



Warringah Council

S96(2) APPLICATION TO MODIFY A DEVELOPMENT CONSENT ASSESSMENT REPORT

| | |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Assessment Officer: | Daniel Milliken |
| Address / Property Description: | Lot 1 DP 205815 Lot 1/ Oxford Falls Road OXFORD FALLS NSW 2100 |
| Application No: | Mod2013/0074 |
| Approved Development: | DA2012/0100: Additions to existing Telecommunications Facility for eight (8) satellite dish antennas and ancillary road access 18 April 2012 |
| Development Consent Determination Date: | 18 April 2012 |
| Previous Modifications: | NO |
| Proposed Modifications: | Modification of Development Consent DA2012/0100 granted for Additions to existing Telecommunication Facility for eight (8) satellite dish antennas and ancillary road access |
| Application Lodged: | 10/05/2013 |
| Plans Reference: | OF-S00030 Sheet No.2 Issue 4 dated 19/11/2012 |
| Amended Plans: | N/A |
| Applicant: | Telstra Corporation Ltd |
| Owner: | Telstra Corporation Ltd |
| Locality: | B2 Oxford Falls Valley |
| Category: | Category 2 - <i>Other buildings, works, places or land uses that are not prohibited or in Category 1 or 3</i> |
| Variations to Controls (Cl.20/Cl.18(3)): | NO |
| Referred to ADP: | NO |
| Referred to WDAP: | NO |
| Land and Environment Court Action: | NO |
| SUMMARY | |
| Submissions: | Nil |
| Submission Issues: | N/A |
| Assessment Issues: | Nil |
| Recommendation: | Approval |

DA No.Mod2013/0074

LOCALITY PLAN (not to scale)



Subject Site: Lots 1 and 3 in DP 205815, Oxford Falls Road, OXFORD FALLS

Public Exhibition: The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to seven (7) adjoining land owners and occupiers and to 2 persons who made a submission to the original development application.

SITE DESCRIPTION

The site is located in the Oxford Falls Valley on Oxford Falls Road and has an area of 8.3ha. Existing on the site is a Telecommunications facility incorporating dish antennas and other receiving structures, administration building, outbuildings, car parking and access roads. The site also contains remnant vegetation, understorey vegetation, lawn. The surrounding development consists of large lot residential and rural properties.



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SITE HISTORY

The subject site has been used for the purposes of a telecommunications facility since 1987 and currently provides services for television, radio and internet services. The SSES operates only for the use of an internal network for media operations and the Telstra Corporation network. Telephone services at the Sydney Satellite Earth Station (SSES) consist only of a termination point for an international undersea optic fibre cable (refer to DA2000/3686).

Relevant development consents at the site consist of the following:

DA1999/1836: Consent granted for alterations and additions to an existing telecommunication facility on 7 June 1999.

DA2000/3686: Consent granted for “extension of existing telecommunication facility for the purpose of a cable station and associated works” on 17 April 2000.

DA2002/1673: Consent granted for “Portable Building” on 11 December 2002.

DA2002/1940: Consent granted for “Expansion of Existing Telecommunication Facility” approved 5 May 2003.

DA2012/0100: Consent granted for “Additions to existing Telecommunication Facility for eight (8) satellite dish antennas and ancillary road access.” Approved 18 April 2012

APPROVED DEVELOPMENT

The approved development consisted of the following:

- Installation of eight (8) satellite dishes, approximately 8.5m in height;
- An equipment shelter for each dish a maximum of 2.5m in height and 3m² in area;
- Common equipment shelter approximately 28m² in area; and
- An access road of the existing site driveway, 6m in width.

PROPOSED MODIFICATIONS

The modification seeks to change the location of the access road.

STATUTORY CONTROLS

- a) Environmental Planning and Assessment Act 1979 (EPA Act 1979); and
- b) Environmental Planning and Assessment Regulations 2000.
- c) State Environmental Planning Policy (Infrastructure) 2007.

PUBLIC EXHIBITION

The subject application has been publicly exhibited in accordance with the EPA Regulation 2000, Warringah Local Environment Plan 2000 and Warringah Development Control Plan. As a result, the application was notified to 7 adjoining land owners and occupiers and to 2 persons who made a submission to the original development application (notice was sent to last known address) for a period of 14 calendar days commencing on 19/7/2013 and being



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finalised on 6/8/2013, furthermore, the application has been advertised within the Manly Daily on Saturday 20 July 2013 and a notice was placed upon the site.

As a result of the public exhibition process, no submissions have been received.

MEDIATION

Has mediation been requested by the objectors? **NO**

Has the applicant agreed to mediation? **N/A**

REFERRALS

External Referrals

| Referral Body External | Comments | Consent Recommended |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Ausgrid | The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended. | Yes |
| RFS | The RFS has no objection to the proposed amendments subject to compliance with our original general terms of approval dated 21 February 2012. | Yes |

Internal Referrals

| Referral Body Internal | Comments | Consent Recommended |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Development Engineering | Development Engineers have reviewed the proposed modification and raise no issues. No conditions are recommended for this application. | Yes |
| Natural Environment Unit | Please see the Development Engineering comments for any relevant stormwater drainage asset comments and conditions. | Yes |

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under Section 96(2) of the Environmental Planning and Assessment Act, 1979, are:

| Section 96(2) | Comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 96(2) (a) – Would the consent as proposed to be modified be substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was previously modified? | The proposed modification will result in a development that is substantially the same as the development for which consent was originally granted. |
| Section 96(2) (b) – Has consultation occurred | The NSW Rural Fire Service was consulted. |



| Section 96(2) | Comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>between the consent authority and relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent</p> | <p>The RFS raised no objection to the proposed amendments subject to compliance with their original general terms of approval dated 21 February 2012.</p> |
| <p>Section 96(2) (c) & (d) – Public Exhibition of subject application / submission</p> | <p>See discussion on “Public Exhibition” in this report.</p> |
| <p>Section 96 (3) - Consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application</p> | <p>See discussion on “Matters for Consideration under Section 79C” in this report.</p> |
| <p>Section 96 (5) Consideration of matters regarding Threatened species being development consent of the kind referred to in section 79B (3) of the EPA Act 1979, or in respect of which a biobanking statement has been issued under Part 7A of the Threatened Species Conservation Act 1995.</p> <p>Approval to modify shall not be given unless:</p> <p>(a) in the case of development referred to in section 79B (3)—the requirements of section 79B (3)–(7) have been complied with in relation to the proposed modification as if the application for the proposed modification were an application for development consent, or</p> <p>(b) in the case of development in respect of which a biobanking statement has been issued under Part 7A of the Threatened Species Conservation Act 1995—the applicant has made an application for modification of the biobanking statement in relation to the proposal and a new biobanking statement has been issued or the consent authority is satisfied that the modification will have no impact on biodiversity values (within the meaning of that Act).</p> | <p>The proposed modification to the location of the access road will take place on a part of the site that has already been extensively cleared and is therefore unlikely to impact on any threatened species.</p> |



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The relevant matters for consideration under Section 79C of the Environmental Planning and Assessment Act, 1979, are:

| Section 79C 'Matters for Consideration' | Comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section 79C (1) (a)(i) – Provisions of any environmental planning instrument | See discussion on “Environmental Planning Instruments” in this report. |
| Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument | Not Applicable |
| Section 79C (1) (a)(iii) – Provisions of any development control plan | Warringah Development Control Plan applies to this proposal. |
| Section 79C (1) (a)(iiia) – Provisions of any planning agreement | None applicable. |
| Section 79C (1) (a)(iv) – Provisions of the regulations | All relevant provisions of the Environmental Planning and Assessment Regulations 2000 have been taken into consideration during the assessment of the development application and this modification. |
| Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality | <p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the General Principles of Development Control in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p> |
| Section 79C (1) (c) – the suitability of the site for the development | The proposed modifications do not alter the site’s suitability for the proposed use.. |
| Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs | See discussion on “Public Exhibition” in this report. |
| Section 79C (1) (e) – the public interest | No matters have arisen that would justify the refusal of the application in the public interest. |

Approval Variation



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The proposal has been considered against the relevant matters for consideration under Section 79C of the EP&A Act 1979. This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to any conditions contained within the Recommendation.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPI's)

State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy No 55 – Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for the purpose of a telecommunications facility since 1987. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the proposed modification.

State Environmental Planning Policy (Infrastructure) 2007 – Remediation of Land

Clause 155 (3) requires the Consent Authority to consider any guidelines concerning site selection, design, construction or operating principles for telecommunications facilities that are issued by the Director-General for the purposes of this clause and published in the Gazette.

Comment:

The proposed modification to the access road will not affect the site selection, design, construction or operating principles for the existing telecommunication facility on the site.

Local Environment Plans (LEPs)

Warringah Local Environment Plan 2000 (WLEP 2000)

Desired Future Character (DFC)

The subject site is located in the B2 Oxford Falls Valley Locality under Warringah Local Environmental Plan 2000.

The Desired Future Character Statement for this locality is as follows:

“The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.

Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise



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disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.”

The proposed modification is to the already approved “telecommunications facility”, as defined under the provisions of SEPP (Infrastructure) 2007. This SEPP prevails over WLEP 2000. However assessment of the proposed works under WLEP 2000 finds that there is no definition in this instrument for the proposed land use and hence the development is consistent with the “innominate” land use definition in Category 2 of the B2 locality.

CATEGORY 2 DEVELOPMENT

Clause 12(3)(a) of WLEP 2000 requires the consent authority to be satisfied that the proposed development is consistent with the Locality’s DFC statement.

Accordingly, an assessment of consistency of the proposed development against the locality’s DFC is provided hereunder:

Comment: The report for DA2012/0100 included an extensive assessment of the original proposal against the DFC. This assessment included consideration of whether the development is a ‘low intensity and low impact’ use. An interpretation of low intensity, low impact uses was used in the Land and Environment judgement Vigor Master Pty Ltd v Warringah Shire Council [2008] NSWLEC 1128. The assessment concluded that:

“Hence as the proposal is not considered to be adverse on the natural and built environment of the locality and the intensity of the development will not increase in any significant manner then it is considered that the proposal is a low impact, low intensity land use consistent with this requirement of the DFC.”

The proposed modification in relation to the location of the access road is not considered to alter the development’s consistency with ‘low intensity, low impact’ and therefore, the proposed modification is considered to be consistent with the Locality’s DFC statement.

Built Form Controls (Development Standards)

The following table outlines compliance with the Built form Control of the above locality statement:

| Built Form Compliance Table B2 Oxford Falls Valley Locality Statement | | | | | |
|--------------------------------------------------------------------------|-------|----------|----------------------|-----------------------|------------|
| Built Form Standard | | Required | Approved Development | Proposed Modification | Compliance |
| Building | Ridge | 8.5m | 8.5m | 8.5m | Yes |



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| Built Form Compliance Table B2 Oxford Falls Valley Locality Statement | | | | | |
|----------------------------------------------------------------------------------|---------|------------------------------------------|----------------------------------------------|-------------------------------------------------------------|-------------------|
| Built Form Standard | | Required | Approved Development | Proposed Modification | Compliance |
| Height | | | | (no change) | |
| | Ceiling | 7.2m | N/A | N/A | N/A |
| Housing Density | | 1 dwelling per 20ha | N/A | N/A | N/A |
| Front Setback | | 20m | 41m (road) 60m (Dish 7) | Approximately 61m (road) 60m (Dish 7) | Yes |
| Rear and Side Setback | | 10m | 37m (south boundary) 58m (north boundary) | 37m (south boundary) 58m (north boundary) (no change) | Yes |
| Landscape Open Space | | 30% of site area or 25,071m ² | 77% (64,350m ²) of site area | 77% (64,350m ²) of site area (no change) | Yes |

The proposed development is considered to satisfy the Locality's Built Form Controls, accordingly, no further assessment will be provided in this regard.

General Principles of Development Control

The following General Principles of Development Control as contained in Part 4 of Warringah Local Environmental Plan 2000 are applicable to the proposed development:

| General Principles | Applies | Comments | Complies |
|-------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| CL38 Glare & reflections | Yes | The proposed modification to the location of the access road is unlikely to generate an adverse level of impact in regard to glare and reflection. | Yes |
| CL39 Local retail centres | No | Not applicable. | N/A |
| CL40 Housing for Older People and People with Disabilities | No | Not applicable. | N/A |



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| General Principles | Applies | Comments | Complies |
|--------------------------------------------------------------------------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| CL41 Brothels | No | Not applicable. | N/A |
| CL42 Construction Sites | Yes | A standard condition was included in the original consent to ensure compliance with this General Principle. | Yes |
| CL43 Noise | Yes | All works involved in the construction of the new access road is unlikely to generate an unreasonable level of noise. A standard condition of consent to mitigate general noise was included in the original consent. | Yes |
| CL44 Pollutants | No | Not applicable. | N/A |
| CL45 Hazardous Uses | No | Not applicable. | N/A |
| CL46 Radiation Emission Levels | Yes | The proposed modification will not generate additional radiation emissions. | Yes |
| CL47 Flood Affected Land | | Not applicable. | N/A |
| CL48 Potentially Contaminated Land | Yes | The proposed modification will retain the existing land use and not propose any significant excavation. Hence no further investigation of potential contamination is required. | Yes |
| CL49 Remediation of Contaminated Land | No | Not applicable. | N/A |
| CL49a Acid Sulphate Soils | No | Not applicable. | N/A |
| CL50 Safety & Security | No | Not applicable. | N/A |
| CL51 Front Fences and Walls | No | Not applicable. | N/A |
| CL52 Development Near Parks, Bushland Reserves & other public Open Spaces | Yes | The site is adjacent land to the north-east (Lot 1498 in DP 752038) adjacent the Morgan Road Reserve, which is designated as public open space under WLEP 2000. The modification is unlikely to affect the landscape character of the adjoining public open space and not diminish in any manner the public use and enjoyment of | Yes |



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| General Principles | Applies | Comments | Complies |
|-------------------------------------------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| | | this land. | |
| CL53 Signs | No | Not applicable. | N/A |
| CL54 Provision and Location of Utility Services | Yes | The site is adequately serviced by the relevant utilities. | Yes |
| CL55 Site Consolidation in 'Medium Density Areas' | No | Not applicable. | N/A |
| CL56 Retaining Unique Environmental Features on Site | Yes | Part of the site possesses significant vegetation and part of a natural watercourse along the northern boundary. The modification works are located on a part of the site which has already been modified (currently occupied by a lawn) and hence no unique environmental feature on the site will be affected by the proposal consistent with this General Principle. | Yes |
| CL57 Development on Sloping Land | No | Not applicable. | N/A |
| CL58 Protection of Existing Flora | Yes | The modification works are located on a part of the site which has already been modified (currently occupied by a lawn) and hence existing flora on other parts of the site will be protected. | Yes |
| CL59 Koala Habitat Protection | Yes | A flora and fauna impact assessment report prepared by Malcolm Bruce, dated 19 January 2012 considered the potential impact of the original development on koalas and finds that the site is not an existing habitat for this species. It is considered that the modification will not alter this conclusion. | Yes |
| CL60 Watercourses & Aquatic Habitats | Yes | The distance from the proposed modification works to nearby watercourses are sufficient enough to maintain and enhance natural watercourses, consistent with the General Principle. | Yes |
| CL61 Views | Yes | The proposed modification will maintain a reasonable sharing of district views currently enjoyed by adjoining properties. | Yes |
| CL62 Access to sunlight | Yes | The proposed modification will not cause | Yes |



| General Principles | Applies | Comments | Complies |
|--------------------------------------------------------------|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| | | adverse loss of the solar access of adjoining properties. | |
| CL63 Landscaped Open Space | Yes | Adequate landscaped open space is provided and the proposed modification is consistent with the objectives of this General Principle. | Yes |
| CL63A Rear Building Setback | Yes | Adequate rear setback is provided, consistent with this General Principle. | Yes |
| CL64 Private open space | No | Not applicable. | N/A |
| CL65 Privacy | Yes | The modification will not cause any adverse privacy impact to adjoining properties. | Yes |
| CL66 Building bulk | Yes | The modification will not increase the bulk of the structures on the site. | Yes |
| CL67 Roofs | No | Not applicable. | N/A |
| CL68 Conservation of Energy and Water | No | Not applicable. | N/A |
| CL69 Accessibility – Public and Semi-Public Buildings | No | Not applicable. | N/A |
| CL70 Site facilities | No | Not applicable. | N/A |
| CL71 Parking facilities (visual impact) | No | Not applicable. | N/A |
| CL72 Traffic access & safety | Yes | Adequate existing vehicular access is provided from the site to Oxford Falls Road. The proposed change to the internal road access to the proposed dish antennas will not affect or modify this existing road crossing. Council's Development Engineers have assessed the design of the modified location for the internal road, raised no objections and did not recommend any new conditions. | Yes |
| CL73 On-site Loading and Unloading | No | Not applicable. | N/A |
| CL74 Provision of Carparking | Yes | As no additional traffic is likely to be generated as a result of the modification, no additional car | Yes |



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| General Principles | Applies | Comments | Complies |
|--------------------------------------------------------------------------------------------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| | | parking is required. | |
| CL75 Design of Carparking Areas | No | Not applicable. | N/A |
| CL76 Management of Stormwater | Yes | The modification was referred to Council's Development Engineers who raised no objections to the change. | Yes |
| CL77 Landfill | No | Not applicable. | N/A |
| CL78 Erosion & Sedimentation | Yes | A standard condition of consent was added to the original consent to ensure that adequate measures to mitigate erosion and sedimentation are installed prior to any building works commencing on the site. | Yes |
| CL79 Heritage Control | No | Not applicable. | N/A |
| CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service | Yes | The original application was referred to the Aboriginal Heritage Office for comment as the development is located in an area potentially subject to aboriginal heritage. The Office advised that a preliminary investigation of aboriginal heritage would be required if the existing areas of sandstone rock outcrops were to be impacted by the proposed development. However as the proposed works would not affect any existing rock outcrop, no preliminary investigation is required. | Yes |
| CL81 Notice to Heritage Council | No | Not applicable. | N/A |
| CL82 Development in the Vicinity of Heritage Items | No | Not applicable. | N/A |
| CL83 Development of Known or Potential Archaeological Sites | No | Not applicable. | N/A |



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SCHEDULES

| Schedule | Applicable | Compliant |
|--------------------------------------------------------------------|------------|-----------|
| Schedule 5 State policies | No | N/A |
| Schedule 6 Preservation of bushland | No | N/A |
| Schedule 7 Matters for consideration in a subdivision of land | No | N/A |
| Schedule 8 Site analysis | No | N/A |
| Schedule 9 Notification requirements for remediation work | No | N/A |
| Schedule 10 Traffic generating development | No | N/A |
| Schedule 11 Koala feed tree species and plans of management | No | N/A |
| Schedule 12 Requirements for complying development | No | N/A |
| Schedule 13 Development guidelines for Collaroy/Narrabeen Beach | No | N/A |
| Schedule 14 Guiding principles for development near Middle Harbour | No | N/A |
| Schedule 15 Statement of environmental effects | No | N/A |
| Schedule 17 Carparking provision | Yes | Yes |

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The S94A fees were paid with the original application. No additional S94A fees are required.

CONCLUSION

The proposed modification has been considered against the relevant matters for consideration under Section 79C of the EP&A Act 1979. This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions.

It is considered that the proposed modification does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties.



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RECOMMENDATION

THAT Council as the consent authority grant approval to modify Development Consent No Mod2013/0074 for Section 96 (2) Environmental Impact on land at Lot 1/ Oxford Falls Road OXFORD FALLS subject to the following condition:

Add Condition No.1B - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

a) Modification Approved Plans

| Architectural Plans - Endorsed with Council's stamp | | |
|------------------------------------------------------------|--------------|---------------------|
| Drawing No. | Dated | Prepared By |
| OF-S00030 Sheet No. 2 Issue 4 | 19/11/2012 | Telstra Corporation |

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

"I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest"

Signed

Date 20 September 2013

Daniel Milliken, Development Assessment Officer

Signed

Date 20 September 2013

Lashta Haidari, Acting Development Assessment Manager