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Related	PS_08_001 and PS_10_018

Telecommunication facilities

This circular provides information about a recent amendment to *State Environmental Planning Policy (Infrastructure) 2007* associated with telecommunication facilities.

Introduction

On 3 December 2010, the State Environmental Planning Policy (Infrastructure) 2007 (the SEPP) was amended to further streamline the planning process related to telecommunications facilities.

The amendment

The amendment omits the requirement to comply with the Australian Communications Industry Forum Industry Code, entitled ACIF C524:2004 External Communication Cable Network, (or Cable Networks Code) in erecting aerial cabling. As electricity utilities have different standards to the Cable Networks Code relating to clearances between electricity wires and non-conductive fibre cables, the SEPP provides a more practical approach for ensuring safety in the co-location of cables on electricity poles. This approach requires any person who wishes to co-locate cables on their poles, to enter into a 'facilities access agreement' and comply with their standards. Therefore compliance with the Cable Network Code is not required.

The amendment clarifies that if a cable is not co-located on a pole for safety reasons (e.g. where a transformer is located on a pole), then it is still co-located for the purposes of clause 114(3) of the SEPP.

Further, where existing electricity or telecommunications network cables are underground, consent is not required for the co-location of new underground cables. Council notification is required (see clause 114(5 & 6) of the SEPP).

Fibre access nodes are permitted without consent. However, council and occupiers of adjoining and adjacent land must be notified (see clause 114(7 & 8)).

The amendment clarifies that above-ground cables for subscriber connection or fibre-optic

cables for broadband are only exempt developments under Schedule 3A Item 12 if they are between the pole and the premises and not for any other location.

Aerial cabling under clause 114 of the SEPP does not require consent. For those under clause 115, consent is required.

Savings and transition

Savings and transitional provisions apply to works which are under assessment under Part 5 and Part 4 of the Environmental Planning and Assessment Act 1979 but have not been determined.

Further information

The State Environmental Planning Policy (Infrastructure) 2007 is available from the NSW legislation website at www.legislation.nsw.gov.au.

This and other planning circulars are available from the Department's website at www.planning.nsw.gov.au/circulars.

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