



Local Planning Policy 6 – Telecommunication Infrastructure (LPP6)

Management Procedure

Relevant Delegation

Purpose

To guide the exercise of discretion in terms of the requirements for development approval under Part 7 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), and dealing with disagreements related to such a determination.

Structure

Purpose: Outlines the application and purpose of the policy.

Policy Statement: Contains policy requirements and provisions.

Attachment 1: Research findings relating to health impact.

Statutory

This policy is prepared under Part 2 of Schedule 2 of the Regulations.

Application

This policy is applicable to any aboveground telecommunications (telephony, radio, television, internet) infrastructure in the City of Kalamunda. The City will apply this policy when making discretionary decisions relating to telecommunications infrastructure. The City's Local Planning Scheme No. 3 (the Scheme) defines 'telecommunications infrastructure' as "any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit, or other structure used, or for use, on or in connection with a telecommunications network."

Objections

The City recognises the importance of telecommunications infrastructure to provide an appropriate level of telecommunication coverage for the local community. The City also recognises that some telecommunications infrastructure, particularly mobile telephone towers, can be visually obtrusive should they be poorly sited, located or designed. This policy supports low-impact facilities and co-

location of facilities where appropriate, and opposes other telecommunications infrastructure for which the visual impact outweighs the public benefit that the infrastructure would bring.

Policy Statement

1. Background

Authorised carriers are installing networks of electromagnetic wave transmission facilities for mobile telephones and telecommunications cabling. This will provide services to users of mobile telephones and 'cable' television. Different forms of facilities have varying degrees of environmental impact.

The following written laws regulate the installation of Telecommunications Infrastructure:

- a) Telecommunications Act 1997 (Commonwealth);
- b) Telecommunications Code of Practice 1997 (Commonwealth);
- c) Telecommunications (Low-Impact Facilities) Determination, 1997 (Commonwealth); and
- d) City of Kalamunda Local Planning Scheme No. 3.

2. Visual Impact of Telecommunications Infrastructure

a) Low-impact facilities

'Low-impact facility' means a facility that the Minister has determined in the Low Impact Determination to be a low-impact facility. Schedule 3 to the Telecommunications (Low Impact Facilities) Determination 1997 identifies certain facilities that are not low-impact.

The City supports low-impact facilities. 'Low-impact facilities' do not require the City's development approval. However, approved carriers must submit details of them to the City for information in accordance with the Industry Code of Practice for Mobile Phone Base Station Deployment.

b) Other facilities

Telecommunications infrastructure that does not constitute a low-impact facility requires development approval. Development approval must be obtained before installing any such facility.

The facilities that are 'Other facilities' include the following:

- i. A mobile telecommunications tower that is not attached to a building;
- ii. A tower attached to a building if the tower is more than 5.0 metres high;
- iii. An extension to a tower that has previously been extended;
- iv. An extension to a tower, if the extension is more than 5.0 metres high;

- v. Overhead cabling; and
- vi. A facility in an area of environmental significance.

In considering an application for development approval, in particular the visual impact of the facility, the City will have regard to the provisions of Local Planning Scheme No. 3 and State Planning Policy 5.2 Telecommunication Infrastructure. Development approval may be refused where the City is of the opinion that the proposed facility would have a significant adverse visual impact. Alternatively, the City may grant development approval conditional upon appropriate modifications to minimise the adverse visual impact.

3. Advertising of development applications for other facilities

The City will advertise, or require the applicant to advertise, an application for development approval in accordance with the following methods for not more than 21 days:

- a) Letters be sent to all landowners seeking comment on issues, concerns or historical information pertinent to the proposal. Letters are to be sent to landowners whose properties fall within a 500m radius of the proposed structure or a greater radius, if required. The letters shall advise of the application, where it may be inspected and the submission period
- b) A sign shall be installed on the subject property in a conspicuous location, advising of the application, where it may be inspected and the submission period;
- c) A notice shall be placed in newspapers circulating in the region of the subject property, advising of the application, where it may be inspected and the submission period;
- d) The full application and supporting information shall be uploaded to the City's public website and promoted through the City's social media;
- e) The City will request the applicant to hold a community engagement session, run by a facilitator, to discuss the application with residents. The City will provide logistical support to assist with the community engagement process.

4. Health impact of Telecommunications Infrastructure

Excerpt from State Planning Policy 5.2 Telecommunications Infrastructure:

“The use of mobile telephones has raised public concern about possible health issues associated with exposure to electromagnetic emissions. However, telecommunications carriers must comply with the Australian Communications and Media Authority (ACMA) Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003. 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. Based on ARPANSA's findings, setback distances for telecommunications infrastructure are not to be set out in local planning schemes or local planning policies to address health or safety standards for human exposure to electromagnetic emissions."

5. Resolution of disagreements on classification and related matters

The City and an authorised carrier may disagree on the need to lodge an application for development approval based on the classification of proposed telecommunications infrastructure. This may result in a disagreement on the level of public consultation required or the adequacy of the information submitted. The City may determine, within the time limits specified in the Telecommunications Code of Practice, which classification applies to the proposed telecommunications infrastructure. In this case, the following officers of the City may make such a determination:

- a) Chief Executive Officer;
- b) Director Development Services; or
- c) Manager Development Services.

Legislation	<i>City of Kalamunda Local Planning Scheme No.3 Telecommunications Act, 1997 (Commonwealth) Telecommunications Code of Practice, 1997 Telecommunications (Low-Impact Facilities) Determination, 1997 Australian Communications Industry Forum industry code - Deployment of Radio Communications Infrastructure Code, 2002</i>
Related Policies	<i>State Planning Policy 5.2: Telecommunications Infrastructure Industry Code C564:2011 Mobile Phone Base Station Deployment</i>
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Reviewed	
Next Review Date	