8**).

3.8. Ecologically Sustainable Development (ESD)

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.

3.10. Strategic context

The Department considers the proposal is consistent with the South East and Tableland Region Plan which was released by the Department of Planning in July 2017. The plan aims to, among other things, increase visitation to the NSW ski resorts.

The proposed development assists with this by providing improved telecommunication facilities for visitors within the Bullocks Flat Skitube Terminal Building and therefore Kosciuszko National Park.

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:

- compliance with the Building Code of Australia;
- electromagnetic energy (EME) and radiation; and
- managing environmental impacts.

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

4.1. Compliance with the Building Code of Australia (BCA)

The proposal is required to comply with the BCA and relevant Australian Standards, with the Department noting that the proposal includes cabling to be provided through existing penetrations and attached to existing structures, installation of new equipment racks within the existing switch room and installation of a new outdoor air conditioning unit on the roof above the switch room. The Department considers that compliance with the BCA is achievable and documentation is required to be submitted confirming compliance, with the Construction Certificate.

The proposed works are considered acceptable. Conditions of consent are recommended to ensure that BCA compliance is addressed at the Construction Certificate stage.

4.2. Electromagnetic energy (EME) and radiation

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.

The Applicant advises that the proposal operates in a similar way to external base stations but at a much lower power level – like a cordless phone at home. In this regard, the typical range of measured levels from in-building systems is in the order of 14,000 to 1,000,000 times below the requirements of the ARPANSA standard.

4.3. Managing environmental impacts during construction

There are no works proposed that will cause any ground disturbance, as all works are proposed to take place within the building levels and within the communications room. Materials or waste are proposed to be stored within the existing building or on hardstand areas. A condition is however recommended to ensure that no materials are stored on or beneath any trees or native vegetation.

Construction vehicles will access the site via the Alpine Way and into the Bullocks Flat car parking area adjacent to the building.

5. CONCLUSION

The Department has assessed the merits of the proposal taking into consideration the issues raised in all submissions 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:

- the proposed works will not have an impact on threatened species, populations and ecological communities;
- construction works will be undertaken in accordance with the BCA and relevant Australian Standards; and
- the proposal is appropriate and does not impact upon any adjoining properties.

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 8866), subject to conditions, 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**.

Prepared by:



Mark Brown
Senior Planner, Alpine Resorts Team

DECISION

Approved by:



21/12/2017

Daniel James
Team Leader, Alpine Resorts Team
As delegate of the Minister for Planning

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=8866

APPENDIX B. CONSIDERATIONS UNDER THE EP&A ACT

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

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| (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)(iiia) 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. All environmental impacts can be appropriately managed and mitigated through recommended conditions of consent. |
| (c) the suitability of the site for the development, | The site is suitable for the proposal and supports its approved use. |
| (d) any submissions made in accordance with this Act or the regulations, | The Department has considered the issues raised in agency submissions in Section 4 of this report. |
| (e) the public interest. | <p>The proposed development is considered to be consistent with the aim and objectives of the Alpine SEPP and would be compatible to the uses of the locality. There would also not be an adverse impact on the environment and the proposal is consistent with the principles of ESD.</p> <p>As such, the proposal is considered to be in the public interest, subject to the imposition of appropriate conditions.</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 | |
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| (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 supports the use of the site. |
| (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 would allow for improved telecommunications facilities within the building while having minimal to no impact on the natural environment. There are no other known natural hazards. |
| (c) the cumulative impacts of development on existing transport, effluent management systems, waste disposal facilities or transfer facilities, and existing water supply, | The proposal does not modify the capacity or use of the existing building. The subject site contains the necessary infrastructure and services to support the development as proposed. |
| (d) any statement of environmental effects, | The SEE is considered adequate to enable a proper assessment of the proposal. |
| (e) the character of the alpine resort, | The proposal will not alter the character of the resort, noting that the proposal is in keeping with the existing use. |
| (f) the Geotechnical Policy – Kosciuszko Alpine Resorts, | <p>The Department notes that the site is located outside of the G zone on the geotechnical maps.</p> <p>The Department has considered the objectives of the Geotechnical Policy and the comment from the Applicant that the Policy is not applicable to the proposal.</p> <p>The Department notes that most of the works are internal requiring no excavation and that only an external air condition unit is proposed on the roof of the existing switch room. There would be minimal to no additional loads imposed on the load bearing members of the building as a result of the proposed works.</p> <p>The Department has formed the view that the works are minor and would not exceed the load bearing capacity of the building.</p> |
| (g) any sedimentation and erosion control measures, | No sedimentation and erosion control measures are considered necessary given the scope of the proposal. |

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| (h) any stormwater drainage works proposed, | The proposed works do not impact upon the existing storm water drainage system. |
| (i) any visual impact of the proposed development, particularly when viewed from the Main Range, | The Bullocks Flat Skitube Terminal Building is not visible from the Main Range. |
| (j) any significant increase in activities, outside of the ski season, | The proposal will not result in an 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 has been considered against the criteria within the PRRMP and the Department concludes that the works support its continued use under the PRRMP. |
| (m) if the development is proposed to be carried out on land in a riparian corridor. | Not applicable to proposal. |
| CI 15 – Additional matters to be considered for buildings | |
| Building Height | The proposed works involve predominantly internal works that do not increase the height of the existing building. An additional air conditioning unit installed on the roof of the switch room provides an additional structure to the roof, however this is of a similar nature to another air condition unit already on the roof. No concerns are raised in terms of building heights. |
| Building Setback | The proposed works do not impact upon existing setbacks. |
| Landscaped Area | The proposed works do no impact upon the landscaped areas. |
| CI 17 – applications referred to the Office of Environment and Heritage (OEH) | |
| The proposal was referred to the OEH pursuant to clause 17 of the Alpine SEPP. Comments received are in Appendix A and the key matters raised are considered in Section 4 . | |
| CI 26 – Heritage conservation | |
| European heritage | The proposal is not considered to impact on any European heritage items. |
| Aboriginal heritage | The proposal is not expected to impact Aboriginal heritage due to the nature of the works. |

APPENDIX D. RECOMMENDED CONDITIONS OF CONSENT
