



# Local Planning Policy 2.25

## Telecommunications

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## Statutory background

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) provide the ability for local governments to prepare a local planning policy on any matter relevant to the planning scheme area.

The development of telecommunications infrastructure across Australia is controlled by the *Telecommunications Act 1997*. Supplementing the Act is the *Telecommunications (Low-impact Facilities) Determination 2018* that defines the classes of telecommunications infrastructure and location of the facility to determine if it is a low-impact facility. This policy should be read in conjunction with the Act.

The *Telecommunications Code of Practice 2018* outlines the requirements for the erection and/or installation and maintenance of telecommunications infrastructure.

## Introduction and purpose

Telecommunications facilities that meet the requirements of the *Telecommunications (Low-impact Facilities) Determination 2018* are exempt from the requirement to obtain development approval under City of Fremantle Local Planning Scheme No. 4 and the Metropolitan Region Scheme. The *Mobile Phone Base Station Deployment Industry Code (C564:2020)* supplements the *Telecommunications (Low-impact Facilities) Determination 2018* and is designed to:

- allow the community and councils to have greater participation in decisions made by Carriers when deploying mobile phone base stations
- provide greater transparency to local community and councils when a carrier is planning, selecting sites for, installing and operating mobile phone radiocommunications Infrastructure.

The Code cannot change the regulatory and legislative regime at a local, state or federal level; however, it can supplement the existing requirements already imposed on carriers by requiring them to consult with the local community and to adopt a precautionary approach in planning, installing and operating mobile phone radiocommunications Infrastructure.

This policy is intended to guide the development of non-low-impact telecommunications infrastructure, balancing the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting conservation and heritage values and the visual character of local areas.

## Objectives

- To guide carriers on the siting, location and design of telecommunication facilities, particularly mobile phone towers, antennae and associated infrastructure.
- To facilitate the installation of an effective telecommunications network in the City of Fremantle that minimises adverse impacts on visual amenity, cultural heritage values and the natural environment.

## Application

This policy applies to new facilities and the upgrading or relocating of existing facilities which do not qualify as low-impact facilities under the *Telecommunications (Low-impact Facilities) Determination 2018*.

## Policy statement

### 1. Development Approval

- 1.1 Development approval is required from the City of Fremantle for the erection and/or installation of all non-low-impact telecommunication facilities defined under the *Telecommunications (Low-impact Facilities) Determination 2018*. It is recognised that low-impact facilities do not require Council approval, but to facilitate better relations between carriers, Council and the community, it is encouraged that applications for all telecommunication facilities are referred to Council for assessment against this policy.
- 1.2 Upon receipt of an application, the City will engage with the community in accordance with Local Planning Policy 1.3 – Community Consultation on Planning Proposals.
- 1.3 Telecommunication facilities proposed on land reserved under the Metropolitan Region Scheme will be determined by the West Australian Planning Commission and the Commission will consider any recommendations from Council.

### 2. Site Selection

- 2.1 The siting process of telecommunication facilities is achieved through having regard to network requirements and minimising the adverse impacts to the community, and the natural and built environments.
- 2.2 The siting of a facility will take into account:
  - a) opportunity for co-location with another facility (refer part 3)
  - b) maintenance of Fremantle's unique heritage (refer part 5)
  - c) minimising the impact on the visual amenity of the area (refer part 6)
  - d) minimising the impact on vegetation and other natural aspects of the site (refer part 7).

### **3. Co-location**

- 3.1 Telecommunication facilities should preferably be co-located and any new facilities should be designed to accept additional future facilities required by carriers.
- 3.2 All applications for telecommunications facilities must include a written assessment demonstrating that the carrier has undertaken a process to identify and assess the option of co-location.

### **4. Preferred Sites for Telecommunication Facilities**

- 4.1 It Council's preference that telecommunication facilities are located in industrial and commercial areas and applications for development approval must adequately demonstrate that this was explored in the first instance.

### **5. Heritage**

- 5.1 Council will not approve the installation or upgrade of any telecommunications facility that:
  - a) has an adverse impact or threatens the visual amenity or integrity of any heritage place included on the:
    - UNESCO World Heritage List
    - Australian Heritage Council National Heritage List
    - National Trust of Australia Heritage Register WA
    - Heritage Council of Western Australia State Register of Heritage Places, or
    - City of Fremantle Heritage List, orin any City of Fremantle Heritage Area or Aboriginal heritage site
  - b) will obstruct significant vistas, or instances where they will adversely impact upon the cultural heritage significance of a place
  - c) where attached upon a building or structure, negatively impacts upon identified heritage values and fabric
  - d) has an adverse impact or threatens the visual amenity or integrity of a natural heritage site, conservation area or remnant vegetation area.

### **6. Visual Amenity and Facility Design**

- 6.1 All telecommunication facilities should be located and designed to ensure visual compatibility with existing built form and maintain the landscape character of the local area.
- 6.2 Broadband aerial telecommunication cabling is not permitted and any such cabling is to be located underground, within existing conduits or ducts where present.

- 6.3 Any new or upgraded telecommunication facility will not be permitted unless it:
- a) is integrated on or into any existing suitable structures on the site
  - b) is screened, through design, artwork and/or landscaping to minimise the visual impact and maintain the amenity of the area
  - c) is designed to blend in with the surrounding area through the use of non-reflective compatible colours, landscaping and/or artwork
  - d) does not visually dominate the site or surrounding views into the site
  - e) does not negatively impact on the architectural integrity of any existing building.
- 6.4 Landscaping of facilities should occur using advanced species compatible with the surrounding vegetation, where appropriate (see section 7).

## **7. Vegetation and Natural Aspects**

- 7.1 The installation, operation and maintenance of telecommunication facilities should be conducted in a manner to minimise the impact to vegetation and other natural aspects of the site and its immediate surrounds.
- 7.2 Council will not approve facilities unless the installation or upgrading of a facility:
- a) results in zero net loss of native vegetation and where the site is cleared a vegetation enhancement program implemented using advanced species
  - b) does not result in the destruction or alteration of any significant topographical forms including limestone outcrops.
- 7.3 If earthworks are undertaken on the site, a site management plan is required to manage stormwater and soil erosion, noise and/or dust levels that may result from the installation, operation and maintenance of a telecommunications facility. The site management plan will be prepared to the satisfaction of the City.

## **8. Public Health and Safety**

- 8.1 Council recognises the need for a telecommunications network within the locality and equally recognises the community's concern over the potential health impacts from telecommunication facilities.

However, telecommunications carriers must comply with the Australian Communications and Media Authority (ACMA) *Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015*. These licence conditions make mandatory the limits in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Radiofrequency (RF) Standard which sets limits for human exposure to RF electromagnetic fields from all sources, including telecommunications infrastructure. ARPANSA is the primary Commonwealth agency responsible for protecting the health and safety of people and the environment from the harmful effects of radiation.

Measurement surveys undertaken by ARPANSA demonstrate that environmental radiofrequency levels near base stations for the mobile telephone network are extremely low. The ARPANSA surveys reported that typical exposures to radiofrequency fields were well below one per cent of the Standard's public exposure limits. It concluded that "given the very low levels recorded and the relatively low power of these types of transmitters, it is unlikely that the radiofrequency radiation from base stations would cause any adverse health effects, based on current medical research."

Standards set by ARPANSA incorporate substantial safety margins to address human health and safety matters; therefore it is not within the scope of this Policy to address health and safety matters.

Responsibility and review information	
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