

ACT PLANNING AND LAND AUTHORITY
GUIDELINE FOR TELECOMMUNICATIONS (MOBILE PHONE) NETWORKS

1.0 INTRODUCTION

I, Dorte Ekelund, the person for the time being performing the duties of the Government Service position created under Section 19 of the *(Land (Planning and Environment) Act 1991)*, adopt the following guideline for the purposes of Section 282 (1) (e) of the *(Land (Planning and Environment) Act 1991)* and regulation 40 (2) of the *(Land (Planning and Environment) Regulations)*.

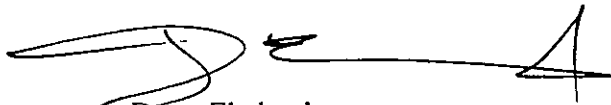
This guideline applies to the installation of telecommunications (mobile phone) networks providing criteria for the exemption of those activities from requiring development approval under Part 6 of the *(Land (Planning and Environment) Act 1991)* (The Land Act) except where otherwise exempted under Commonwealth legislation. It does not apply to trunk supply services, or to proposals within National Land or Designated Areas.

The exemptions under this guideline do not apply where the development is:

- Part of, or carried in association with other developments to which part 6 of the Land Act applies; or
- Inconsistent with heritage conservation requirements under the Heritage Act 2004; or
- Inconsistent with a condition of an approval, a lease provision or an agreement collateral to a lease.

Development contained within the telecommunications (mobile phone) networks described in this guideline are exempt from requiring development approval if consistent with the requirements in the following sections of this guideline.

Removal of the network (or part it) including decommissioning sites are also exempt from development approval, subject to notification to asset acceptance and the rectification of any affected infrastructure and restoration of the subject land.



Dorte Ekelund
Delegate to the Chief Planning Executive
ACT Planning and Land Authority
28 November 2005

2.0 SUBMISSION REQUIREMENTS

Proposals must be submitted as a network plan in the form required by the ACT Planning and Land Authority (the Authority). The network plan must illustrate the proposed network, clearly identify the location of mobile phone base stations and all related and associated infrastructure for each base station, including equipment sheds.

The plan must be subject to 15 business days of community consultation, which shall involve placing a public notice in a daily newspaper and inviting written comments, a letter box drop to all households within a radius of at least 100 metres of each base station or as agreed by the Authority. Signs must be placed on the land at the location of each base station, except where such signs would cause a traffic hazard, namely for base stations proposed for roundabouts. All community consultation notices shall be in the format nominated by the Authority.

Draft network plans must be made available for display at the Authority's customer service centre and at other locations (such as a local library) required by the Authority.

All comments received during the community consultation period must be taken into account in finalising the network plan. A consultation report detailing the method and extent of consultation must be submitted with the final network plan. The consultation report must provide written responses on all submissions received during community consultation period, including details of any amendments made to the network plan as a consequence of a submission.

Network plans require written approval by the Authority. Approved network plans must be made available for public inspection at the Authority's customer service centre and any other location determined by the Authority.

3.0 GOVERNMENT CONSULTATION REQUIREMENTS

- 3.1 The Authority may direct that whole of Government consultation be undertaken as part of the site selection process. At any site specific issues raised by Government agencies must be responded to, and where appropriate, addressed in the revised network plan.
- 3.2 The Authority may direct that the proposal be forwarded to any other person or agency for comment and/or agreement.
- 3.3 Proposals that are subject to special requirements under the National Capital Plan must be forwarded to the National Capital Authority for its agreement.
- 3.4 Proposals affecting heritage listed areas must be forwarded to the Heritage Council for its agreement.

- 3.5 Proposals affecting public land must be forwarded to the Conservator of Flora and Fauna for the Conservator's agreement.

4.0 NETWORK ASSESSMENT

Network Plans will be assessed for but not limited to the following information:

- 4.1 Identify and map existing and proposed locations that will form part of the network both within the jurisdiction of the ACT Government and those in surrounding and adjoining areas such as the National Capital Plan area and adjoining NSW Local Governments, which form the part of the network relevant to the ACT.
- 4.2 Provide information on the principal elements of the network (existing and proposed), including a mapped hierarchy of the type and height of the components of the network.
- 4.3 Demonstrate the need for the proposed network. Details to be provided will include why the network configuration and the number of base stations are warranted. This should include information on the method of site selection, alternative sites and/or different network patterns investigated as part of arriving at the final proposed network. Options for taller poles/ structures in certain locations to reduce the number of towers at lower levels should be discussed.
- 4.4 Discuss the degree of flexibility the proposed network provides for dealing with emerging telecommunications technologies. This will include design considerations to accommodate technological advancements.
- 4.5 Given an estimation of the length of time the network is expected/ planning to be operational. Information on the timing of a review of the network plan must be provided.
- 4.6 Provide information on whether the network is capable of being expanded in the future to cater for infill and to service new greenfield locations.
- 4.7 Document the potentially beneficial impacts of the proposed network in terms of coverage (quality and continuity of service), increased public access to the communications network, economic benefit and any other beneficial impacts.

5.0 DEVELOPMENT ASSESSMENT

Network Plans will be assessed for but not limited to the following information:

5.1 Existing Conditions

(NOTE Survey Certificate for each site is required)

Provide the following information for all sites:

- Block and Section details and street address;
- Location of site boundaries and dimensions;
- Existing land use of each site as well as the existing land use for land within a 300 metre radius of each site *(NOTE: existing land use is different to applicable Land Use Policy under the Territory Plan)*;
- Location and use of buildings and structures on site and adjoining the property;
- Current access arrangements for the site;
- Location of adjoining roads, public walkways, pedestrian precincts, public places & parking areas;
- Site improvements; retaining walls, boundary walls/fences, hard surfaces;
- Service and access easements including in the nature strip;
- Underground installations – fuel or water storage, sewer and storm water interceptors;
- Above ground installations – electricity and communications poles and cables including those in the nature strip;
- Existing trees on the site, adjoining block where relevant and nature strip;
- Topography and natural drainage lines;
- Views to and from the street; and
- Any special natural features such as rock outcrops, natural water features and overland water flow line.

5.2 Description of Proposals

Provide the following information for all sites:

- Detail the:
 - design, size and siting of proposed fixture and equipment shed;
 - height of all structures including lightening rods;
 - dimensions and location of equipment sheds;
 - all underground cabling;
 - location of structures in relation to road reserve exclusions zones;
 - location of all proposed guard rails;
 - set backs from public paths;
 - public exclusions zones around each antenna; and
 - identify distances from street/verge trees (ensuring development is outside the drip line of any trees including equipment sheds and any trenching/directional boring

- Prepare a photomontage of the proposed facility for each site; and
- Proposed access to and from the facility.

5.3 Current Land Use Policies, Lease Conditions and Licenses:

Provide the following information for all sites:

- Provide a map of the land use policy applicable to each site;
- Assessment of compliance with the provisions of the applicable land use policy for each site;
- Assessment of compliance with Appendix VI telecommunications facilities Policies for each site including information on:
 - For proposed new structures, identify whether feasible alternative exist and that the proposal will not be visually obtrusive;
 - Provide evidence that every opportunity to co-locate on existing telecommunications infrastructure has been explored and if co-location is not possible, explain why. This should include consideration of matters such as: cumulative emissions, visual obtrusiveness, physical or technical limitations, coverage and potential for interference particularly in relation to emergency or safety equipment.
 - Where new infrastructure is required as part of the network plan, identify future opportunities to co-locate on that infrastructure. If future co-location is not an option then explain why.
- Provide an assessment of compliance with applicable overlay provisions. This includes Clearance Zones at Appendix VII of the Territory Plan.
- Provide an assessment of compliance with any other applicable Territory guidelines, master plans or other planning documents referred to by the Authority.
- Identify the tenure of each site and the relevant land owner.
- Identify any land ownership issues, agreements, approvals, permits or leases to be required.
- Provide a statement on how tenure influenced the site selection process where relevant.
- For any sites requiring a lease variation provide a valuation certificate demonstrating values before and after the change.
- Ensure the lease arrangements relate to all infrastructure associated with the facilities and not just the poles. Particular attention needs to be paid to the tenure of land on which the equipment sheds will be placed, if not on the same land as the pole.

6.0 IMPACT ASSESSMENT

6.1 Potential Health Impacts

The following information should be provided in relation to potential health impacts:

- Electromagnetic Energy:
 - Demonstrate compliance with all the relevant Commonwealth Government requirements for electromagnetic energy emissions. This must include:
 - ◇ Providing results and mapping of cumulative EMR investigations for each site; and
 - ◇ Provide evidence of compliance with relevant Australian Communications Authority (ACA) Electro Magnetic Radiation regulations for cumulative impacts.
 - Undertake and document a precautionary approach (best practice) to minimizing Electro Magnetic Radiation in terms of applying the best possible technology and engineering design for sites; and
 - Undertake and document a precautionary approach (prudent avoidance) to minimizing exposure to Electro Magnetic Radiation as part of the site selection process through:
 - ◇ A preference to locate in commercial, industrial or rural areas, or in transport corridors or low use open spaces;
 - ◇ Locating as far as possible from any sensitive site uses such as schools, childcare centres, hospitals, aged care facilities and high density residential areas;
 - ◇ Locating such that no workers are placed inside the public exclusion zones around the antennae for activities such as street light maintenance and tree trimming/removal. *(This will ensure that ACT Urban Services meets their obligations under the Radiation regulations and the OHS Act and Regulations);* and
 - ◇ Provide signs on the land which state:
 - ⇒ The planned emissions of the facility; and
 - ⇒ compliance with relevant standard for exposure.
- Public and Worker Health and Safety: Provide details of the following measures relating to the general public and worker health and safety:
 - Climbable structures to be enclosed by secure perimeter fences;
 - Safety and warning signs to be erected;
 - Decommissioned or obsolete facilities are removed and site restored;
 - Temporary sites restored;
 - Exclusion zones; and
 - Implications for maintenance workers for trees and lighting.

- Other Potential Health Impacts: Provide details, to the best of your knowledge, of the current national and international research and findings in relation to any other potential health impacts associated with mobile phone base stations.

6.2 Potential Impacts on the Physical Environment

The following information should be provided in relation to potential impacts on the physical environment:

- Network Interference: Provide evidence for each site that there is no potential for interference with other telecommunications networks and radio communications services such as but not limited to: defence, security services, emergency services facilities, Australian Federal Police, the Canberra airport and any other relevant network within the ACT.
- Transport Impacts
 - Road Reserves: For all sites within road reserves and on road verges, comply with the following standards of the ACT Department of Urban Services:
 - Design Standard for Urban Infrastructure 3. Road Design; and
 - Design Standard for urban Infrastructure 4. Road Verges.
 - In designing the structures and associated equipment sheds, particular attention must be made to:
 - ◇ Site clearance;
 - ◇ Road reserve exclusion zones;
 - ◇ Offset from the kerb;
 - ◇ Offset from shared pathways; and
 - ◇ Frangible pole design for all poles within road reserve exclusion zones.
- Access Track Impacts:
 - Where there is currently no access or where access will need to be upgraded or altered, identify any impacts associated with provision of all weather access for any purposes, including temporary power, maintenance and repairs.
 - Identify any potential for sedimentation and erosion, particularly during construction of the facility and any access tracks.

6.3 Potential Impacts on the Human Environment

The following information must be provided in relation to the human environment

- Noise - Undertake an assessment of potential impacts resulting from noise from the proposed base stations and their equipment sheds. Detail measures to attenuate such noise, particularly in residential and other known noise

sensitive locations. Demonstrate that ACT Government noise standards can be complied with.

- Visual Amenity –
 - Provide the following assessment of measures to reduce visual impact by:
 - ◇ screening equipment associated with the facility
 - ◇ Attempts to use surrounding landform & vegetation to visually screen and buffer the facility
 - ◇ Fencing and or landscaping to screen facility at ground level from residential areas (*Note: For landscaping ensure plant selection, spacing and density & height to screen the facility within 2 years of construction.*)
 - For sites on hills or ridges demonstrate they do not break the skyline or impact on side slopes.
 - For all equipment sheds demonstrate the following:
 - ◇ Sheds will be located in inconspicuous positions & not in front of buildings;
 - ◇ Sheds will not impede further development; and
 - ◇ Shed design and location must not lend itself to vandalism.
 - For proposals to co-site with an existing telecommunications facility, provide information on attempts to avoid duplication and proliferation of facilities as well as consideration of other visual impacts.

- Heritage - Identify if any sites are of heritage significance and identify potential for impacts on heritage values of those sites.

6.4 Potential Impacts on the Non-Human Biological Environment

- Tree Assessment - Where mature trees and shrubs exist and may be impacted by the development of base stations, engage an accredited person to prepare vegetation and tree survey establishing species, age, health, height and canopy extent.
- Requirements under the Commonwealth EPBC Act - Demonstrate that any requirements under this Act have been complied with.