

PLANNING COMMITTEE MEETING

AGENDA

12 AUGUST 2015

at 10:30 AM

COPACC Meeting Rooms



Our Vision

Council will work together with our community to create a sustainable, vibrant future.

Our Mission

Council will work in partnership with our community and other organisations to provide:

- Effective leadership, governance and financial accountability
- Affordable and effective services
- An advocacy and engagement approach to sustainably grow our community

Our Values

Council will achieve its Vision and Mission by acting with:

- Respect
- Integrity
- Goodwill
- Honesty
- Trust

Our Strategic Direction

The four pillars of our Council Plan indicate our key strategic direction for 2013-2017.

An underlying principle in the development of the Council Plan was to more effectively integrate service delivery.

Pillar 1: Good Governance

Pillar 2: A Planned Future

Pillar 3: A Place to Live and Grow

Pillar 4: A Healthy Community and Environment

Our Councillors

Cr Frank Buchanan (Mayor), Cr Brian Crook (Deputy Mayor), Cr Michael Delahunty, Cr Stephen Hart, Cr Lyn Russell, Cr Chris Smith, Cr Terry Woodcroft.



Planning Committee Meeting

Welcome

Welcome to this Meeting of the Colac Otway Shire Council Planning Committee.

Planning Committee meetings are an important way to ensure that your democratically elected representatives are working for you in a fair and transparent way.

The Planning Committee makes decisions on planning permit applications where the proposals are outside of the delegation for decisions by planning officers.

About this meeting

There are a few things to know about today's meeting.

The agenda itemises all the matters to be discussed by the Committee.

Each report is written by a Council officer outlining the purpose of the report, all relevant information and a recommendation. The Committee will consider the report and either accept the recommendation or make amendments to it. All decisions of the Committee are adopted if they receive a majority vote from the Councillors present at the meeting.

A copy of the decision on any planning permit applications determined by the Committee, together with information relating to opportunities for review of these decisions by the Victorian Civil and Administrative Tribunal (VCAT) are circulated to all applicants and objectors after the meeting.

Recording of Meetings

All Council and Committee meetings are audio recorded. This includes the public participation sections of the meetings. Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy. In some circumstances a recording will be disclosed to a third party.

Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

Council will not use or disclose the recordings for any other purpose. It is an offence to make an unauthorised recording of the meeting.

Hearing of Submissions

The proponent and/or submitter may, at the approval of the Chairperson, be given an opportunity to have their views heard by the Planning Committee regarding an item listed on the agenda.

A written request should be received by Council two (2) days prior to the Planning Committee Meeting. The deadline for requests to be heard will close at 5.00pm on the Monday prior to each Meeting (except when Monday is a public holiday the close off will be Tuesday at 5.00pm).

One speaker on behalf of each party/group will be given the opportunity to be heard within a time restriction of 5 minutes. The applicant will be heard last, after any objectors.

All speakers are to be present at the beginning of the Planning Committee Meeting being held at 10.30am.

When the relevant item is listed for discussion, the Mayor/Chairperson will call your name and ask you to address the Committee.

COLAC-OTWAY SHIRE PLANNING COMMITTEE MEETING

12 AUGUST 2015

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NOTICE is hereby given that the next **PLANNING COMMITTEE MEETING OF THE COLAC-OTWAY SHIRE COUNCIL** will be held in COPACC Meeting Rooms on 12 August 2015 at 10.30am.

AGENDA

1. OPENING PRAYER

*Almighty God, we seek your
blessing and guidance in our
deliberations on behalf of the
people of the Colac Otway Shire.
Enable this Council's decisions to be
those that contribute to the true
welfare and betterment of our community.*

AMEN

2. PRESENT

3. APOLOGIES

4. MAYORAL STATEMENT

Colac Otway Shire acknowledges the original custodians and law makers of this land, their elders past and present and welcomes any descendants here today.

Colac Otway Shire encourages community input and participation in Council decisions.

Council meetings enable Councillors to debate matters prior to decisions being made. I ask that we all behave in a courteous manner.

All Council and Committee meetings are audio recorded, with the exception of matters identified as confidential items in the Agenda. This includes the public participation sections of the meetings.

Audio recordings of meetings are taken to facilitate the preparation of the minutes of open Council and Committee meetings and to ensure their accuracy.

In some circumstances a recording will be disclosed to a third party. Those circumstances include, but are not limited to, circumstances, such as where Council is compelled to disclose an audio recording because it is required by law, such as the Freedom of Information Act 1982, or by court order, warrant, or subpoena or to assist in an investigation undertaken by the Ombudsman or the Independent Broad-based Anti-corruption Commission.

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5. DECLARATION OF INTEREST

6. CONFIRMATION OF MINUTES

- Planning Committee held on the 08/04/15.

Recommendation

That Council confirm the above minutes.

7. VERBAL SUBMISSIONS FROM APPLICANTS/OBJECTORS

The Mayor is to read out the names of those applicants and objectors who have confirmed in writing that they wish to make a verbal submission. These verbal submissions will be made in relation to each respective agenda item and must be directly relevant to the respective agenda item. A time limit of 5 minutes will apply.

OFFICERS' REPORTS

Development & Community Services

- PC151208-1 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY
 (35 METRE MONOPOLE, ANTENNAS, EQUIPMENT CABINETS AND
 ASSOCIATED WORKS) AT 6395 HAMILTON HIGHWAY CRESSY
 (PP67/2015-1)
- PC151208-2 PLANNING AND BUILDING STATISTICAL REPORT

Sue Wilkinson
Chief Executive Officer

PC151208-1 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (35 METRE MONOPOLE, ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS) AT 6395 HAMILTON HIGHWAY CRESSY (PP67/2015-1)

AUTHOR:	Helen Evans	ENDORSED:	Brydon King
DEPARTMENT:	Development & Community Services	FILE REF:	F15/2622

Location: 6395 Hamilton Highway, Cressy

Zoning: Farming Zone (FZ)

Overlay controls: Nil

Proposed Amendments: Nil

Purpose:

A planning permit is sought for a telecommunications facility, comprising a 35 metre high monopole and associated antennas, equipment cabinets and works. The application is before the Planning Committee as the structure would be in excess of twenty (20) metres in height.

Declaration of Interests

No officer declared an interest under the *Local Government Act 1989* in the preparation of this report.

Summary

- The application seeks a planning permit for the use and development of the land for a telecommunications facility, comprising a 35 metre high monopole and associated antennas, equipment cabinets and works.
- The application has been submitted because NBN (National Broadband Network) Co. Ltd. has identified a requirement for a Fixed Wireless facility in Cressy. The facility is designed to provide fixed wireless internet services to dwellings in the Cressy area and beyond, in addition to serving as a key communications link for other NBN fixed wireless facilities in the Colac Otway Shire region.
- The application site is located within the Farming Zone on the southern side of the Hamilton Highway, Cressy. No overlays affect the site.
- The application was advertised by sending notice to property owners and occupiers within a one kilometre radius, with a sign also placed on the Hamilton Highway frontage of the site for a period of 14 days. In addition, notice of the application was placed in the Colac Herald. One objection was received to the application, primarily based on health concerns and potential landscape impact. After written consultation with the objector, the objection was withdrawn.
- The proposal is considered to generally comply with the Planning Scheme provisions and would achieve an acceptable outcome in the Farming Zone.

- Whilst the proposed monopole would be visible, it is considered that the overall community benefit of providing improved internet service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is considered that the application should be supported and it is recommended that a planning permit is issued.

Background

Council has been advocating strongly in recent years for improved telecommunications coverage in the Shire. There are many areas of the Shire such as Cressy that do not have reliable mobile coverage, which limits the capacity for these communities to communicate effectively in emergency situations, such as on high fire risk days. The lack of mobile coverage in these areas also limits the potential benefit of high speed broadband for the community, by reducing the ability of people living and working within the Shire to use that technology.

NBN Co. Ltd. is the organisation responsible for overseeing the upgrade of Australia's existing telecommunications network and for providing wholesale services to retail service providers. The NBN rollout is an upgrade to the existing telecommunications network. It is designed to provide Australians with access to fast, affordable and reliable internet and landline phone services. NBN Co. Ltd. plans to upgrade the existing telecommunications network in the most cost effective way, using best fit technology and taking into consideration existing infrastructure.

The NBN's fixed wireless network will use cellular technology to transmit signals to and from a small antenna fixed on the outside of a home or business, which is pointed directly towards the fixed wireless facility.

Although fixed wireless facilities are submitted to Council as standalone developments from a planning perspective, they are highly interdependent. Each fixed wireless facility is connected to another to form a chain of facilities that link back to the fibre network. This is called the 'transmission network'. The transmission network requires line of sight from facility to facility until it reaches the fibre network. A typical fixed wireless facility will include three antennas mounted above the surrounding area. Each antenna is designed to cover a set area to maximise signal strength. These network antennas communicate to a small antenna installed on the roof of each customer's home or business.

The proposed 35m high monopole has been designed to be an end connection point between Cressy East and the recently approved facility at Warrion Hill, which was one of a number of facilities approved across the Shire on 8 April 2015.

Issues / Options

Council has the options of:

- a) Supporting the application subject to conditions;
- b) Supporting the application subject to conditions with changes;
- c) Refusing to grant a permit.

Key issues in the consideration of this application relate to the visual impact of the development and the need for such a facility in this area. As noted above, there is a critical need for improved broadband service in the Shire which would be of significant benefit to the local community from a net community benefit point of view. It is recommended that Option a) is supported for the reasons outlined in the balance of this report.

Proposal

A planning permit is sought for the use and development of a telecommunications facility, comprising a 35 metre high monopole and associated antennas, equipment cabinets and works.

A Telecommunications Facility is defined as:

"Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications 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."

The proposed facility would be enclosed within a 100sqm fenced area. This would be located approximately 17m from Hamilton Highway (to the north) and 10m from Reddies Road (to the west). The proposal, which also includes a new 230m long gravel access track from the existing vehicle crossover point from Hamilton Highway to the compound, does not require the removal of any native vegetation from the land.

The proposed monopole would accommodate the following:

- a) Three (3) panel antennas measuring approximately 1,077mm x 300mm x 115mm at the 35 metre point;
- b) One (1) parabolic radio communication dish antenna at 29 metres; and
- c) Three (3) remote radio units mounted behind the antennas.

Associated facilities would include 2m high ground level cabinets, cable ladder and power distribution board, enclosed within a 10m square compound which would be secured by a 2.4m high chain wire fence.

The proposed facility would be powered by an underground power cable run from an existing power pole on Reddies Road. Noise and vibration emissions associated with the proposed facility are expected to be limited to the construction phase (7am to 6pm). Once installed low level noise is expected from the air conditioning associated with the equipment units (this is considered to be comparable to domestic units and background noise levels).

Upon completion of the works, the facility would require one annual maintenance visit and would remain unattended at all other times.

Site & Surrounds

The site is irregular in shape and is located on the southeast corner of the junction of Hamilton Highway and Reddies Road, Cressy. The lot is southeast of the Hamilton Highway and Colac Ballarat Road intersection. The lot is identified on title as Lot 2 TP259132Y. There are no restrictions or covenants on the title.

Whilst part of the lot on which the facility would be located is within an area of cultural heritage sensitivity, the area of the site in which the proposed compound and equipment would be sited is not. The site is located within the Farming Zone, as is the surrounding area. The lot, which is 98ha in area, is currently utilised for grazing/cropping and contains some established treed vegetation along the roadside boundaries and along some internal fence boundaries. Access to the site is via an existing crossover from Hamilton Highway.

The closest dwelling to the proposed compound is approximately 1.1km to the west on the edge of Cressy township, with another dwelling located 1.2km to the southeast (the latter is owned by the same landholder as the subject site).

The applicant submits the site is acceptable for the following reasons:

- a) The proposed site would provide the required fixed wireless coverage levels across Cressy and the surrounding area.
- b) Suitable setbacks from the site boundaries to take advantage of some nearby mature trees whilst limiting the amount of productive agricultural land used for the proposed facility in this corner of the property.
- c) The site is well removed from the township minimising concerns about visual impacts.
- d) The site is well removed from any surrounding dwellings and would not result in unreasonable visual amenity impacts.
- e) Available power connection from Reddies Road.
- f) Existing access into the site from Hamilton Highway could be utilised.

Site Selection Criteria

National Broadband Network Fixed Wireless locations are determined by a number of factors including the availability of both the NBN Co fibre transit network and the availability of Point of Interconnect (POI) facilities to allow for the installation of NBN Co. fibre equipment. New sites must be located within, or immediately adjacent to, the identified search area in order to be technically feasible. To determine a site's suitability, operational and geographical issues must be resolved; these include visual amenity, potential co-location opportunities, availability and suitability of the land, occupational health and safety, construction issues, topographical constraints, legislative policy constraints, environmental impacts and cost implications. When an area is identified as requiring Fixed Wireless coverage, investigations are undertaken to determine the measures required to provide this coverage. A number of candidate sites were examined within the search area to consider each site's ability to meet the coverage and objectives. Where possible, any existing infrastructure and co-location opportunities are considered.

Alternative options

- Road Reserve, Colac Ballarat Road, Cressy - Existing Telstra monopole
This option would be a co-location solution on the existing 35m Telstra monopole. This site is zoned Road Zone Category 1 and is located within the Golden Plains Shire. This alternative was not pursued as there was an issue with the lease and the ownership of the site, which had implications for a future lease. In addition, the existing monopole is structurally incapable of supporting any additional equipment.
- 175 Aerodrome Road Cressy
This option would involve a new 35m monopole on privately owned farmland immediately west of Reddies Road and directly opposite the proposed site. This site is also zoned Farming; however this site was not pursued as it was considered to be more exposed than the selected site due to the lack of roadside vegetation.

Public Notice

Public notice of the application was given in accordance with Section 52 of the *Planning and Environment Act* by sending a copy of the notice to adjoining property owners and occupiers within a one kilometre radius, and by posting a sign on the Hamilton Highway frontage on the site, for a period of 14 days. Notice of the application was also placed in the Colac Herald. One objection was received from a landholder to the west of the subject site.

The applicant provided a written response to address the objector's concerns and this was forwarded to the objector. The objection was withdrawn as a result of this correspondence.

Referrals

The application was referred internally to Council's Infrastructure, Health Protection and Building Units. No objections were raised.

In the event a permit is issued, the Infrastructure Unit has recommended that a condition and note be included on the permit relating to the access; these have been included in the recommendation at the end of this report.

Planning Controls

The land is in the Farming Zone (FZ) and no overlays affect the site. A planning permit is required under the following provisions:

- Clause 35.07-1 – use of land for a Telecommunications Facility (Farming Zone)
- Clause 35.07-4 – buildings and works associated with Section 2 Use (Farming Zone)
- Clause 52.19-2 – buildings and works for a Telecommunications Facility

a. State and Local Planning Policy

The State and Local Planning Policy Frameworks seek to ensure the objectives of planning in Victoria are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The following policies are relevant to the consideration of this application:

- Clause 12 – Environmental and Landscape Values
- Clause 15 – Built Environment and Heritage
- Clause 19.03-4 – Telecommunications
- Clause 21.02 – Vision
- Clause 21.03-8 – Smaller Townships

Clause 19.03-4 (Telecommunications) has the following objective:

“To facilitate the orderly development, extension and maintenance of telecommunication infrastructure.”

Clause 19.03-4 lists a number of strategies on how this objective can be achieved, including to “ensure that modern telecommunications are widely accessible to business, industry and the community” and to seek “a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure”. The clause states that a Planning Scheme should not prohibit the use of land for a telecommunications facility in any zone.

Council’s local policies state that to improve the viability of the small townships within the Shire, future planning needs to anticipate and respond to the needs of existing and future communities through the provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The proposed fixed wireless facility, in addition to others approved by Council earlier in 2015 will significantly upgrade broadband internet capacity within the Shire, and will assist in supporting the economic development of small towns and communities like Cressy.

The proposal is considered to accord with the principles of the State and Local Planning Policy Frameworks. The applicant has investigated alternative sites and found that no other option could provide the extent of service required to the area.

The applicant has provided an appropriate and reasonable justification for the selection of the subject site. It is considered there would be no unreasonable adverse visual impact to the environment by way of this proposal.

- b. Clause 62 Uses, Buildings, Works, Subdivisions And Demolition Not Requiring A Permit
Clause 62 provides exemptions to permit requirements for Telecommunications Facilities when the requirements of Clause 52.19 are met. In this instance, Clause 52.19 requirements have not been satisfied and therefore a planning permit is required for both the use and development of a Telecommunications Facility.

c. Zoning

The land is zoned Farming Zone (FZ). The purpose to the zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

A planning permit is required under the provisions of Clause 35.07-1 for the use of the land for a Telecommunications Facility, as such a use does not currently exist on the land. The exemption for telecommunications facilities in Clause 62.01 (Uses Not Requiring a Permit) does not apply, so the proposed use becomes a Section 2 use.

In addition, a permit is required under Clause 35.07-4 for buildings and works associated with a Section 2 Use in the Farming Zone.

d. Overlays

No overlays affect this site.

e. Particular Provisions - Clause 52.17 (Native Vegetation)

A planning permit is required for the removal, destruction or lopping of native vegetation. Underground cabling works are proposed with Reddies Road reserve. This road reserve is also subject to Vegetation Protection Overlay controls. As such, it was considered appropriate for the applicant to provide an ecologist's report on the area to ensure that works could be carried out without disturbance to the native vegetation. The Biosis Assessment (dated 28/5/2015) made recommendations for the alignment of the underground cabling that would avoid any impact to native vegetation, as well as identifying areas to be avoided during the works. As such, no planning approval is required for the removal of native vegetation; however it is considered appropriate to include a note (should a permit be issued), to ensure adherence to the recommendations in the Biosis Assessment.

f. Particular Provisions - Clause 52.19 (Telecommunications Facility)

Clause 52.19 (Telecommunications Facility) is relevant in the consideration of this application. The purpose of this provision is:

- *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 state-wide 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.*

Under the provisions of Clause 52.19-2, a permit is required to construct a building or construct or carry out works for a Telecommunications Facility. It is considered that a permit is required for the tower and associated cabinets under the provisions of Clause 52.19, as it is not identified as a Low Impact Facility or other exempt facility listed under Clause 52.19-2.

The decision guidelines of Clause 52.19 state that before deciding on an application, consideration should be given to:

- *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 the 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.*

A Code of Practice for Telecommunications Facilities in Victoria (July 2004) is an incorporated document in the Colac Otway Planning Scheme pursuant to Clause 81. The purpose of the code is to:

- *Set out 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.*

The principles in the Code of Practice for Telecommunications Facilities in Victoria are:

- *A telecommunications facility should be sited to minimise visual impact.*
- *Telecommunications facilities should be co-located wherever practical.*
- *Health Standards for exposure to radio emissions will be met.*
- *Disturbance and risk relating to siting and construction should be minimized.*
- *Construction activity and site location should comply with State environmental protection policies and best practice environmental management guidelines.*

Consideration of the Proposal

The grey colouring and materials to be used in the construction of the monopole would assist in blending it in with the surrounding natural sky/landscape setting. It is considered that the monopole would be consistent with the purpose of the zone, as it would provide for improved telecommunications which would be beneficial to the Cressy area and surrounds. The proposed monopole would provide the level of internet service coverage required, being a critical connection point between this site and the proposed facility at Warrion Hill, whilst having a minimal impact on the surrounding area.

As previously noted, other candidate sites were examined within the search area for co-location opportunities. It is noted that the applicant has considered all the potential options. As co-location is not a feasible option, the proposal would ensure the proposed telecommunications equipment would be located at a point that would allow for suitable signal dispersal to the surrounding area.

It is considered that the proposed monopole development would remain consistent with the provisions of the Farming Zone, occupying only a small area (10m by 10m) and allowing for the retention of productive agricultural land on the remainder and larger part of the lot. The proposed compound would be located in a corner of the lot.

Principles in the Code of Practice for Telecommunications Facilities in Victoria**a. A telecommunications facility should be sited to minimise visual impact**

It is accepted that the proposed monopole, due to its height, proximity and location, would inevitably be seen from adjacent and surrounding roads, which is an unavoidable outcome. It is considered that the proposed facility would be suitably sited adjacent to nearby mature vegetation along Reddies Road and Hamilton Highway to minimise the potential visibility of the monopole.

The combination of the distance from neighbouring dwellings, and the site being well removed from the township area and well set back from the Hamilton Highway and Reddies Road, would assist in reducing the potential visual impact of the facility. It is considered that the proposed location would strike an acceptable balance between visual impact and community benefit.

On balance, it is considered that the proposed telecommunications facility would be appropriately sited to minimise visual impact on the landscape setting and that it would not unreasonably compromise existing landscape views.

b. Telecommunications facilities should be co-located wherever practical

A number of candidate sites were examined within the search area to establish if they could meet the coverage requirements and network objectives. Where possible, any existing infrastructure and co-location opportunities were considered. The applicant has confirmed that the existing Telstra tower nearby on Colac Ballarat Road was considered for co-location purposes but was not a practical option for reasons already explained in this report.

NBN Co. has advised that, in this particular instance, no co-location opportunities were deemed to be viable and, as such, a new structure is required to be constructed to provide coverage for the NBN wireless service. In view of this, it is considered that the applicant has considered the option of co-location and Principle B has been addressed.

c. Health standards for exposure to radio emissions will be met

The applicant has advised that NBN installations are designed and certified by qualified professionals in accordance with all relevant Australian Standards. This is to ensure that the NBN Co. facility would not result in any increase in the level of risk to the public.

The applicant has advised that the proposal has been designed and would be installed to satisfy the requirements contained within Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, ARPANSA, May 2002 (Standard).

As part of the application submission, the applicant has included an Electromagnetic Energy (EME) Report. The report demonstrates that the proposed facility complies with the Standard, with the maximum predicted EME equating to 0.18% of the maximum public exposure limit. This is considered to be substantially less than the 1% of the minimum allowable exposure limit (where 100% of the limit is still considered to be safe).

It is also noted that there are a number of VCAT decisions which state that potential health risks do not constitute material planning grounds that can be relied upon by objectors where the applicant has demonstrated that the proposed tower would be able to satisfy the relevant Australian Standard with respect to electro-magnetic radiation.

Of note is the case of *Mason v Greater Geelong CC* (16 December 2013). This has been identified by VCAT as a Red Dot Decision. 'Red Dot decisions' are cases identified by VCAT as being of interest or significance. The Red Dot summary in this case notes:

"Public health concerns about electromagnetic radiation are often raised in planning cases about a telecommunications facility. However, it is not the role of VCAT to second-guess the expert authorities that regulate the area.

The Australian Communications and Media Authority has set a clear regulatory standard – the ARPANSA standard - under Commonwealth law, to protect the health or safety of those who may be affected by the operation of a telecommunications network or facility from the potential impacts of electromagnetic radiation. Compliance with that standard has been effectively incorporated into the Victorian planning framework through clause 52.19 of all Victorian planning schemes and the requirements of 'A Code of Practice for Telecommunications Facilities in Victoria'. VCAT cannot look behind the ARPANSA standard where it will be met, nor does it have the expertise to do so.

The amount of electromagnetic radiation emitted by a telecommunications facility may well be a legitimate issue of public concern. However, VCAT is not a forum for addressing all issues of social or community concern, nor is it an investigative body. It cannot give great weight to unsupported assertions about public health concerns in the context of an individual planning application, particularly in relation to matters outside its own expertise or beyond the limited ambit of its statutory role or discretion in relation to that application. Accordingly, VCAT is not the appropriate forum where generalised opposition to telecommunications facilities based on public health concerns can or should be raised. It is a waste of the parties' and the Tribunal's resources as, ultimately, VCAT is essentially bound to apply the ARPANSA standard.

Allowing objectors to continue to air their concerns about electromagnetic radiation at a VCAT hearing creates false expectations about the role of VCAT and the ambit of its discretion, and the extent to which it can realistically deal with such issues.

It follows that objectors should not raise the issue of electromagnetic radiation in VCAT proceedings about telecommunications facilities where the ARPANSA standard will be met. If they attempt to do so in their statements of grounds in the future, they can anticipate that the issue will be summarily dismissed without debate."

Similarly, it is not the role of Council to make determinations on matters outside its own areas of expertise or beyond the limited ambit of its statutory role or discretion in relation to an application.

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

It is considered that the immediate area already comprises a modified environment. It is considered that any disturbance to the site in this location would be minimal and limited to the proposed compound area, the power line and access track given its proximity to the property boundary. The applicant has advised that the installation of the proposed facility can be undertaken at any time and it is not anticipated it would affect the use of the site or the surrounding area. Underground cabling is proposed in the Reddies Road reserve however it is proposed to avoid the native vegetation within the road reserve.

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

The applicant has advised that the construction of the facility is designed to be carried out in accordance with relevant Occupational Health and Safety Guidelines.

The proposal has been assessed against the relevant criteria and policies as detailed above. It is considered overall that the purpose of the Code of Practice has been satisfied. It is also considered that the proposed monopole has satisfactorily addressed the principles for design, siting, construction and operation of the Code of Practice for Telecommunications facility.

Council Plan / Other Strategies / Policy

A Planned Future

Creates an attractive shire with quality buildings and spaces, accessible travel and transport, and a community that has the services and facilities it needs now and in the future; supports a prosperous economy where trade, manufacturing and business activity flourishes.

Our Goal:

Facilitate the growth, liveability and development of the shire and encourage innovation and efficiency in the local economy.

A Place to Live and Grow

Is a community where people feel cared for and supported; where buildings and spaces facilitate creativity, social activity and enrichment of life, and people have access to gain the skills and education needed to reach their potential.

Our Goal:

Improve access to buildings, spaces, services and education to support and enable quality of life.

The Council Plan notes, in relation to access to technology:

- Colac Otway has the highest proportion of homes without internet connection of all Great South Coast municipalities, 19% below the Victorian average and the lowest in the Barwon South West.
- Growing community demand to communicate with Council via social media.
- Demand for increased online services.
- Access to the National Broadband Network (NBN) is expected to be available in Colac, Colac East and Elliminyt beginning in February 2016 and across the Shire by mid 2016.

As noted in this report, the proposal would assist in addressing these disadvantages for the community, by continuing the current expansion of network coverage.

Financial & Other Resource Implications

The proposal raises no financial or resourcing implications for Council.

Risk Management & Compliance Issues

If the proposal was to proceed, it would contribute significantly to enhancing the capacity of the local community and fire agencies to communicate in emergency situations, which is particularly important for the Shire given its high wildfire risk.

Environmental Consideration / Climate Change

Any relevant environmental considerations have been addressed within this report.

Communication Strategy / Consultation Period

Public notice of the application was required in accordance with Section 52 of the *Planning and Environment Act*, as discussed earlier in the report.

Conclusion

Allowing the proposal would significantly improve internet telecommunications service coverage in this part of the Shire, being important for coverage at Cressy, but also as part of a wider network of NBN fixed wireless facilities to the south. The proposal is consistent with the Planning Scheme provisions and should be approved, subject to conditions.

Attachments

1. PP67 2015-1 Planning Permit Application
2. PP67 2015-1 Site Maps
3. PP67 2015-1 Aerial Map
4. PP67 2015-1 Response to objector

Recommendation(s)

That Council's Planning Committee resolves to issue a Planning Permit for the use and development of a telecommunication facility (35 metre high monopole) and associated antennas, equipment cabinets and works at 6395 Hamilton Highway Cressy (Lot 2 TP259132Y) subject to the following conditions:

Endorsed Plans

1. ***The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the Responsible Authority.***

Amenity

2. ***The nature and colour of building materials employed in the construction of the structures hereby permitted must be non-reflective, to the satisfaction of the Responsible Authority.***
3. ***The monopole and associated equipment hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Access

4. ***Prior to the commencement of the development hereby permitted, vehicular access in accordance with the submitted plans must be constructed to the satisfaction of the Responsible Authority.***

Removal of facility

5. ***In the event that the telecommunications facility hereby permitted ceases to be operational, the facility must be decommissioned and removed from the site in its entirety within 12 months of the use ceasing, and the land must be re-instated, all to the satisfaction of the Responsible Authority.***

Expiry

6. ***This permit will expire if one of the following circumstances applies:***
 - a) ***The development is not commenced within two years of the date of this permit.***
 - b) ***The development is not completed and the use has not commenced within four years of the date of this permit.***

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six (6) months afterwards, or if the request for the extension of time is made within 12 months after the permit expires and the development started lawfully before the permit expired.

Notes

- 1. Prior to commencement of development, an application to undertake works within the road reserve must be submitted to and approved by the Council.***
- 2. No native vegetation removal is allowed by this permit. It is therefore recommended that the proposed underground cabling follows the advice provided in the Biosis letter dated 28 May 2015 (Reference 20028) to avoid disturbing the native vegetation present in the Reddies Road reserve.***

~~~~~v~~~~~

Planning Enquiries  
Phone: (03) 5232 9412 ☐☐  
Web: [www.colacotway.vic.gov.au](http://www.colacotway.vic.gov.au) ☐☐

|                     |              |
|---------------------|--------------|
| Office Use Only     | Fee: \$      |
| Application No.:    | Receipt No.: |
| Date Lodged: / /    | Ward:        |
| Date Allocated: / / | Zone(s):     |
| Allocated to:       | Overlay(s):  |

## Application for Planning Permit

Use this form to make an application for a planning permit and to provide the information required by section 47 of the *Planning and Environment Act 1987* and regulations 15 and 38 of the *Planning and Environment Regulations 2005*.

Supplementary information requested in this form should be provided as an attachment to your application. ☒ Please print clearly or complete the form electronically (refer to How to complete the Application for Planning Permit form).

### Privacy notice

▲ Information collected with this application will only be used to consider and determine the application. It will be made available for public inspection in accordance with section 51 of the *Planning and Environment Act 1987*.

### Need help with the application?

If you need help to complete this form, read *How to complete the Application for Planning Permit form*. For more information about the planning process, refer to *Planning: a Short Guide*. These documents are available from your local council, the Planning Information Centre (Ph: 03 9637 8610, 8 Nicholson Street, Melbourne), or [www.dse.vic.gov.au/planning](http://www.dse.vic.gov.au/planning).

Contact council to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

- ① Has there been a pre-application meeting with a council officer?

☒ Yes ☐ No

If yes, with whom?: Helen Evans - email exchange

Date: 2 / 7 / 20 / 2 / 20 / 15

### The land

- ② Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

#### Street Address

Street No.: 6395

Street Name: Hamilton Highway

Suburb/Locality: Cressy

Postcode: 3 3 2 2

#### Formal Land Description

▲ This information can be found on the certificate of title.

Lot No.: 1 & 2

on Lodged Plan, Title Plan or Subdivision Plan No.: 259132Y

OR

Crown Allotment No.:

Section No.:

Parish Name:

- ③ Title information.

☒ ☒ Attach a full, current copy of title information for each individual parcel of land, forming the subject site.

- ④ Describe how the land is used and developed now.  
eg. single dwelling, three dwellings, shop, factory, medical centre with two practitioners, licensed restaurant with 80 seats.

Farmland with dwelling

- ⑤ Plan of the land.

☒ ☒ Attach a plan of the existing conditions. Photos are also helpful.

## The proposal

**▲** You must give full details of your proposal and attach the information required to assess the application.

If you do not give enough detail or an adequate description of the proposal you will be asked for more information. This will delay your application.

- ⑥ For what use, development or other matter do you require a permit?

Read *How to complete the Application for Planning Permit form* if you need help in describing your proposal.

Use and development for a telecommunications facility comprising a 35 metre monopole, associated antennas and equipment units.

- ⑦ Additional information about the proposal.

Contact council or refer to council planning permit checklists for more information about council's requirements.

☒ Attach additional information providing details of the proposal, including:

- ☒ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.
- ☒ Plans showing the layout and details of the proposal.
- ☒ If required, a description of the likely effect of the proposal (eg. traffic, noise, environmental impacts).

- ⑧ Encumbrances on title.

Encumbrances are identified on the certificate of title.

Is the land affected by an encumbrance such as a restrictive covenant, section 173 agreement or other obligation on title such as an easement or building envelope?

- ☒ No, go to 9.
- ☐ Yes, ☒ Attach a copy of the document (instrument) specifying the details of the encumbrance.
- Does the proposal breach, in any way, the encumbrance on title?
- ☐ No, go to 9.
- ☐ Yes, contact council for advice on how to proceed before continuing with this application.

### Note

Council must not grant a permit that authorises anything that would result in a breach of a registered restrictive covenant (sections 61(4) and 62 of the *Planning and Environment Act 1987*). Contact council and/or an appropriately qualified person for advice.

## Costs of buildings and works/permit fee

Most applications require a fee to be paid. Where development is proposed, the value of the development affects the fee. Contact council to determine the appropriate fee.

- ⑨ Estimated cost of development for which the permit is required.

Cost \$ 230,000.00

**▲** You may be required to verify this estimate.

Write 'NIL' if no development is proposed (eg. change of use, subdivision, removal of covenant, liquor licence)

- ⑩ Do you require a receipt for the permit fee?

☒ Yes ☐ No

## Contact, applicant and owner details

**(11)** Provide details of the contact, applicant and owner of the land.

### Contact

The person you want Council to communicate with about the application.

|                               |                               |                                     |                                   |
|-------------------------------|-------------------------------|-------------------------------------|-----------------------------------|
| Name:                         | David Hughes                  |                                     |                                   |
| Organisation (if applicable): | Aurecon                       |                                     |                                   |
| Postal address:               | PO Box 23061                  |                                     |                                   |
| Docklands VIC                 | Postcode:                     | 8                                   | 0 1 2                             |
| Contact phone:                | 9975 3165                     | <input checked="" type="checkbox"/> | Indicate preferred contact method |
| Mobile phone:                 | 0408 055217                   | <input type="checkbox"/>            |                                   |
| Email:                        | david.hughes@aurecongroup.com | <input checked="" type="checkbox"/> |                                   |
| Fax:                          | 9975 3444                     | <input type="checkbox"/>            |                                   |

### Applicant

The person or organisation who wants the permit.

|                                                                           |
|---------------------------------------------------------------------------|
| <input type="checkbox"/> Same as contact. If not, complete details below. |
| Name:                                                                     |
| Organisation (if applicable): Aurecon, for Ericsson                       |
| Postal address: PO Box 23061                                              |
| Docklands VIC                                                             |
| Postcode: 8 0 1 2                                                         |

### Owner

The person or organisation who owns the land.

|                                                                                                                               |                                            |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Same as contact                                                                                      | <input type="checkbox"/> Same as applicant |
| Where the owner is different from the applicant or contact, provide the name of the person or organisation who owns the land. |                                            |
| Name (if applicable): N & W Nelson                                                                                            |                                            |
| Organisation (if applicable):                                                                                                 |                                            |
| Postal address: Cressy                                                                                                        |                                            |
| Postcode:                                                                                                                     |                                            |

## Checklist

**(12)** Have you?

|                                     |                                                                                                  |
|-------------------------------------|--------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Filled in the form completely?                                                                   |
| <input type="checkbox"/>            | Paid or included the application fee?                                                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Attached all necessary supporting information and documents? |
| <input checked="" type="checkbox"/> | Completed the relevant council planning permit checklist?                                        |
| <input checked="" type="checkbox"/> | Signed the declaration on the next page?                                                         |

## Declaration

- ⑬ This form must be signed.  
Complete one of A, B or C

⚠ Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

**A Owner/Applicant**

I declare that I am the applicant and owner of the land and all the information in this application is true and correct.

Signature

Date: / /

**B Owner**

I declare that I am the owner of the land and I have seen this application.

Signature

Date: / /

**Applicant**

I declare that I am the applicant and all of the information in this application is true and correct.

Signature

Date: / /

**C Applicant**

I declare that I am the applicant and:

- I have notified the owner about this application;
- and all the information in this application is true and correct.

Signature

Date: 11/03/2015

## Lodgement

Lodge the completed and signed form and all documents with:

Colac-Otway Shire ☐☐  
PO Box 283, ☐COLAC VIC 3250☐  
2-6 Rae Street, COLAC VIC 3250☐☐  
Telephone: (03) 5232 9412 ☐☐  
Fax: (03) 5232 1046 ☐☐  
Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) ☐☐  
TTY: (03) 5231 6787☐☐

For help or more information



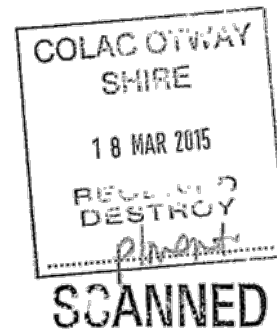


Our Ref: 3COL-51-07 CREY

11 March 2015

Bláithín Butler  
Acting Manager Planning and Building  
Colac Otway Shire Council  
PO Box 283  
Colac VIC 3250

Dear Bláithín,



**Planning Permit Application for a Proposed Fixed Wireless NBN (Telecommunications) Facility at 6395 Hamilton Highway, Cressy, VIC 3322 (NBN Ref: Cressy East)**

I refer to our previous meeting at Council of 20<sup>th</sup> October 2014 about NBN proposals for the Colac Otway Shire area. As you are aware a number of planning applications have been lodged with Council already. This site at Cressy was originally a co-location with a Telstra facility in the Golden Plains Shire area. However, that site cannot proceed for a number of reasons and an alternative site is required. The alternative site is at 6395 Hamilton Highway, Cressy, and the proposal is for a 35 metre monopole and associated facilities.

NBN Co has engaged Ericsson as the equipment vendor and project manager to establish the infrastructure required to facilitate the fixed wireless component of the National Broadband Network (NBN). Ericsson has in turn engaged Aurecon to act on its behalf in relation to the establishment of the required fixed wireless network infrastructure.

The NBN is an upgrade to Australia's existing telecommunications network. It is designed to provide Australians with access to fast, affordable and reliable internet and landline phone services.

To enable the provision of these services to the local community, NBN Co has undertaken a thorough analysis of potential site alternatives and during this process has attempted to select the most appropriate site. Factors such as the ability to meet the required coverage and technical objectives, opportunities for co-location, the surrounding landscape and community needs have all been carefully considered as part of this selection process

Based on this assessment, NBN Co determined that the above address would be the most appropriate location to establish a facility so as to provide high speed wireless broadband coverage to Cressy and surrounds. This would also serve as a key communications anchor point for other NBN Wireless facilities in the wider Colac Otway Shire Council region.

Please find enclosed an application for a planning permit and supporting information for a proposed telecommunications facility comprising a 35 metre high monopole along with ancillary components at the above address which forms part the NBN fixed wireless infrastructure.

The application is accompanied by:

- Duly completed planning permit application form;
- Planning report detailing compliance with the Colac Otway Planning Scheme;
- A recent copy of title;
- Site Photos;
- Three (3) copies of the preliminary drawing pack @ A3;

With respect to the application fee, we request Council issue a tax invoice and this will be paid as soon as received. Could this please be emailed to [david.hughes@aurecongroup.com](mailto:david.hughes@aurecongroup.com). We trust that you have all the necessary information to commence your assessment of this application. Should you require any additional information regarding this application, please do not hesitate to contact me on (03) 9975 3165.

Yours faithfully,



David Hughes  
Senior Planner

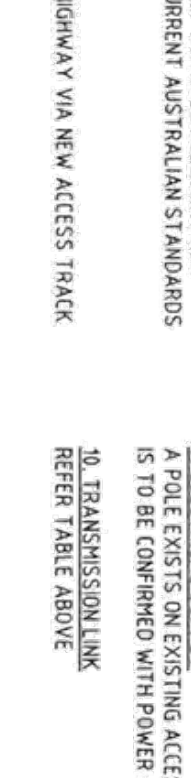
Aurecon on behalf of  
**Ericsson**



Aurecon Australia Pty Ltd, ABN 54 005 139 873  
850 Collins Street, Docklands, VIC 3008  
PO Box 23061, Docklands, VIC, 8012  
Telephone: 03 9975 3333 Facsimile: 03 9975 3444  
E-Mail: [melbourne@aurecongroup.com](mailto:melbourne@aurecongroup.com)

## SITE INFORMATION:


1. SITE ADDRESS  
6395 HAMILTON HWY, CRESSY, VIC 3322
2. GENERAL  
THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, CURRENT AUSTRALIAN STANDARDS AND SPECIFICATIONS
3. SITE ACCESS  
SITE ACCESS FROM HAMILTON HIGHWAY VIA NEW ACCESS TRACK UNDER POWER LINES
4. EQUIPMENT  
PROPOSED NBN OUTDOOR CABINET TO BE INSTALLED ON A CONCRETE SLAB WITHIN THE NBN LEASE AREA
5. STRUCTURE  
NBN 35m HIGH MONOPOLE
6. ANTENNA ACCESS  
ANTENNAS ARE TO BE ACCESSED USING LADDER WITH LAD-SAF BY RIGGER QUALIFIED PERSONNEL ONLY
7. EXISTING SERVICES  
THE CONTRACTOR SHALL IDENTIFY AND CONFIRM THE LOCATION OF ALL RELEVANT EXISTING SERVICES AS REQUIRED PRIOR TO THE COMMENCEMENT OF WORKS
8. EXISTING SITE HAZARDS  
- SUN EXPOSURE  
- ANIMALS AND INSECTS
9. ELECTRICAL SUPPLY  
A POLE EXISTS ON EXISTING ACCESS TRACK. FINAL SUPPLY POINT IS TO BE CONFIRMED WITH POWER AUTHORITY.
10. TRANSMISSION LINK  
REFER TABLE ABOVE



**ANTENNA SETOUT PLAN**

SCALE 1:50

|                                              |    |
|----------------------------------------------|----|
| DESIGNER:                                    | AT |
| CHECKED:                                     | JK |
| APPROVED:                                    | GM |
| Drawing Title:<br><b>SITE SPECIFIC NOTES</b> |    |



Aurecon Australia Pty Ltd ABN 54 005 130 873

|                               |                                       |
|-------------------------------|---------------------------------------|
| <b>PRELIMINARY</b>            |                                       |
| 02 14.03.15 PRELIMINARY ISSUE | 03 24.02.16 PRELIMINARY ISSUE (DRAFT) |
| Rev                           | Date                                  |
| Revision Details              |                                       |

NETWORK

SITE No: 3COL-51-07-CREY

**CRESSY EAST**

6395 HAMILTON HWY

CRESSY

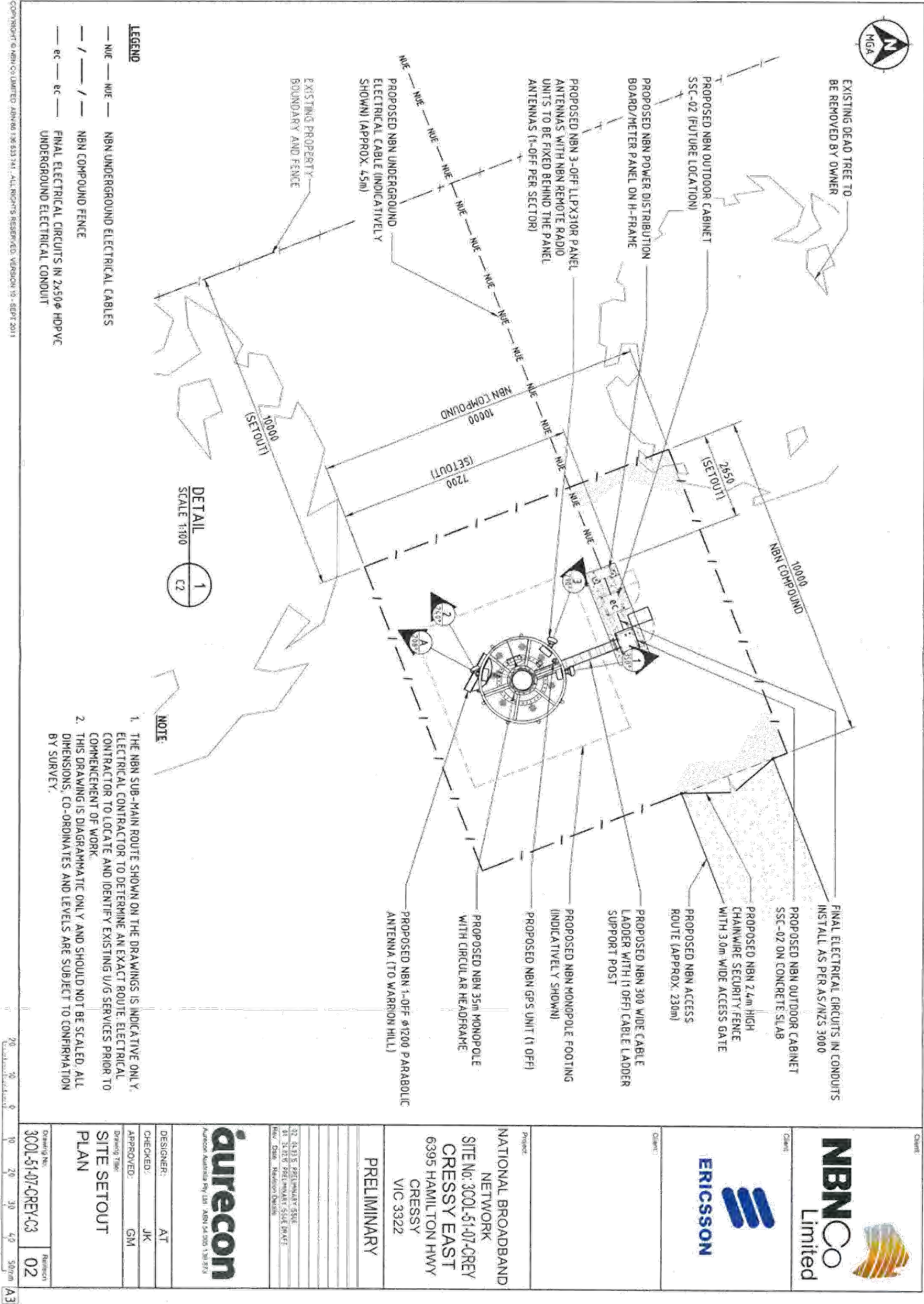
VIC 3322

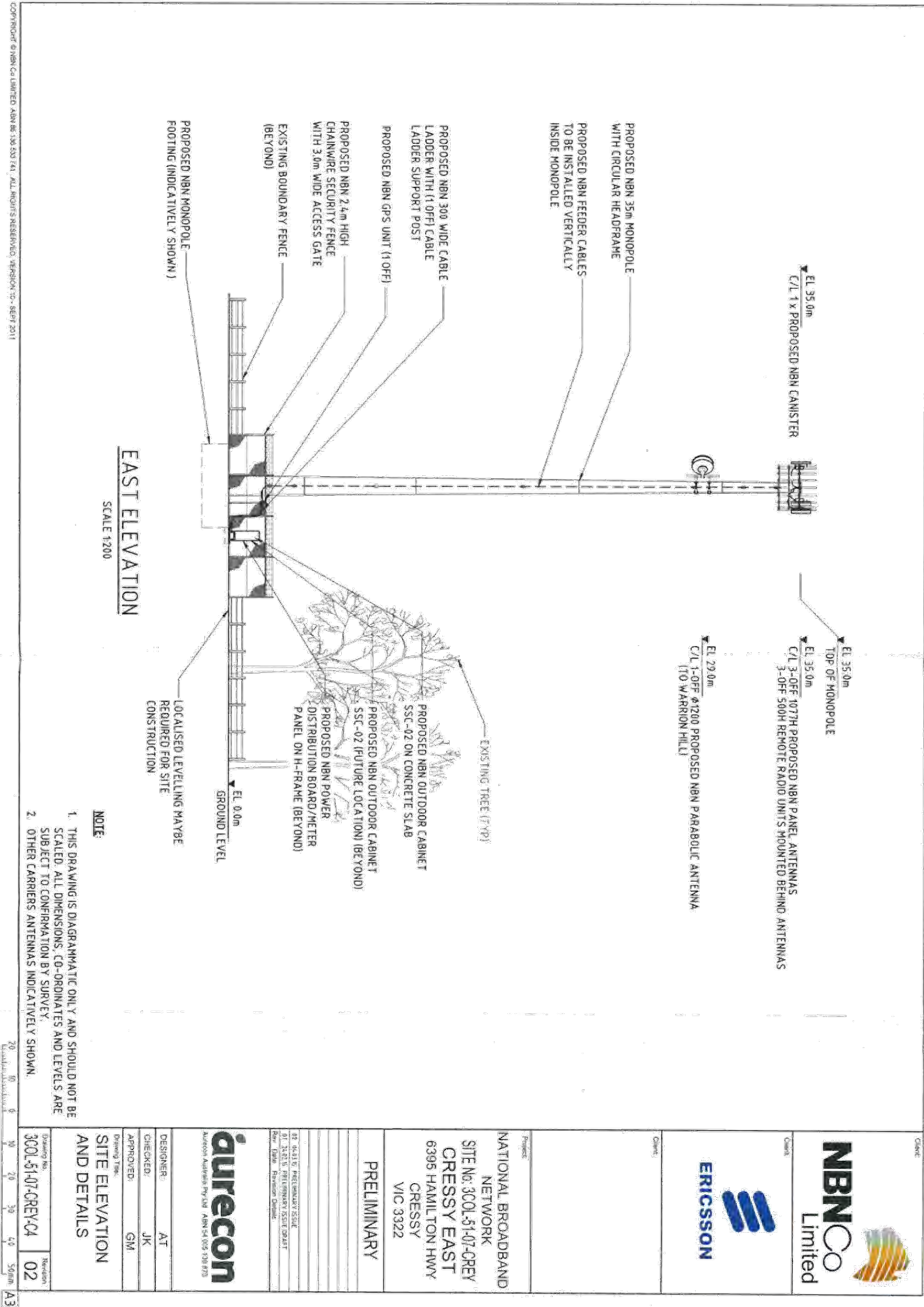
PRELIMINARY















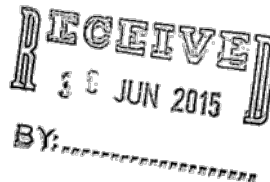
Aurecon Australia Pty Ltd  
850 Collins Street  
Docklands Victoria 3008  
PO Box 23061  
Docklands Victoria 8012  
Australia

ABN 64 005 139 873  
T +61 3 9975 3333  
F +61 3 9975 3444  
E melbourne@aurecongroup.com  
W aurecongroup.com



Our Ref: NBN Cressy East

30 June 2015



Helen Evans  
Statutory Planner  
Colac Otway Shire Council  
PO Box 283  
Colac VIC 3250

Dear Helen,

**NBN Planning Permit Application PP67/2015-1: Proposed Fixed Wireless NBN (Telecommunications) Facility at 6395 Hamilton Highway, Cressy – response to objection**

Thank you for forwarding the objection received in relation the above application.

We provide the following responses to the matters raised.

#### **Lack of Planned and Co-ordinated Approach**

We submit that the proposal represents a planned and co-ordinated approach to the provision of NBN services. As Council is aware from previous meetings, plus applications already considered and approved, this site is part of a network of sites in the Colac Otway Shire. This site has been deliberately planned and sited to not only provide NBN services to Cressy, but to provide a necessary transmission link to the site approved at Warrion Hill (Alvie) as part of the network of NBN sites in the Shire area.

#### **Visual Amenity**

The objection notes the proposed site as being within 1km of the centre of Cressy. It is actually approximately 1.9kms from the centre of Cressy utilising "google earth". The closest dwelling on the eastern side of the town is approximately 1km away. At such a distance the proposed facility would be a very small object in the distance, if seen at all. In our assessment, there would be no detrimental visual impacts given the isolation of the site and the rural surrounds.

We therefore reiterate that the proposal readily meets the planning scheme and the Code of Practice for Telecommunications Facilities in Victoria (July 2004) requirement in Principle 1 as outlined in the planning submission, that a telecommunications facility should be sited to minimise visual impact.

#### **EME and Health Concerns**

Much of the objection focuses on issues of health concerns. In our planning submission we have addressed this in Section 8.7. A predictive EME report was also provided which assessed the maximum predicted EME to equate to 0.18% of the ARPANSA RF Standard. We therefore reiterate that the proposal meets the planning scheme and the Code of Practice for Telecommunications Facilities in Victoria (July 2004) requirement in Principle 3, that Health standards for exposure to radio emissions will be met.

Council is well that this (amongst others) ground of objection has been commented on numerous times where telecommunications facility applications have been the subject of Applications for Review with VCAT. VCAT has reiterated that this and other particular grounds of objection are not planning



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Docklands Victoria 3008  
PO Box 23061  
Docklands Victoria 8012  
Australia

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T +61 3 9975 3333  
F +61 3 9975 3444  
E [melbourne@aurecongroup.com](mailto:melbourne@aurecongroup.com)  
W [aurecongroup.com](http://aurecongroup.com)



grounds that may be relied upon at a hearing. Deputy President Helen Gibson reiterated these thoughts in a Practice Day Hearing on 11<sup>th</sup> January, 2013 (VCAT Reference No's. P3000/2012 & P3039/2012).

In that decision, she also listed relevant planning considerations which can be relied upon and these included visual impact, noise, amenity, access and compliance with State and Local Planning Policy.

We believe the relevant planning issues have been properly addressed in the planning submission and in our response to this objection. I have enclosed a copy of the VCAT decision for your reference.

We therefore submit the proposal readily meets all relevant planning scheme considerations, will provide net community benefits in the form of improved telecommunications services, and should therefore be supported by Council.

We look forward to Council's further consideration of the application. Should you have any queries, please do not hesitate to contact me on (03) 9975 3165.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D Hughes'.

David Hughes  
Senior Planner

Aurecon on behalf of  
Ericsson

Page 1 of 5



## Victorian Civil and Administrative Tribunal

[\[Database Search\]](#) [\[Name Search\]](#) [\[Recent Decisions\]](#) [\[Noteup\]](#) [\[Download\]](#) [\[Context\]](#) [\[No Context\]](#)  
[\[Help\]](#)

**Last Updated: 13 February 2013**

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

ADMINISTRATIVE DIVISION

PLANNING AND ENVIRONMENT LIST VCAT REFERENCE NOS. P3000/2012  
& P3039/2012  
PERMIT APPLICATION NOS. 02259 &  
02258

## CATCHWORDS

APPLICANTS  
P3000/2012

Ann Marshall & David Gangur, Con &  
Angela Nicolouleas  
Gary and Julie Hill

P3039/2012

**RESPONSIBLE AUTHORITY**

Ararat Rural City Council

## RESPONDENTS

P3000/2012

NBN Co Ltd

P3039/2012

NBN Co Ltd

### SUBJECT LAND

P3000/2012

76 Bowen Mine Road

MOYSTON VIC 3377

P3039/2012

POMONAL VIC 3381

WHERE HELD

55 King Street, Melbourne

BEFORE

Helen Gibson, Deputy President

HEARING TYPE

### Practice Day Hearing

DATE OF HEARING

11 January 2013

DATE OF ORDER

22 January 2013

### CITATION

↔ Marshall ↔ & Ors v Ararat Rural CC [2013]  
VCAT 90

## ORDER

1. Pursuant to section 127 and clause 64 of Schedule 1 of the Victorian Civil and Administrative Tribunal Act 1998 the permit applications in these proceedings are amended by changing the

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2013/90.html?stem=0...> 20/03/2013

Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)

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name of the permit applicant to:

NBN Co Ltd

2. In Application P3000/2012 pursuant to section 127 of the *Victorian Civil and Administrative Tribunal Act 1998*, the notice of decision to grant a permit is amended by including in "What will the permit allow?" the following:

Telecommunications tower (NBN Wireless).

3. These applications are listed for hearing together in Ballarat on **Monday 22 April 2013** for one day.
4. The applications shall be heard together and any evidence given in the proceedings is admissible in relation to each application, where relevant.
5. At the hearing, the applicants/objectors may only rely upon relevant planning matters and not those grounds ruled to be not relevant.

Helen Gibson  
Deputy President

**APPEARANCES:**

|                                   |                                               |
|-----------------------------------|-----------------------------------------------|
| For Ann Marshall and David Gangur | Ms Ann Marshall                               |
| For Con and Angela Nicolouleas    | Mr Nicolouleas, in person                     |
| For Gary and Julie Hill           | Mr Gary Hill by telephone                     |
| For Ararat Rural City Council     | Mr Joel Hastings by telephone                 |
| For NBN Co Ltd                    | Mr Jeff Lynn, solicitor, of Ashurst Australia |
| For NBN Co Ltd                    | Mr Jeff Lynn, solicitor, of Ashurst Australia |

**REASONS**

1. Each of these proceedings is an application under section 82 of the *Planning and Environment Act 1987* against a decision by the responsible authority to grant a permit for a Telecommunication Tower (NBN Wireless).<sup>[1]</sup> The towers will be part of the National Broadband Network (NBN), which is being implemented by the Federal Government.
2. The purposes of the Practice Day Hearing were :
  - o To consider the future conduct of the proceeding. This may include a consideration of dates, duration; mediation and/or venue.
  - o To consider the validity of certain statements of grounds.
3. A number of the statements of grounds of objectors seek to raise and rely upon the following issues:
  - o Potential health risks from electro-magnetic radiation and the like;
  - o Lack of consultation with the community;
  - o Alternative locations for the towers;
  - o Opposition to details of the NBN programme and a preference for alternative technologies;
  - o Loss of property values.
4. These are not planning grounds that may be relied upon at the hearing. There have been a

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2013/90.html?stem=0...> 20/03/2013

Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)

Page 3 of 5

number of previous Tribunal decisions concerning telecommunications facilities, which have reached this conclusion with respect to similar statements of grounds.

5. The leading case is *Hyett v Shire of Corangamite*<sup>[2]</sup>. This case considered a mobile telephone base station and was determined by a Tribunal comprising the President, Justice Kellam and Member Marsden.

#### Health risk

6. With respect to health hazards of electro-magnetic radiation from mobile phone tower installations, the Tribunal held that whilst the objectors' beliefs were sincerely held, the Tribunal is obliged to apply the relevant regulatory standards as it finds them, not to pioneer standards of its own. The creation of new standards is a matter for other authorities.<sup>[3]</sup> This principle has been followed in numerous other decisions wherein the Tribunal has found that a telecommunications facility is obliged to meet the relevant standards that apply but it is not a basis to reject an application for reasons relating to potential health impacts if the relevant standards are met.<sup>[4]</sup>
7. In the present case, the towers will be required to meet relevant Australian Standards with respect to electro-magnetic radiation. I therefore rule that potential health risks are not relevant planning grounds that may be relied upon by objectors at the hearing.

#### Alternative sites

8. Arguments about whether there is a preferable alternative site are not relevant to the matters that the Tribunal must decide. As the Tribunal said in *Hyett*:

The basic question which falls for decision is whether **this particular site** is suitable for the proposed facility. The Tribunal is not required to determine whether other sites may offer a preferable alternative. Indeed such an inquiry would call for a much greater level of additional information which is simply not before the Tribunal.<sup>[5]</sup>

9. I therefore rule that arguments about whether there are better alternative sites are not relevant.

#### Lack of consultation

10. Objectors' arguments that there has been inadequate consultation with communities about the proposed telecommunications towers are not relevant either. A hearing before the Tribunal is a hearing *de novo*. The Tribunal stands in the shoes of the responsible authority and the matter is decided afresh. How the responsible authority may have handled the processing of the permit applications and the communications by the permit applicant with the community will not be matters that the Tribunal will take into consideration.

#### Opposition to NBN and preference for alternative technologies

11. A number of objectors oppose aspects of the NBN and consider that existing or alternative technologies are preferable.
12. Implementation of the NBN is a decision of the Federal Government over which the Tribunal has no control. The Tribunal's sole consideration is whether it is appropriate, in planning terms, to locate the proposed telecommunications tower on the specific pieces of land to which those applications apply.

#### Loss of property values

13. It has long been held that loss of property values is not a relevant planning consideration.

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2013/90.html?stem=0...> 20/03/2013



Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)

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What are relevant planning considerations?

14. There are a range of other grounds that objectors have raised, which are relevant planning considerations. They include :
  - o Visual impact
  - o Noise
  - o Amenity
  - o Access
  - o Compliance with State and Local planning policy
15. The objectors should focus on these type of issues at the hearing. At the practice day hearing I distributed to those parties present copies of three cases<sup>[6]</sup>, which reflect my rulings about matters that are and are not relevant. They may be useful for parties to consider when preparing for the hearing. A copy will be sent to any parties who appeared by telephone, rather than in person.

Hearing

16. The hearing will be at Ballarat when a number of similar cases concerning telecommunications towers associated with the NBN will be heard by the same Tribunal member. These two proceedings will be scheduled for hearing together on the same day. Subject to further direction by the Tribunal conducting the hearing, the permit applicant, NBN Co Ltd will commence the hearing by presenting any evidence common to both proceedings of a technical nature. Parties will then make their presentations in respect of each separate site in the order of responsible authority, objectors, and permit applicant, followed by a brief right-of-reply and *without prejudice* discussion of conditions.
17. The permit applicant requested mediation. I have considered this request but consider that the disparity of views and the likely length of the hearing do not support a direction for mediation. This does not prevent the permit applicant discussing issues with objectors informally prior to the hearing and potentially reaching a consent position.

Helen Gibson  
Deputy President

[1] I note that in Application P3000/2012 the notice of decision to grant a permit does not include what the permit will allow. This appears to be an omission, which I have rectified pursuant to my powers under section 127 of the *Victorian Civil and Administrative Tribunal Act 1998*. If the description of *Telecommunications Tower (NBN Wireless)* is inaccurate, any modifications to what the permit allows can be made by the Tribunal, which will hear and determine these proceedings, if it determines to grant a permit.

[2] [1999] VCAT 794

[3] [1999] VCAT 794 at page 7

[4] For example, see *Telstra Ltd v Mornington Peninsula Shire Council* [2005] VCAT 863; *Hutchison 3G Australia Pty Ltd v Hobsons Bay City Council* [2005] VCAT 1470; *Optus Mobile Ltd v Whittlesea City Council* [2003] VCAT 968; *Telstra Corporation Ltd v Casey City Council* [2005] VCAT 2348.

[5] *Hyett v Corangamite Shire Council* [1999] VCAT 794 at page 5

[6] *Hyett v Corangamite Shire Council* [1999] VCAT 794; *Telstra Corporation Ltd v Casey City Council* [2005] VCAT 2348; and *Hutchison 3G Australia Pty Ltd v Hobsons Bay City Council* [2005] VCAT 1470.

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2013/90.html?stem=0...> 20/03/2013

Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)

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URL: <http://www.austlii.edu.au/au/cases/vic/VCAT/2013/90.html>

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/vic/VCAT/2013/90.html?stem=0...> 20/03/2013

**PC151208-2****PLANNING AND BUILDING STATISTICAL REPORT**

|             |                                  |           |             |
|-------------|----------------------------------|-----------|-------------|
| AUTHOR:     | Melanie Duve                     | ENDORSED: | Brydon King |
| DEPARTMENT: | Development & Community Services | FILE REF: | F11/2683    |

**Summary****Planning Statistics**

30 Planning Permit Applications were received for the period 1 July 2015 – 31 July 2015.

35 Planning Permit Applications were considered for the period 1 July 2015 – 31 July 2015.

Attached is information on planning application decisions made during the month of July, along with monthly comparison of planning permit and subdivision activity.

**Building Statistics**

The attached building statistics are updated to July 2015.

**Attachments**

1. Planning Statistical Report - July 2015 - AGENDA COPY

**Recommendation(s)**

***That Council's Planning Committee note the statistical report for July 2015.***

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PLANNING STATISTICAL REPORT – JULY 2015 – (DETERMINATIONS)

APPLICATION NUMBER	DATE RECEIVED	LOCATION	PROPOSAL	STATUTORY DAYS	DATE DETERMINED	DETERMINATION AND AUTHORITY
277/2014-1	23-DEC-14	6 JOSEPH COURT KENNETT RIVER	BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF A DOUBLE-STOREY DWELLING	17	3-JUL-15	PERMIT ISSUED BY DELEGATE
5/2015-1	23-DEC-14	215 BACK LARPENT ROAD LARPENT	RESUBDIVISION OF THE LAND INTO TWO (2) LOTS	81	16-JUL-15	REFUSAL TO GRANT BY DELEGATE
20/2015-1	27-JAN-15	140 PARKES LODGE ROAD BARONGAROOK	BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF A DWELLING AND REMOVAL OF NATIVE VEGETATION	99	16-JUL-15	PERMIT ISSUED BY DELEGATE
35/2015-1	12-FEB-15	3/15A MANIFOLD STREET COLAC	CONSTRUCTION OF A CARPORT	14	22-JUL-15	PERMIT ISSUED BY DELEGATE
55/2015-1	17-MAR-15	8 MAIN STREET BIRREGURRA	DISPLAY BUSINESS IDENTIFICATION SIGNAGE	106	15-JUL-15	PERMIT ISSUED BY DELEGATE
61/2015-1	19-MAR-15	119A MAIN STREET BEEAC	BUILDINGS AND WORKS COMPRISING THE CONSTRUCTION OF A DWELLING	9	16-JUL-15	PERMIT ISSUED BY DELEGATE
86/2015-1	9-APR-15	4 MORLEY AVENUE WYE RIVER	WORKS ASSOCIATED WITH ALTERING DRIVEWAY, PARKING, RETAINING WALLS AND STAIRS TO DWELLING	7	16-JUL-15	PERMIT ISSUED BY DELEGATE
99/2015-1	1-MAY-15	7 EDMUNDSON STREET BIRREGURRA	CREATION OF A DRAINAGE EASEMENT	83	23-JUL-15	PERMIT ISSUED TO DELEGATE
107/2015-1	12-MAY-15	95 TRIGGS ROAD IRREWARRA	USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND PRIMARY PRODUCE SALES	40	21-JUL-15	PERMIT ISSUED BY DELEGATE
108/2015-1	12-MAY-15	60 PASCOE STREET APOLLO BAY	USE AND DEVELOPMENT OF LAND FOR ACCOMMODATION – TWO (2) HOLIDAY CABINS	54	28-JUL-15	PERMIT ISSUED BY DELEGATE
116/2015-1	18-MAY-15	125 HART STREET ELLIMINYT	ALTERATIONS AND ADDITIONS TO EXISTING BUILDING AND BUSINESS IDENTIFICATION SIGNAGE (SACRED HEART PRIMARY SCHOOL)	25	30-JUL-15	PERMIT ISSUED BY DELEGATE
123/2015-1	20-MAY-15	5 CAMPBELL COURT APOLLO BAY	USE AND CONSTRUCTION OF A SHED	46	6-JUL-15	PERMIT ISSUED BY DELEGATE

APPLICATION NUMBER	DATE RECEIVED	LOCATION	PROPOSAL	STATUTORY DAYS	DATE DETERMINED	DETERMINATION AND AUTHORITY
125/2015-1	25-MAY-15	13 SANDERSON LANE FORREST	CONSTRUCTION OF A DWELLING	39	3-JUL-15	PERMIT ISSUED BY DELEGATE
127/2015-1	26-MAY-15	42 HART STREET COLAC	USE OF THE LAND FOR A MEDICAL CENTRE (SPEECH PATHOLOGY), WAIVER OF TWO CAR SPACES AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE	48	21-JUL-15	PERMIT ISSUED BY DELEGATE
132/2015-1	2-JUN-15	615 KILLALA ROAD APOLLO BAY	ALTERATIONS AND ADDITIONS TO EXISTING DWELLING	49	21-JUL-15	PERMIT ISSUED BY DELEGATE
133/2015-1	3-JUN-15	18-28 DALTON STREET COLAC EAST	CONSTRUCTION OF A SILO FOR EXISTING CONCRETE BATCHING PLANT	33	6-JUL-15	PERMIT ISSUED BY DELEGATE
135/2015-1	4-JUN-15	1525 IRREWILLIPE ROAD IRREWILLIPE EAST	BUILDINGS AND WORKS (EXTENSION TO AGRICULTURAL SHED)	49	23-JUL-15	PERMIT ISSUED BY DELEGATE
136/2015-1	5-JUN-15	2-14 CLARK STREET COLAC EAST	CONSTRUCTION OF A REPLACEMENT SKIN SALTING FACILITY, CHILLERS, CAR PARK AND ASSOCIATED WORKS FOR EXISTING ABATTOIR	10	7-JUL-15	PERMIT ISSUED BY DELEGATE
137/2015-1	10-JUN-15	910 WILD DOG ROAD APOLLO BAY	BUILDINGS AND WORKS COMPRISING AN EXTENSION TO AN AGRICULTURAL SHED	29	9-JUL-15	PERMIT ISSUED BY DELEGATE
140/2015-1	12-JUN-15	205-207 MURRAY STREET COLAC	CHANGE OF LICENCE CATEGORY FROM BYO LICENCE CAFÉ TO RESTAURANT AND CAFÉ LICENCE	43	27-JUL-15	PERMIT ISSUED BY DELEGATE
141-2015-1	12-JUN-15	25 RED JOHANNA ROAD JOHANNA	BUILDINGS AND WORKS COMPRISING AN EXTENSION TO AN OUTBUILDING	21	29-JUL-15	PERMIT ISSUED BY DELEGATE
142/2015-1	15-JUN-15	465 PRINCES HIGHWAY COLAC WEST	USE OF THE LAND FOR A VEHICLE STORE AND BUILDINGS AND WORKS ASSOCIATED WITH A VEHICLE STORAGE SHED	36	21-JUL-15	PERMIT ISSUED BY DELEGATE

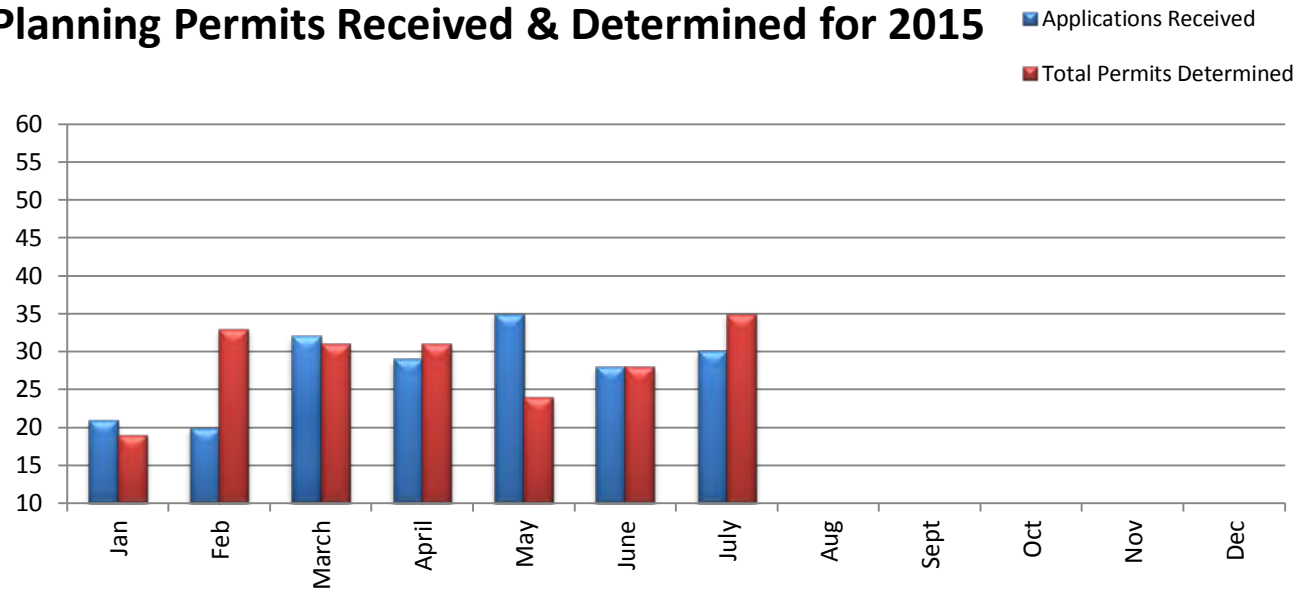
APPLICATION NUMBER	DATE RECEIVED	LOCATION	PROPOSAL	STATUTORY DAYS	DATE DETERMINED	DETERMINATION AND AUTHORITY
147/2015-2	27-JUL-15	7 MAIN STREET BIRREGURRA	BUILDINGS AND WORKS TO THE EXISTING DWELLING (REMOVAL OF DAMAGED/ERODED CHIMNEY AND RELOCATION OF WINDOW, REPLACE DOORS AND WINDOWS)	2	29-JUL-15	PERMIT ISSUED BY DELEGATE
149/2015-1	18-JUN-15	71 GELLIBRAND STREET COLAC	BUSINESS IDENTIFICATION SIGNAGE AND INTERNALLY ILLUMINATED SIGNAGE (RETROSPECTIVE APPROVAL)	36	24-JUL-15	PERMIT ISSUED BY DELEGATE
150/2015-1	22-JUN-15	119-243 HART STREET COLAC	CONSTRUCTION OF A STORAGE SHED	11	3-JUL-15	PERMIT ISSUED BY DELEGATE
159/2015-1	1-JUL-15	96-98 GELLIBRAND STREET COLAC	DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE	5	30-JUL-15	PERMIT ISSUED BY DELEGATE
160/2015-1	1-JUL-15	28 DENNIS STREET COLAC	DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE	5	6-JUL-15	PERMIT ISSUED BY DELEGATE
161/2015-1	2-JUL-15	20 WARROWIE ROAD IRREWARRA	CONSTRUCTION OF SCANNER CONTROL ROOM AND RAISE SECTION OF SORTER FOR EXISTING AKD TIMBER MILL	1	15-JUL-15	PERMIT ISSUED BY DELEGATE
162/2015-1	2-JUL-15	85 SPRINGS ROAD YEO	CONSTRUCTION OF A STORAGE SHED	22	24-JUL-15	PERMIT ISSUED BY DELEGATE
174/2015-1	14-JUL-15	75 CANTS ROAD ELLIMINYT	BUILDINGS AND WORKS COMPRISING EXTENSION TO DWELLING	17	31-JUL-15	PERMIT ISSUED BY DELEGATE

APPLICATION NUMBER	DATE RECEIVED	LOCATION	PROPOSAL	STATUTORY DAYS	DATE DETERMINED	DETERMINATION AND AUTHORITY
242/2014-1	28-NOV-14	2700 GREAT OCEAN ROAD HORDERN VALE	USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND BUILDING FOR GROUP ACCOMMODATION AND ASSOCIATED WORKS	52	31-JUL-15	NOTICE OF DECISION BY DELEGATE
216/2014-1	7-NOV-14	1 MURRELL STREET BIRREGURRA	FOUR (4) LOT SUBDIVISION	131	10-JUL-15	NOTICE OF DECISION BY DELEGATE
215/2014-1	7-NOV-14	94 BEAL STREET BIRREGURRA	FOUR (4) LOT SUBDIVISION	137	17-JUL-15	NOTICE OF DECISION BY DELEGATE
2/2015-1	6-NOV-14	18 OTWAY AVENUE SKENES CREEK	CONSTRUCTION OF A NEW DWELLING	106	23-JUL-15	NOTICE OF DECISION BY DELEGATE
69/2015-1	24-MAR-15	249 POUND ROAD COLAC	SUBDIVISION OF LAND INTO EIGHTEEN (18) LOTS	76	23-JUL-15	NOTICE OF DECISION BY DELEGATE
AVERAGE STATUTORY DAYS TO DETERMINE PLANNING APPLICATIONS				44		

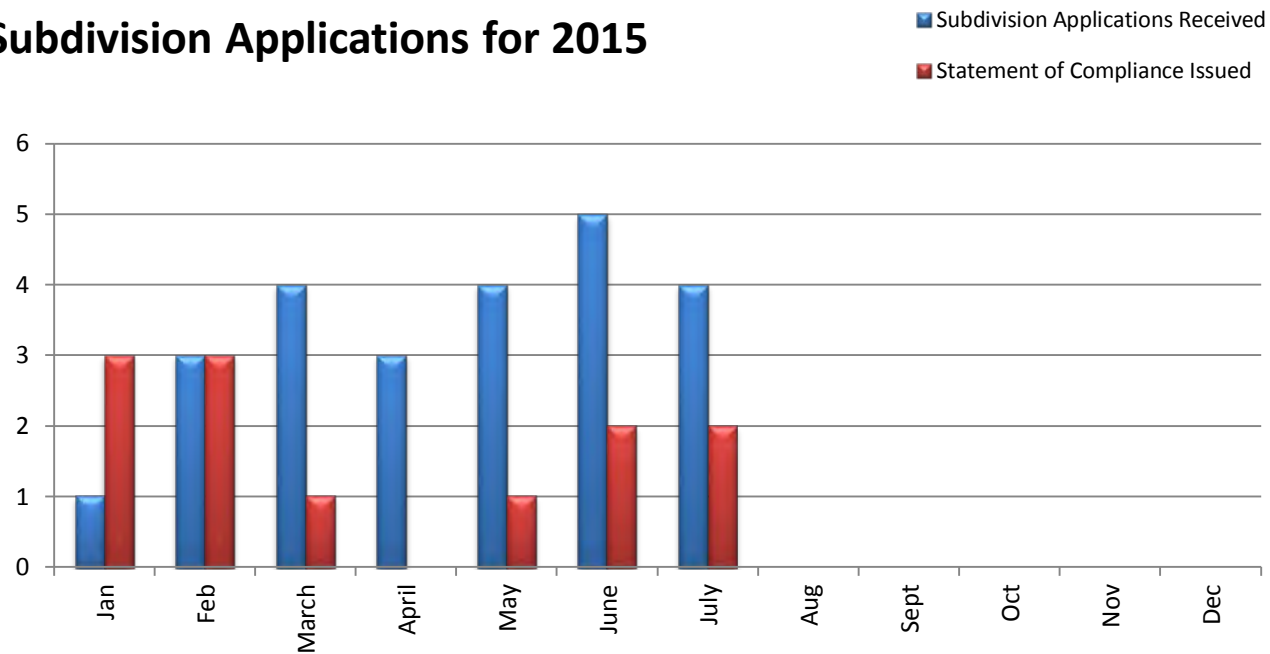
PLANNING STATISTICAL REPORT – JULY 2015 (PERMITS NOT REQUIRED, WITHDRAWN AND LAPSED APPLICATIONS)

APPLICATION N NUMBER	DATE RECEIVED	LOCATION	PROPOSAL	STATUTORY DAYS	DATE DETERMINED	DETERMINATION AND AUTHORITY
138/2014-1	6-OCT-14	81-85 HEARN STREET COLAC	SIXTEEN (16) LOT SUBDIVISION	1	1-JUL-15	LAPSED
68/2015-1	24-MAR- 15	43-45 QUEEN STREET COLAC	USE OF THE LAND FOR AN INDOOR RECREATION FACILITY (GYM) AND DISPLAY BUSINESS IDENTIFICATION SIGNAGE	56	16-JUL-15	WITHDRAWN
163/2015-1	2-JUL-15	28 DENNIS STREET COLAC	REDUCTION IN CAR PARKING REQUIREMENTS ASSOCIATED WITH THE USE OF THE SITE AS A SHOP	8	10-JUL-15	WITHDRAWN
TOTAL AVERAGE STATUTORY DAYS (ALL APPLICATIONS)				42		

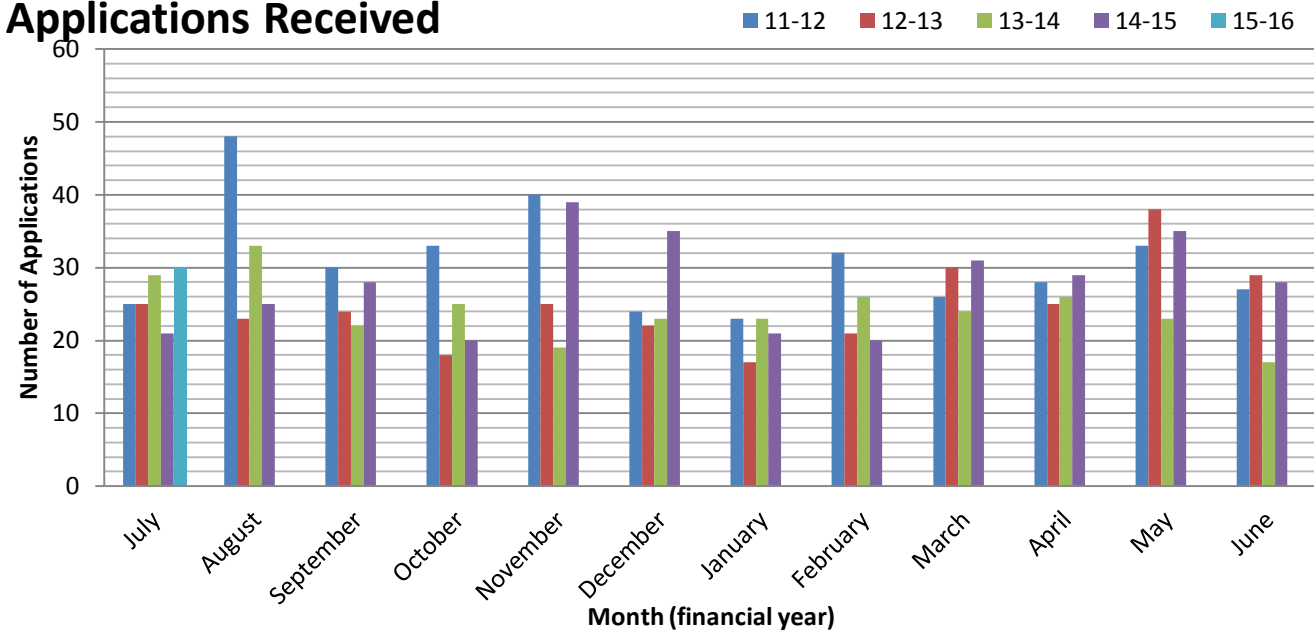
Planning Permits Received & Determined for 2015



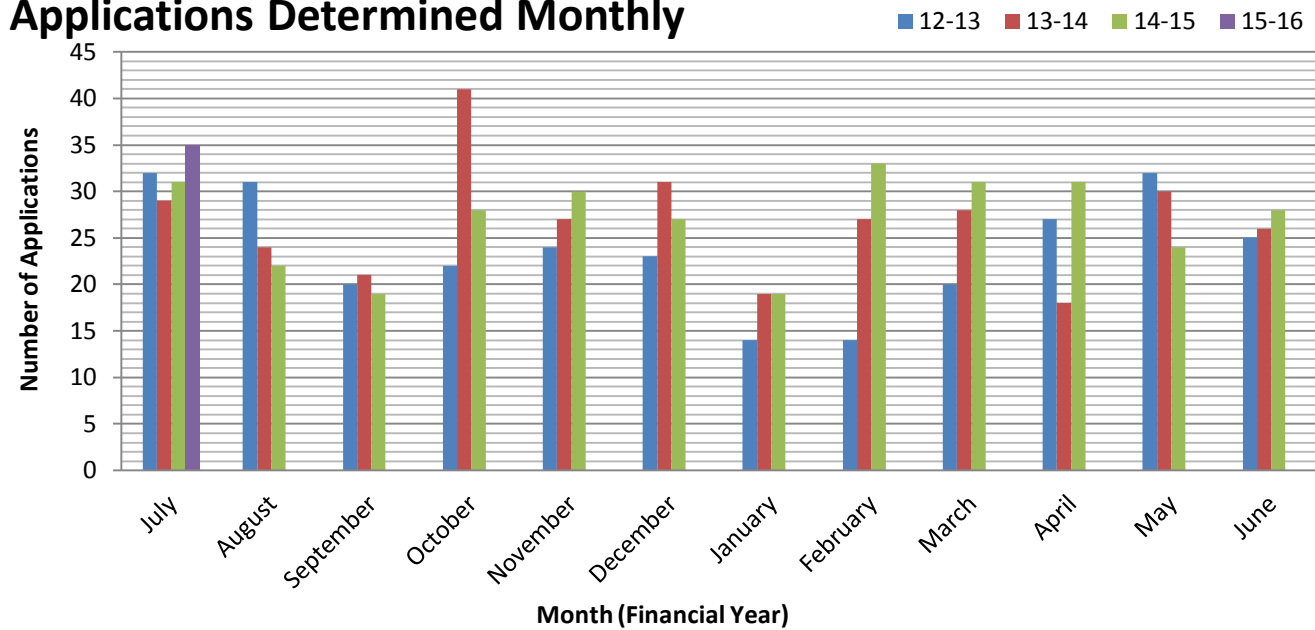
Subdivision Applications for 2015



Applications Received



Applications Determined Monthly



BUILDING DEPARTMENT REPORT – TOTAL BUILDING PERMITS 2015 (YEAR TO DATE)

	New Dwelling		Domestic (Other)		New Commercial		Commercial (Other)		New Public/Health		Public/Health (Other)		Municipal Totals	
	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)
Jan	3	603,312	24	301,464	0	-	2	226,231	0	-	1	83,160	30	1,214,167
Feb	9	2,064,347	34	1,330,763	0	-	3	641,100	0	-	0	-	46	4,036,210
Mar	10	2,359,250	29	1,125,268	0	-	1	10,000	1	9,984	3	283,428	44	3,787,930
Apr	5	1,329,665	25	821,915	2	218,000	2	34,900	0	-	1	67,922	35	2,472,402
May	7	1,904,700	22	1,693,746	1	1,937,500	2	265,000	0	-	0	-	32	5,800,946
Jun	8	1,331,603	24	1,226,888	0	-	1	56,000	0	-	0	-	33	2,614,491
Jul	6	1,380,503	17	589,791	0	-	1	8,678	0	-	0	-	24	1,978,972
Aug														
Sep														
Oct														
Nov														
Dec														
Total	48	10,973,380	175	7,089,835	3	2,155,500	12	1,241,909	1	9,984	5	434,510	244	21,905,118

Note: Current month figures are to date only.

BUILDING DEPARTMENT REPORT – YEARLY COMPARISON (CURRENT YEAR TO DATE)

	New Dwelling		Domestic (Other)		New Commercial		Commercial (Other)		New Public/Health		Public/Health (Other)		Municipal Totals	
	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)	No.	Value (\$)
2011	130	34,883,520	259	11,427,948	11	4,897,695	21	1,768,619	1	550,000	15	2,041,271	437	55,569,053
2012	112	37,509,600	259	9,248,333	12	9,024,422	22	2,272,199	2	2,913,411	15	4,057,333	422	65,025,298
2013	113	30,065,304	252	11,629,479	8	620,000	24	1,526,120	7	3,849,610	10	6,707,886	414	54,398,399
2014	103	33,310,220	248	9,141,465	6	6,185,846	15	1,032,065	7	641,868	13	12,890,553	392	63,202,017
2015	48	10,973,380	175	7,089,835	3	2,155,500	12	1,241,909	1	9,984	5	434,510	244	21,905,118

Note: Current year figures are to date only.

Definition (Examples)	New Dwelling	Domestic (Other)	New Commercial	Commercial (Other)	New Public/Health		Public/Health (Other)
	Dwellings Multi Development Re-Erection	Extension/Alteration Verandah/Deck Shed/Garage Swimming Pool	Office Shop Restaurant Factory /Warehouse	Extension/Alteration Fit Out Demolition	Hospital Medical Clinic School	Hall Church Utilities	Extension/Alteration Demolition

