

Owner	Planning and Sustainability
Implementation	12 November 2024
Next Review	12 November 2028

## PART 1 – POLICY OPERATION

### Policy Development

This policy is prepared:

- Under the provisions of Part 2, Division 2 of the deemed provisions for local planning schemes (deemed provisions), contained in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
- In conjunction with State Planning Policy 5.2: Telecommunications Infrastructure (SPP 5.2).

### Application and Purpose

Mobile network coverage has become vital for the safety and social wellbeing the community. The City acknowledges that the evolution of mobile network technologies (such as the introduction of 5G) impacts on the design, location and amount of telecommunications infrastructure required to provide a desired level of service – and this has perceived positive and negative impacts on the community.

In preparing this Local Planning Policy (Policy), the intent is to address opportunities to improve the planning framework with ‘early planning’ for telecommunications infrastructure – particularly in greenfield areas. This Policy sets out provisions that are aimed to encourage developers, network carriers and host site providers to ‘forward plan’ for telecommunications infrastructure delivery through structure plans, subdivision and local development plans.

Exemptions for development approval for telecommunications infrastructure are set out so as to encourage carriers and host providers to locate infrastructure in certain zones and reserves. The intent being to minimise the impact of large infrastructure on more sensitive areas. Development approval exemptions in this Policy are effective pursuant to Clause 61(1)(b) of the deemed provisions.

This Policy establishes the City’s standards for the assessment and determination of telecommunications infrastructure applications. Similarly, this policy can inform the City’s assessment and recommendation to the Western Australian Planning Commission (WAPC) for telecommunications infrastructure proposals on land reserved under the Metropolitan Region Scheme.

This Policy does not apply where works on telecommunication infrastructure are exempt from development approval under the Commonwealth’s *Telecommunications Act 1997 (the ‘Act’)*; such as works that are deemed ‘Low-Impact’ in accordance with the Act and the *Telecommunications (Low-Impact Facilities) Determination 2018*.

## Objectives

The objectives of this Policy are to:

1. Facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;
2. Manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;
3. Support the formulation of structure plans that are responsive to future delivery of telecommunications infrastructure; having regard to anticipated subdivision outcomes, changing technologies and projected customer demands.
4. Promote the dedication of land parcels for telecommunications infrastructure installations through subdivision, in a manner satisfactory to the City from a land management perspective.
5. Provide development approval exemptions for telecommunications infrastructure in certain locations where installations may have less of an impact on the surrounding community.
6. Promote a consistent approach in the preparation, assessment and determination of proposals for telecommunications infrastructure.
7. Promote co-location of telecommunications infrastructure wherever possible.

## Definitions (Infrastructure Provision)

**Carriers** means a corporate entity that provides wireless mobile communication coverage to its customers.

**Guyed tower** means a tower with telecommunications infrastructure affixed that is supported by guy wires that are permanently anchored.

**Host Provider** means a person or corporate entity that constructs and maintains the infrastructure that carriers require to provide wireless mobile communication coverage to its customers.

**Lattice Tower** means a structure forming a tower – typically with three or four sides – that consists of a network of vertical, horizontal and/or diagonal supports, and used in a manner to support antennas or other equipment associated with telecommunications infrastructure.

**Monopole** means a pylon consisting of a single pole or rod used in a manner to support antennas or other equipment associated with telecommunications infrastructure.

**Tower** collectively means a guyed tower, lattice tower or monopole.

## Definitions (Planning Terms)

**Deemed Provisions** means the deemed provisions for local planning schemes, contained in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**Local Development Plan** means the same as defined in Clause 46 of the deemed provisions, and as follows:

*means a plan setting out specific and detailed guidance for a future development including one or more of the following —*

- a) site and development standards that are to apply to the development;*
- b) specifying exemptions from the requirement to obtain development approval for development in the area to which the plan relates.*

**Precinct Structure Plan** means the same as defined in Clause 14 of the deemed provisions, and as follows:

*means a plan for the coordination of future subdivision, zoning and development of an area of land.*

**Standard Structure Plan** means the same as defined in Clause 14 of the deemed provisions, and as follows:

*means a plan for the coordination of future subdivision and zoning of an area of land.*

**Structure Plan** means the same as defined in Clause 14 of the deemed provisions, and as follows:

*means a standard structure plan or a precinct structure plan.*

**Telecommunications Infrastructure** means the same as defined in Schedule 1 of the City of Wanneroo District Planning Scheme No. 2, and as follows:

*means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.*

## PART 2 – POLICY PROVISIONS

### 1. Application Requirements

- 1.1 All applications for development approval of telecommunications infrastructure should meet the requirements of Clause 62(1) and Clause 63 of the deemed provisions.
- 1.2 Pursuant to Clause 63(1)(d) of the deemed provisions, **Schedule 1** lists other additional plans and information that the City specifically requires to support development applications for telecommunications infrastructure.

### 2. Policy Measures – Assessment of Development Applications

- 2.1 The City will have due regard to the relevant Policy Measures of Section 5 of SPP 5.2 when assessing development applications for telecommunications infrastructure.
- 2.2 Telecommunications infrastructure (including towers and any ‘on-ground’ facilities provided) should be finished with non-reflective material in a neutral colour to minimise visual intrusion.
- 2.3 The visual impact of a telecommunications infrastructure proposal should be assessed against the measures in this Policy and SPP 5.2.
- 2.4 A Visual Impact Assessment prepared in accordance with the WAPC’s Visual Landscape Planning in Western Australia (November 2007) shall be required to support development applications for telecommunications infrastructure where situated:
  - Within 200 metres from any existing residential development, school, child care premise, community facility, golf course, shop, restaurant/café, tavern or small bar;
  - On a local scheme reserve for ‘Public Open Space’ or ‘Environmental Conservation’ – or a land parcel that immediately adjoins land reserved for these purposes;
  - Within 500 metres of a foreshore reserve (on the coast or lake); and/or
  - Within 500 metres from land zoned Rural Residential or Landscape Enhancement.
- 2.5 The City will not require Visual Impact Assessments to support telecommunications infrastructure proposals:
  - That are exempt from development approval;
  - Where the installation does not meet any of the criteria outlined in Section 2.4 above;

- Within an area identified through a prior planning process (structure planning or subdivision) as being set aside for telecommunications infrastructure; or
- Where it is satisfactorily demonstrated that view of the proposed installation will be fully concealed from the surrounding area.

### 3. Community Consultation

3.1 Carriers and/or host providers are strongly encouraged to meet with City officers prior to lodgement of any proposal that involves the installation or future planning for telecommunications infrastructure.

3.2 The City will advertise development applications for telecommunications infrastructure installations pursuant to Clause 64 of the deemed provisions – by way of the following methods:

a) Giving notice to all landowners and/or occupiers of land as follows:

- Within 500 metres of the proposed telecommunications infrastructure, in instances when a lattice tower or guyed tower is proposed; or
- Within 200 metres of the proposed telecommunications infrastructure in all other instances;

b) Requiring the applicant to erect a sign (or signs) displaying notice of the telecommunications infrastructure application. Signs should be erected in a conspicuous position on the lot subject to the application, and be present for the entire duration of the advertising period;

c) Displaying the telecommunications infrastructure application (including all accompanying documentation) on the City's website for public viewing; and

d) Publishing a notice of the telecommunications infrastructure application in a local newspaper.

Pursuant to SPP 5.2, advertising will be carried out for no more than 21 days.

3.3 The City may seek to obtain information from various carriers and host providers when advertising a development application.

3.4 Advertising requirements for structure planning and local development plan proposals incorporating telecommunications infrastructure are provided within Section 5 of this Policy.

#### 4. Electromagnetic Radiation

Local Government is not responsible for the monitoring and control of radiofrequency electromagnetic energy (RF EME) that emanates or could potentially emanate from telecommunications infrastructure. RF EME is to comply with Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) standards, which is regulated by the Australian Communications and Media Authority (ACMA).

Issues relating to RF EME levels therefore are not deemed to be valid planning considerations when assessing any proposal for telecommunications infrastructure.

#### 5. Forward Planning for Telecommunications Infrastructure

5.1 In support of the position made in Section 6.2 of SPP 5.2, this Policy provides additional guidance on how telecommunications infrastructure should be considered in the preparation and assessment of structure plans.

Applying the essence of this SPP 5.2 position, this Policy also provides guidance on how the subdivision and local development planning processes can be utilised in forward planning for telecommunications infrastructure installations.

##### 5.2 Structure Planning Requirements

5.2.1 For the purpose of this section of the policy, and unless otherwise advised by the City, a '**structure planning proposal**' includes:

- a) A new 'precinct structure plan' or 'standard structure plan' as defined in Clause 14 of the deemed provisions;
- b) A review of an existing 'precinct structure plan' or 'standard structure plan', undertaken on direction by the City and/or DPLH due to its expiry being imminent; and
- c) An amendment to an existing 'precinct structure plan' or 'standard structure plan' which proposes significant modifications.

5.2.2 Structure planning proposals submitted to the City must be accompanied by sufficient written evidence of consultation with carriers and host providers.

As a minimum, the written evidence of consultation must include or identify the following:

- a) Evidence that direct liaison with persons representing the carriers and host providers has been undertaken;
  - b) Details of all existing telecommunications infrastructure (including mapping, carriers and host providers) in the structure plan area – and within one kilometre of the structure plan border.
  - c) What the potential change in coverage or service may be as a result of the structure planning proposal – taking into account further subdivision, anticipated land uses, projected population, residential densities and employment, the technologies expected to be deployed and other appropriate assumptions.
- 5.2.3 Where the submission of consultation evidence outlined in Section 5.2.2 is not adequate, the City may require further information from a proponent pursuant to Clause 17(1)(a)(ii) of the deemed provisions before accepting a structure planning proposal.
- 5.2.4 The consultation with telecommunications carriers outlined in Section 5.2.2 above should then inform the following detail which should be included with a structure planning proposal:
- a) The extent of additional telecommunications infrastructure (or upgrades) within the structure plan area that may be needed to support projected growth and development.
  - b) The locations within the structure plan area (which may be general or specific) where additional telecommunications infrastructure installations:
    - Could be suitable from both a coverage and visual impact perspective; and
    - Pursued through the later stages of planning (subdivision and local development plans).
  - c) The process of how future subdivision proposals could facilitate the creation of land parcels in which telecommunications infrastructure could potentially be installed (refer Section 5.3 below).
  - d) The criteria for local development plans to be prepared to guide and support the installation of telecommunications infrastructure in the structure plan area (refer Section 5.4 below).

5.2.5 The City may liaise with known carriers and host providers during the advertising of any structure planning proposal.

### 5.3 Subdivision Considerations

The following should be pursued at the subdivision stage of planning, to better ensure the availability of prospective telecommunications infrastructure sites in the future, when needed:

a) Where informed by structure plan provisions, subdivision proposals should seek to create dedicated land parcels specifically for telecommunications infrastructure installations. These land parcels should:

- Be of sufficient size and dimension to support a telecommunications infrastructure installation (tower, on-ground ancillary equipment etc);
- Provide an adequate land tenure to support the leasing of the telecommunications infrastructure site. This will be via a lease, unless the site is owned by the telecommunications provider; and
- Facilitate a leased site for the infrastructure, which will involve:
  - Transferring the telecommunications site to the City in freehold (for example, as a small land parcel within a larger public open space area); or
  - Vesting the telecommunications site as Crown land under a Management Order to the City, which will require that the Management Order:
    - Lists 'communications' (or similar) as an 'ancillary use' on Management Orders for the public open space site; and
    - Grants the City power to lease that land, subject to the approval of the Minister for Lands under section 18 of the *Land Administration Act 1997 (WA)*.
- Be accessible for vehicles directly via a road frontage, or by other means to the satisfaction of the City (e.g. an access easement capable of supporting safe vehicular access).

b) As an alternative to creating dedicated land parcels for telecommunications infrastructure, a subdivision proposal should instead demonstrate how infrastructure could be placed on proposed non-residential lots (e.g. on public open space or land for commercial development).



- c) The City may recommend for the preparation of a local development plan as a condition of subdivision approval, for land identified in a structure plan as providing for telecommunications infrastructure. The benefits in preparing a local development plan are identified in Section 5.4.1 below.
- d) Notwithstanding anything in a structure plan, the City will advocate to the relevant State Government authorities at the subdivision stage to secure adequate Management Orders for Crown land sites intended for telecommunications infrastructure, in accordance with the Management Order considerations noted in section 5.3 (a) above.

#### 5.4 Use of Local Development Plans

##### 5.4.1 Local development plans can be prepared to:

- a) Forward plan for telecommunications infrastructure in certain locations, particularly where it is directed by a structure plan; and/or
- b) Exempt the need for development approval for the installation of telecommunications infrastructure (where appropriate), pursuant to Item 20 of the table in Clause 61(1)(b) of the deemed provisions.

A local development plan can be prepared by landowners or developers (in consultation with carriers and/or host providers) to nominate acceptable locations within a development site or locality for telecommunications infrastructure – as well as to forward plan its design specifications and access arrangements.

##### 5.4.2 Further to Clause 47(d) of the deemed provisions, the City does not consider it orderly and proper for a local development plan to be prepared that exempts development approval for telecommunications infrastructure in the following instances:

- a) For any installation situated on Residential, Mixed Use or Rural-Residential zoned lots – or land designed these zones in a structure plan.
- b) On sites where residential development, schools or childcare premises exist or are planned for.
- c) For any monopole structure that will exceed 30 metres in height from the finished ground level.
- d) For all lattice tower or guyed tower installations, regardless of height.

- 5.4.3 All local development plans prepared to guide development (or redevelopment) of an activity centre must indicate one or more potential locations for telecommunications infrastructure installations. The sites nominated should be:
- a) Suitable for telecommunication carriers and host providers; and
  - b) Readily accessible for maintenance, including for vehicles.
- 5.4.4 Any local development plan proposals that incorporate telecommunications infrastructure installations must be advertised by the City in accordance with Clause 50 of the deemed provisions. In addition, the City will advertise to all known carriers and host providers.
- 5.4.5 The guidance provided in Section 2.4 and Section 2.5 applies in determining whether a Visual Impact Assessment should be prepared to support local development plans that propose telecommunications infrastructure.

## 6. Development Approval Exemptions

- 6.1 Pursuant to Clause 61(1)(b) of the deemed provisions, **Schedule 2** of this Policy outlines telecommunications infrastructure works that are exempt from the requirement for development approval.
- 6.2 Notwithstanding the development approval exemptions for telecommunications infrastructure outlined in **Schedule 2**, the proponent is still required to undertake notification and/or consultation processes in accordance with the Commonwealth's *Telecommunications Act 1997* (as amended).
- 6.3 The exemptions tabled in **Schedule 2** may be interim, until such time that exemptions are formally introduced into the City's local planning scheme.

## SCHEDULE 1 – REQUIRED SUPPORTING INFORMATION

Pursuant to Part 2, Section 1.2 of this Policy, and in addition to the information listed in Section 6.3.1 of SPP 5.2, development applications for telecommunications infrastructure should adequately include the following:

- a) Plans and/or graphic representations that demonstrate the following:
  - i) A location plan including notations identifying and describing land uses occurring on surrounding land;
  - ii) A site plan that depicts how the proposed telecommunications infrastructure will be situated on the subject land;
  - iii) An elevation plan that shows the height and appearance of the telecommunications infrastructure;
  - iv) An artist or computer generated impression to scale showing the proposed development and its relationship with the surroundings;
  - v) How the proposed telecommunications infrastructure will be situated in relation to similar existing and proposed infrastructure in surrounding localities; and
  - vi) The extent that telecommunications infrastructure can accommodate for co-location of facilities.
  
- b) Written descriptions, reports and/or statements that detail the following:
  - i) The subject land on which the telecommunications infrastructure is proposed, including:
    - The physical characteristics of the subject land;
    - The current use of the subject land; and
    - The location of existing (or proposed) access onto and through the subject land.
  - ii) A schedule of materials and colours of the proposed development (including any on-ground infrastructure such as equipment shelters);
  - iii) Any known intentions to expand or modify the development in the future;
  - iv) Screening, fencing and lighting proposed in conjunction with the subject development;
  - v) Existing vegetation to be removed and any proposals for landscaping and/or restoration of any disturbed land;

- vi) Any significant environmental constraints on the subject land; and, where relevant, detail on how these constraints will be managed to prevent an unacceptable impact on the environment;
- vii) Timing of works involved in establishing the facility and any arrangements for temporary access and/or changes to existing access facilities during the course of construction;
- viii) A justification for how the proposed height of the telecommunications infrastructure is necessary to provide for appropriate network coverage in the area;
- ix) What (if any) additional facilities are known by the applicant to be under consideration in the locality to meet projected future increases in demand; and
- x) If required under Section 2.4 and Section 2.5, a detailed Visual Impact Assessment prepared by a qualified expert prepared in accordance with the WAPC's Visual Landscape Planning in Western Australia (November 2007).

The items listed above may also be supported by plans and/or graphic representation where applicable and appropriate.

- c) Any other supporting documentation should it be specifically requested by the City.

## SCHEDULE 2 – DEVELOPMENT APPROVAL EXEMPTIONS

Zone/Reserve	Exemption Conditions
<p><b>General Industry Zone</b>  <b>Light Industry Zone</b></p>	<ul style="list-style-type: none"> <li>(a) The development is designed in accordance with the relevant State Planning and Local Planning Policies;</li> <li>(b) The development has a maximum height of 30 metres from the finished ground level;</li> <li>(c) The development does not meet the definition of lattice tower or guyed tower as expressed in this Policy;</li> <li>(d) The proponent has undertaken notification of the proposal in a similar manner to 'low impact facilities' as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2020); and</li> <li>(e) Written notification is provided to the City no less than 30 days prior to the installation of the development, detailing the proposal and outlining how criteria (a), (b), (c) and (d) above have been met.</li> </ul>
<p><b>Local Scheme Reserves</b></p>	<ul style="list-style-type: none"> <li>(a) The development is designed in accordance with the relevant State Planning and Local Planning Policies;</li> <li>(b) The maximum height of the development is 30 metres from the finished ground level.</li> <li>(c) The development is on a structure that also provides floodlighting or other compatible service to the reserve.</li> <li>(d) The development does not meet the definition of lattice tower or guyed tower as expressed in this Policy;</li> <li>(e) The proponent has undertaken notification of the proposal in a similar manner to 'low impact facilities' as defined and set out in the Mobile Phone Base Station Deployment Industry Code (C564:2020); and</li> <li>(f) Written notification is provided to the City no less than 30 days prior to the installation of the development, detailing the proposal and outlining how criteria (a), (b), (c), (d) and (e) above have been met.</li> </ul>