



Telecommunications (Low-impact Facilities) Amendment Determination 2021

I, Paul Fletcher, Minister for Communications, Urban Infrastructure, Cities and the Arts, make the following determination.

Dated 31 October 2021

PAUL FLETCHER
Minister for Communications, Urban Infrastructure, Cities and the Arts

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1 Name

This instrument is the *Telecommunications (Low-impact Facilities) Amendment Determination 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	On the day after this instrument is registered	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subclause 6(3) of Schedule 3 to the *Telecommunications Act 1997*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Telecommunications (Low-impact Facilities) Determination 2018

1 Subsection 1.5(1)

Insert:

certifiable facility has the meaning given by section 3.2.

2 After section 3.1

Insert:

3.2 Certifiable Facilities

- (1) Subject to subsection (2), the following facilities are a *certifiable facility*:
- (a) a facility described in column 2 of Items 3 to 8, 12 and 13 of Part 1 to the Schedule; and
 - (b) a solar panel described in column 2 of Item 7 of Part 3 to the Schedule.

Note: See the *Telecommunications Code of Practice 2021* for conditions that apply to a certifiable facility.

- (2) A facility is not a certifiable facility if it is:
- (a) located on the ground; or
 - (b) attached to a structure which is owned by the carrier.

3 Schedule, Part 1 – Radio facilities (table item 4, column 2, paragraph (b))

Omit “3”, substitute “5”.

4 Schedule, Part 1 – Radio facilities (table item 7, column 2, paragraph (a))

Omit “1.8”, substitute “2.4”.

5 Schedule, Part 1 – Radio facilities (table item 12)

Repeal item, substitute:

12	An extension to a tower if:	Commercial
	(a) the height of the extension does not exceed 5 metres; and	Industrial
	(b) either:	Rural
	(i) there have been no previous extensions to the tower; or	
	(ii) if there was a previous extension to the tower – the cumulative height of the extensions is not more than 5 metres.	

13	Radiocommunications lens antenna:	Industrial
	(a) the volume of which is not more than 4 cubic metres; and	Rural

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- (b) if the radiocommunications lens antenna is attached to a structure – protruding from the structure by not more than 5 metres; and
 - (c) either:
 - (i) colour matched to its background; or
 - (ii) in a colour agreed in writing between the carrier and the relevant local government authority.
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6 Schedule, Part 8 – Co-located facilities (table item 2, column 3)

Omit “Commercial”.

7 Schedule, Part 8 – Co-located facilities (after table item 2)

Insert:

3	Facility mentioned in: <ul style="list-style-type: none"> (a) Part 1, 6 or 7; or (b) item 3 of Part 4; installed on or within: <ul style="list-style-type: none"> (c) an original facility; or (d) a public utility structure; where: <ul style="list-style-type: none"> (e) the total co-location volume of the co-located facilities is no more than 50 per cent greater than the volume of the original facility or the original infrastructure; and (f) the levels of noise that are likely to result from the operation of the co-located facilities are less than or equal to the levels of noise that resulted from the operation of the original facility or the public utility structure. 	Commercial
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