

G3 Telecommunication and Radiocommunication Utilities

Contents

1.0 Introduction	2
1.1 Application of this Part	2
1.2 Objectives of this Part	2
1.3 Relationship with other Legislation	2
2.0 Making an Application	3
2.1 Lodgement Requirements	3
3.0 Design Controls	4
3.1 Visual Impact	4
3.2 Co-location	4
3.3 Location	4
3.4 Heritage	4
3.5 Design	4
3.6 Facility Health	4

1.0 INTRODUCTION

1.1 Application of this Part

This Part applies to all land within the Waverley Local Government Area (LGA). Councils are the consent authorities for facilities that require development consent and modification to development consents, under the terms of the *Environmental Planning and Assessment Act 1979* (EP&AA 1979). These are facilities that are referred to as “non-low-impact facilities”. Councils do not have regulatory control over “low-impact facilities”. These are described in the *LIF Determination Act 1997* exempting low-impact facilities from State planning laws. Council intends that this Part be used as guidelines for the siting and construction of any telecommunication and radiocommunication facilities (facilities) in the Waverley LGA.

1.2 Objectives of this Part

1.2.1 Social

- (a) Apply a precautionary approach to the deployment of facilities, minimise public exposure to EMR and avoid the siting of facilities in community sensitive locations;
- (b) Ensure the public have access to facilities technology;
- (c) Achieve equity for the various stakeholders by endeavouring to balance their needs; and
- (d) Ensure the community is adequately informed and empowered to participate in the planning/decision-making process.

1.2.2 Environmental

- (a) Implement principles of sustainable design for facilities;
- (b) Promote good industrial design of facilities; and
- (c) Provide facilities that are visually compatible with the surrounding character, protecting heritage buildings and areas.

1.2.3 Economic and Administrative

- (a) Identify the type of land use zones suitable for facilities;
- (b) Ensure reasonable access to new facilities and provide equitable availability of locations;
- (c) Assess whether the proposed is consistent with permitted development in adjacent areas;
- (d) Provide clarity and a consistent approach to the assessment of facilities; and
- (e) Ensure Council obtains information about facilities.

1.3 Relationship with other legislation

Relevant legislation and code of practice pursuant to this Part include:

- *Telecommunications Act 1997*
- *Radiocommunications Act 1992*
- *Telecommunications Code of Practice 1997*
- *Telecommunications (Low-impact Facilities) Determination 1997*
- Industry Code ALIFG C564:2004 for the Deployment of Mobile Phone Infrastructure

2.0 MAKING AN APPLICATION

2.1 Lodgement Requirements

Development consent is not required for low-impact facilities. As part of carriers' consultation obligations, they must provide Council a written submission. All non low-impact facilities require Council consent under the EP&AA 1979.

The DA must include:

- a) demonstrated compliance with of the ACIF Code;
- b) rationale for whether the facility is a low or non-low-impact;
- c) EMR assessment in accordance with the ARPANSA prediction methodology and report as described in the ACIF Code. Mobile carriers must provide compliance evidence, indicating exposure details contained in the DA are true, accurate and consistent with the ACIF Code. Other facilities carriers must provide an EMR compliance certificate confirming exposure details;
- d) site and locality analysis (see Section 2.1.1);
- e) Statement of Environmental Effects (see Section 2.1.2);
- f) 360 degree prediction map of exposure levels at 1.5m above publicly accessible surfaces within 300m and identifying likely community sensitive locations in accordance with the ACIF;
- g) photomontage of the proposed facility in context of the location;
- h) results of any community consultation process, consistent with the ACIF Code for a low impact facility.

2.1.1 Site and Locality Analysis

A site and locality analysis establishes the context showing the constraints and opportunities of the site in relation to adjacent buildings. The analysis should confirm the suitability of the site and proposal.

2.1.2 Statement of Environmental Effects

The Statement of Environmental Effects (SEE) must explain how the proposal has responded to the site analysis and objectives of this Part. The SEE is to demonstrate the precautionary principle in the siting, design and operation of the proposal as described in the ACIF Code.

2.1.3 Public Notification/Consultation

- (a) Proposals must comply with Part C;
- (b) For facilities covered by the LIF Determination, the carrier is to consult with affected community, irrespective of Council boundaries, as required by the ACIF Code. Consultation must be commensurate with the anticipated impact of the facility;
- (c) The applicant must make reasonable endeavours to conduct consultation to inform the community about the proposal;
- (d) For each facility, a notice must be erected notifying the intention of the carrier to erect infrastructure on site and provide the name and contact details of the carrier, consistent with the ACIF code;
- (e) The applicant must provide Council results of its community consultation for facilities covered by the LIF Determination; and
- (f) A permanent, legible and weatherproof sign must be publicly visible in the immediate proximity of the facility, to identify the operator or site manager details.

3.0 DESIGN CONTROLS

3.1 Visual Impact

- (a) Antennas and supporting infrastructure are designed to minimise the visual impact from the public domain;
- (b) The facility is to be integrated into the design and appearance of the building which it is located i.e. colour, bulk and scale etc;
- (c) Infrastructure must be well-designed; have concealed cables where practical and appropriate; be unobtrusive where possible; and be consistent with the character of the surrounding area;
- (d) Infrastructure must be removed when no longer in use.

3.2 Co-location

Co-location is the practice of locating more than one telecommunication facility, usually by different carriers, on one facility or structure:

- (a) Telecommunication lines should be located within any existing underground conduit or duct. Antennae and similar structures should be attached to existing utility poles, structures, buildings or other telecommunication facilities to minimise impacts;
- (b) Co-location may not always be desirable i.e. cumulative emissions; visual impact; physical and technical limits; and
- (c) Carriers are to demonstrate a precautionary approach and effective measures to minimise negative impacts of co-location.

3.3 Location

- (a) The applicant is to demonstrate have adopted a precautionary approach in regards to minimising EMR exposures;
- (b) No facility may be installed within a 300m radius of any school in the Waverley LGA, playground or Child Care Centre (see Annexure G3-2 and G3-3). No facility may be installed on a Heritage Item or in a Heritage Conservation area;
- (c) Council's prefers commercial centres for the location of facilities;
- (d) The applicant is to demonstrate consideration of likely sensitive land uses e.g. areas where occupants are located for long periods, frequented by children, hospitals, aged care facilities.

3.4 Heritage Considerations

Facilities proposed for areas of environmental significance (defined in the LIF Determination) require consent under the LIF Determination and WDCP 2010. Avoid or minimise the impact of any facility on heritage items and conservation areas, endemic flora and fauna.

3.5 Design Controls

Facilities must be of high quality design and construction and consider the range of alternate facilities available that minimise unnecessary or incidental EMR emissions and exposures. The plan for the facility must include measures to restrict public access to antenna(s).

3.6 Facility Health Controls

Precautions taken to minimise exposures to the public. Documentation demonstrating how the facility complies with relevant Australian Standards specified by the ACMA and 360 degree prediction.

Annexure G3-1

Access to Codes, Acts and Further Information

1. ACIF Industry Code for Deployment of Mobile Phone Infrastructure

The following Australian Communications and Media Authority website addresses lead to an abstract of the code and the code itself can be downloaded from this page:

http://www.acma.gov.au/telcomm/industry_codes/codes/abtem20.htm

The code can also be accessed from the Australian Communications Industry Forum website at:

http://www.acif.org.au/ACIF/files/C564_Oct_2002.pdf

2. Telecommunications Act 1997

This can be found on the Australian Broadcasting Authorities website.

<http://www.aba.gov.au/legislation/telecomm%5Fact/>

3. Mobile Carriers Forum (MCF) Publication “Low-impact Mobile Facilities – Guidelines for Better Visual Outcomes”

The MCF has prepared guidelines to assist in the siting and design of new low-impact mobile telecommunication facilities, with the aim of minimising visual impact and achieving appropriate and acceptable outcomes. The guidelines include photographs of a range of radiocommunications infrastructure and are available from the AMTA website www.amta.org.au – go to Network Deployment and click on Low Impact Guidelines.

4. Australian Radiation Protection and Nuclear Safety Agency

The following ARPANSA web address has a detailed discussion regarding the health implications of the mobile phone system:

<http://www.arpansa.gov.au/mp1.htm>

5. Low-impact Facilities for Better Visual Outcomes

A discussion on facility design can be accessed at www.amta.org.au/mcf.

School Exclusions Zones

Annexure G3-3

Schools and Child Care Centres in the Waverley LGA	
Name of School	Address
1. Yeshiva Jewish Day School Kesser Torah College	Cnr Blake St/Napier Street, Dover Heights Cnr Blake St/Napier Street, Dover Heights
2. King David Pre School	Dover Road, Dover Heights
3. Rose Bay Secondary College	Hardy Street, Dover Heights
4. Galilee Catholic Primary School	60b Blair Street, Bondi Beach
5. Reddam House	56 Mitchell Street, North Bondi
6. Wairoa Special School	Cnr Hastings Parade/Gould Street, North Bondi
7. Bondi Beach Public School	Campbell Parade, Bondi Beach
8. Bondi Public School	5 Wellington Street, Bondi
9. Scarba House	30 Wellington Street, Bondi
10. Montessori Eastern Suburbs	8 Wellington Street, Bondi
11. Waverley College	131 Birrel Street, Waverley
12. Waverley Public School	Bronte Road, Waverley
13. St Charles School St Clare's Colleges	Carrington Road, Waverley 41-51 Carrington Road, Waverley
14. Waverley College Primary School	44 Henrietta Street, Waverley
15. Bronte Public School	Hewlett Street, Bronte
16. Clovelly Public School	Arden Street, Waverley
17. St Catherines School	26 Albion Street, Waverley
18. Moriah College Moriah Primary School	York Road, Queens Park Queens Park Road, Bondi Junction
Child Care Centres	
19. Bronte Child Care Centre	42 St Thomas St, Bronte
20. Gardiner Child Care Centre	6 Gardiner St, Bondi Junction
21. Waverley Child Care Centre	Clementson Park Newland St, Bondi Junction
22. Waverley Family Day Care	25 Ebley St, Bondi Junction

Note: Also visit Waverley Council's website at:

- www.waverley.nsw.gov.au/commsservices/children/FDC.asp
- www.waverley.nsw.gov.au/commsservices/children/LDC.asp

In the event that Council's Child Care Services have been augmented.

Playground Locations

