

Local Planning Policy

POL-C-059 Telecommunication (Mobile Phone) Facilities

1. Purpose

To assist Council in assessing development applications for telecommunication (mobile phone) facilities and to provide telecommunication carriers with a guide for selecting and developing such facilities.

2. Definitions

“**Carrier**” means a telecommunication carrier or provider of a mobile phone communication service.

“**Low-impact Facility**” means a telecommunication infrastructure that is exempt from the need to obtain development approval if constructed in a certain area and to a certain standard, as provided for in the Schedule of the Telecommunications (Low-impact Facilities) Determination 1997.

“**Telecommunication Facility**” for the purpose of this policy means any telecommunication infrastructure that is not a Low-impact Facility and that comprises a mast, tower or other structure with aerials and antenna fixed to it for use by a carrier for the transmission of communication or electronic signals and includes associated buildings and equipment shelters.

3. Objective

The objectives of this policy are to:

1. Prescribe development standards for telecommunication facilities and promote a consistent approach in the preparation, assessment and determination of applications for development approval for telecommunication facilities;
2. Manage the impact of telecommunication facilities on the built and natural environment, and the amenity of an area; and
3. Promote co-location of telecommunication infrastructure on existing or proposed telecommunication facilities.

4. Background

The main community concerns regarding telecommunication facilities are related to their perceived health effects and visual amenity.

In respect to public health, the Australian Communications Authority (ACA) has advised that the weight of national and international expert opinion concludes that there is no substantiated evidence that living near a mobile phone tower causes adverse health effects. The ACA is the Commonwealth Government body responsible for regulating telecommunications and radio-communications.

In its information brochure titled “Telecommunications Facilities – Information for Local Government” the ACA states that:

“According to a recent study by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), mobile phone towers’ emissions are low compared with those from television and radio transmitters at the same time. The study monitored emissions from 14 mobile base stations. It found that the highest daily level measured was 3000 times lower than the public exposure limit (that is less than 0.03% of the limit).”

Both these Commonwealth Government agencies are responsible for ensuring that telecommunication facilities do not adversely affect public health.

Council recognises the sensitivity associated with the perceived health effects of electromagnetic radiation from telecommunication facilities. However, Council does not have the capability to make a determination on the impacts of telecommunication facilities on public health, or to monitor these impacts in the long term.

The study of electromagnetic radiation is highly complicated and technical and Council has to rely on the findings and advice of the ACA and ARPANSA when considering the perceived health effects of proposed telecommunication facilities.

Therefore, on the basis of the current findings of the ACA and ARPANSA, Council is presently unable to regard the perceived health impacts of telecommunication facilities as a matter to be considered when determining planning applications. This approach is consistent with the WA Planning Commission's Planning Bulletin No. 46 and Final Draft Statement of Planning Policy regarding Telecommunications Infrastructure.

With regard to visual amenity, this policy incorporates development standards for telecommunication facilities in the same way as for many other developments under the Scheme.

5. Applications

This policy applies to all applications for development approval to construct telecommunication (mobile phone) facilities and to all notices of intent to construct low-impact telecommunication facilities in the City.

6. Policy statement

6.1 General principles

- 6.1.1 The design and siting of telecommunication facilities should be integrated with existing buildings and structures, unless it is impractical to do so, in which case they should be sited and designed so as to minimise any adverse impact on the amenity of the surrounding area.
- 6.1.2 Telecommunication facilities should generally be constructed of a slim-line pole design, with aerials and antennae having minimal protrusion from the pole in order to reduce their appearance.
- 6.1.3 Measures such as surface mounting, concealment, colour co-ordination, camouflage and landscaping should be used, where appropriate, to minimise the visual impact of telecommunication facilities.
- 6.1.4 Co-location of telecommunication facilities should generally be sought, unless such an arrangement would detract from the amenity of the area.
- 6.1.5 There is a general presumption against locating telecommunication facilities on the same property as any place listed in Council's Municipal Heritage Inventory. However, if a telecommunication facility is to be located on the same property as a place in Council's Municipal Inventory, the applicant must demonstrate that the values of that place will not be adversely impacted upon.
- 6.1.6 There is a general presumption against locating telecommunication facilities in any zone where the predominant intent of the zone is for Residential development.

6.2 Development standards

- 6.2.1 Council will generally not support an application to construct a telecommunication facility unless the facility is:

- a) Capable of accommodating the equipment of at least 3 carriers in total, having regard to the size of the property; existing development on the land; access to the site; and land area available for the equipment of additional carriers.
- b) If located on land that is reserved under Council's Town Planning Scheme or the Metropolitan Region Scheme, setback a minimum distance of 30 metres from any boundary.
- c) If located within the Midland Sub-Regional Centre zones, setback from the lot boundaries in accordance with the requirements of Table 4B of the Scheme;
- d) Setback a minimum of 200m from any dwelling or residential zoned land;
- e) If located within the Commercial or Industrial zones, located in the rear setback and behind any building on the property.

6.2.2 Where a proposed telecommunication facility is unable to satisfy the development standards prescribed by Clause 6.2.1 above, the applicant must demonstrate that the reduced setbacks will not adversely impact upon the amenity of the area.

7. Administration

7.1 The following information shall be submitted with every application for development approval to construct a telecommunication facility:

- a) A written statement or report describing:
 - i) The physical characteristics of the subject land;
 - ii) Location and proposed means of access to the subject land;
 - iii) Current use of the subject land and immediately adjoining properties;
 - iv) The proposed telecommunication facility, including antennae, aerials, cabling, materials, colour, and proposed arrangements for maintenance and/or future modifications;
 - v) The maximum power output of the proposed facility and radiofrequency electromagnetic energy levels in accordance with the Draft Industry Code for the Deployment of Radiocommunications Infrastructure 2000. This statement is to demonstrate that the carrier accepts full responsibility for compliance with the Radiocommunications Act, but is not a matter to be considered by Council when making its determination;
 - vi) Need for the installation, including a description of the search area within which the proposed installation needs to be located to achieve the carriers preferred coverage and a description of how the proposed facility relates to the carriers existing and proposed network of telecommunications infrastructure;
 - vii) Opportunities for co-location with existing telecommunication facilities in the search area, or the locality;
 - viii) Opportunities for the proposed installation to satisfy the needs of other telecommunication carriers via co-location;
 - ix) The clearing of any vegetation required for the construction of the telecommunication facility or the construction or extension of any services, access roads, fencing, external lighting; and
 - x) Details of the timing of works involved in constructing the proposed facility and any arrangements for temporary access and/or changes to existing access during the course of construction.

- b) A scaled location plan including notations describing land uses surrounding the subject land;
- c) A scaled plan showing the carriers existing facilities and network coverage in the City and proposed additional coverage resulting from the application;
- d) Scaled plans and elevations showing the extent, height and appearance of the proposed facility as viewed from any adjacent street, public place and adjacent property, including details of colours and construction materials and any antenna / aerials proposed;
- e) Photographs and/or computer-generated simulations showing the type of facility and its relationship with adjacent development.

7.2 Applications

- a) Every application for a telecommunication facility shall be advertised for public comment for a period of not less than 21 days. Relative to this requirement, the applicant shall be responsible for the cost of advertising the proposal.
- b) For the purpose of sub-clause (a) above, the City will advertise each application for a telecommunication facility and invite comments on the proposal by:
 - Placing a notice of the proposal in a local newspaper; and
 - Notifying landowners whose property falls either partly or wholly within a 200m radius measured from the boundary of the lot subject of the application (or such other distance as determined by Council).

7.3 Council may impose conditions on any development approval for a telecommunication facility, which may include:

- A requirement for engineering certification do demonstrate the structural stability of the facility and certify its ability to accommodate the equipment of additional carriers.
- A requirement for the installation to be constructed of a specific colour(s) and appearance.
- A restriction on the period of time for which the installation may exist on the subject land, or a requirement that the facility be removed from the site once it becomes redundant.
- A requirement that no part of the antennae panels project more than 500mm (or such other distance determined by Council) from the pole.

7.4 When receiving a notification to construct a proposed Low-impact Facility, the City will assess whether the proposed facility is in fact classified as Low-impact under the Schedule contained in the Telecommunications (Low-impact Facilities) Determination 1997. And if the proposed facility is classified as a Low-impact Facility under the Determination, the City will not object to the proposal.

7.5 Where it is proposed to construct a telecommunication facility that would normally be classified as a Low-impact Facility under the Determination, but which cannot be classified as Low-impact due to its location in an area of conservation or heritage significance, then Council when making a decision in respect to that proposal will have regard to its impact on the conservation or heritage values of that place.

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