

NSW STATE ENVIRONMENTAL PLANNING POLICY [SEPP] (INFRASTRUCTURE) 2007 (INT/2010/05999)

Div 21, Part 3 re Telecommunications*

Summary of relevant provisions (for NBN Co Broadband proposal) prepared by S Gow, Director Planning, Armidale Dumaresq Council, NSW

Key: EX = Exempt Development
 WC = Permissible without Consent
 DA= Development Application/Consent required

Infrastructure Type	Co-located Telecomm. Network		Subscriber Connections			Tower	Mast	Other (eg Fibre Access Node)
	<i>On cables on existing Electricity poles</i>	<i>Underground</i>	<i>Co-located with electricity supply connection/ ACIF Compliant</i>	<i>Satellite Dishes</i>	<i>Other</i>			
SEPP Clause	114(3) + (5)		116(a)	116(b)	114(4) + (5)	114(2)		114/115
PUBLIC AUTHORITY	WC, new aerial cable must be consistent with ACIF Code		Exempt if consistent with cl.20 of SEPP #1	Exempt if consistent with cl.20 of SEPP #1	WC unless heritage affected #2, new aerial cable must be consistent with ACIF Code	WC, subject to 21 day prior written notice to Council/occupiers of land		WC
OTHER AUTHORITY						DA	DA	DA, new aerial cable must be consistent with ACIF Code

Notes:

#1 Cl. 20(2) provides:

(2) *To be exempt development, the development:*

- (a) *must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, and*
- (b) *if it is carried out in relation to an existing building, must not cause the building to contravene the Building Code of Australia, and*
- (c) *must be carried out in accordance with all relevant requirements of the Blue Book (Managing Urban Stormwater – Soils & Construction, Landcom 2004), and*
- (d) *must involve no more than minimal impact on the environment or amenity of the surrounding area, and*
- (e) *if it is likely to affect a State or local heritage item or a heritage conservation area, must involve no more than minimal impact on the heritage significance of the item or area.*

Note. *Other provisions of this Policy identify kinds of development that are exempt development if they meet the requirements of subclause (2).*

#2 Check cl. 67 and Schedule 2 of Armidale Dumaresq LEP 2008 re Heritage Issues for our area.

*** PTO for relevant definitions**

Definitions from cl. 113 of the SEPP:

ACIF Code means the Australian Communications Industry Forum Industry Code entitled ACIF C524:2004 *External Communication Cable Networks*.

subscriber connection means an installation for the sole purpose of connecting premises to a line forming part of a telecommunications network.

telecommunications facility means:

- (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.

telecommunications network has the same definition as it has in the Standard Instrument.

Note.

The Standard Instrument defines *telecommunications network* as follows:

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.