

PLANNING COMMITTEE MEETING

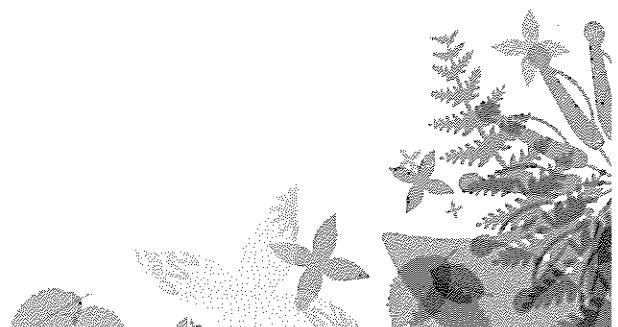
AGENDA

8 APRIL 2015

at 10:30 AM

COPACC Meeting Rooms

Next Meeting:
13 May 2015 at 4.00pm
COPACC Meeting Rooms, Colac





Colac Otway SHIRE

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

8 APRIL 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 8 April 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 descendents 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 11/03/15.

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

Sustainable Planning and Development

- PC150804-1 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (40 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 105 CORUNNUN ROAD COROROOKE (PP247/2014-1)
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- PC150804-6 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 175 TRASKS ROAD WARNCOORT (PP259/2014-1)
- PC150804-7 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 50 BARONGAROOK ROAD, BARONGAROOK (PP266/2014-1)
- PC150804-8 PLANNING & BUILDING STATISTICAL REPORT

Sue Wilkinson
Chief Executive Officer

PC150804-1 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (40 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 105 CORUNNUN ROAD COROROOKE (PP247/2014-1)

AUTHOR:	Helen Evans	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Location: 105 Corunnun Road, Cororooke

Zoning: Farming Zone (FZ)

Overlay controls: Environmental Significance Overlay Schedule 1 (ESO1 – Warrion Groundwater Area)

Proposed Amendments: Nil

Purpose:

A planning permit is sought for the use and development of a telecommunications facility, comprising a 40 metre high lattice tower with associated antennas, equipment cabinets and works at 105 Corunnun Road, Cororooke.

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 a telecommunications facility, comprising a 40 metre high lattice tower with 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 Cororooke. The facility is designed to provide Fixed Wireless internet services to dwellings in the Cororooke 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 south side of Corunnun Road, Cororooke and west of the Cororooke township. The site is subject to the Environmental Significance Overlay Schedule 1(ES01 Warrion Groundwater Area).
- The application was advertised by sending notice to property owners and occupiers within a 1km radius of the site. In addition, signs were posted on the Corunnun Road frontage of the site and on the notice board of the Cororooke General Store for a period of 14 days. Three objections have been received to the application, primarily based on health concerns and potential landscape impact.
- The proposal is considered to generally comply with the Planning Scheme provisions and would achieve an acceptable outcome in a Farming Zone.

- Whilst the lattice tower would be visible, it is considered that the overall community benefit of providing improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is considered that the application could reasonably be allowed and it is recommended that a Notice of Decision to Grant a Permit is issued.

Background

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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 40m high lattice tower has been designed to be a critical connection point between Colac and a proposed facility at Warrion Hill.

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 telecommunications 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 the land for a telecommunications facility. The proposal comprises the erection of a 40 metre high lattice tower (constructed in galvanised steel, in a grey colour), the installation of two transmission dish antennas and four panel antennas mounted on a triangular headframe, the erection of a standard equipment shelter (7.5m²) in a standard beige colour finish and the construction of an access track and associated earthworks.

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 40 metre high lattice tower would accommodate the following:

- four (4) panel antennas measuring approximately 1077mm x 300mm x 115mm at the 40 metre point;
- two (2) 600mm radio transmission dish antennas at 37 metres; and
- four (4) 500mm remote radio units mounted behind the antennas.

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

Access to the site would be via an existing access gate from Corunnun Road, and a proposed gravel access track of approximately 190m length and 3m in width. The proposed facility would be powered by an underground cable run from an existing power source (power pole) on Corunnun 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 equipment associated with the equipment units (this is considered to be comparable to domestic units and background noise levels). The proposal does not require the removal of any native vegetation from the land.

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

The development is proposed to be located approximately 170 metres from the northern boundary (Corunnun Road frontage), 625m from the southern lot boundary, 1.5m from the eastern lot boundary, and 190m from the western boundary. The proposed facility would be located approximately 750 metres southwest of Cororooke. The subject site is a relatively flat paddock used for grazing. The tower would be sited on grassed land and no vegetation is required to be removed to facilitate the erection of the tower and associated works.

Site & Surrounds

The site is rectangular in shape and is located on the south side of Corunnun Road, approximately 730 metres west of its junction with Corangamite Lake Road in Cororooke. The site is identified on title as Lot 1 TP669102W. There are no restrictions on title.

The site and surrounding area is relatively flat with limited undulation. Corunnun Road is located between Corangamite Lake Road and Larpent Road. The neighbouring site contains some shelter belts along the western boundary of the lot adjacent to the location of the proposed tower. The balance of the 16ha lot has been cleared for agricultural purposes in conjunction with other allotments in the same ownership.

The site and immediate surrounding land is located within the Farming Zone (FZ). Part of the site is identified as being in an area of cultural heritage sensitivity, but not that section where the tower is proposed. The closest dwellings to the application site are located 190m to the north on the opposite side of Corunnun Road, 310m to the west, 350m and 400m to the northwest, 425m to the northeast and 411m to the east.

The applicant submits that the site is considered appropriate for the following reasons:

- a) The proposed site would provide the required fixed wireless coverage levels to the area.
- b) The site is well removed from the Cororooke township, to minimise concerns about visual impacts.
- c) The site is set back from surrounding dwellings, with only one dwelling being within 250m of the proposed site.
- d) Access and power to the site is available.
- e) No vegetation removal is required

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 objectives and site considerations. Where possible, any existing infrastructure and co-location opportunities are considered.

- 3 Corunnun Road, Cororooke - existing Telstra monopole

A Telstra monopole is located on the southwest corner of the Corunnun/Corangamite Lake Road junction. This site was considered in the initial candidate assessment site visits, but the monopole is far too short to be suitable.

- 35 Factory Road, Cororooke

This option would involve a new 40m steel lattice tower on privately owned land accessed from Factory Road. This site was not pursued, as it is closer to the centre of the township compared to the chosen site and is also relatively close to other houses (including houses within the Heritage Overlay). It was also considered that there could be the potential for impacts on views from the rear of housing fronting Corangamite Lake Road (west of the site). Removal of native vegetation to create vehicle access was another potential constraint.

- 45 Factory Road Cororooke

This option would involve a new 40m steel lattice tower on privately owned land accessed from Factory Road. This site was not pursued as it is closer to the centre of the township compared to the chosen site and is also relatively close to other houses (including houses within the Heritage Overlay).

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 property owners and occupiers within a 1km radius of the site.

A sign was placed on the Corunnun Road frontage on the site and a sign was also placed on a notice board of the Cororooke General Store for a period of 14 days. A public notice was placed in the Colac Herald.

Three objections were received from adjoining landholders to the north and east of the subject site.

The applicant provided a written response to address the objectors' concerns and this was circulated to all objectors. Council officers also spoke with each objector to discuss their concerns in detail. No objections were withdrawn as a result of this consultation.

The objections are summarised as follows:

a. Radio frequency exposure

Comment

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. The objectors have been provided with a copy of a VCAT decision from a Practice Day Hearing (*Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)*), at which Deputy President Helen Gibson noted:

"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. 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.

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." (paras. 6 and 7)

Also 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.

b. Visual impact/existing screen trees are dying

Comment

The aforementioned VCAT Decision (*Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)*) does verify that visual impact is a relevant planning consideration. The objections raised concern with the use of existing cypress trees in declining health as a visual barrier. This issue is acknowledged by both the applicant and Council officers and, as a result, the applicant has agreed to provide some screen planting along the frontage of the site to act as a visual barrier, and particularly to screen views from the dwelling located at 70 Corunnun Road. The applicant is reluctant, however, to provide landscaping to screen views from the driveway of 80 Corunnun Road.

The applicant advised as follows:

"The owners are amenable to the landscaping idea. Whilst we are also of that view, we think the longer portion (western side) is probably a bit excessive. As I noted in the previous response, the residents at # 80 appear to have their dwelling reasonably well screened. In my experience you don't normally then provide screening to a driveway. By contrast, the eastern portion would achieve some screening for the occupants of #70."

The objector further responded with concerns about the future protection and maintenance of any landscaping once the tower is constructed and if the current owner sold the land. Officers note that, whilst the applicant considers it unusual to provide screening for a driveway, Principle 1 of the Code of Practice for Telecommunications Facilities in Victoria states that *"Equipment associated with the telecommunications facility should be screened or housed to reduce its visibility"*.

Given that a concern is raised by an adjoining landowner, it is not considered unreasonable to seek a landscaping screen along the frontage to help screen the development from both the dwelling at 70 Corunnun Road and the driveway of 80 Corunnun Road. Should the application be allowed, a permit condition requiring screening along this frontage is recommended, and should also require maintenance and replacement of any dead or diseased trees. This would provide the opportunity to enforce the permit conditions should the landscaping not be undertaken or maintained.

c. Impact on property value

Comment

It is an established principle that the potential devaluation of property is not a material planning consideration when assessing an application.

The applicant has submitted a VCAT decision which re-iterates the fact that the loss of property values is not a relevant planning consideration - *Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)*. A copy of this has been provided to objectors. In that case, Deputy President Helen Gibson noted in paragraph 13 that:

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

d. Comparison with other sites

Comment

The applicant has submitted a VCAT decision which states that arguments about whether there are more appropriate sites is not a relevant consideration. The objectors have been provided with a copy of that VCAT decision *Marshall & Ors v Ararat Rural CC [2013] VCAT 90 (22 January 2013)*. In that case, Deputy President Helen Gibson stated:

"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.*

I therefore rule that arguments about whether there are better alternative sites are not relevant." (paras 8 and 9)

It is also noted that the application submission details consideration of other sites and how the proposed site was selected.

e. Underground water bores

Comment

The site is subject to the Environmental Significance Overlay Schedule 1 (Warrion Groundwater Area). The purpose of this overlay is to *“protect and maintain the quality and quantity of groundwater recharge in the Warrion aquifer area”*. The application was referred to Barwon Water and Southern Rural Water, which are the relevant authorities for groundwater protection under the provisions of this overlay. Neither authority raised any objection to the proposal.

Referrals

In accordance with Section 55 of the Planning and Environment Act, the application was referred to Barwon Water and Southern Rural Water under the provisions of ESO1 (Determining Referral Authorities).

Barwon Water has not raised any objection to this application, subject to permit conditions. Southern Rural Water has no objections to a planning permit being issued.

The application was also referred internally to Council's Infrastructure and Environmental Health Departments. Whilst a condition was suggested by Environmental Health relating to noise levels, it is not considered necessary to impose that condition in this case, given the distance that would exist between the proposed facility and any sensitive uses.

Planning Controls

The land is included in the Farming Zone (FZ) and is subject to the Environmental Significance Overlay (ESO1). A planning permit is required under the following provisions:

- Clause 35.07-1 – use of a Telecommunications Facility (Farming Zone)
- Clause 35.07-4 – buildings and works associated with Section 2 Use (Farming Zone)
- Clause 42.01-2 – buildings and works (ESO1)
- Clause 52.19-2 – building 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.

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the shire.

The proposal is considered to accord with the principles of the State and Local Planning Policy Frameworks. The applicant has investigated alternative sites around Cororooke 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 negative 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 triggered by 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, and under Clause 35.07-4 for buildings and works associated with a Section 2 Use in the Farming Zone.

d. Overlays

Environmental Significance Overlay (ESO1)

The site is covered by the Environmental Significance Overlay (Schedule 1). The purpose of this overlay is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Environmental objectives to be achieved under ESO1

- *To protect and maintain the quality and quantity of groundwater recharge in the Warrion aquifer area.*

A planning permit is required under the provisions of Clause 42.01-2 for buildings and works.

e. Particular Provisions

i. 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.*

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 a 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.*

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 which is not a Low Impact Facility.

It is considered that the proposed tower and associated cabinets require a permit under the provisions of Clause 52.19 as the proposed facility is not identified as a Low Impact Facility or other exempt facility listed under Clause 52.19-2.

ii. Cultural Heritage

A small section of the front of the subject lot is identified as being in an area of cultural heritage sensitivity; however the area where the tower is proposed is not within that affected area.

Under the provisions of Regulation 43 of the Aboriginal Heritage Regulations 2007, the construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works;

- (a) would result in significant ground disturbance; and
- (b) is for or associated with the use of the land for a utility installation, other than a telecommunications facility.

Under the provisions of Regulation 44 of the Aboriginal Heritage Regulations 2007, the construction of a telecommunications line is a high impact activity if the construction would result in significant ground disturbance and would consist of an underground cable or duct with a length exceeding 500m. A Telecommunications Line is defined in the Colac Otway Planning Scheme as *'a wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy'*. In this instance, the proposed underground power connection would be approximately 200m in length, therefore being considerably less than the specified 500m.

In view of the above, a Cultural Heritage Management Plan (CHMP) is not required.

Consideration of the Proposal

A planning permit is sought for the use and development of a telecommunications facility, comprising a 40m high lattice tower and ancillary components including two outdoor equipment cabinets within a 100sqm fenced area. A planning permit is required as the exemptions listed in Clause 52.19 have not been met.

The grey colouring and materials to be used in the construction of the lattice tower would assist in blending the tower in with the surrounding natural sky/landscape setting. It is considered that the proposed lattice tower would be consistent with the purpose of the zone/provision as it would provide for improved telecommunications, which would be beneficial to the Cororooke area and surrounds. The proposed lattice tower would provide the level of service coverage required, whilst minimising the potential impact on the surrounding area.

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

It is considered that the telecommunications equipment would not have an unreasonable adverse impact on the natural beauty and landscape setting of the immediate and surrounding area.

The proposed screening within the property adjacent to the road frontage would assist in screening the bulk of the tower from the adjacent dwellings; however it is noted the tower would be visible from a distance due to its height.

It is considered that the proposed lattice tower development would be consistent with the provisions of the Farming Zone, occupying 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 location would also ensure that the proposed non-agricultural use would not adversely affect the viability and use of the land for agriculture. Overall, it is considered that the proposal is consistent with the decision guidelines of the Farming Zone.

The proposed fixed wireless facility has been designed not only to provide fixed wireless services to the surrounding properties but is also designed to be a critical connection point between the proposed facility at Warrion Hill and the Colac facility.

It is considered that the proposed tower would not unduly impact on any surrounding residential properties if screen landscaping is proposed along the front of the site to reduce any visual impact.

Principles in the Code of Practice for Telecommunications Facilities in Victoria

a. A telecommunications facility should be sited to minimise visual impact

It is considered that the proposed location would be suitably separated from any nearby dwellings, with the closest dwellings being located 190m to the north and 310m to the west. The dwelling to the west is occupied by the owner of the subject site. In response to the objections from neighbouring properties, it is recommended that landscaping is established along the road frontage to provide a visual buffer for the closest dwellings.

It is accepted that the proposed lattice tower, due to its height, proximity and location (within a predominantly un-vegetated paddock), would inevitably be seen from the adjacent and surrounding roads. This is unavoidable.

On balance, it is considered that the proposal, including landscaping along the road frontage, would be acceptably sited to minimise visual impact on the landscape setting and existing landscape views.

b. Telecommunications facilities should be co-located wherever practical

As noted earlier in this report, other candidate sites were examined within the search area to meet the coverage requirements and network objectives. Where possible, any existing infrastructure and co-location opportunities were considered. 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 provide coverage for the NBN wireless service. The applicant has confirmed that the existing Telstra monopole tower nearby was considered for co-location purposes but is far too short to be suitable.

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 considered 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 0.12% 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).

The proposal is therefore considered to satisfy Principle C.

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 road frontage. The applicant has advised that the installation of the proposed facility can be undertaken at any time and that it is not anticipated it would affect the use of the site or the surrounding area.

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 considered that the proposed lattice tower has satisfactorily addressed the principles for design, siting, construction and operation of the Code of Practice for a Telecommunications Facility. In view of this, it is considered that all principles have been addressed.

The application was referred to Barwon Water and Southern Rural Water under the provisions of ESO1. No objections were raised, subject to permit conditions being imposed.

Council Plan / Other Strategies / Policy

A Planned Future

The Council Plan contains a strategy to: *“Facilitate the development of infrastructure for business investment, growth and liveability.”* Within this strategy there is an action to: *“Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage”*. There is also a strategy to: *“Meet our statutory obligations for community safety, security and responses to emergency situations”*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

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

A planning permit is required for the use and development of the land for a telecommunications facility and associated works.

It is considered that the visual impact concerns raised by the objectors could be satisfactorily addressed with the requirement of screen landscaping along the frontage of Corunnun Road. The other matters raised by the objectors are not relevant planning considerations, as discussed earlier in this report and determined in a number of VCAT cases.

Support for the proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, zoning and overlay requirements, and current local policies.

Having given due regard to the matters discussed above, it is considered that the application could reasonably be approved, subject to conditions.

Attachments

- | | |
|--|---------|
| 1. Planning Application - PP247 2014-1 105 Corunnun Road Cororooke | 0 Pages |
| 2. Aerial Photo - Subject Site and Alternative | 0 Pages |
| 3. Site Maps - PP247 2014-1 105 Corunnun Road Cororooke | 0 Pages |

Recommendation(s)

That Council's Planning Committee resolves to issue a Notice of Decision to Grant a Permit for the use and development of a telecommunication facility (40 metre high lattice tower), associated antennas, equipment cabinets and works at 105 Corunnun Road Cororooke (Lot 1 TP669102) 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 telecommunications facility and associated equipment hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

Landscaping

4. *Prior to commencement of the development hereby permitted, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:*
- a) a survey (including botanical names) of all existing vegetation to be retained along the northern and eastern boundary of the lot;*
 - b) the location of the accessway and its width;*
 - c) a planting schedule of all proposed trees and shrubs, including botanical names, common names, sizes at maturity, and quantities of each plant;*
 - d) screen landscaping along the northern boundary creating two vegetation stands to effectively screen the tower from the dwelling located at 70 Corunnun Road and the driveway entrance at 80 Corunnun Road, to the satisfaction of the Responsible Authority. One stand must extend from the north-east corner of the site to the west for a minimum length of 15m and the second stand must be sited directly opposite the driveway at 80 Corunnun Road and must extend along the boundary for a minimum length of 15m;*
 - e) the utilisation of indigenous species adapted to local soils and climate conditions, thereby reducing maintenance, including fertilising and watering, and ensuring growth at a much quicker rate than species that are not from the area;*
 - f) a cross-section plan demonstrating how the proposed plantings at full maturity will effectively screen the development in accordance with this condition, taking into account the topography.*

All species selected must be to the satisfaction of the Responsible Authority.

5. *Prior to commencement of the development, or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority. The landscaping must thereafter be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.*

Removal of facility

6. *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 reinstated, all to the satisfaction of the Responsible Authority.*

Barwon Water conditions

7. *The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:*
- a) The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching*
 - b) Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields*

- c) *Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.*

Expiry

8. *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/or 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 the development, an application to undertake works within the road reserve must be submitted to and approved by the Council.*

~~~~~





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?: Blathin Butler & others

Date: 20 / 10 / 2014

### The land

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

#### Street Address

Street No.: 105

Street Name: Corunnun Road

Suburb/Locality: Cororooke VIC

Postcode: 3254

#### Formal Land Description

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

Lot No.: 1,2,3,4,5

on Lodged Plan, Title Plan or Subdivision Plan No.: 669102W

DR

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.

Farming land with dwelling and farming sheds.

- 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 of a Telecommunications Facility comprising a 40 metre high lattice tower, associated antennas and equipment cabinets.

- 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"/> |
| Mobile phone: 0408 055 217            | <input type="checkbox"/>            |
| Email: david.hughes@aurecongroup.com  | <input checked="" type="checkbox"/> |
| Fax: 9975 3444                        | <input type="checkbox"/>            |

Indicate preferred contact method

### Applicant

The person or organisation who wants the permit.

☐ 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.

☐ Same as contact ☐ 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): Alan Stinchcombe & Judith Bennett |                   |
| Organisation (if applicable):                           |                   |
| Postal address: 105 Corunnun Road Cororooke VIC         |                   |
|                                                         | Postcode: 3 2 5 4 |

## 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:

## 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

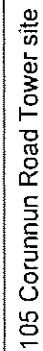










Figure 2: Aerial Photo of alternative candidates

NBN ANTENNA CONFIGURATION

| SECTOR | SYMBOL                                                                            | ANTENNA DETAIL |                    |               |                 |        |           |              |                 | MAIN FEEDER DETAIL         |                   |                    |                           | RRU DETAIL |                   | RF TAIL                                 |        | RET CABLE            |        |  |
|--------|-----------------------------------------------------------------------------------|----------------|--------------------|---------------|-----------------|--------|-----------|--------------|-----------------|----------------------------|-------------------|--------------------|---------------------------|------------|-------------------|-----------------------------------------|--------|----------------------|--------|--|
|        |                                                                                   | TYPE           | DIMENSION<br>HxWxD | C/L<br>HEIGHT | AZIMUTH<br>(TN) | E-TILT | MECH TILT | DESTINATION  | QUANTITY<br>RAU | TYPE                       | OVERALL<br>LENGTH | CANISTER<br>HEIGHT | CANISTER TO<br>RRU LENGTH | TYPE       | LOCATION          | TYPE                                    | LENGTH | TYPE                 | LENGTH |  |
| 1      |  | ARGUS-LLPX310R | 1077x300x115       | 40m           | 0°              | 7      | 0         | N/A          | N/A             | H&S HYBRID<br>19.6mm CABLE | 50m               | 40m                | 3m                        | RRUS61     | BEHIND<br>ANTENNA | H&S 1/2"<br>BIRD PROOFED<br>LISCA CABLE | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |  |
| 2      |  | ARGUS-LLPX310R | 1077x300x115       | 40m           | 70°             | 7      | 0         | N/A          | N/A             |                            |                   |                    | 3m                        | RRUS61     | BEHIND<br>ANTENNA |                                         | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |  |
| 3      |  | ARGUS-LLPX310R | 1077x300x115       | 40m           | 180°            | 6      | 0         | N/A          | N/A             |                            |                   |                    | 3m                        | RRUS61     | BEHIND<br>ANTENNA | H&S 1/2"<br>BIRD PROOFED<br>LISCA CABLE | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |  |
| 4      |  | ARGUS-LLPX310R | 1077x300x115       | 40m           | 240°            | 5      | 0         | N/A          | N/A             | H&S HYBRID<br>19.6mm CABLE | 50m               | 40m                | 3m                        | RRUS61     | BEHIND<br>ANTENNA |                                         | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |  |
| 5      |                                                                                   |                |                    |               |                 |        |           |              |                 |                            |                   |                    |                           |            |                   |                                         |        |                      |        |  |
| 6      |                                                                                   |                |                    |               |                 |        |           |              |                 |                            |                   |                    |                           |            |                   |                                         |        |                      |        |  |
| A      |  | PARABOLIC      | ø600               | 37.0m         | 12°             | N/A    | N/A       | WARRION HILL | 1-OFF           | ERICSSON<br>7.6mm CABLE    | 40m               | -                  | -                         | -          | -                 | -                                       | -      | -                    |        |  |
| B      |  | PARABOLIC      | ø600               | 37.0m         | 134°            | N/A    | N/A       | COLAC        | 2-OFF           | ERICSSON<br>7.6mm CABLE    | 40m               | -                  | -                         | -          | -                 | -                                       | -      | -                    |        |  |
| C      |                                                                                   |                |                    |               |                 |        |           |              |                 |                            |                   |                    |                           |            |                   |                                         |        |                      |        |  |
| D      |                                                                                   |                |                    |               |                 |        |           |              |                 |                            |                   |                    |                           |            |                   |                                         |        |                      |        |  |
| E      |                                                                                   |                |                    |               |                 |        |           |              |                 |                            |                   |                    |                           |            |                   |                                         |        |                      |        |  |
| GPS    |                                                                                   | KRE 1012082/1  | ø69x96             | 2.5m          | N/A             | N/A    | N/A       | N/A          | N/A             | ERICSSON<br>7.6mm CABLE    | 10m               | -                  | -                         | -          | -                 | -                                       | -      |                      |        |  |

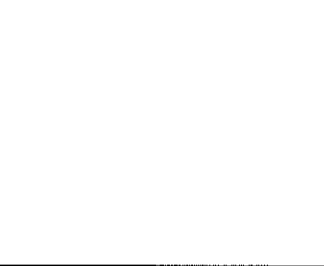
Client:



Client:



Client:



Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-06-CORR  
COROROOKE  
105 CORUNNUN ROAD  
COROROOKE  
VIC 3254

PRELIMINARY

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|     |          |                        |
|-----|----------|------------------------|
| 02  | 05.11.14 | RF & TX CONFIG UPDATES |
| 01  | 17.10.14 | PRELIMINARY ISSUE      |
| Rev | Date     | Revision Details       |



|           |    |
|-----------|----|
| DESIGNER: | JK |
| CHECKED:  | PP |
| APPROVED: | GM |

Drawing Title:  
SITE SPECIFIC NOTES

|                                   |                |
|-----------------------------------|----------------|
| Drawing No.<br>3COL-51-06-CORR-C1 | Revision<br>02 |
|-----------------------------------|----------------|

SITE INFORMATION:

1. SITE ADDRESS

105 CORUNNUN ROAD COROROOKE VIC 3254

2. GENERAL

THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, CURRENT AUSTRALIAN STANDARDS AND SPECIFICATIONS

3. SITE ACCESS

SITE ACCESS FROM CORUNNUN ROAD VIA EXISTING GATE AND PROPOSED NBN ACCESS TRACK (APPROX 190m)

4. EQUIPMENT

PROPOSED 2-OFF NBN OUTDOOR CABINETS (1x SSC-02 & 1x BBS) TO BE INSTALLED ON A CONCRETE SLAB WITHIN THE NBN LEASE AREA

5. STRUCTURE

PROPOSED NBN 4.0m 'GREENFIELD' LATTICE TOWER

6. ANTENNA ACCESS

ANTENNA ACCESS USING THE ACCESS LADDER LOCATED CENTRALLY IN THE LATTICE TOWER & USING THE LAD-SAF SYSTEM, OR EWP. 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

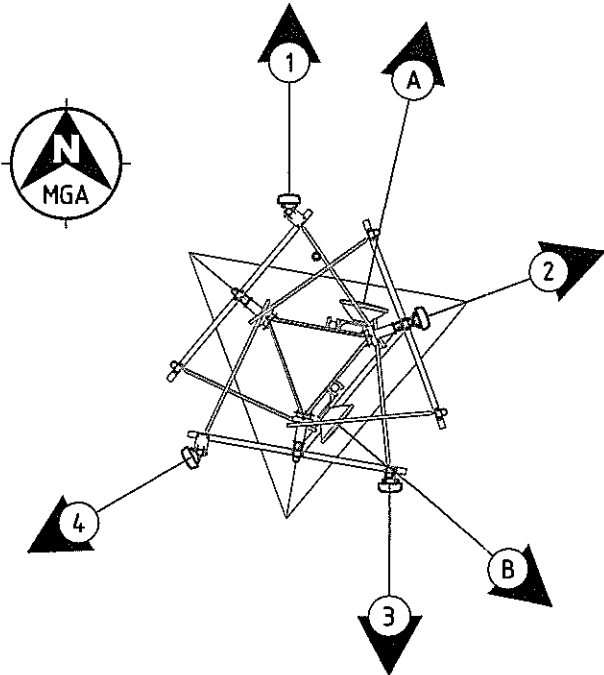
- ANIMALS
- ELECTRIC FENCE

9. ELECTRICAL SUPPLY

EXISTING POWER SUPPLY TO BE USED, SUBJECT TO POWER AUDIT

10. TRANSMISSION LINK

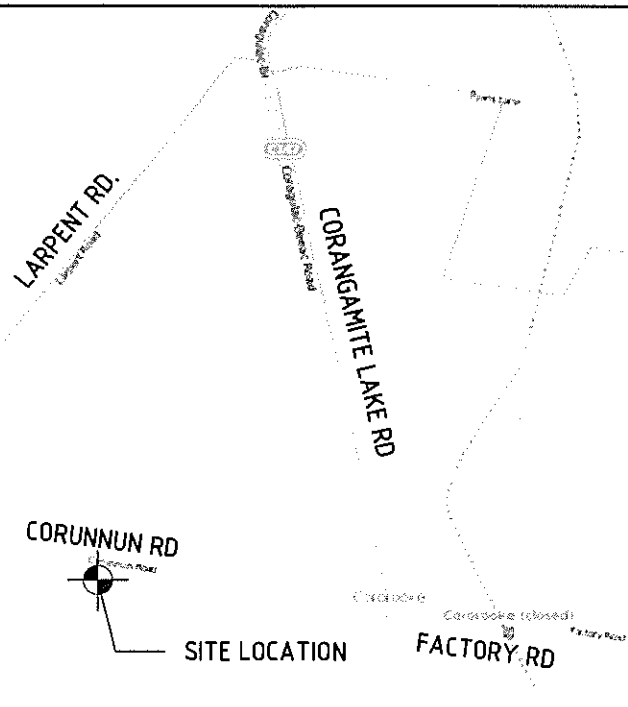
REFER TABLE ABOVE



ANTENNA SETOUT PLAN

SCALE 1:100

# SITE LOCATION



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<http://www.openstreetmap.org>  
<http://creativecommons.org/licenses/by-sa/2.0/>  
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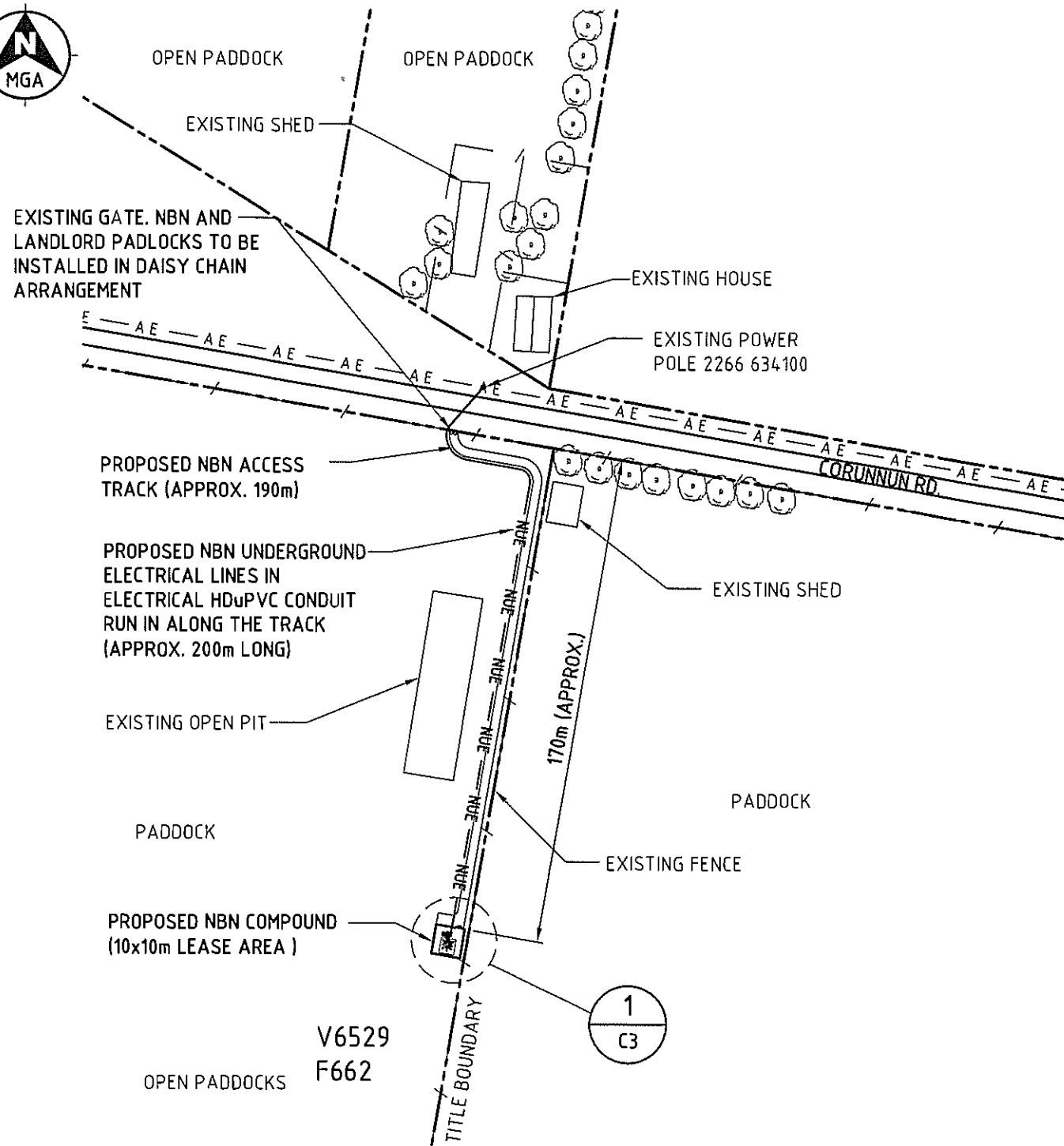
## SITE CO-ORDINATES

### LATTICE TOWER LOCATION

|                    |           |
|--------------------|-----------|
| DATUM: MGA (GDA94) | ZONE: 54  |
| LATITUDE           | -38.28801 |
| LONGITUDE          | 143.51445 |
| EASTING            | 719 912   |
| NORTHING           | 5 759 238 |

### LEGEND

|                   |                                   |
|-------------------|-----------------------------------|
| — N U E — N U E — | NBN UNDERGROUND ELECTRICAL CABLES |
| — A E — A E —     | EXISTING AERIAL ELECTRICAL LINES  |
| — / — / —         | EXISTING FENCE                    |
| -----             | TITLE BOUNDARY                    |



## OVERALL SITE PLAN

SCALE 1:2000

### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.
2. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. ALL DIMENSIONS, CO-ORDINATES AND LEVELS ARE SUBJECT TO CONFIRMATION BY SURVEY.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND  
 NETWORK  
 SITE No: 3COL-51-06-CORR  
 COROROOKE  
 105 CORUNNUN ROAD  
 COROROOKE  
 VIC 3254

## PRELIMINARY

|     |          |                   |
|-----|----------|-------------------|
| 02  | 05.11.14 | MINOR NOTE CHANGE |
| 01  | 17.10.14 | PRELIMINARY ISSUE |
| Rev | Date     | Revision Details  |

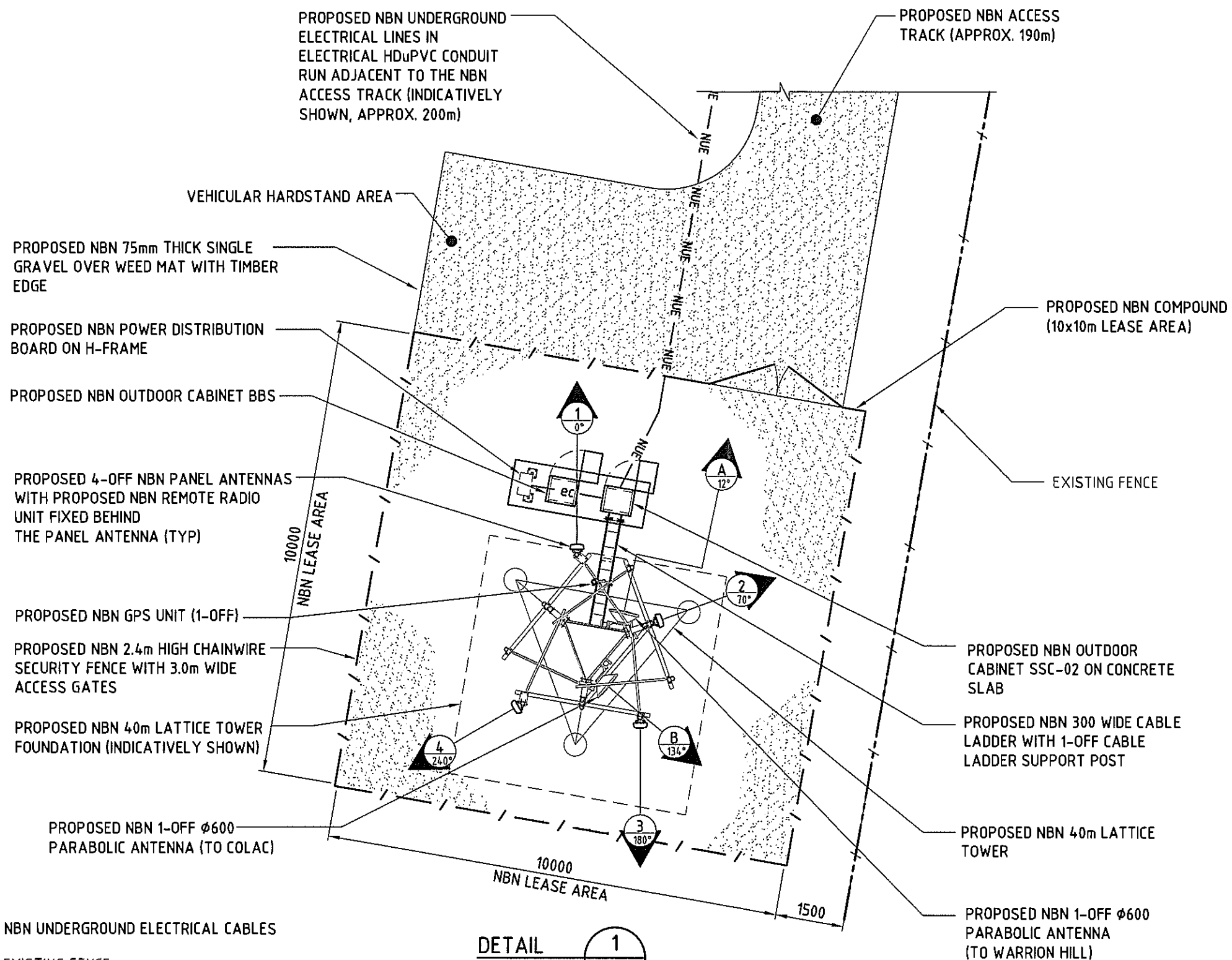


DESIGNER: JK  
 CHECKED: PP  
 APPROVED: GM

Drawing Title:  
**OVERALL  
 SITE PLAN**

Drawing No.  
 3COL-51-06-CORR-C2  
 Revision  
 02





#### LEGEND

- NUE — NUE — NBN UNDERGROUND ELECTRICAL CABLES
- / — / — EXISTING FENCE
- / — / — NBN COMPOUND FENCE
- ec — ec — FINAL ELECTRICAL CIRCUITS IN 2x50 $\phi$  HDPVC UNDERGROUND ELECTRICAL CONDUIT
- TITLE BOUNDARY

DETAIL  
SCALE 1:100

#### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.
2. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. ALL DIMENSIONS, CO-ORDINATES AND LEVELS ARE SUBJECT TO CONFIRMATION BY SURVEY.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-06-CORR  
COROROOKE  
105 CORUNNUN ROAD  
COROROOKE  
VIC 3254

PRELIMINARY

02 05.11.14 MINOR RF & TX CONFIG UPDATES  
01 17.10.14 PRELIMINARY ISSUE  
Rev Date Revision Details



Aurecon Australia Pty Ltd ABN 54 005 139 873

DESIGNER: JK

CHECKED: PP

APPROVED: GM

Drawing Title:  
SITE SETOUT  
PLAN

Drawing No.  
3COL-51-06-CORR-C3

Revision  
02

▼ EL 40.0m  
TOP OF LATTICE TOWER  
C/L 1-OFF PROPOSED NBN CANISTER

▼ EL 37.0m  
C/L 1-OFF Ø600 PROPOSED NBN PARABOLIC ANTENNA  
(TO WARRION HILL)

▼ EL 40.0m  
C/L 4-OFF 1077H PROPOSED NBN PANEL ANTENNAS  
4-OFF (1-OFF PER SECTOR) 500H REMOTE RADIO UNITS MOUNTED BEHIND ANTENNAS

▼ EL 37.0m  
C/L 1-OFF Ø600 PROPOSED NBN PARABOLIC ANTENNA  
(TO COLAC)

PROPOSED NBN FEEDER FIBRE AND DC  
CABLES TO BE INSTALLED VERTICALLY  
INSIDE LATTICE TOWER

PROPOSED NBN 40m LATTICE  
TOWER

PROPOSED NBN OUTDOOR CABINET  
SSC-02 ON CONCRETE SLAB

PROPOSED NBN OUTDOOR CABINET  
BBS

PROPOSED NBN POWER DISTRIBUTION  
BOARD ON H-FRAME

PROPOSED NBN 2.4m HIGH CHAINWIRE  
SECURITY FENCE WITH 3.0m WIDE  
ACCESS GATES

PROPOSED NBN 300 WIDE CABLE LADDER WITH 2-OFF CABLE  
LADDER SUPPORT POSTS

PROPOSED NBN GPS  
UNIT (1-OFF)

PROPOSED NBN LATTICE TOWER  
FOUNDATION (INDICATIVELY SHOWN)

▼ EL 0.0m  
GROUND LEVEL

**WEST ELEVATION**  
SCALE 1:200

Client:



Client:



Client:

Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-06-CORR  
**COROROOKE**  
105 CORUNNUN ROAD  
COROROOKE  
VIC 3254

**PRELIMINARY**

|     |          |                   |
|-----|----------|-------------------|
| 02  | 05.11.14 | TX HEIGHT UPDATE  |
| 01  | 17.10.14 | PRELIMINARY ISSUE |
| Rev | Date     | Revision Details  |



DESIGNER: JK

CHECKED: PP

APPROVED: GM

Drawing Title:  
**SITE ELEVATION  
AND DETAILS**

Drawing No.  
**3COL-51-06-CORR-C4**

Revision  
**02**

PC150804-2

**DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY  
(25 METRE HIGH MONOPOLE), ASSOCIATED ANTENNAS,  
EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 35  
WARRION HILL ROAD, WARRION (PP246/2014-1)**

|             |                                       |           |              |
|-------------|---------------------------------------|-----------|--------------|
| AUTHOR:     | Ian Williams                          | ENDORSED: | Doug McNeill |
| DEPARTMENT: | Sustainable Planning<br>& Development | FILE REF: | F14/11343    |

**Location:** 35 Warrion Hill Road Warrion

**Zoning:** Farming Zone (FZ)

**Overlay controls:** Environmental Significance Overlay Schedule 1 (ESO1)  
Environmental Significance Overlay Schedule 2 (ESO2)  
Significant Landscape Overlay Schedule 1 (SLO1)

**Proposed Amendments:** Nil

**Purpose:**

A planning permit is sought for the development of a telecommunication facility (25 metre high monopole) and associated antennas, equipment cabinets and works at 35 Warrion Hill Road, Warrion.

This application is before the Planning Committee as the proposed structure would be in excess of eight (8) metres in height.

It is recommended that a permit be issued.

**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 development of a telecommunication 25 metre high monopole, with 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 Warrion. The facility is designed to provide Fixed Wireless internet services to dwellings in the Warrion 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 and is located on the western side of Warrion Hill Road.
- The site is subject to the Significant Landscape Overlay Schedule 1 (SLO1 – Valleys, Hills and Plains Landscape Precinct) and the Environmental Significance Overlay Schedules 1 and 2 (ESO1 – Warrion Groundwater Area and ESO2 – Lakes, Wetlands and Watercourses).

- The application was advertised to all properties within a 2km radius, and at the Warrion Hotel and Cororooke Store. A notice was also placed in the Colac Herald. No objections have been received to the application.
- The proposal generally complies with the Planning Scheme provisions and it is considered that the proposal would achieve an acceptable outcome in a Farming Zone.
- Whilst the monopole would be visible, it is considered that the overall community benefit resulting from improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

### **Background**

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forrest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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 will be 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 25m high monopole facility would be a wireless mini-hub site. It has been designed to be a critical connection point between a proposed facility at Cressy East and a proposed facility at Cororooke.

### **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 telecommunications 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 development of a telecommunications facility comprising a 25m high monopole and ancillary components, including antennas and two outdoor equipment cabinets, enclosed within a 100sqm fenced area located approximately 50m west of the existing Broadcast Australia Tower and existing telecommunications towers and equipment on the land.

*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 monopole that forms the subject of this application would be finished in galvanised steel (which would fade to metallic grey) and would accommodate the following:

- a) Three (3) panel antennas (off white) approximately 1077mm x 300mm x 115mm at 25m high;
- b) Two (2) transmission dish antennas (off white 1 x 600mm, 1 x 1200mm) at 22m high; and
- c) Three (3) 500mm remote radio units mounted behind the antennas.

Associated facilities would include 2m high ground level cabinets (beige colour), cable ladder (2m high) and power distribution board, enclosed within a 10m wide by 10m deep compound and secured by a 2.4m high chain wire fence.

Access to the site would be via the existing access track from Warrion Hill Road (approximately 1400m in length), plus a 100m by 3m wide western extension to the existing track. The facility would be powered by underground power cable from an existing power source 150m away. It is expected that noise and vibration emissions associated with the proposed facility would be limited to the construction phase (7am to 6pm). Once installed, only 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).

The development is proposed to be located approximately 223m from the northern boundary, 348m from the southern boundary and approximately 358m from the western boundary of the site. The proposed facility would be located approximately 980m west of Warrion Hill Road and 950m west of the existing dwelling on the site.

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 rectangular in shape and located on the west side of Warrion Hill Road, to the north of its junction with Riccarton Road. The site is identified on title as Lot 3 TP851647. Caveat as to part of AL189079J dated 27/06/2014 is registered on title and relates to land marked 'Telstra Lease Site' 79sqm. The proposed monopole and associated compound would be located to the west of the Telstra Lease Site and it is not considered it would have any impact on the caveat.

The lot also contains a carriageway easement (E-1) to the east of the existing telecommunications facility to provide access and an electricity supply easement (E-2) to the south.

The site is identified as being in an area of Cultural Heritage Sensitivity. The site is located at the top of the Warrion Hill at 276m AHD, with views to the surrounding landscape in all directions. The site contains sparse vegetation across the hill with the farmhouse residence to the eastern side, adjacent to Warrion Hill Road.

The site is currently used for agricultural purposes and contains an existing telecommunications facility to the west. The existing telecommunication structures include an existing Broadcast Australia Tower with shelter, an existing Telstra facility and various telecommunication structures, monopoles and shelters. Access to the site is via the existing access track from Warrion Hill Road (approximately 1400m in length).

The site and immediate surrounding area is located within the Farming Zone (FZ). The closest dwelling to the application site is located on the application site, 950m to the east. There are also dwellings 1000m to the south east at 205 Riccarton Road, 1100m to the west at 195 Riccarton Road and 1200m to the north east at 1422 Corangamite Lake Road.

The applicant submits the site is considered to be appropriate for the following reasons:

- a) Co-sited with existing telecommunications facilities.
- b) Located a considerable distance from nearby dwellings and townships.
- c) Located a considerable distance from surrounding roads.
- d) The elevated location would provide optimal required quality of service required by NBN Co. to the south west and north of Warrion Hill.

#### 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 were considered.

#### **Alternative Options**

- 31 Warrion Hill Road – Existing Broadcast Australia Tower  
This option comprised the replacement of the existing 23m Broadcast Australia Tower (to the east of the application site) with a new 35m lattice tower inside the existing compound. The existing Broadcast Australia Tower comprises a small parcel of Commonwealth Land (CA). This existing 23m Broadcast Australia Tower was not considered as a feasible co-location option, as the available height for the placement of NBN facilities would put the NBN facilities at risk of interference from the nearby Telstra tower. Replacing the existing 23m tower with a new 35m lattice tower was considered impractical, with greater visual impact than the proposed monopole.
- 31 Warrion Road – Existing Telstra Monopole  
This option comprises the replacement of the existing 10m high Telstra Monopole with a 40m high lattice tower inside the existing compound.

This was not considered to be a feasible option, as the desired coverage area of the NBN facilities would be obstructed by the nearby Broadcast Australia tower. Replacing the existing 10m Telstra Monopole with a new 40m lattice tower was considered impractical, with greater visual impact.

**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 all property owners and occupiers within a 2km radius of the site.

A sign was also placed on the notice board of the Cororooke General Store and the Warrion Hotel for a period of 14 days. Notice of the application was also placed in the Colac Herald. No objections were received.

**Referrals**

In accordance with Section 55 of the Planning and Environment Act, the application was referred to Barwon Water and Southern Rural Water under the provisions of ESO1 (Determining Referral Authorities) and Department of Environment, Land, Water and Planning (formerly the Department of Environment and Primary Industries) under ESO2 (Determining Referral Authority).

Barwon Water and Southern Rural Water have not raised any objection to this application and have not recommended any permit conditions.

The Department of Environment, Land, Water and Planning did not provide comment on this application.

The application was also referred internally to Council's Infrastructure and Environmental Health Departments. No objections were raised. Whilst a condition was suggested by Environmental Health relating to noise levels, it is not considered necessary to impose that condition in this case, given the distance that would exist between the proposed facility and any sensitive uses.

**Planning Controls**

The land is in the Farming Zone (FZ) and is subject to the Environmental Significance Overlay (ESO1 & ESO2) and Significant Landscape Overlay (SLO1). A planning permit is required under the following provisions:

- Clause 35.07-4 – buildings and works associated with Section 2 Use – Farming Zone
- Clause 42.01-2 – buildings and works – ESO1 & ESO2
- Clause 42.03-2 – buildings and works – SLO1
- Clause 52.19-2 - buildings and works for a Telecommunications Facility

a. State and Local Planning Policy

The State and Local Planning Policy Framework seeks 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 21.04-8 – Landscape Character

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.

To improve the viability of the small townships within the shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the shire.

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

It is considered that 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 the development of a Telecommunications Facility. The use of the land for telecommunications is exempt from the requirement for a permit as the use already exists on the land.

c. Zoning

The land is zoned Farming Zone (FZ). The purpose of 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.*



As noted earlier in this report, a permit is not required for the use of the land in this case, as the use of the land for a telecommunications facility is already established. However, a planning permit is required under the provisions of Clause 35.07-4 for buildings and works associated with a Section 2 Use.

d. Overlays

i. Environmental Significance Overlay (ESO1 & ESO2)

The site is covered by the Environmental Significance Overlay (Schedules 1 and 2). The purpose of this overlay is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Environmental objectives to be achieved under ESO1

- *To protect and maintain the quality and quantity of groundwater recharge in the Warrion aquifer area.*

Environmental objectives to be achieved under ESO2

- *To protect the quality of water entering lakes, watercourses and wetlands.*
- *To protect and enhance lakes, watercourses and wetlands with significant flora, fauna and fisheries habitat.*
- *To minimise erosion along Lake foreshore areas and surrounding waterways and catchments.*
- *To protect and enhance the quality of lake foreshores and riparian strips along watercourses.*
- *To prevent pollution and increased turbidity of water in natural watercourses.*
- *To maintain the ability of streams and watercourses to carry natural flows.*
- *To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.*
- *To consider the intensity of the development of environmentally sensitive land.*
- *To promote environmental solutions in siting and design in preference to modification of natural systems through technical and engineering measures.*

A planning permit is required under the provisions of Clause 42.01-2 for buildings and works. There are no exemptions in the Schedules relevant to this proposal.

ii. Significant Landscape Overlay (SLO1).

The site is covered by the Significant Landscape Overlay (SLO1). The purpose of this overlay is:

- *To identify significant landscapes.*
- *To conserve and enhance the character of significant landscapes.*

The schedule to this overlay specifies the specific landscape character to be achieved. This includes the following:

- *To conserve and enhance areas of natural beauty, wildlife habitat, and important natural features.*
- *To limit clearance of remnant native vegetation that provides wildlife habitat and forms an important part of the visual landscape.*
- *To protect wetland areas as important habitat for birdlife by preventing the drainage of the wetland areas and by ensuring that existing water flow patterns and water quality are not adversely affected.*

- *To protect the landscape character of the stony rises and lava flows, including the stone fences which form a landscape feature of historic interest.*
- *To protect and enhance the visual quality of waterways, waterbodies, lake foreshores and riparian zones.*
- *To protect landscape features including volcanic cones and significant views within the Shire.*

A planning permit is required for buildings and works under the provisions of Clause 42.03-2.

e. Particular Provisions

i. Clause 52.19 - Telecommunications Facility

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 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.*

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 which is not a *Low Impact Facility*. The proposed facility is considered to require a permit 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.*

ii. Cultural Heritage

The site is identified as being one of Cultural Heritage Sensitivity.

Under the provisions of Regulation 43 of the Aboriginal Heritage Regulations 2007, the construction of a building or the construction or carrying out of works on land is a high impact activity if the construction of the building or the construction or carrying out of the works:

- (a) would result in significant ground disturbance; and, inter alia,
- (b) is for or associated with the use of the land for a utility installation, other than a telecommunications facility.

Whilst a telecommunications facility is contained within the broader umbrella term of utility installation, it is specifically excluded under Regulation 43 of the Aboriginal Heritage Regulations 2007.

Under the provisions of Regulation 44 of the Aboriginal Heritage Regulations 2007, the construction of a telecommunications line is a high impact activity if the construction would result in significant ground disturbance and would consist of an underground cable or duct with a length exceeding 500m. Telecommunications line is defined in the Colac Otway Planning Scheme as 'a wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy'. In this instance, the proposed underground power connection would be approximately 150m, therefore less than the 500m that would make it a high impact activity.

In view of the above, it is considered that a Cultural Heritage Management Plan (CHMP) is not required.

**Consideration of the Proposal**

A planning permit is sought for the development of a telecommunications facility comprising a 25m high monopole and ancillary components, including two outdoor equipment cabinets within a 100sqm fenced area. A planning permit is required for the works associated with the telecommunications facility, as the exemptions listed in Clause 52.19 have not been met.

The grey colouring and materials to be used in the construction of the monopole would match the existing colour and design of the adjacent telecommunications structures and would help the monopole to blend in with the surrounding landscape setting. It is considered that the proposed monopole would be consistent with the purpose of the zone, as it would provide improved telecommunications which would be beneficial to the Warrion area and the surrounding region. The proposed monopole would improve the level of service coverage, whilst demonstrating a minimal impact on the surrounding natural landscape.

A number of candidate sites were examined within the search area for co-location opportunities. In summary, as discussed earlier in this report, it was considered that replacing the existing monopole on the site with a lattice tower would have greater visual impact on the landscape setting than the proposed monopole. In view of this, it is considered that the applicant has considered the option of co-location on this site.

As co-location on an existing tower is not a feasible option, it is considered that clustering telecommunications facilities should be considered. The existing telecommunications equipment is located at the highest point and allows for suitable signal dispersal to the surrounding area. The proposed monopole would not be viewed in isolation but would be perceived as part of the existing cluster of telecommunications equipment.

In this location, it is considered that the proposed monopole development would remain consistent with the provisions of the Farming Zone, allowing for the retention of productive agricultural land on the remainder and larger part of the lot. The proposed cluster location would also ensure that the proposed non-agricultural use does not adversely affect the use of the land for agriculture. Overall it is considered that the proposal is consistent with the decision guidelines of the Farming Zone.

On balance, it is considered that clustering the telecommunications equipment would conserve the natural beauty and landscape setting of the immediate and surrounding area. The proposal would avoid the clearance of native vegetation that provides wildlife habitat and forms an important part of the visual landscape.

The proposed 25m high monopole facility would be a wireless mini-hub site providing for improved telecommunications to the Warrion area, being a critical connection point between a proposed facility at Cressy East and a proposed facility at Cororooke. The proposed monopole facility would be located to provide the level of service coverage required, whilst sited to result in the least impact on the surrounding area.

It is considered that the proposed monopole would not unduly impact on any surrounding residential properties.

#### **Principles in the Code of Practice for Telecommunications Facilities in Victoria**

##### **a. A telecommunications facility should be sited to minimise visual impact**

To minimise the impact on the landscape setting, the proposal includes the provision of a monopole structure adjacent to existing monopoles and lattice tower on top of Warrion Hill. The selected monopole site is on top of Warrion Hill, which is a visually prominent location when viewed from the surrounding public roads. It is accepted that in the location proposed, the proposed monopole would inevitably be seen due to its overall height.

The selected site is a private hill, which is a considerable distance from surrounding residential properties. The closest dwelling to the application site is located on the application lot, approximately 950m to the east. There is an existing dwelling at 205 Riccarton Road 1000m to the south east, a dwelling at 195 Riccarton Road 1100m to the west and a dwelling at 1422 Corangamite Lake Road 1200m to the north east. It is considered that the separation distance from surrounding residential properties would minimise the visual impact when viewed from the surrounding dwellings.

Clustering telecommunications facilities is a common occurrence on rural hilltops as the highest point is, more often than not, the highest point that allows for suitable signal dispersal to the surrounding area without the need for additional telecommunications towers. Warrion Hill benefits from an altitude of 276m AHD and, due to the significant vantage point, the hill already hosts a number of existing vertical telecommunication facilities and associated structures. In view of this, the proposed monopole would not be viewed in isolation, but would be perceived as part of the existing cluster of telecommunications equipment.

Given the existing cluster, it is considered that the proposed monopole would not be perceived in isolation but considered as part of the larger grouping and, on balance, would not be visually intrusive in the landscape setting when viewed from surrounding residential properties or surrounding public vantage points. The proposal is considered to comply with Principle A.

b. Telecommunications facilities should be co-located wherever practical

A number of candidate sites were examined within the search area to consider a site's ability to meet the coverage requirements and network objectives. Where possible, any existing infrastructure and co-location opportunities were considered by the applicant. The applicant has advised that the existing monopoles and towers at Warrion were considered for co-location purposes and these were not suitable. Also for consideration is whether the existing towers could be removed. The applicant advised that the potential removal of existing towers was a matter for the respective tower owners and not part of this application. It is agreed that, if approved, the proposed monopole would provide for future co-location opportunities.

The applicant has advised that the existing Broadcast Australia tower (50m to the east) was not a feasible option as this would require the replacement of the existing 23m tower with a new 35m lattice tower. This was not considered practical due to greater visual impact than the proposed monopole with additional risk of interference. The applicant also considered replacing the existing 10m high Telstra Monopole with a 40m high lattice tower. This was not considered to be a feasible option as the desired coverage area would be obstructed by the nearby Broadcast Australia tower. Replacing the existing monopole with a lattice tower would also have greater visual impact on the landscape setting than the proposed monopole.

In view of this, it is accepted that the applicant has considered the option of co-location on this site 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. It is considered this would 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 would comply with the Standard, with the maximum predicted EME equating to 0.37% 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). The proposal is considered to address the requirements of Principle C.

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

It is noted that the site already contains three telecommunications lattice towers and three monopoles and, as such, it is considered that the immediate area already comprises a modified environment.

It is considered that any further disturbance to the site in this location would be minimal and limited to the proposed compound area and access track extension. The applicant has advised that the installation of the proposed facility could be undertaken at any time without significant disturbance to the surrounding area. The proposal is considered to address the requirements of Principle D.

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 proposed facility is designed to be carried out in accordance with relevant Occupational Health and Safety Guidelines. The proposal is considered to address the requirements of Principle E.

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

The application has been referred to Barwon Water and Southern Rural Water under the provisions of ESO1 and Department of Environment, Land, Water and Planning under ESO2 and no objection has been received.

### **Council Plan / Other Strategies / Policy**

#### **A Planned Future**

The Council Plan contains a strategy to: *"Facilitate the development of infrastructure for business investment, growth and liveability."* Within this strategy there is an action to: *"Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage"*. There is also a strategy to: *"Meet our statutory obligations for community safety, security and responses to emergency situations"*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

### **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**

A planning permit is required for the development of the land for a telecommunications facility and associated works.

Allowing this proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, the zoning and overlay provisions, and the particular provision for telecommunications facilities.

Having given due regard to the matters discussed above, it is considered that the application should be allowed, subject to conditions.

**Attachments**

1. Planning Application - PP246 2014-1 35 Warrion Hill Road Warrion 0 Pages
2. Aerial Photo - Subject Site and Alternatives 0 Pages
3. Site Maps - PP246 2014-1 35 Warrion Hill Road Warrion 0 Pages

**Recommendation(s)**

***That Council's Planning Committee resolves to issue a Planning Permit for the development of a telecommunication facility (25 metre high monopole) and associated antennas, equipment cabinets and works at 35 Warrion Hill Road, Warrion (LOT 3 TP851647) subject to the following conditions:***

***Endorsed plans***

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

***Amenity***

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

***Removal of facility***

4. ***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***

5. ***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 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.***

~~~~~



Planning Enquiries
Phone: (03) 5232 9412 ☐☐
Web: 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.

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?: Blalthin Buller & others.

Date: 20 / 10 / 2014

The land

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

Street Address

Street No.: 35	Street Name: Warrion Hill Road
----------------	--------------------------------

Suburb/Locality: Warrion	Postcode: 3249
--------------------------	----------------

Formal Land Description

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

Lot No.: 3	on Lodged Plan, Title Plan or Subdivision Plan No.: 851647L
------------	---

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.

Farming Land with dwelling and existing telecommunications facilities/ structures.
--

- 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 of a telecommunications facility comprising a 25 metre high monopole, associated antennas and equipment cabinets.

- 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"/>
Mobile phone: 0408 055 217	<input type="checkbox"/>
Email: david.hughes@aurecongroup.com	<input checked="" type="checkbox"/>
Fax: 9975 3444	<input type="checkbox"/>

Indicate preferred contact method

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): Peter Cole & Mary Cole	
Organisation (if applicable):	
Postal address: 51 Grundy Grove, Pascoe Vale South, VIC	
	Postcode: 3 0 4 4

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"/>	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: 19 / 11 / 2014

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 ☐☐

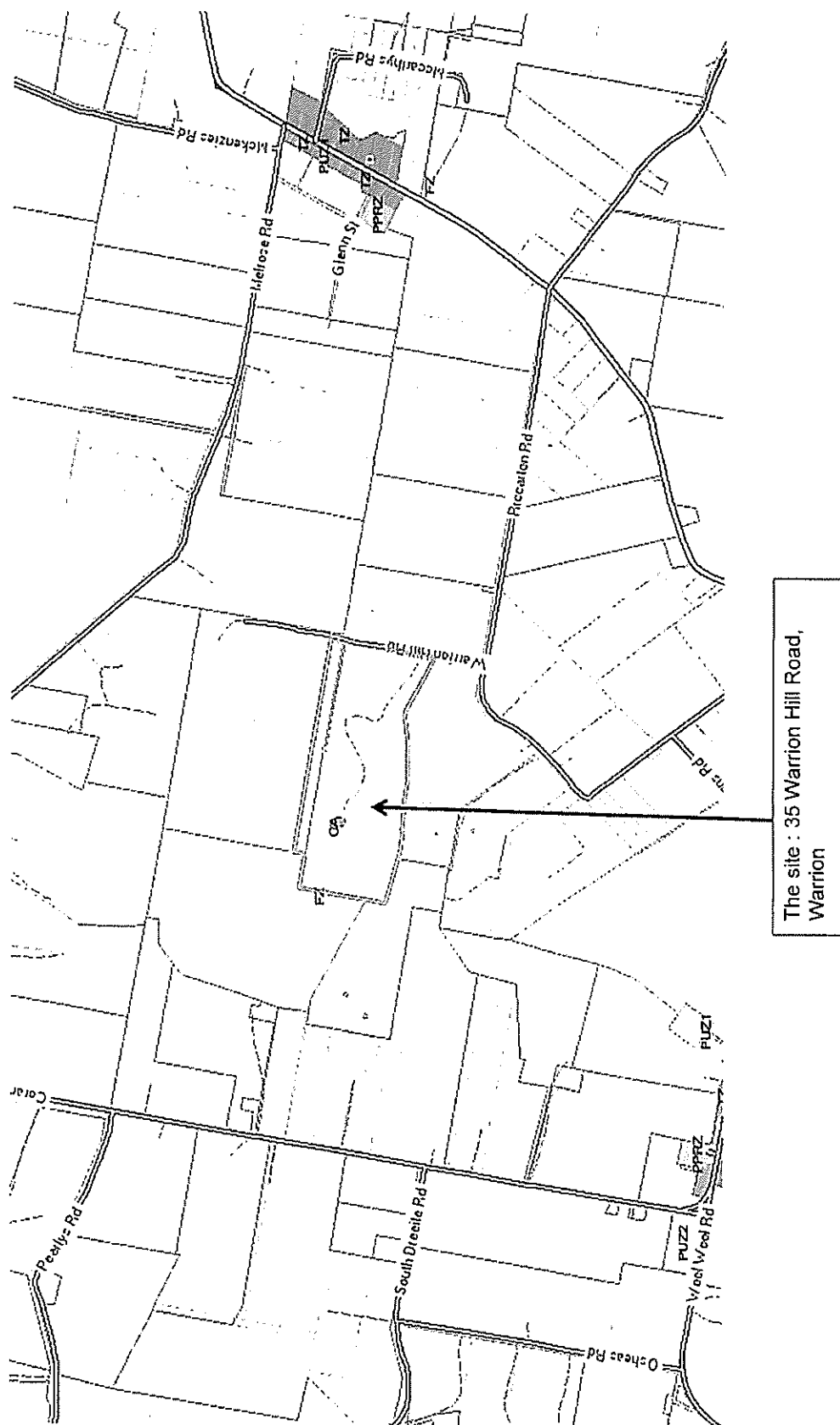
Telephone: (03) 5232 9412 ☐☐

Fax: (03) 5232 1046 ☐☐

For help or more information

Email: inq@colacotway.vic.gov.au ☐☐

TTY: (03) 5231 6787 ☐☐



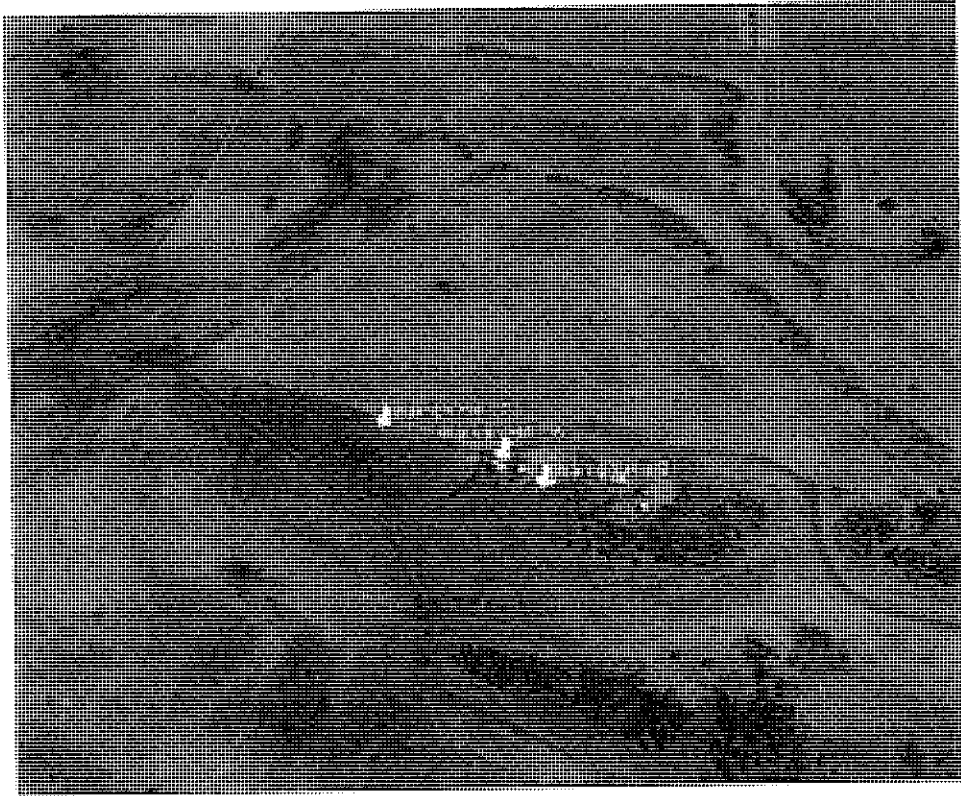
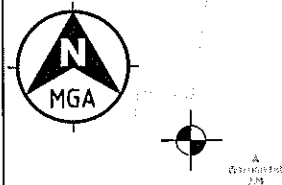


Figure 2: Aerial Photo of subject site and alternative candidates

SITE LOCATION



WARRION HILL ROAD

RICCARTON ROAD

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<http://www.openstreetmap.org>
<http://creativecommons.org/licenses/by-sa/2.0/>
 Use of this image is subject to the terms and conditions of the Creative Commons Attribution-ShareAlike 2.0
 license, the full licence of which can be accessed at <http://creativecommons.org/licenses/by-sa/2.0/legalcode>

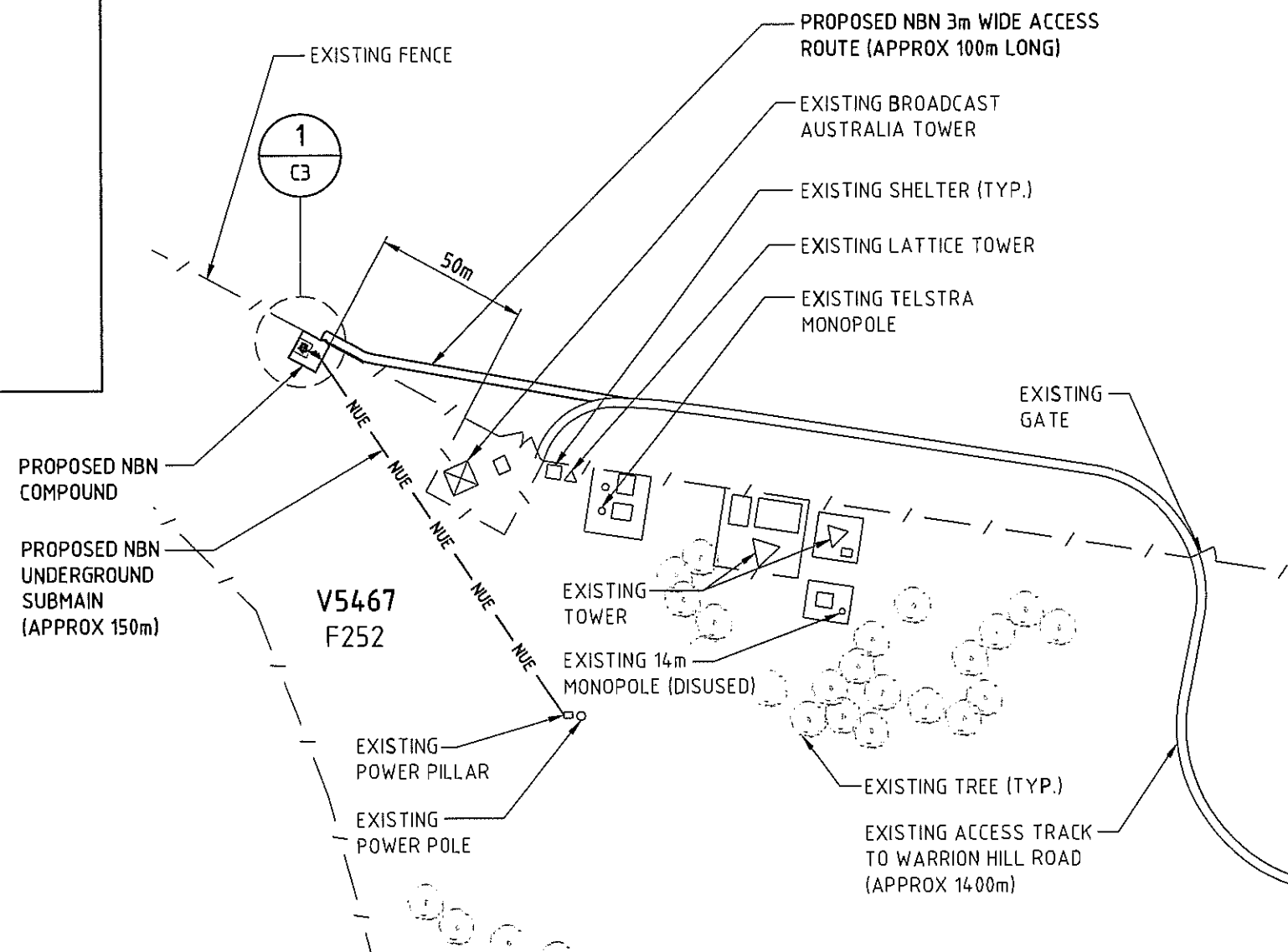
SITE CO-ORDINATES

MONOPOLE LOCATION

DATUM: MGA (GDA94)	ZONE: 54
LATITUDE	-38.22360
LONGITUDE	143.52908
EASTING	721 387
NORTHING	5 766 351

LEGEND

— NUE — NUE — NBN UNDERGROUND ELECTRICAL
 CABLES IN CONDUITS



OVERALL SITE PLAN

SCALE 1:2000

NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND
 NETWORK
 SITE No: 3COL-51-01-WARL
 WARRION HILL
 35 WARRION HILL ROAD
 WARRION
 VIC 3249

PRELIMINARY

03	17.11.14	SUBURB AMENDED
02	06.11.14	POLE HEIGHT CHANGE
01	12.09.14	PRELIMINARY ISSUE
Rev	Date	Revision Details



DESIGNER: JK
 CHECKED: PP
 APPROVED: GM

Drawing Title:

OVERALL
 SITE PLAN

Drawing No. 3COL-51-01-WARL-C2
 Revision 03



EXISTING
FENCE

REPLACE SECTION OF
EXISTING FENCE WITH
NBN FENCE

PROPOSED NBN ϕ 1200 PARABOLIC
ANTENNA (TO CRESSY EAST)

PROPOSED NBN ϕ 600 PARABOLIC
ANTENNA (TO COROROOKE)

PROPOSED NBN GPS UNIT (1-OFF)

PROPOSED NBN 3m WIDE
ACCESS ROUTE (APPROX. 100m)

PROPOSED NBN POWER
DISTRIBUTION BOARD/METER
PANEL ON H-FRAME

PROPOSED NBN UNDERGROUND
ELECTRICAL SUPPLY ROUTE
(INDICATIVELY SHOWN).
APPROX 150m

PROPOSED 3-OFF NBN LLPX310R
PANEL ANTENNAS WITH PROPOSED
NBN REMOTE RADIO UNIT FIXED
BEHIND THE PANEL ANTENNA (TYP.)

PROPOSED NBN 25m MONOPOLE
WITH CIRCULAR HEADFRAME

PROPOSED NBN MONOPOLE
FOOTING. (INDICATIVELY SHOWN)

PROPOSED NBN 2.4m HIGH CHAINWIRE
SECURITY FENCE WITH 3.0m WIDE
ACCESS GATE

PROPOSED NBN 300
WIDE CABLE LADDER
WITH 1 OFF CABLE
LADDER SUPPORT POST

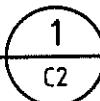
PROPOSED NBN (1-OFF)
OUTDOOR CABINET SSC-02
ON CONCRETE SLAB

PROPOSED NBN (1-OFF)
SSC-02 OUTDOOR CABINET
(FUTURE LOCATION)

LEGEND

- / — / — NBN COMPOUND FENCE
- NUE — NUE — NBN UNDERGROUND ELECTRICAL
CABLES IN CONDUIT

DETAIL
SCALE 1:100



NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS ARE
INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN
EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY
EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



ERICSSON

Client:

Project:

NATIONAL BROADBAND
NETWORK
SITE No: 3COL-51-01-WARL
WARRION HILL
35 WARRION HILL ROAD
WARRION
VIC 3249

PRELIMINARY

03	17.11.14	SUBURB AMENDED
02	06.11.14	POLE HEIGHT CHANGE
01	12.09.14	PRELIMINARY ISSUE
Rev	Date	Revision Details



DESIGNER: JK

CHECKED: PP

APPROVED: GM

Drawing Title:

SITE SETOUT
PLAN

Drawing No.
3COL-51-01-WARL-C3

Revision
03

▼ EL 25.0m
TOP OF MONOPOLE
▼ EL 25.0m
C/L PROPOSED NBN CANISTER

▼ EL 25.0m
C/L 3-OFF 1077H PROPOSED NBN PANEL ANTENNAS
3-OFF 500H RADIO UNITS MOUNTED BEHIND ANTENNAS

▼ EL 22.0m
C/L 1-OFF NBN Ø600 PROPOSED PARABOLIC ANTENNA (TO COROROOKE)
C/L 1-OFF NBN Ø1200 PROPOSED PARABOLIC ANTENNA (TO CRESSY EAST)

PROPOSED NBN 2.4m HIGH
CHAINWIRE SECURITY FENCE
WITH 3.0m WIDE ACCESS GATES

PROPOSED NBN MONOPOLE
FOOTING (INDICATIVE SHOWN)

PROPOSED NBN FEEDERS TO BE
INSTALLED VERTICALLY INSIDE MONOPOLE

PROPOSED NBN 25m MONOPOLE WITH
CIRCULAR HEADFRAME

PROPOSED NBN 300 WIDE CABLE LADDER WITH
(1-OFF) CABLE LADDER SUPPORT POST

PROPOSED NBN GPS UNIT (1-OFF)

PROPOSED NBN (1-OFF) OUTDOOR
CABINET SSC-02 ON CONCRETE SLAB

PROPOSED NBN (1-OFF) OUTDOOR
CABINET SSC-02 (FUTURE LOCATION)

PROPOSED NBN POWER DISTRIBUTION
BOARD ON H-FRAME

▼ EL 0.00m
GROUND LEVEL


SOUTH ELEVATION
SCALE 1:125

Client:



NBN Co
Limited

Client:



ERICSSON

Client:

Project:

NATIONAL BROADBAND
NETWORK
SITE No: 3COL-51-01-WARL
WARRION HILL
35 WARRION HILL ROAD
WARRION
VIC 3249

PRELIMINARY

03	17.11.14	SUBURB AMENDED
02	06.11.14	POLE HEIGHT CHANGE
01	12.09.14	PRELIMINARY ISSUE
Rev	Date	Revision Details



aurecon
Aurecon Australia Pty Ltd ABN 54 005 139 873


DESIGNER: JK
CHECKED: PP
APPROVED: GM

Drawing Title:
**SITE ELEVATION
AND DETAILS**

Drawing No.	Revision
3COL-51-01-WARL-C4	03


NBN ANTENNA CONFIGURATION																			
SECTOR	SYMBOL	ANTENNA DETAIL								MAIN FEEDER DETAIL				RRU DETAIL		RF TAIL		RET CABLE	
		TYPE	DIMENSION HxWxD	C/L HEIGHT	AZIMUTH (TN)	E-TILT	MECH TILT	DESTINATION	QUANTITY RAU	TYPE	OVERALL LENGTH	CANISTER HEIGHT	CANISTER TO RRU LENGTH	TYPE	LOCATION	TYPE	LENGTH	TYPE	LENGTH
1	①	ARGUS-LLPX310R	1077x300x115	25m	0°	8°	0°	N/A	N/A	H&S HYBRID 19.6mm CABLE	4.0m	25.0m	2m	RRUS61	BEHIND ANTENNA	H&S 1/2" BIRD PROOFED LISCA CABLE	1.5m	1/TSR 484 21/2000	1.5m
2	②	ARGUS-LLPX310R	1077x300x115	25m	180°	8°	0°	N/A	N/A				2m	RRUS61	BEHIND ANTENNA		1.5m	1/TSR 484 21/2000	1.5m
3	③	ARGUS-LLPX310R	1077x300x115	25m	270°	8°	0°	N/A	N/A				2m	RRUS61	BEHIND ANTENNA		1.5m	1/TSR 484 21/2000	1.5m
4																			
5																			
6																			
A	Ⓐ	PARABOLIC	φ600	22m	192°	N/A	N/A	COROROOKE	1 OFF	ERICSSON 7.6mm	4.0m	-	-	-	-	-	-	-	-
B	Ⓑ	PARABOLIC	φ1200	22m	28°	N/A	N/A	CRESSY EAST	1 OFF	ERICSSON 7.6mm	4.0m	-	-	-	-	-	-	-	-
C																			
D																			
GPS		KRE 101282/1	φ69x96	2.5m	N/A	N/A	N/A	N/A	N/A	ERICSSON 7.6mm	10m	-	-	-	-	-	-	-	-

Client:



NBN Co Limited

Client:



ERICSSON

Client:

SITE INFORMATION:

1. SITE ADDRESS

35 WARRION HILL ROAD, ALVIE, VIC 3249

2. GENERAL

THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, AUSTRALIAN STANDARDS AND SPECIFICATIONS.

3. SITE ACCESS

SITE ACCESS FROM WARRION HILL ROAD VIA EXISTING ACCESS TRACK AND NEW NBN ACCESS ROUTE (APPROX 50m).

4. EQUIPMENT

PROPOSED NBN OUTDOOR CABINETS TO BE INSTALLED ON A CONCRETE SLAB WITHIN THE NBN LEASE AREA.

5. STRUCTURE

PROPOSED NBN 25m MONOPOLE.

6. ANTENNA ACCESS

ANTENNAS ARE PROPOSED TO BE ACCESSED USING LADDER WITH LAD-SAF OR EWP BY RIGGER QUALIFIED PERSONNEL ONLY.

7. EXISTING SERVICES

THE CONTRACTOR SHALL IDENTIFY AND CONFIRM THE LOCATION OF ALL EXISTING SERVICES PRIOR TO THE COMMENCEMENT OF WORKS.

8. EXISTING SITE HAZARDS

- LIMITED VISIBILITY IN FOG
- EXISTING EME
- 4WD REQUIRED

9. ELECTRICAL SUPPLY

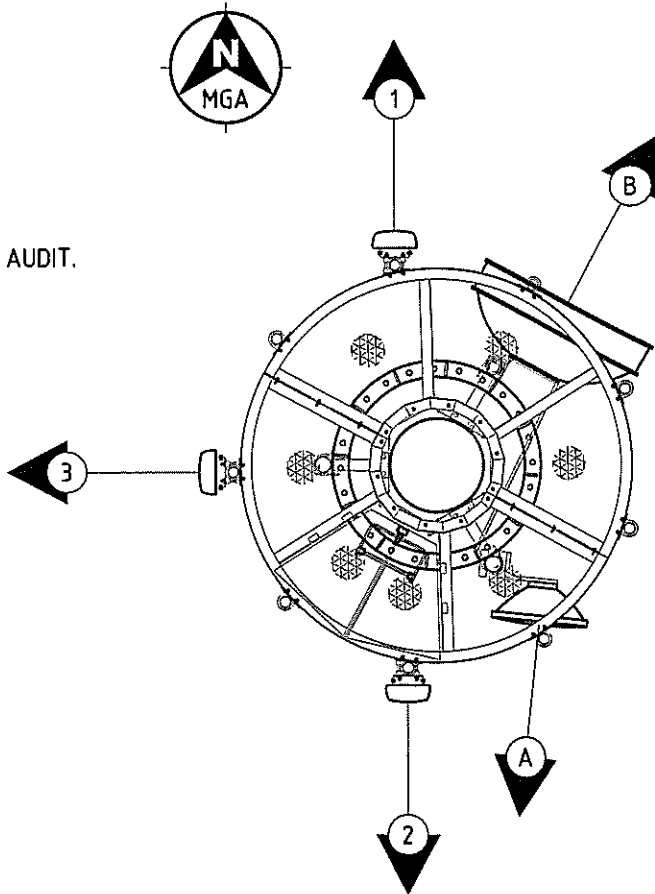
EXISTING POWER SUPPLY TO BE USED, SUBJECT TO POWER AUDIT.

10. TRANSMISSION LINK

REFER TO TABLE ABOVE.

11. ADDITIONAL INFO

- NO RETAINING WALLS ARE PROPOSED
- NO LANDSCAPING IS PROPOSED
- NO STORMWATER DETENTION IS REQUIRED.
- NO VEGETATION CLEARING IS REQUIRED



ANTENNA SETOUT PLAN

SCALE 1:50

NATIONAL BROADBAND NETWORK
SITE No: 3COL-51-01-WARL
WARRION HILL
35 WARRION HILL ROAD
WARRION
VIC 3249

PRELIMINARY

03	17.11.14	SUBURB AMENDED
02	06.11.14	POLE HEIGHT CHANGE
01	12.09.14	PRELIMINARY ISSUE
Rev	Date	Revision Details


Aurecon Australia Pty Ltd ABN 54 005 139 873

DESIGNER:	JK
CHECKED:	PP
APPROVED:	GM

Drawing Title:
SITE SPECIFIC NOTES
AND ANTENNA TABLE

Drawing No.	Revision
3COL-51-01-WARL-C1	03



This photograph is an approximate representation of the appearance and location of the proposed mobile facility only.

aurecon



**Looking north-east from Red Rock
Lookout (approx. 3km from site)**

Project: NBN Proposed Installation
Site No. 3COL-51-01-WARL

Location: 35 Warrion Hill Road
Warrion VIC 3249

COLAC OTWAY
SHIRE

10 FEB 2015

RECEIVED
DESTROY



This photograph is an approximate representation of the appearance and location of the proposed mobile facility only.

aurecon



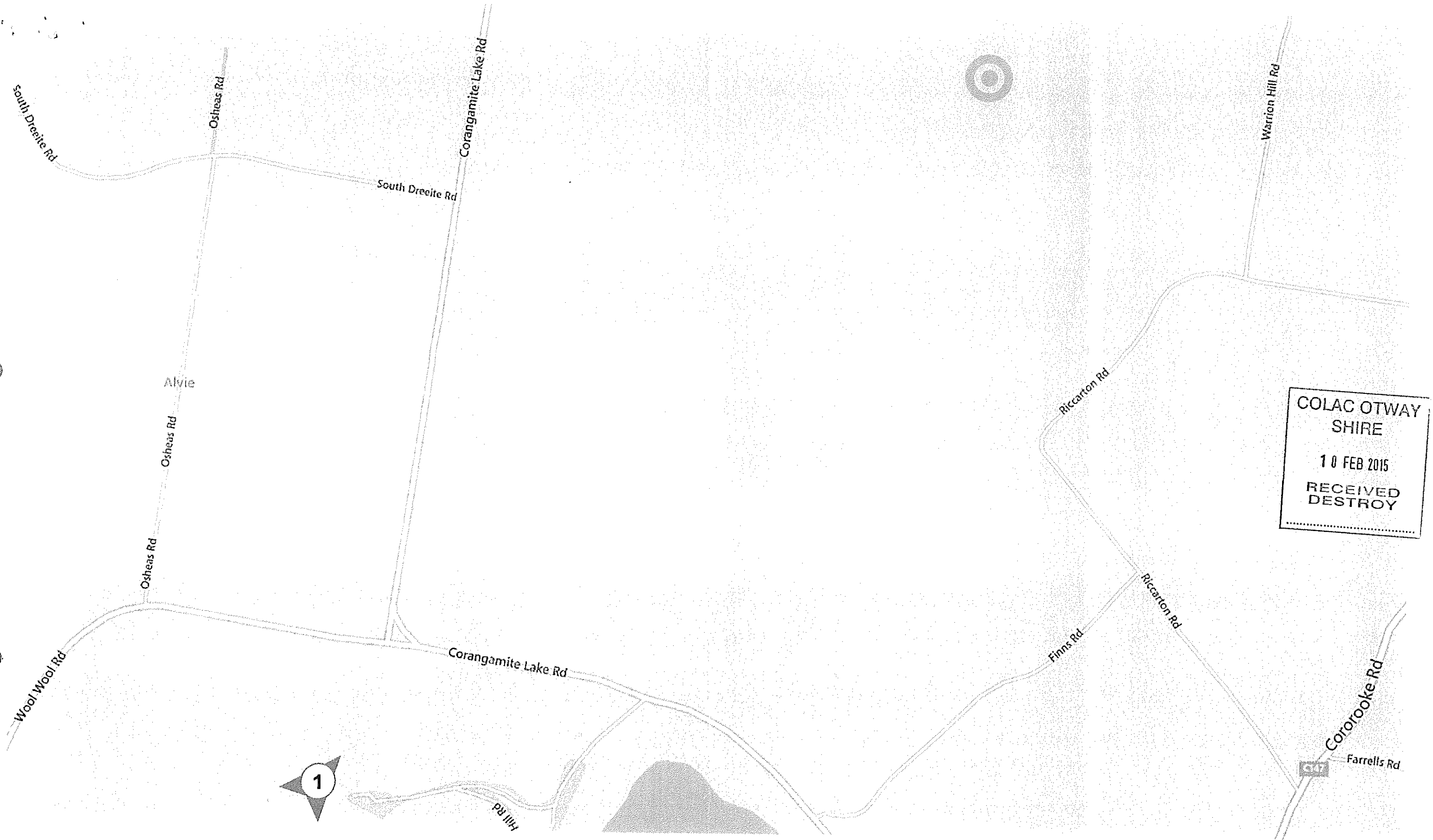
**Looking north-east from Red Rock
Lookout (zoomed for clarity)**

Project: NBN Proposed Installation
Site No. 3COL-51-01-WARL
Location: 35 Warrion Hill Road
Warrion VIC 3249

SHIRE

11 FEB 2015

RECEIVED
DESTROY




aurecon

Project: NBN Proposed Installation
Site No. 3COL-51-01-WARL

Location: 35 Warrion Hill Road
Warrion VIC 3249

Image: Bing (2015)

 Proposed Monopole Location

 View location



PC150804-3 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (35 METRE HIGH MONOPOLE), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 335 SWAN MARSH ROAD SWAN MARSH (PP253/2014-1)

AUTHOR:	Helen Evans	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Location: 335 Swan Marsh Road, Swan Marsh

Zoning: Farming Zone (FZ)

Overlay controls: Nil

Proposed Amendments: Nil

Purpose:

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, at 335 Swan Marsh Road, Swan Marsh.

This application is before the Planning Committee as the proposed structure would be in excess of eight (8) metres in height.

It is recommended that a permit be issued.

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 Swan Marsh. The facility is designed to provide Fixed Wireless internet services to dwellings in the Swan Marsh 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 and is located on the southern side of Swan Marsh Road, Swan Marsh. 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 Swan Marsh Road frontage on the site for a period of 14 days. Notice of the application was also placed in the Colac Herald. No objections have been received to the application.
- 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 telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

Background

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forrest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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 a critical connection point between Colac and a proposed facility at Gellibrand.

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 telecommunications 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 70m from Swan Marsh Road (to the north), 615m from the southern lot boundary, 750m from the eastern lot boundary, and 2m from the western boundary. The proposal, which also includes a new 90m long gravel access track, does not require the removal of any native vegetation from the land.

The proposed 35 metre high monopole would accommodate the following:

- a) Three (3) panel antennas measuring approximately 1077mm x 300mm x 115mm at the 35 metre point;
- b) Two (2) parabolic radio communication dish antennas at 32 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 wide by 10m deep compound and secured by a 2.4m high chain wire fence.

Access to the site would be via an existing access gate from Swan Marsh Road, with a new gravel access track proposed of approximately 90m in length and 3m in width. The proposed facility would be powered by an underground power cable run from an existing power source (power pole) on Swan Marsh 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 an irregular shape and is located on the south side of Swan Marsh Road, opposite its junction with Pirron Yallock Recreation Reserve. It is identified on title as Lot 1 TP590938B. There are no restrictions on title.

The site is not identified as being within an area of cultural heritage sensitivity. The site is located within the Farming Zone, as is the surrounding area, and does not contain any significant vegetation. The site, which is 57.5ha in area, is currently utilised for grazing. Access to the site is via Swan Marsh Road. An existing Telstra station is located on a separate title to the immediate northwest of the site and it is proposed to construct the new telecommunications facility directly south of this existing station.

The closest dwellings to the application site are located 280m to the northwest, 390m to the west, 370m to the east and 460m to the northeast.

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

- a) The proposed site would provide the optimal required quality of service as required by NBN across the Swan Marsh area.
- b) The site is well removed from the township.
- c) The site is well set back from the nearest road.

- d) While the site is generally quite open, there are stands of vegetation in the wider area beyond the property, including within the recreation reserve opposite the site, which would limit 'distant' visual impacts.

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

- Recreation Reserve, 370 Swan Marsh Road, Swan Marsh
This option would involve a new 35m monopole on the Council owned Recreation Reserve on the opposite side of the road. This site was not pursued as the Pirron Yallock Reserve Master Plan proposes new tennis courts and car parking where the monopole would be located. As a result, it was considered there would be too many constraints on obtaining a suitable site in this location.
- 470 Irrewillipe – Pirron Yallock Road, Swan Marsh
This option would involve a new 40m monopole on privately owned farmland east of the subject site. This alternative was not pursued as it was 800m east of the other options and the radiofrequency coverage was assessed as poor and therefore not suitable.
- 375 Swan Marsh Road Swan Marsh - Existing Telstra Tower
This existing 15m high lattice tower, which is adjacent to Swan Marsh Road, was considered too short.

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 Swan Marsh Road frontage on the site, for a period of 14 days. Notice of the application was also placed in the Colac Herald. No objections were received.

Referrals

The application was referred internally to Council's Infrastructure and Environmental Health Departments. No objections were raised.

A condition and note have been recommended relating to the access, in the event a permit is issued; these have been included in the recommendation at the end of this report. Whilst a condition was also suggested by Environmental Health relating to noise levels, it is not considered necessary to impose that condition in this case, given the distance that would exist between the proposed facility and any sensitive uses.

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.

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the shire.

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, and 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 52.19 - 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 a 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

A planning permit is sought for the use and development of a telecommunications facility, comprising a 35m high monopole and ancillary components within a 100sqm fenced area. A planning permit is required as the exemptions listed in Clause 52.19 have not been met.

The grey colouring and materials to be used in the construction of the monopole would assist in blending the monopole in with the surrounding natural sky/landscape setting. It is considered that the proposed monopole would be consistent with the purpose of the zone, as it would provide for improved telecommunications which would be beneficial to the Swan Marsh area and surrounds. The proposed monopole would provide the level of service coverage required, 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 allows 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 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 location would also ensure that the proposed non-agricultural use would not adversely affect the viability and use of the land for agriculture. Overall it is considered that the proposal is consistent with the decision guidelines of the Farming Zone.

The proposed 35m high monopole would provide for improved telecommunications to Swan Marsh and surrounding area, being a critical connection point between the proposed facility at Gellibrand and Colac. The proposed monopole would provide the level of service coverage required, whilst being sited so as to minimise the impact on the surrounding area.

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 (within a paddock devoid of vegetation), would inevitably be seen from adjacent and surrounding roads, which is an unavoidable outcome. It is considered that the proposed location of the facility would be suitably separated from any nearby dwellings, with the closest dwellings located 280m to the northwest, 390m to the west, 370m to the east and 460m to the northeast.

The combination of the distance from neighbouring dwellings, and the site being well removed from the township area and well set back from the Swan Marsh 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 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 was considered for co-location purposes but was too short to be suitable. The applicant has also confirmed that the potential removal of this tower is a matter for its owner and does not form part of this application. It should also be noted that the proposed NBN tower would provide a future co-location opportunity.

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 considered 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 0.15% 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).

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.

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

The Council Plan contains a strategy to: *"Facilitate the development of infrastructure for business investment, growth and liveability."* Within this strategy there is an action to: *"Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage"*. There is also a strategy to: *"Meet our statutory obligations for community safety, security and responses to emergency situations"*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

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

A planning permit is required for the use and development of the land for a telecommunications facility and associated works.

Allowing the proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, zoning requirements and current local policies.

Having given due regard to the matters discussed above, it is considered that the application should be approved, subject to conditions.

Attachments

1. Planning Application - PP253 201401 335 Swan Marsh Road Swan Marsh 0 Pages
2. Aerial Photo - Subject Site and Alternatives 0 Pages
3. Site Maps - PP253 2014-1 335 Swan Marsh Road Swan Marsh 0 Pages

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 335 Swan Marsh Road, Swan Marsh (Lot 1 TP590938B) 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.***

~~~~~

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

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

## 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?: Blaitthin Butler and others

Date: 20 / 10 / 2014

### The land

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

#### Street Address

Street No.: 335

Street Name: Swan Marsh Road

Suburb/Locality: Swan Marsh

Postcode: 3249

#### Formal Land Description

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

Lot No.: 1

on Lodged Plan, Title Plan or Subdivision Plan No.: 590938B

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.

Rural farmland

- 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 buildings and works 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):                                                                                                         |                                            |           |   |   |   |   |
| Organisation (if applicable):                                                                                                 | Scott Family Superannuation Fund           |           |   |   |   |   |
| Postal address:                                                                                                               | 6 Moore Street                             |           |   |   |   |   |
| Colac                                                                                                                         | VIC                                        | Postcode: | 3 | 2 | 5 | 0 |

## Checklist

(12) Have you?

- ☒ Filled in the form completely?
- ☐ Paid or included the application fee?
- ☒ ☒ Attached all necessary supporting information and documents?
- ☒ Completed the relevant council planning permit checklist?
- ☒ 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:

## 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☐☐

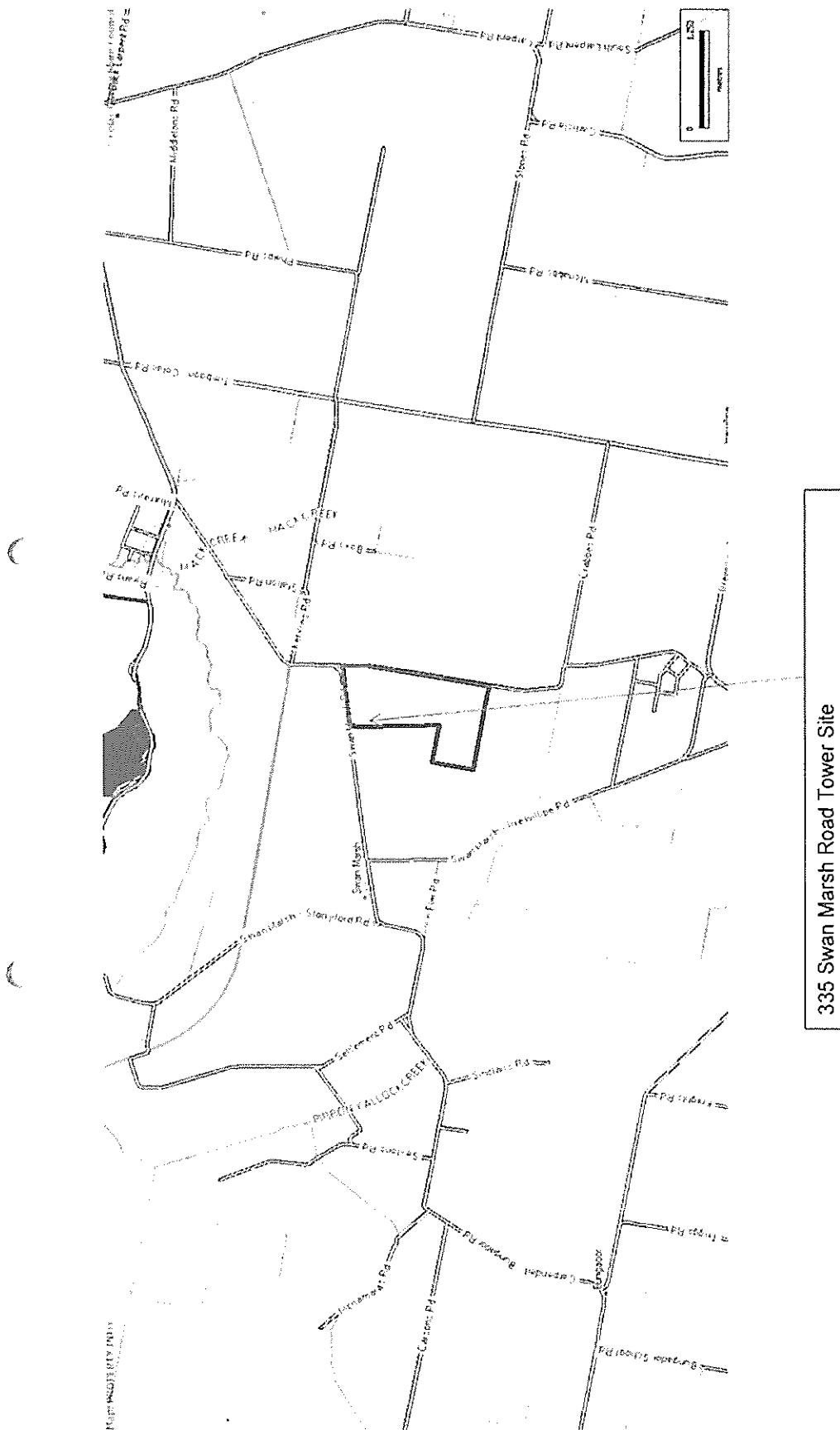
Telephone: (03) 5232 9412 ☐☐

Fax: (03) 5232 1046 ☐☐

For help or more information

Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) ☐☐

TTY: (03) 5231 6787☐☐



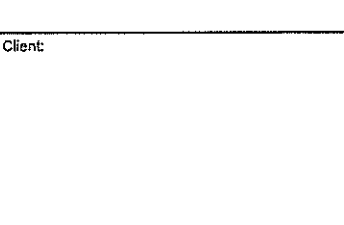


335 Swan Marsh Road Tower Site




Figure 2: Aerial Photo of alternative candidates

| NBN ANTENNA CONFIGURATION |        |                |                    |               |                 |        |           |             |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
|---------------------------|--------|----------------|--------------------|---------------|-----------------|--------|-----------|-------------|-----------------|----------------------|-------------------|--------------------|---------------------------|------------|-------------------|-----------------------------------------|--------|----------------------|--------|
| SECTOR                    | SYMBOL | ANTENNA DETAIL |                    |               |                 |        |           |             |                 | MAIN FEEDER DETAIL   |                   |                    |                           | RRU DETAIL |                   | RF TAIL                                 |        | RET CABLE            |        |
|                           |        | TYPE           | DIMENSION<br>HxWxD | C/L<br>HEIGHT | AZIMUTH<br>(TN) | E-TILT | MECH TILT | DESTINATION | QUANTITY<br>RAU | TYPE                 | OVERALL<br>LENGTH | CANISTER<br>HEIGHT | CANISTER TO<br>RRU LENGTH | TYPE       | LOCATION          | TYPE                                    | LENGTH | TYPE                 | LENGTH |
| 1                         | ①      | ARGUS-LLPX310R | 1077x300x115       | 35m           | 60°             | 4°     | 0°        | N/A         | N/A             | H&S HYBRID<br>19.6mm | 50m               | 35.0m              | 5m                        | RRUS61     | BEHIND<br>ANTENNA | H&S 1/2" BIRD<br>PROOFED<br>LISCA CABLE | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |
| 2                         | ②      | ARGUS-LLPX310R | 1077x300x115       | 35m           | 120°            | 4°     | 0°        | N/A         | N/A             |                      |                   |                    | 2m                        | RRUS61     | BEHIND<br>ANTENNA |                                         | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |
| 3                         | ③      | ARGUS-LLPX310R | 1077x300x115       | 35m           | 280°            | 4°     | 0°        | N/A         | N/A             |                      |                   |                    | 2m                        | RRUS61     | BEHIND<br>ANTENNA |                                         | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |
| 4                         |        |                |                    |               |                 |        |           |             |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| 5                         |        |                |                    |               |                 |        |           |             |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| 6                         |        |                |                    |               |                 |        |           |             |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| A                         | Ⓐ      | PARABOLIC      | ø900               | 32m           | 81°             | N/A    | N/A       | COLAC       | 2               | ERICSSON<br>7.6mm    | 50m               | -                  | -                         | -          | -                 | -                                       | -      | -                    | -      |
| B                         | Ⓑ      | PARABOLIC      | ø900               | 32m           | 147°            | N/A    | N/A       | GELLIBRAND  | 1               | ERICSSON<br>7.6mm    | 50m               | -                  | -                         | -          | -                 | -                                       | -      | -                    | -      |
| C                         |        |                |                    |               |                 |        |           |             |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| D                         |        |                |                    |               |                 |        |           |             |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| GPS                       |        | KRE 101282/1   | ø69x96             | 2.5m          | N/A             | N/A    | N/A       | N/A         | N/A             | ERICSSON<br>7.6mm    | 10m               | -                  | -                         | -          | -                 | -                                       | -      | -                    | -      |

Client:  
  
Client:  
  
Client:  


Project:  
NATIONAL BROADBAND NETWORK  
SITE No: 3COL-51-10-SWAM  
SWAN MARSH  
335 SWAN MARSH ROAD  
SWAN MARSH  
VIC 3249  
  
PRELIMINARY  
  

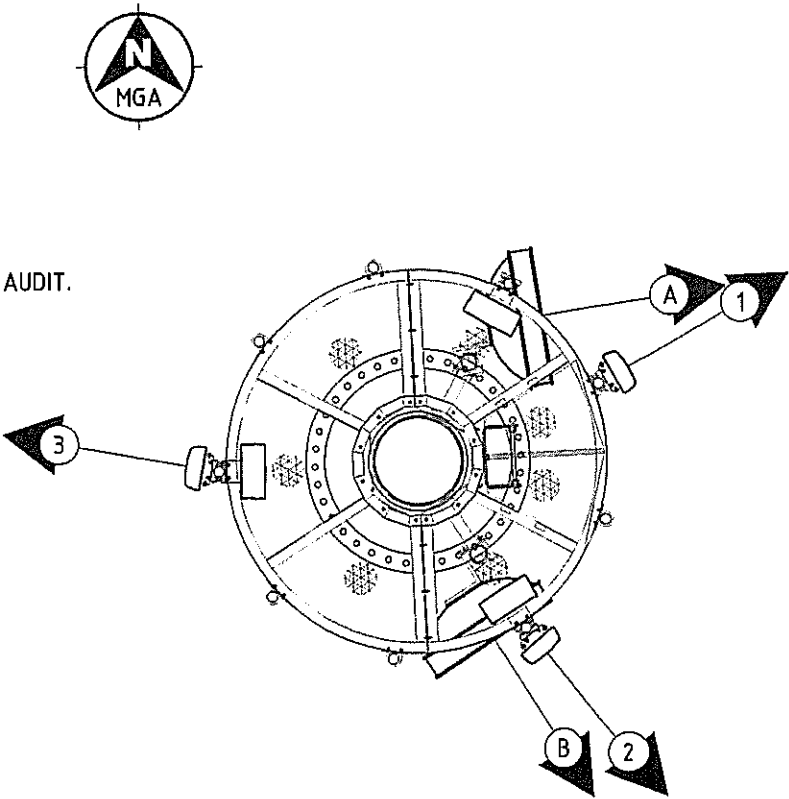
|     |          |                                  |
|-----|----------|----------------------------------|
| 02  | 12.11.14 | REVISED AS PER ERICSSON COMMENTS |
| 01  | 15.10.14 | PRELIMINARY ISSUE                |
| Rev | Date     | Revision Details                 |

  
  
Aurecon Australia Pty Ltd ABN 54 005 139 873  
  
DESIGNER: *Art*  
CHECKED: *JK*  
APPROVED: *GM*  
Drawing Title:  
SITE SPECIFIC NOTES  
AND ANTENNA TABLE  
  
Drawing No.  
3COL-51-10-SWAM-C1  
Revision  
02

SITE INFORMATION:

1. SITE ADDRESS  
335 SWAN MARSH ROAD, SWAN MARSH, VIC 3249
2. GENERAL  
THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, CURRENT AUSTRALIAN STANDARDS AND SPECIFICATIONS
3. SITE ACCESS  
ACCESS FROM SWAM MARSH ROAD AND VIA NEW NBN ACCESS ROUTE ALONG THE EXISTING FENCE LINE
4. EQUIPMENT  
PROPOSED NBN OUTDOOR CABINETS TO BE INSTALLED ON A CONCRETE SLAB WITHIN THE NBN LEASE AREA
5. STRUCTURE  
PROPOSED 35m NBN MONOPOLE
6. ANTENNA ACCESS  
ANTENNAS ARE PROPOSED TO BE ACCESSED USING LADDER WITH LAD-SAF OR EWP BY RIGGER QUALIFIED PERSONNEL ONLY
7. EXISTING SERVICES  
THE CONTRACTOR SHALL IDENTIFY AND CONFIRM THE LOCATION OF ALL EXISTING SERVICES AS REQUIRED PRIOR TO THE COMMENCEMENT OF WORKS.

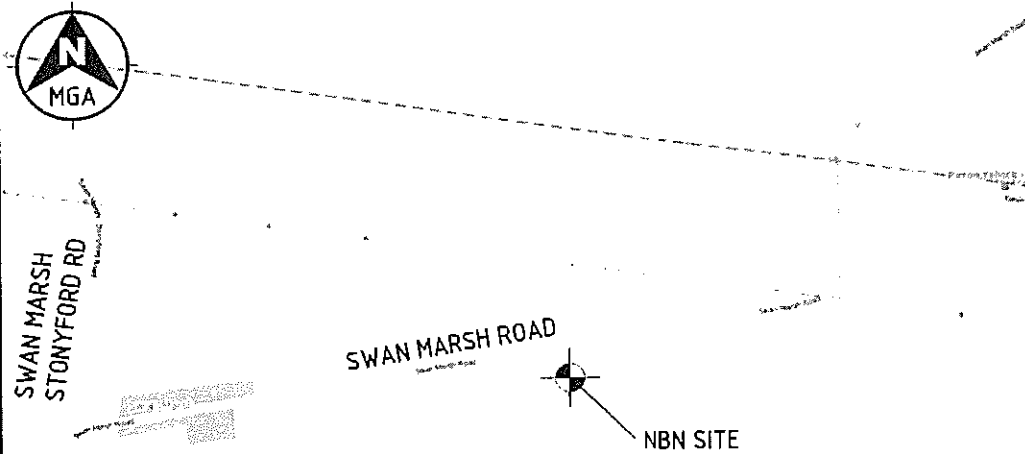
8. EXISTING SITE HAZARDS  
-EXISTING EME FROM NEARBY TELSTRA FACILITY  
- ELECTRIC FENCE
9. ELECTRICAL SUPPLY  
EXISTING POWER SUPPLY TO BE USED, SUBJECT TO POWER AUDIT.
10. TRANSMISSION LINK  
REFER TO TABLE ABOVE.



ANTENNA SETOUT PLAN

SCALE 1:100

# SITE LOCATION



COPYRIGHT © OPENSTREETMAP CONTRIBUTORS, CC BY-SA  
<http://www.openstreetmap.org>  
<http://creativecommons.org/licenses/by-sa/2.0/>  
 Use of this image is subject to the terms and conditions of the Creative Commons Attribution-ShareAlike 2.0  
 licence, the full licence of which can be accessed at <http://creativecommons.org/licenses/by-sa/2.0/legalcode>

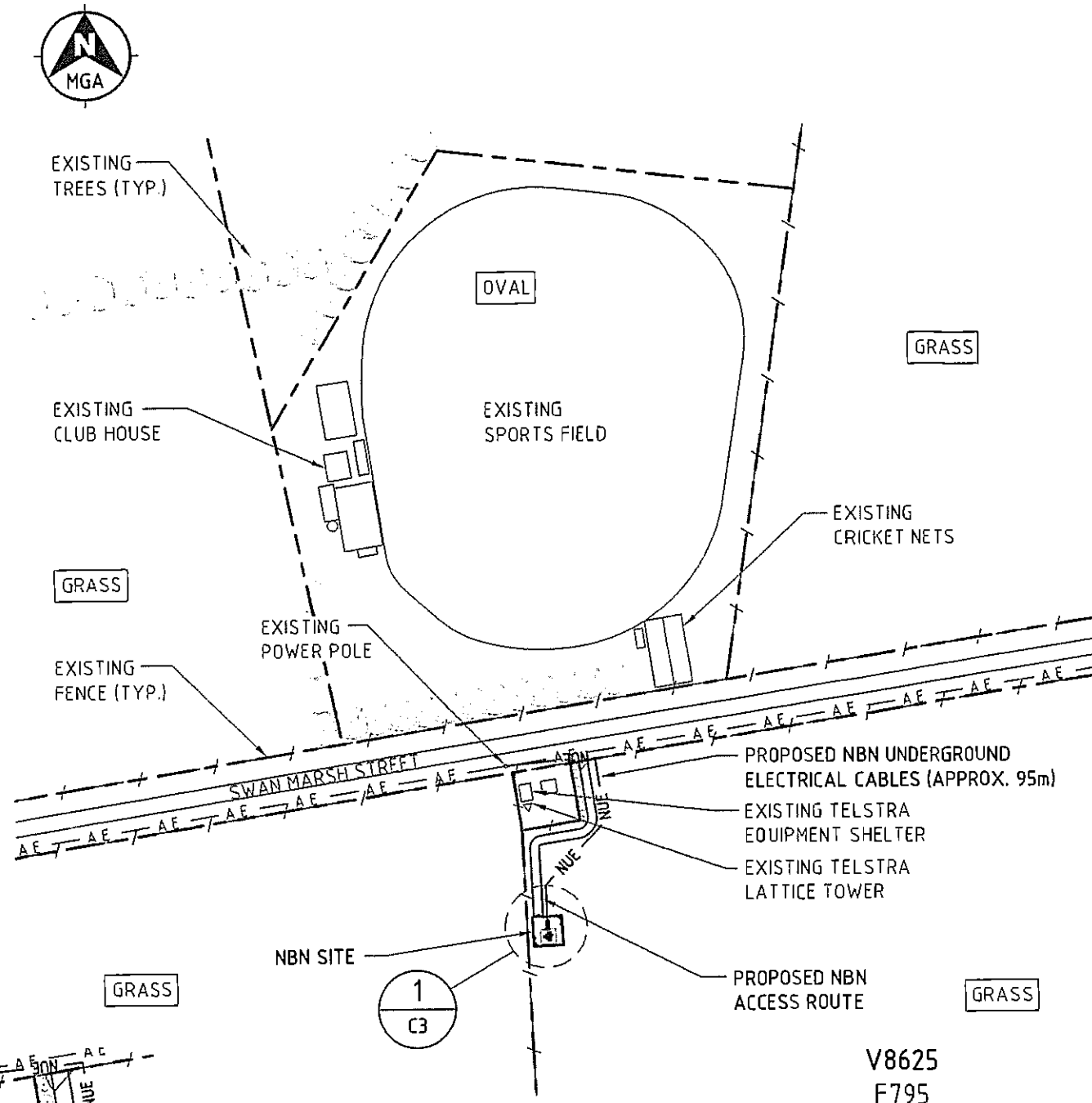
## SITE CO-ORDINATES

### MONOPOLE LOCATION

|                    |            |
|--------------------|------------|
| DATUM: MGA (GDA94) | ZONE: 54   |
| LATITUDE           | -38.37074° |
| LONGITUDE          | 143.4048°  |
| EASTING            | 710 081    |
| NORTHING           | 5 750 311  |

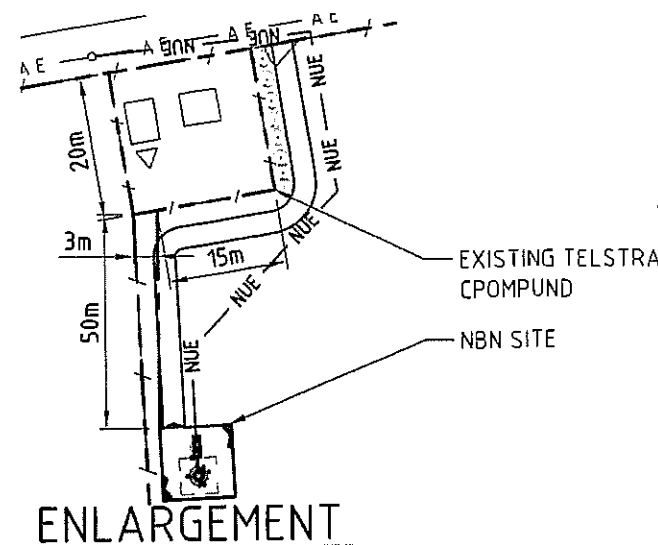
#### LEGEND

- AE — AE — EXISTING AERIAL ELECTRICAL LINES
- / — / — EXISTING FENCE
- NUE — NUE — NBN UNDERGROUND ELECTRICAL LINE
- --- PROPERTY BOUNDARY



## OVERALL SITE PLAN

SCALE 1:2000



## ENLARGEMENT

SCALE 1:1000

#### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND NETWORK  
 SITE No: 3COL-51-10-SWAM  
 SWAN MARSH  
 335 SWAN MARSH ROAD  
 SWAN MARSH  
 VIC 3249

PRELIMINARY

02 12.11.14 REVISED AS PER ERICSSON COMMENTS  
 01 15.10.14 PRELIMINARY ISSUE  
 Rev Date Revision Details



DESIGNER: AT  
 CHECKED: JK  
 APPROVED: GUM

Drawing Title:

OVERALL SITE PLAN

Drawing No. 3COL-51-10-SWAM-C2 Revision 02



EXISTING FENCE (TYP.)

PROPOSED NBN POWER DISTRIBUTION BOARD/METER PANEL ON H-FRAME

PROPOSED NBN OUTDOOR CABINET SSC-02 (FUTURE LOCATION)

FINAL ELECTRICAL CIRCUITS IN CONDUITS. INSTALL AS PER AS/NZS 3000

PROPOSED NBN OUTDOOR CABINET SSC-02 ON CONCRETE SLAB

PROPOSED APPROX. 2500 LONG NBN 300 WIDE CABLE LADDER WITH (1 OFF) CABLE LADDER SUPPORT POST

PROPOSED NBN GPS UNIT (1 OFF)

PROPOSED NBN 3-OFF LLPX310R PANEL ANTENNAS WITH NBN REMOTE RADIO UNITS TO BE FIXED BEHIND THE PANEL ANTENNAS (1-OFF PER SECTOR)

PROPOSED NBN MONOPOLE FOOTING (INDICATIVELY SHOWN)

PROPOSED NBN 2.4m HIGH CHAINWIRE SECURITY FENCE WITH 3.0m WIDE ACCESS GATE

PROPOSED NBN 3m WIDE ACCESS ROUTE

NBN UNDERGROUND ELECTRICAL CABLE (INDICATIVELY SHOWN) (APPROX. 95m)

PROPOSED NBN 1-OFF  $\phi 900$  PARABOLIC ANTENNA (COLAC)

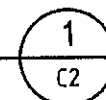
PROPOSED NBN 35m MONOPOLE WITH CIRCULAR HEADFRAME

PROPOSED NBN 1-OFF  $\phi 900$  PARABOLIC ANTENNA (GELLIBRAND)

#### LEGEND

- / — / — NBN COMPOUND FENCE
- NUE — NUE — NBN UNDERGROUND ELECTRICAL LINES
- — — — — PROPERTY BOUNDARY

DETAIL  
SCALE 1:100



#### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS ARE INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND NETWORK  
SITE No: 3COL-51-10-SWAM  
SWAN MARSH  
335 SWAN MARSH ROAD  
SWAN MARSH  
VIC 3249

PRELIMINARY

02 12.11.14 REVISED AS PER ERICSSON COMMENTS  
01 15.10.14 PRELIMINARY ISSUE  
Rev Date Revision Details



DESIGNER: A.T.

CHECKED: JK

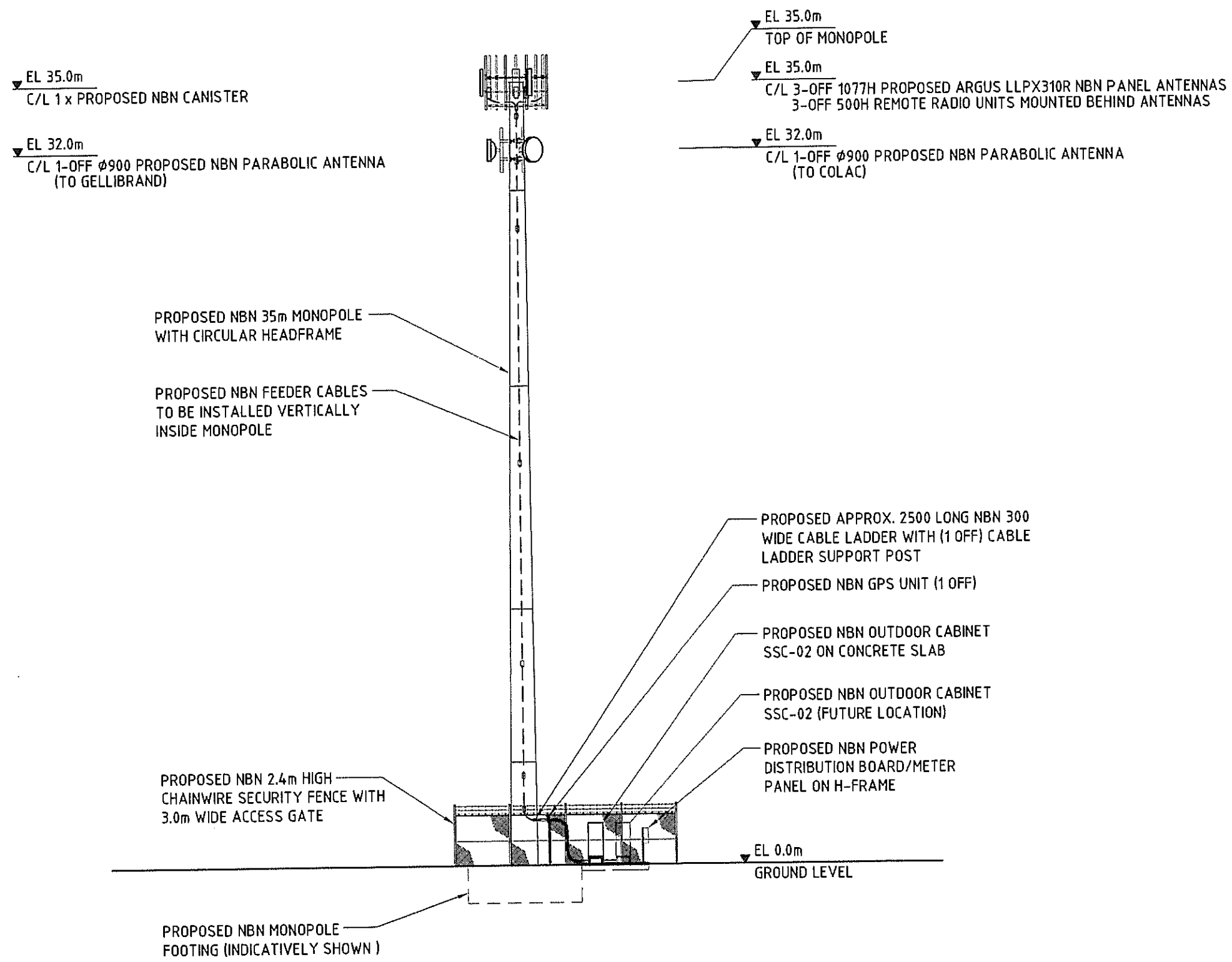
APPROVED: Gm

Drawing Title:

SITE SETOUT  
PLAN

Drawing No.  
3COL-51-10-SWAM-C3

Revision  
02



**EAST ELEVATION**  
SCALE 1:200

Client:  
**NBN Co**  
Limited

Client:  
**ERICSSON**

Client:

Project:  
NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-10-SWAM  
**SWAN MARSH**  
335 SWAN MARSH ROAD  
SWAN MARSH  
VIC 3249

**PRELIMINARY**

|     |          |                                  |
|-----|----------|----------------------------------|
| 02  | 12.11.14 | REVISED AS PER ERICSSON COMMENTS |
| 01  | 15.10.14 | PRELIMINARY ISSUE                |
| Rev | Date     | Revision Details                 |

**aurecon**  
Aurecon Australia Pty Ltd ABN 54 005 139 873

DESIGNER: *AT*  
CHECKED: *JK*  
APPROVED: *GM*

Drawing Title:  
**SITE ELEVATION  
AND DETAILS**

Drawing No.  
**3COL-51-10-SWAM-C4**  
Revision  
**02**



**PC150804-4 CONSTRUCTION OF A FIVE (5) METRE EXTENSION TO EXISTING TELECOMMUNICATIONS FACILITY WITH ANCILLARY ANTENNAS AND EQUIPMENT CABINETS AT 45 GARDNER STREET, BEECH FOREST (PP244/2014-1).**

|             |                                    |           |              |
|-------------|------------------------------------|-----------|--------------|
| AUTHOR:     | Ian Williams                       | ENDORSED: | Doug McNeill |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F14/11343    |

**Location:** 45 Gardner Street, Beech Forest

**Zoning:** Township Zone (TZ)

**Overlay controls:** Bushfire Management Overlay (BMO)  
Erosion Management Overlay (EMO1)

**Proposed Amendments:** Nil

**Purpose:**

Planning permission is sought for the construction of a five (5) metre extension to the existing telecommunications facility, together with ancillary antennas, equipment cabinets and works at 45 Gardner Street, Beech Forest.

This application is before the Planning Committee as the proposed extension to the existing structure would result in a total height in excess of eight (8) metres.

It is recommended that a permit be issued.

**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 construction of a five (5) metre extension to the existing telecommunications facility, with ancillary equipment cabinets and works. The total height of the tower would be extended from 36.4m to 41.4m (including antennas).
- The application has been submitted because NBN (National Broadband Network) Co. Ltd. has identified a requirement for a Fixed Wireless facility in Beech Forest. The facility is designed to provide Fixed Wireless internet services to dwellings in the Beech Forest area, 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 Township Zone and is located on the southern side of Gardner Street, Beech Forest.
- The site is subject to the Erosion Management Overlay Schedule 1 (EMO1) and Bushfire Management Overlay (BMO).
- The application was advertised by means of notice to all adjoining property owners and occupiers, with a sign placed on the notice board of the Beech Forest Hotel for a period of 14 days. Notice of the application was also placed in the Colac Herald. No objections have been received to the application.

- It is considered that the proposal generally complies with the Planning Scheme provisions and would achieve an appropriate outcome in the Township Zone.
- Whilst the extension to the tower would be visible, it is considered that the overall community benefit of providing improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

### **Background**

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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 will be 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 fixed wireless facility at Beech Forest would be a wireless hub site. It has been designed not only to provide fixed wireless services to the surrounding premises, but it is also designed to be a critical connection point between Beech Forest and a site proposed at Gellibrand.

### **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 an extension to the existing facility in this area. As noted above, there is a critical need for improved telecommunications 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**

Planning permission is sought for a 5m extension to the existing Telstra steel lattice tower, plus two ancillary outdoor equipment cabinets (0.3sqm) within the existing fenced area. The proposed extension would result in a total tower height extending from 36.4m to 41.4m (including 6m of antennas). The tower extension would be finished in galvanised steel which would fade to metallic grey to match the existing tower.

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 5m tower extension that forms the subject of this application would accommodate the following:

- a) Three (3) panel antennas (off white colour) approximately 1077mm x 300mm x 115mm at 33m high.
- b) One (1) 900mm radio communications dish at 30m high.
- c) Three (3) 500mm remote units mounted behind the antennas.
- d) Relocation of the existing Telstra antennas to the new 5m extension.

Associated facilities would include 2m high ground level cabinets (on concrete slab finished in beige), cable ladder (2m high) and power distribution board, located to the west of the existing tower and within the existing fenced compound. The facility would be powered by an underground cable from an existing power source a short distance away. 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 equipment associated with the equipment units (this is considered to be comparable to domestic units and background noise levels).

The proposed tower extension would be located approximately 9.8m from the northern boundary with Gardner Street, 18.2m from the eastern boundary, 10.4m from the southern boundary and 22.8m from the western boundary.

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 located on the south side of Gardner Street (also known as Beech Forest-Lavers Hill Road - RDZ1), opposite its junction with Old Colac Road. The site is identified on title as Lot 1 TP114028 and there are no restrictions on title. The site is currently occupied by a 36.4m high Telstra tower with equipment cabins and two smaller telecommunication towers to the west. Both tower sites are within fenced compounds. Access to the site is via an existing track from Gardner Street.

The site and immediate area is located within the Township Zone (TZ) and does not contain any significant vegetation. The land to the south is located within the Public Park and Recreation Zone (PCRZ). The site is not identified as being within an area of cultural heritage sensitivity. Dense vegetation cover is located towards the south of the site. The closest dwellings to the application site are located at 48 Gardner Street (81m), 58 Gardner Street (71m), 30 Buchanan Street (73m) and 1 Old Colac Road (106m).

This site was considered to be appropriate for the extension by the applicant for the following reasons:

- a) The existing tower only requires a 5m extension.

- b) The tower, with the 5m extension, would continue to be set back from existing dwellings and would have limited impact.
- c) The selected site would not require the removal of any vegetation.
- d) Access to the site and services is available.
- e) The selected site would provide the required fixed wireless coverage to the area.

#### 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 were considered.

- 5 Beech Forest-Lavers Hill Road, Beech Forest  
This site would involve the replacement of an existing SP AusNet steel pole, approximately 25m in height, with a 40m steel lattice tower on the land to the west at 5 Beech Forest-Lavers Hill Road. This site was not pursued by the applicant, as it was considered to be more appropriate to extend the existing tower than to apply for a new larger tower a short distance away.
- 37 Beech Forest-Lavers Hill Road, Beech Forest  
This alternative site has a 40m steel lattice tower on Council owned land a short distance west of the Telstra site (45 Gardner Street, Beech Forest). This site was considered as a reasonable option, but was ultimately not considered suitable as the required tower would be much taller than the existing structure and was not as close to the target town area.

#### **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 all adjoining property owners and occupiers with a sign placed on the notice board of the Beech Forest Hotel for a period of 14 days. Notice of the application was also placed in the Colac Herald. At the conclusion of the public notice period no objections were received.

#### **Referrals**

The application was referred internally to Council's Infrastructure and Health Departments. No objections were received. The Environmental Health Unit suggested the following condition be imposed:

*"Sound pressure levels from operation of the proposed development are to comply with recommended maximum noise levels as derived from NIRV, or as agreed in writing by the responsible authority."*

However, given that it is expected that the noise generated would be similar to that from a domestic premises, and the nearest residential property is approximately 71m from the site, it is not considered necessary to impose the condition in this case.

**Planning Controls**

The land is included in the Township Zone (TZ) and is subject to the Bushfire Management Overlay (BMO) and the Erosion Management Overlay (EMO1). A planning permit is required under the following provisions:

- Clause 32.05-8 - buildings and works (Township Zone)
- Clause 52.09-2 - building or works for a Telecommunications Facility

a. State and Local Planning Policy

The State and Local Planning Policy Framework seeks 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 21.04-8 – Landscape Character

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.

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the Shire.

The proposal is considered to accord with the principles of the State and Local Planning Policy Frameworks. The applicant has investigated other current communications sites with a similar distance and orientation to the Beech Forest area, and found that no other option could provide the extent of service required to the area.

It is considered that 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 impact to the environment as a result of this proposed extension to the existing telecommunications facility.

With regard to the potential visual impact, it is acknowledged that the extended tower is likely to be visible from nearby properties, visible from Beech Forest-Lavers Hill Road to the east and west, and when driving past the site. However, it should also be noted that the existing tower is already visible.

- 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 an extension to the existing Telecommunications Facility.

c. Zoning

The land is within the Township Zone (TZ). 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 residential development and a range of commercial, industrial and other uses in small towns.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A permit is not required for the use of the land in this case, as the use of the land for a telecommunications facility is already established. However, a planning permit is required under the provisions of Clause 32.05-8 for buildings and works associated with a use in Section 2 of Clause 32.05-8 of the Township Zone.

d. Overlays

i. Bushfire Management Overlay (BMO)

This site is covered by the Bushfire Management Overlay (BMO). The purpose of this overlay is:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Under the provisions of the BMO a planning permit is not required for buildings and works associated with a Telecommunications Facility.

ii. Erosion Management Overlay (EMO1)

This site is covered by the Erosion Management Overlay Schedule 1 (EMO1). The purpose of this overlay is:

- *To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.*

Under the provisions of the EMO1, a planning permit is not required for buildings and works as the proposal would entail an extension to the existing tower and the ground works for the equipment cabinets (0.3sqm x 2) would not require earthworks exceeding 1m in depth, or fill exceeding 1m in height.

e. Particular Provisions

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 which is not a *Low Impact Facility*. The proposed facility is considered to require a permit 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 a 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**

A planning permit is sought for a 5m extension to the existing telecommunications facility, together with associated buildings and works (equipment cabinets) at 45 Gardner Street, Beech Forest.

The grey colouring and materials to be used in the tower extension would match the existing colour and design of the tower and, as such, would assist in ensuring the extension would blend in with the existing structure and the landscape setting. It is considered that the extension to the existing telecommunication facility would not unduly impact on any surrounding residential properties.

It is considered that the proposed extension to the existing telecommunication facility would be consistent with the purpose of the zone, as it would provide improved telecommunications which would be beneficial to the Beech Forest community and surrounds. The proposed tower extension would provide the level of service coverage required. The extension would be sited so as to provide the least impact on the surrounding area, utilising the existing tower.

It is accepted that the proposed tower extension would result in additional height and potentially increased visual prominence of this structure from various locations within Beech Forest. It is considered that co-location on the existing, extended, tower is appropriate and the proposed additional height would not be intrusive to the landscape setting. On balance, it is considered that the proposal would have minimal visual impact on the surrounding rural setting of Beech Forest.

The applicant has investigated other sites within the vicinity and found that no other facilities would be able to better provide the service. As a result, the proposed co-location site has been nominated.

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

Overall it is considered that the proposed 5m extension to the existing tower would not result in a significant detrimental visual impact on the immediate and surrounding area. It is not considered that the proposed extension to the existing tower would compromise any significant views, places of significance or local landmarks.

It is accepted that the existing structure would inevitably be seen from surrounding properties due to its additional height. However, in this particular instance it is considered that the proposed 5m extension would have minimal visual impact on views from surrounding residential properties, the broader landscape setting and the surrounding rural setting of Beech Forest. It is considered that this facility, including associated structures, would be designed, sited and constructed in a manner which would minimise visual impact, and provide improved telecommunications facilities in the Beech Forest area. The proposal is considered to reflect a reasonable balance between the provision of services and the need to protect the environment. Overall it is considered that 'Principle A' is met.

**b. Telecommunications facilities should be co-located wherever practical.**

The existing Telstra tower provides for the co-location sharing opportunity which is considered to address this principle. The proposal is considered to adequately address 'Principle B'.



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 considered to ensure that the NBN Co. Ltd. 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 0.32% 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). The proposal is considered to adequately address 'Principle C'.

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

It is noted that the site already contains an existing telecommunications facility and, as such, the site has already been disturbed. Any disturbance to the existing site is expected to be minimal and limited to the building activities associated with the proposed tower extension and associated structures, being confined within the existing compound area. The proposal is considered to adequately address 'Principle D'.

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

The applicant has advised that construction of the proposed facility is designed to be carried out in accordance with relevant Occupational Health and Safety Guidelines. It is anticipated that the construction of the facility would be unlikely to cause any significant disruption to adjoining properties or public access areas. The proposal is considered to adequately address 'Principle E'.

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 would be satisfied. It is considered that the proposal, involving an extension to an existing facility, has satisfactorily addressed the principles for design, siting, construction and operation of the Code of Practice for a Telecommunications facility.

**Council Plan / Other Strategies / Policy  
A Planned Future**

The Council Plan contains a strategy to: *"Facilitate the development of infrastructure for business investment, growth and liveability."* Within this strategy there is an action to: *"Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage"*. There is also a strategy to: *"Meet our statutory obligations for community safety, security and responses to emergency situations"*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

**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**

A planning permit is required for the construction of an extension to an existing telecommunications facility, and associated works.

Allowing this proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, zoning and overlay requirements, and current local policies.

Having given due regard to the matters discussed above, it is considered that the application should be approved, subject to conditions.

**Attachments**

- |                                                                       |         |
|-----------------------------------------------------------------------|---------|
| 1. Planning Application - PP244 2014-1 45 Gardner Street Beech Forest | 0 Pages |
| 2. Aerial Photo - Subject Site and Alternatives                       | 0 Pages |
| 3. Site Maps - PP244 2014-1 45 Gardner Street Beech Forest            | 0 Pages |

**Recommendation(s)**

***That Council's Planning Committee resolves to issue a Planning Permit for the construction of a five (5) metre extension to existing telecommunications facility with ancillary antennas and equipment cabinets at 45 Gardner Street, Beech Forest (LOT 1: TP114028) subject to the following conditions:***

***Endorsed Plans***

- 1. The development as shown on the endorsed plans must not be altered 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 telecommunications facility and associated development hereby permitted must be maintained in good condition to the satisfaction of the Responsible Authority.***

***Expiry***

- 4. 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 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.*

~~~~~

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

Office Use Only	Fee: 5
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.

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?: Blathin Butler & others.

Date: 20 / 10 / 2014

The land

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

Street Address

Street No.: 45	Street Name: Gardner Street
Suburb/Locality: Beech Forest VIC	
Postcode: 3237	

Formal Land Description

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

Lot No.: 1	on Lodged Plan, Title Plan or Subdivision Plan No.: TP114028E
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.

Developed with a Telecommunications facility.

- 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 of a telecommunications facility, comprising a 5 metre extension to the existing 30.5 metre high Telsra steel lattice tower, associated antennas and equipment cabinets.

- 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 \$ 150,000.00

⚠ 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 055 217	<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):	
Organisation (if applicable):	
Telstra Corporation	
Postal address:	
242 Exhibition Street	
Melbourne VIC	Postcode:
	3 0 0 0

Checklist

⑫ Have you?

- ☒ Filled in the form completely?
- ☐ Paid or included the application fee?
- ☒ ☒ Attached all necessary supporting information and documents?
- ☒ Completed the relevant council planning permit checklist?
- ☒ 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:

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 ☐☐
TTY: (03) 5231 6787☐☐

For help or more information

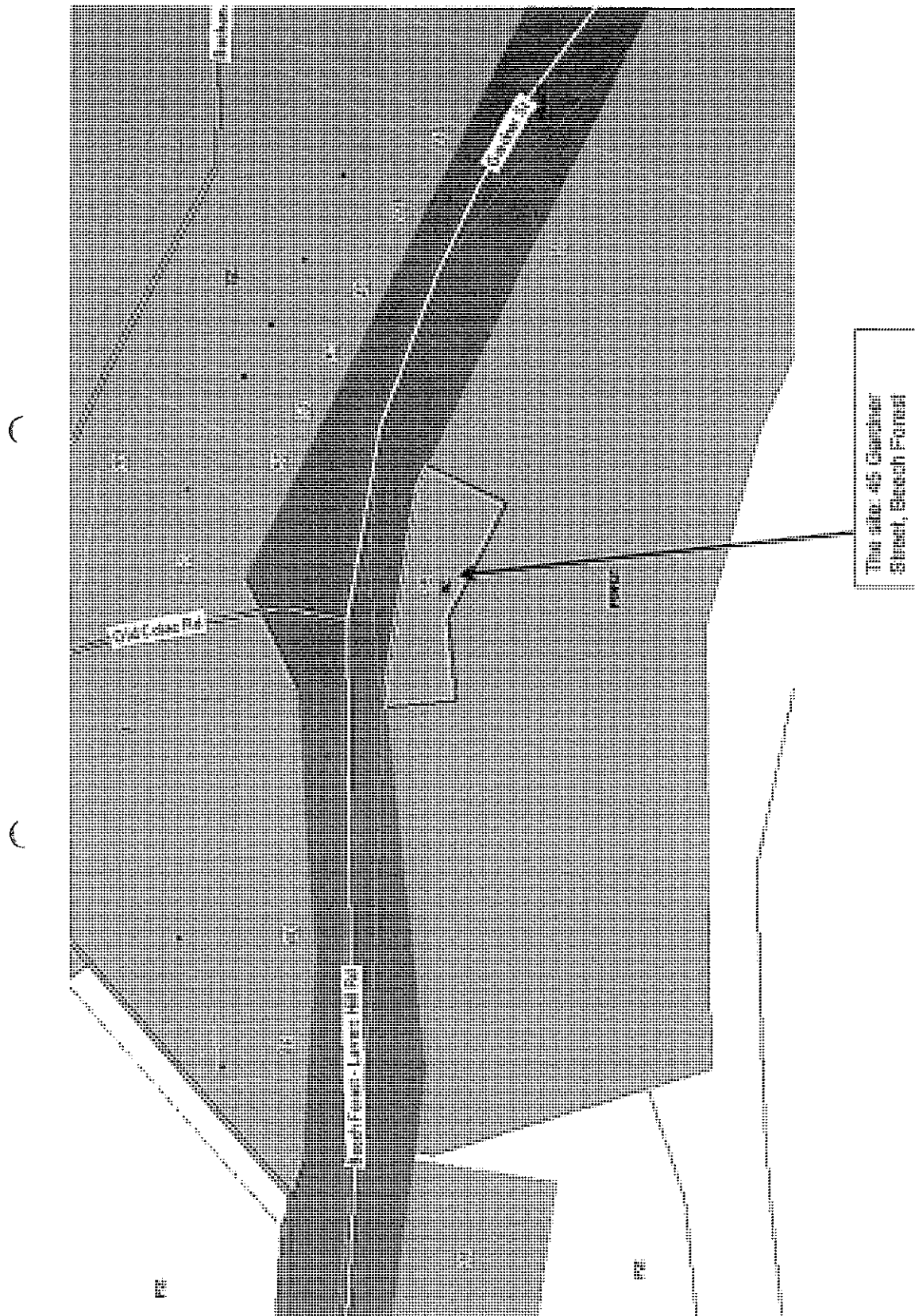
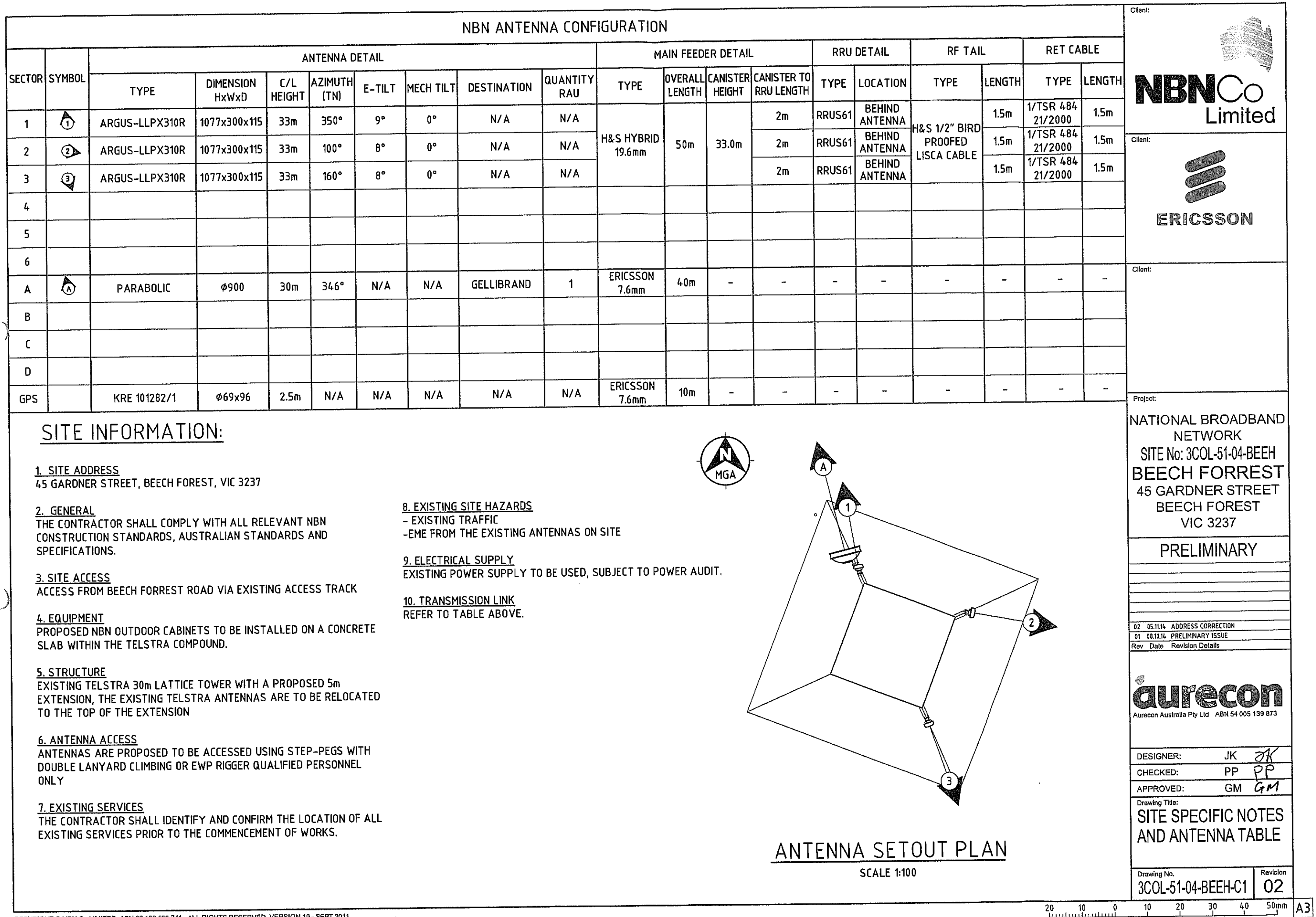
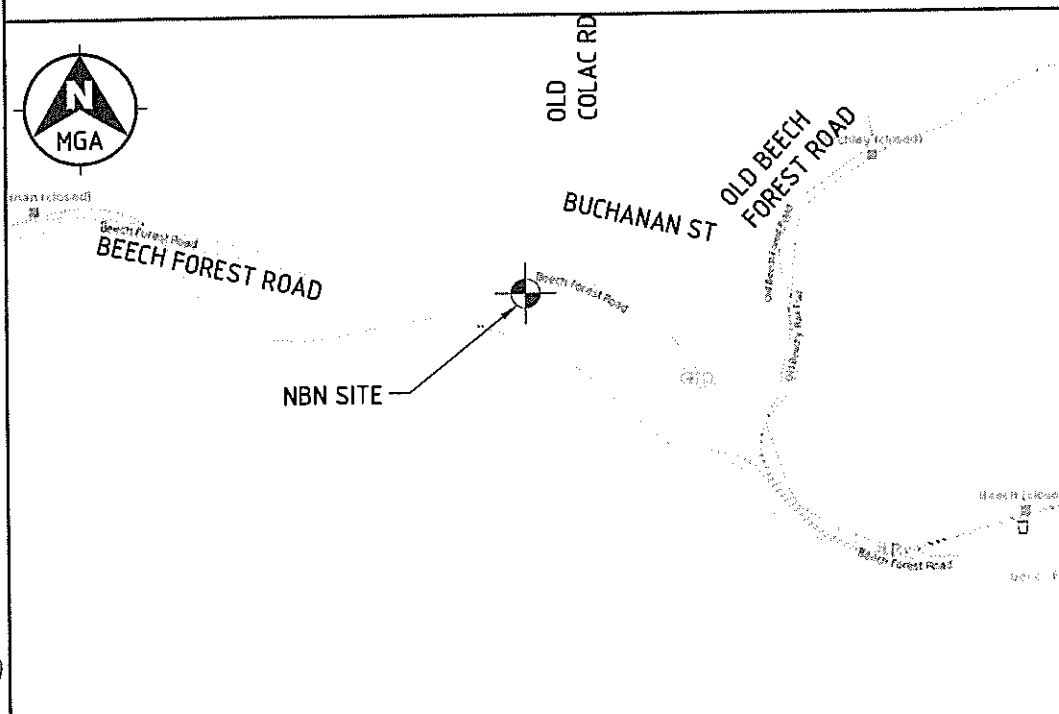




Figure 1 – Aerial Photo of subject site and alternative candidates



SITE LOCATION



COPYRIGHT © OPENSTREETMAP CONTRIBUTORS, CC BY-SA
<http://www.openstreetmap.org>
<http://creativecommons.org/licenses/by-sa/2.0/>
 Use of this image is subject to the terms and conditions of the Creative Commons Attribution-ShareAlike 2.0
 licence, the full licence of which can be accessed at <http://creativecommons.org/licenses/by-sa/2.0/legalcode>

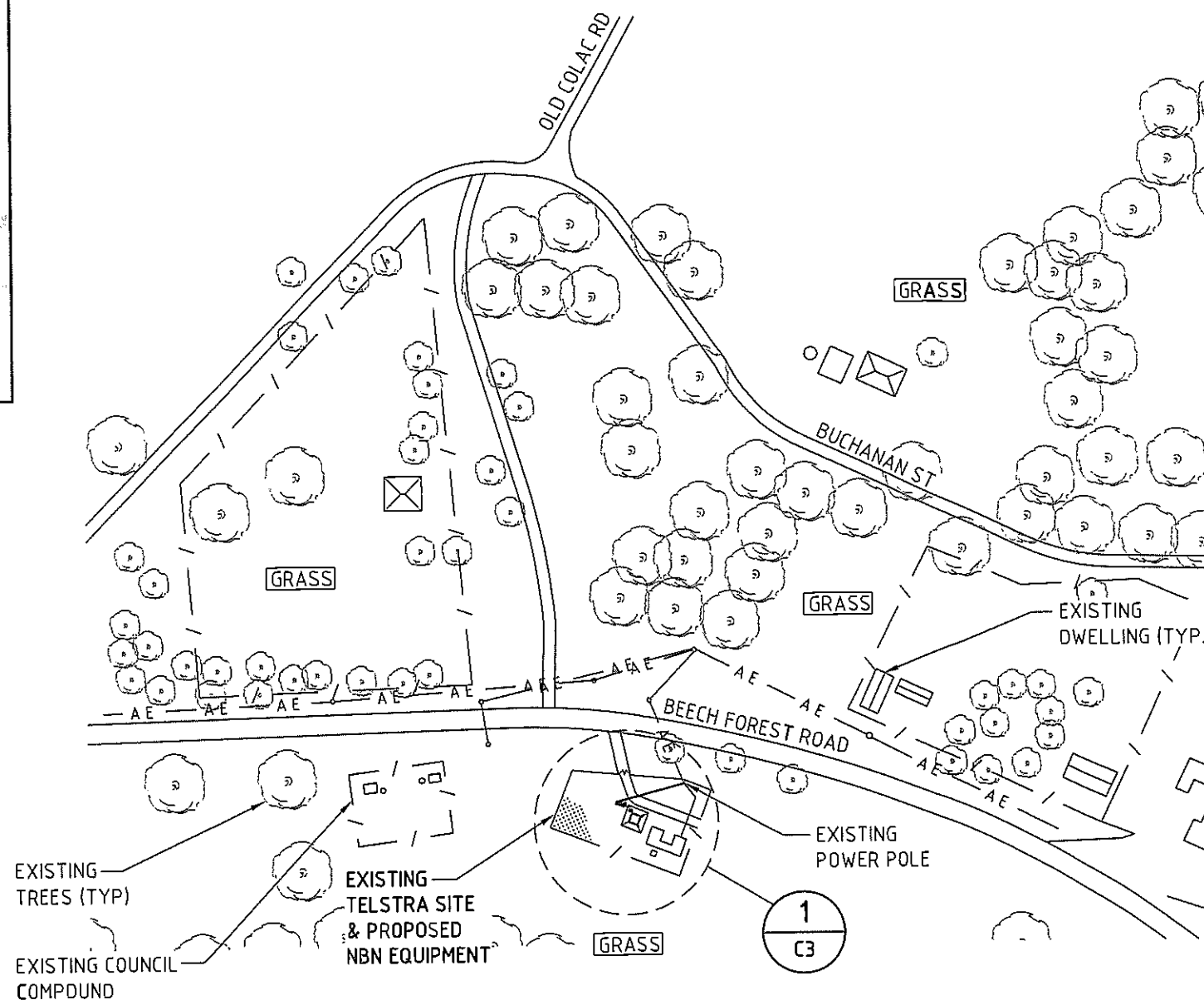
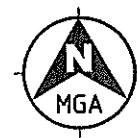
SITE CO-ORDINATES

LATTICE TOWER LOCATION

DATUM: MGA (GDA94)	ZONE: 54
LATITUDE	-38.63286°
LONGITUDE	143.56450°
EASTING	723 224
NORTHING	5 720 843

LEGEND

— / — / —	EXISTING FENCE
— NUE — NUE —	NBN UNDERGROUND ELECTRICAL CABLES IN CONDUITS
— AE — AE —	EXISTING AERIAL ELECTRICAL LINES



OVERALL SITE PLAN

SCALE 1:2000

NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND
 NETWORK
 SITE No: 3COL-51-04-BEEH
 BEECH FORREST
 45 GARDNER STREET
 BEECH FOREST
 VIC 3237

PRELIMINARY

02 05.11.14 ADDRESS CORRECTED
 01 08.10.14 PRELIMINARY ISSUE
 Rev Date Revision Details



DESIGNER: JK JK
 CHECKED: PP PP
 APPROVED: GM GM

Drawing Title:
**OVERALL
 SITE PLAN**

Drawing No.
 3COL-51-04-BEEH-C2
 Revision
 02

EL 41.4m
TOP OF RELOCATED TELSTRA OMNI ANTENNA

EL 36.3m
C/L RELOCATED TELSTRA PANEL ANTENNAS

EL 35.5m
TOP OF EXTENSION

EL 33.0m
C/L 3-OFF 1077H PROPOSED NBN PANEL ANTENNAS
3-OFF 500H REMOTE RADIO UNITS MOUNTED BEHIND ANTENNAS
C/L PROPOSED NBN CANISTER

EL 30.5m
TOP OF EXISTING LATTICE TOWER

EL 30.0m
C/L 1-OFF ϕ 900 PROPOSED NBN PARABOLIC ANTENNA (TO GELLIBRAND)

PROPOSED 5m EXTENSION TO
EXISTING LATTICE TOWER, THE
EXISTING TELSTRA ANTENNAS
ARE TO BE RELOCATED TO THE
TOP OF THE EXTENSION

EXISTING TELSTRA
GRIDPACK ANTENNA (TYP)

EXISTING TELSTRA
YAGI ANTENNA

PROPOSED NBN FEEDER CABLES TO
BE INSTALLED VERTICALLY IN NEW
FEEDER BRACKETS USING SNAP ON
HANGERS

EXISTING TELSTRA
30.5m LATTICE TOWER

EXISTING TELSTRA
CABLE LADDER

PROPOSED NBN GPS UNIT (1 OFF)

PROPOSED NBN 300 WIDE CABLE LADDER WITH
1 OFF CABLE LADDER SUPPORT POST

EXISTING TELSTRA
EXCHANGE RADIO
EQUIPMENT BUILDING

PROPOSED NBN OUTDOOR CABINET
SSC-02 ON CONCRETE SLAB

PROPOSED NBN OUTDOOR CABINET
SSC-02 (FUTURE LOCATION)

PROPOSED NBN POWER DISTRIBUTION
BOARD/METER PANEL ON H-FRAME

EXISTING TELSTRA
COMPOUND SECURITY FENCE

EL 0.0m
GROUND LEVEL

INSTALL A NEW NBN PADLOCK ON THE
GATE IN A 'DAISY CHAIN' ARRANGEMENT

NORTH ELEVATION

SCALE 1:200

NOTE:

1. OTHER CARRIER ANTENNAS INDICATIVELY SHOWN ONLY.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND
NETWORK
SITE No: 3COL-51-04-BEEH
BEECH FORREST
45 GARDNER STREET
BEECH FOREST
VIC 3237

PRELIMINARY

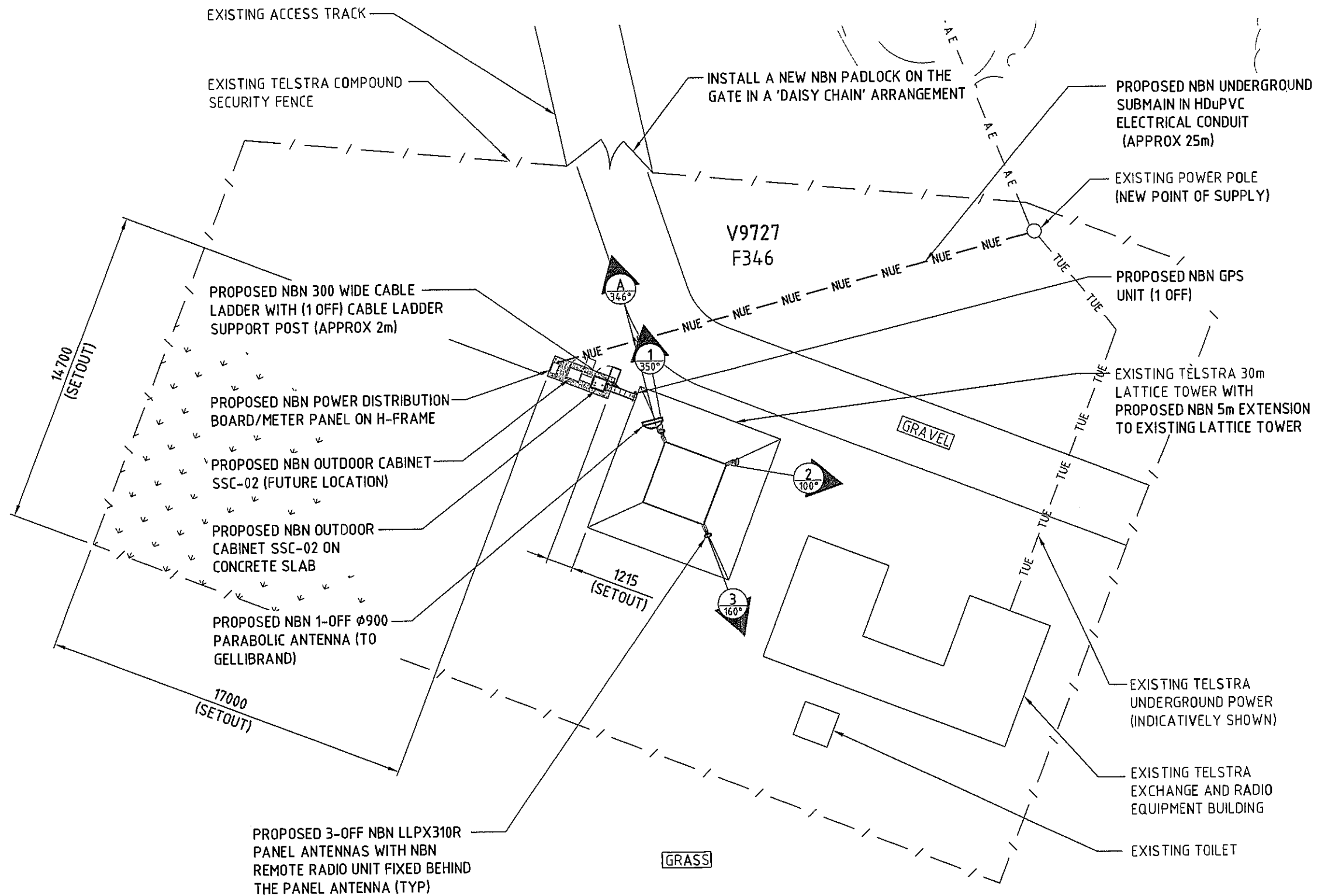
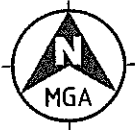
02 05.11.14 ADDRESS UPDATED
01 08.10.14 PRELIMINARY ISSUE
Rev Date Revision Details



DESIGNER: JK JK
CHECKED: PP PP
APPROVED: GM GM

Drawing Title:
SITE ELEVATION
AND DETAILS

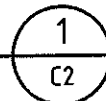
Drawing No. 3COL-51-04-BEEH-C4
Revision 02



LEGEND

- / — / — EXISTING COMPOUND FENCE
- NUE — NUE — NBN UNDERGROUND ELECTRICAL CABLES
- TUE — TUE — EXISTING TELSTRA UNDERGROUND CABLES
- A E — A E — EXISTING AERIAL ELECTRICAL LINES

DETAIL
SCALE 1:200



NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS ARE INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.
2. EXISTING OTHER CARRIERS ANTENNAS NOT SHOWN FOR CLARITY.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND NETWORK
SITE No: 3COL-51-04-BEEH
BEECH FORREST
45 GARDNER STREET
BEECH FOREST
VIC 3237

PRELIMINARY

02	05.11.14	ADDRESS UPDATED
01	08.10.14	PRELIMINARY ISSUE
Rev	Date	Revision Details



DESIGNER:	JK	JK
CHECKED:	PP	PP
APPROVED:	GM	GM

Drawing Title:
**SITE SETOUT
PLAN**

Drawing No.	Revision
3COL-51-04-BEEH-C3	02

**PC150804-5 DEVELOPMENT OF THE LAND FOR A
TELECOMMUNICATIONS FACILITY (50M HIGH LATTICE
TOWER), ASSOCIATED ANTENNAS AND EQUIPMENT
CABINETS AT 385 WONGA ROAD, GELLIBRAND
(PP260/2014-1).**

AUTHOR:	Ian Williams	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F14/11343

Location: 385 Wonga Road, Gellibrand

Zoning: Farming Zone (FZ)

Overlay controls: Erosion Management Overlay (EMO1)
Environmental Significance Overlay (ESO3)
Bushfire Management Overlay (BMO)

Proposed Amendments: Nil

Purpose:

A planning permit is sought for the development of a telecommunication facility, comprising a 50 metre high lattice tower and associated antennas, equipment cabinets and works, at 385 Wonga Road, Gellibrand.

This application is before the Planning Committee as the proposed structure would be in excess of eight (8) metres in height.

It is recommended that a permit be issued.

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 development of a telecommunication facility (50 metre high lattice tower) 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 Gellibrand. The facility is designed to provide Fixed Wireless internet services to dwellings in the Gellibrand 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 within the Farming Zone and is located to the east of Gellibrand.
- The site is subject to the Erosion Management Overlay Schedule 1 (EMO1), Environmental Significance Overlay (ESO3 – Declared Water Supply Catchments) and Bushfire Management Overlay (BMO).

- The application was advertised by sending notice to all adjoining properties within a 1km radius of the application site. A site notice was also placed on the notice board of the Gellibrand Store for a period of 14 days and a notice was placed in the Colac Herald. No objections have been received to the application.
- The proposal is considered to generally comply with the Planning Scheme provisions and would achieve an appropriate outcome in the Farming Zone.
- Whilst the proposed lattice tower would be visible, it is considered that the overall community benefit of providing improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

Background

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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. The 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 50m high lattice tower has been designed to be a critical connection point between a proposed facility at Swan Marsh and a proposed facility at Beech Forest.

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 telecommunications 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 development of a telecommunications facility, comprising a 50m high lattice tower and ancillary outdoor equipment cabinets enclosed within a 100sqm fenced area.

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 tower would be located approximately 90m south west of an existing VEC lattice tower on the land. The proposal also includes a 3m wide by 10m long gravel access track off Wonga Road.

The proposed 50m high lattice tower would be finished in galvanised steel (which fades to a metallic grey) and would accommodate the following:

- a) Two (2) panel antennas (off white) approximately 1077mm x 300mm x 115mm at 50m high.
- b) Two (2) transmission dish antennas (off white) at 37m high, and
- c) Two (2) 500mm remote radio units mounted behind the antennas.

Associated facilities would include 2m high ground level cabinets (beige colour finish), cable ladder (2m high) and power distribution board, enclosed within a 10m wide by 10m deep compound secured by a 2.4m high chain wire fence.

The proposed facility would be powered by an underground cable run from an existing power source (power pole) near the landowner's main dwelling and farming sheds, approximately 850m away. 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). The proposal does not require the removal of any native vegetation from the land.

The development is proposed to be located approximately 2m from the eastern lot boundary, 4m from the southern boundary and approximately 165m from the western boundary and 107m from the northern boundary.

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 western side of Wonga Road, to the south of its junction with Escarpment Road. The site is identified on title as Lot 7, LP134441. There are no restrictions, caveats or covenants recorded on the title.

The site is not identified as being in an area of cultural heritage sensitivity. The site is located towards the top of the ridgeline at 292m AHD, approximately 2.4km from Gellibrand township.

The site does not contain any significant vegetation and has been cleared for agricultural purposes.

The site contains an existing hayshed and telecommunications facility to the north east. The existing telecommunication structures on the land include an existing VEC 30m high lattice tower with shelter. Access to the site is currently available onto Wonga Road.

The site and immediate surrounding land to the west and south is located within the Farming Zone (FZ). The land to the north is within the Public Conservation and Resource Zone (PCRZ) and forms part of the Otway National Park. The 'Wonga Park Windbreak' is a row of heritage protected trees (HO201) located within the Wonga Park Road reserve, 35m to the south of the application site. The closest dwelling to the application site is located 700m to the south west along Wonga Park Road.

The applicant submits that the site is considered to be appropriate for the following reasons:

- a) The proposed site would provide the optimal required quality of service, as required by NBN Co. across Gellibrand.
- b) The site is removed from the township.
- c) The proposed location would provide sufficient spatial separation from sensitive land uses.
- d) Access to the site is currently available, but a new access is proposed onto Wonga Road to serve the proposed facility.
- e) The surrounding vegetation reserves would minimise the visual impact.

Site Selection Criteria

National Broadband Networks 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.

- Existing VEC Network Tower, 385 Wonga Park Road, Gellibrand.
This option would involve the replacement of the existing 30m lattice tower (located 90m to the north east of the location of the proposed tower) with a new 40m lattice tower within a new fenced compound for the ancillary equipment. The applicant has advised that replacing the existing 30m tower was not considered to be a suitable co-location option, as the height of the tower would not provide the required coverage. Replacement was considered to be impractical, as this would require temporary arrangements to be provided for the emergency services during construction. It was also considered that timely support from the users of the VEC tower would be difficult to obtain. There were also concerns that a 40m lattice tower would still not achieve the required coverage, with the risk of nearby trees 'shadowing' the coverage area of the panel antennas at 40m.
- Crown land (CA 25H SEC A) Wonga Park Road, Gellibrand
This option would involve a new 40m lattice tower within a new fenced compound for the ancillary equipment (approximately 360m to the north east of the proposed site). This site was not considered suitable as there is no available power source and a new access track would need to be created across a productive parcel of agricultural land.

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 all adjoining properties within a 1km radius of the application site. A site notice was also placed on the notice board of the Gellibrand Store for a period of 14 days. The application was also advertised within the Colac Herald. No objections were received.

Referrals

In accordance with Section 55 of the Planning and Environment Act, the application was referred to Barwon Water and Wannon Water under the provisions of ESO3 (Determining Referral Authorities). The application was also referred under Section 52 of the Act to the Department of Environment, Land, Water and Planning (previously DEPI) under ESO3 (Recommending Referral Authority).

Barwon Water and Wannon Water did not object to the proposal, subject to conditions being imposed in the event a permit is issued. These have been included in the recommendation at the end of this report.

The Department of Environment, Land, Water and Planning has not responded to the referral. As the referral was carried out under Section 52, it is considered that a decision can reasonably be made without a response.

The application was also referred internally to Council's Infrastructure and Environmental Health Departments. No objections were raised. The Environmental Health Unit suggested the following condition relating to noise:

"Sound pressure levels from operation of the proposed development are to comply with recommended maximum noise levels as derived from NIRV, or as agreed in writing by the responsible authority."

It is not considered necessary to impose the condition in this case, given the distance that would exist between the proposed facility and any sensitive uses.

Planning Controls

The land is included in the Farming Zone (FZ) and is subject to the Environmental Significance Overlay (ESO3), Bushfire Management Overlay (BMO) and Erosion Management Overlay (EMO1). A planning permit is required under the following provisions:

- Clause 35.07-4 – buildings and works associated with Section 2 Use (Farming Zone)
- Clause 42.01-2 – buildings and works (ESO3)
- Clause 44.01-1 – buildings and works (EMO1)
- Clause 52.19-2 - building 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 13.03-2 – Erosion and Landslip

- Clause 15 – Built Environment and Heritage
- Clause 19.03-4 – Telecommunications
- Clause 21.02 – Vision
- Clause 21.03-8 – Smaller Townships
- Clause 21.04-5 – Erosion
- Clause 21.04-8 – Landscape Character

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.

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the shire.

The proposal is considered to accord with the principles of the State and Local Planning Policy Frameworks. The applicant has investigated adjacent 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 an extension to the existing 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.*

Whilst a permit is not required for the use of the land in this case a planning permit is required under the provisions of Clause 35.07-4 for buildings and works associated with a Section 2 Use.

d. Overlays

i. Environmental Significance Overlay (ESO3)

The site is covered by the Environmental Significance Overlay (Schedule 3). The purpose of this overlay is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Environmental objective to be achieved

- *To protect the public health of communities that depend on water from declared water supply catchments.*
- *To protect and maintain water quality and water yields in the declared water supply catchments.*
- *To ensure that subdivision, land use and development meets the requirements of any Land Use Determination.*
- *To provide for appropriate land use and development within these declared water supply catchments.*
- *To manage the impact of incremental development on water quality and yield.*

A planning permit is required under the provisions of Clause 42.01-2 for buildings and works.

ii. Bushfire Management Overlay (BMO)

This site is covered by the Bushfire Management Overlay (BMO). The purpose of this overlay is:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Under the provisions of the BMO, a planning permit is not required for buildings and works associated with a Telecommunications Facility.

iii. Erosion Management Overlay (EMO1)

This site is covered by the Erosion Management Overlay Schedule 1 (EMO1). The purpose of this overlay is:

- *To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.*

Under the provisions of the EMO1, a planning permit is required for buildings and works as the proposal would result in ground works exceeding 1m in depth and the exemptions listed within the Schedule to the overlay cannot be applied.

e. Particular Provisions

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 which is not a *Low Impact Facility*. The proposed facility is considered to require a permit 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 a 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

A planning permit is sought for the development of a telecommunications facility, comprising a 50m high lattice tower and ancillary components within a 100sqm fenced area. A permit is required as the exemptions listed in Clause 52.19 have not been met.

The grey colouring and materials to be used in the construction of the lattice tower would match the existing colour and design of an existing adjacent telecommunications structure and would assist in blending the tower in with the surrounding natural landscape setting.

It is considered that the proposed lattice tower would be consistent with the purpose of the zone, providing for improved telecommunications which would be beneficial to the Gellibrand area and surrounds. The proposed lattice tower would provide the level of service coverage required, with minimal impact on the surrounding area. The proposed lattice tower would be located immediately adjacent to an existing smaller lattice tower on the outskirts of Gellibrand. In this location, it is considered that the proposed lattice tower development would remain consistent with the provisions of the Farming Zone, occupying 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 cluster location would also ensure that the proposed non-agricultural use would not adversely affect the viability and use of the land for agriculture. Overall it is considered that the proposal is consistent with the decision guidelines of the Farming Zone.

A number of candidate sites were examined within the search area for co-location opportunities. It is noted that the applicant has considered the option of co-location on this site with the existing, smaller, VEC tower. As co-location is not a feasible option, it is considered that clustering telecommunications facilities should be considered. The proposed telecommunications equipment would be located at a point on the ridgeline that would allow for suitable signal dispersal to the surrounding area. The proposed lattice tower would not be viewed in isolation, but would be perceived as part of an existing cluster of telecommunications equipment. Clustering the telecommunications equipment would help to conserve the natural beauty and landscape setting of the immediate and surrounding area.

The proposal would avoid the clearance of native vegetation that provides wildlife habitat and forms an important part of the visual landscape. The significant coverage of surrounding vegetation along Wonga Road and Colac Lavers Hill Road would assist in screening the proposed lattice tower from key vantage points along main roads and from within the township of Gellibrand. It should also be noted that the proposed facility would not have a detrimental impact upon the nearby heritage site, 'Wonga Park Windbreak' (HO201), located 40m to the south. The retention of these heritage trees would assist in providing a further visual screen for the proposed development.

The proposed 50m high lattice tower would provide for improved telecommunications to Gellibrand and surrounding area, being a critical connection point between a proposed facility at Swan Marsh and a proposed facility at Beech Forest. The proposed lattice tower would provide the level of service coverage required, whilst being sited so as to provide the least impact on the surrounding area.

The applicant has submitted a Geotechnical Report by Civil Test Pty Ltd which confirms that the tower site is stable with regard to slope stability. The applicant has included the required Form A with the application, which concludes that the site can meet the acceptable risk criteria specified within the Schedule to Clause 44.01.

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

It is considered that the proposed 50m high lattice tower would be suitably located to avoid any significant potential visual impact, having regard to the distance of the site outside of the Gellibrand township and the surrounding vegetation cover. It is accepted that the proposed lattice tower, due to its height, proximity and location (within an un-vegetated paddock), would inevitably be seen from the adjacent and surrounding roads, such as Wonga Road, Escarpment Road and Wonga Park Road. This is unavoidable. However, given the significant vegetation cover to the north, and vegetation adjacent to Wonga Road to the east through to Colac-Lavers Hill Road and through to the township of Gellibrand, it is considered that the proposed lattice tower would not be significantly visible or detrimental to the natural landscape character of the immediate and surrounding area. Whilst glimpses of the top of the tower may be evident from Gellibrand (adjacent to the hotel), it is considered that the proposed location would strike an acceptable balance between visual impact and net community benefit.

The proposed location is also considered to be suitably separated from any nearby dwellings, with the closest located on the owner's land 700m to the south west along Wonga Park Road.

On balance, it is considered that the proposed telecommunications facility would be appropriately sited to minimise visual impact on the landscape setting and to avoid compromising existing views from Gellibrand. The proposal is considered to meet the requirements of Principle A.

b. Telecommunications facilities should be co-located wherever practical

A number of candidate sites were examined within the search area to 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 VEC tower nearby was considered for co-location purposes, but was too short to be suitable. The applicant has also confirmed that the potential removal of this tower is a matter for its owner and does not form part of this application. It should also be noted that the proposed NBN tower would provide a future co-location opportunity.

NBN Co. Ltd. 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 on this site 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 considered 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 would comply with the Standard, with the maximum predicted EME equating to 0.076% 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). In view of this, it is considered that Principle C has been addressed.

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

It is noted that the site already contains a small telecommunications lattice tower and equipment cabinet and, as such, it is considered that the immediate area already comprises a modified environment. It is considered that any further disturbance to the site in this location would be minimal and limited to the proposed compound area, the power line and access track. The applicant has advised that the installation of the proposed facility can be undertaken at any time and is not anticipated to affect the use of the site or the surrounding area. In view of this, it is considered that Principle D has been addressed.

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. In view of this, it is considered that Principle E has been addressed.

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. The proposal has satisfactorily addressed the principles for design, siting, construction and operation of the Code of Practice for a Telecommunications facility.

The application has been referred to Barwon Water, Wannon Water and the Department of Environment, Land, Water and Planning under the provisions of ESO3. No objection has been raised by either Barwon Water or Wannon Water, subject to conditions which have been included in the recommendation at the end of this report. No response was received from the Department of Environment, Land, Water and Planning.

Council Plan / Other Strategies / Policy

A Planned Future

The Council Plan contains a strategy to: *"Facilitate the development of infrastructure for business investment, growth and liveability."* Within this strategy there is an action to: *"Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage"*. There is also a strategy to: *"Meet our statutory obligations for community safety, security and responses to emergency situations"*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

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

A planning permit is required for the development of the land for a telecommunications facility and associated works.

Allowing the proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, zoning and overlay requirements, and current local policies.

Having given due regard to the matters discussed above, it is considered that the application should be approved, subject to conditions.

Attachments

- | | |
|--|---------|
| 1. Planning Application - PP260 2014-1 385 Wonga Road Gellibrand | 0 Pages |
| 2. Aerial Photo - Subject Site and Attachments | 0 Pages |
| 3. Site Maps - PP260 2014-1 385 Wonga Road Gellibrand | 0 Pages |

Recommendation(s)

That Council's Planning Committee resolves to issue a Planning Permit for the development of a telecommunication facility (50 metre high lattice tower) and associated antennas, equipment cabinets and works at 385 Wonga Road, Gellibrand (Lot 7 LP134441) subject to the following conditions:

Endorsed plans

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

Amenity

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

Geotechnical Assessment

- 4. The approved development must be carried out on the site in accordance with the recommendations of the Geotechnical Assessment by Civil (dated 28/01/2015, Reference 1141086) or any Geotechnical Practitioner engaged to review the assessment submitted with the application.***

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.***

Barwon Water conditions

6. *The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:*
- a) *The permitted building must not be used for any commercial or industrial purpose, except in accordance with the provisions of the Colac Otway Shire Planning Scheme.*
 - b) *The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching.*
 - c) *Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields.*
 - d) *Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.*

Wannon Water conditions

7. *Movement of soil, sediment and nutrients from and within the property during development and use of the property must be minimised.*
8. *Movement of soil, sediment and nutrients from external underground power line excavation works must be minimised.*
9. *Works management plans must be developed by the applicant and endorsed by Wannon Water before works commence.*

Expiry

10. *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 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.

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Planning Enquiries  
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| 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?: Blaihin Butler & others

Date: 20 / 10 / 2014

## The land

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

### Street Address

|                             |                              |
|-----------------------------|------------------------------|
| Street No.: 385             | Street Name: Wonga Park Road |
| Suburb/Locality: Gellibrand |                              |
| Postcode: 3                 | 2 3 9                        |

### Formal Land Description

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

|                      |                                                            |
|----------------------|------------------------------------------------------------|
| Lot No.: 7           | on Lodged Plan, Title Plan or Subdivision Plan No.: 134441 |
| 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.

|                                                                                  |
|----------------------------------------------------------------------------------|
| Farming Land with dwelling and farming sheds, and existing communications tower. |
|----------------------------------------------------------------------------------|

- 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 of a Telecommunications Facility comprising a 50 metre high lattice tower, associated antennas and equipment cabinets.

- 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 055 217                  | <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):                                                                                                         |                                            |
| Organisation (if applicable): Mad Dog Creek Pty Ltd                                                                           |                                            |
| Postal address: 188 Greenhill Road                                                                                            |                                            |
| Parkside SA                                                                                                                   | Postcode: 5 0 6 3                          |

## 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:

## 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: [info@colacotway.vic.gov.au](mailto:info@colacotway.vic.gov.au) ☐☐  
TTY: (03) 5231 6787☐☐

For help or more information

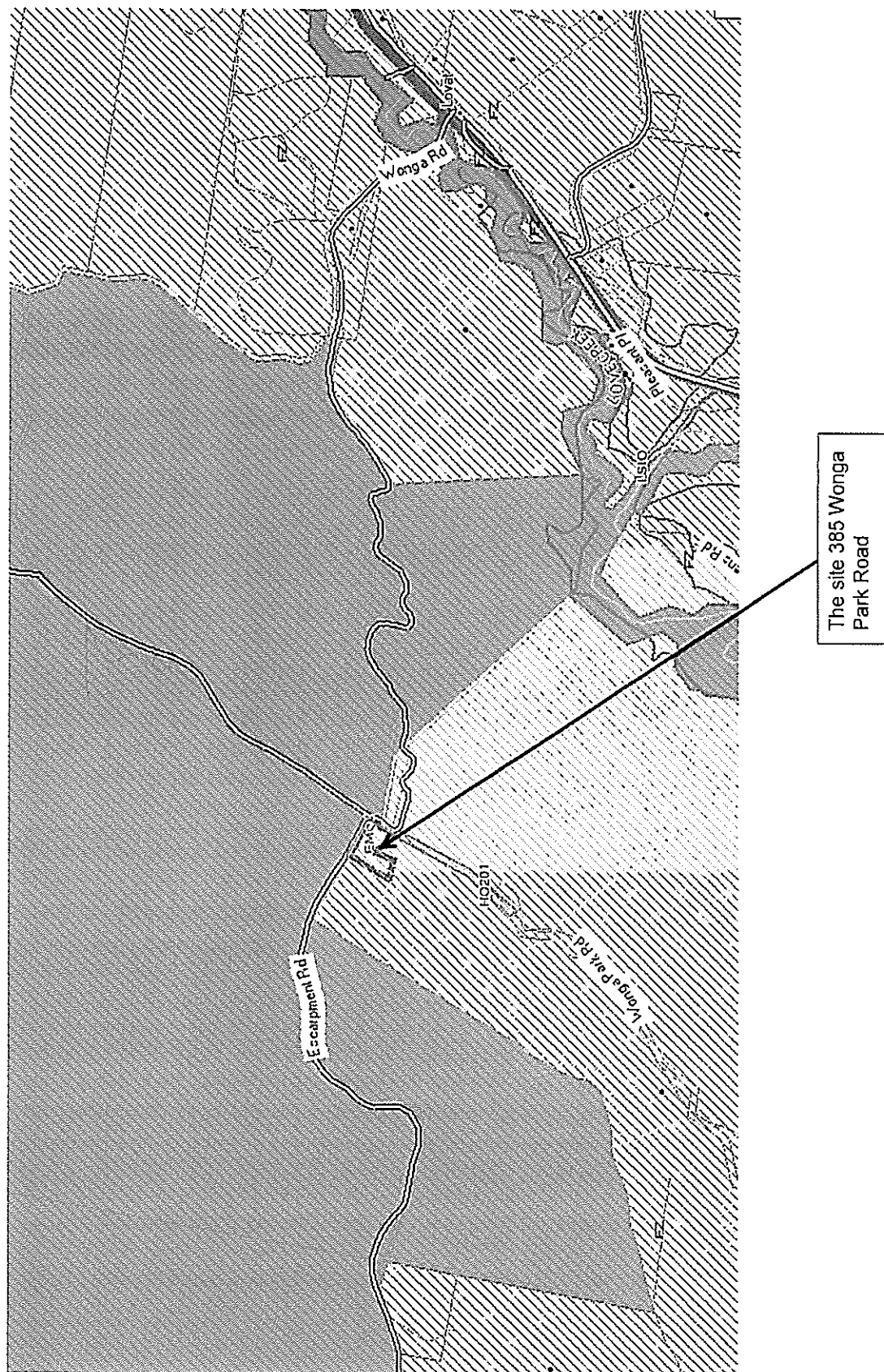




Figure 2: Aerial Photo of alternative candidates




# NBN ANTENNA CONFIGURATION

| SECTOR | SYMBOL | ANTENNA DETAIL |                    |               |                 |        |           |              |                 | MAIN FEEDER DETAIL   |                   |                    |                           | RRU DETAIL |                   | RF TAIL                                 |        | RET CABLE            |        |
|--------|--------|----------------|--------------------|---------------|-----------------|--------|-----------|--------------|-----------------|----------------------|-------------------|--------------------|---------------------------|------------|-------------------|-----------------------------------------|--------|----------------------|--------|
|        |        | TYPE           | DIMENSION<br>HxWxD | C/L<br>HEIGHT | AZIMUTH<br>(TN) | E-TILT | MECH TILT | DESTINATION  | QUANTITY<br>RAU | TYPE                 | OVERALL<br>LENGTH | CANISTER<br>HEIGHT | CANISTER TO<br>RRU LENGTH | TYPE       | LOCATION          | TYPE                                    | LENGTH | TYPE                 | LENGTH |
| 1      | ①      | ARGUS-LLPX310R | 1077x300x115       | 50m           | 80°             | 7°     | 0°        | N/A          | N/A             | H&S HYBRID<br>19.6mm | 60m               | 50.0m              | 2m                        | RRUS61     | BEHIND<br>ANTENNA | H&S 1/2" BIRD<br>PROOFED<br>LISCA CABLE | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |
| 2      | ②      | ARGUS-LLPX310R | 1077x300x115       | 50m           | 150°            | 6°     | 0°        | N/A          | N/A             |                      |                   |                    | 2m                        | RRUS61     | BEHIND<br>ANTENNA |                                         | 1.5m   | 1/TSR 484<br>21/2000 | 1.5m   |
| 3      |        |                |                    |               |                 |        |           |              |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| 4      |        |                |                    |               |                 |        |           |              |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| 5      |        |                |                    |               |                 |        |           |              |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| 6      |        |                |                    |               |                 |        |           |              |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| A      | Ⓐ      | PARABOLIC      | ø900               | 37m           | 166°            | N/A    | N/A       | BEECH FOREST | 1               | ERICSSON<br>7.6mm    | 47m               | -                  | -                         | -          | -                 | -                                       | -      | -                    | -      |
| B      | Ⓑ      | PARABOLIC      | ø900               | 37m           | 327°            | N/A    | N/A       | SWAN MARSH   | 1               | ERICSSON<br>7.6mm    | 47m               | -                  | -                         | -          | -                 | -                                       | -      | -                    | -      |
| C      |        |                |                    |               |                 |        |           |              |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| D      |        |                |                    |               |                 |        |           |              |                 |                      |                   |                    |                           |            |                   |                                         |        |                      |        |
| GPS    |        | KRE 101282/1   | ø69x96             | 2.5m          | N/A             | N/A    | N/A       | N/A          | N/A             | ERICSSON<br>7.6mm    | 10m               | -                  | -                         | -          | -                 | -                                       | -      | -                    | -      |

Client:



Client:



Client:

## SITE INFORMATION:

### 1. SITE ADDRESS

385 WONGA PARK ROAD, GELLIBRAND, VIC 3239

### 2. GENERAL

THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, CURRENT AUSTRALIAN STANDARDS AND SPECIFICATIONS

### 3. SITE ACCESS

ACCESS FROM WONGA PARK ROAD AND VIA NEW NBN ACCESS TRACK (APPROX 10m LONG)

### 4. EQUIPMENT

PROPOSED NBN OUTDOOR CABINETS TO BE INSTALLED ON A CONCRETE SLAB WITHIN THE NBN LEASE AREA

### 5. STRUCTURE

PROPOSED NBN 50m LATTICE TOWER

### 6. ANTENNA ACCESS

ANTENNAS ARE PROPOSED TO BE ACCESSED USING LADDER WITH LAD-SAF OR EWP BY RIGGER QUALIFIED PERSONNEL ONLY

### 7. EXISTING SERVICES

THE CONTRACTOR SHALL IDENTIFY AND CONFIRM THE LOCATION OF ALL EXISTING SERVICES AS REQUIRED PRIOR TO THE COMMENCEMENT OF WORKS.

### 8. EXISTING SITE HAZARDS

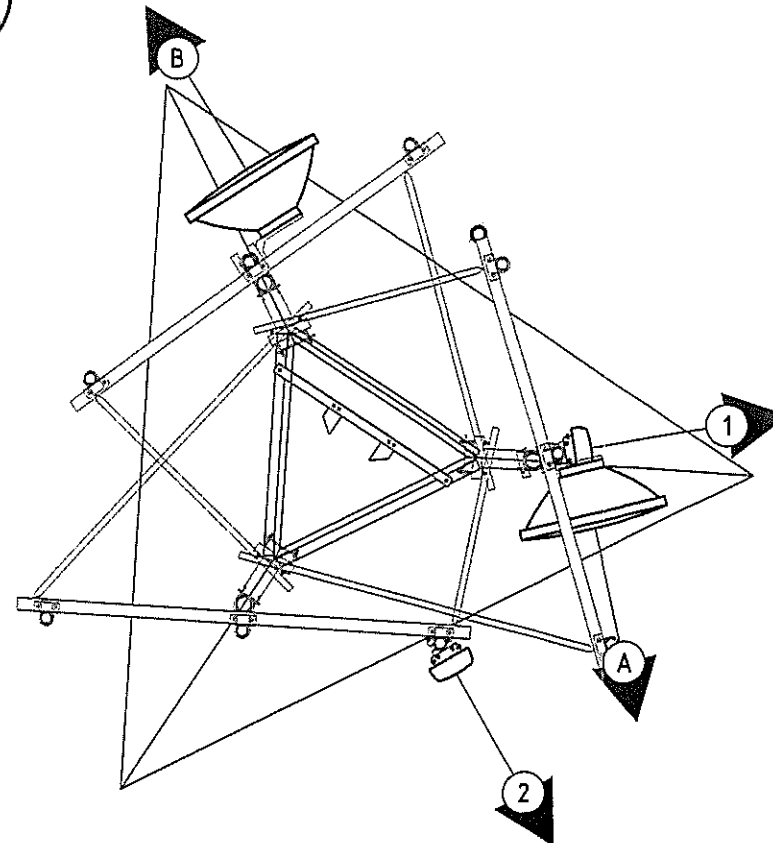
- ELECTRIC FENCE  
- LIVESTOCK

### 9. ELECTRICAL SUPPLY

EXISTING POWER SUPPLY TO BE USED, SUBJECT TO POWER AUDIT.

### 10. TRANSMISSION LINK

REFER TO TABLE ABOVE.



## ANTENNA SETOUT PLAN

SCALE 1:100

Project:  
NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-09-GELL  
GELLIBRAND  
385 WONGA PARK ROAD  
GELLIBRAND  
VIC 3239

PRELIMINARY

02 12.11.14 TOWER HEIGHT CHANGE  
01 08.10.14 PRELIMINARY ISSUE  
Rev Date Revision Details

**aurecon**  
Aurecon Australia Pty Ltd ABN 54 005 139 873

DESIGNER:

CHECKED: *JK*

APPROVED: *GM*

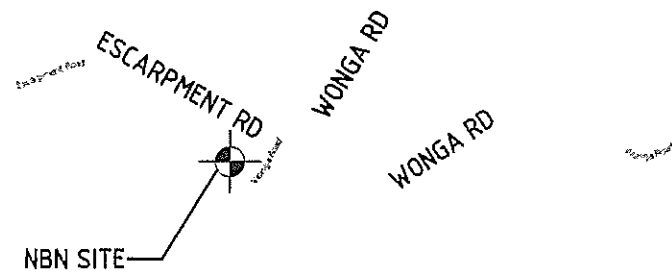
Drawing Title:

SITE SPECIFIC NOTES  
AND ANTENNA TABLE

Drawing No.  
3COL-51-09-GELL-C1

Revision  
02

# SITE LOCATION



COPYRIGHT © OPENSTREETMAP CONTRIBUTORS, CC BY-SA  
<http://www.openstreetmap.org>  
<http://creativecommons.org/licenses/by-sa/2.0/>  
 Use of this image is subject to the terms and conditions of the Creative Commons Attribution-ShareAlike 2.0  
 license, the full license of which can be accessed at <http://creativecommons.org/licenses/by-sa/2.0/en/au/au>

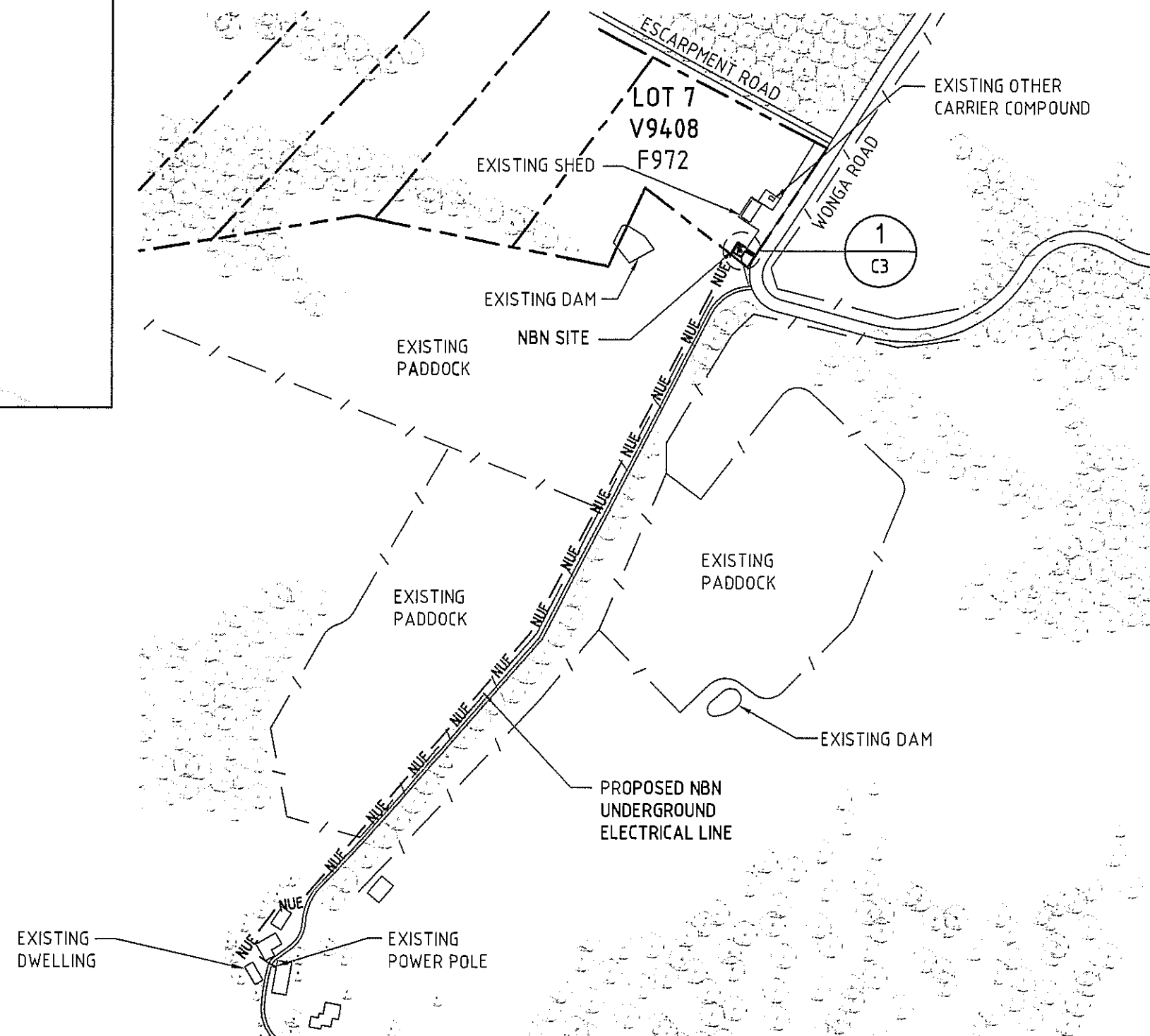
## SITE CO-ORDINATES

### LATTICE TOWER LOCATION

|                    |            |
|--------------------|------------|
| DATUM: MGA (GDA94) | ZONE: 54   |
| LATITUDE           | -38.50221° |
| LONGITUDE          | 143.51776° |
| EASTING            | 719 552    |
| NORTHING           | 5 735 457  |

### LEGEND

|               |                                  |
|---------------|----------------------------------|
| — / — / —     | EXISTING FENCE                   |
| — NUE — NUE — | NBN UNDERGROUND ELECTRICAL LINES |
| — — — — —     | PROPERTY BOUNDARY                |



## OVERALL SITE PLAN

SCALE 1:5000

### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND  
 NETWORK  
 SITE No: 3COL-51-09-GELL  
 GELLIBRAND  
 385 WONGA PARK ROAD  
 GELLIBRAND  
 VIC 3239

## PRELIMINARY

|    |          |                     |
|----|----------|---------------------|
| 02 | 12.11.14 | TOWER HEIGHT CHANGE |
| 01 | 08.10.14 | PRELIMINARY ISSUE   |

Rev Date Revision Details



DESIGNER:

CHECKED: *JK*

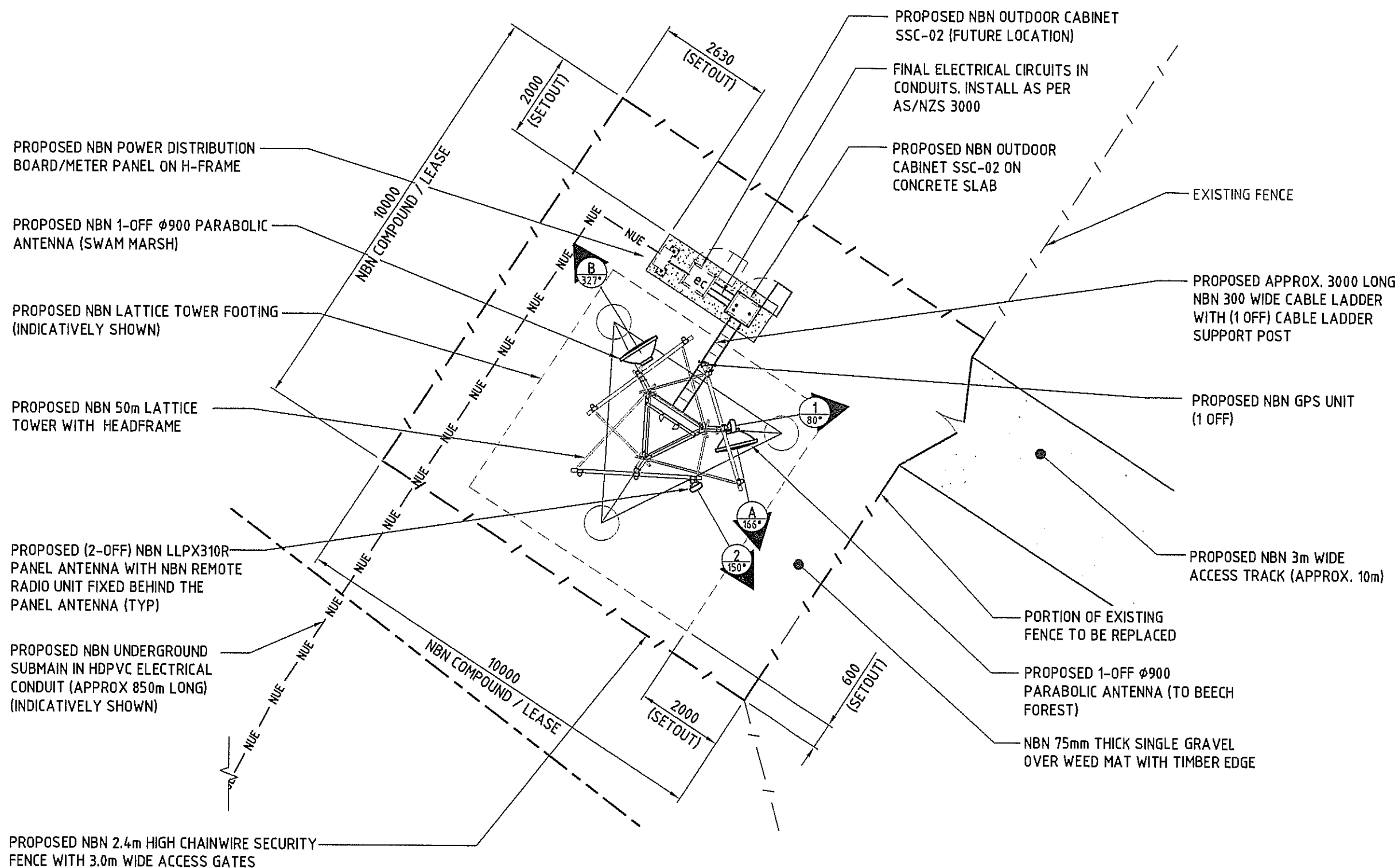
APPROVED: *GM*

Drawing Title:

## OVERALL SITE PLAN

Drawing No.  
 3COL-51-09-GELL-C2

Revision  
 02



#### LEGEND

- / — / — EXISTING FENCE
- / — / — NBN COMPOUND FENCE
- NUE — NBN UNDERGROUND ELECTRICAL LINES
- — — — — PROPERTY BOUNDARY

DETAIL  
SCALE 1:100

#### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS ARE INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-09-GELL  
GELLIBRAND  
385 WONGA PARK ROAD  
GELLIBRAND  
VIC 3239

PRELIMINARY

|     |          |                     |
|-----|----------|---------------------|
| 02  | 12.11.14 | TOWER HEIGHT CHANGE |
| 01  | 08.10.14 | PRELIMINARY ISSUE   |
| Rev | Date     | Revision Details    |



DESIGNER:

CHECKED:

APPROVED:

Drawing Title:

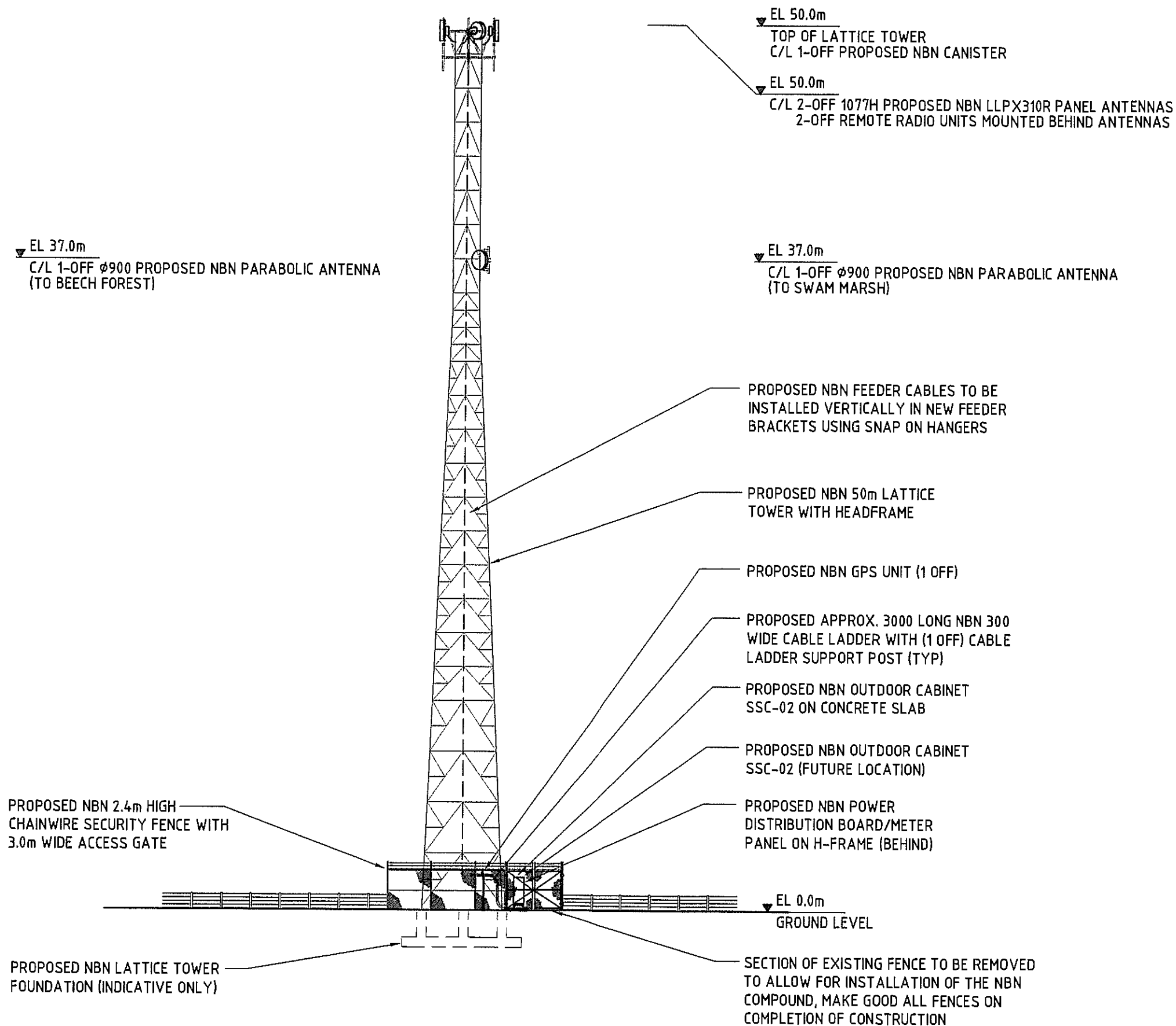
SITE SETOUT  
PLAN

Drawing No.

3COL-51-09-GELL-C3

Revision

02



## EAST ELEVATION

SCALE 1:250

Client:



Client:



Client:

Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-09-GELL  
GELLIBRAND  
385 WONGA PARK ROAD  
GELLIBRAND  
VIC 3239

PRELIMINARY

|     |          |                     |
|-----|----------|---------------------|
| 02  | 12.11.14 | TOWER HEIGHT CHANGE |
| 01  | 08.10.14 | PRELIMINARY ISSUE   |
| Rev | Date     | Revision Details    |



DESIGNER:

CHECKED: *JK*

APPROVED: *GM*

Drawing Title:

SITE ELEVATION  
AND DETAILS

|                    |          |
|--------------------|----------|
| Drawing No.        | Revision |
| 3COL-51-09-GELL-C4 | 02       |

**PC150804-6                    USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 175 TRASKS ROAD WARNCOORT (PP259/2014-1)**

|                    |                                    |                  |              |
|--------------------|------------------------------------|------------------|--------------|
| <b>AUTHOR:</b>     | Helen Evans                        | <b>ENDORSED:</b> | Doug McNeill |
| <b>DEPARTMENT:</b> | Sustainable Planning & Development | <b>FILE REF:</b> | F14/11343    |

**Location:** 175 Trasks Road Warncoort

**Zoning:** Farming Zone (FZ)

**Overlay controls:** Nil

**Proposed Amendments:** Nil

**Purpose:**

A planning permit is sought for the use and development of a telecommunication facility, comprising a 50 metre high lattice tower and associated antennas, equipment cabinets and works at 175 Trasks Road, Warncoort.

This application is before the Planning Committee as the proposed structure would be in excess of eight (8) metres in height.

It is recommended that a permit be issued.

**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 a telecommunication facility (50 metre high lattice tower) 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 Warncoort. The facility is designed to provide Fixed Wireless internet services to dwellings in the Warncoort 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 and is located on the east side of Trasks Road, Warncoort. 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 Trasks Road frontage of the site for a period of 14 days, and an advertisement in the Colac Herald. No objections have been received to the application.
- The proposal is considered to generally comply with the Planning Scheme provisions and would achieve an appropriate outcome in a Farming Zone.

- Whilst the lattice tower would be visible, it is considered that the overall community benefit of providing improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

### **Background**

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forrest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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 50m high lattice tower has been designed to be a critical connection point between Warncoort and a proposed facility at Beeac. An application has not yet been submitted for Beeac, but further applications are expected to be submitted shortly.

### **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 telecommunications 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 50m high lattice tower and ancillary outdoor equipment cabinets enclosed within a 100sqm fenced area.

*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 located approximately 4.5m from the Trasks Road frontage and 130m from the southern lot boundary (600m from the eastern lot boundary, and 258m from the northern boundary). The proposal also includes a new 15m long gravel access track.

The proposed 50m high lattice tower would accommodate the following:

- a) Three (3) panel antennas approximately 1077mm x 300mm x 115mm at 50m high.
- b) One (1) transmission dish antennas (1 x 900mm) at 40m high, and
- c) Three (3) 500mm 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 wide by 10m deep compound, enclosed by a 2.4m high chain wire fence.

Access to the site would be via a new access gate from Trasks Road and a new gravel access track of approximately 15m in length and 3m in width. The proposed facility would be powered by an underground power cable run from an existing power source (power pole) on the opposite side of Trasks 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). The proposal does not require the removal of any native vegetation from the land.

The proposed development would be located approximately 4.5m from the Trasks Road (west boundary) frontage and 130m from the southern lot boundary.

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 rectangular in shape and located on the eastern side of Trasks Road, approximately midway between Princes Highway and Colac Forrest Road. The site is identified on title as Lot 1 TP249023L. There are no restrictions, caveats or covenants recorded on the title.

Trasks Road is located between Colac and Birregurra, south of the Princes Highway. The site and surrounding area is undulating. The site does not contain any significant vegetation; however screen planting has been established along the road frontage and along some fence lines within the lot. The balance of the 23ha lot has been cleared for agricultural purposes. The site contains 3 dams, which are located at least 300m from the proposed tower location. There is no formal vehicle access to the site from Trasks Road; however there is opportunity to safely provide access.

The site, and surrounding land, is located within the Farming Zone (FZ). The site is not identified as being in an area of cultural heritage sensitivity. The closest dwellings to the application site are located 260m to the north and 310m to the south along Trasks Road.

The applicant submits that the site is appropriate for the following reasons:

- a) The proposed site would provide the optimal required quality of service, as required by NBN Co. across Warncoort.
- b) The site is removed from any residential area.
- c) The proposed location would provide sufficient spatial separation from sensitive land uses.
- d) Access to the site can be provided.
- e) The existing vegetation along Trasks Road would assist in minimising the visual impact along the road.

#### 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

- 95 Trasks Road - existing 35m high monopole  
This option is an existing monopole located at 95 Trasks Road, which was considered for co-location purposes in the initial candidate assessment stage. However, this existing monopole was considered to be too short to be suitable for the required radiofrequency coverage. The Telstra 35m high monopole is below the required 50m, and any available height on the Telstra monopole would necessarily be below the 35m pole height where Telstra antennas are presently located. The landowner, who is also the owner of the subject site, does not want a taller tower close to his dwelling which is near the existing monopole.
- 195 Trasks Road  
This option would involve a new 50m lattice tower on privately owned land accessed from Trasks Road. This site was not appropriate given its proximity to an existing dwelling (approximately 60m away). The site is also located on the crest of a ridge and would have resulted in a more visually dominant development from the surrounds, and the need to create new vehicular access on the crest of a hill.

Given the attributes and suitability of the subject site, further alternatives were not investigated.



**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 property owners and occupiers within a one kilometre radius, and by posting a sign on the Trasks Road frontage of the site for a period of 14 days. A public notice was also placed in the Colac Herald. No objections were received.

**Referrals**

The application was referred internally to Council's Infrastructure and Environmental Health Departments. No objections were raised. A condition and note have been recommended relating to the access, in the event a permit is issued; these have been included in the recommendation at the end of this report. Whilst a condition was also suggested by Environmental Health relating to noise levels, it is not considered necessary to impose that condition in this case, given the distance that would exist between the proposed facility and any sensitive uses.

**Planning Controls**

The land is included 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 - building 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.

To improve the viability of the small townships within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure.

The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the Shire.

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, and 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 52.19 - 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 a 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**

A planning permit is sought for the use and development of a telecommunications facility, comprising a 50m high lattice tower and ancillary structures within a 100sqm fenced area. A planning permit is required as the exemptions listed in Clause 52.19 have not been met.

The grey colouring and materials to be used in the construction of the lattice tower would assist in blending the tower in with the surrounding natural sky/landscape setting. It is considered that the proposed lattice tower would be consistent with the purpose of the zone/provision, as it would provide for improved telecommunications which would be beneficial to the Warncoort area and surrounds. The proposed lattice tower would provide the level of service coverage required, 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 allows for suitable signal dispersal to the surrounding area.

It is considered that the telecommunications equipment would conserve the natural beauty and landscape setting of the immediate and surrounding area. Existing vegetation along the road frontage would assist in screening the bulk of the tower close by; however it is noted that the tower would be visible from a distance due to its height.

It is considered that the proposed lattice tower development would remain consistent with the provisions of the Farming Zone, occupying 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 location would also ensure that the proposed non-agricultural use would not adversely affect the viability and use of the land for agriculture. Overall it is considered that the proposal is consistent with the decision guidelines of the Farming Zone.

The proposed 50m high lattice tower would provide for improved telecommunications to Warncoort and surrounding area, being a critical connection point between a proposed facility at Beeac and this site. The proposed lattice tower would provide the level of service coverage required, whilst being sited so as to minimise the impact on the surrounding area.

### **Principles in the Code of Practice for Telecommunications Facilities in Victoria**

#### **a. A telecommunications facility should be sited to minimise visual impact**

The combination of the distance from neighbouring dwellings and the surrounding vegetation cover along the roadside should ensure that the proposed 50m high lattice tower would be suitably located to reduce any potential visual impact. It is accepted that the proposed lattice tower, due to its height, proximity and location (within a predominantly un-vegetated paddock) would inevitably be seen from adjacent and surrounding roads. This is unavoidable. It should also be noted that, given the growing vegetation cover adjacent to Trasks Road, it is considered that the proposed lattice tower would not be significantly visible or detrimental to the natural landscape character of the immediate area. Whilst glimpses of the top section of the tower would be evident from afar (dependent upon roadside vegetation), including limited visibility from the Princes Highway, it is considered that the proposed location would strike an acceptable balance between visual impact and community benefit.

The proposed location is also considered to be suitably separated from any nearby dwellings, with the closest dwellings being located 260m to the north and 310m to the south.

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**

As noted earlier in this report, other candidate sites were examined within the search area to meet the coverage requirements and network objectives. Where possible, any existing infrastructure and co-location opportunities were considered. NBN Co. has advised that in, this particular case, 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. The applicant has confirmed that the existing nearby Telstra monopole tower was considered for co-location purposes, but is too short to be suitable.

In view of this, it is considered that the applicant has considered the option of co-location on this site 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 considered 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 0.092% 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).

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 road frontage. 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.

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 lattice tower has satisfactorily addressed the principles for design, siting, construction and operation of the Code of Practice for a Telecommunications facility.

### **Council Plan / Other Strategies / Policy**

#### **A Planned Future**

The Council Plan contains a strategy to: *"Facilitate the development of infrastructure for business investment, growth and liveability."* Within this strategy there is an action to: *"Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage"*. There is also a strategy to: *"Meet our statutory obligations for community safety, security and responses to emergency situations"*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

### **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**

A planning permit is required for the use and development of the land for a telecommunications facility and associated works.

Allowing the proposal would improve telecommunications service coverage in this part of the Shire. The proposal is considered generally consistent with the State and Local Planning Policy Frameworks, zoning requirements and current local policies.

Having given due regard to the matters discussed above, it is considered that the application should be approved, subject to conditions.

**Attachments**

- |                                                                  |         |
|------------------------------------------------------------------|---------|
| 1. Planning Application - PP259 2014-1 175 Trasks Road Warncoort | 0 Pages |
| 2. Aerial Photo - Subject Site and Alternatives                  | 0 Pages |
| 3. Site Maps - PP259 2014-1 175 Trasks Road Warncoort            | 0 Pages |

**Recommendation(s)**

***That Council's Planning Committee resolves to issue a Planning Permit for the use and development of a telecommunication facility (50 metre high lattice tower) and associated antennas, equipment cabinets and works at 175 Trasks Road Warncoort (Lot 1 TP249023L) 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 permitted telecommunications facility and associated equipment 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/or 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 the development, an application to undertake works within the road reserve must be submitted to and approved by the Council.**

~~~~~\~~~~~



Planning Enquiries
Phone: (03) 5232 9412
Web: 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.

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?: Blaithe Butler & others

Date: 20 / 11 / 2014

The land

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

Street Address

| | |
|----------------------------|--------------------------|
| Street No.: 175 | Street Name: Trasks Road |
| Suburb/Locality: Warncoort | |
| Postcode: 3243 | |

Formal Land Description

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

| | |
|----------------------|---|
| Lot No.: 1 | on Lodged Plan, Title Plan or Subdivision Plan No.: 249023L |
| OR | |
| Crown Allotment No.: | Section No.: |
| Parish Name: | |

- ③ Title information.

- 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.

- ⑤ Plan of the land.

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

| |
|--------------|
| Farming 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 of a Telecommunications Facility comprising a 50 metre high lattice tower, associated antennas and equipment cabinets.

- 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"/> |
| Mobile phone: | 0408 055 217 <input type="checkbox"/> |
| Email: | david.hughes@aurecongroup.com <input checked="" type="checkbox"/> |
| Fax: | 9975 3444 <input type="checkbox"/> |

Indicate preferred contact method

Applicant

The person or organisation who wants the permit.

☐ 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.

☐ Same as contact ☐ 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): | Ronald Hamill |
| Organisation (if applicable): | |
| Postal address: | 95 Trasks Road Warncoort VIC |
| | Postcode: 3 2 4 3 |

Checklist

(12) Have you?

- ☒ Filled in the form completely?
- ☐ Paid or included the application fee?
- ☒ Attached all necessary supporting information and documents?
- ☒ Completed the relevant council planning permit checklist?
- ☒ 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: 26 / 11 / 2014

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
TTY: (03) 5231 6787

For help or more information

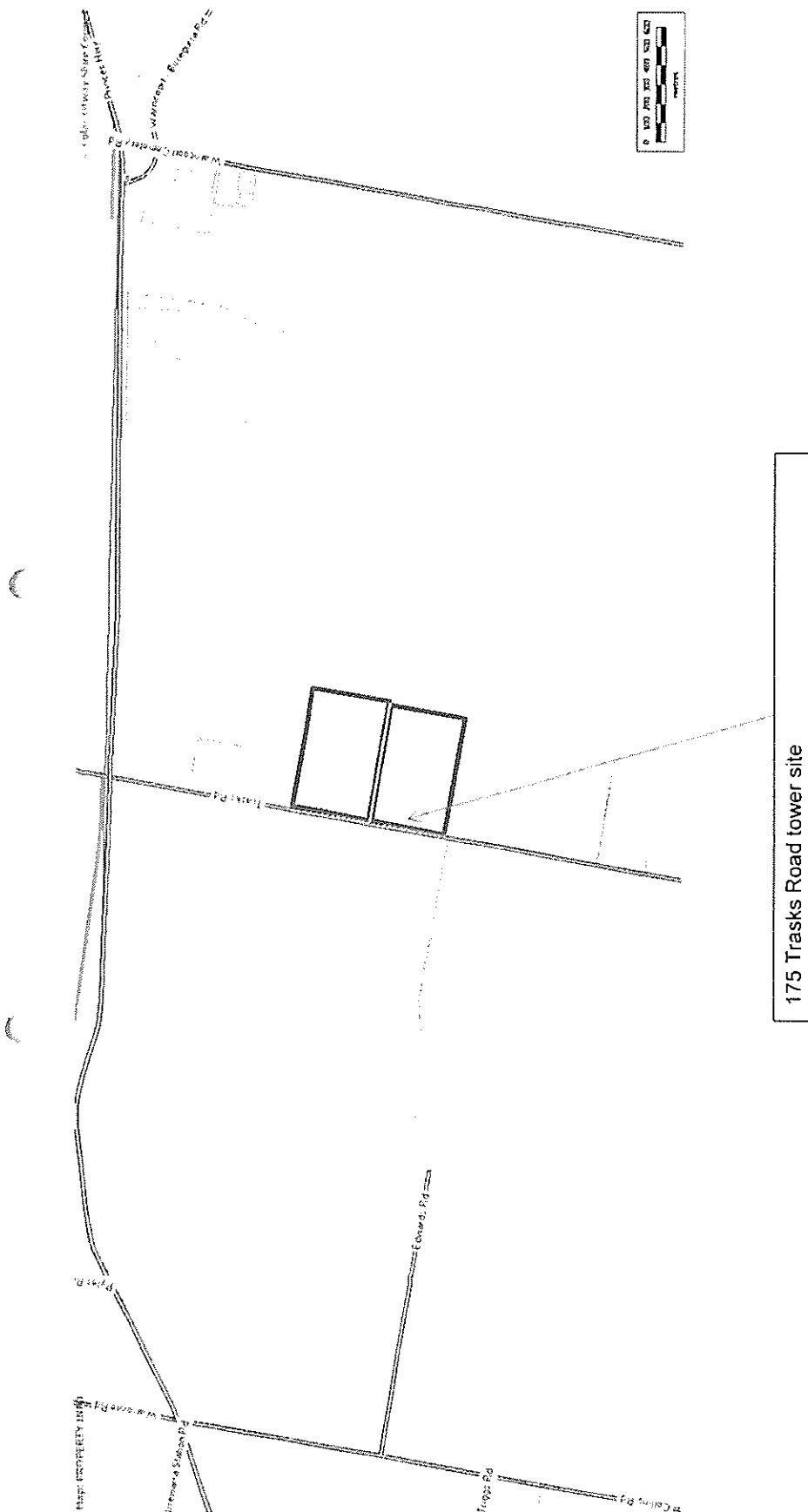




Figure 2: Aerial Photo of alternative candidates



Figure 3: Aerial Photo of alternative candidates (closer view)

| NBN ANTENNA CONFIGURATION | | | | | | | | | | | | | | | | | | | |
|---------------------------|--------|----------------|--------------------|---------------|-----------------|--------|-----------|-------------|-----------------|----------------------|-------------------|--------------------|---------------------------|------------|-------------------|---|--------|----------------------|--------|
| SECTOR | SYMBOL | ANTENNA DETAIL | | | | | | | | MAIN FEEDER DETAIL | | | | RRU DETAIL | | RF TAIL | | RET CABLE | |
| | | TYPE | DIMENSION
HxWxD | C/L
HEIGHT | AZIMUTH
(TN) | E-TILT | MECH TILT | DESTINATION | QUANTITY
RAU | TYPE | OVERALL
LENGTH | CANISTER
HEIGHT | CANISTER TO
RRU LENGTH | TYPE | LOCATION | TYPE | LENGTH | TYPE | LENGTH |
| 1 | | ARGUS-LLPX310R | 1077x300x115 | 50m | 300° | 8° | 0° | N/A | N/A | H&S HYBRID
19.6mm | 60m | 50.0m | 2m | RRUS61 | BEHIND
ANTENNA | H&S 1/2" BIRD
PROOFED
LISCA CABLE | 1.5m | 1/TSR 484
21/2000 | 1.5m |
| 2 | | ARGUS-LLPX310R | 1077x300x115 | 50m | 190° | 4° | 0° | N/A | N/A | | | | 5m | RRUS61 | BEHIND
ANTENNA | | 1.5m | 1/TSR 484
21/2000 | 1.5m |
| 3 | | ARGUS-LLPX310R | 1077x300x115 | 50m | 245° | 5° | 0° | N/A | N/A | | | | 10m | RRUS61 | BEHIND
ANTENNA | | 1.5m | 1/TSR 484
21/2000 | 1.5m |
| 4 | | | | | | | | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | | | | | | | | |
| A | | PARABOLIC | ø900 | 40m | 347° | N/A | N/A | BEEAC | 1 | ERICSSON
7.6mm | 40m | - | - | - | - | - | - | - | - |
| B | | | | | | | | | | | | | | | | | | | |
| C | | | | | | | | | | | | | | | | | | | |
| D | | | | | | | | | | | | | | | | | | | |
| GPS | | KRE 101282/1 | ø69x96 | 2.5m | N/A | N/A | N/A | N/A | N/A | ERICSSON
7.6mm | 10m | - | - | - | - | - | - | - | - |

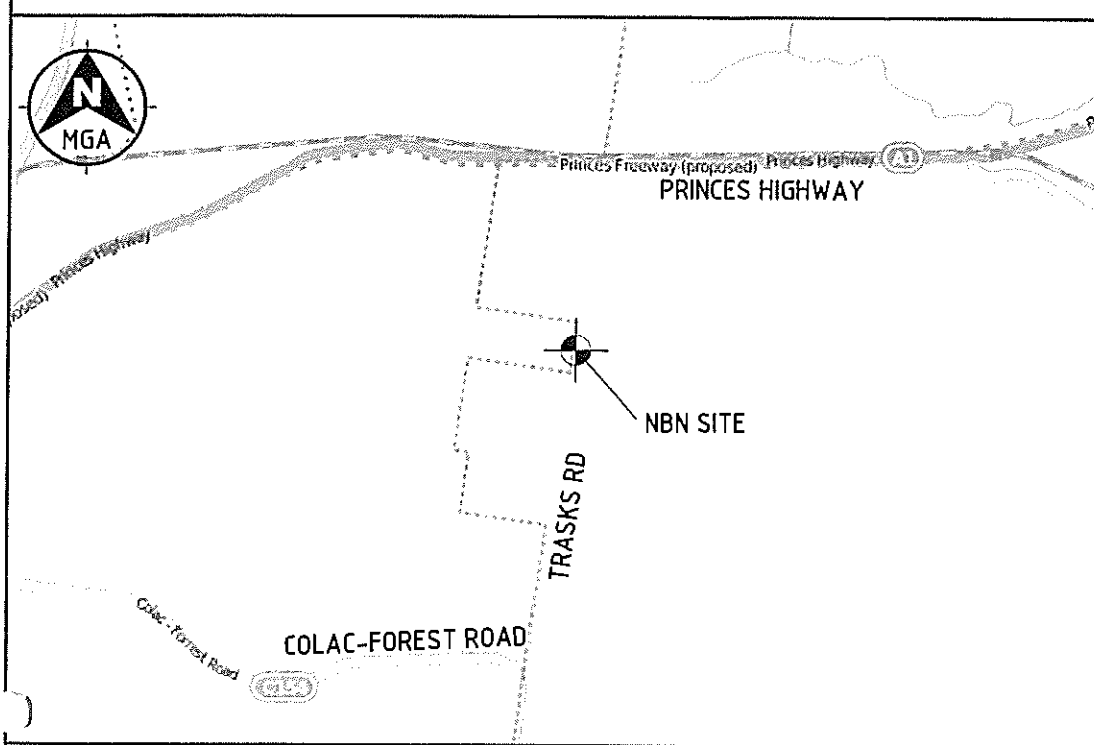


NBN Co
Limited



1. *Journal of the American Medical Association*, 1990; 263: 1025-1026.

SITE LOCATION



COPYRIGHT © OPENSTREETMAP CONTRIBUTORS, CC BY-SA
<http://www.openstreetmap.org>
<http://creativecommons.org/licenses/by-sa/2.0/>
 Use of this image is subject to the terms and conditions of the Creative Commons Attribution-ShareAlike 2.0
 licence, the full licence of which can be accessed at <http://creativecommons.org/licenses/by-sa/2.0/legalcode>

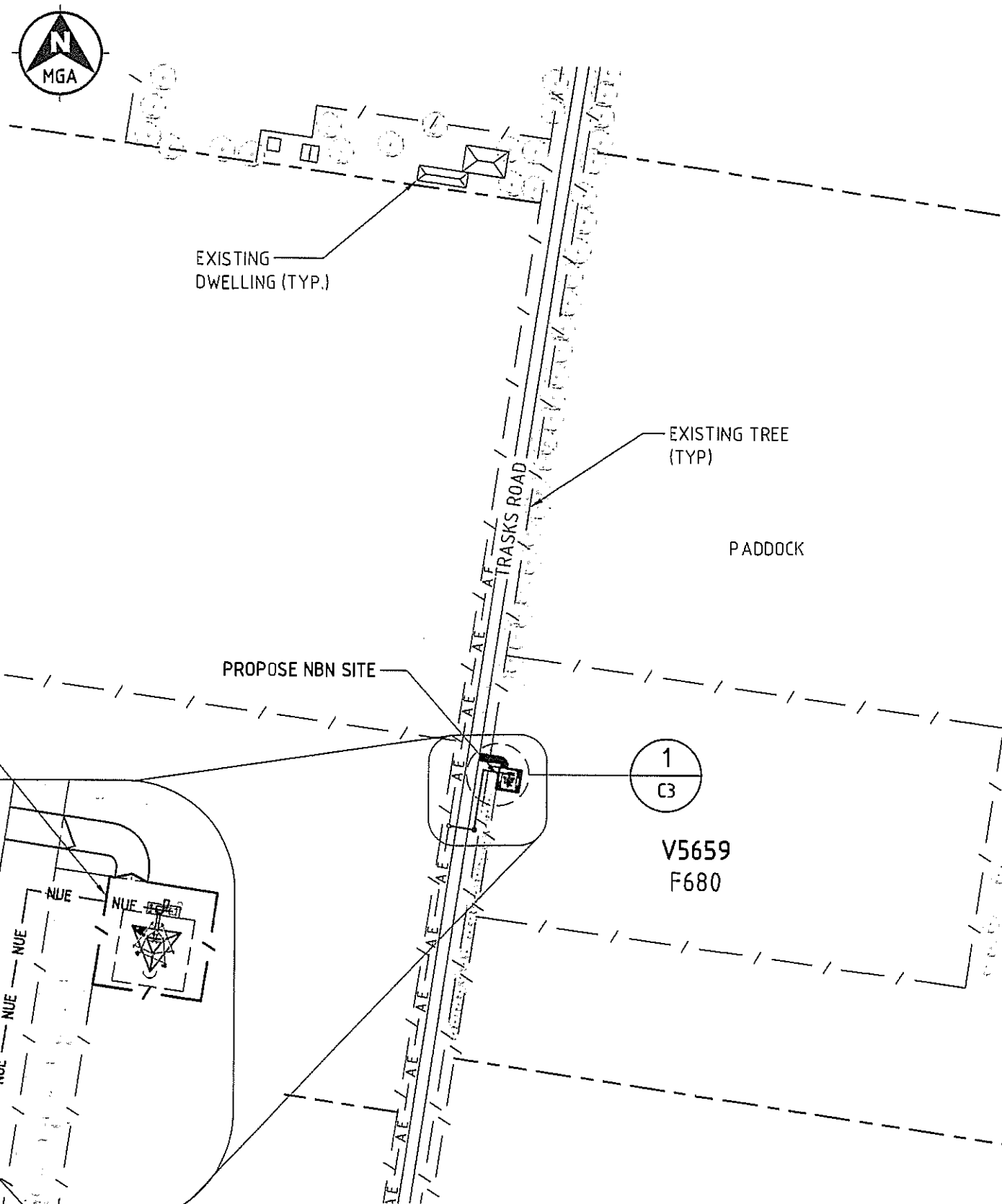
SITE CO-ORDINATES

LATTICE TOWER LOCATION

| | |
|--------------------|------------|
| DATUM: MGA (GDA94) | ZONE: 54 |
| LATITUDE | -38.32653° |
| LONGITUDE | 143.68327° |
| EASTING | 734 554 |
| NORTHING | 5 754 563 |

LEGEND

- AE — AE — AERIAL ELECTRICAL LINES
- — — — — PROPERTY BOUNDARY
- / — / — EXISTING FENCE
- NUE — NUE — NBN UNDERGROUND ELECTRICAL CABLES
- NAE — NAE — NBN AERIAL ELECTRICAL LINES



OVERALL SITE PLAN

SCALE 1:4000

NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND
 NETWORK
 SITE No: 3COL-51-11-WARN
 WARNCOORT WEST
 175 TRASKS ROAD
 WARNCOORT
 VIC 3243

PRELIMINARY

| | | |
|-----|----------|-------------------|
| 02 | 14.11.14 | PRELIMINARY ISSUE |
| 01 | 11.11.14 | PRELIMINARY ISSUE |
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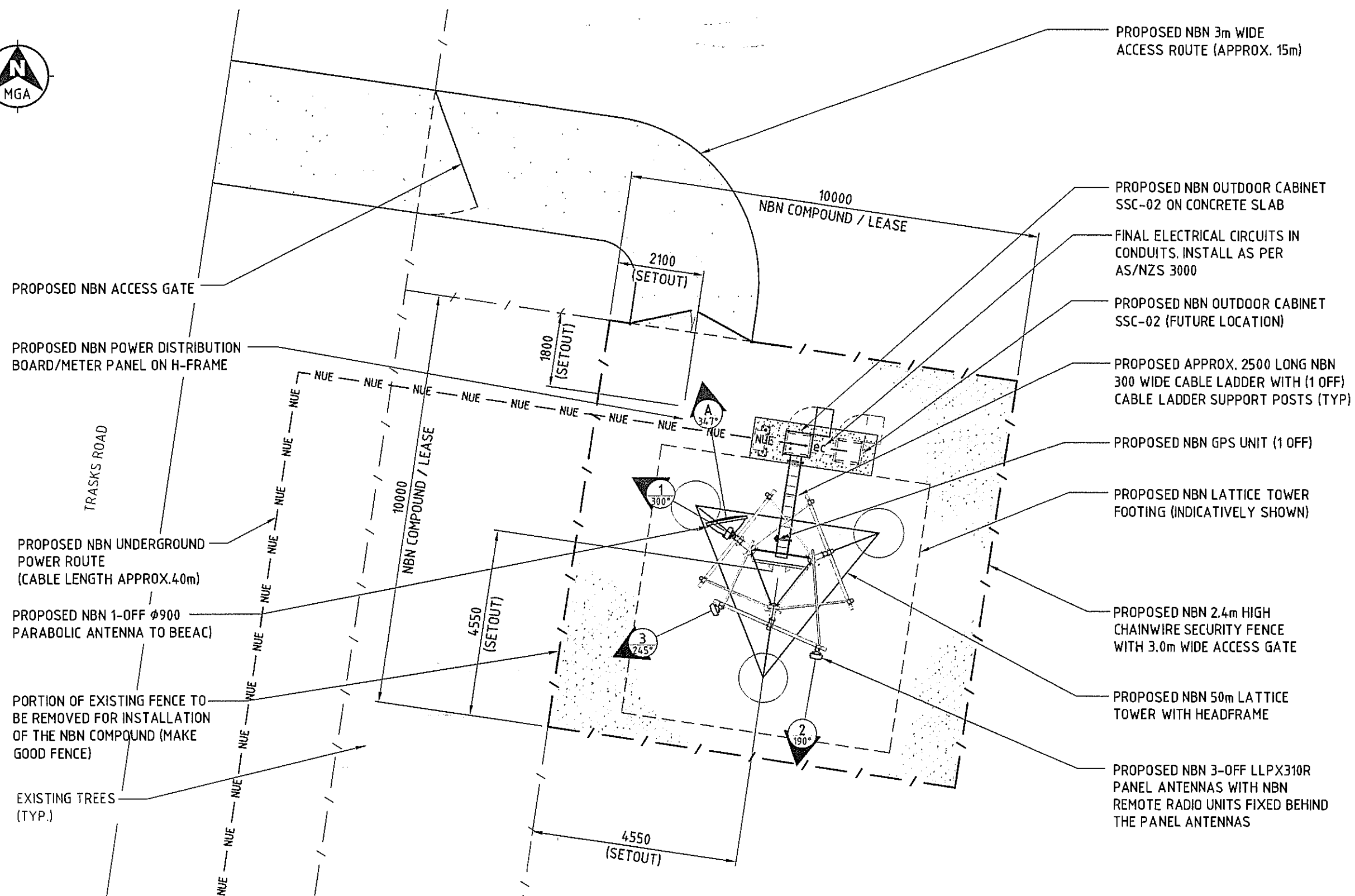
CHECKED: JK

APPROVED: GM

Drawing Title:
**OVERALL
 SITE PLAN**

Drawing No.
 3COL-51-11-WARN-C2

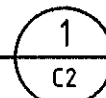
Revision
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LEGEND

- NUE — NUE — NBN UNDERGROUND ELECTRICAL CABLES
- ec — ec — FINAL ELECTRICAL CIRCUITS IN 2 x 50 ϕ HD PVC UNDERGROUND ELECTRICAL CONDUIT
- / — / — NBN COMPOUND FENCE
- / — / — EXISTING FENCE

DETAIL
SCALE 1:100



NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS ARE INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.

Client:



Client:



Client:

Project:

NATIONAL BROADBAND
NETWORK
SITE No: 3COL-51-11-WARN
WARNCOURT WEST
175 TRASKS ROAD
WARNCOURT
VIC 3243

PRELIMINARY

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| 02 | 14.11.14 | PRELIMINARY ISSUE |
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| Rev | Date | Revision Details |



DESIGNER: AT

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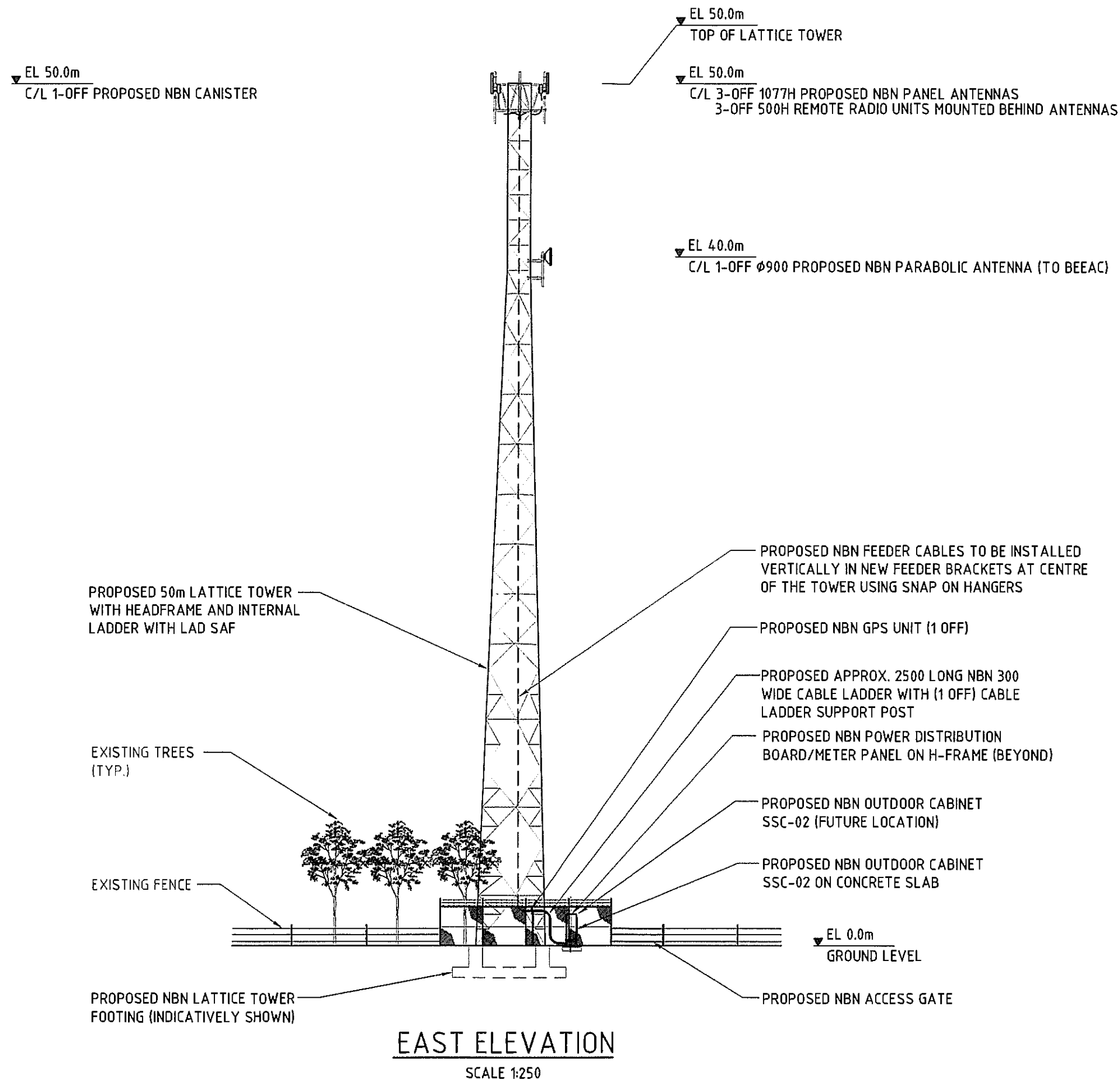
APPROVED:

Drawing Title:

SITE SETOUT
PLAN

Drawing No.
3COL-51-11-WARN-C3

Revision
02



Client:



Client:



Client:

Project:

NATIONAL BROADBAND NETWORK
SITE No: 3COL-51-11-WARN
WARNCOORT WEST
175 TRASKS ROAD
WARNCOORT
VIC 3243

PRELIMINARY

02 14.11.14 PRELIMINARY ISSUE
01 11.11.14 PRELIMINARY ISSUE
Rev Date Revision Details



DESIGNER: *ATP*
CHECKED: *JK*
APPROVED: *GAM*

Drawing Title:
SITE ELEVATION AND DETAILS

Drawing No. 3COL-51-11-WARN-C4
Revision 02

PC150804-7 USE AND DEVELOPMENT OF A TELECOMMUNICATIONS FACILITY (50 METRE HIGH LATTICE TOWER), ASSOCIATED ANTENNAS, EQUIPMENT CABINETS AND ASSOCIATED WORKS AT 50 BARONGAROOK ROAD, BARONGAROOK (PP266/2014-1)

| | | | |
|--------------------|------------------------------------|------------------|--------------|
| AUTHOR: | Helen Evans | ENDORSED: | Doug McNeill |
| DEPARTMENT: | Sustainable Planning & Development | FILE REF: | F14/11343 |

Location: 50 Barongarook Road, Barongarook

Zoning: Farming Zone (FZ)

Overlay controls: Environmental Significance Overlay Schedule 3 (ESO3 - Declared Water Supply Catchments)

Bushfire Management Overlay (BMO)

Vegetation Protection Overlay Schedule 1 (VPO1 – Significant and Remnant Vegetation)

Significant Landscape Overlay Schedule 1 (SLO1 – Valleys, Hills and Plains Landscape Precinct)

Adjacent Vegetation Protection Overlay Schedule 2 (VPO2 – Roadside Vegetation)

Proposed Amendments: Nil

Purpose:

A planning permit is sought for the use and development of a telecommunications facility, comprising a 50 metre high lattice tower and associated antennas, equipment cabinets and works, at 50 Barongarook Road, Barongarook.

This application is before the Planning Committee as the proposed structure would be in excess of eight (8) metres in height.

It is recommended that a permit be issued.

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 land for a telecommunications facility, comprising a 50 metre high lattice tower 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 Barongarook.

The facility is designed to provide Fixed Wireless internet services to dwellings in the Barongarook 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 Barongarook Road.
- The site is subject to the Environmental Significance Overlay (ESO3), Bushfire Management Overlay (BMO), Vegetation Protection Overlay Schedule 1 (VPO1) and Significant Landscape Overlay Schedule 1 (SLO1), and is adjacent to land covered by Vegetation Protection Overlay Schedule 2 (VPO2).
- The application was advertised by sending a copy of the notice to property owners and occupiers within a one kilometre radius and by posting a sign on the Barongarook Road frontage of the site for a period of 14 days. A public notice was also placed in the Colac Herald. No objections have been received to the application.
- The proposal is considered to generally comply with the Planning Scheme provisions and would achieve an acceptable outcome in the Farming Zone.
- Whilst the tower would be visible, it is considered that the overall community benefit of providing improved telecommunication service coverage in this area would outweigh any potential negative impact on visual amenity.
- It is recommended that a permit be issued.

Background

Council has been advocating strongly in recent years for improved telecommunications coverage in the Otways. There are many areas of the Shire such as Lavers Hill, Beech Forrest, Swan Marsh, Cororooke, Warrion, Warncoort and Gellibrand 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 benefits of high speed broadband for the community, by reducing the ability of people living and working within the Otways 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 50m high tower facility would be a wireless mini-hub site. It has been designed to be a critical connection point between the proposed facility and existing sites at Colac and Forrest.

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 telecommunications 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 50m high lattice tower and ancillary components including two outdoor equipment cabinets.

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 located in the northwest corner of the lot.

The proposed 50m high steel lattice tower would be finished in galvanised steel (which fades to a metallic grey) and accommodate the following:

- a) Three (3) panel antennas (off white) approximately 1077mm x 300mm x 115mm at 50m high.
- b) Two (2) transmission dish antennas (off white) 1 x 600mm and 1 x 900mm at 47m high, and
- c) Three (3) 500mm remote radio units mounted behind the antennas.

Associated facilities would include ground level outdoor cabinets (beige colour finish), cable ladder (2m high) and power distribution board, enclosed within a 10m wide by 10m deep by 2.4m high chain wire fence compound.

Access to the site would be via the existing vehicle entrance to the dwelling onsite. A new access track, approximately 255m long, would be created within the lot. The facility would be powered by underground power cable from an existing power source 180m away. 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 equipment associated with the equipment units (this is considered to be comparable to domestic units and background noise levels).

The compound is proposed to be located approximately 2m from the northern boundary and a minimum of 2m from the western boundary. The proposed facility would be located approximately 320m east of Colac Lavers Hill Road and 180m west of the existing dwelling on the same lot, and 215m east of the closest neighbouring dwelling.

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 located on the southern side of Barongarook Road, to the east of its junction with Colac Lavers Hill Road. The site is identified on title as C/A 9D Parish of Barongarook. The lot is 25.6ha in area. The proposed tower would be sited in the northwest corner of the lot. The site contains sparse vegetation across the hill, with the farmhouse residence on the northern side adjacent to Barongarook Road. The site is currently used for agricultural purposes. Access to the site is via an existing crossover from Barongarook Road to the northern boundary. The site is not identified as being in an area of cultural heritage sensitivity.

With the exception of the land to the north, the site and immediate surrounding area is within the Farming Zone (FZ). The land to the north is located within the Public Use Zone 6 (Local Government) and is land which is used for environmental purposes and a rifle range. The PUZ6 land contains significant vegetation cover. The closest dwellings to the application site are located:

- 215m to the west at 445 Colac Lavers Hill Road Barongarook
- 400m to the south west at 455 Colac Lavers Hill Road, Barongarook
- 300m to the northwest at 5 Barongarook Road, Barongarook.

This site is considered by the applicant to be appropriate for the following reasons:

- a) The site location is significantly removed from rural dwellings, and the existing dwelling on the application site, to minimise visual impacts.
- b) The location of the tower would not require the removal of any vegetation.
- c) Access and power to the site would be easily achieved.
- d) The existing vegetation bands along Barongarook Road and the land to the north would offer a suitable screen for the proposal from most directions.
- e) The selected site would provide the desired level of fixed wireless coverage to the area.

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

- 15 Barongarook Road, Barongarook
This site would require a 40m high steel lattice tower on the Council owned (PUZ6) land approximately 300m to the north. The applicant has advised that this site was not considered to be suitable as the proposed location is heavily vegetated and the potential to locate a tower without vegetation removal was considered to be problematic. This site is also subject to a Trust for Nature Covenant, which seeks to maintain the environmental condition of the site.

- 50 Shorts Road, Barongarook
This site would require a 50m steel lattice tower, approximately 510m to the north east. This site is located within the Farming Zone but was not considered as a suitable option given potential access and lease issues.

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 property owners and occupiers within a one kilometre radius and by posting a sign on the Barongarook Road frontage of the site for a period of 14 days. A public notice was also placed in the Colac Herald. No objections were received.

Referrals

In accordance with Section 55 of the Planning and Environment Act, the application was referred to Barwon Water under the provisions of ESO3 (Determining Referral Authority) and to the Department of Environment, Land Water and Planning (formerly DEPI) under ESO3 (Recommending Referral Authority).

Barwon Water has advised that it has no objection to the proposal, subject to conditions being imposed should a permit be issued.

The Department of Environment, Land, Water and Planning has not responded to this application. As the referral was made under Section 52 of the Act, it is considered that a decision can reasonably be made without a referral response.

The application was also referred internally to Council's Infrastructure and Environmental Health Departments. Whilst a condition was suggested by Environmental Health relating to noise levels, it is not considered necessary to impose that condition in this case, given the distance that would exist between the proposed facility and any sensitive uses.

Planning Controls

The land is in the Farming Zone (FZ) and is subject to the Environmental Significance Overlay (ESO3), Bushfire Management Overlay (BMO), Significant Landscape Overlay (SLO1) and Vegetation Protection Overlay (VPO1). 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 42.01-2 – buildings and works – ESO3
- Clause 42.03-2 – buildings and works – SLO1
- Clause 52.19-2 – building 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 21.04-8 – Landscape Character

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.

To improve the viability of the small townships and rural communities within the Shire, it is acknowledged that future planning needs to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, community facilities and related infrastructure. The objectives include facilitating the ongoing economic future of small communities. The need for improved infrastructure is recognised and the provision of appropriate communications facilities will contribute to the economic development of small towns and communities within the Shire.

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 the development of a Telecommunications Facility. A planning permit is also required for the use of the land for a telecommunications facility, as this use does not currently exist on the land.

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, and under Clause 35.07-4 for buildings and works associated with Section 2 Use in the Farming Zone.

d. Overlays

i. Environmental Significance Overlay (ESO3 – Declared Water Supply Catchments)

The site is covered by the Environmental Significance Overlay (Schedule 3). The purpose of this overlay is:

- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Environmental objective to be achieved

- *To protect the public health of communities that depend on water from declared water supply catchments.*
- *To protect and maintain water quality and water yields in the declared water supply catchments.*
- *To ensure that subdivision, land use and development meets the requirements of any Land Use Determination.*
- *To provide for appropriate land use and development within these declared water supply catchments.*
- *To manage the impact of incremental development on water quality and yield.*

A planning permit is required under the provisions of Clause 42.01-2 for buildings and works.

ii. Significant Landscape Overlay (SLO1 – Valleys, Hills and Plains Landscape Precinct)

The site is covered by the Significant Landscape Overlay Schedule 1 (SLO1). The purpose of this overlay is:

- *To identify significant landscapes.*
- *To conserve and enhance the character of significant landscapes.*

The schedule to this overlay specifies the specific landscape character to be achieved. This includes the following:

- *To conserve and enhance areas of natural beauty, wildlife habitat, and important natural features.*
- *To limit clearance of remnant native vegetation that provides wildlife habitat and forms an important part of the visual landscape.*
- *To protect wetland areas as important habitat for birdlife by preventing the drainage of the wetland areas and by ensuring that existing water flow patterns and water quality are not adversely affected.*
- *To protect the landscape character of the stony rises and lava flows, including the stone fences which form a landscape feature of historic interest.*
- *To protect and enhance the visual quality of waterways, waterbodies, lake foreshores and riparian zones.*

- *To protect landscape features including volcanic cones and significant views within the Shire.*

A planning permit is required for buildings and works under the provisions of Clause 42.03-2.

iii. Bushfire Management Overlay

This site is covered by the Bushfire Management Overlay (BMO). The purpose of this overlay is:

- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Under the provisions of the BMO a planning permit is not required for buildings and works associated with a Telecommunications Facility.

iv. Vegetation Protection Overlay (VPO1 – Significant and Remnant Vegetation)

The site is covered by Vegetation Protection Overlay Schedule 1 (VPO1) and adjacent to Schedule 2 (VPO2 - Roadside Vegetation). The purpose of this overlay is:

- *To protect areas of significant vegetation.*
- *To ensure that development minimises loss of vegetation.*
- *To preserve existing trees and other vegetation.*
- *To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.*
- *To maintain and enhance habitat and habitat corridors for indigenous fauna.*
- *To encourage the regeneration of native vegetation.*

Under this provision, a permit is required to remove, destroy or lop any native vegetation. No vegetation removal is proposed; therefore no permit is required under this overlay.

e. Particular Provisions

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 a 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

A planning permit is sought for the use and development of a telecommunications facility, comprising a 50m high lattice tower and ancillary components including two outdoor equipment cabinets and associated works, within a 100sqm fenced area. A planning permit is required as the exemptions listed in Clause 52.19 have not been met.

It is considered that the grey colouring and materials to be used in the construction of the lattice tower and the off white antennas would help the development to blend into the sky background on a dull day, with the lower portion of the tower predominantly hidden behind the existing vegetation along the Barongarook roadside and the PUZ6 land to the north.

It is considered that the proposed lattice tower would be consistent with the purpose of the zone, as it would provide for improved telecommunications which would be beneficial to the Barongarook area and surrounds. The proposed lattice tower would provide the level of service coverage required, whilst having a minimal impact on the surrounding area. The proposed lattice tower would be located within a small part of the farming lot, adjacent to the northern boundary. It is considered that the proposed tower development in this location would remain consistent with the provisions of the Farming Zone, occupying 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 location on the land would also ensure that the proposed non-agricultural use would not adversely affect the viability and use of the land for agriculture. Overall, it is considered that the proposal is consistent with the decision guidelines of the Farming Zone.

A number of candidate sites were examined within the search area for co-location opportunities. In this particular instance, there are no sites within the immediate area which allow for co-location options. In summary, as co-location is not a feasible option, it is considered that a new structure is required to provide coverage for the NBN fixed wireless service. The need for a new tower in this location is further compounded by the fact that the proposed Barongarook NBN facility would serve as a 'hub site' within the National Broadband Network, acting as a key communications point to other base stations.

On balance, given the surrounding vegetation stands and the proposed colour of the lattice tower, it is considered that the proposed location would conserve the natural beauty and landscape setting of the immediate and surrounding area. The proposal would avoid the clearance of native vegetation that provides wildlife habitat and forms an important part of the visual landscape setting.

The proposed 50m high lattice tower would provide for improved telecommunications to Barongarook and surrounding area, being a critical connection point between the facility at Colac and a proposed facility at Forest. The proposed lattice tower would provide the level of service coverage required, whilst being sited so as to minimise the impact on the surrounding area.

It is considered that the proposed lattice tower would not unduly impact on any surrounding residential properties.

Principles in the Code of Practice for Telecommunications Facilities in Victoria

a. A telecommunications facility should be sited to minimise visual impact

To minimise the impact on the landscape setting, it is proposed to site the 50m lattice tower adjacent to existing dense vegetation stands along Barongarook Road.

The selected site is a rural property, which is located a suitable distance away from rural residences and other sensitive uses whilst at the same time being close enough to achieve the required quality of service. This location would also take advantage of the existing vegetation around the area, thereby reducing the overall visual impact of the tower.

It is considered that a steel lattice tower is a semi-transparent structure and, from a distance, its visual impact is limited as it appears a fairly lightweight structure as distance increases. Such structures are typical of rural landscapes, with high voltage power line pylons being examples of similar infrastructure.

The view of VCAT is that such facilities will inevitably be seen due to their height and the function they serve. The main issue is to strike an appropriate balance between visual impacts and the overall community benefit from modern communication infrastructure. It is considered that a reasonable balance would be struck in this case.

b. Telecommunications facilities should be co-located wherever practical

A number of candidate sites were examined within the search area to meet the coverage requirements and network objectives. Where possible, any existing infrastructure and co-location opportunities were considered.

NBN Co. has advised that, in this particular case, no co-location opportunities were deemed to be viable and, as such, a new structure is required 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 considered 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 0.1% 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). In view of this, it is considered that Principle C has been addressed.

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

It is noted that the site does not contain any existing telecommunications equipment. It is considered that any disturbance associated with the proposal in this location would be minimal and limited to the proposed compound area and access track extension. The applicant has advised that the installation of the proposed facility can be undertaken at any time and it is not anticipated that it would affect the use of the site or the surrounding area due to the accessibility of the site.

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 have been satisfied. It is also considered that the proposed facility has satisfactorily addressed the principles for design, siting, construction and operation of the Code of Practice for Telecommunications facility.

The application has been referred to Barwon Water and the Department of Environment, Land, Water and Planning under ESO3. No objection has been raised, subject to conditions recommended by Barwon Water being included on any permit issued. These have been included in the recommendation at the end of this report.

Council Plan / Other Strategies / Policy

A Planned Future

The Council Plan contains a strategy to: *"Facilitate the development of infrastructure for business investment, growth and liveability."* Within this strategy there is an action to: *"Lobby for improved telecommunications in the Colac Otway Shire for broadband and mobile coverage"*. There is also a strategy to: *"Meet our statutory obligations for community safety, security and responses to emergency situations"*. As noted in this report, the proposal would assist in achieving these outcomes for the community.

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

A planning permit is required for the use and development of the land for a telecommunications facility and associated works.

Allowing the proposal would improve telecommunications service coverage in this part of the Shire. The proposal is generally consistent with the State and Local Planning Policy Frameworks, zoning and overlay requirements, and current local policies.

Having given due regard to the matters discussed above, it is considered that the application should be approved, subject to conditions.

Attachments

- | | |
|--|---------|
| 1. Planning Application - PP266 2014-1 50 Barongarook Road Barongarook | 0 Pages |
| 2. Aerial Photo - Subject Site and Alternatives | 0 Pages |
| 3. Site Maps - PP266 2014-1 50 Barongarook Road Barongarook | 0 Pages |

Recommendation(s)

That Council's Planning Committee resolves to issue a Planning Permit for the use and development of a telecommunications facility (50 metre high lattice tower) and associated antennas, equipment cabinets and works at 50 Barongarook Road, Barongarook (C/A 9D Parish of Barongarook) 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 permitted telecommunications facility and associated equipment must be maintained in good condition to the satisfaction of the Responsible Authority.***

Removal of facility

- 4. 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.***

Barwon Water conditions

- 5. The following shall be undertaken to the requirements of Barwon Water and to the satisfaction of the responsible authority:***
 - a) The existing or proposed effluent disposal areas (if applicable) must be kept free from stock, buildings, driveways and service trenching.***
 - b) Stormwater must not be released directly into any waterway and must be directed away from any existing or approved effluent fields.***
 - c) Sediment control measures outlined in the EPA's publication No 275, Sediment Pollution Control, shall be employed during construction and maintained until the disturbed area has been revegetated.***

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/or 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.

~~~~~

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

Office Use Only	Fee: \$ -
Application No.: PP266/2014-1	Receipt No.:
Date Lodged: 16/12/14	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?: Blathin Butler and others

Date: 20 / 10 / 2014

### The land

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

#### Street Address

Street No.: 50	Street Name: Barongarook Road
Suburb/Locality: Barongarook	
Postcode: 3249	

#### Formal Land Description

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

Lot No.: 3	on Lodged Plan, Title Plan or Subdivision Plan No.: LP206848
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.

Farm land 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 50 metre steel lattice tower, plus 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	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	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):	B & J Healey		
Organisation (if applicable):			
Postal address:	50 Barongarook Road		
Barongarook	Postcode:	3	2 4 9

## Checklist

**(12)** Have you?

- ☒ Filled in the form completely?
- ☐ Paid or included the application fee?
- ☒ ☒ Attached all necessary supporting information and documents?
- ☒ Completed the relevant council planning permit checklist?
- ☒ 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:

## 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 ☐☐

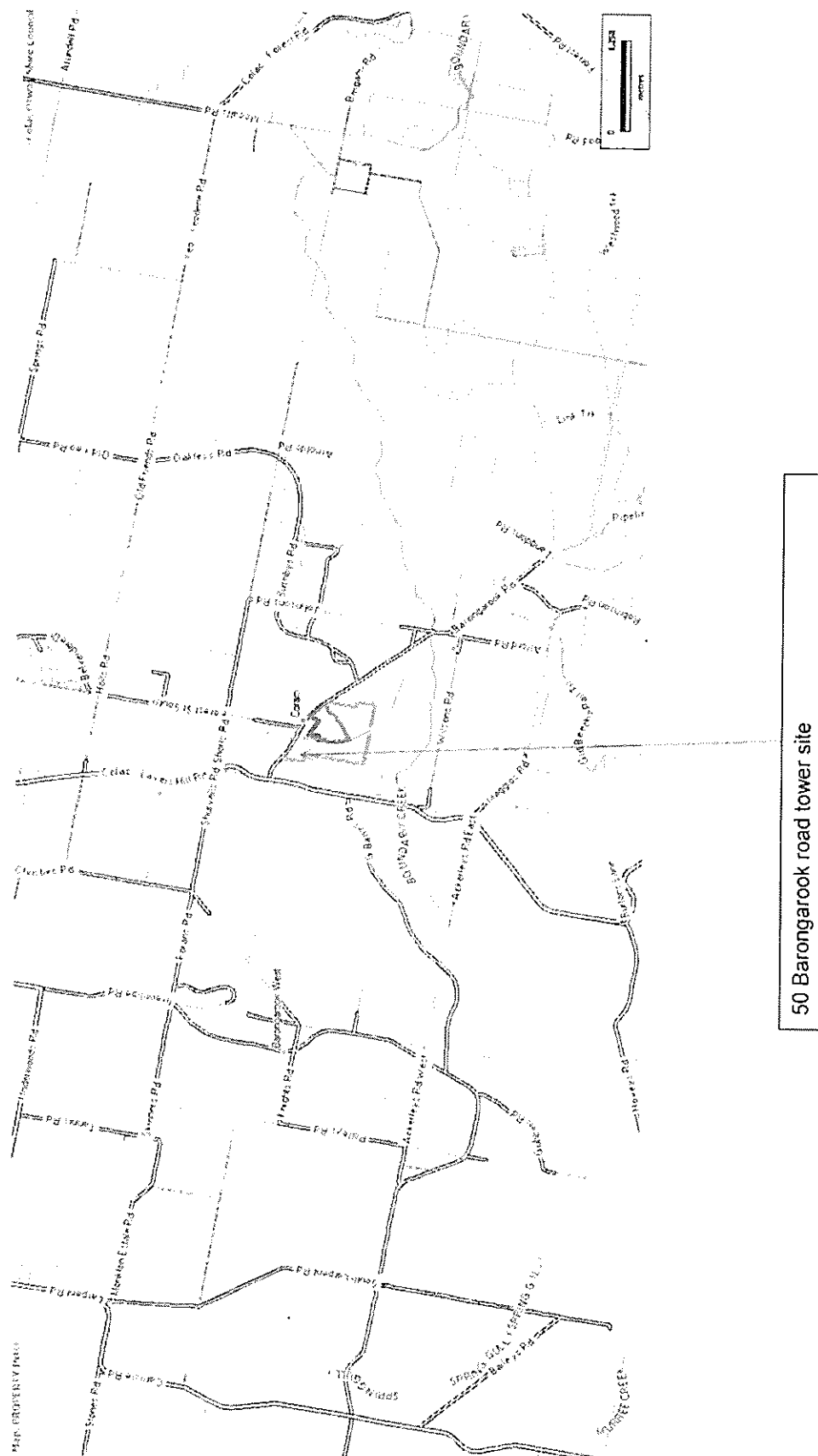
Telephone: (03) 5232 9412 ☐☐

Fax: (03) 5232 1046 ☐☐

For help or more information

Email: [inq@colacotway.vic.gov.au](mailto:inq@colacotway.vic.gov.au) ☐☐

TTY: (03) 5231 6787 ☐☐



50 Barongarook road tower site



Figure 2: Candidate Sites

# SITE LOCATION



COLAC-LAVERS HILL RD  
BARONGAROOK RD  
NBN SITE

COPYRIGHT © OPENSTREETMAP CONTRIBUTORS, CC BY-SA  
<http://www.openstreetmap.org>  
<http://creativecommons.org/licenses/by-sa/2.0/>  
 Use of this image is subject to the terms and conditions of the Creative Commons Attribution-ShareAlike 2.0  
 licence, the full licence of which can be accessed at <http://creativecommons.org/licenses/by-sa/2.0/legalcode>

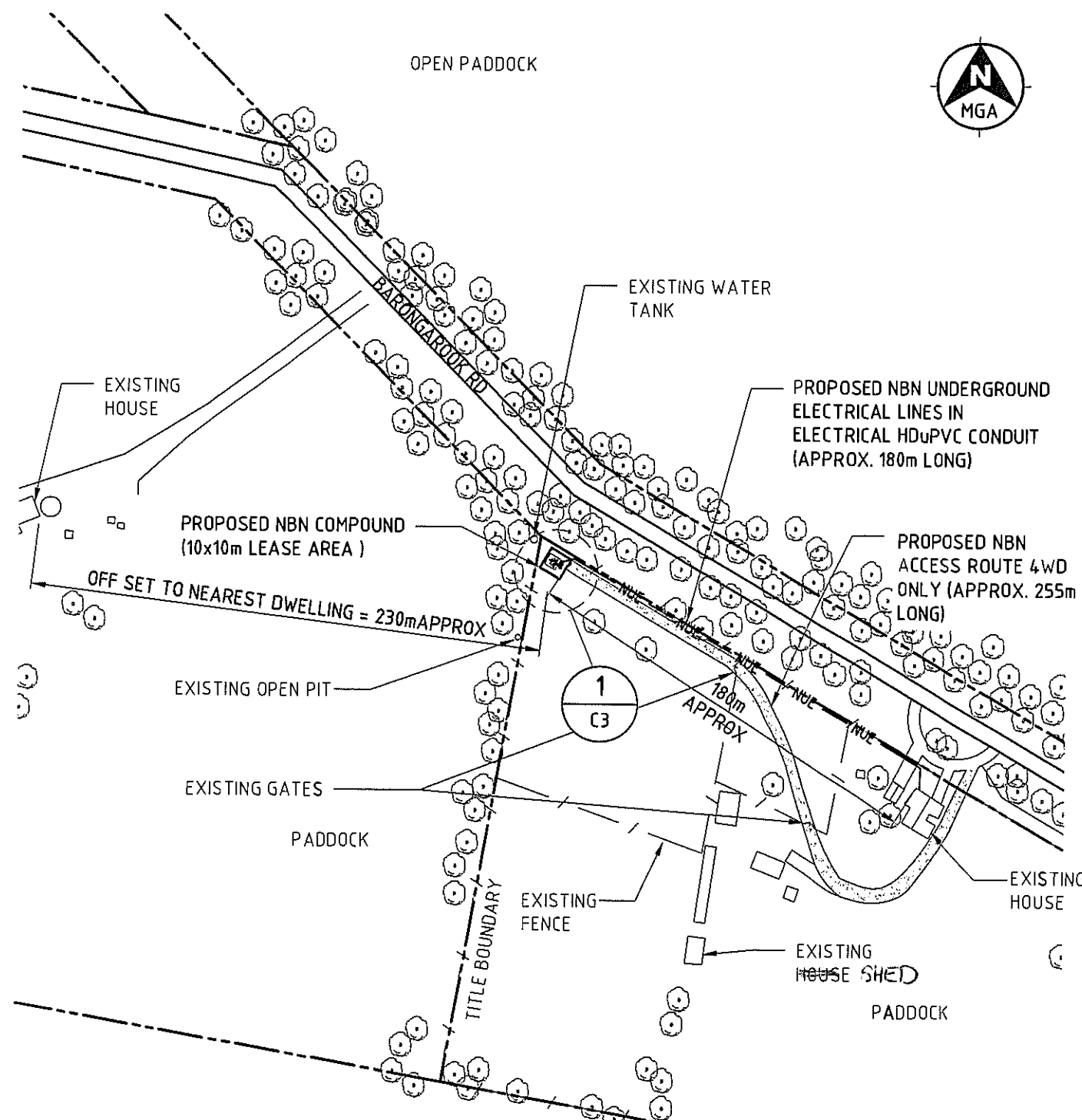
## SITE CO-ORDINATES

### LATTICE TOWER LOCATION

DATUM: MGA (GDA94)	ZONE: 54
LATITUDE	-38.40545
LONGITUDE	143.58954
EASTING	726 115
NORTHING	5 746 022

### LEGEND

- NUE — NUE — NBN UNDERGROUND ELECTRICAL CABLES
- / — / — EXISTING FENCE
- TITLE BOUNDARY



## OVERALL SITE PLAN

SCALE 1:2000

### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.
2. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. ALL DIMENSIONS, CO-ORDINATES AND LEVELS ARE SUBJECT TO CONFIRMATION BY SURVEY.

Client:

**NBN Co**  
Limited

Client:

**ERICSSON**

Client:

COLAC OTWAY  
SHIRE

10 FEB 2015

RECEIVED  
DESTROY

Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-02-BARO  
BARONGAROOK  
50 BARONGAROOK RD  
BARONGAROOK  
VIC 3249

PRELIMINARY

02 22.01.15 ACCESS ROUTE AMENDED  
01 09.12.14 PRELIMINARY ISSUE  
Rev Date Revision Details

**aurecon**  
Aurecon Australia Pty Ltd ABN 54 005 139 873

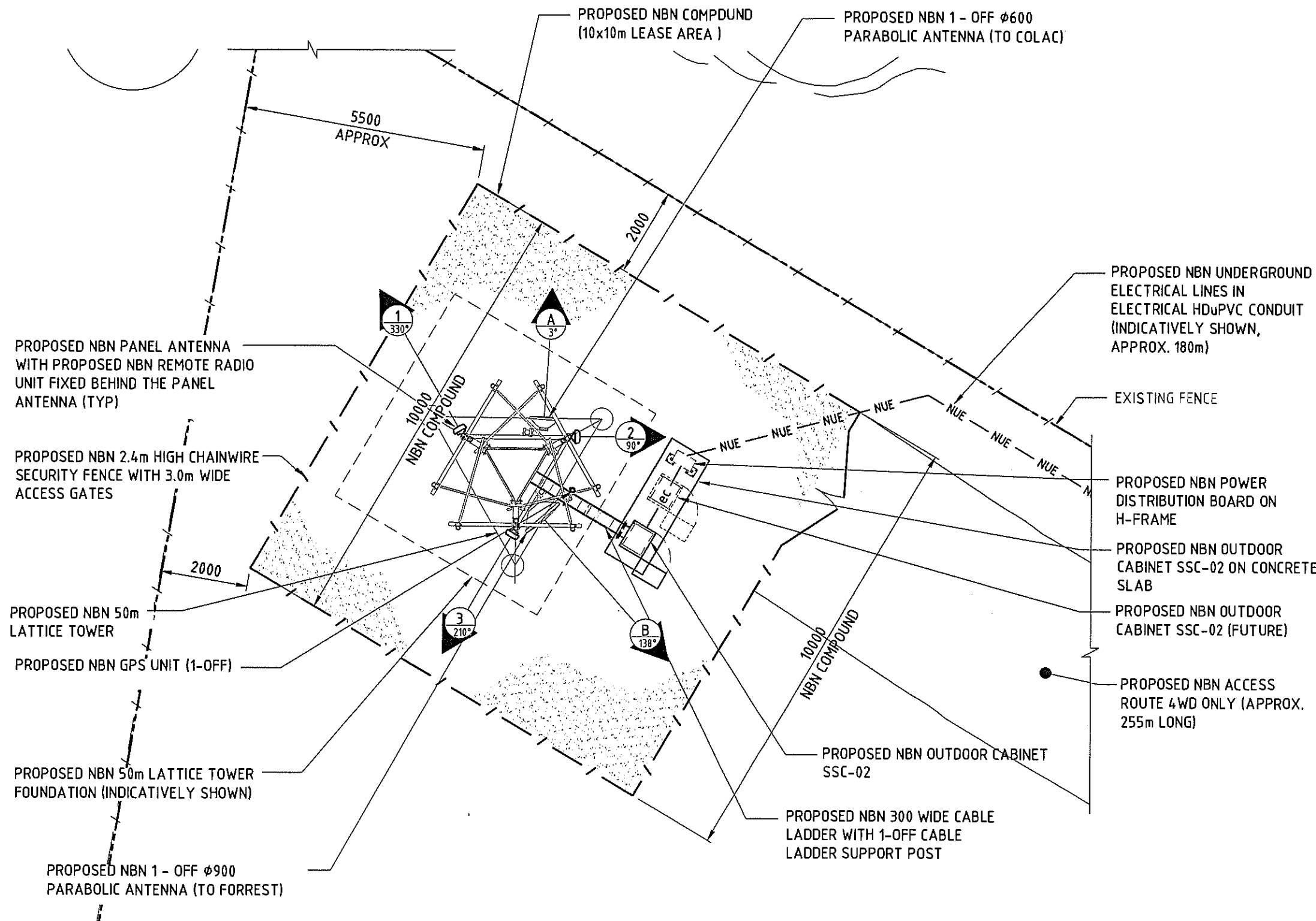
DESIGNER: AT  
CHECKED: JK  
APPROVED: GM

Drawing Title:

OVERALL  
SITE PLAN

Drawing No.  
3COL-51-02-BARO-C2

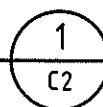
Revision  
02



#### LEGEND

- NUE — NUE — NBN UNDERGROUND ELECTRICAL CABLES
- / — / — EXISTING FENCE
- / — / — NBN COMPOUND FENCE
- ec — ec — FINAL ELECTRICAL CIRCUITS IN 2x50Ø HDPVC UNDERGROUND ELECTRICAL CONDUIT
- TITLE BOUNDARY

DETAIL  
SCALE 1:100



#### NOTE:

1. THE NBN SUB-MAIN ROUTE SHOWN ON THE DRAWINGS IS INDICATIVE ONLY. ELECTRICAL CONTRACTOR TO DETERMINE AN EXACT ROUTE. ELECTRICAL CONTRACTOR TO LOCATE AND IDENTIFY EXISTING U/G SERVICES PRIOR TO COMMENCEMENT OF WORK.
2. THIS DRAWING IS DIAGRAMMATIC ONLY AND SHOULD NOT BE SCALED. ALL DIMENSIONS, CO-ORDINATES AND LEVELS ARE SUBJECT TO CONFIRMATION BY SURVEY.

Client:

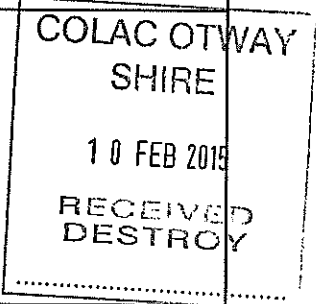


Client:



ERICSSON

Client:



Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-02-BARO  
BARONGAROOK  
50 BARONGAROOK RD  
BARONGAROOK  
VIC 3249

PRELIMINARY

02	22.01.15	ACCESS ROUTE AMENDED
01	09.12.14	PRELIMINARY ISSUE
Rev	Date	Revision Details



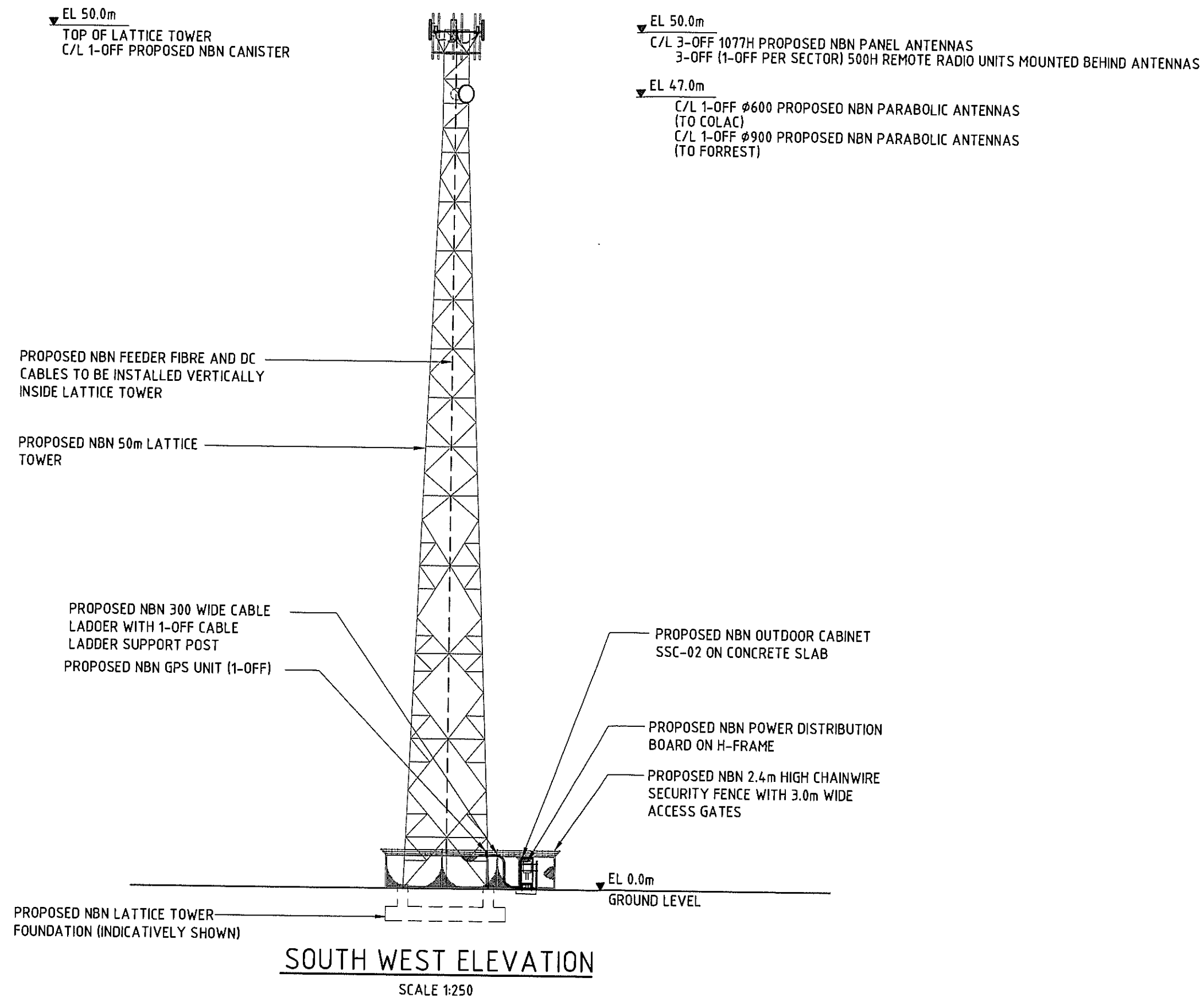
DESIGNER: AT  
CHECKED: JK  
APPROVED: GM

Drawing Title:

OVERALL  
SITE PLAN

Drawing No.  
3COL-51-02-BARO-C3

Revision  
02



Client:



Client:



**ERICSSON**

Client:

**COLAC OTWAY  
SHIRE**

10 FEB 2015

RECEIVED  
DESTROY

Project:

**NATIONAL BROADBAND  
NETWORK**  
SITE No: 3COL-51-02-BARO  
**BARONGAROOK**  
50 BARONGAROOK RD  
BARONGAROOK  
VIC 3249

**PRELIMINARY**

01 09.12.14 PRELIMINARY ISSUE

Rev Date Revision Details



Aurecon Australia Pty Ltd ABN 54 005 139 873

DESIGNER: AT

CHECKED: JK

APPROVED: GM

Drawing Title:

**SITE ELEVATION  
AND DETAILS**

Drawing No.

3COL-51-02-BARO-C4

Revision

01

DATE OF ISSUE

DRAWING PACKAGE VERSION

09-12-14	22-01-14						
1	2						

GENERAL

3COL-51-02-BARO-T1	COVER SHEET	01	02				
3COL-51-02-BARO-C1	SITE SPECIFIC NOTES AND ANTENNA TABLE	01	02				
3COL-51-02-BARO-C2	OVERALL SITE PLAN	01	02				
3COL-51-02-BARO-C3	SITE SETOUT PLAN	01	02				
3COL-51-02-BARO-C4	SITE ELEVATION AND DETAILS	01	01				

STRUCTURAL

ELECTRICAL

EME EXCLUSION ZONES

REFERENCE DOCUMENTS

DISTRIBUTION

ERICSSON	YADIRA NARAEZ	1	1				
AURECON	JOSEPH KELLY	1	1				

SITE No: 3COL-51-02-BARO  
BARONGAROOK

50 BARONGAROOK RD  
BARONGAROOK  
VIC 3249



PROJECT SUMMARY

PROPOSED NBN 50m LATTICE TOWER  
PROPOSED NBN OUTDOOR CABINETS ON A CONCRETE SLAB ON THE GROUND

Client

Client

Client

COLAC OTWAY  
SHIRE

10 FEB 2015

RECEIVED  
DESTROY

Project

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-02-BARO  
BARONGAROOK  
50 BARONGAROOK RD  
BARONGAROOK  
VIC 3249

PRELIMINARY

02	22.01.15	ACCESS ROUTE AMENDED
01	09.12.14	PRELIMINARY ISSUE
Rev	Date	Revision Details

Aurecon Australia Pty Ltd ABN 54 005 139 873

DESIGNER:	AT
CHECKED:	JK
APPROVED:	GM

Drawing Title:  
COVER SHEET

Drawing No.	Revision
3COL-51-02-BARO-T1	02



# NBN ANTENNA CONFIGURATION

SECTOR	SYMBOL	ANTENNA DETAIL								MAIN FEEDER DETAIL				RRU DETAIL		RF TAIL		RET CABLE	
		TYPE	DIMENSION HxWxD	C/L HEIGHT	AZIMUTH (TN)	E-TILT	MECH TILT	DESTINATION	QUANTITY RAU	TYPE	OVERALL LENGTH	CANISTER HEIGHT	CANISTER TO RRU LENGTH	TYPE	LOCATION	TYPE	LENGTH	TYPE	LENGTH
1	①	ARGUS-LLPX310R	1077x300x115	50m	330°	9	0	N/A	N/A	H&S HYBRID 19.6mm	60m	50m	3m	RRUS61	BEHIND ANTENNA	H&S 1/2" BIRD PROOFED LISCA CABLE	1.5m	1/TSR 484 21/2000	1.5m
2	②	ARGUS-LLPX310R	1077x300x115	50m	90°	8	0	N/A	N/A				5m	RRUS61	BEHIND ANTENNA		1.5m	1/TSR 484 21/2000	1.5m
3	③	ARGUS-LLPX310R	1077x300x115	50m	210°	6	0	N/A	N/A				5m	RRUS61	BEHIND ANTENNA		1.5m	1/TSR 484 21/2000	1.5m
4																			
5																			
6																			
A	Ⓐ	PARABOLIC	ø600	47.0m	3°	N/A	N/A	COLAC	1	ERICSSON 7.6mm	55m	-	-	-	-	-	-	-	-
B	Ⓑ	PARABOLIC	ø900	47.0m	138°	N/A	N/A	FORREST	1	ERICSSON 7.6mm	55m	-	-	-	-	-	-	-	-
C																			
D																			
E																			
GPS		KRE 1012082/1	ø69x96	2.5m	N/A	N/A	N/A	N/A	N/A	ERICSSON 7.6mm	10m	-	-	-	-	-	-	-	-

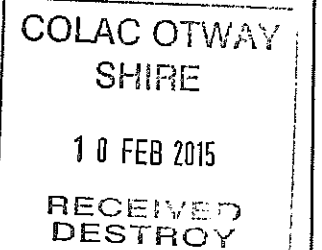
Client:



Client:



Client:



Project:

NATIONAL BROADBAND  
NETWORK  
SITE No: 3COL-51-02-BARO  
BARONGAROOK  
50 BARONGAROOK RD  
BARONGAROOK  
VIC 3249

PRELIMINARY

02	22.01.15	ACCESS ROUTE AMENDED
01	09.12.14	PRELIMINARY ISSUE
Rev	Date	Revision Details



DESIGNER: AT  
CHECKED: JK  
APPROVED: GM

Drawing Title:  
SITE SPECIFIC NOTES

Drawing No. 3COL-51-02-BARO-C1  
Revision 02

## SITE INFORMATION:

### 1. SITE ADDRESS

50 BARONGAROOK RD BARONGAROOK VIC 3249

### 2. GENERAL

THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, CURRENT AUSTRALIAN STANDARDS AND SPECIFICATIONS.

### 3. SITE ACCESS

SITE ACCESS FROM 50 BARONGAROOK RD VIA PROPOSED NBN ACCESS ROUTE (APPROX 255m)

### 4. EQUIPMENT

PROPOSED NBN OUTDOOR CABINETS TO BE INSTALLED ON A CONCRETE SLAB WITHIN THE NBN LEASE AREA.

### 5. STRUCTURE

PROPOSED NBN 50m LATTICE TOWER

### 6. ANTENNA ACCESS

ANTENNA ACCESS USING ACCESS LADDER WITH LAD-SAF OR EWP, 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

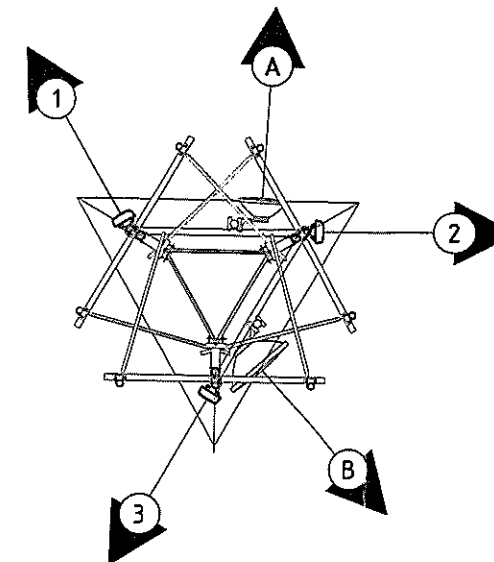
- LIVESTOCK  
- ELECTRIC FENCE

### 9. ELECTRICAL SUPPLY

EXISTING POWER SUPPLY TO BE USED, SUBJECT TO POWER AUDIT.

### 10. TRANSMISSION LINK

REFER TABLE ABOVE.



## ANTENNA SETOUT PLAN

SCALE 1:100

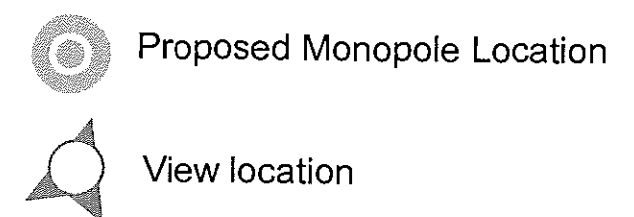
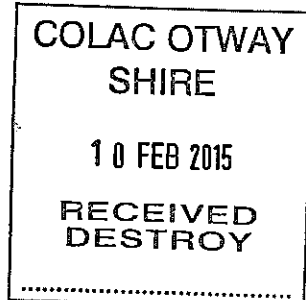


**aurecon**

Project: NBN Proposed Installation  
Site No. 3COL-51-02-BARO

Location: 50 Barongarook Road  
Barongarook VIC 3249

Image: Bing (2015)







This photograph is an approximate representation of the appearance and location of the proposed mobile facility only.

**aurecon**

COLAC OTWAY  
SHIRE  
10 FEB 2015  
RECEIVED  
DESTROY



**Looking south-east from Colac-Lavers  
Hill Rd (approx. 350m from site)**

Project: NBN Proposed Installation  
Site No. 3COL-51-02-BARO

Location: 50 Barongarook Road  
Barongarook VIC 3249

PC150804-8

**PLANNING & BUILDING STATISTICAL REPORT**

AUTHOR:	Melanie Duve	ENDORSED:	Doug McNeill
DEPARTMENT:	Sustainable Planning & Development	FILE REF:	F11/2683

**Summary****Planning Statistics**

20 Planning Permit Applications were received for the period 1 February 2015 – 28 February 2015.

33 Planning Permit Applications were considered for the period 1 February 2015 – 28 February 2015.

The March 2015 Planning and Building Statistical Report is not included due to the timing of the meeting relative to the end of March 2015. The March 2015 report will be included in the next Planning Committee Agenda.

**Building Statistics**

The building statistics are updated to February 2015.

**Attachments**

1. Planning Statistical Report - February 2015 - (Determinations) Agenda Copy 0 Pages

**Recommendation(s)**

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

~~~~~v~~~~~

PLANNING STATISTICAL REPORT – FEBRUARY 2015 – (DETERMINATIONS)

| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
|--------------------|---------------|--|--|----------------|-----------------|---------------------------------------|
| 384/2001-2 | 20-NOV-14 | 110-116 MURRAY STREET COLAC | REVISION TO TRADING HOURS TO 3AM FRIDAYS AND SATURDAYS - AMENDMENT | 51 | 4-FEB-15 | PERMIT ISSUED BY DELEGATE - AMENDMENT |
| 177/2011-2 | 24-NOV-14 | 30 GRAVESEND STREET COLAC | EXTEND RED LIQUOR LINE TO INCLUDE BOWLING GREENS AND OUTDOOR AREA (CHANGE OF TRADING HOURS OF THE CLUB HOUSE) - AMENDMENT | 50 | 13-FEB-15 | PERMIT ISSUED BY DELEGATE - AMENDMENT |
| 152/2013-2 | 23-OCT-14 | ²³⁴⁶
BIRREGURRA FORREST ROAD | SUBDIVISION OF THE LAND INTO TWO (2) LOTS AND CREATION OF ACCESS TO A ROAD IN A ROAD ZONE CATEGORY 1 - AMENDMENT | 75 | 3-FEB-15 | PERMIT ISSUED BY DELEGATE - AMENDMENT |
| 97/2014-1 | 9-MAY14 | 11 KOONYA AVENUE WYE RIVER | CONSTRUCTION OF DWELLING AND ASSOCIATED WORKS INCLUDING SITE CUT AND REMOVAL OF NATIVE VEGETATION (8 TREES) | 77 | 11-FEB-15 | PERMIT ISSUED BY COMMITTEE |
| 180/2014-1 | 15-SEP-14 | 265 MONTROSE AVANUE APOLLO BAY | USE AND DEVELOPMENT OF LAND FOR DWELLING | 82 | 23-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 182/2014-1 | 16-SEP-14 | 12 EDMUNDSON STREET BIRREGURRA | FOUR (4) LOT SUBDIVISION | 6 | 5-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 193/2014-1 | 1-OCT-14 | 10 REYNOLDS ROAD BARONGAROOK | BUILDINGS AND WORKS COMPRISING A REPLACEMENT DWELLING AND SHED | 40 | 18-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 203/2014-1 | 21-OCT-14 | 411 PRINCES HIGHWAY COLAC WEST | CONSTRUCTION OF THREE (3) SHEDS ASSOCIATED WITH THE EXISTING USE OF THE LAND FOR TRADE SUPPLIES AND CONSTRUCTION OF ONE (1) SHED ASSOCIATED WITH THE USE OF LAND AS A STORE (SELF STORAGE) AND DISPLAY OF ONE BUSINESS IDENTIFICATION SIGN | 90 | 2-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 208/2014-1 | 28-OCT-14 | 119 GREAT OCEAN ROAD APOLLO BAY | RESTAURANT AND CAFÉ LIQUOR LICENCE | 83 | 17-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 214/2014-1 | 5-NOV-14 | 4285 CAPE OTWAY ROAD BIRREGURRA | USE AND DEVELOPMENT OF THE LAND FOR A MOTEL AND TWO (2) LOT RE-SUBDIVISION | 53 | 2-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 226/2014-1 | 11-NOV-14 | 41 GRAVESEND STREET COLAC | TWO (2) LOT RE-SUBDIVISION (BOUNDARY ALIGNMENT) | 56 | 17-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 234/2014-1 | 26-NOV-14 | 310 BARRYS | NATIVE VEGETATION REMOVAL | 58 | 12-FEB-15 | PERMIT ISSUED |

| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
|--------------------|---------------|---|--|----------------|-----------------|------------------------------|
| | | ROAD
BARONGAROOK
WEST | | | | BY DELEGATE |
| 236/2014-1 | 19-NOV-14 | 13 WALLACE
STREET WYE
RIVER
615 | BUILDINGS AND WORKS FOR THE
CONSTRUCTION OF ALTERATIONS AND
ADDITIONS TO AN EXISTING DWELLING | 29 | 5-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 237/2014-1 | 19-NOV-14 | CORANGAMITE
LAKE ROAD
COROROOKE | CONSTRUCTION OF A STORAGE SHED AND
ASSOCIATED EARTHWORKS | 54 | 6-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 251/2014-1 | 3-DEC-14 | 1 HARRISON
STREET
MARENGO | BUILDINGS AND WORKS COMPRISING DOUBLE-
STOREY EXTENSION TO DWELLING AND
VEGETATION REMOVAL | 41 | 24-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 254/2014-1 | 5-DEC-14 | 220 BUSHBYS
ROAD
BARONGAROOK
780 | CHANGE OF USE OF THE EXISTING SHED TO A
DWELLING AND ASSOCIATED BUILDING | 76 | 19-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 255/2014-1 | 5-DEC-14 | CORANGAMITE
LAKE ROAD
CORAGULAC | BUILDINGS AND WORKS COMPRISING
CONSTRUCTION OF A DWELLING AND CREATION
OF ACCESS ONTO A ROAD ZONE CATEGORY 1 | 8 | 5-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 256/2014-1 | 10-DEC-14 | 245 WILSONS
ROAD
BARONGAROOK | BUILDINGS AND WORKS FOR THE
CONSTRUCTION OF A MACHINERY SHED | 10 | 13-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 264/2014-1 | 16-DEC-14 | 520 PRINCES
HIGHWAY
LARPENT | EXTENSION TO SHED | 49 | 4-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 267/2014-1 | 16-DEC-14 | 100 IRREWARRA
SCHOOL ROAD
IRREWARRA | CONSTRUCTION OF A REPLACEMENT DWELLING
AND SHED | 49 | 4-FEB-15 | PERMIT ISSUED
BY DELEGATE |
| 276/2014-1 | 18-DEC-14 | 52 POLLACK
STREET COLAC | BUILDINGS AND WORKS COMPRISING EXTENSION
TO AN EXISTING DWELLING | 46 | 3-FEB-15 | PERMIT ISSUED
BY DELEGATE |

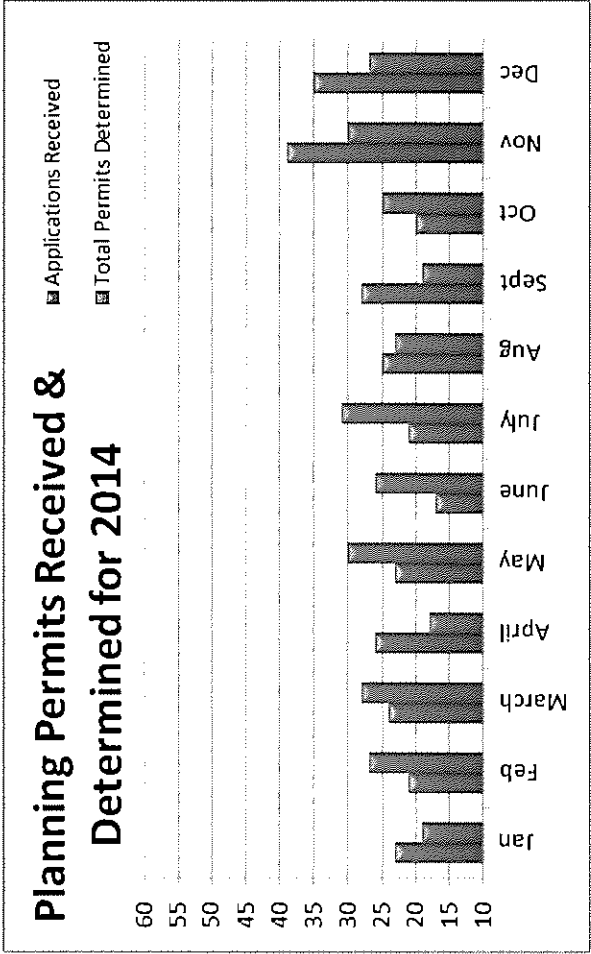
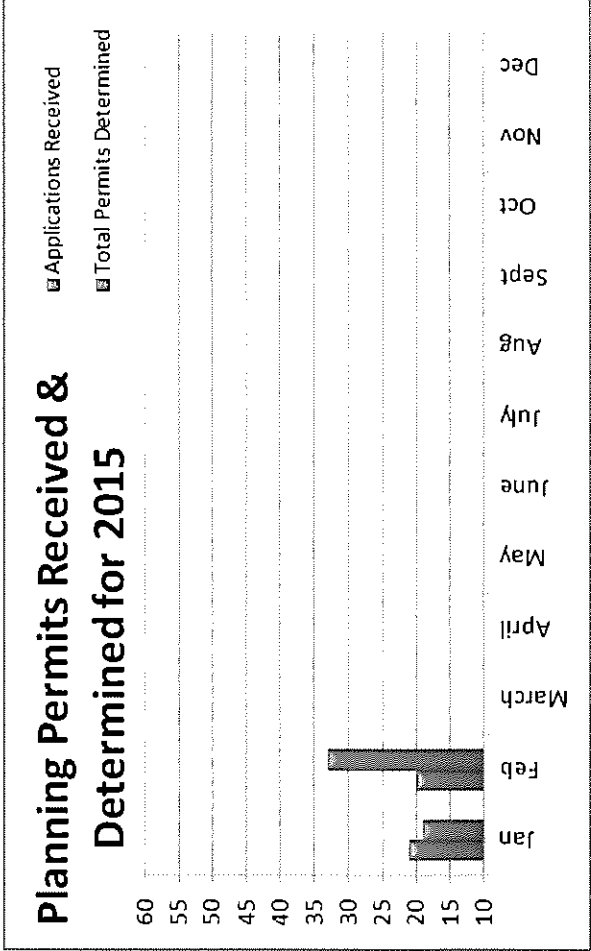
| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
|--------------------|---------------|---|---|----------------|-----------------|-----------------------------|
| 10/2015-1 | 14-JAN-15 | 125 MURRAY STREET COLAC | DEMOLITION OF A BUILDING (REAR OF SHOP) | 34 | 17-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 12/2015-1 | 15-JAN-15 | 4/186-190 MURRAY STREET COLAC | VARIATION TO LIQUOR LICENCE | 1 | 6-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 14/2015-1 | 20-JAN-15 | 18-24 FOREST STREET COLAC EAST | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF PERMANENT AWNING | 10 | 24-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 22/2015-1 | 28-JAN-15 | 170 BIRREGURRA YEODENE ROAD YEODENE | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF AN AGRICULTURAL SHED | 2 | 5-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 24/2015-1 | 30-JAN-15 | 124 PHILLIPS TRACK FERGUSON | CONSTRUCTION OF A DWELLING | 20 | 19-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 26/2015-1 | 4-FEB-15 | 210 FACTORY ROAD COROROKE | CONSTRUCTION OF OUTBUILDING | 20 | 24-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 28/2015-1 | 6-FEB-15 | ¹¹⁰ BROUGHTONS ACCESS SKENES CREEK NORTH | BUILDINGS AND WORKS COMPRISING ALTERATIONS AND EXTENSION TO EXISTING DWELLING | 12 | 18-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 31/2015-1 | 9-FEB-2015 | 140 BEECH FOREST MT SABINE ROAD BEECH FOREST | CREATION OF TEMPORARY ROAD FOR LOG TRUCK ACCESS DURING HARVESTING | 9 | 18-FEB-15 | PERMIT ISSUED BY DELEGATE |

| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
|---|---------------|---------------------------------|---|----------------|-----------------|-----------------------------|
| 42/2015-1 | 20-FEB-15 | 40 HUGH MURRAY DRIVE COLAC EAST | CONSTRUCTION OF A BUILDING FOR MOTOR VEHICLE REPAIRS INCLUDING VEHICLE ELECTRICAL SERVICES AND ACCESSORIES (EXCLUDING PANEL BEATING AND SPRAY PAINTING) | 7 | 27-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 36/2015-1 - VICS MART | 13-FEB-15 | 81-85 WALLACE STREET COLAC | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF PORTICO, EXTERNAL ALTERATIONS AND EXTERNAL PAINTING | 7 | 24-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 3/2015-1 - VICS MART | 7-JAN-15 | 69A MAIN STREET BIRREGURRA | BUILDINGS AND WORKS COMPRISING CONSTRUCTION OF A FENCE | 5 | 17-FEB-15 | PERMIT ISSUED BY DELEGATE |
| 16/2015-1 - VICS MART | 22-JAN-15 | 31 CALVERT STREET COLAC | CONSTRUCTION OF FIBREGLASS SWIMMING POOL AND SAFETY BARRIER | 6 | 2-FEB-15 | PERMIT ISSUED BY DELEGATE |
| AVERAGE STATUTORY DAYS TO DETERMINE PLANNING APPLICATIONS | | | | 37 | | |

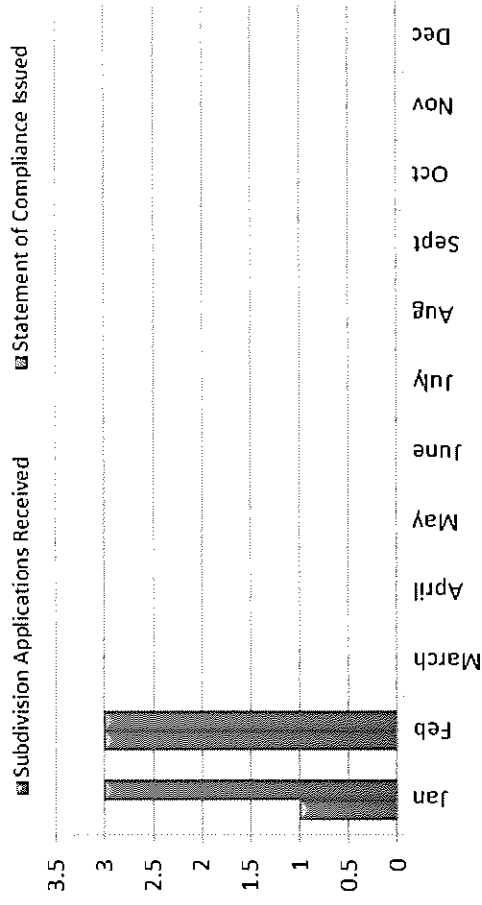
PLANNING STATISTICAL REPORT – FEBRUARY 2015 (PERMITS NOT REQUIRED, WITHDRAWN AND LAPSED APPLICATIONS)

| APPLICATION NUMBER | DATE RECEIVED | LOCATION | PROPOSAL | STATUTORY DAYS | DATE DETERMINED | DETERMINATION AND AUTHORITY |
|--------------------|---------------|-----------------------------------|-------------------|----------------|-----------------|-----------------------------|
| 192/2014-1 | 2-OCT-14 | 4555 GREAT OCEAN ROAD LAVERS HILL | TIMBER HARVESTING | 2 | 4-FEB-15 | WITHDRAWN |

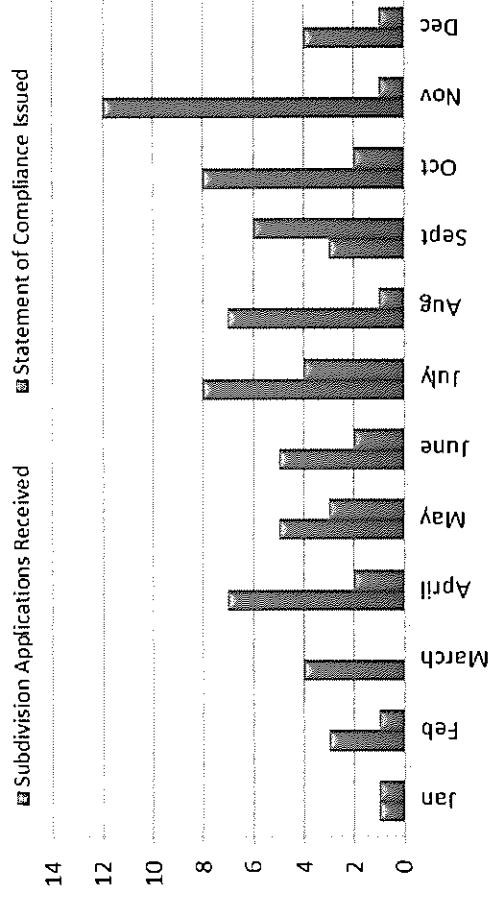
| | | | | |
|---|--|--|----|--|
| TOTAL AVERAGE STATUTORY DAYS (ALL APPLICATIONS) | | | 36 | |
|---|--|--|----|--|



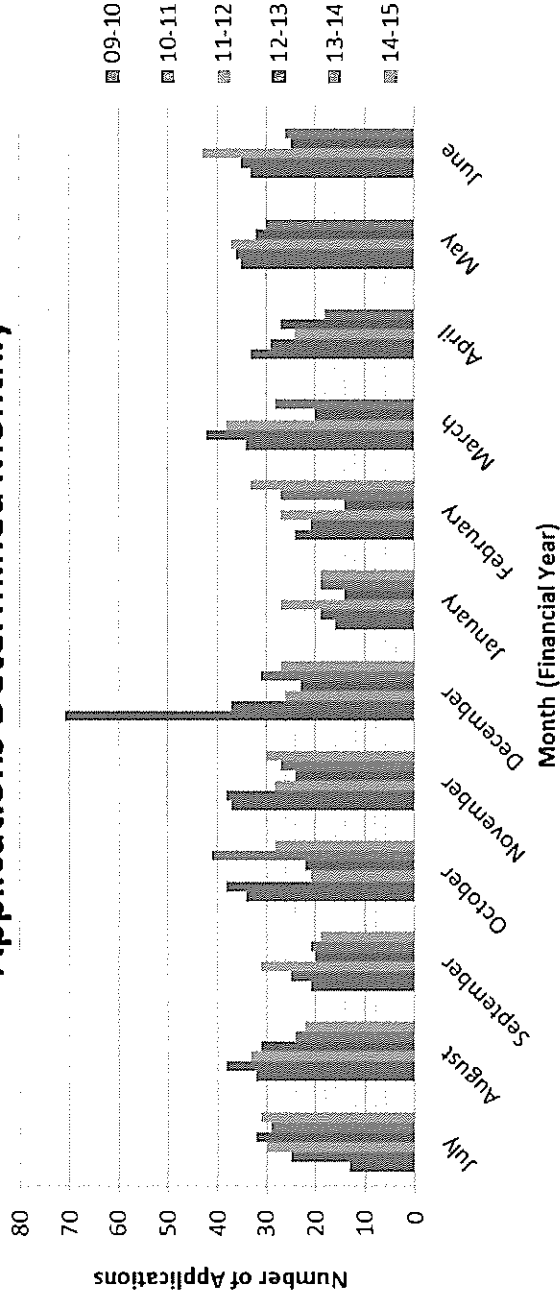
Subdivision Applications for 2015



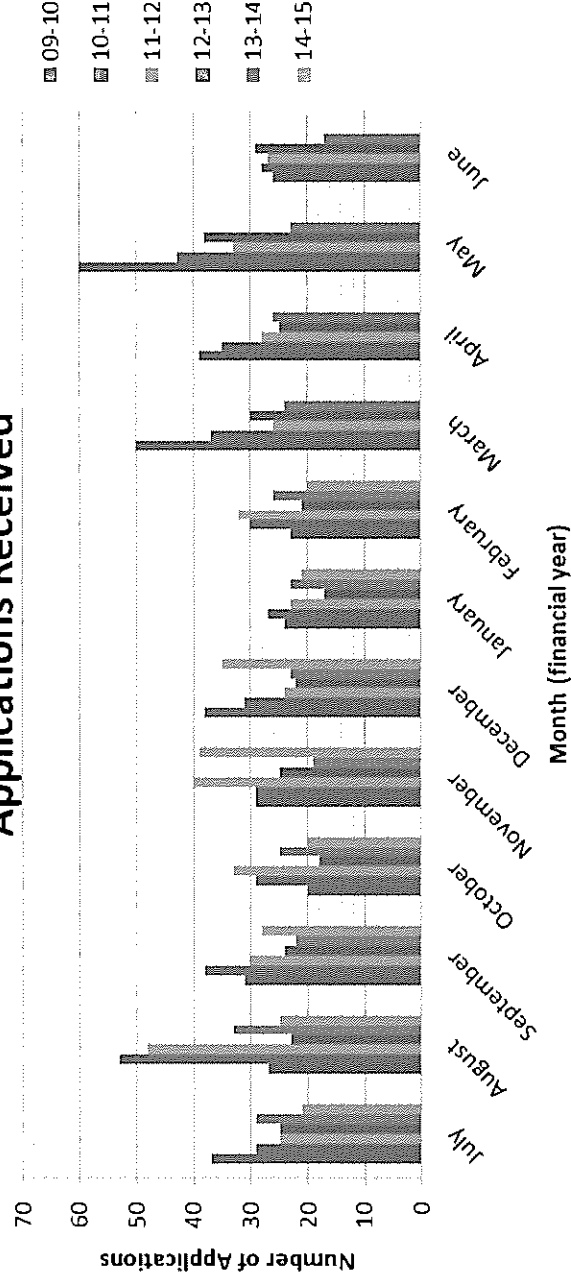
Subdivision Applications for 2014



Applications Determined Monthly



Applications Received



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 | 23 | \$298,464 | 0 | 0 | 2 | \$226,231 | 0 | 0 | 1 | \$83,160 | 30 | \$1,267,179 |
| Feb | 9 | \$2,064,347 | 33 | \$1,325,813 | 0 | 0 | 2 | \$68,700 | 0 | 0 | 0 | | 44 | \$3,458,860 |
| Mar | 4 | \$881,683 | 14 | \$521,726 | 0 | 0 | 1 | \$10,000 | 0 | 0 | 2 | \$130,500 | 21 | \$1,543,909 |
| Apr | | | | | | | | | | | | | | |
| May | | | | | | | | | | | | | | |
| Jun | | | | | | | | | | | | | | |
| Jul | | | | | | | | | | | | | | |
| Aug | | | | | | | | | | | | | | |
| Sep | | | | | | | | | | | | | | |
| Oct | | | | | | | | | | | | | | |
| Nov | | | | | | | | | | | | | | |
| Dec | | | | | | | | | | | | | | |
| Total | 16 | \$3,549,342 | 70 | \$2,146,003 | 0 | 0 | 5 | \$304,931 | 0 | 0 | 3 | \$213,660 | 94 | \$6,213,936 |

Note: Current month figures are to date only.

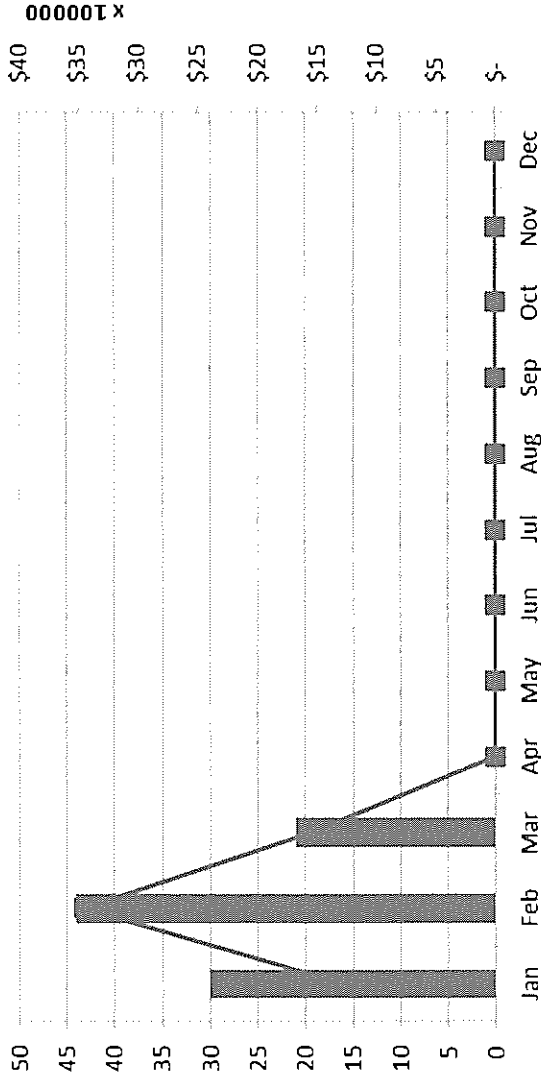
BUILDING DEPARTMENT REPORT – YEARLY COMPARISON (CURRENT YEAR TO DATE)

| | 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 | 102 | \$32,811,300 | 248 | \$9,138,265 | 6 | \$6,185,846 | 15 | \$1,032,065 | 7 | \$641,868 | 13 | \$12,890,553 | 391 | \$62,699,897 |
| 2015 | 16 | \$3,549,342 | 70 | \$2,146,003 | 0 | 0 | 5 | \$304,931 | 0 | 0 | 3 | \$213,660 | 95 | \$6,213,936 |

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 |

Building Permits (2014)



Building Permits (Year)

