

Title	Structure Plans & Mobile Telecommunications Infrastructure
Policy Number (Governance Purpose)	LPP5.19



Policy Type

Local Planning Policy.

Policy Purpose

The purpose of this policy is to:

1. Ensure that mobile telecommunications infrastructure requirements are identified at the earliest stage of planning, having regard to the anticipated form of development and expected resident population.

Commonwealth and State legislation applies to the provision of services such as underground telecommunications (through NBN Co), reticulated water and sewer (through the Water Corporation) and power (through Western Power), which in most instances in the City are provided to lots at the subdivision stage. However, there is no legislative requirement to mandate the provision of mobile telecommunications infrastructure within new development areas, or areas proposed for development.

It is recognised that the provision of mobile telecommunications infrastructure is market-driven, generally in response to the demand on existing infrastructure, or in response to changes in technology.

The Australian Media and Communications Authority estimates that over 90 per cent of Australian households had access to a fixed line internet connection in 2021, however, less than 25 per cent of the Australian population use a fixed-line phone at home. Despite the provision of wired infrastructure to most homes and businesses that enables a fixed-line phone service to be provided, mobile phones remain the preferred method of audio communication.

The Australian Parliament's *Inquiry into the deployment, adoption and application of 5G in Australia* (2020) noted that the emergence of 5G technology will change the nature of how mobile infrastructure is designed, located and integrated with existing infrastructure, and will require collaboration between all tiers of government and the telecommunications industry. It may be necessary for 5G infrastructure to be deployed in locations not typically used for telecommunications infrastructure to provide sufficient coverage, including utility infrastructure.

State Planning Policy 5.2 - Telecommunications Infrastructure (SPP 5.2) applies throughout Western Australia in respect to above and below ground telecommunications infrastructure, other than those facilities exempted under the Commonwealth *Telecommunications Act 1997*.

Clause 6.2 (a) of SPP 5.2 states that:

In the preparation and assessment of structure plans at the local level, consideration should be given to the need for telecommunications services in supporting

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documentation. Early consideration of wireless and mobile phone telecommunication system requirements allows for them to be incorporated into the design process and mitigate any potential visual impacts to the community.

SPP 5.2 aims to balance the need for effective telecommunications services and effective roll-out of networks, with the community interest in protecting the visual character of local areas.

This policy sets out requirements to facilitate the delivery of mobile telecommunications infrastructure, and to ensure this is considered through the structure planning process to facilitate orderly and proper planning

Policy Statement

(1) Definitions

Structure Plan – means a ‘standard structure plan’ and ‘precinct structure plan’, as defined in Schedule 2, Part 4, Clause 14 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

District Structure Plan – means a high-level plan generally prepared over a defined geographical area, which identifies matters such as major infrastructure, public open space and land uses necessary to coordinate the preparation of individual Structure Plans.

Servicing Report – means a technical appendix prepared in support of a Structure Plan proposal which details how future subdivision and development will be serviced by infrastructure, including roads, public open space and utilities.

Telecommunications Carrier – means Telstra, Optus, TPG Telecom (Vodafone) and NBNCo, or another provider licensed to provide a mobile telecommunications service under Section 56 of the Commonwealth *Telecommunications Act 1997*.

Infrastructure Provider – means a company responsible for the development and ongoing management of wireless telecommunications infrastructure but is not licensed to provide a mobile telecommunications service.

Small Cell – means a small-scale radio transmitter used for mobile phone services, typically attached to utility infrastructure (such as street lighting or sub-stations) or a building, which provides coverage to a radius of up to 200 metres.

(2) Structure Plan Requirements

All Structure Plans and District Structure Plans submitted to the City, except for those exempt under Policy Statement (3), must provide written evidence of consultation with Telecommunications Carriers responsible for operating mobile telecommunications infrastructure. The written evidence should be within the section of Part Two (Explanatory Section) which references utility and servicing

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infrastructure, and if applicable as a technical appendix, a separate Servicing Report.

As a minimum, the written evidence must include:

1. details of the existing mobile telecommunications infrastructure within a one (1) kilometre radius of the Structure Plan or District Structure Plan area boundary, including existing coverage mapping, the Telecommunications Carriers using the infrastructure, and the technology provided (i.e. 4G, 5G or wireless NBN); and
2. consideration of the demand for new or upgraded mobile telecommunications infrastructure within the Structure Plan or District Structure Plan area, or within the immediate area, as a result of the forecast resident population and/or number of employees within the Structure Plan or District Structure Plan area.

Where information to satisfy the above is not provided to the City upon receipt of a Structure Plan, the City may advise in writing that the proposal is not able to be assessed and advertised in accordance with Schedule 2, Part 4, Clause 16 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Where a Structure Plan proposes a residential density range, the expected number of dwellings and resident population should be based on the highest density coding.

(3) Exemptions

Compliance with this policy is not required for amendments to an approved Structure Plan where:

1. changes to the residential density will not result in an increase to the expected resident population and/or number of employees; or
2. the amendment seeks only to extend the validity period of the Structure Plan.

(4) Site Identification

Where one or more Telecommunication Carrier or Infrastructure Provider identifies that new mobile telecommunications infrastructure is required and can be suitably located within the Structure Plan or District Structure Plan area, at least one site appropriate for telecommunication infrastructure must be identified within Part Two of the Structure Plan or District Structure Plan, and if applicable, the Servicing Report.

The City will generally not support mobile telecommunications infrastructure on sites designated as public open space (POS) under a Structure Plan or District Structure Plan, except where it can be demonstrated that:

1. the Telecommunications Carrier or Infrastructure Provider identifies that there is not an alternative location for such infrastructure that can provide an

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appropriate level of coverage within the Structure Plan or District Structure Plan area; and

2. the quantum of POS for residential zoned area of the Structure Plan or District Structure Plan exceeds 10 per cent of the gross subdivisional area, excluding the area required for mobile telecommunications infrastructure; and
3. the infrastructure will not inhibit the POS being available for its intended purposes, including active recreation, passive recreation and drainage; and
4. the visual impact of the infrastructure is capable of being mitigated by hard and soft landscaping, or by adjacent built form.

Where a potential site is identified that relies upon Small Cell mobile telecommunications infrastructure being attached to utility infrastructure (such as street lighting, sub-station or pump station) managed by a State utility provider, the applicant should demonstrate evidence of support from the relevant utility provider, and if required, Main Roads WA.

(5) Development Requirements

The identification of a site should not be construed as the City's support for such a development upon approval of a Structure Plan by the Western Australian Planning Commission. All mobile telecommunications infrastructure will require development approval, which may include public consultation, except where such development is otherwise exempt from requiring approval under Town Planning Scheme No.3 or is considered 'low impact' under the Commonwealth *Telecommunications Act 1997*.

(6) Consultation

Where a Structure Plan or District Structure Plan requires public advertisement under the *Planning and Development (Local Planning Schemes) Regulations 2015*, the City will refer the Structure Plan to all Telecommunication Carriers and Infrastructure Providers that operate mobile telecommunications infrastructure.

The City will refer all District Structure Plans to all Telecommunication Carriers and Infrastructure Providers that operate mobile telecommunications infrastructure during the public consultation period.

Under *Industry Code C564:2020 Mobile Phone Base Station Deployment*, a Telecommunications Carrier must respond to a reasonable request by a local government for information relating to the deployment of mobile telecommunications infrastructure.

Where a Telecommunications Carrier or Infrastructure Provider does not respond to the City during the public consultation period, it will be deemed that the Telecommunications Carrier or Infrastructure Provider has not undertaken forward planning regarding the deployment of mobile telecommunication infrastructure within the Structure Plan or District Structure Plan area.

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