

Telecommunications Infrastructure on Council Land

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Policy Name:	Telecommunications Infrastructure on Council Land
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ECM Tracking No.:	988205
Responsible Officer:	Director Environment and Place
Relevant Legislation:	<i>Local Government Act 1999</i> <i>Planning, Development and Infrastructure Act 2016</i> <i>Telecommunications Act 1997 (Cth)</i> <i>Telecommunications (Low-Impact Facilities) Determination 2018 (Cth)</i>
Relevant Industry Codes:	Industry Code C564:2020 Mobile Phone Base Station Deployment (Communications Alliance)
Related Policies:	Community Engagement (Public Consultation) Policy Leasing and Licensing of Community Facilities Policy Open Space Policy Procurement Policy

1. Introduction

- 1.1 The City of Burnside recognises the importance of third-party telecommunications infrastructure required to enable telecommunications networks. However, some telecommunications infrastructure have the potential to be visually intrusive, and access to telecommunications infrastructure for maintenance and upgrades can present an inconvenience to the public. As such, this policy aims to influence the siting of such telecommunication infrastructure while minimising visual obstruction and inconvenience to the public when access is required to telecommunication infrastructure on Council owned land.
- 1.2 This Policy's scope:
- 1.2.1 Considers the powers and immunities of licenced telecommunications carriers when installing and accessing telecommunication infrastructure in accordance with the *Telecommunications Act 1997 (Cth)*; and
 - 1.2.2 Within the regulatory framework, provide siting guidelines specific to the City of Burnside environment for Council owned land, in order to achieve the most appropriate siting and ensure co-location of infrastructure wherever possible.

2. Strategic Plan Desired Outcomes

Principles: Spans all Strategic Plan Principles

Themes: Spans all Strategic Plan Themes

Goals: Spans all Strategic Plan Goals

Priorities:

- 1.1: Flexible, fit-for-purpose facilities and places*
- 1.4: Facilities, services and programs that meet our community's needs*
- 2.2: Canopy cover, greening and open space*
- 2.4: Healthy habitats and biodiversity*
- 3.1: Master planning our City*
- 3.2: Council as an advocate and influencer to ensure our community's voices are heard*
- 3.4: Character and heritage protected, cherished and celebrated.*

3. Our Approach

- 3.1 Support the protection of the City's local heritage, character built heritage and natural heritage.
- 3.2 Enhance character, amenity, safety and accessibility by promoting sympathetic and sustainable development.
- 3.3 Maintain and enhance streetscapes for improved amenity, character and environmental outcomes.

4. Legislative Requirements and Corporate Policy Context

- 4.1 Council owns and maintains a number of reserves and other parcels of land (including the Civic Centre). Most of this land is community land and is subject to the provisions of the *Local Government Act 1999*.
- 4.2 Telecommunications providers are governed by the *Telecommunications Act 1997 (Cth)*. They have some exemptions when installing low impact facilities under the *Telecommunications (Low-Impact Facilities) Determination 2018 (Cth)*. All other infrastructure must be installed in accordance with relevant legislation, most notably the *Planning, Development and Infrastructure Act 2016* and the *Telecommunications Act 1997 (Cth)*.

5. Interpretation

- 5.1 For the purpose of this Policy:
 - 5.1.1 "Telecommunications infrastructure" can include towers, antennae, masts, dishes, cabling, satellite dishes, and so forth, as well as low impact facilities as defined in the *Telecommunications (Low-Impact Facilities) Determination 2018 (Cth)*.
 - 5.1.2 "Carriers" means a licenced carrier and established under section 87 of the *Telecommunications Act 1997 (Cth)*.
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6. Policy

- 6.1 The general objectives of this Policy are to:
 - 6.1.1 Preserve the visual character and amenity of the City of Burnside, through:
 - 6.1.1.1 Providing guidelines for the siting and aesthetics telecommunications infrastructure used for mobile telephone networks;
 - 6.1.1.2 Promoting an undergrounding practice for fibre optic and co-axial cable infrastructure which minimises disruption to existing footpath layouts and tree roots;
 - 6.1.1.3 Minimising the amount of additional telecommunications infrastructure by requesting, where technically feasible, the sharing and co-locating of infrastructure; and
 - 6.1.1.4 Minimising residential amenity impacts from the construction, operation and maintenance activities associated with telecommunications infrastructure.
 - 6.1.1.5 Ensuring any cabling and wiring is installed safely, securely and has minimal visual presence.
- 6.2 These objectives are to be considered for all applications by Carriers to use Council land for the installation of new telecommunications infrastructure and associated equipment and their construction, operation, and maintenance activities.
- 6.3 Carriers are requested to apply the guidelines contained in this Policy unless they cause unacceptable technical constraints to the infrastructure. It will be necessary for Carriers to provide Council with evidence of unacceptable technical constraints for consideration.

7. Siting Guidelines

- 7.1 Preference should be given to aesthetic considerations. Where conflicts may arise between objectives of co-locating, aesthetics, and separation of infrastructure from populations, trade-offs may need to be made in an optimisation exercise. This should aim to achieve the best possible balance of the competing objectives with some bias towards best aesthetic outcomes, subject to the constraints of operating requirements of infrastructure.
 - 7.2 Siting should consider likely future adjoining land uses.
 - 7.3 Siting should avoid, wherever possible, any impact on biodiversity sites, waterways and the shading of solar panels (either Council owned or private)
 - 7.4 An application to use Council land should be assessed for siting in terms of the overall pattern of existing telecommunications infrastructure, so that sharing is maximised, and a complete and cumulative impact can be determined.
 - 7.5 Existing towers or existing structures should be investigated for appropriateness for the co-location of antennae. When this opportunity does not exist, siting on building rooftops with existing antennae should then be investigated.
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- 7.6 Any new transmitting infrastructure including a tower, antenna, earth station or satellite dish shall not be sited within 100 metres of any of the following land uses:
- 7.6.1 Residential
 - 7.6.2 Retirement village
 - 7.6.3 Hospital
 - 7.6.4 School
 - 7.6.5 Child Care centre
 - 7.6.6 Community Centres
 - 7.6.7 Biodiversity sites
 - 7.6.8 Parks; and/or
 - 7.6.9 Playground.
- 7.7 The Council will not entertain any application by a Carrier to use the Civic Centre for any installation of telecommunications infrastructure not related to the functioning of the Centre.
- 7.8 Antennae should not be located:
- 7.8.1 On rooftops where the building is under two storeys in height;
 - 7.8.2 On a Local, State or Representative heritage buildings;
 - 7.8.3 In a building where their location is visible from the fronting road at pedestrian eye level. They should be located towards the rear of a building rooftop or positioned otherwise to minimise visibility. If transmitting requirements prohibit this, antennae appearance should be softened or screened in the opinion of Council by architecturally sympathetic means; or
 - 7.8.4 Within or at the termination of a significant vista, at a focal point that will visually dominate a streetscape, or an otherwise visually sensitive area as viewed within or from any residential building.
- 7.9 A tower should not be located:
- 7.9.1 Within or at the termination of a significant vista, at a focal point that will visually dominate a streetscape, parkland, or an otherwise visually sensitive area as viewed within or from any residential building;
 - 7.9.2 Where, in the opinion of Council, the landform, vegetation or features of a proposed open space location are of outstanding natural beauty, or where such features will not adequately screen or reduce the impact of the tower; or
 - 7.9.3 On a streetscape dominated by Local, State or Contributory heritage buildings or of Local, State or Contributory heritage landscape significance.
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8. Zones

- 8.1 In the absence of an appropriate existing structure or rooftop with an existing antenna, a new rooftop antenna or tower should only be sited within the following Zones (subject to item 7.6):
 - 8.1.1 Suburban Activity Centre
 - 8.1.2 Community Facilities
 - 8.1.3 Business Neighbourhood; and
 - 8.1.4 Hills Face.

9. Design & Colour

- 9.1 The visual impact of towers and associated equipment and structures can be reduced by sympathetic colouring within their context. Rooftop antennae and mast structures should be integrated as far as possible into the overall architecture and colour of the host building.
- 9.2 Structures and equipment associated with towers should be of a design, material and colour consistent with the surrounding architecture (whether commercial or residential) and environment, whether in bush land or in built up areas.
- 9.3 Structures and equipment may be screened by positioning behind existing roof structures, such as lift motor enclosures. Alternatively, a lattice type enclosure should be used. Where screening is not achievable, they should be positioned close to such utility structures to form a cluster, rather than structures distributed across a rooftop.
- 9.4 Towers should, wherever possible, be of a self-supporting construction with appropriate footings to withstand a natural disaster such as an earthquake.
- 9.5 Advertising signs or messages of any type including corporate logos and night illumination shall not be included on towers and associated infrastructure.

10. Cabling

- 10.1 Council gives in principle support to the upgrading of existing infrastructure for telecommunications systems and the electricity distribution system in its streets, roadways and public places.
 - 10.2 The Council supports the shared use of telecommunications infrastructure by Carriers and the shared use of electricity infrastructure by providers.
 - 10.3 Cable installation should, unless technically non-feasible, be undergrounded and follow industry standard installation practices to ensure it is safe, secure and has minimal visual presence. Installation shall be undergrounded and non-trenching techniques (such as 'directional drilling' or 'soil displacement') employed to ensure minimal disturbance to nature strips and tree roots.
 - 10.4 The Council will not accept open trenching methods for installation of cables within tree root zones. Where significant trees may be affected, Council's Environment and Place Division should be consulted in order to determine the most appropriate measures to minimise disturbance to roots and to determine whether restrictions on proposed cable locations exist.
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11. Application by Carriers

- 11.1 Council will apply this Policy where a Carrier makes an application to use any Council land for the installation of telecommunications infrastructure.
- 11.2 Carriers are encouraged to use the guidelines contained in this Policy early in the planning of infrastructure. The aesthetic design guidelines may be applied to existing infrastructure to reduce their visual impact (e.g. repainting).
- 11.3 Each proposal will be examined on a case-by-case basis.
- 11.4 Any application by a Carrier will include the following information:
 - 11.4.1 the Carrier's Corporate Environmental Plan;
 - 11.4.2 full technical drawings of the infrastructure proposed (including materials and finishes) and it will be installed in a safe, secure manner with minimal visual presence;
 - 11.4.3 a plan/map of the area within which the infrastructure is to be established together with all adjoining land uses within a radius of 100 metres of the site;
 - 11.4.4 all information regarding the Carrier's attempts to co-locate the proposed infrastructure;
 - 11.4.5 all relevant information about any potential health risks and the likely effects of Electromagnetic Energy (EME) on all persons within a 100 metre radius of the site of the proposed infrastructure;
 - 11.4.6 a landscaping plan; and
 - 11.4.7 proposed lease with Council.

12. Restrictions on Construction, Operation and Maintenance Activities

- 12.1 Assessment of notifications include the following restrictions:
 - 12.1.1 Except where works are necessary to address a network outage or emergency situation, construction times for all infrastructure shall be restricted to working hours of 7.00 am to 5.30 pm from Monday to Saturday. Maximum noise levels for both construction and operation (which would mainly include air conditioning plants on equipment huts) is to be set at the boundary of the site.
 - 12.1.2 Cut and fill on construction sites is to be minimised to avoid erosion or the interruption of natural topography. This should be shown on the Landscape Plan submitted. Disturbance will not be permitted within the root zones of significant trees.
 - 12.1.3 Significant trees are to be retained and undisturbed, and their long-term viability shall be protected.
 - 12.1.4 All regulated and other trees are to be retained and undisturbed, unless there are exceptional circumstances, and their long-term viability shall be protected.
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13. Maintenance Activities

- 13.1 Access to installations for routine maintenance shall not intrude upon the privacy or amenity of any residents. If maintenance for a tower will allow overlooking into residents' private living areas, or access to a rooftop antenna requires access through a residential building, the residents shall be notified by the carrier in writing one week in advance.
- 13.2 Routine maintenance activities shall be restricted to working hours of 7.00 am to 5.30 pm and carried out only on weekdays.

14. Review and Authority

- 14.1 This Policy will be reviewed every three to four years and in line with Council's Policies and Protocols Framework.

15. Availability

- 15.1 The Policy is available to be downloaded, free of charge, from Council's website www.burnside.sa.gov.au.
- 15.2 A copy may be purchased at a fee as set annually by Council.

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Telephone: 8366 4200; Fax: 8366 4299; Email: burnside@burnside.sa.gov.au

Office hours: Monday to Friday, 8.30am to 5.00pm (except public holidays)

16. Further Information

- 16.1 For further information about this policy please contact:
City of Burnside Civic Centre; 401 Greenhill Road, Tasmore SA 5065
Telephone; 8366 4200; Email: burnside@burnside.sa.gov.au
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