

Statement of Environmental Effects

Proposed Telecommunications
Facility at Charlotte Pass,
Kosciuszko National Park,
NSW 2624
Lot 16 DP 756705



FEBRUARY 2018



CYIENT

Version 1

February 2018

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Executive Summary

Applicant	<p>Telstra Corporation Limited</p> <p>Telstra Contact: Lam Quach Small Cell Project Manager Telstra Operations Lam.Quach@team.telstra.com</p>
Proposal	<p>To install one (1) omni antenna onto an existing timber utility pole. Works will include ancillary equipment necessary to operate the omni antenna, equipment shelter and trenching works for the electrical route.</p> <p>The above proposed works will provide Telstra 4G coverage to the Alpine Resort of Charlotte Pass. There is currently zero Telstra coverage at this location.</p>
Property Details	Located off Kosciuszko Road, Charlottes Pass NSW (Lot 16 DP756705)
Longitude Latitude	-36.435533, 148.332244 (GDA 94)
Planning Regulation	<p>The proposal for the telecommunications facility is within Kosciuszko National Park. This application is made under <i>SEPP (Kosciuszko National Park Alpine Resorts) 2007</i>.</p>
Consent Authority	Department of Planning & Environment
Town planning Contact	<p>Petra Patrocinator petra@petrapatrocinator.com 0421699789 Reference: Charlotte Pass NA18427.01</p>

Introduction

This planning submission has been prepared on behalf of Telstra Corporation Limited (Telstra) for a small cell installation within a Kosciuszko National Park Alpine Resort situated at Charlotte Pass. Charlotte Pass is located within the snow recreation region of Kosciuszko National Park, along with Perisher Valley and Thredbo. Charlotte Pass consists of a small grouping of ski lodges and a restaurant in a remote mountainous location.

Because of the location within a National Park, Telstra must seek approval from the appropriate regulatory authority, in this instance the Department of Planning and Environment.

Telstra is seeking permission to utilise an existing timber utility pole to host one (1) omni antenna that will provide 4G wireless coverage to Charlotte Pass. The works proposed include:

- Installation of one (1) omni antenna at the apex of the timber pole
- Installation of one (1) remote radio unit (RRU)
- Proposed isolation/tilt switch attached to the timber pole
- Installation and maintenance of additional ancillary equipment such as feeders, as required
- Proposed equipment shelter at the base of the timber pole
- Proposed underground electrical power route from the office building to the equipment shelter

The change in the visual appearance of the timber utility pole will be minimal. No matters were raised in AHIMS report for matters of aboriginal heritage and no native vegetation is proposed to be removed. The existing area is cleared and developed with services and sealed access present to the site.

Telstra is a licensed telecommunications Carrier and operates under the provisions of the *Telecommunications Act 1997* ("The Act") and the Telecommunications Code of Practice 1997. As per the supplied ARPANSA report the proposed facility will emit 1.39% of the allowable electromagnetic radiation, well in compliance with mandated EME emission limits.

It is considered that the use of an existing vertical structure negates the need for the construction of a new greenfield facility and minimises visual impact, fulfilling Telstra's obligation under *The Communications Alliance Industry Code – Mobile Phone Base Station Deployment*.

Mobile Base Station Essentials

Mobile Base Stations are the collective name given to a variety of telecommunication structures which encompasses, but are not limited to, monopoles, lattice towers and rooftop facilities. Each mobile base station provides radio coverage to a **limited** geographical area known as a “cell”. The greater the population in an area, the more mobile base stations are required, resulting in smaller cell sizes. **Figure 1** represents geographical cells as hexagons and the equidistant distribution of the telecommunications facilities within these cells to provide consistent wireless coverage.

However, in reality the size and distance of cells will vary dependent on terrain and the user traffic in the area, resulting in some limitations to the deployment of mobile phone base stations. The method by which mobile phone handsets and mobile base stations transmit and receive signals using electromagnetic waves (also referred to as electromagnetic fields, or radio waves) also affects how mobile base stations are sited. The use of electromagnetic waves to carry a signal has its limitations. The chief limitation being distance, hence a single mobile base station i.e. a single monopole, will only service a limited geographical area (as represented by the “cell”). Solid objects, even dense forests, can hinder wireless signals, reducing the coverage footprint. This one reason why mobile base stations are often sited on elevated terrain or structures as depicted by **Figure 2**, in order to overcome this limitation. The second reason elevated terrain is highly advantageous is in achieving Line of Sight (LOS), which is linkage into the greater network via parabolic antenna attached to the telecommunications structure (round dish antenna). If LOS cannot be achieved then fibre will provide linkage into the greater network.

These constraints result in multiple mobile base stations throughout a region. These multiple mobile phone base stations function together in a **network**. Area’s lacking mobile coverage are termed a **black spot**.

Charlottes Pass is a blackspot area that has no Telstra coverage, a situation which is exacerbated by the bowl-shaped geography and the surrounding mountainous terrain which poses an unpassable obstruction to a wireless signal. As a consequence, the proposed Telstra facility at Charlottes Pass aims to the provide coverage only to the restaurant and ski lodges contained within Charlotte Pass.

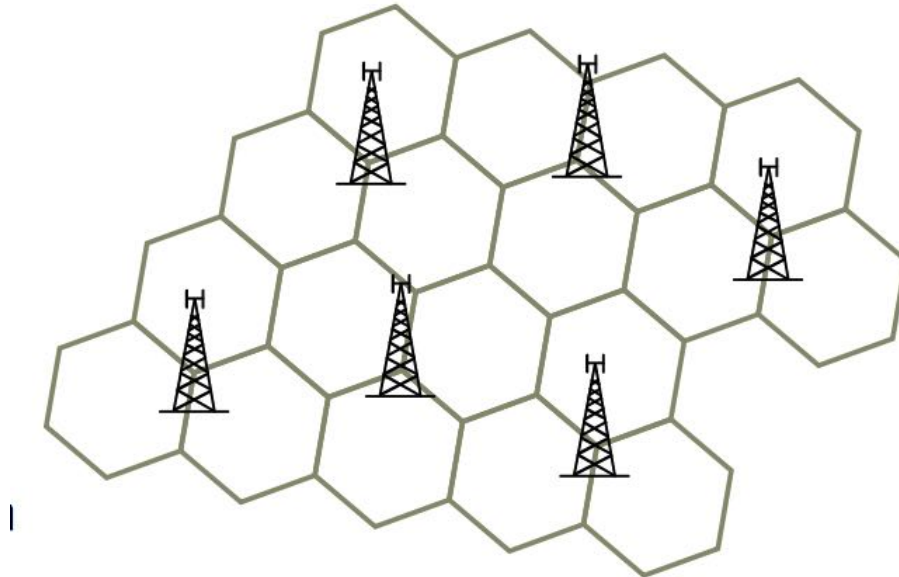


Figure 1. Schematic representation of an ideal telecommunications network equidistantly spaced¹. However, in reality, geography and terrain can force the network spacing to be less equidistant.



Figure 2². Ideal elevated location for a mobile base station which allows for unobstructed signal travel

¹ Source: *Mobile phone base stations EMF/Health Fact pack*, Mobile Manufacturers Forum. In real life it may not be achievable to space the mobile base stations as equidistant.

² Source: *Mobile phone base stations EMF/Health Fact pack*, Mobile Manufacturers Forum

Proposal & Subject Surrounds

Site Context

Charlotte Pass is a ski lodge “village” consisting of a small cluster of buildings including a site office, restaurant and lodges located within the snow recreation region of Kosciuszko National Park. Perisher Valley is located approximately 8km to the north east and Thredbo is located approximately 8km to the south west (**Figure 3**).

As can be seen from **Figure 3 and 4** below, the surrounding terrain is mountainous and the location relatively remote.

Charlotte Pass itself is located in a bowl shaped geographical formation accessed from Kosciuszko Road, the main transport route through the area.

The vegetation is low and shrubby, with rocky outcrops present.

Basic services such as power and sealed road are present.

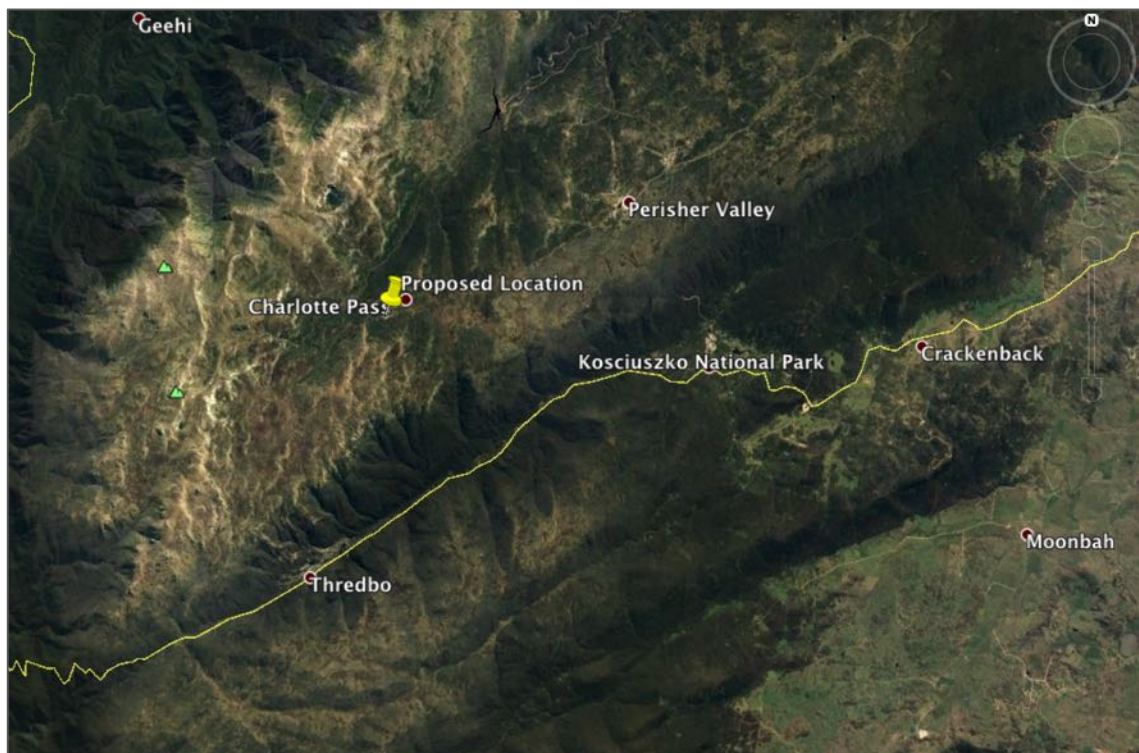


Figure 3. Context to surrounding snow recreation areas



Figure 4. The subject utility pole (as indicated by red arrow) proposed to host telecommunications equipment in context to the surrounding terrain and buildings (view North).

Existing Telstra coverage and subject proposal

There is zero Telstra coverage available at Charlotte Pass, as there are no existing Telstra mobile phone base stations in this Alpine resort. The closest Telstra facility is a 25m structure located in Perisher Valley (RFNSA #2624004) (**Figure 5**). The distance and intervening terrain results in only the Perisher Valley location receiving coverage from this existing structure.

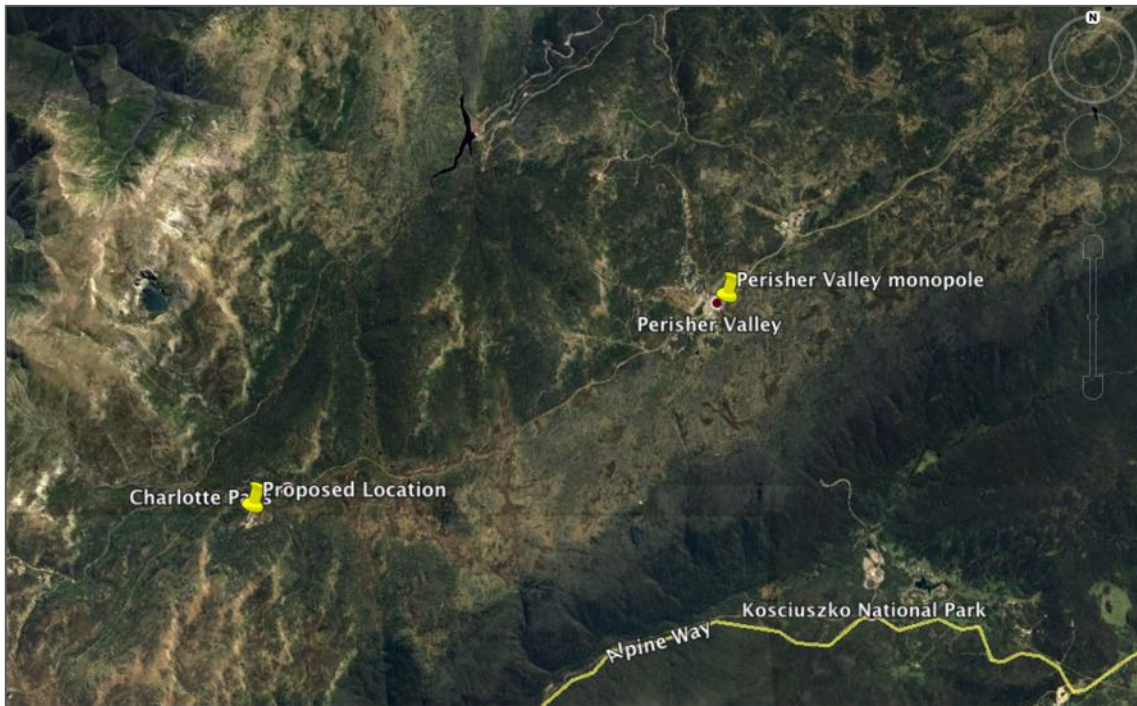


Figure 5. The closest existing Telstra facility located at Perisher Valley

As mentioned in *Site Selection*, the surrounding mountainous terrain poses challenges to the wireless signal in the Kosciuszko area. Charlotte Pass sits in a geographical hollow which means the small cell solution proposed is only intended to service the immediate area, in particular the restaurant. The wireless service provided will be 4G.

In considering the most appropriate proposal for Charlotte Pass, Telstra was also mindful of the National Park status of the area, which meant that any larger structures which would provide greater coverage, were not feasible within this sensitive environmental location from a visual aesthetic perspective. Site selection considerations in general for mobile phone towers are further detailed below.

Site selection considerations

A number of practical considerations go into site selection for telecommunications infrastructure. Often the consideration of an appropriate site will take several months and involves multi-disciplinary input, including but not limited to, engineers, radio frequency engineers, property and town planning personnel. A number of considerations affect site selection and a balance needs to be struck between all disciplines for the site to be feasible.

Factors determining site feasibility include but are not limited to:

- a. Terrain geography and slope hazards
- b. A landowner willing to grant a long tenure over a portion of their land
- c. Construction and leasing costs
- d. Planning permissibility and referral agency involvement
- e. Geotechnical constraints
- f. Community sensitive locations
- g. Availability of linkage into the existing network i.e. fiber or via fixed link
- h. Extent and quality of coverage from potential site locations
- i. Consideration of co-location or rooftop options
- j. Ease and safety of future maintenance crews
- k. Visual impact
- l. Availability of power and access (including ease of construction access)
- m. The extent of vegetation removal required and landscaping considerations

If certain factors are absent or not reasonably achievable then a site may not proceed i.e. tenure refusal or very poor coverage outcomes from a particular location. Carriers will endeavor to find existing conditions compatible with telecommunications infrastructure, such as commercial type zonings or large recreational land uses, to ensure the facility follows the existing land use patterns and setback distances are in place from other land uses. However, in many cases, particularly in areas of expansive residential development or areas with challenging geographical terrain, these preferable options are either not present or unachievable.

In addition to the above, Carriers are required to adhere to a “precautionary approach” to the siting of infrastructure away from sensitive land uses, as outlined in the ***Industry Code C564:2011 - Mobile Phone Base Station Deployment***³ (Deployment Code), as developed by the Communications Alliance Ltd.

³ Communications Alliance Ltd, <http://www.commsalliance.com.au/Documents/all/codes/c564>, accessed 14/2/2018

Therefore, it can be seen that each telecommunications application will be unique and site-specific selection factors considered for that individual mobile base station will be addressed in the submitted planning application.

Site locations considered

In the instance of Charlotte Pass it can be seen from the photo plates provided that only a small number of built structures exist in this small isolated ski lodge. As a consequence, only three (3) feasible candidates were available for inspection.

Two of the candidates were rooftops, being the office and restaurant. The third candidate was a timber utility pole. Upon consideration by radiofrequency engineers, the timber utility pole provided the best wireless coverage over Charlotte Pass due to the elevated location. Hence, Candidate A is Telstra's chosen candidate for this site. No vegetation removal is required (other than a minimal amount of grass) and the ground has been previously disturbed for construction of road and adjacent dwelling.

Candidate A: timber utility pole (chosen candidate).



Figure 6. Timber utility pole

Candidate B: Office building (insufficient elevation to provide quality coverage)



Figure 7. Office building

Candidate C: Restaurant. Office building (insufficient elevation to provide quality coverage)



Figure 8. Restaurant

Co-location Options

The Communications Alliance Industry Code – Mobile Phone Base Station Deployment is a telecommunications industry adopted Code which promotes the use of existing telecommunications sites and vertical structures for co-location to avoid the need for a new greenfield site. Carriers often prefer co-location opportunities as these options are cheaper and faster to obtain regulatory approval when compared to a new greenfield facility.

A co-location refers to the antenna being attached to the apex of existing structures such as high voltage towers, multi storey buildings, tall water reservoirs and existing telecommunications facilities. Co-location may not be a feasible option in many cases simply because there may be no existing vertical infrastructure or commercial rooftops available within the area experiencing poor or no coverage. Alternatively, existing structures may not be structurally capable of supporting the additional weight of multiple antenna.

In the case of this “cell” area there are no existing telecommunications structures which would provide both a co-location opportunity and quality coverage to this area of Charlotte Pass. However, other existing structures such as rooftops and utility poles were present.

In the instance of Charlotte Pass an existing timber utility pole has been utilised negating the need for a new greenfield facility.

Services and Access

Access

The entry into the property will be from an existing sealed access from Kosciuszko Road. The remainder of the road leading to Charlotte Pass is a sealed road (**Figure 9**). Machinery and vehicles should not have an issue accessing the site via the existing road.



Figure 9. Sealed access to Charlotte Pass

Power

A new electrical route from the office building onsite to the timber utility pole is proposed. Please see **Appendix A** for the site plans, which include the electrical route. A minimal amount of underground trenching will be required.

Acoustic

The Outdoor Equipment Units (ODU's) contain the equivalent of a domestic air conditioning unit that is temperature triggered. The air conditioning unit is necessary due to the electrical equipment contained within the shelter. A plan of the ODU proposed to be used is contained in **Appendix B**.

Noise emanating from the air conditioning equipment is at a comparable level to a domestic air conditioning installation, and will comply with the background noise levels prescribed by Australian Standard AS1055.

Some noise and vibration emissions may be produced during the construction phase of the project, though any noise generated will be of short duration. Telstra will liaise with National Parks & Wildlife Services (NPWS) to ensure that the relevant construction standards for the National Park are adhered to.

Construction & Traffic

Telstra would like to begin construction at the end of March 2018.

Construction access will be negotiated with the lodge owner and the Department of Environment & Planning (and NPWS).

Some additional traffic will be generated during construction of the facility (1-3 weeks sporadically), this will be only of temporary nature. Once constructed, the facility will only require periodic visits for maintenance purposes, generally 1-3 times per year. The facility will otherwise operate on a continuously unmanned basis.

As a result, the traffic generation will therefore be minimal and not sufficient to create any adverse impacts in this regard or by creating a demand for parking facilities.

Structural Assessment

Please see the structural assessment of the timber utility pole attached in **Appendix E**.

Visual Amenity

The equipment proposed to be installed by Telstra consists of small cell equipment, which by design is small and compact designed for difficult to service locations. The existing timber pole (shown in **Figure 10**) will be modified in appearance by a small measure. These changes in appearance will comprise off:

- A small omni antenna at the apex of the pole (essentially has the appearance of a whip)
- Feeders that will run up the length of the timber pole
- A compact equipment shelter at the base of the timber pole that essentially has the appearance of a meter box

It can be seen from the photo plates supplied that aerial dishes, flutes and power lines are already present in the upper view sheds, mostly on the rooftops. In **Figure 10** there also appears to be a number of equipment box structures scattered throughout Charlotte Pass. The Telstra proposal will not introduce any elements into Charlotte Pass that are not in existence.

Important view sheds such as those to the surrounding mountains and entry into Charlotte Pass will not be obstructed or affected.

Please see **Figure 11** for excerpt from plans showing the small cell equipment attached, in particular the omni antenna at the apex of the pole and the ODU at the base of the pole.



Figure 10. The existing timber pole and surrounds

Please also see *Kosciuszko National Park Plan of Management 2006* chapter in this SEE for further discussion on Visual Amenity.

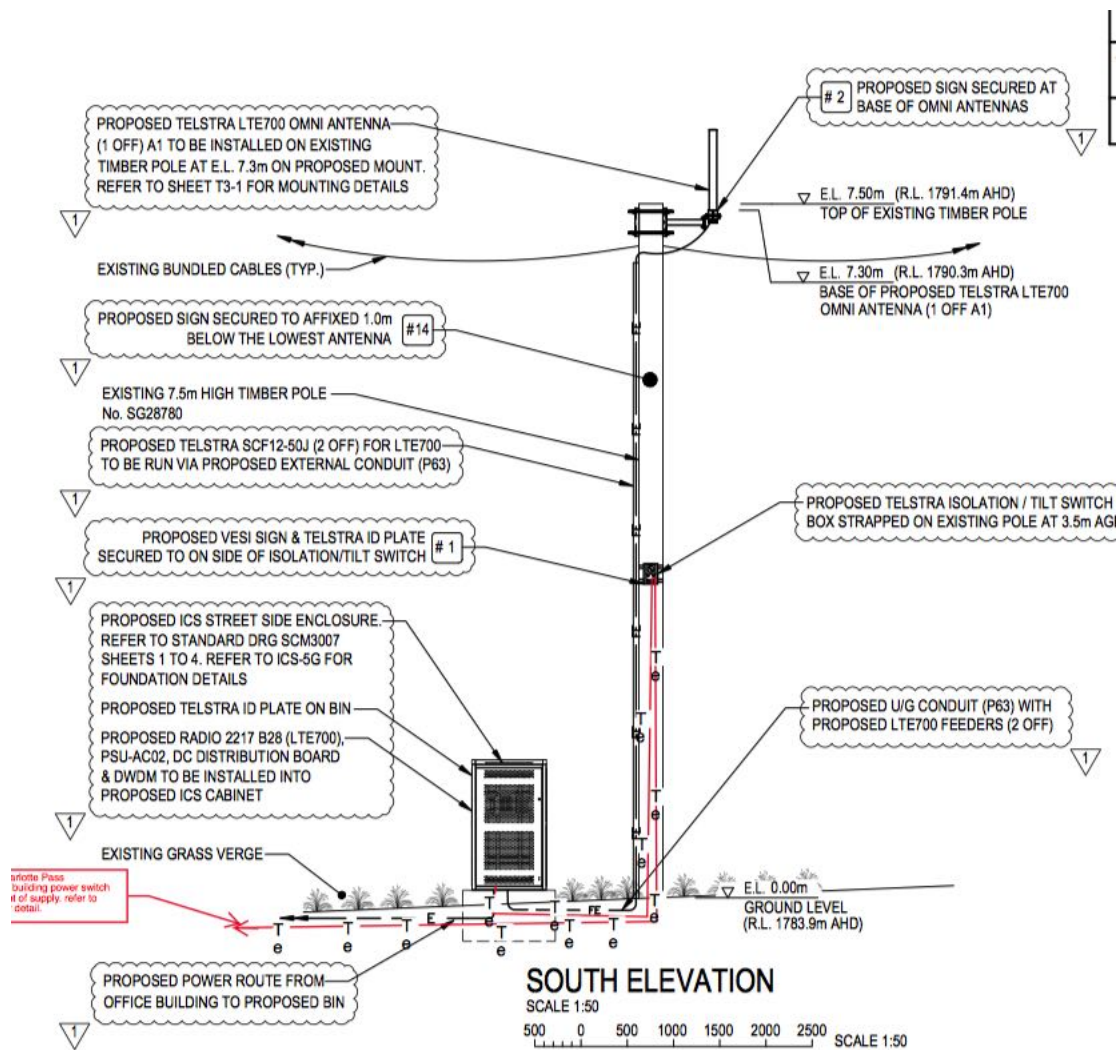


Figure 11. Excerpt from the plans showing small cell equipment additions

Health & Safety

Telecommunications carriers such as Telstra must comply with Commonwealth Legislation and regulations regarding mobile phone facilities and equipment administered by the Australian Communications and Media Authority (ACMA).

In 2003 the ACMA adopted a technical standard for continuous exposure of the general public to RF EME from mobile base stations. The standard, known as the *Radiocommunications (Electromagnetic Radiation – Human Exposure) Standard 2003*, was prepared by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and is the same as that recommended by ICNIRP (International Commission for Non-Ionising Radiation Protection), an agency associated with the World Health Organisation (WHO).

In addition, Telstra undertakes measures when designing the facility, to minimise the EME exposure to the general public, by installing the facility in accordance with the Australian Mobile Telecommunications Association (AMTA), *Radio frequency (RF) Safety Compliance Program – Base Station Design Guidelines Engineering for Access Control to minimise EME*.

Preventative measures include:

- Utilising Dynamic/Adaptive Power Control network feature that automatically adjusts the power and hence minimises EME from the facility.
- Varying the facility's transmit power to the minimal required level, minimising EME from the network, and
- Discontinuous transmission, a feature that reduces EME emissions by automatically switching the transmitter off when no data is being sent.

The proposed infrastructure at Charlotte Pass will be in compliance with the ACMA EMR regulatory arrangements. The maximum accumulative EME level at 1.5m Above Ground Level is estimated to be **1.39% of the ARPANSA Public Exposure Limits**. (please see **Appendix C**). Details about the proposed facility and its emissions can be found on the Telstra website at www.rfnsa.com.au by typing in Site No 2627022.

It is important to note that this measurement is based on the maximum worst case scenario, considering direct exposure at full operational capacity of the facility which is generally not a true representation of a real life scenario. The signal from the facility is normally affected by various factors including service demand and call traffic, network support of surrounding base stations, distance, topography, physical and natural barriers (such as hills, trees, buildings etc), antenna specifications, azimuth and power input to name a few.

For members of the community still concerned about EME, ARPANSA undertook monitoring of EME levels from functioning base station from 2007 to 2013. The results can be viewed at:

<https://www.arpansa.gov.au/research/surveys/mobile-phone-base-station-survey>

Other useful websites include EME Explained Series:

<http://www.emfexplained.info/>

Regulatory Controls

Federal Framework

The following Federal level legislation applies to the proposal:

- *Telecommunications Act 1997 (Cth)*
- *Telecommunications (Low-impact Facilities) Determination 1997 (Cth)*
- *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*

Charlotte Pass is located within the Kosciuszko National Park, which is listed under the EPBC Protected Matters search as a protected area. Because of the locations status as a protected area (area of environmental significance), Telstra cannot utilise its carrier's powers under the *Telecommunications (Low-impact Facilities) Determination 1997* to perform installation works. As such, Telstra requires written consent to commence the proposed works from the Department of Planning & Environment, the regulatory authority as outlined under *State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007*.

Telecommunications Act 1997

The *Telecommunications Act 1997* has been operative since 1 July 1997. This legislation establishes the criteria for 'low impact' telecommunication facilities. If a proposed facility satisfies the requirements of a 'low impact' facility, the development is exempt from the planning approval process.

Under the *Telecommunications Act 1997* the Government also established the *Telecommunications Code of Practice 1997*, which sets out the conditions under which a carrier must operate. *Section 2.11* of the *Telecommunications Code of Practice 1997* sets out the design, planning and installation requirements for the carriers to ensure the installation of facilities is in accordance with industry 'best practice'.

Telecommunications (Low-impact) Determination 1997

The *Telecommunications Act 1997* establishes the criteria for 'low impact' telecommunication facilities. If a proposed facility satisfies the requirements of a 'low impact' facility, the development is exempt from the planning approval process.

Further clarification of the term 'low impact' is provided in the *Telecommunications Act 1997* and the *Telecommunications (Low Impact Facilities) Determination 1997*, which was gazetted subsequent to the Act.

The *Telecommunications (Low Impact Facilities) Determination 1997* also establishes certain facilities, which cannot be considered low impact facilities. In this instance the *Telecommunications (Low Impact Facilities) Determination 1997* cannot be used in Charlotte Pass because of its classification an "area of environmental significance" as outlined in *Part 1 Background to determination:*

"One effect of this determination is that a facility in an area of environmental significance cannot be a low-impact facility"

Hence regulatory approval must be sought from the approving authority.

EPBC Protected Matters Search

The *Environment Protection and Biodiversity Conservation Act 1999* (*EPBC Act 1999*) obliges telecommunications carriers to consider 'matters of national environmental significance'. Under this legislation, an action will require approval from the Minister of Environment if the action has or is likely to have an impact on a matter of 'national environmental significance'.

Charlotte Pass is located within the Kosciuszko National Park which is listed under the EPBC Protected Matters search as a Protected Area, as shown by the EPBC Protected Matters Search Figure 12 below.

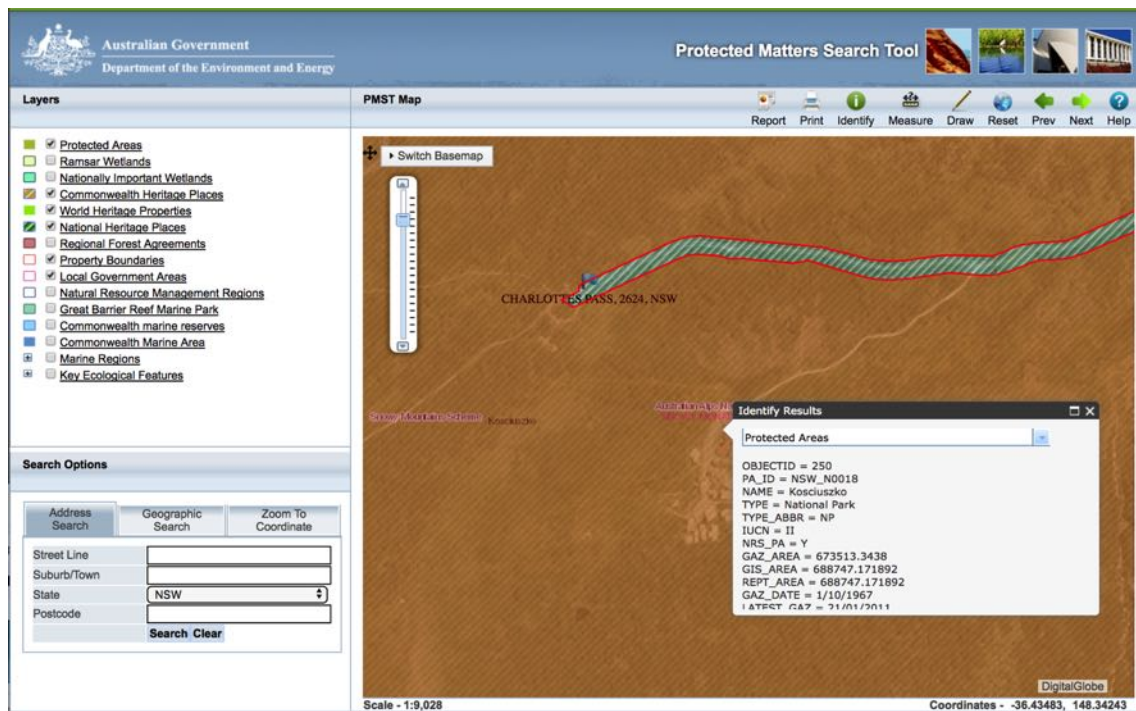


Figure 12. EPBC Protected Matters Search
<http://www.environment.gov.au/epbc/protected-matters-search-tool>

State Framework

State Legislation governing Kosciuszko National Park

The principal legislation governing the management of Kosciuszko National Park is the New South Wales (NSW) *National Parks and Wildlife Act 1974*. Given the simplicity of the Telstra proposal in Charlotte Pass, a developed and disturbed area, this section will mostly focus on the relevant State Environmental Planning Policies (SEPPS's) and the *Kosciuszko National Park Plan of Management 2006* (the Plan 2006).

However, there are a number of other Acts under the NSW legislative framework that guide the management of the park. These have been briefly addressed below where applicable, in particular the AHIMS search regarding areas of Aboriginal cultural heritage.

Other relevant legislation governing Kosciuszko National Park include:

- *Wilderness Act 1987*
- *Threatened Species Conservation Act 1995*
- ***National Parks and Wildlife Act 1974***

Under the NPW Act it is an offence to harm (destroy, deface, or damage) or desecrate an Aboriginal object or Aboriginal place, or in relation to an object, move the object from the land on which is has been situated.

An **AHIMS report** is attached in Appendix D and shows **no Aboriginal sites or places** in or near the above location.

In addition, the Native Title map for NSW, ACT & Jervis Bay 31 December 2017 (accessed 15 February 2018) shows no native title claims over Kosciuszko National Park.

- *Environmental Planning and Assessment Act 1979*

It is considered that matters covered under this SEE adequately cover the requirements of the environmental impacts of the proposed minor telecommunications works.

State Environmental Planning Policy (Infrastructure) 2007

*Division 21 Telecommunications and other communications facilities of State Environmental Planning Policy (Infrastructure) 2007 (SEPP 2007) allows for the deployment of telecommunications infrastructure in certain circumstances. These circumstances are outlined in *s116 Exempt Development* and *s116A Complying Development*.*

The proposal does not meet the requirements of *s116(d)* and *s116 2(a)* both of which refer to:

*“must not be carried out on land located in an **environmentally sensitive area** within the meaning of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008”*

SEPP 2008 under Division 1 s1.5 provides the following definition:

*“**environmentally sensitive area** means any of the following:*

(h) land reserved under the National Parks and Wildlife Act 1974 or land to which Part 11 of that Act applies,”

The proposal is located within a National Park, a protected area under the *EPBC Act 1999*.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (SEPP 2008), according to section Part 1, Division 1, Clause 1.4:

(2) This Policy does not apply to land:

(a) to which State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007 applies, and

Hence, *SEPP (Kosciuszko National Park Alpine Resorts) 2007* is the relevant SEPP under the circumstance (hereby referred to as *SEPP Alpine*), as Charlotte Pass is classified as an Alpine Resort.

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

SEPP (Kosciuszko National Park Alpine Resorts) 2007 is the relevant SEPP under the circumstance (hereby referred to as *SEPP Alpine*).

SEPP Alpine references telecommunications facilities as being permissible with consent within *Land Use Table, Charlotte Pass Alpine Resort, 2 Permitted with Consent*.

According to *SEPP Alpine* the Minister is the consent authority

Kosciuszko National Park Plan of Management

The *Kosciuszko National Park Plan of Management 2006* (the Plan 2006) is made under is made under *Part 5 of the National Parks and Wildlife Act, 1974*. The plan acknowledges the important role that the park serves as a venue for outdoor recreational pursuits.

Charlotte Pass is classified as a “Visitor Services Zone” under *section 5.6* of the Plan 2006. The Visitor Services Zone includes discrete development and accommodation nodes and several operational centres.

The Plan 2006 mentions “*working in partnership with lessees and licensees to provide high quality facilities and services*”, which would encompass providing telecommunications services to these operational centres. *Section 10.2.1 Management Objectives, no 32*, makes provision for providing utilities within alpine resorts:

“Permit the supply of utilities in the alpine resort management units consistent with the provisions of Section 11.6 and Chapter 12”.

Section 11.6 and Chapter 12 of the Kosciuszko National Park Plan of Management 2006

Section 11.6 Environmental Quality, outlines activities that may have impact on water quality (i.e. onsite sewage systems), air pollution, hazardous waste (i.e. commercial kitchen waste), noise generation (private vehicles). The proposed co-location of telecommunications equipment on an existing timber pole will not generate any impacts as outlined above (some noise will emit on occasion from the equipment shelter which will be the equivalent of a domestic air conditioning unit). There is no solid, liquid or gaseous waste produced from the telecommunications facility, not does the facility require water.

Section 11.6 also mentions the impact of visually intrusive developments:

“On a parkwide scale, the collective infrastructure of the Snowy Mountains Hydro-electric Scheme, in the form of roads, transmission lines, power stations, aqueducts and impoundments, represents the single most visually intrusive element in the landscape”

It is considered that the Telstra proposal has responded to the sensitivity of the visual aesthetic by co-locating on an existing timber utility pole, as opposed to the construction of a new vertical element. Please also see the chapter Visual Amenity of this SEE for further discussion on visual amenity.

Chapter 12 Operations and authorised use refer to a variety of other government agencies and private organisations undertake essential operations within the park, and their responsibilities in minimising the footprint of their activities.

As mentioned under the Construction & Traffic section of this SEE, the facility once constructed will operate on an unmanned basis. Maintenance and basic checks on the ongoing operation of the facility will likely take place 1-3 times per year involving a single vehicle. In the case of Charlotte Pass there is no requirement to proceed off road as there is sealed access leading to the facility.

Telstra staff will adhere to any check in procedures and on-site safety procedures as instructed.

Public benefit

The last decade has seen the rapid uptake of smart devices. The use of wireless services has rapidly overtaken other forms of internet subscription. As of June 2017⁴, there were approximately 26.3 million mobile handset subscribers in Australia. To put this into perspective the estimated Australian population in 2018, according to Australian Bureau of Statistics population clock⁵, is nearing 25 million, which means nearly every single adult and child in Australia has at least one mobile phone. Portable wireless smart devices now not only include smart phones, but laptops and tablets which has resulted in the exponential growth in the amount of data downloaded.

The proposed facility at Charlotte Pass will sit amidst Kosciuszko National Park, which is part of the 1.6 million hectare chain of national parks and reserves across the Australian alps. The park is known as a recreational destination, particularly during snow season. In winter, the alpine resorts become the focus of visitor activities. Charlottes Pass is one of the important points of congregation for seasonal snow seekers. Being able to access wireless coverage to the designated operational area of Charlotte Pass would be a reasonable expectation of national park guests visiting the village facilities which includes restaurants and lodges.

In addition, providing wireless coverage to Charlotte Pass will help to improve visitor safety.

⁴ Australian Bureau of Statistic Internet Activity Australia,
<http://www.abs.gov.au/ausstats/abs@.nsf/mf/8153.0>

⁵ <http://www.abs.gov.au/>

Conclusion

The Telstra proposal for Charlotte Pass is what is termed a “small cell solution”, in that it consists of minimal equipment and a compact equipment shelter. Small cell solutions are often deployed in sensitive and difficult areas, were a new greenfield facility would compromise the aesthetics of the location. Telstra has responded to the environmental significance of the National Park locale by utilising an existing timber utility pole as the support structure.

The proposed Telstra facility:

- Is in compliance with National EME standards
- Is in compliance with *Industry Code C564:2011 - Mobile Phone Base Station Deployment*
- Is a permitted use under section 2 of *SEPP (Kosciuszko National Park Alpine Resorts) 2007*
- Does not contravene the *Kosciuszko National Park Plan of Management 2006*
- Is not located in an area identified as having Aboriginal heritage as outlined by the AHIMS search
- Does not require vegetation removal
- Is located in a developed and serviced Alpine Resort
- Is not causing detriment to scenic view sheds
- Has sealed access and power are available to the facility
- Operates on an unmanned basis and requires minimal maintenance

It is request as such that that the Department of Planning and Environment grant Telstra permission to construct the facility.

APPENDIX A

Preliminary Plans, including electrical route

EQUIPMENT NOTES - PROJECT NO. N110430

EQUIPMENT

TYPE: TELSTRA ICS ODU CABINET
REFER TO STANDARD DRAWING
SCM3007

SO SHEET

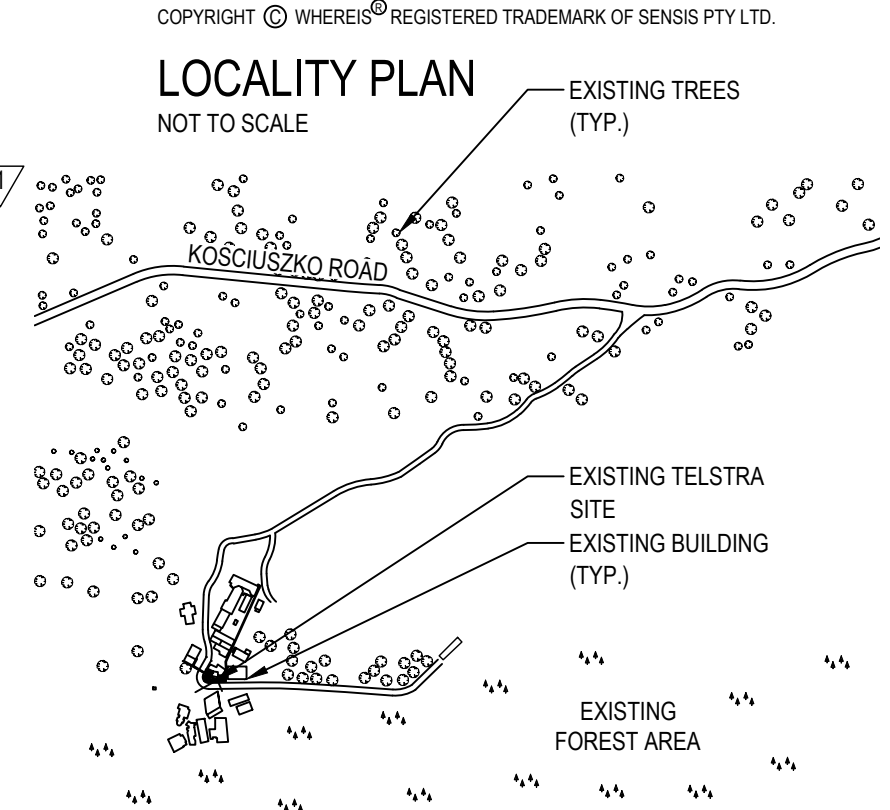
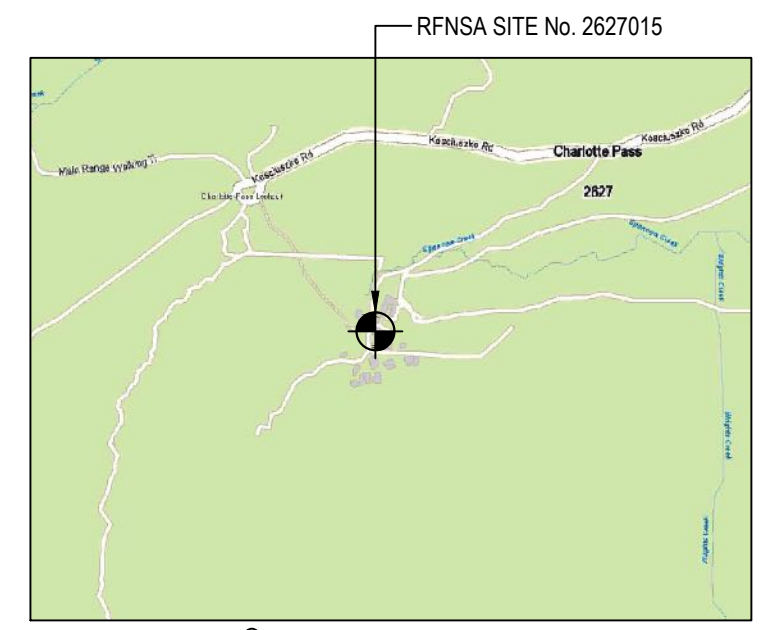
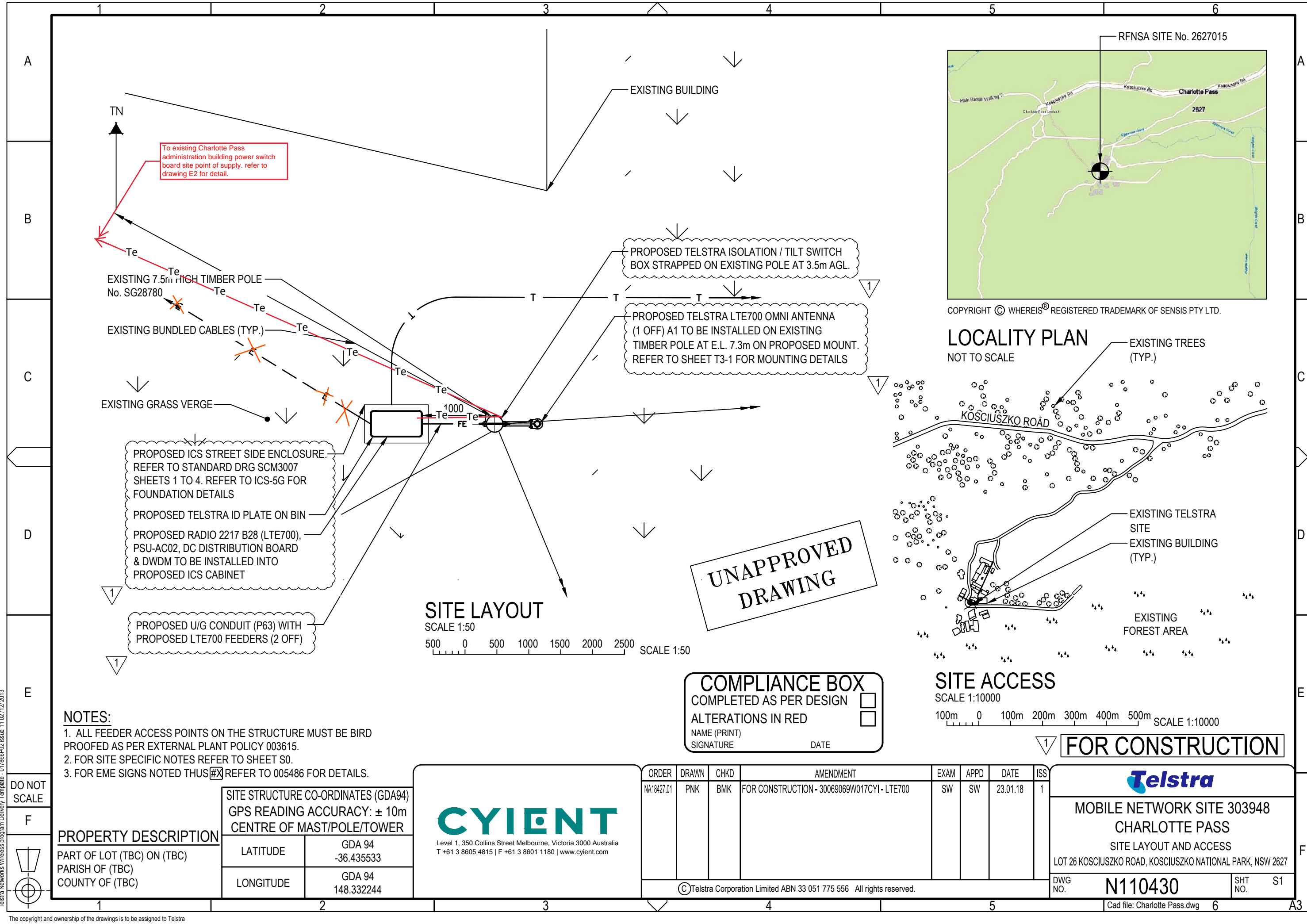
POWER SUPPLY

20A METERED POWER SUPPLY FROM
THE CHARLOTTE PASS ADMINISTRATION
BUILDING MAIN SWITCH BOARD AS
DIRECTED BY THE RESORT
MANGEMENT.
DIAL 1100 BEFORE YOU DIG.

EARTHING DETAIL

NEW EARTH ELECTRODE TO BE
CREATED BESIDE THE ICS ODU. REFER
TO TELSTRA STANDARD 017866P202
SHEET 6 FOR THE FIDO SMALL CELL

EQUIPMENT	EQUIPMENT DETAILS	EXISTING	PROPOSED	TOTAL	REFERENCE DWG
UNDERGROUND CONDUITS	UPVC P32 COLOUR ORANGE 25m LONG	0	1	1	SHEET S1
ABOVE GROUND CONDUITS	UPVC 32 COULOR GRAY UV RESISTANT, 7m LONG	0	1	1	
FEEDER PITS P2	655 (1) x 290 (w) x 575mm (d)	0	2	2	SHEET S1
ERICSSON RADIO UNIT RRUS-2217 LTE700	SUPPORT TYPE STEEL FRAME	0	1	1	SHEET S1
FIBRE INTERFACE BOX		0	1	1	
PSU-AC02	POWER SUPPLY UNIT FOR RBS6302 AND RADIO UNIT	0	1	1	
RF SWITCH + TILT SWITCH	SUPPORT ON LIGHT POLE STRUCTURE	0	1	1	-
LTE700 GPS ANTENNA	SUPPORT TYPE STEEL LIGHT POLE STRUCTURE	0	1	1	-



UNAPPROVED DRAWING

COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

- NOTES:**
1. ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
 2. FOR SITE SPECIFIC NOTES REFER TO SHEET S0.
 3. FOR EME SIGNS NOTED THUS (#X) REFER TO 005486 FOR DETAILS.

PROPERTY DESCRIPTION	
PART OF LOT (TBC) ON (TBC) PARISH OF (TBC) COUNTY OF (TBC)	
SITE STRUCTURE CO-ORDINATES (GDA94) GPS READING ACCURACY: ± 10m CENTRE OF MAST/POLE/TOWER	
LATITUDE	GDA 94 -36.435533
LONGITUDE	GDA 94 148.332244

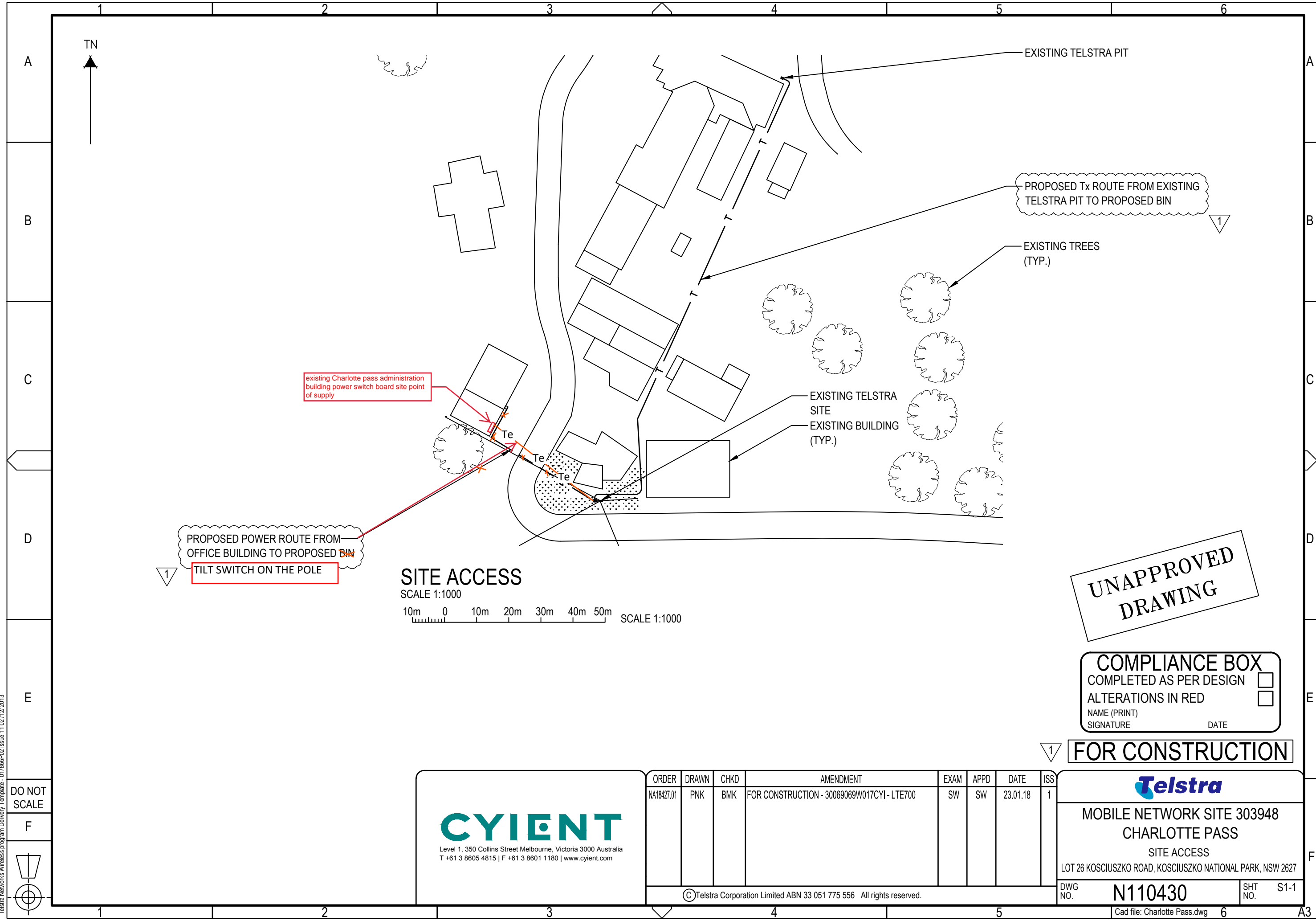
CYIENT
 Level 1, 350 Collins Street Melbourne, Victoria 3000 Australia
 T +61 3 8605 4815 | F +61 3 8601 1180 | www.cyient.com

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
NA18427.01	PNK	BMK	FOR CONSTRUCTION - 30069069W017CY1 - LTE700	SW	SW	23.01.18	1

Telstra
MOBILE NETWORK SITE 303948
CHARLOTTE PASS
 SITE LAYOUT AND ACCESS
 LOT 26 KOSCIUSZKO ROAD, KOSCIUSZKO NATIONAL PARK, NSW 2627

DWG NO. **N110430** SHT NO. S1

Telstra Networks Wireless program Delivery Template - 017866P02 Issue 11/02/12/2013



Telstra Networks Wireless program Delivery Template - 017866P02 issue 11/02/12/2013

DO NOT SCALE

F



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ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
NA18427.01	PNK	BMK	FOR CONSTRUCTION - 30069069W017CY1 - LTE700	SW	SW	23.01.18	1

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Telstra

MOBILE NETWORK SITE 303948
 CHARLOTTE PASS
 SITE ACCESS
 LOT 26 KOSCIUSZKO ROAD, KOSCIUSZKO NATIONAL PARK, NSW 2627

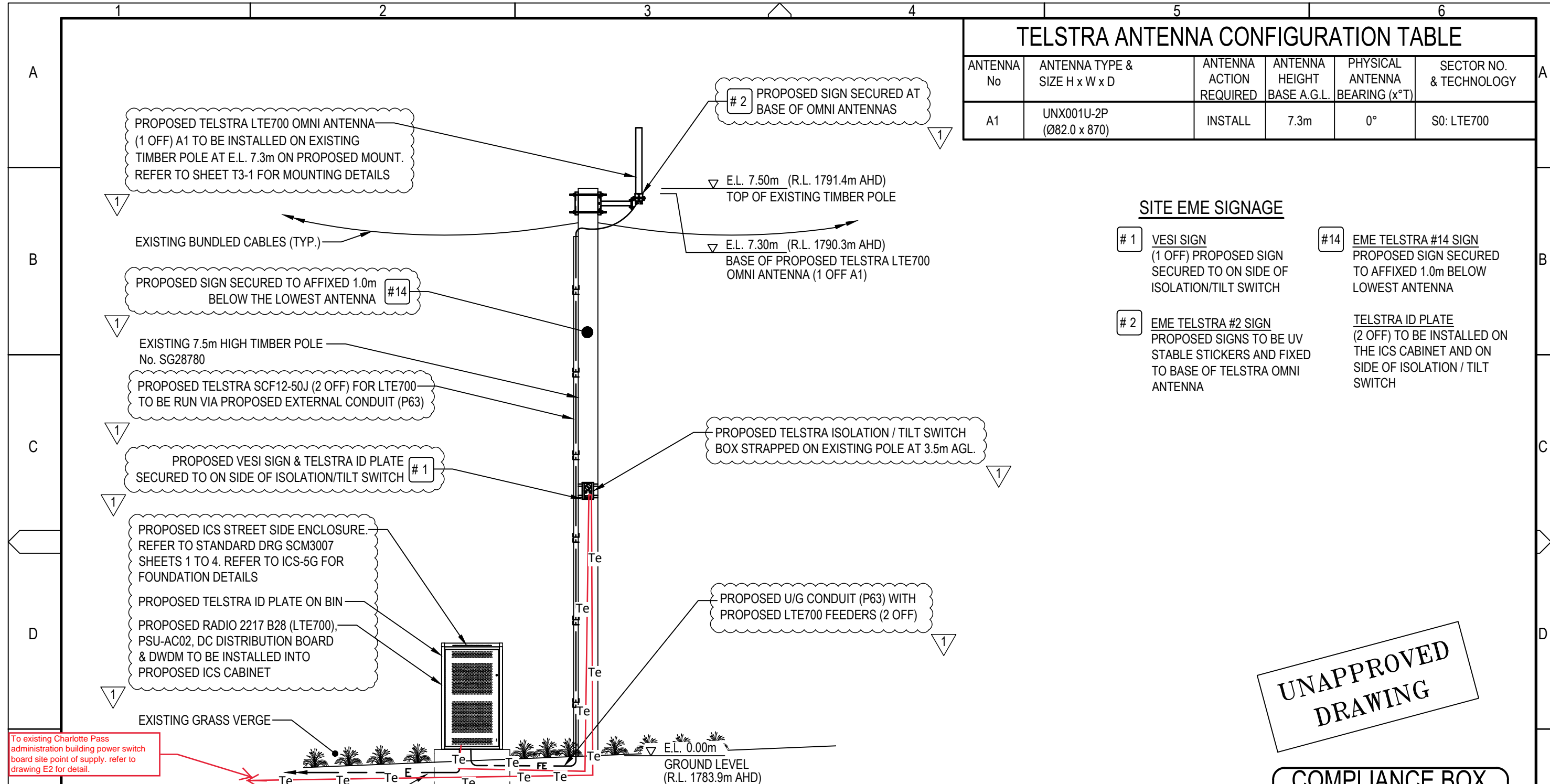
DWG NO. **N110430** SHT NO. S1-1

TELSTRA ANTENNA CONFIGURATION TABLE

ANTENNA No	ANTENNA TYPE & SIZE H x W x D	ANTENNA ACTION REQUIRED	ANTENNA HEIGHT BASE A.G.L.	PHYSICAL ANTENNA BEARING (x°T)	SECTOR NO. & TECHNOLOGY
A1	UNX001U-2P (Ø82.0 x 870)	INSTALL	7.3m	0°	S0: LTE700

SITE EME SIGNAGE

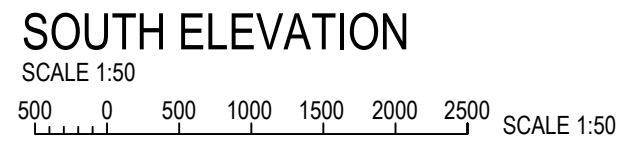
- # 1 VESI SIGN (1 OFF) PROPOSED SIGN SECURED TO ON SIDE OF ISOLATION/TILT SWITCH
- # 2 EME TELSTRA #2 SIGN PROPOSED SIGNS TO BE UV STABLE STICKERS AND FIXED TO BASE OF TELSTRA OMNI ANTENNA
- # 14 EME TELSTRA #14 SIGN PROPOSED SIGN SECURED TO AFFIXED 1.0m BELOW LOWEST ANTENNA
- TELSTRA ID PLATE (2 OFF) TO BE INSTALLED ON THE ICS CABINET AND ON SIDE OF ISOLATION / TILT SWITCH



UNAPPROVED
DRAWING

COMPLIANCE BOX
 COMPLETED AS PER DESIGN
 ALTERATIONS IN RED
 NAME (PRINT) _____
 SIGNATURE _____ DATE _____

FOR CONSTRUCTION



- NOTES:**
- ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
 - FOR SITE SPECIFIC NOTES REFER TO SHEET S0.
 - FOR EME SIGNS NOTED THUS #X REFER TO 005486 FOR DETAILS.

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ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
NA18427.01	PNK	BMK	FOR CONSTRUCTION - 30069069W017CY1 - LTE700	SW	SW	23.01.18	1

Telstra

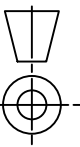
MOBILE NETWORK SITE 303948
 CHARLOTTE PASS
 SOUTH ELEVATION
 LOT 26 KOSCIUSZKO ROAD, KOSCIUSZKO NATIONAL PARK, NSW 2627

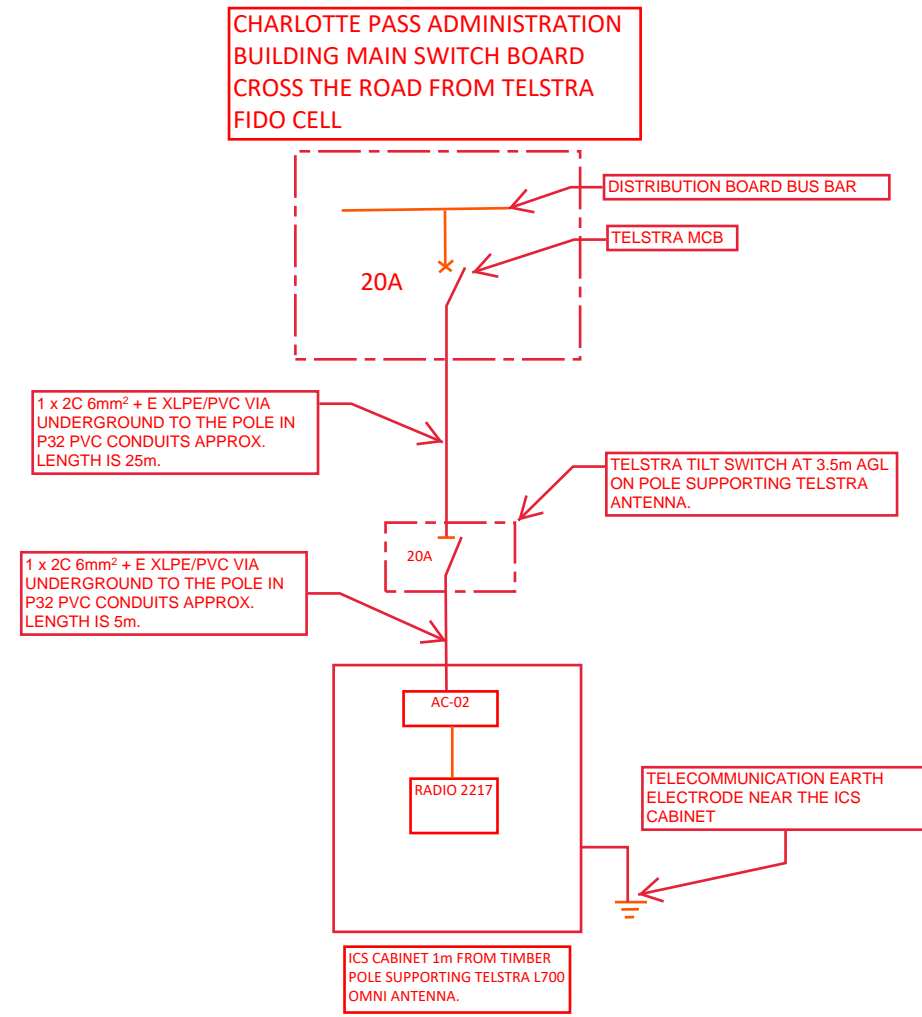
DWG NO. **N110430** SHT NO. S3

Telstra Networks Wireless program Delivery Template - 017866P02 Issue 11/02/12/2013

DO NOT SCALE

F

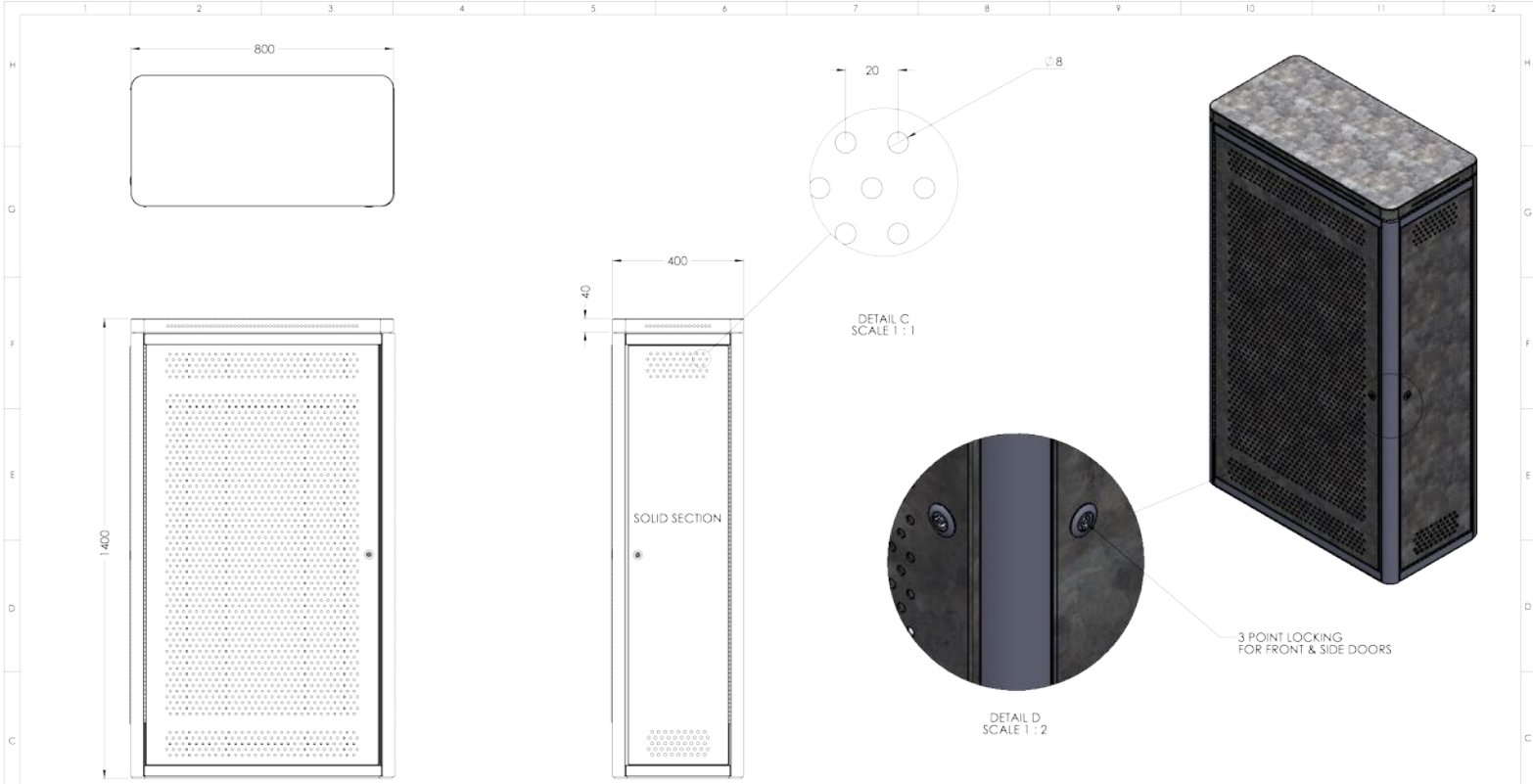




E2 DRAWING

APPENDIX B

ODU Schematic



NOTES:

1. MATERIAL: GALVANISED STEEL
THICKNESS: AS PER BOM
FINISH: POWDERCOAT
EST WEIGHT: 89.50kg
2. REMOVE ALL BURRS AND SHARP EDGES 0.2x45° MAX.
3. FOR DIMENSIONS WHICH ARE NOT TOLERANCED USE THE FOLLOWING TOLERANCE BANDS:
X : ± 0.0mm
X.X : ± 0.2mm
X.XX : ± 0.2mm
ANGULAR : ± 0° 30'
4. PARTS SHALL BE SUPPLIED CLEAN AND FREE FROM ANY CHEMICAL RESIDUES FROM PROCESSING.

DRAWING SUBMITTAL REVIEW

REVIEWED WITH CHANGES NOTED

APPROVED FOR MANUFACTURE WITH CHANGES AS NOTED

APPROVED FOR MANUFACTURE

SIGNED: _____ DATE: _____

NAME: _____

INITIAL RELEASE		NOM	16/03/2017	A
CHANGE / DESCRIPTION		DNV	APRVD	DATE REV
		CLIENT / PROJECT		AS
		TELSTRA		1100
SCALE		TITLE		SHEET
1:8	ALL DIMENSIONS ARE IN mm	STREET SIDE ENCLOSURE		SIZE
DO NOT SCALE	Copyright	DRAWING / PART NO		PAGE
		TELDOCELP-01		1 OF 3
This drawing is confidential, and must not be copied or disclosed in part or full without written consent of the owner.				

APPENDIX C

ARPANSA Report



Environmental EME Report

Charlotte Pass, KOSCIUSZKO NATIONAL PARK NSW 2627

This report provides a summary of Calculated RF EME Levels around the wireless base station

Date 1/2/2018

RFNSA Site No. 2627022

Introduction

The purpose of this report is to provide calculations of EME levels from the existing facilities at the site and any proposed additional facilities.

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at Charlotte Pass KOSCIUSZKO NATIONAL PARK NSW 2627. These levels have been calculated by Telstra using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

The maximum EME level calculated for the proposed systems at this site is 1.39% of the public exposure limit.

The ARPANSA Standard

ARPANSA, an Australian Government agency in the Health and Ageing portfolio, has established a Radiation Protection Standard specifying limits for general public exposure to RF transmissions at frequencies used by wireless base stations. The Australian Communications and Media Authority (ACMA) mandates the exposure limits of the ARPANSA Standard.

How the EME is calculated in this report

The procedure used for these calculations is documented in the ARPANSA Technical Report "Radio Frequency EME Exposure Levels - Prediction Methodologies" which is available at <http://www.arpansa.gov.au>.

RF EME values are calculated at 1.5m above ground at various distances from the base station, assuming level ground.

The estimate is based on worst-case scenario, including:

- wireless base station transmitters for mobile and broadband data operating at maximum power
- simultaneous telephone calls and data transmission
- an unobstructed line of sight view to the antennas.

In practice, exposures are usually lower because:

- the presence of buildings, trees and other features of the environment reduces signal strength
- the base station automatically adjusts transmit power to the minimum required.

Maximum EME levels are estimated in 360° circular bands out to 500m from the base station.

These levels are cumulative and take into account emissions from all wireless base station antennas at this site.

The EME levels are presented in three different units:

- volts per metre (V/m) – the electric field component of the RF wave
- milliwatts per square metre (mW/m²) – the power density (or rate of flow of RF energy per unit area)
- percentage (%) of the ARPANSA Standard public exposure limit (the public exposure limit = 100%).

Results

The maximum EME level calculated for the proposed systems at this site is 4.43 V/m; equivalent to 52.0 mW/m² or 1.39% of the public exposure limit.

Radio Systems at the Site

There are currently no existing radio systems for this site.

It is proposed that this base station will have equipment for transmitting the following services:

Carrier	Radio Systems
Telstra	LTE700 (proposed)

Calculated EME Levels

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined.

Distance from the antennas at Charlotte Pass in 360° circular bands	Maximum Cumulative EME Level at 1.5m above ground – all carriers at this site					
	Existing Equipment			Proposed Equipment		
	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits	Electric Field V/m	Power Density mW/m ²	% ARPANSA exposure limits
0m to 50m				4.43	52.0	1.39%
50m to 100m				1.35	4.82	0.13%
100m to 200m				0.69	1.25	0.033%
200m to 300m				0.34	0.31	0.0082%
300m to 400m				0.23	0.14	0.0037%
400m to 500m				0.17	0.077	0.002%
Maximum EME level				4.43	52.0	1.39
				9.41 m from the antennas at Charlotte Pass		

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest that have been identified through the consultation requirements of the Communications Alliance Ltd Deployment Code C564:2011 or via any other means. The calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Additional Locations	Height / Scan relative to location ground level	Maximum Cumulative EME Level All Carriers at this site Existing and Proposed Equipment		
		Electric Field V/m	Power Density mW/m ²	% of ARPANSA exposure limits
1 No locations identified				

RF EME Exposure Standard

The calculated EME levels in this report have been expressed as percentages of the ARPANSA RF Standard and this table shows the actual RF EME limits used for the frequency bands available. At frequencies below 2000 MHz the limits vary across the band and the limit has been determined at the Assessment Frequency indicated. The four exposure limit figures quoted are equivalent values expressed in different units – volts per metre (V/m), watts per square metre (W/m²), microwatts per square centimetre (µW/cm²) and milliwatts per square metre (mW/m²). Note: 1 W/m² = 100 µW/cm² = 1000 mW/m².

Radio Systems	Frequency Band	Assessment Frequency	ARPANSA Exposure Limit (100% of Standard)
LTE 700	758 – 803 MHz	750 MHz	37.6 V/m = 3.75 W/m ² = 375 µW/cm ² = 3750 mW/m ²
WCDMA850	870 – 890 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 µW/cm ² = 4500 mW/m ²
GSM900, LTE900, WCDMA900	935 – 960 MHz	900 MHz	41.1 V/m = 4.50 W/m ² = 450 µW/cm ² = 4500 mW/m ²
GSM1800, LTE1800	1805 – 1880 MHz	1800 MHz	58.1 V/m = 9.00 W/m ² = 900 µW/cm ² = 9000 mW/m ²
LTE2100, WCDMA2100	2110 – 2170 MHz	2100 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²
LTE2300	2302 – 2400 MHz	2300 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²
LTE2600	2620 – 2690 MHz	2600 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²
LTE3500	3425 – 3575 MHz	3500 MHz	61.4 V/m = 10.00 W/m ² = 1000 µW/cm ² = 10000 mW/m ²

Further Information

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is a Federal Government agency incorporated under the Health and Ageing portfolio. ARPANSA is charged with responsibility for protecting the health and safety of people, and the environment, from the harmful effects of radiation (ionising and non-ionising).

Information about RF EME can be accessed at the ARPANSA website, <http://www.arpansa.gov.au>, including:

- Further explanation of this report in the document “Understanding the ARPANSA Environmental EME Report”
- The procedure used for the calculations in this report is documented in the ARPANSA Technical Report; “Radio Frequency EME Exposure Levels - Prediction Methodologies”
- the current RF EME exposure standard
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), 2002, ‘Radiation Protection Standard: Maximum Exposure Levels to Radiofrequency Fields — 3 kHz to 300 GHz’, Radiation Protection Series Publication No. 3, ARPANSA, Yallambie Australia.
[Printed version: ISBN 0-642-79400-6 ISSN 1445-9760] [Web version: ISBN 0-642-79402-2 ISSN 1445-9760]

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. Information on EME is available at <http://emr.acma.gov.au>

The Communications Alliance Ltd Industry Code C564:2011 ‘Mobile Phone Base Station Deployment’ is available from the Communications Alliance Ltd website, <http://commsalliance.com.au> .

Contact details for the Carriers (mobile phone companies) present at this site and the most recent version of this document are available online at the Radio Frequency National Site Archive, <http://www.rfnsa.com.au>.

APPENDIX D

AHIMS Report

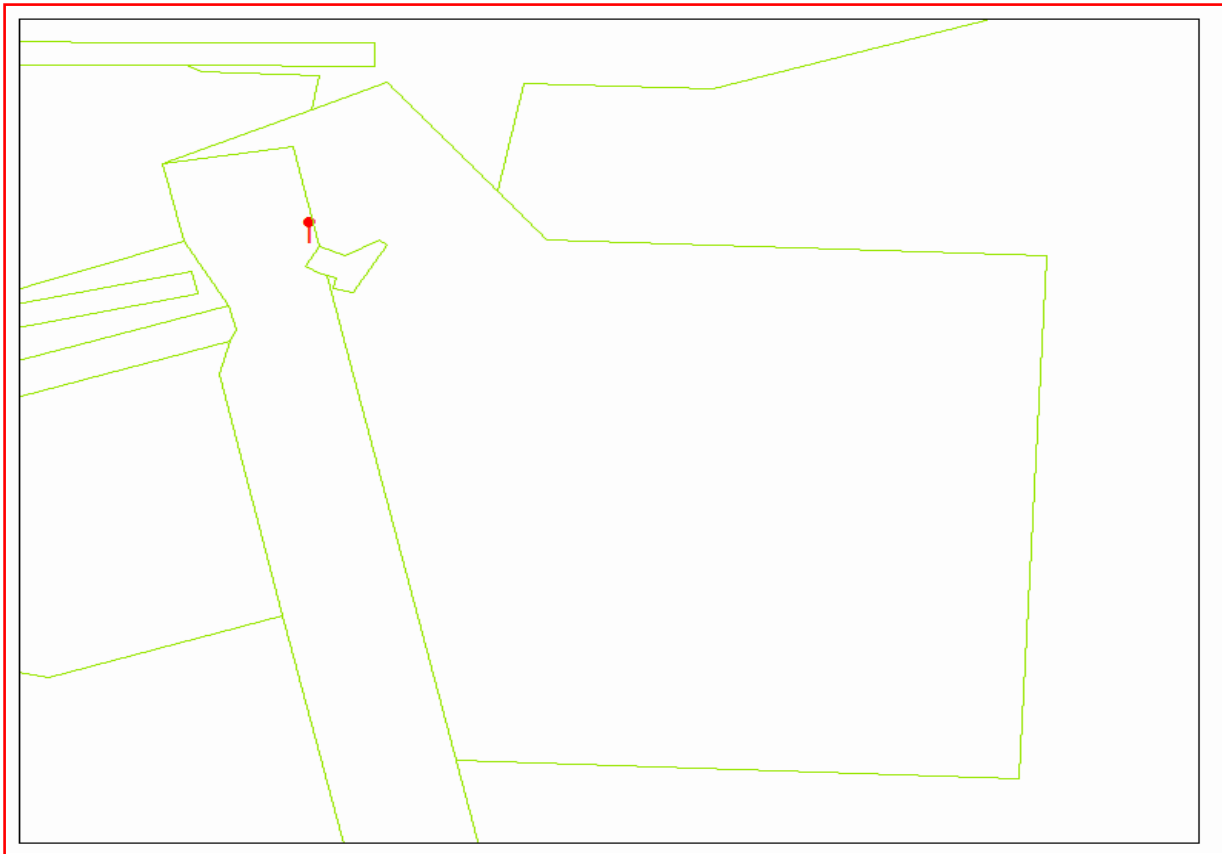
Petra Kovacs
92 Chestnut Street
Cremorne Victoria 3121
Attention: Petra Kovacs
Email: petra@petrapatrocinor.com

Date: 12 February 2018

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 16, DP:DP756705 with a Buffer of 50 meters, conducted by Petra Kovacs on 12 February 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette \(http://www.nsw.gov.au/gazette\)](http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

APPENDIX E

Structural Report

Dated: 07/02/2018
 Ref: 2018/CA1001/D

Attachment D: STRUCTURAL ASSESSMENT

Project/Site: TELSTRA MOBILE NETWORK SITE

Site ID: 303948 CHARLOTTE PASS

For: Structural assessment of existing timber street light pole.

Structure: Existing timber street light pole

Location: Lot 26, Kosciuszko Road, Kosciuszko National Park, NSW 2627

Assessment Specifications and Assumptions:

Pole Specifications:

Pole Type:	Timber street light pole
Foundation	Embedded first 1 meter to M and rest to S class soil
Drawing Ref:	N110430
Pole Height:	7.5 m
Building Height :	N/A
Pole sections	260 mm Dia @ base
Pole Material:	S2 Unseasoned Hard wood
Bolt Type and Categories:	N/A
Importance Level	2 as per AS1170.0
Design working life	Assumed 50Yrs
Design Capacity	Based on 44 m/ s wind as advised by Ausgrid
	As per disc , Tip load = 4 KN @ working Live load rating (WLL) with factor of safety (FOS) of 4.

Compliance Standards and Assessment Site Parameters:

AS 1720.1 & 2 Timber Structures, AS/NZS 7000 – 2016 Overhead line design	
AS 1170.0.1-2002 & 2- 2011 Structural Wind Design Actions	
Date of Assessment	07/02/18
Reference Documentation	N110430
Region	A3
VR:	44 m/s
Vs:	27 m/s
Terrain Category, Tc:	2.0
Wind Direction Multiplier. Md:	1.0
Topographic Multiplier, Mt:	1.0
Shielding Multiplier Ms:	1.0

Antenna Loading:

AnSS LOADING Table								
CANRAD data downloaded on:	23/01/2018	Site design brief Ref No: (if applicable)			NA18427.01			
CANRAD ID Numbers of Antennas and other external ancillaries	Status (Existing (E), Proposed (P), Reserved (R)etc)	Type	Mounting Height (M)	Structure Face (If Applic.)	Bearing	Feeder		
						CANRAD ID No:	Type	
A1	P	UNX001U-2P (Dia 82.0x870)	7.3 M	N/A	0°	Refer to CANRAD	Refer to CANRAD	
ISB	P	TELSTRA TILT \ ISOLATION SWITCH BOX	3.5 M	N/A		Refer to CANRAD	Refer to CANRAD	

Ancillaries:

Proposed Telstra SCF12-50J (2 Off) for LTE700 to be run inside proposed external conduit (P63) strapped to the pole. Street light @ approximately 7.0 m.

Other Equipment: There are no signs items tagged on the pole.

Method of Assessment:

Load comparison of site specific max permissible load mentioned on disc with equivalent tip load for the proposed installation.

Pole Condition:

It's inspected that existing pole is in good condition and good engineering practices will be deployed during the installation.

Assessment Result:

Forces on the poles	Equivalent Tip load due to additional proposed load	Design Capacity
Tip load	Moment on Base = 16.33 KN.m Moment Arm = Pole height upto tip = 7.5m Equivalent tip load = $16.33/7.5 = 2.17$ kN	4 kN

Conclusion:

Assessment on the structural elements and conditions above-mentioned has indicated that the existing timber pole along with mount for Telstra Omni antennas are structurally adequate and sufficient to support the existing and proposed loads.

Signature:



Ertaz H. Chowdhury

Structural Engineer

MIE Aust, CPEng, NER, 2214897 RPEQ 9942, EC 40000,

Date: 7th of February 2018



APPENDIX F

Political Donations

Political donations disclosure statement



NSW GOVERNMENT
Department of Planning

Office use only:

Date received: ____/____/____

Planning application no. _____

This form may be used to make a political donations disclosure under section 147(3) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to the Minister or the Director-General.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below). Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application or a public submission to the Minister or the Director-General

Under section 147(3) of the Environmental Planning and Assessment Act 1979 ('the Act') a person:

- (a) who makes a *relevant planning application* to the Minister or the Director-General is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by any *person with a financial interest* in the application, or
- (b) who makes a *relevant public submission* to the Minister or the Director-General in relation to the application is required to disclose all *reportable political donations* (if any) made within the *relevant period* to anyone by the person making the submission or any *associate of that person*.

How and when do you make a disclosure?

The disclosure to the Minister or the Director-General of a *reportable political donation* under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation is made before the application or submission is made, or
- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation is made.

What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 147(9) of the Act.

Pages 3 and 4 of this document include a Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General of the Department of Planning.

Note: A separate Disclosure Statement Template is available for disclosures to councils.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147.

The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part.

Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

Glossary of terms (under section 147 of the *Environmental Planning and Assessment Act 1979*)

gift means a gift within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981*. Note. A gift includes a gift of money or the provision of any other valuable thing or service for no consideration or inadequate consideration.

Note: Under section 84(1) of the *Election Funding and Disclosures Act 1981* gift is defined as follows:

gift means any disposition of property made by a person to another person, otherwise than by will, being a disposition made without consideration in money or money's worth or with inadequate consideration, and includes the provision of a service (other than volunteer labour) for no consideration or for inadequate consideration.

local councillor means a councillor (including the mayor) of the council of a local government area.

relevant planning application means:

- a) a formal request to the Minister, a council or the Director-General to initiate the making of an environmental planning instrument or development control plan in relation to development on a particular site, or
 - b) a formal request to the Minister or the Director-General for development on a particular site to be made State significant development or declared a project to which Part 3A applies, or
 - c) an application for approval of a concept plan or project under Part 3A (or for the modification of a concept plan or of the approval for a project), or
 - d) an application for development consent under Part 4 (or for the modification of a development consent), or
 - e) any other application or request under or for the purposes of this Act that is prescribed by the regulations as a relevant planning application,
- but does not include:
- f) an application for (or for the modification of) a complying development certificate, or
 - g) an application or request made by a public authority on its own behalf or made on behalf of a public authority, or
 - h) any other application or request that is excluded from this definition by the regulations.

relevant period is the period commencing 2 years before the application or submission is made and ending when the application is determined.

relevant public submission means a written submission made by a person objecting to or supporting a relevant planning application or any development that would be authorised by the granting of the application.

reportable political donation means a reportable political donation within the meaning of Part 6 of the *Election Funding and Disclosures Act 1981* that is required to be disclosed under that Part. Note. Reportable political donations include those of or above \$1,000.

Note: Under section 86 of the *Election Funding and Disclosures Act 1981* reportable political donation is defined as follows:

86 Meaning of "reportable political donation"

- (1) For the purposes of this Act, a reportable political donation is:
 - (a) in the case of disclosures under this Part by a party, elected member, group or candidate—a political donation of or exceeding \$1,000 made to or for the benefit of the party, elected member, group or candidate, or
 - (b) in the case of disclosures under this Part by a major political donor—a political donation of or exceeding \$1,000:
 - (i) made by the major political donor to or for the benefit of a party, elected member, group or candidate, or
 - (ii) made to the major political donor.
- (2) A political donation of less than an amount specified in subsection (1) made by an entity or other person is to be treated as a reportable political donation if that and other separate political donations made by that entity or other person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1).
- (3) A political donation of less than an amount specified in subsection (1) made by an entity or other person to a party is to be treated as a reportable political donation if that and other separate political donations made by that entity or person to an associated party within the same financial year (ending 30 June) would, if aggregated, constitute a reportable political donation under subsection (1). This subsection does not apply in connection with disclosures of political donations by parties.
- (4) For the purposes of subsection (3), parties are associated parties if endorsed candidates of both parties were included in the same group in the last periodic Council election or are to be included in the same group in the next periodic Council election.

a person has a financial interest in a relevant planning application if:

- a) the person is the applicant or the person on whose behalf the application is made, or
- b) the person is an owner of the site to which the application relates or has entered into an agreement to acquire the site or any part of it, or
- c) the person is associated with a person referred to in paragraph (a) or (b) and is likely to obtain a financial gain if development that would be authorised by the application is authorised or carried out (other than a gain merely as a shareholder in a company listed on a stock exchange), or
- d) the person has any other interest relating to the application, the site or the owner of the site that is prescribed by the regulations.

persons are associated with each other if:

- a) they carry on a business together in connection with the relevant planning application (in the case of the making of any such application) or they carry on a business together that may be affected by the granting of the application (in the case of a relevant planning submission), or
- b) they are related bodies corporate under the *Corporations Act 2001* of the Commonwealth, or
- c) one is a director of a corporation and the other is any such related corporation or a director of any such related corporation, or
- d) they have any other relationship prescribed by the regulations.

Political Donations Disclosure Statement to Minister or the Director-General

If you are required under section 147(3) of the Environmental Planning and Assessment Act 1979 to disclose any political donations (see Page 1 for details), please fill in this form and sign below.

Disclosure statement details				
Name of person making this disclosure Petra Kovacs (consultant on behalf of Telstra)	Planning application reference (e.g. DA number, planning application title or reference, property address or other description) Charlotte Pass Telstra Application Feb 2018			
Your interest in the planning application (circle relevant option below)				
You are the APPLICANT YES / NO OR You are a PERSON MAKING A SUBMISSION IN RELATION TO AN APPLICATION YES / NO				
Reportable political donations made by person making this declaration or by other relevant persons				
<small>* State below any reportable political donations you have made over the 'relevant period' (see glossary on page 2). If the donation was made by an entity (and not by you as an individual) include the Australian Business Number (ABN).</small>				
<small>* If you are the applicant of a relevant planning application state below any reportable political donations that you know, or ought reasonably to know, were made by any persons with a financial interest in the planning application, OR</small>				
<small>* If you are a person making a submission in relation to an application, state below any reportable political donations that you know, or ought reasonably to know, were made by an associate.</small>				
Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation
N/A				
<i>Please list all reportable political donations—additional space is provided overleaf if required.</i>				
By signing below, I/we hereby declare that all information contained within this statement is accurate at the time of signing.				
Signature(s) and Date				
Petra Kovacs 15/2/2018				
Name(s)				
Petra Kovacs				

Cont...

Political Donations Disclosure Statement to Minister or the Director-General

Name of donor (or ABN if an entity)	Donor's residential address or entity's registered address or other official office of the donor	Name of party or person for whose benefit the donation was made	Date donation made	Amount/ value of donation
N/A				

