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Statement of Environmental Effects

Application for Development Consent

Proposed Telecommunications Facility at

61 Moxon Road, Punchbowl NSW 2196
Lot 1, DP 223338

Prepared by Waveconn

August 2024

waveconn

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1 EXECUTIVE SUMMARY

1.1 Site and Proposal Details

Address of Site	61 Moxon Road, Punchbowl NSW 2196
Legal Property Description	Lot 1, DP 223338
Local Authority	Canterbury-Bankstown Council
Local Environmental Plan	Canterbury-Bankstown Local Environmental Plan 2023
Zone and Overlay	**Land Zoning** • RE2 – Private Recreation
Use	Telecommunications Facility

1.2 Applicant Details

Applicant	Waveconn City West Office Park Suite 3.02, Level 3, Building B 33-35 Saunders Street, Pyrmont, NSW 2009
Contact Person	Chris Hayes Phone No: (02) 8405 7914 Email: chris.hayes@waveconn.com
Our Reference	Riverwood Industrial AN2195-001

2 INTRODUCTION

This report has been prepared by Waveconn for a proposed mobile telecommunications facility. Waveconn holds the Carrier Licence of Stilmark Holdings for the purposes of the *Telecommunications Act 1997 (Cth)* and operates as an infrastructure provider or 'neutral host', whereby new facilities are sited, designed, acquired, built and maintained by Waveconn, but utilised by carriers - such as the mobile carriers - as part of their respective networks. Waveconn structures are purposely designed and constructed to allow for collocation of at least two or three carriers to occur.

Waveconn has identified an area of poor network coverage in the Punchbowl area, including the surrounding roadways, commercial and industrial businesses and residential areas. As such, the mobile Carriers will require the installation of a new telecommunications facility in the local area. A new telecommunications facility located off Moxon Road would address the identified mobile coverage deficiencies in the area, whilst also providing the capacity needed for future use and expansion.

Waveconn submits the following report as supporting information to a Development Application for the installation of a 30 metre high telecommunications facility at 61 Moxon Road, more formally known as Lot 1 on DP 223338.

This report addresses the merits of the development with regard to the provisions of the Canterbury-Bankstown Environmental Plan 2023, along with the relevant State and Federal planning policies applicable to the site location. The planning principles for telecommunications facilities set out in the NSW Telecommunications Facilities Guideline Including Broadband 2022 have also been taken into account. This SEE also provides a background to mobile networks, electromagnetic energy (EME), the purpose of this particular proposal, the site selection and the site characteristics.

3 THE PROPOSED DEVELOPMENT

The proposed telecommunications facility at 61 Moxon Road is comprised of the following:

- The construction of a new 30 metre high slimline monopole;
- An 8m x 12m compound area, to house future electrical equipment units; and
- The installation of power to the proposed site compound.

The proposed monopole will be constructed of steel, and be a steel grey colour to blend with the surrounding environment. The future equipment units are proposed to be coloured 'eucalypt green' to blend with the surrounding vegetation.

Refer to Site Plans attached at Appendix 1.

4 PURPOSE OF THE PROPOSAL

Waveconn is proposing the facility to cater for the existing, and projected future, need by the carriers in this area, and forms part of a larger strategic program across the country. As such, the proposal represents strategic and practical forward planning based on projected future need - an approach which, for this type of infrastructure, has generally not occurred in the past.

However, it is critical to note that as Waveconn is an infrastructure owner and provider, it will not build the structure until a carrier elects to locate on it – that is, the structure will not be speculatively built in the hope it will be collocated on. As such, there will be no impact – visual or otherwise - from the structure until there is a need for it to be constructed. To that end, Council and the community do not

need to be concerned that unnecessary structures will be constructed, regardless of whether there is an approval in place. Notwithstanding, Waveconn is confident that there will be a demand in time for the proposed structure and seeks an approval on that basis.

Once the structure is in place, it will also be suitable and available for collocation by a second (or potentially third) carrier. This preference and preparation for collocation will also help to minimise the number of such structures in the council area and give Council an improved basis on which to drive collocation when new facilities (by others) are proposed.

In terms of existing and future requirements, the coverage in the area is generally poor due to the lack of mobile telecommunications facilities in the are. There are no mobile phone base stations within approximately 700 metres of the proposed site location, which is a substantial distance in a built-up environment. It is not possible to adequately and efficiently service the area around the proposed location from existing facilities. Data services, in particular, are unreliable and throughput speeds slow. Due to the number of residential properties in the surrounding area, the commercial and industrial businesses, as well as the numerous public recreation areas, it is imperative that a new telecommunications facility be installed to service the exponential demand in mobile telecommunications services into the future. Motorists travelling through the area will also benefit from improved connectivity along the major roadlinks such as the M5, Canterbury Road, and Fairford Road.

Image 1, below, shows an extract from www.rfnsa.com.au, which is an online database of all existing and proposed facilities in Australia. As indicated on the extract, the proposed facility (shown with a yellow marker) is approximately 700 metres from all existing telecommunications facilities, with the closest being a facility located to the north (off Canterbury Road). The surrounding facilities are shown with a green marker. This shows there is a substantial coverage 'hole' within these existing surrounding sites, including the areas surrounding the proposed site location to the immediate and extended east, west, as well as recreation areas to the south.

The lack of telecommunications infrastructure in the local area is putting a major strain on the existing Carrier networks in the surrounding area. This lack of infrastructure becomes even more crucial with the introduction of 5G technology, whereby facilities need to be located closer to each other than for previous 3G and 4G Networks.

Mobile telecommunications connectivity has significantly grown in importance since the introduction of smart phones and tablets. These devices, with increased mobile broadband speeds, capacity and capability, are changing the way we live and operate our day to day lives and businesses. The availability of high-speed, reliable, mobile telecommunications services is becoming an expectation of Australia's population, both in CBD and rural locations.

This facility is part of ongoing Network improvements in the Canterbury-Bankstown Council area, to provide significant enhancements to the mobile telecommunications services of the local area. The improvements to the local Network also include the addition of and ability to provide 5G Network services now and in the future.

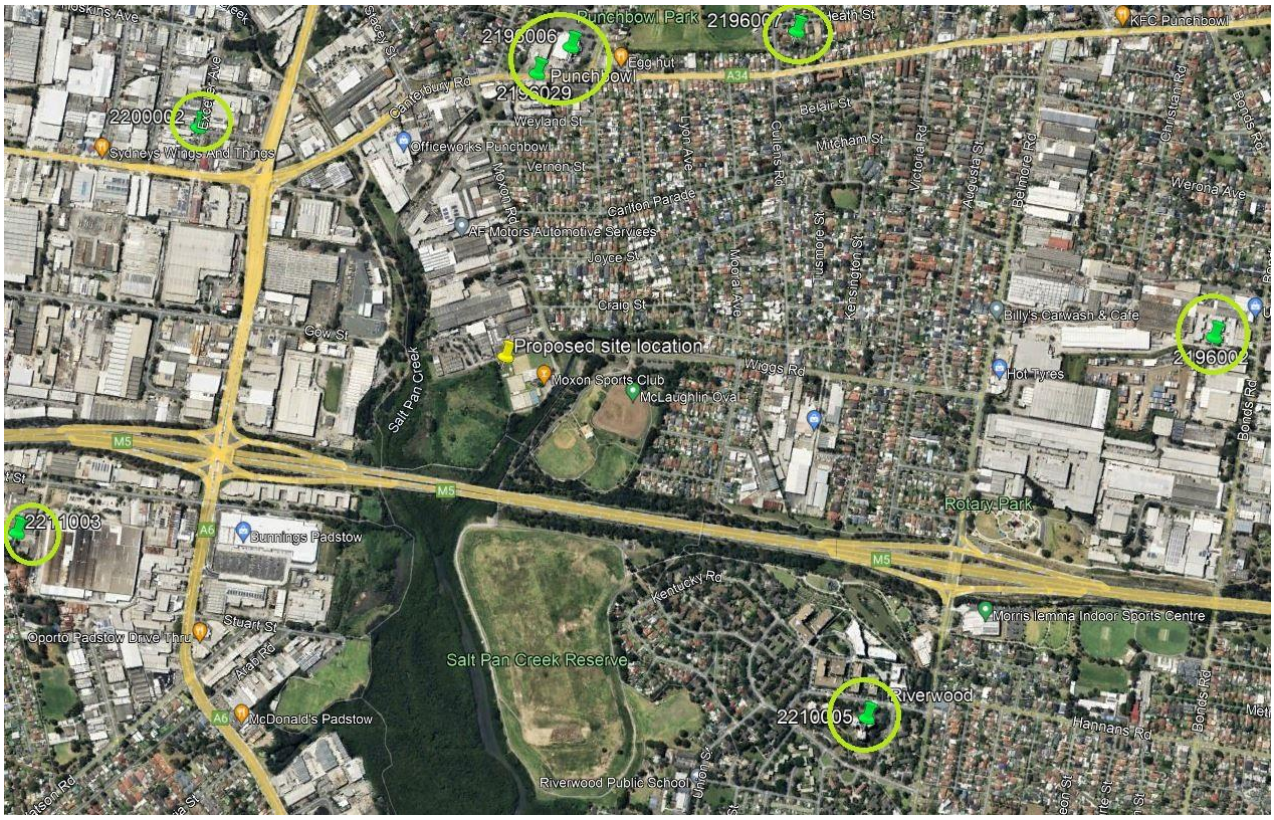

Image 1: Proposed location (yellow marker) and surrounding facilities (green markers)

The new facility is well placed to allow for new and improved coverage and services to the area.

Given the lack of existing telecommunications infrastructure in the vicinity, collocation is not an option for addressing existing and future requirements and a new structure will be required. The proposed facility is centrally located to the areas requiring coverage improvements, specifically the residential areas to the east, which provides limited opportunity for the installation of a new facility.

Waveconn's proposed facility will also help to ensure the continued growth of, and competition within the telecommunication industry; resulting in accountable practice and affordable prices for mobile users.

5 MOBILE TELECOMMUNICATIONS NETWORKS

Mobile telecommunications networks are made up of a number of base station facilities (sites) covering a specific geographic area. The sites work by sending and receiving low power radio signals from their antennas to mobile phones and other mobile usage devices, including tablets, wireless internet devices etc. Essentially, base stations are designed to provide service to the area immediately surrounding the site – this can be up to several kilometres for voice calls, or hundreds of metres for data services. The characteristics of each base station will vary, including their height, the number of antennas, the type of the facility, etc, depending on the specific technical objectives of the site.

It is generally understood that the higher the antennas at a base station, the greater it's range of coverage to the surrounding area. It is also a misconception that one or two sites can cover an entire surrounding area. Specific site location within the surrounding Network is an integral part of the burgeoning 5G Network. The further a facility is located away from its technically optimum position, the greater the compromise of

service. This may result in coverage gaps and require additional or taller base stations to provide adequate service. The 5G Network expansion explicitly has resulted in the need for base stations that are specifically located to provide the improved services to the surrounding users, in this instance specifically the residential, local businesses, and recreation areas surrounding the Moxon Road location, as well as the local and major roadways.

Base station facilities transmit and receive signals from mobile devices in the vicinity of the site. Mobile devices communicate with the nearest base station facility to them at all times, and if they cannot pick up a signal, the user may not be able to make or receive a call, may notice a significant slowing of data download speeds, or may experience call "drop outs".

There are several reasons for the above service issues:

- The user may be too far away from a facility to receive a signal. To ensure the best level of service to the end user, radio signals ideally need to be unobstructed, and maintain a direct "line-of-sight" to the device.
- Call drop-outs and slow data download rates can occur when too many users are connected to a facility at once. This proposal will ensure the maximum number of users as possible will be able to connect to and utilise an efficient network.
- The 'depth' of coverage may be insufficient in some local areas. This impacts on the ability for use of some mobile devices in buildings or other areas that are influenced by local impediments (trees, walls etc)

The current proposal will form an integral part of Carriers existing and future 5G networks, as well as being able to provide enhanced coverage and services to current and future customers.

6 SITE SELECTION PROCESS

The selection of a new site is dictated by a number of specific factors.

Initially, a subject 'search area' is put forward: this is a specific area whereby a new facility would be anticipated to provide the necessary network services/improvements/future capability to the surrounding locality. Due to the technical operations and requirements of Carriers mobile telecommunications networks, this search area can be as small as 100-200m in radius around a specific location. Image 1 outlines a rough location where a new facility would effectively improve Carriers Networks in the area.

Waveconn then begins the formal site selection process. This involves a search of possible site locations that will meet the network technical requirements, including the ability to integrate into the existing and proposed network, and to provide for network expansion into 5G. There are a number of criteria that are evaluated as part of this site selection process, including the ability to enter into a tenure agreement with landowners, and the necessary town planning requirements of a new facility.

Technical computer modelling is undertaken to review whether the proposed subject site would adequately meet the network objectives of a new site in the area. This involves the expected coverage propagation from the site location, and essentially dictates the equipment necessary, and the type and height of the proposed facility. As some Networks can be 'linked' together via microwave transmission dishes, the ability to connect to a nearby site location (whether this be existing or proposed) is also of paramount importance to the location of any new facility.

Due to the very specific requirements of a new site location, specifically the need to integrate effectively into the existing and future network arrangements, new site options are often limited.

7 JUSTIFICATION FOR SITE SELECTION

Waveconn have investigated the possible deployment options in the nominated area, and concluded that a new telecommunications facility at 61 Moxon Road, Punchbowl, would be the most appropriate solution to provide for the necessary Carrier improvements in the area.

This section of the report will outline the following:

- Colocation opportunities and existing telecommunications infrastructure within proximity to the proposed installation; and
- An analysis of the proposed location and why it has been selected to site the new Waveconn facility.

Colocation opportunities

The Communications Alliance Ltd. (formerly Australian Communications Industry Forum Ltd. - ACIF) *Industry Code C564:2020 – Mobile Phone Base Station Deployment* promotes the use of existing sites where possible.

In this instance, there are no existing and/or proposed telecommunications facilities in the greater surrounding area that are close enough to adequately improve the services to the surrounding area and facilitate the effective addition of the 5G network, shown in Image 1 above. The closest existing telecommunications facility is too far distanced from the areas requiring coverage improvements to adequately better the services in this location. The existing telecommunications facilities in the distant areas have been in place for a number of years, and have been able to provide telecommunications services for Carrier's original networks throughout the local area (these original networks have included 2G and 3G networks). Importantly, these original network facilities were not intended to provide for the updated technological services that are provided through 4G and 5G Networks.

As is visually apparent, there is currently a significant 'hole' within the existing mobile telecommunications facilities in the greater area, specifically giving services to the residential areas to the east of Moxon Road. This proposed facility at 61 Moxon Road, Punchbowl, provides for a centrally located facility utilising a local high point. A site in this location will be able to effectively and efficiently deliver the mobile telecommunications services necessary to the surrounding area, both now and into the future.

The existing telecommunications facilities in the area are unable to provide the depth of coverage and capacity into the areas surrounding the proposed site location, and a new facility is critical to enhancing the availability of Carrier's Networks, as well as integrating into the surrounding Network of sites. Due to the nature of telecommunications facilities and improvements in mobile telecommunications equipment, it is necessary for facilities to be located in proximity to the areas they are providing services to. Existing sites in the area are too far distanced to provide the services required by this new facility.

Further, Carrier telecommunications facilities are often linked via microwave radiocommunications dishes. These require direct line of site to existing and/or proposed sites in the network. As new sites are added to the network, specifically for the 5G rollout, the ability to link into the adjoining network sites is integral to the operation of the entire local network. The proposed site location at Moxon Road ensures that the Carriers can connect to their extended local network of existing and future telecommunications facilities.

The main requirement for a new telecommunications facility in the area is to accommodate the combination of;

- improved coverage and services to the surrounding area, specifically the growing customer base within the residential areas to the east, and the industrial and commercial areas immediately adjoining the site;
- facilitating the requirements necessary to upgrade to the latest mobile technologies, along with preparing for 5G and future network rollouts; and
- helping the surrounding facilities integrate effectively into the greater Network of sites by helping capacity and connectivity issues in areas with limited service.

To accommodate the above-mentioned service improvements, and future technology equipment, a new structure is necessary.

There were no suitable colocation opportunities to provide for the required radio frequency coverage objectives in this instance. Due to the density of the residential population in the surrounding area, and the adjoining industrial, commercial, and recreation areas, a new facility is necessary.

Proposed site location

Following investigations into a location that would provide a site to adequately service the needs of the Carrier's existing and future networks, the proposed site location was chosen as 61 Moxon Road. The proposed site location offers the necessary height, whilst importantly being central to the area where Carriers require coverage improvements. Candidate options were limited due to the requirements for a site on an elevated parcel of land that would not detract from the local area, and that would not impede the existing and future use of land. As the coverage area is predominately residential, it was also a considered approach to locate a parcel of land that provided some distance separation to this residential area. The proposed site location has attempted to strike a balance between all factors in the environment.

Image 2: Proposed site location, 61 Moxon Road, Punchbowl – Source*: Google Maps*

The property at 61 Moxon Road is an irregular shaped lot, shown at Image 3, below. The proposed site location is towards the north-western corner of the property, within a cleared area. This location provides separation from the adjoining residential areas to the east, however still provides access and power transmission, and ensures the facility remains sited on a portion of land without environmentally significant overlays.

Image 3: 61 Moxon Road, Punchbowl – Source: NSW Planning Portal

It is proposed to access the site via the existing property access off Moxon Road, and then utilising the existing track to the site location. There is adequate space on site for service vehicle parking, and due to the minor occurrence of service visits, approximately 4 visits per year, there will be no impact on surrounding roadways.

The proposed site location is setback approximately 135m from Moxon Road, has distance separation of over 150m from all existing residential dwellings, and is afforded significant screening from the existing mature vegetation in the vicinity. This setback from the roadway and vegetation will ensure that the ground based equipment will not be visible to the surrounding areas, and only the upper most portion of the monopole and headframe will be seen to the nearby and surrounding areas when viewed from afar. The proposed facility will also be seen with the backdrop of green vegetation to the closest vantage points.

When viewed from surrounding roadways and residential areas it is understood that the proposed facility will be visible to varying degrees. However, due to the specific siting and design of the facility, its visual impact will be significantly ameliorated to the point it will not be a main visual point of attention. To most, the proposed facility is expected to be unsighted. It is not considered that the proposed facility will be seen as a negative visual addition in the locality. Section 8 of this report provides a more detailed visual impact assessment.

Waveconn have concluded that a new facility at 61 Moxon Road is the most appropriate option to pursue following significant technical investigations into Carriers requirements of a new site in this area. The ability to secure adequate tenure arrangements with the land owner, ease of site access and construction, and environmental planning issues have all been considered in the selection of this site. It is submitted that the site is accessible, will result in minimal impact on the amenity of the area, and is technically viable – including the necessary requirements to be able to provide for the mobile Carriers existing and future network growth, integration into the 5G network, and connection with nearby network facilities. The proposed site location is centrally located to the areas that will benefit from improved coverage and mobile telecommunications services, and is afforded a level of vegetation coverage in the surrounding area to reduce any visual impact.

8 SURROUNDING AREA AND VISUAL IMPACT

The proposed site location is setback approximately 130m off Moxon Road, and accessed via the existing driveway and track on the property. The subject property has a number of outbuildings and sheds on it, along with the primary recreation use and Sports Club building. The property retains a common 'sporting club' feel, with car parking, lighting poles, signage, as well as scattered vegetation across the property. The property has a vegetated immediately adjoining to the west and south, with a high-voltage power easement that runs north/south to the greater west of the proposed site location.

The area, in general, is a mix of land uses, with both private and public recreation spaces to the east, south and west; heavy industrial and commercial operations found to the north and greater west; and dense residential areas to the north, north-east and east. There are significant stands of vegetation found on the properties surrounding to the west, south, and east, which will assist in reducing the overall visual impact of the proposed facility.
The density of residential dwellings in the immediate vicinity is low, with approximately 6 residences within the surrounding 200m radius of the proposed site location.
The vegetation that is found in the surrounding residential areas (along with that mentioned above to the south and east) will assist in mitigating any visual impact of the facility, and will screen the entire lower portion of the proposal. With a backdrop of further vegetation, it is not expected that the facility will be seen as a negative visual addition to the landscape.
The proposed facility will not be a significant visual element in the surrounding area.
The proposed site location is east of the existing high-voltage power easement, where large power stanchions and power lines are run. The proposed facility will been seen against these existing vertical elements in the environment, and will not be considered an entirely new visual element. These stanchions are significantly higher than the proposed 30m facility.

A site has been chosen that benefits from being in proximity to the areas requiring coverage improvements, while also being sited in an area that is provided some screening from vegetation in all directions, as well as being in proximity to an existing vertical element in the high-voltage power lines. In this instance it has been

possible to provide some distance separation from the residential areas that require coverage, while also being close enough to provide these improvements.

It is accepted that due to the nature of a telecommunications facility, it may be seen to varying degrees in the surrounding area. However, due to existing vegetation on the subject property and surrounds, the lower portion of the monopole and any future ground based equipment will be screened entirely from surrounding view. The upper most portion of the monopole and headframe will be visible from some locations surrounding the property, however, this will also be seen in conjunction with the existing vertical elements in the environment, being the high-voltage power stanchions, and will be viewed against the backdrop of existing vegetation.

Viewed from the North:

When viewed from the north, the proposed facility will not pose a significant visual impact from most vantage points. The dense industrial and commercial precinct, as well as vegetation and the built environment, ensures that the facility will be screened from the majority of view points in this direction.

Images 4 is taken from immediately north of the proposed site location, and shows the vegetation backdrop that will be to the west of the facility. This image also highlights the existing lighting in the recreation areas, ensuring that the proposed monopole will not be seen as an entirely new vertical element in the surrounding area.

Image 4: View towards the proposed site location from immediately north – Source: *Waveconn*

The impact of the surrounding built and natural environment is shown in image 5, taken at a distance of only 180m north-east, the facility will be predominately screened from view. This image shows the presence of existing vegetation, vertical elements such as power lines and poles, street lighting, and the industrial and commercial buildings to the north of the proposed site location.

Image 5: View towards the proposed site location from corner Moxon Road and Craig Street, approximately 180m north-east – Source: *Waveconn*

Images 6 through 10 further highlight the limited visual impact the proposed facility will have when viewed from the north and north-east. The abundance of vegetation in the surrounding area, as well as distance separation and siting the facility setback substantially off Moxon Road, will ensure that there is as limited vision towards the facility as is possible.

Image 6: View towards the proposed site location from corner Moxon Road and Joyce Street, approximately 270m north– Source: *Waveconn*

Image 7: View towards the proposed site location from corner Moxon Road and Carlton Parade, approximately 370m north – Source: *Waveconn*

Image 8: View towards the proposed site location from corner Carlton Parade and Bramhall Avenue, approximately 440m north-east – Source: *Waveconn*

Image 9: View towards the proposed site location from corner Moxon Road and Vernon Street, approximately 475m north– Source: *Waveconn*

Image 10: View towards the proposed site location from corner Moxon Road and Weyland Street, approximately 580m north– Source: *Waveconn*

Viewed from the South:

Duet to the siting of the proposal in an area that is distanced from residences as much as is possible, and in the direct vicinity of recreation areas, there will be very limited vision of the facility when viewed from the south. The M5 motorway is located approximately 300m south, with further recreation areas found to the greater south. There is an abundance of mature vegetation to the immediate south-east, as well as to the greater south-east, that will ensure visual impact of the proposed facility is significantly mitigated.

Viewed from the East:

The majority of the views towards the proposed facility from the east will be viewing the facility against the backdrop of existing vegetation, or in conjunction with the adjoining high-voltage power lines and stanchions, which are of a greater height than the proposed facility. While it is expected that some properties will have vision towards the facility from the east, it will not be seen as a significant addition to the visual landscape due to its siting, as stated, and the minimal height of the facility will ensure that only the upper most portion is required to protrude above the treetops.

Like views from the north and south, views from the east will be predominately interrupted by existing mature vegetation. Distance separation itself will play a role in reducing the visual impact from distances such as those shown in the images below, and setting the facility back off Moxon Road assists in further reducing any impact of the facility.

Image 11: View towards the proposed site location from the east – Source: *Waveconn*

Image 12: View towards the proposed site location from approximately 130m east– Source: *Waveconn*

Image 12, above, highlights the existing conditions immediately surrounding the proposed site location. This image, taken from the approximate entrance to the adjoining industrial precinct and nearby the entrance to the subject property, shows signage, recreational operations, as well as the existing lighting and power lines in the background. The proposed facility is not expected to be a significant visual addition to the landscape.

Image 13: View towards the proposed site location from Wiggs Road, approximately 190m east– Source: *Waveconn*

Image 13 highlights the presence not only of existing vegetation in the immediate area, but also signage, street lighting, and the high voltage power lines in the background. These are all elements that the proposed facility will be seen in conjunction with, and it is not considered that the monopole will be seen as an entirely new or negative visual addition to the landscape. To many motorists and residents east of the proposed facility, it will be screened to a high degree.

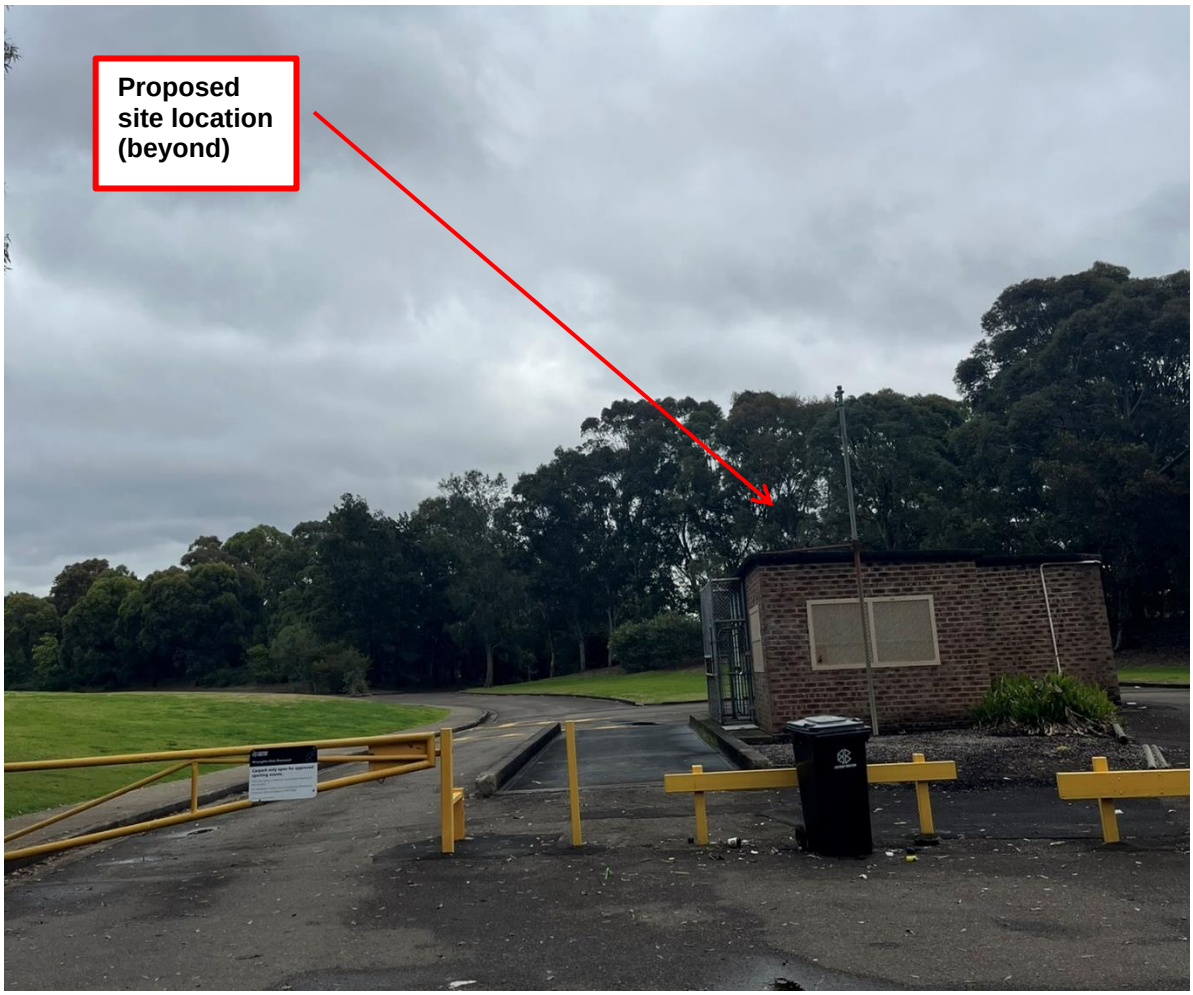

Image 14: View towards the proposed site location from McLaughlin Oval, approximately 300m east – Source: *Waveconn*

The significant mature vegetation surrounding the nearby recreation spaces will ensure that visual impact of the proposed facility is almost entirely removed from most vantage points, as can be seen from McLaughlin Oval, above.

Image 15: View towards the proposed site location from Wiggs Road, approximately 370m east – Source: *Waveconn*

Images 15 and 16 are taken from the east of the proposed facility, and show that distance separation, as well as the abundance of existing vegetation in the surrounding area, will ensure visual impact from the facility is substantially mitigated or removed.
While it is expected that the upper most portion of the facility may be visible from some vantage points, it will not appear out of place in the environment, and will be softened by the numerous other vertical elements present.

Image 16: View towards the proposed site location from Cullens Road, approximately 680m east – Source: *Waveconn*

Viewed from the West:

Similar to views from the south, due to the specific siting of the proposal and the land uses surrounding, the facility will not be considered a negative visual addition if seen from western vantage points. The significant vegetation that is on the adjoining property, and surrounding properties, will ensure that if any vision of the facility is possible, it will be the upper most portions only, and will be fleeting glances between vegetation treetops.

Image 17, below, is taken from the adjoining industrial complex, showing that there is vegetation that will reduce the impact even from this area. While it is accepted that the proposed facility and its upper portion will be visible from this area, it is a limited place of vision, and is not considered to appear out of place in and industrial and recreation setting.

Image 17: View towards the proposed site location from approximately 60m west – Source: *Waveconn*

Image 18 is taken from approximately 300m west of the proposed facility, on Gow Street. From distances such as these, and beyond to the west, the proposed facility is afforded significant screening from the vegetation in the local area. Further to this, there are numerous vertical elements in the near and distant environment that the proposed facility will be seen against (where visible) including powerlines and power poles, and the high-voltage power stanchions.
It is considered that there will not be a negative visual impact due to the proposal when viewed from the west.

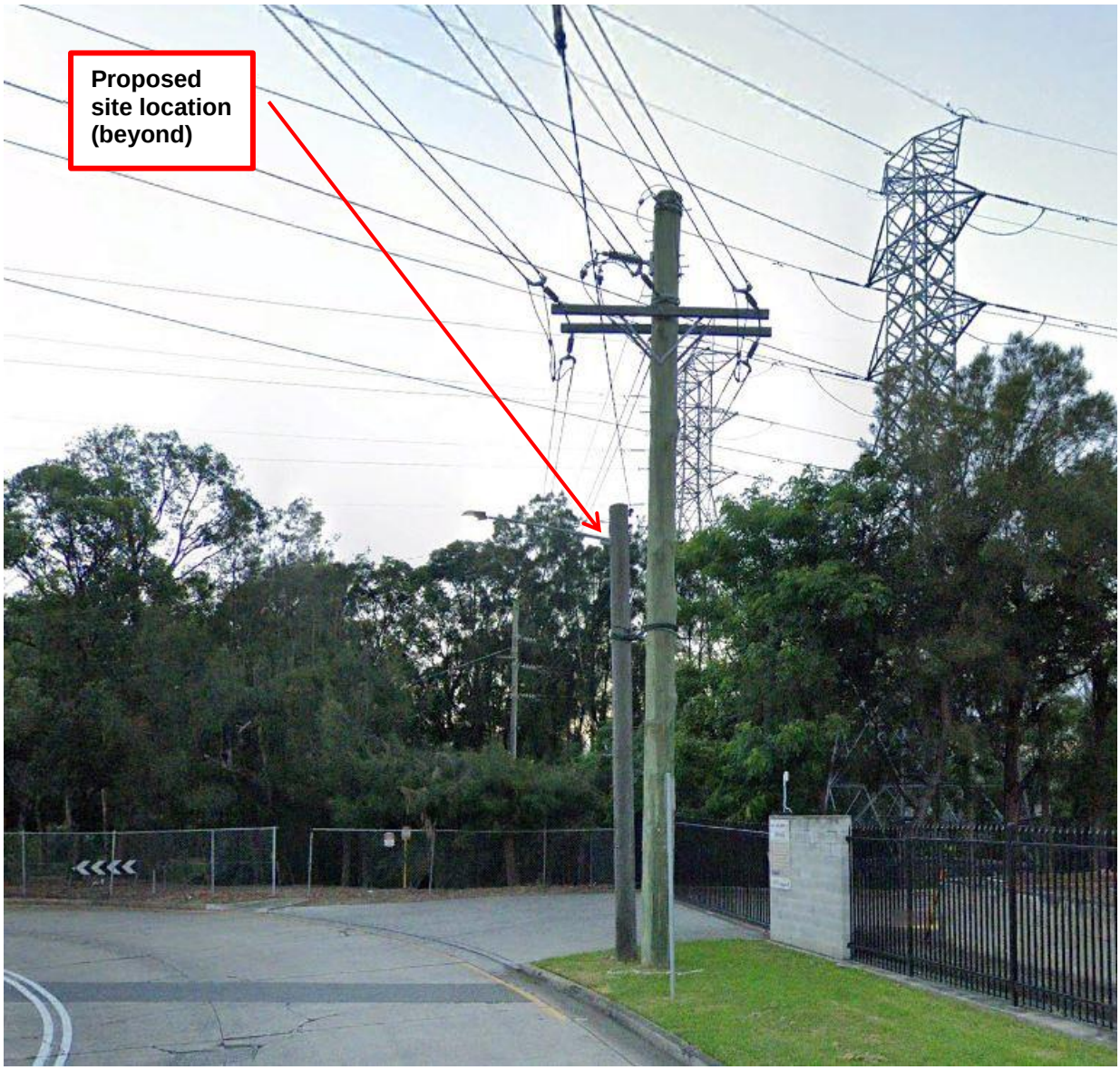

Image 18: View towards the proposed site location from Gow Street, approximately 300m west – Source: *Waveconn*

The above images show that while the proposed telecommunications facility may be visible at some vantage points, primarily when there is direct vision, the use of a slimline monopole structure, along with the specific siting and design, will enable it to be minimised as much as is possible. The proposed structure is considered a visually acceptable outcome taking into account the inherent nature of telecommunications facilities needing to be sited in the centre of the area which they are required to service, and requiring line of sight to the areas which they are proposed to cover. Further, the siting of the proposed facility in an area with significant existing vegetation in the near vicinity and surrounds, ensures that the visual impact is ameliorated as much as is possible. Siting the facility setback of Moxon Road, and distanced from residential areas, will further reduce visual impact from this area.

From more distant vantage points, the proposed facility will have the backdrop of significant vegetation, will be seen in conjunction with other existing vertical elements, and it is not expected that the monopole will be a focal point in the area. The use of the shortest possible structure also ensures that only the upper most portion of the facility will be visible above the treetops.

9 FEDERAL REGULATORY FRAMEWORK

The following information provides a summary of the Federal legislation relevant to telecommunications development proposals.

9.1 Commonwealth Telecommunications Act, 1997

The *Telecommunications Act 1997* (the Act) came into operation on 1st July 1997. The Act provides a system for regulating telecommunications and the activities of carriers and service providers.

The Act ensured that telecommunications carriers are no longer exempt from State and Territory planning laws except in three limited instances:

1. There are exemptions for inspection of land, maintenance of facilities, installation of "low impact facilities", subscriber connections and temporary defence facilities. These exemptions are detailed in the *Telecommunications (Low-impact Facilities) Determination 1997* and the *Amendment No. 1 of 2012* and these exceptions are subject to the *Telecommunications Code of Practice 1997*;
2. A limited case-by-case appeals process exists to cover installation of facilities in situations of national significance; and
3. There are some specific powers and immunities from the previous *Telecommunications Act 1991*.

9.1.2 Telecommunications (Low-impact Facilities) Determination, 2018

The Telecommunications (Low-impact Facilities) Determination came into effect on 20th February 2018.

The Determination contains a list of Telecommunications Facilities that the Commonwealth will continue to regulate. These are facilities that are essential to maintaining telecommunications networks and are unlikely to cause significant community disruption during their installation or operation. These facilities are therefore considered to be 'Low-impact' and do not require planning approval under State or territory laws.

The proposed facility applied for here within does not fall under the Determination and, therefore, requires approval under State planning legislation.

9.2 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act* commenced on 16th July 2000. It introduced a new role for the Commonwealth Government in the assessment and approval of development proposals where those proposals involve actions that have a significant impact on matters of National Environmental Significance, the environment of Commonwealth owned land and actions carried out by the Commonwealth Government.

The proposal is not of National Environmental Significance, as it will not impact on:

- World Heritage Areas;
- Wetlands protected by International Treaty (The RAMSAR Convention);
- Nationally listed threatened species and communities;
- Nationally listed migratory species;
- All nuclear actions; or
- The environment of Commonwealth Marine area.

9.3 Communications Alliance Ltd. Code C564:2020 Industry Code – Mobile Phone Base Station Deployment

The new Communications Alliance Ltd. C564:2020 *Industry Code – Mobile Phone Base Station Deployment* (referred to as the Deployment Code) replaced the Australian Communications Industry Forum (ACIF) '*Industry Code - Deployment of Mobile Phone Network Infrastructure'* (more commonly referred to as the ACIF Code) in July 2012. The purpose of the revisions incorporated in the new Deployment Code are to provide certainty and clarity for all parties in the implementation of the Code, for example, with regard to the consultation process with Council's and communities and with regard to providing and updating RF EMR Health and Safety information, reports and signage in keeping with relevant standards.

Like the ACIF Code, the new Deployment Code cannot change the existing regulatory regime for telecommunications at local, State or Federal level. However, it supplements the existing obligations on carriers, particularly in relation to community consultation and the consideration of exposure to radio signals, sometimes known as electromagnetic energy (EME or EMR).

The Code imposes mandatory levels of notification and community consultation for sites complying with the *Telecommunications (Low-impact Facilities) Determination 1997*. It identifies varying levels of notification and/or consultation depending on the type and location of the infrastructure proposed.

The subject proposal, not being designated a 'Low-impact' facility, is not subject to the notification or consultation requirements associated with the Deployment Code. These processes are handled within the relevant State and Local consent procedures.

9.4 EME and Health

Mobile Carriers acknowledge that some people are genuinely concerned about the possible health effects of electromagnetic energy (EME) from mobile phone base stations and is committed to addressing these concerns responsibly.

All mobile phone carriers, must strictly adhere to Commonwealth Legislation and regulations regarding mobile phone facilities and equipment administered by the Australian Communications and Media Authority (ACMA).

In 2020 the ACMA adopted a technical standard for exposure of the general public to RF EME from mobile base stations. The standard, known as the 'Standard for Limiting Exposure to Radiofrequency Fields – 100kHz to 300GHz (2021) RPS S-1 (Rev 1)', 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). Mobile carriers must comply with the Australian Standard on exposure to EME set by the ACMA.

The Standard operates by placing a limit on the strength of the signal (or RF EME) that Carriers can transmit to and from any network base station. The general public health standard is not based on distance limitations, or the creation of "buffer zones". The environmental standard restricts the signal strength to a level low enough to protect everyone, always, including children. It has a significant safety margin, or precautionary approach, built into it.

All Carriers rely on the expert advice of national and international health authorities such as the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and the World Health Organisation (WHO) for overall assessments of health and safety impacts.

The WHO advises that all expert reviews on the health effects of exposure to radiofrequency fields have concluded that no adverse health effects have been established from exposure to radiofrequency fields at levels below the international safety guidelines that have been adopted in Australia.

Carriers have strict procedures in place to ensure their mobile phone base stations comply with these guidelines.

10 STATE PLANNING ASSESSMENT

The following State legislation/ guidelines are relevant to telecommunications development proposals in New South Wales:

10.1 SEPP (Transport and Infrastructure) 2021

The State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021 provides a consistent planning regime for transport and infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. Division 21 of the SEPP applies to telecommunications and other communication facilities, establishing the approval regimes for telecommunications in NSW. Division 21 classifies certain telecommunications development that is permitted without consent, with consent and exempt from local environmental approvals. Reference is made to clause 2.143 (1), which states:

> "*Development for the purposes of telecommunications facilities, other than development in section 2.141 or development that is exempt development under section 2.20 or 2.144, may be carried out by any person with consent on any land.*"
> Telecommunications facility is defined to mean:
> *"(a) any part of the infrastructure of a telecommunications network, or*
> *(b) any line, cable, optical fibre, equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or*
> *(c) any other thing used in or in conjunction with a telecommunications network."*

Clause 2.144 and 2.145 allow for greater flexibility in installing new towers and facilities. Under this amendment, new telecommunications towers required to deliver broadband or mobile phone access in certain rural or industrial zones would be allowed as complying development subject to amenity and safety issues like height limits and separation from residential areas.

This proposal does **not** meet the requirements of exempt or complying development under this SEPP.

The *SEPP (Transport and Infrastructure) 2021* is of specific relevance to the proposal as the provisions of clause 2.143 (as noted above) is being relied upon for permissibility of the proposed development at the subject location and are the basis for lodging and seeking Council consent for this development.

Telecommunications facilities are therefore permissible in all zones within the Canterbury-Bankstown Council LGA with the consent of the Council.

Clause 2.143 (2) of the SEPP provides that:

Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Secretary for the purposes of this section and published in the Gazette.

In this respect, the *NSW Telecommunications Facilities Guideline including Broadband (July 2022)* has been issued by the Secretary.

10.2 NSW Telecommunications Facilities Guideline including Broadband (2022)

The proposal's consistency with the Guideline principles is addressed in Table 1 below.

Table 1 Compliance with the Principles of NSW Telecommunications Facilities Guideline including Broadband (2010)

Principle 1: ***A Telecommunications Facility should be sited to minimise visual impact***	
Specific Principles	**Comment**
(a) As far as practical, a telecommunications facility that is to be mounted on an existing building or structure should be integrated with the design and appearance of the building or structure. *(b) The visual impact of telecommunications facilities should be minimised, visual clutter is to be reduced particularly on tops of buildings, and their physical dimensions (including support mounts) should be sympathetic to the scale and height of the building to which it is to be attached, and sympathetic to adjacent buildings.* *(c) Where telecommunications facilities protrude from a building or structure and are predominantly backgrounded against the sky, the facility and their support mounts should be either the same as the prevailing colour of the host building or structure, or a neutral colour such as grey should be used.*	(a) to (c) These principles relate to facilities that are located on an existing building or structure and are not directly applicable to new freestanding structure elements such as those proposed in this instance. As such, these elements are not applicable.
(d) Ancillary facilities associated with the telecommunications facility should be screened or housed, using the same colour as the prevailing background to reduce its visibility, including the use of existing vegetation where available, or new landscaping where possible and practical	(d) The associated equipment will be housed in future equipment shelters near the base of the pole. This equipment is proposed to be painted green to blend with surrounding vegetation.
(e) A telecommunications facility should be located and designed to respond appropriately to its rural landscape setting.	(e) The use of a slimline, low-height pole, is considered appropriate to service the surrounding areas. Ensuring only the upper portion of the facility protrudes above the surrounds will ensure that facility is not out of place in its setting, and will not be a significant visual impact in the landscape.
(f) A telecommunications facility located on, or adjacent to, a State or local heritage item or within a heritage conservation area, should be sited and designed with external colours,	(f) While not in proximity to a heritage item, the proposed facility is adequately screened by existing vegetation and development in the surrounding area.

finishes and scale sympathetic to those of the heritage item or conservation area.	
(g) A telecommunications facility should be located so as to minimise or avoid the obstruction of a significant view of a heritage item or place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.	(g) The facility will not obstruct or detract views in the surrounding area .
(h) The relevant local government authority must be consulted where the pruning, lopping, or removal of any tree or other vegetation would contravene a Tree Preservation Order applying to the land or where a permit or development consent is required.	(h) The proposed facility will utilise an existing unused space on the property, and no vegetation removal is proposed.
(i) A telecommunications facility that is no longer required is to be removed and the site restored, to a condition that is similar to its condition before the facility was constructed.	(i) This aspect could be implemented by a condition of consent if the Council considers it appropriate.
(j) The siting and design of telecommunications facilities should be in accordance with any relevant Industry Design Guides.	(j) The design and siting approach is discussed in detail in **Section 7**. It is considered an appropriate design proposal for the proposed site location.
Principle 2: *Telecommunications Facilities should be co-located wherever possible*	
Specific Principles	**Comment**
(a) Telecommunications lines are to be located, as far as practical, underground or within an existing underground conduit or duct.	(a) N/A – The proposal does not involve the installation of new telecommunications lines.
(b) Overhead lines, antennas and ancillary telecommunications facilities should, where practical, be co-located or attached to existing structures such as buildings, public utility structures, poles, towers or other radio communications equipment to minimise the proliferation of telecommunication facilities and unnecessary clutter	(b)(c)(d)(e) There are currently no existing carrier telecommunications facilities located in the vicinity, with the required position and/or height and/or structural suitability that are potentially capable of providing the wireless radio services to the locality on which the proposed equipment can be co-located. Collocation was not a viable option in this area. (Refer to **Section 7**).

(c) Towers may be extended for the purposes of colocation. *(d) The extension of an existing tower must be considered as a practical co-location solution prior to building new towers.* *(e) If a facility is proposed not to be co-located the proponent must demonstrate that colocation is not practicable.* *(f) If the development is for a co-location purpose, then any new telecommunications facility must be designed, installed and operated so that the resultant cumulative levels of radio frequency emissions of the co-located telecommunications facilities are within the maximum human exposure levels set out in the Radiation Protection Standard.*	(f) N/A – The proposal is not for co-location.
Principle 3: *Health Standards for exposure to radio emissions will be met*	
Specific Principles	**Comment**
(a) A telecommunications facility must be designed, installed and operated so that the maximum human exposure levels to radiofrequency emissions comply with Radiation Protection Standard. *(b) An EME Environmental Report shall be produced by the proponent of development to which the Mobile Phone Network Code applies in terms of design, siting of facilities and notifications. The Report is to be in the format required by the Australian Radiation Protection Nuclear Safety Agency. It is to show the predicted levels of electromagnetic energy surrounding the development comply with the safety limits imposed by the Australian Communications and Media Authority and the Electromagnetic Radiation Standard, and demonstrate compliance with the Mobile Phone Networks Code*.	(a) The proposed installation will comply with Australian Communications and Media Authority (ACMA) regulatory arrangements with respect to electromagnetic radiation exposure levels. (b) While no radiating equipment will be installed initially on this proposed facility, once operational, an Environmental EME Report, as required by the ARPANSA, will be produced and provided to Council. Please also refer to *Section 9.4*
Principle 4: *Minimise disturbance and risk, and maximise compliance*	
Specific Principles	**Comment**
(a)The siting and height of any telecommunications facility must comply with any relevant site and height requirements	(a) The proposed facility is not located considered to pierce the limits of any Obstacle Limitation Surface from an aerodrome within the greater Sydney area.

specified by the Civil Aviation Regulations 1988 and the Airports (Protection of Airspace) Regulations 1996 of the Commonwealth. It must not penetrate any obstacle limitation surface shown on any relevant Obstacle Limitation Surface Plan that has been prepared by the operator of an aerodrome or airport operating within 30 kilometres of the proposed development and reported to the Civil Aviation Safety Authority Australia.	
(b) The telecommunications facility is not to cause adverse radio frequency interference with any airport, port or Commonwealth Defence navigational or communications equipment, including the Morundah Communication Facility, Riverina.	(b) The base station is designed to create no electrical interference problems with other radio based systems and complies with the requirements of relevant Australian standards in this regard. It is, indeed, the intent of this facility to distance itself from the existing communications towers in the area.
(c) The telecommunications facility and ancillary facilities are to be carried out in accordance with the applicable specifications (if any) of the manufacturers for the installation of such equipment.	(c) The base station facilities are designed and will be installed in accordance with any relevant manufacturer specifications. The proposal will comply with the requirements of all relevant Australian Standards.
(d) The telecommunications facility is not to affect the structural integrity of any building on which it is erected.	(d) The facility (monopole) is not being erected on any existing building or structure.
(e) The telecommunications facility is to be erected wholly within the boundaries of a property where the landowner has agreed to the facility being located on the land.	(e) The location and layout of the facilities reflect discussions with the private landowner of 61 Moxon Road, Punchbowl.
(f) The carrying out of construction of the telecommunications facilities must be in accordance with all relevant regulations of the Blue Book – 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004), or its replacement.	(f) (h) (i) (j) These matters can be appropriately addressed through the imposition of conditions of development consent where relevant.
(g) Obstruction or risks to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction are to be mitigated.	(g) The proposed facility is to be sited on a private lot and is secured by a fenced gate area to avoid access to the public. The proposal is therefore unlikely to put pedestrians or vehicles at risk.
(h) Where practical, work is to be carried out during times that cause minimum disruption to adjoining properties and public access. Hours of work are to be restricted to between 7.00am and 5.00pm, Mondays to Saturdays, with no work on Sundays and public holidays.	(h) Work will be carried out in accordance with the standard hours of work as recommended by council.

(i) Traffic control measures are to be taken during construction in accordance with Australian Standard S1742.3-2002 Manual of uniform traffic control devices – Traffic control devices on roads. *(j) Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road Engineering AS1165 – 1982 – Traffic hazard warning lamps.* *(k) Disturbance to flora and fauna should be minimised and the land is to be restored to a condition that is similar to its condition before the work was carried out.* *(l) The likelihood of impacting on threatened species and communities should be identified in consultation with relevant state or local government authorities and disturbance to identified species and communities avoided wherever possible.* *(m) The likelihood of harming an Aboriginal Place and / or Aboriginal object should be identified. Approvals from the Department of Environment, Climate Change and Water (DECCW) must be obtained where impact is likely, or Aboriginal objects are found.* *(n) Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunications carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.*	(k)(l) No disturbance to flora and fauna has been achieved by siting the proposed facility on an area of land that is clear of vegetation. (m) As the proposed site location has been previously disturbed, it is expected the likelihood of harming an Aboriginal place or object is low. Should any item of Aboriginal significance be discovered during the excavation or construction works, all works on site would cease and appropriate measures taken. (n) This is unlikely to occur given the nature of the works.
Principle 5: *Undertake an alternative site assessment for new mobile phone base stations*	
Specific Principles	**Comment**
(a) Include adequate numbers of alternative sites in the alternative site assessment as a demonstration of good faith. *(b) In addition to the new site selection matters in Section 4 of the Industry Code C564:2020 Mobile Phone Base Station Deployment:*	(a) Due to the residential nature of the area requiring coverage improvements, options for a new site location in this area were limited. A number of industrial and commercial properties along Moxon Road were investigated, however land owners were not in a position to progress with a proposal.

• *only include sites that meet coverage objectives, and that have been confirmed as available, with an owner agreeable to having the facility on their land* • *if the preferred site is a site owned by the Carrier, undertake a full assessment of the site* • *indicate the weight placed on selection criteria* • *undertake an assessment of each site before any site is dismissed.*	(b) In this instance, a number of site options were dismissed due to lack of interest from land owners. The most appropriate site, with appropriate interest, availability of space, and proximity to the areas requiring coverage improvements, has been progressed.

11 Local Planning Framework

As the Local Government Authority, Canterbury-Bankstown Council have their own Local provisions relevant to telecommunications development proposals. A broad summary can be found below.

11.1 Local Environmental Plan – Canterbury-Bankstown Local Environmental Plan 2023

The relevant local environmental plan applicable to the subject site is the *Canterbury-Bankstown Local Environmental Plan 2023*. This Plan aims to make local environmental planning provisions for land in the Canterbury-Bankstown LGA.

The particular aims of the Plan are as follows:

(1) This Plan aims to make local environmental planning provisions for land in Canterbury-Bankstown in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows:

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

(a) to manage growth in a way that contributes to the sustainability of Canterbury-Bankstown,

(b) to protect landforms and enhance vegetation, especially foreshores and bushland, in a way that maintains the biodiversity values and landscape amenity of Canterbury-Bankstown,

(c) to identify, conserve and protect the Aboriginal, natural, cultural and built heritage of Canterbury-Bankstown,

(d) to provide development opportunities that are compatible with the desired future character and amenity of Canterbury-Bankstown,

(e) to restrict development on land that is sensitive to urban and natural hazards,

(f) to provide a range of residential accommodation to meet the changing needs of the population,

(g) to provide a range of business and industrial opportunities to encourage local employment and economic growth and retain industrial areas,

(h) to create vibrant town centres by focusing employment and residential uses around existing centres and public transport,

(i) to provide a range of recreational and community service opportunities and open spaces to meet the needs of residents of and visitors to Canterbury-Bankstown,

(j) to achieve good urban design in terms of site layouts, building form, streetscape, architectural roof features and public and private safety,

(k) to ensure activities that may generate intensive car usage and traffic are located near public transport that runs frequently to reduce dependence on cars and road traffic,

(l) to consider the cumulative impact of development on the health of the natural environment and waterways and on the capacity of infrastructure and the road network,

(m) to support healthy living and enhance the quality of life and the social well-being and amenity of the community,

(n) to ensure development is accompanied by appropriate infrastructure,

(o) to promote ecologically sustainable development.

The proposal is considered to be consistent with the broad intent of the Canterbury-Bankstown LEP. The proposed facility provides necessary infrastructure that will assist to meet the demands arising from residential population, as well as commercial and industrial growth, and will assist in meeting the needs of local businesses and the surrounding recreation areas. The proposal will ensure appropriate connectivity in the community, promoting a prosperous economy, and will preserve the area it is sited in. The proposal is sited in a manner that is sympathetic to its surrounds, and ensures protection of the area it is located in. The site is located on the boundary of the subject property, ensuring it will not limit any future use of the property, or adjoining land parcels.

Specific objectives of the locality, land use zone, and issues impacting on the site itself are discussed in further detail below.

The proposed facility has been specifically sited to minimise any impact on the surrounding area, and while in a local highpoint, it is provided a substantial level of screening to the surrounding area through the existing built environment and surrounding vegetation. It is not considered that the proposed facility will be a negative visual addition, or otherwise, to the local area, and the infrastructure is considered a vital part, and expectation, or residents in a built-up area such as this.

11.2 Zoning

Lot 1 on DP 223338, described as 61 Moxon Road, Punchbowl, is classified as RE2 – Private Recreation, under the Canterbury-Bankstown Local Environmental Plan 2023.

Image 13: Canterbury-Bankstown LEP 2023 Zoning RE2 – Source*: NSW Planning Portal*

As the proposed facility at 61 Moxon Road is not classified as a 'low impact facility' under the *Telecommunications (Low Impact) Facilities Determination 1997*, consent is required for the use of the proposed facility.

RE2 – Private Recreation

The objectives of the RE2 Private Recreation zone are:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To promote a high standard of urban design and local amenity.*

Due to their very specific use, a mobile telecommunications facility is rarely detailed in a zones objectives, nor is their permissibility clearly defined. In this instance, the specific area requiring mobile telecommunications service improvements is predominately residential.

In response to the RE2 Private Recreation zone objectives, the proposed mobile telecommunications facility will provide essential services (being mobile telecommunications and internet services) to the residents, businesses, and home based occupations within the surrounding area. Fast, reliable and consistent mobile telecommunications have quickly become an everyday expectation of both business and residential areas. The surrounding suburbs will benefit greatly by the proximity to these improved mobile telecommunications

services, including that of 5G Network technology. The proposed facility will also increase the availability of a robust telecommunications network, which is of increasing importance during emergencies.
The proposed facility, by way of its sympathetic siting, will not adversely effect the surrounding land uses. It also will not have an adverse impact on the aesthetic values of the area by ensuring as limited visual impact as is possible, utilising a slim structure with minimal vertical intrusion above the surrounding area. The proposed facility utilises the existing vegetation and built environment in the surrounding area to screen the pole, and it will be seen in conjunction with existing vertical elements in the environment, primarily the nearby high-voltage power lines and power poles.
The facility is located on the boundary of the subject property and will not impact its ongoing use, or potential future development of the site.

11.3 The Canterbury-Bankstown Development Control Plan (DCP) 2023

The Canterbury-Bankstown Development Control Plan 2023 applies to all land within the Canterbury-Bankstown Local Government Area that is zoned under the Canterbury-Bankstown Local Environmental Plan 2023.
A number of sections of the DCP apply to this proposal, and while some are mentioned elsewhere in this report, the primary chapters are summarised below:

Chapter 1 - Introduction

Objectives
O1 *To have a single, dynamic document that supports the Canterbury-Bankstown Local Environmental Plan 2023.*
O2 *To have objectives and development controls that establish clear guidelines for effective and orderly development in Canterbury-Bankstown.*
O3 *To have a high quality urban environment and built form character in Canterbury-Bankstown.*
O4 *To have development that contributes to the prosperity of Canterbury-Bankstown.*
O5 *To have development that protects and enhances the natural environment in Canterbury-Bankstown.*
O6 *To have development that incorporates the principles of ecologically sustainable development including:*
(a) the conservation of energy and natural resources, particularly water and soil,
(b) the avoidance of environmentally damaging materials,
(c) the avoidance of significant adverse impact on the natural environment, particularly areas of remnant vegetation, watercourses and native flora and fauna,
(d) waste avoidance and waste minimisation,
(e) encouraging the use of public transport.
O7 *To have a safe and secure environment in Canterbury-Bankstown.*
O8 *To have development that considers the following general environmental matters:*
(a) flora and fauna, including threatened species,
(b) water quality of surface water bodies and ground water,
(c) any catchment management plan or study applying to the land,
(d) the reduction of stormwater run-off by minimising the area of impervious surfaces, increasing infiltration and the use of rainwater tanks.

The proposed facility here at Punchbowl:
- will have a negligible impact on the environment, by siting in an area where no vegetation is required to be removed for construction or ongoing use,
- does not require connection to or use of any water,
- will aid in providing warning to residents of any upcoming or imminent danger/natural disaster,
- does not produce any waste once constructed,
- ensures that all waste during construction is removed from site and recycled as appropriate,

- does not impact biodiversity in the area; and
- will provide a significant service to the area surrounding the facility, especially the dense residential areas to the east.

The proposed facility will not adversely impact the surrounding area due to its siting and design, utilising the shortest possible structure to provide service improvements to the surrounding area, while being located within and area of recreation, distanced from the nearby residential areas as far as is possible. The proposed facility does not work against the general principles of the DCP.

Chapter 2 – Site Considerations

2.2: Flood Risk Management

This section of the DCP applies to land with a flood affectation. The land, or part of the land, is considered to be within the flood planning area.

Reference is made to the Salt Pan Creek Floodplain Risk Management Study and Plan (2015), which denotes that during a 1% AEP flood event (i.e. a 1 in 100 year flood), flood depths are expected at around 0m-1m above ground level. Whilst this development proposal does not currently propose any equipment or ground based electrical units, any future equipment shelters and/or outdoor equipment units would be raised to a minimum of 1.5m above ground level, which incorporates the 1% AEP flood event, as well as the DCP requirement of a floor level being 500mm above this flood level.
It is noted that the majority of flood conditions relate to habitable floor levels, however the proposed mobile telecommunications facility will always remain an uninhabited facility.

The proposed facility will assist in reducing risk to human life and damage to property caused by flooding, through providing the possibility of early-warning systems to be deployed, and by providing mobile telecommunications services during flood events and localised emergencies.
The proposed facility will not increase the possibly of, or severity of, any flooding events in the local area.

While the facility is noted to be considered a 'Sensitive uses and facilities' land use category, it is suggested that due to its ongoing use during flood events, including the ability to have raised electrical equipment, it is a use that is suitable in this area.

Chapter 10 – Other Development

10.8: Telecommunications Facilities

This section of the DCP provides controls for the siting, design and installation of telecommunications facilities and radiocommunications facilities that require development consent from Council, and guidelines for telecommunications carriers for the siting, design and installation of facilities.
The proposal before Council requires Development Consent.

While the aims and objectives of this section of the DCP are detailed throughout this Statement of Environmental Effects, a summary is as follows:

Section 2 - Location:

The proposed facility, including its siting and operation, has taken a precautionary approach to deployment by being located a significant distance from nearby dwellings – which is of primary importance in this instance where the coverage area is predominately the dense residential area to the east of the site location.
The facility is setback off the roadway, providing a distance buffer, and is in an area that is provided a degree of visual screening by vegetation and the built environment in the surrounding area.
The siting of the facility has also avoided being located in a perceived sensitive area.
The proposal strikes a balance between the ongoing need for improvemed and efficient mobile

telecommunications services in the community, and the common request for such facilities to be sited in an area that will have the least visual, and other, impact on the area.

Section 3 – Urban Design:
The proposal has taken into consideration the surrounding environment and existing structures in the area. The proposed facility is to be sited in the immediate vicinity of an industrial area, as well as adjacent to public and private recreation spaces that have numerous lighting columns protruding into the skyline. The proposed facility will be seen in conjunction with these existing vertical elements and will not be an entirely new addition to the landscape.
The proposed site location is considered appropriate due to the degree of separation between the facility itself and the nearby residential area that requires the coverage improvements. It is not expected that the proposed facility will be a significant negative addition to the visual landscape, and where it is visible to the surrounding area, only the upper most portions of the monopole and headframe would be visible above the treetops and built environment.
There will be little to no impact on the natural environment nor the amenity of the area, and due to the small footprint of the proposed facility, the site can be quickly and easily remediated should the facility no longer be required in the future.

The siting of the proposed facility in an existing cleared area of land ensures that there is no impact on the current or future capability of the land to be used for alternate uses. It is considered a suitable zoning and location on the subject property, in immediate vicinity to the adjoining industrial precinct. The proposed facility will be capable of accommodating numerous telecommunications carriers, in a location that will provide coverage improvements to a wide area.

The facility will always comply with all legislation in regard to public health and safety, including specific exposure limits to mobile telecommunications equipment. This proposal does not include any radiating equipment, and therefore an Environmental EME Report is not provided at this stage. When a mobile telecommunications Carrier proposes to install equipment on this facility in the future, they will be required to produce a provide an EME Report to Council and the local community.

The proposed facility utilises a slimline monopole of the lowest height possible to achieve the improvements in coverage to the surrounding area.

As mentioned above, there will be negligible impact on the local environment and ongoing amenity of the surrounding area, due to the minor footprint of the facility, and its siting in an area that will ameliorate visual impact as much as is possible. The proposed facility is not located at a street frontage, and its setback location will further enhance its visual appeal, with the proposal not dominating the landscape.

11.4 Miscellaneous / Local Provisions

11.4.1 Heritage

In order to determine any possible natural or cultural values of state or national significance associated with the site, a search was conducted through the relevant Heritage Registers. While there is a listed heritage item on an adjoining property, it is well distanced from the proposed facility, and will not be impacted upon. There are no other known items of cultural, historical or environmental heritage significance located in the immediate vicinity of the proposed site that will be impacted upon by this proposal.

Should any item of Aboriginal or archeological heritage/significance be discovered throughout the excavation and installation process, all works on site will cease, and appropriate measures undertaken to fully investigate the item. A search of the Aboriginal Heritage Information Management System (AHIMS)

has shown there are no items of Aboriginal significance in the vicinity of the subject site or the subject property, see Appendix 3.

11.4.2 Erosion, Sedimentation Control and Waste Management

All erosion and sediment control mitigation measures will be detailed in final construction plans and will comply with the Building Code of Australia and local Council standards. On completion of the installation, the site will be restored and reinstated to an appropriate standard. No waste which requires collection or disposal will be generated by the operation of the facility. While some spoil will be excavated for the construction of the facility, much of this will be reused, or recycled. A waste management plan in accordance with Council's DCP has been provided at Appendix 2.

11.4.3 Traffic Generation

After the construction period, the only traffic generated by the base station will be that associated with maintenance vehicles. In this respect, it is estimated that maintenance of the facility will generate between 4 and 6 visits per year and it will remain unattended at all other times. 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.

11.4.4 Noise

Noise and vibration emissions associated with the proposed facility will be limited to the initial construction phase. There will be some low-level noise from the ongoing operation of air conditioning equipment associated with the equipment shelter, once installed. Noise emanating from the air conditioning equipment is at a comparable level to a domestic air conditioning installation, and will generally accord with the background noise levels prescribed by Australian Standard AS1055.

11.4.5 Flora and Fauna

The site has been chosen as it takes advantage of an area that has been previously disturbed and is not covered by vegetation or trees. No vegetation is required to be removed as part of this proposal.

The surrounding vegetation and mature trees are to be retained specifically to ensure visual impact is mitigated as much as is possible.

11.4.6 Airport Environs

The proposed site location is not considered to be within the boundaries of any nearby airport environs, and does not penetrate any Obstacle Limitation Surfaces. Should there be a concern in regards to proximity to an OLS, it is accepted that adherence to relevant CASA regulations would be necessary.

11.4.7 Bushfire Prone Land

The subject property is not noted as being Bushfire Prone Land. The proposed facility will not increase the possibility of a bushfire on the subject property, nor will it exacerbate any possible bushfire activity. In contrast, mobile telecommunications facilities are able to be utilised to provide early warning of any approaching natural disaster or problematic event.

12 Conclusion

The proposed telecommunications facility at 61 Moxon Road, Punchbowl, will form an integral part of the Carriers mobile telecommunications networks in the greater Canterbury-Bankstown Local Government Area. As part of all Carrier's network improvements, reconfiguration, and expansion into the 5G Network and beyond, the new facility is required to ensure the community surrounding the site locality receive high quality and reliable mobile telecommunications services. This includes the residential areas, local businesses and nearby roadways. With the recent COVID-19 situation world-wide, the importance of reliable mobile telecommunications services to local business and home-based enterprises has been shown to be paramount, and this facility will further enhance these services in this area.

There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impact, a particular proposal provides a net community benefit. It is strongly considered that there are significant benefits to the locality surrounding the proposed facility.

The site has a number of important characteristics that make it suitable for the construction of a new telecommunications facility in the manner proposed. Significantly, the site provides the appropriate location (centrally located) in an area that is deficient of existing telecommunications facility. The proposed facility will adequately service the objectives of Carriers existing and future networks, including 5G. The location also ensures the facility can effectively integrate into the existing network of sites. The vegetation and built environment screening surrounding the proposed site location, together with the use of a slimline monopole where only the upper portion will protrude above the treetops to some viewpoints, further minimises the visual impact of such a facility. The site is also adequately setback off the road frontage and distanced from residential areas as much as is possible.

Waveconn have undertaken an assessment of the relevant matters as required by Commonwealth, State, and Local planning policies, including the Telecommunications Act 1997, and the Canterbury-Bankstown Local Environmental Plan 2023. The proposal is considered appropriate in light of the relevant legislative, environmental, technical, radio coverage and public safety requirements.

The proposed facility is considered appropriate for the subject site for the following reasons:

- The facility is located specifically to provide reliable mobile phone service to the area surrounding the site, including the residential, businesses and roadways, as well as the public recreation spaces in the surrounds;
- The use of a slimline monopole with minimal bulk ensures that visual impact is significantly mitigated;
- The proposed facility will be sited in proximity to existing vertical elements in the private and public recreation lighting poles, and is setback off the roadway, away from residences;
- The proposal is consistent with the relevant provisions of the Canterbury-Bankstown Local Environmental Plan and Development Control Plan;
- The facility will ensure the provision of improved mobile phone coverage and competition in the area;
- Emissions from the proposed facility will always be significantly below the Australian Radiation Protection and Nuclear Safety Agency standards adopted by the Australian Communications and Media Authority.

The assessment of the proposal demonstrates that the proposal represents sound and proper town planning and it is respectively requested that consent is granted for this development application.

Appendix 1 – Site Plans

Appendix 2 – Waste Management Plan

Appendix 3 – AHIMS Result