

From: [REDACTED]
Sent: Wednesday, 11 March 2020 11:43 AM
To: Ask
Subject: CM: DA57958/2020 - Telstra Tower Saratoga Submission

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I strongly object to the proposed development application and request that Council refuse application for inconsistency with SEPP Infrastructure, NSW Telecommunications Facilities Guidelines, Gosford Council's LEP and DCP and public interest.

SEPP Infrastructure – inconsistency with aims

The proposal is inconsistent with the aims of SEPP Infrastructure:

- C2(g) – the proposal does not demonstrate good design outcomes. It is poor design with no consideration to compatibility with surrounding development or the character of the locality. The tower is equivalent to the height of a 9 storey building, located in a locality that is characterised by pertinently 1-2 storey buildings.

SEPP Infrastructure – inconsistency with C115(3)

The application under SEPP Infrastructure C115 indicates that telecommunications facilities may be permitted with consent on any land, however, subclause (3) indicates that before determining a DA, consideration must be given to any guidelines concerning **site selection, design, construction**. The proposal should be refused inconsistency with the NSW Telecommunications Facilities Guidelines and non-compliance with planning controls in Gosford Council's LEP and DCP.

There has been no regard to 'site selection' other than the fact there is an existing facility on the site. Increasing the intensity of the existing non-conforming use has not been addressed. Application of a merits based assessment would determine that the site is inappropriate for intensifying the existing use and therefore, has not satisfied the requirements of C115(3).

There has also been no consideration to the inconsistency of the proposal with Council's long-term vision for the site and the surrounding locality, as set out in Gosford LEP 2014. The site is in a low-density residential area, with a 8.5m height limit and in a low-scale leafy neighbourhood which has high scenic and cultural values. It is inappropriate for major utility infrastructure to be erected in such a visually prominent location, within a residential area.

The proposal should be refused based on inconsistency with C115(3) for the reasons set out below.

NSW Telecommunications Facilities Guideline - Visual impact

The proposal is inconsistent with principle 1 'a telecommunication facility should be sited in order to minimise visual impact'. It fails to meet the principles in the NSW Telecommunications Facilities Guidelines. The proposed height of the structure (26.8m) will substantially exceed the height of the existing building and all surrounding structures and is clearly above Council's 8.5m height limit.

The tower is equivalent to the height of a 9 storey building, located in a locality that is characterised by pertinently 1-2 storey buildings.

The tower will be highly visible from public areas, including the waterway and public open spaces around the waterways. It is located in a residential neighbourhood which has a low-density neighbourhood character with a high tree canopy coverage. The tower will soar above the tree line and buildings and adversely impact the character and scenic landscape of Saratoga.

The applicants submission suggests that the 'negative visual impacts' are minimised by existing utility poles in the vicinity. This justification for the visual impact is insufficient and unacceptable. The existing utility poles are substantially lower than the proposed tower and should not be a reason to have 'negative visual impacts' as acknowledged in the applicants submission.

The NSW Telecommunications Facilities Guidelines require it to be sympathetic in scale to adjacent buildings, which it is not. The proposed development does not satisfied the 'site selection and design' requirements outlined in C115 of SEPP Infrastructure.

Gosford LEP 2014 – Land use

The site is zoned R2 Low Density Residential. Telecommunications facilities are prohibited in the R2 zone under Gosford LEP 2014.

The proposal is incompatible with the objectives of the zone:

- It is not essential for the day to day needs of residents.
- It is incompatible with the desired future character of the zone.
- It is not best practice design of low-density residential development.
- It is not sustainable development and does not protect the environment.
- It will have an adverse impact on residential amenity.

The proposed development does not satisfied the 'site selection and design' requirements outlined in C115 of SEPP Infrastructure.

Gosford LEP 2014 – Height

The proposal exceeds the height limit of 8.5m in Clause 4.3 of Gosford LEP 2014. The proposal is inconsistent with the objectives of Clause 4.3, for the following reasons:

- C5.3(1)(a) the proposal exceeds the maximum height limit.
- C5.3(1)(b) the proposal is not high quality urban form.
- C5.3(1)(d) the proposal is substantially higher than any surrounding buildings does not provide a transition in built form. It is incompatible with surrounding built form and will tower above all surrounding structures.
- C5.3(1)(e) the proposal will have devastating impacts on public scenic and landscape views of Saratoga from the waterway and public areas surrounding the waterway. The proposal is not complementary to the topography of the area and has no regard for compatibility with the landscape.

The proposed plans are not to scale and the exact height of the proposed structure cannot be determined as the existing ground level is not specified. The heights are specified as 'EL' but there is no cross section to confirm the existing ground level. Nevertheless, the proposed height (26.8m) is a substantial variation to the 8.5m height limit. The tower is equivalent to the height of a 9 storey building, located in a locality that is characterised by pertinently 1-2 storey buildings.

There was no Clause 4.6 application submitted with the proposal and the 'visual impact assessment' in the SEE is insufficient as it is not based on RLs. Certified height poles must be erected and a proper view assessment undertaken.

The proposed development does not satisfied the 'site selection and design' requirements outlined in C115 of SEPP Infrastructure.

Gosford DCP 2013

The proposal is inconsistent with:

- Part 2 Scenic Quality and Character – the proposal will have an adverse impact on local character. Saratoga is a coastal area surrounding Brisbane Waters which is characterised by its 1-2 storey buildings, village character and high tree canopy coverage. Mt Pleasant anchors the landscape with structures being generally below tree level. The proposed tower would disrupt the scenic landscape from public areas. The tower is not visually subservient to the landscape. It exceeds the ridgeline and will disrupt the skyline.

Public interest

The proposal indicates its objectives is to 'provide improved mobile phone coverage and capacity in the Saratoga locality'. However, the local community does not want it and as a local I can confirm first hand that there are no issues with mobile phone coverage in Saratoga. There is limited detail provided about the additional radiation that will be emitted from the new tower and no certainty that this will not have health impacts on nearby residents. Such heavy infrastructure is inappropriate in a residential area and should be located away from populated areas. It is not in the public interest to support this development application.

The proposal should be refused inconsistency with SEPP Infrastructure, NSW Telecommunications Facilities Guidelines, Gosford Council's LEP and DCP and public interest

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