



AGENDA APPENDIX

Council Meeting

Wednesday 27 November 2013

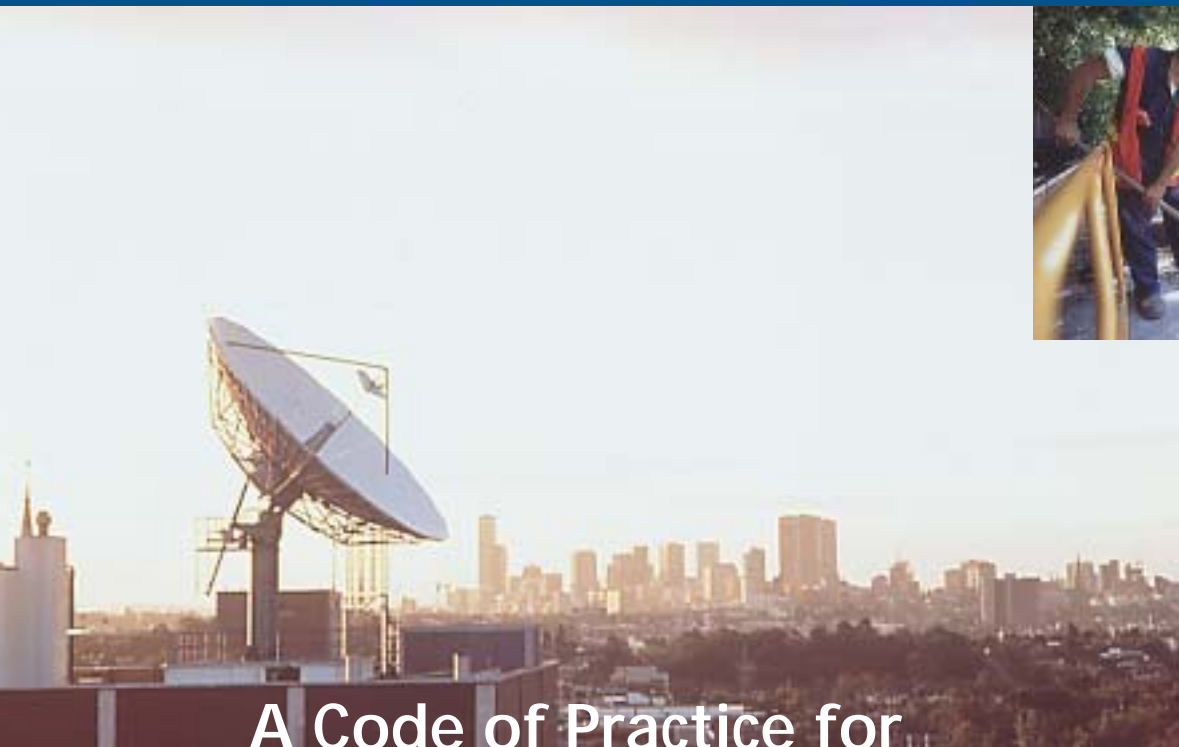
AGENDA ITEM FOR SEPARATE DISTRIBUTION TO COUNCILLORS AND EXECUTIVE LEADERSHIP TEAM DUE TO DOCUMENT SIZE.

THE ITEM IS ACCESSIBLE VIA THE COUNCIL WEBSITE OR BY CONTACTING COUNCIL ON 03 5662 9200.

**E.8 TELECOMMUNICATIONS FACILITY (NBN TOWER) AT 2746
MEENIYAN PROMONTORY ROAD YANAKIE - PLANNING APPLICATION
2012/407**

Appendix 1 - Code of Practice for Telecommunication Facilities in
Victoria

telecommunications facilities



**A Code of Practice for
Telecommunications Facilities
in Victoria**

July 2004

A Code of Practice for
telecommunications
facilities
in Victoria

July 2004

Telecommunications facilities

1 The purpose of this code

A *Code of Practice for Telecommunications Facilities in Victoria* is an incorporated document in all planning schemes in Victoria.

The purpose of this code is to:

- Set out the circumstances and requirements under which land may be developed for a telecommunications facility without the need for a planning permit.
- Set out principles for the design, siting, construction and operation of a telecommunications facility which a responsible authority must consider when deciding on an application for a planning permit.

It aims to:

- Ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
- Ensure the application of consistent provisions for telecommunications facilities.
- Encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in section 4 of the *Planning and Environment Act 1987*.
- Encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

What is a telecommunications facility?

A telecommunications facility is defined in planning schemes as:

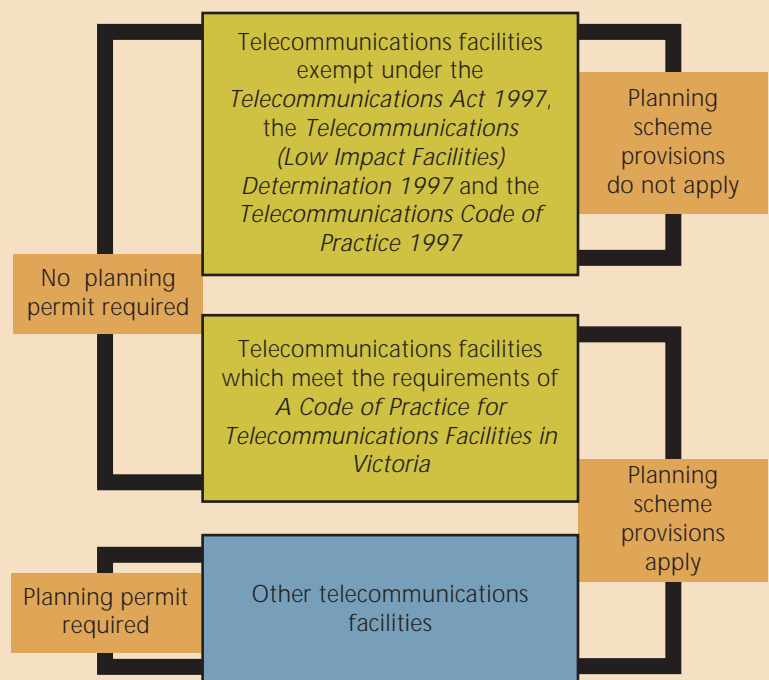
Any part of the infrastructure of a telecommunications network; or any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use, in or in connection with a telecommunications network.

2 The relationship between this code, Commonwealth legislation and planning schemes

The Commonwealth *Telecommunications Act 1997*, exempts certain telecommunications facilities from most requirements under State legislation. These facilities are described in the *Telecommunications Act 1997*, the *Telecommunications (Low-impact Facilities) Determination 1997*, and the *Telecommunications Code of Practice 1997*.

Planning schemes also specify a range of telecommunications facilities that do not require a planning permit if the requirements of this code are met. These requirements do not apply to any telecommunications facility already exempt under the Act or the Determination. A telecommunications facility that is not exempt under the Act or the Determination and which does not meet the requirements of this code, requires a planning permit.

Where there is any inconsistency, the Commonwealth legislation prevails.



Notice to landowners

Where a telecommunications facility is exempt from state legislation under the *Telecommunications Act 1997*, that Act requires carriers to give notice to the owner of the land before a facility is constructed.

Where a telecommunications facility is not exempt from state legislation under the *Telecommunications Act 1997* but meets the requirements of this code, carriers will consult and negotiate directly with landowners.

Where a planning permit is required, the relevant provisions of section 52 of the *Planning and Environment Act 1987* apply.

Telecommunications facilities

3 How to use this code

This code must be read in conjunction with the planning scheme which applies to the land on which the telecommunications facility is located.

Clause 52.19 of the planning scheme sets out the requirements which apply to a telecommunications facility. (Appendix). Clause 52.19-2 provides that a permit is required for a telecommunications facility, including any facility described in this code if the requirements of the code are not met.

To determine whether a proposed telecommunications facility may be constructed without the need for a planning permit:

- determine if the type of telecommunications facility proposed corresponds with a description in section 5
- determine whether the listed requirements are met.

If the facility corresponds with a description in section 5 and the relevant requirements are met, no planning permit is required. If the requirements of the code are not met, a permit is required.

Where a permit is not required, carriers should notify the relevant local government authority of any proposed buildings and works associated with telecommunications facilities.

4 Principles for the design, siting, construction and operation of telecommunications facilities

The following four principles must be applied where relevant to the design, siting, construction and operation of any telecommunications facility which is not exempt under Commonwealth legislation.

4.1 Principle 1

A Telecommunications facility should be sited to minimise visual impact.

Application of principle

- On, or in the vicinity of a heritage place, a telecommunications facility should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage place. A heritage place is a heritage place listed in the schedule to the Heritage Overlay in the planning scheme.
- A telecommunications facility mounted on a building should be integrated with the design and appearance of the building.
- Equipment associated with the telecommunications facility should be screened or housed to reduce its visibility.
- The relevant officer of the responsible authority should be consulted before any street tree is pruned, lopped, destroyed or removed.
- A telecommunications facility should be located so as to minimise any interruption to a significant view of a heritage place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.

4.2 Principle 2

Telecommunications facilities should be co-located wherever practical.

Application of principle

- Wherever practical, telecommunications lines should be located within an existing underground conduit or duct.
- Overhead lines and antennae should be attached to existing utility poles, towers or other radiocommunications equipment to minimise unnecessary clutter.

4.3 Principle 3

Health standards for exposure to radio emissions will be met.

Application of principle

- A telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with *Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz*, Arpana, May 2002.

4.4 Principle 4

Disturbance and risk relating to siting and construction should be minimised.

Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines.

Application of principle

- Soil erosion during construction and soil instability during operation should be minimised in accordance with any relevant policy or guideline issued by the Environment Protection Authority.
- Construction should be carried out in a safe and effective manner in accordance with relevant requirements of the *Occupational Health and Safety Act 1985*.
- Obstruction or danger to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction should be minimised.
- Where practical, construction should be carried out during times that cause minimum disruption to adjoining properties and public access.
- Traffic control measures should be taken during construction in accordance with *Australian Standard AS1742.3 – 2002 Manual of uniform traffic control devices – Traffic control devices on roads*.
- Open trenching should be guarded in accordance with *Australian Standard Section 93.080 – Road Engineering AS 1165 – 1982 – Traffic hazard warning lamps*.
- Disturbance to flora and fauna should be minimised during construction and vegetation replaced to the satisfaction of the land owner or responsible authority at the conclusion of work.
- Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunication carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.

Telecommunications facilities

5 Telecommunications facilities which may be developed without the need for a planning permit

A telecommunications facility listed in this section may be constructed without the need for a planning permit provided the specified requirements of this section are met.

If the specified requirements are not met, a planning permit is required.

In considering an application for a telecommunications facility where the requirements are not met, the responsible authority will consider the principles and requirements of this code in addition to any other requirements of the planning scheme.

If a telecommunications facility falls into more than one type described in this section, for example a microcell (section 5.1) that is located on a roof (section 5.10), the facility complies with the code if it meets the requirements of at least one type.



Requirements for specific telecommunications facilities

5.1 A microcell

A microcell is an antenna and associated box which supplements the mobile network in heavy usage areas.

A microcell may minimise the need for a larger facility.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The microcell must not be attached to a building or structure listed in the schedule to the Heritage Overlay in the planning scheme.
- 3 The combined volume of the cabinet or cabinets for the microcell must not exceed the following dimensions when mounted in an elevated position on an existing utility pole or when mounted on the wall of a building:
(Height) 800mm x (Width) 550mm x (Depth) 300mm.
Cabinet housings located elsewhere must conform with the provisions for an above ground housing in section 5.2.
- 4 The antenna must be either:
 - An omni whip antenna no longer than 1000mm and outriggered not more than 500mm from the support structure.
 - A panel antenna not more than 1200mm x 350mm x 150mm flush mounted and colour matched to the support structure.
- 5 There must be no aerial cabling. All other cabling or cabling trays must be either located internally in the support structure or colour matched to the support structure.

5.2 An above ground housing

An above ground housing is an above ground equipment shelter housing telecommunication infrastructure. An above ground housing includes:

- a pillar
- a cabinet
- a pedestal
- an elevated joint
- minor street furnishings
- marker posts
- a remote integrated multiplexer

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 A remote integrated multiplexer must not be located on a heritage place listed in the schedule to the Heritage Overlay in the planning scheme.



5.3 A temporary facility

A temporary facility is a telecommunications facility that does not exist on the land for more than a total of 4 months in any 12 month period.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The temporary facility must be for one or more of the following purposes:
 - Providing service coverage during either routine or emergency maintenance of an existing facility.
 - Providing service coverage during the construction or installation of a new facility.
 - Providing additional service coverage at events such as sporting carnivals or cultural festivals.
- 3 The establishment of a temporary facility must not permanently alter any building or site so that upon removal, the building or site is in a substantially different condition than it was prior to the establishment of the facility.
- 4 The height must not exceed 25m above its base or the height of the existing facility, whichever is the greater.

Telecommunications facilities

5.4 Underground cable or duct

An underground cable or duct is placed into the ground by trenching or direct burial. Once in the ground, the ground is reinstated and the cable cannot be seen.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The underground cable or duct must not be located in a Road Zone – Category 1.
- 3 If an underground cable or duct is located on public land managed by the Department of Sustainability and Environment or another government agency or manager, a consent, lease or licence must be obtained if required by the relevant legislation.
- 4 The underground cable or duct must not be located on private land within an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay.
- 5 The underground cable or duct must not be located on land if a permit is required for the removal of native vegetation under Clause 52.17 of the planning scheme.
- 6 A trench in which a cable or duct is to be installed must not exceed a nominal width of 450mm, or if it is to be immediately used by more than one carrier, must not exceed a nominal width of 650mm.
- 7 Access to the frontage of a premises in a business zone must not be restricted.
- 8 If the land is located in or adjacent to a residential zone, not more than 100m of excavation may be left open at any time.
- 9 A resident must not lose vehicle access to their property for more than 12 hours at a time.
- 10 The land in which the cable or duct is laid must be reinstated in accordance with a reinstatement plan agreed, prior to construction, with the owner or if on public land, the public land manager. The reinstatement plan must include (as appropriate):
 - Management and protection measures, and remedial works for significant vegetation.
 - Relaying of the existing road or pavement.
 - Replanting of grass, trees and foliage.
 - Replacement or removal of material removed.
 - Reinstatement of existing contours.

5.5 Boring cable

Boring cable is a process whereby new cable is run through ducts which already exist or is bored predominantly underground from one end point to the other.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The boring must take place at a minimum depth of 600mm or 1200mm where the cable is located in a Road Zone – Category 1.
- 3 If an underground cable or duct is located on public land managed by the Department of Sustainability and Environment or another government agency or manager, a consent, lease or licence must be obtained if required by the relevant legislation.
- 4 The underground cable or duct must not be located on private land within an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, or an Erosion Management Overlay.



5.6 A radio communications dish

A radio communications dish is a circular dish antenna used to send and receive radio frequency communications.

A radio communications dish includes a dish for satellite TV reception.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The radio communications dish must not be attached to a building or structure listed in the schedule to the Heritage Overlay in the planning scheme.
- 3 A radio communications dish in a residential zone must not be greater than 1.2m in diameter unless the facility is not visible from an adjoining property and the maximum diameter of the dish does not exceed 2.4m.

4 A radio communications dish in a business zone:

- may be greater than 1.2m, but not greater than 1.8m in diameter if:
 - the dish is located on an existing roof or structure.
 - the highest point of the dish does not exceed 4m above the roof to which its base is attached.
 - any dish on the street facade is flush mounted.
 - if the dish is not flush mounted and the highest part of the dish is more than 3m above the roof, then the dish must be set back at least 2m from the outermost wall of the building.
- may be greater than 1.8m, but not greater than 2.4m in diameter if the facility is not visible from outside the property.

Note: *It is desirable (but not a requirement) that:*

- *A radio communications dish should not be installed on a pitched roof.*
- *A dish 1.8m or greater in diameter should not be installed where the scale of the dish is disproportionate to the scale of the building on which it is proposed to be mounted.*
- *A dish 1.8m or greater in diameter should be flush mounted to a rooftop plant room below the overall height, where possible.*



Telecommunications facilities

5.7 Replacement of a tower or a facility associated with a tower to enable co-location

For the purposes of this provision, a tower includes any similar structure supporting antennas.

This provision also applies to any shelter housing a base station transceiver and associated transmission equipment and to cable connections between the base station equipment and the tower.

Basis for this provision

Carriers are encouraged to co-locate facilities wherever practical, including on structures associated with radio communications networks operated by non-carriers, such as two way radio operators and community radio stations.

This provision encourages co-location where a new structure is required to support the combined equipment of more than one carrier or the combined equipment of a carrier(s) and an operator of a radio communications network because the existing structure does not have the structural capacity to cope with the combined equipment.

The replacement process requires a second structure to be built and the equipment transferred to the new structure. After installation activities are complete, the original structure is removed.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The replacement facility must be for the purpose of co-locating a carrier.
- 3 The facility being replaced must not be located in a residential zone.
- 4 The replacement structure must be similar in appearance to the structure being replaced, except that a lattice tower can be replaced by a monopole tower.
- 5 The replacement structure must not be more than 5m higher than the structure being replaced.
- 6 The tower must not have previously been extended under this provision.
- 7 The replacement structure must be located within 20m of the structure being replaced and must not be on land within an Environment Significant Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, or an Erosion Management Overlay.

- 8 The structure being replaced must be decommissioned and removed within eight weeks of the equipment on the new structure being commissioned. The location of the structure which has been removed must be made good and landscaped as appropriate.

5.8 Co-location of a facility on an existing tower

For the purposes of this provision, a tower includes any similar structure supporting antennas.

This provision also applies to any shelter housing a base station transceiver and associated transmission equipment and to cable connections between the base station equipment and the tower.

Basis for this provision

Carriers are encouraged to co-locate facilities wherever practical. This provision encourages co-location where an existing structure has the capacity to cope with the additional requirements and combined equipment of more than one carrier or the combined equipment of a carrier(s) and the operator of a radio communications network, such as two way radio operators and community radio stations.



Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The facility must be for the purpose of co-locating a carrier.
- 3 The facility must not be located in a residential zone.
- 4 New equipment must not protrude from the face of the tower more than the existing facility.
- 5 The new structure must not be more than 5m higher than the existing tower.
- 6 The tower must not have been previously extended under this provision.

5.9 A telecommunications facility located inside a building, structure or tunnel

A telecommunications facility located inside a building, structure or tunnel is a facility located so that it is not visible from outside the building, structure or tunnel or which is included in or integrated with the building, structure or tunnel in such a way as to have the appearance of being part of the building, structure or tunnel.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The facility must be located wholly within the building, structure or tunnel or must be integrated with the building, structure or tunnel in such a way as to have the appearance of being part of the structure.



Note: New buildings or works or alterations to existing buildings or works may require a planning permit under other provisions of the planning scheme.

5.10 A telecommunications facility located on a roof

This provision applies to a tower, antenna, ancillary equipment or housing located on a roof of a building or on a similar structure (such as a water tank).

Basis for this provision

The utilisation of roof tops of appropriate height avoids the need for a tower or similar structure to be built. A facility on the roof of a building is generally less intrusive than a new tower and is therefore encouraged as a design solution to minimise visual impact.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The telecommunications facility must not be attached to a building or structure listed in the schedule to the Heritage Overlay in the planning scheme.
- 3 An antenna support structure on a roof must not exceed 5m above the building height. Associated equipment must be screened or housed in an appropriate structure to minimise visual impact.
- 4 The telecommunications facility must not be located in a residential zone.
- 5 A radio communications dish must comply with the requirement No. 4 in section 5.6 – A radio communications dish.



Telecommunications facilities

5.11 A repeater installation

A repeater installation is used in situations where signal is required to be improved within a small area inside a building. Repeaters may be used inside retail outlets, shopping centres or commercial buildings to improve coverage to those buildings. A repeater installation consists of an external antenna, a small internal antenna and a small equipment box.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The repeater installation must consist only of an external yagi antenna no longer than 1.8m, located on the roof of the building with ancillary equipment located inside the building or structure. Any ancillary equipment located on the roof of the building or structure, must not be more than 450mm x 550mm x 250mm.

5.12 A telecommunications facility attached to infrastructure within a Road Zone – Category 1

Basis for this provision

Carriers are encouraged to use existing or proposed infrastructure along major highways, arterial roads and freeways to support telecommunications facilities providing coverage along these roads to avoid the need for additional structures.

The Road Zone – Category 1 applies to all roads declared under the *Transport Act 1983*.

Requirements

- 1 The design, location, installation and operation must be in accordance with the principles set out in section 4 of this code.
- 2 The telecommunications facility must not be attached to a building or structure listed in the schedule to the Heritage Overlay in the planning scheme.
- 3 The telecommunications facility must be located within a Road Zone – Category 1.
- 4 An antenna mounted on a road overpass must not exceed 2.8m in length.

- 5 A panel antenna incorporated into or mounted on an advertising sign, street lighting pole, directional sign or similar structure must not exceed 2.8m in length and must be coloured to minimise visual impact.
- 6 An omni-directional antenna incorporated into or mounted on an advertising sign, street lighting pole, directional sign or similar structure must not exceed 4.5m in length.
- 7 A transmission dish must not exceed 1.2m in diameter and must be coloured to match the background.
- 8 An internal or external equipment shelter must be appropriately sited out of trafficked areas and coloured to match the background.

5.13 An optical fibre ground wire on high voltage transmission towers

An optical fibre ground wire (OPGW) on high voltage transmission towers is an electricity ground wire with an optical fibre core located in the ground wire position of high voltage electricity towers.

Requirements

- 1 The OPGW cable must replace an existing electricity ground wire.
- 2 The OPGW cable must be located on a tower supporting power lines designed to operate at 220,000 volts or greater.

Ground wire



6 Some common questions

1. **Where are the requirements for a telecommunications facility found in planning schemes?**

The following provisions in planning schemes apply to telecommunications facilities:

The State planning policy for telecommunications facilities is set out in Clause 18-13. The provisions which apply to a telecommunications facility are set out in Clause 52.19.

As well as other matters, Clause 52.19 provides that no planning permit is required if a telecommunications facility is described in the Code and the specified requirements are met. Clause 52.19 also sets out decision guidelines which apply when a permit is required.

Clause 62.02 provides that no permit is required for buildings and works associated with a telecommunications facility which meets the requirements of the Code.

2. **Is a planning permit required for new aerial telecommunications cables in a street?**

Yes. Since 1 July 1997 planning requirements have generally applied to most telecommunications facilities. The *Telecommunications Act 1997* (Part 1 of Schedule 3) outlines exceptions to this rule, but does not exempt new aerial telecommunications cables unless they are a subscriber connection (see below).

3. **Is a permit required to connect a dwelling or other buildings to the telecommunication lines in the street (a subscriber connection)?**

No. The connection of a building, structure, caravan or mobile home to a telecommunications line forming part of a telecommunications network does not require a permit.

4. **Where can I find the Telecommunications Act 1997, the Telecommunications (Low-impact Facilities) Determination 1997 and the Telecommunications Code of Practice 1997?**

At the Australian Department of Communications, Information Technology and the Arts internet site at: <http://www.dcita.gov.au>.

5. **Can a Council include a local policy in a planning scheme which provides more stringent requirements than those set out in this Code?**

No. Clause 52.19 of planning schemes and this Code, provide consistent provisions for telecommunications facilities in Victoria.

6. **How is the issue of electromagnetic energy dealt with by planning schemes?**

The *Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz*, Arpansa, May 2002 provides restrictions for public exposure to radiofrequencies consistent with current world standards.

Before deciding an application for a telecommunications facility, Clause 52.19 of planning schemes requires the responsible authority to consider the principles and requirements set out in *A Code of Practice for Telecommunications Facilities in Victoria*. Principle 3 of this Code requires telecommunications facilities to be consistent with this standard.

7. **What is a 'site analysis and design response' required by the planning scheme?**

The planning scheme requires an application for permit to be accompanied by a site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria*.

The site analysis should include a site context plan, drawn to scale and identify and explain the design constraints and opportunities presented by the site and how the proposed facility will relate to the site and to the surrounding area. The site analysis should influence the siting and design of the facility consistent with the purpose and aims of the code.

The design response to the site analysis should explain how the proposed siting and design derives from the site analysis, how it relates to other buildings and works on the site and on surrounding land and how it achieves the aims and principles of the code.

Appendix

Clause 52.19 of all planning schemes in Victoria

52.19 Telecommunications facility

Purpose

To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.

To ensure the application of consistent provisions for telecommunications facilities.

To encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in section 4 of the *Planning and Environment Act 1987*.

To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

52.19-1 Application

These provisions apply to the construction of a building or the construction or carrying out of works associated with the use of land for a Telecommunications facility. They apply to the extent permitted under the *Telecommunications Act 1997* (Cwth) and determinations made under that Act by the Commonwealth Minister for Communications and the Arts, including the *Telecommunications (Low-impact Facilities) Determination 1997*.

52.19-2 Permit requirement

A permit is required to construct a building or construct or carry out works for a Telecommunications facility.

This does not apply to:

- Buildings and works associated with:
 - A low-impact facility as described in the *Telecommunications (Low-impact) Facilities Determination 1997*.
 - The inspection and maintenance of a Telecommunications facility as defined in the *Telecommunications Act 1997* (Cwth).
 - A facility authorised by a Facilities Installation Permit issued under the *Telecommunications Act 1997* (Cwth).
 - A temporary defence facility.
 - The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
 - Any Telecommunications facility described in *A Code of Practice for Telecommunications Facilities in Victoria* which complies with the requirements of the Code.
- Buildings and works associated with activities which are:
 - Authorised under Clause 6(2) of Division 3 of Schedule 3 of the *Telecommunications Act 1997* (Cwth).
 - Carried out by bodies listed in sections 46 to 51 (inclusive) of the *Telecommunications Act 1997* (Cwth) pursuant to legislation applying to those bodies.

52.19-3 Land in public ownership

An application for a permit on land in a public land zone by a person other than the relevant public land manager, must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

52.19-4 Exemption from notice and appeal

An application for a permit is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless:

- The Telecommunications facility is:
 - A radio communications dish greater than 1.2 metres in diameter or
 - A Telecommunications tower (other than a low-impact facility described in the *Telecommunications (Low-impact Facilities) Determination 1997*).
- The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay.
- The land is public land not in a public land zone and the responsible authority is not the public land manager.

52.19-5 Application requirements

An application for permit must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria*.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.

- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

52.19-6 Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria*.
- The effect of the proposal on adjacent land.
- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.

Telecommunications facilities

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