



<b>POLICY NO</b>	CP/PMG-3783	
<b>POLICY</b>	Communication Antennae	
<b>RESPONSIBLE DIRECTORATE</b>	Community Development	
<b>RESPONSIBLE OFFICER</b>	Senior Planning Officer	
<b>COUNCIL ADOPTION</b>	Date: 5/10/2016	Resolution No: 11506
<b>REVIEWED/MODIFIED</b>	Date:	Resolution No:
	Date:	Resolution No:
<b>REVIEW DUE</b>	Date: 5/10/2018	
<b>LEGISLATION</b>	<i>Local Government Act 1995  Town Planning Scheme No. 7 – Kununurra and Environs, Town Planning Scheme No. 6 – Wyndham and Environs  Residential Design Codes of Western Australia</i>	
<b>RELATED POLICIES</b>	NA	
<b>RELATED ORGANISATIONAL DIRECTIVES</b>	N/A	

#### **PURPOSE:**

The provisions of this Policy apply to the installation of communication antennae within the Shire's townsite areas, with the exception of residential developments, which are administered by the Residential Design Codes of Western Australia.

The objectives of this Policy are to:

- To minimise the visual impact of satellite dishes, aerials and radio equipment within townsite areas.
- To identify those circumstances in which communication antennae are exempt from the requirement to obtain a development approval from the Shire; and
- To provide guidance for the assessment of applications for communication antennae.
- To ensure that there is no detrimental impact on the amenity of nearby properties.

#### **DEFINITIONS:**

**Communication antennae** means any mast, antennae, aerial, satellite dish or other associated equipment used for the reception or transmission of television or radio signals or for other electronic communications, but does not include telecommunication infrastructure.

**Telecommunications infrastructure** means land use to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in connection with, a telecommunications network.

#### **POLICY STATEMENTS:**

The Shire of Wyndham East Kimberley values the protection of the quality of the streetscape and the amenity of adjoining landowners by minimising the visual impact of communication antennae.

## **1. Requirement for Development Approval**

### **1.1 Satellite Dishes**

Development approval is not required for the erection of a satellite dish where it complies with all of the following criteria:

- (a) the satellite dish is less than 1.2 meters in diameter
- (b) the satellite dish is not located within the street setback area
- (c) the satellite dish is not located on a façade or that portion of a roof which faces, or is visible from the street; and
- (d) the satellite dish is of a similar colour to the roof of the building if it is visible from any nearby properties.

### **1.2 Microwave Antennae**

Development approval is required for the erection of a microwave antennae except where it complies with all of the following criteria:

- (a) the antenna has an area less than 0.6m<sup>2</sup>
- (b) the antenna is not located within the street setback area, or on the façade or that portion of the roof which faces the street; and
- (c) the antenna does not project higher than 3 meters in height above the ridge line of the building except where it is attached to an existing television mast.

### **1.3 Radio Masts**

Development approval is not required for the erection of a radio mast for the transmission and reception of radio signals where:

- (a) it will not be located within the street setback or on the façade or that portion of the roof which faces the street.
- (b) it will not exceed 5 meters in height above the natural ground level; and
- (c) there are no existing radio masts on the lot.

### **1.4 Other exemptions**

Other communication facilities exempt from the requirement to obtain development approval, include:

- (a) mobile communication facilities temporarily located at any one specific place for a period not exceeding one week.
- (b) Emergency service communication operated by a public authority acting in accordance with its statutory responsibilities.

## **2. Applications for Development Approval**

2.1 Where an application is required, the local government may notify surrounding landowners that it considers may be affected by the proposal and will accept submissions within the prescribed timeframes.

2.2 In considering applications for communication antennae which fall outside the requirements for exemption as provided for above, applicants shall be required to address the following criteria, which shall be the basis for assessment and determination:

- (a) The impact on the amenity of the area in which the communication antennae is to be erected, with particular reference to visual impact, including:
  - i. Justifying the size of the proposed structure and how it responds to the scale of the premises and surrounding buildings;
  - ii. Demonstrating how the proposed structure has been located so as not to be visually obtrusive; and
  - iii. Demonstrating how the proposed structure has been designed to integrate with the building or development onsite.
- (b) The potential impact on the reception of telecommunication signals by other owners and occupiers in the vicinity of the site; and
- (c) The comments of any adjacent owners or occupiers in response to notification of the application.

2.3 Approval of communication antennae applications will generally be on the following conditions:

- It is located so as not to be visually obtrusive.
- It has been designed to integrate with the building or development onsite.
- Free standing structures are located at the rear of a building and screened from public view by existing development, fence and/or appropriate landscaping.
- Structures attached to a building are located to minimise the visual impact of the structure against the building and within the streetscape.
- The colour of the communication antennae is integrated with the roof, building and/or surrounding environment in order to minimise the appearance of the structure.
- The overall height of an antennae or mast does not exceed that of the building to which it is attached or with which it is associated.
- The location of the structure should not affect vehicle sight lines, nor detrimentally affect views from surrounding properties.
- Fencing or landscaping is proposed to screen the structure if required.
- The local government may limit a site to a maximum of one communication antennae.

2.4 An application may be refused where the proposed structure is considered by the local government to adversely impact upon any of the following;

- Architectural or historic features of the building and/or surrounding buildings,
- The aesthetics and amenity of the building and/or surrounding buildings;
- The amenity of the streetscape,
- The obtrusive nature of the structure because of its prominent location.

### **3. Building permit requirements**

3.1 All microwave antennae and satellite dishes that are under 1.2 metres in diameter do not require a building permit application, however, shall be constructed and affixed/secured in accordance with the manufacturers recommendations/specifications and compliant with the structural adequacy requirements for the intended cyclonic and wind region.

## EXPLANATORY NOTES:

This policy does not apply to 'low impact' facilities in accordance with the *Low-Impact Facilities Determination 1997*. Facilities that are specified as low impact facilities if installed in particular areas are identified in the Facilities and areas Schedule in Part 3 of the determination, and cannot be a low-impact facility if it is within an area of environmental significance.

This policy should be read in conjunction with State Planning policy 3.1 Residential Design Codes of Western Australia.

## RISK:

**Risk:** Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

**Control:** Review policies and procedures in accordance with review schedule.