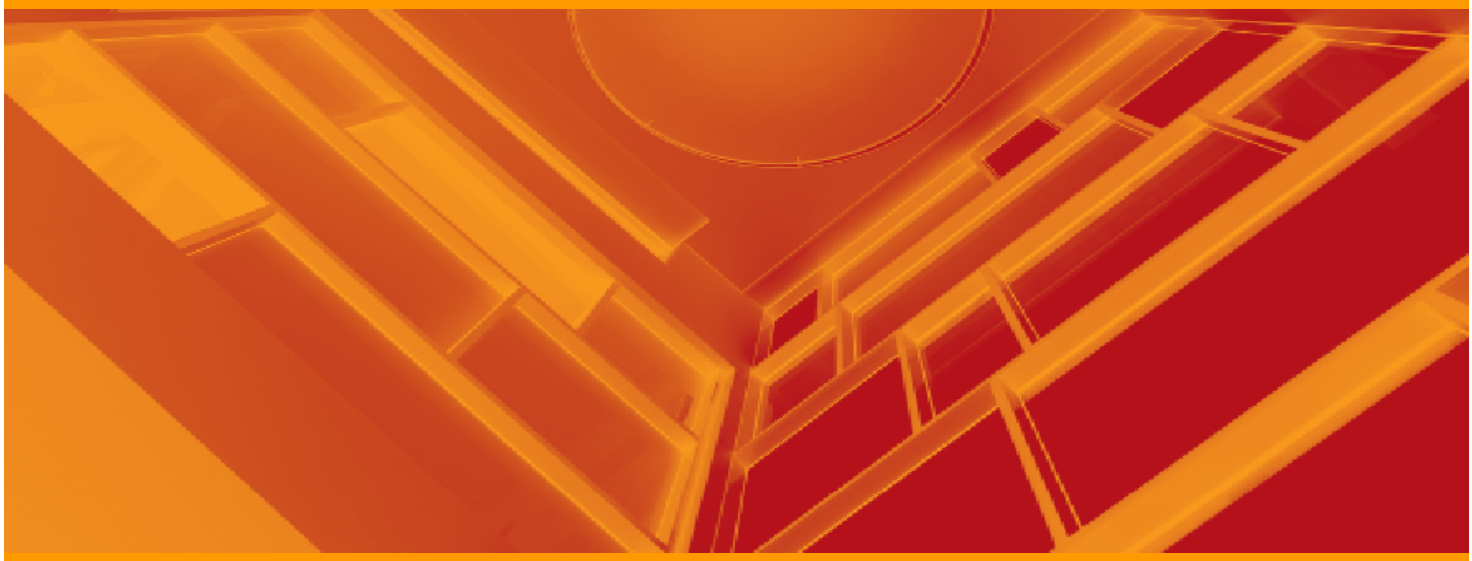
DRAFT RANDWICK CITY COUNCIL
DEVELOPMENT CONTROL PLAN

# F Miscellaneous Controls

Note: For finalisation, Section F2: Development in or near areas of biodiversity significance will be moved and combined with Section B4: Landscaping and biodiversity.


F1 Development in recreation zones
F2 Development in or near areas of biodiversity significance
F3 Outdoor advertising and signage
F4 Sydney Airport planning and noise impacts
F5 Telecommunications and radio communications

# Development in Recreation Zones F1

## 1 Introduction

Randwick City has a great diversity of open spaces, with almost 25% of the city area zoned RE1 (Public Recreation) and RE2 (Private Recreation), recognising their current or intended recreation uses.

RE1 and RE2 zones permit (with consent) a variety of land uses and activities that are considered compatible with the natural, aesthetic and ecological attributes of these two recreation zones.

This DCP section requires development proposed in recreation zones to carefully consider and address any potential adverse impacts on the enjoyment and preservation of areas currently used as open spaces or reserved for future recreation uses.

### 1.1 Objective

- To ensure any proposed development supports and complements the recreational and ecological values of existing or planned recreation areas.

### 1.2 Controls

Development proposed in a RE1 or RE2 zone must demonstrate the following as a minimum:

i) the need for the proposed development on that land;

ii) the need to retain the land for its existing or likely future recreation use;

iii) the impact of the proposed development on the existing or likely future use of the land;

iv) whether the proposed development is complementary to the scenic, recreational and/or ecological values of the land; and

v) in the case of RE1 Public Recreation zoned land, whether the proposed development would:

   a) unreasonably impede or diminish the intended public use or public access to the land;

   b) be consistent with any relevant plan of management adopted by Council.

# Development in or near areas of biodiversity significance F2

This section of the DCP should be read in conjunction with other relevant DCP sections, such as B4 – Landscaping and Biodiversity and B5 – Preservation of Trees and Vegetation.

**This section of the DCP will be combined with B4 – Landscaping and Biodiversity in Part B.**

## 1 Introduction

Areas of biodiversity significance in Randwick City are identified in the RLEP and are either zoned E2 Environment Conservation or identified on the RLEP Biodiversity Map. These identified sites are scattered across the City, including large areas of Eastern Suburbs Banksia Scrub (ESBS) and Acacia terminalis, listed as endangered ecological community or species.

It is of vital importance for development in or adjoining these natural areas to carefully address any potential impacts on the biodiversity values at all development stages.

**Note:**

**S5A of the *EP&A Act* requires a series of factors be taken into account to determine whether a development or activity (under Part 4 or 5 of the Act) is likely to significantly affect threatened species, populations, EEC or their habitats. The Threatened Species Assessment Guidelines have been prepared to help proponents with interpreting and applying the factors of assessment (see OEH's website http://www.environment.nsw.gov.au/threatenedspecies/tsaguide.htm). This assessment of significance is the first step in considering potential impacts. When a significant effect is considered likely, a species impact statement is required to be prepared in accordance with Division 2 of Part 6 of the *Threatened Species Conservation Act 1995*.**

**Other legislation and policies, which also provide guidance for development within/near natural areas, include the *Environment Protection and Biodiversity Conservation Act 1999*, *SEPP 19 Bushland in Urban Areas*, *SEPP 71 Coastal Protection* and *Recovery Plans* prepared by the Office of Environment and Heritage.**

## 1.1 Objective

- To ensure development in or adjacent to areas of biodiversity significance is designed, constructed and operated to appropriately manage the interface between the natural landscape and urban environment and protect the significant fauna and flora habitats.

## 1.2 Controls

Development (including landscape works) in or adjacent to areas of biodiversity significance:

i) must not impact on the environmental processes of natural areas, such as:
   a) erosion of soils
   b) siltation of streams and waterways
   c) overland flows and stormwater runoff
   d) overshadowing
   e) removal or degradation of existing vegetation.

ii) must consider and undertake appropriate protective measures during the design, construction and operation phases, such as:
   a) adequate buffer areas between any building structures and the natural areas
   b) ongoing management arrangements to control invasive species and maintain natural features
   c) silt/protective fencing
   d) erosion and run off controls
   e) appropriate site access points to prevent offsite disturbances, and
   f) clear and informative signage

iii) must select suitable plant species for landscape works ~~after consulting with Council's bushland/landscape officers~~ with consideration of the following general criteria:
   a) Species shall not directly or indirectly jeopardise the functioning of remnant bushland areas, ie. having potential to create monocultures, affect the local native gene pool, impact on the hydrology or alter light levels;
   b) Species should improve on the ecological, cultural and aesthetic values of existing native plant communities and aim to link bushland remnants.

**Note:**

**This is to ensure protection of the genetic integrity of individual species contained in the natural areas through careful sourcing and selection of plant species ~~as advised by Council's bushland/landscape officers~~.**

**Please also contact Council's bushland/landscape officers for advice on selection of appropriate plant species. A list of appropriate site-specific species would be provided upon request.**

# Outdoor Advertising and Signage F3

## Contents


**1 Introduction ..... 2**
1.1 Types of signage and definitions used ..... 2
1.2 Submission Requirements ..... 3

**2 General Design and Siting ..... 4**

**3 Signage based on land use zones ..... 6**
3.1 Residential Zones ..... 6
3.2 Business Zones ..... 6
3.3 Industrial Zones ..... 8
3.4 Special Purpose Zones ..... 8
3.5 Environmental, Recreation and Rural Zones ..... 9

# 1 Introduction

This section provides objectives and controls for the design and siting of outdoor advertising and signage. These provisions intend to protect the streetscape quality from visual clutter while recognising the use of signage in business and retail areas. It applies to all signage within the City. The controls contained within this section complement the provisions of State Environmental Planning Policy No.64 – Advertising and Signage, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and the RLEP.

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls of the DCP; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

To the extent of any inconsistency between this section and any other DCP sections, this section will prevail.

## 1.1 Types of signage and definitions used

**Signage** is a group term under the standard instrument (local environmental plans) order which means *any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:*
*(a) an advertising structure,*
*(b) a building identification sign,*
*(c) a business identification sign,*
*but does not include a traffic sign or traffic control facilities.*

Other land use terms within the 'Signage' group term include:

**Building identification sign** which means *a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.*

**Business identification sign** which means *a sign:*
*(a) that indicates:*
*(i) the name of the person or business, and*
*(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and*
*(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.*

**Advertising structure** means *a structure used or to be used principally for the display of an advertisement.*

The most common types of signs are: fascia signs, wall signs, under awning signs and top hamper signs.

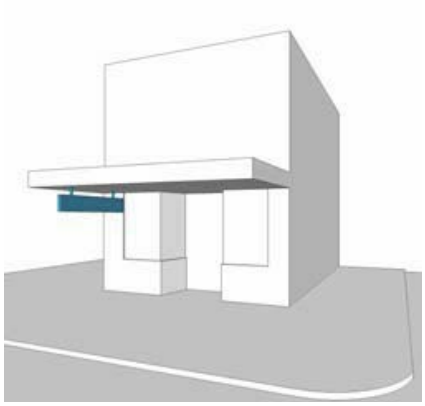
## 1.2 Submission Requirements

Design details of all outdoor advertising and signs are to be submitted with a development application for any building that requires advertising or signage and must include:

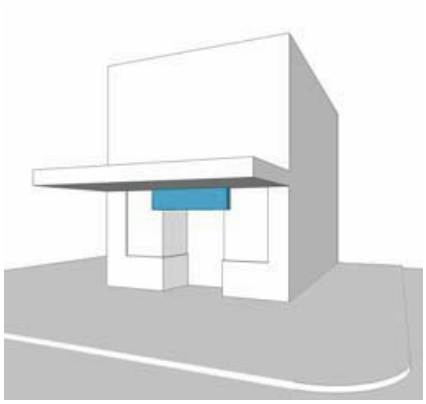
- Details of all advertising proposed for the site, including:
  - Number of signs proposed
  - Location and size of signs proposed
  - Lettering content for each sign
  - Colours to be used.

- Plans drawn to an appropriate scale showing the location and size of all proposed advertising on the building.

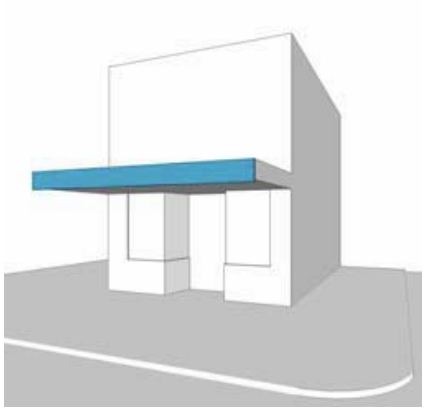
- Photographs showing the site and the relationship of the proposed advertising to that on adjoining buildings and the streetscape.



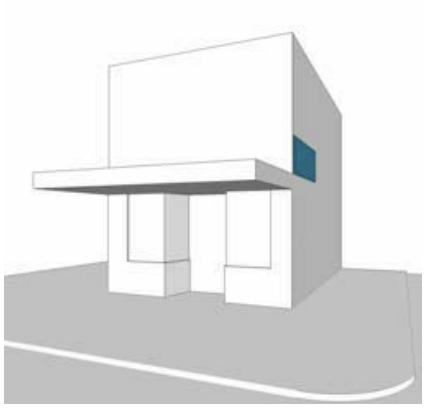
**Under awning signs**



**Top hamper signs**



**Fascia signs**



**Wall signs**

# 2 General Design and Siting

## Explanation

The design and location of outdoor advertising can have a significant effect on the environment. The following matters need to be considered in determining the design and location for outdoor advertising on a building:

- architectural detailing
- existing advertising
- the amenity of the streetscape
- heritage significance of the building(where relevant)

**Note:**

**The objectives and controls in this DCP apply equally to buildings and places listed as Heritage Items or within Heritage Conservation Areas.**

## Objectives

- To facilitate well designed and suitably located signage that allows for the identification of a business, land use, or activity to which the signage relates.
- To ensure that outdoor advertising is in keeping with the scale, character and architectural style or features of the building.
- To ensure any outdoor advertising and signage does not adversely impact on the locality or cause any distraction to road users.

## Controls

i) Signage should recognise the legitimate needs for directional advice, business identification and promotion.

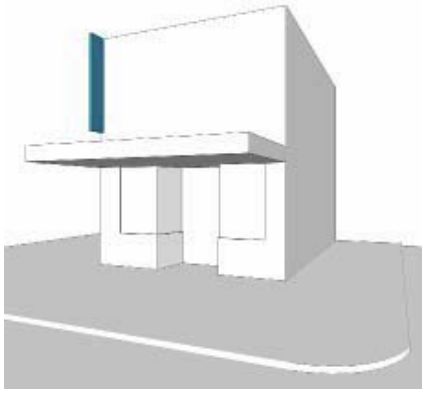
ii) Signage must complement and be compatible with the development on which it is situated and with adjoining development.

iii) Signage should not obscure architecturally decorative details or features of buildings or dominate building facades. It should be placed on the undecorated wall surfaces or designed sign panels provided.

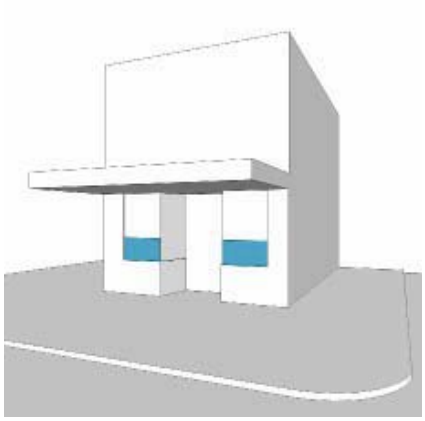
iv) Entire building facades and /or walls must not be painted or covered with cladding or other material to act as a large billboard type.

v) Where a building or site contains multiple tenancies or uses, a coordinated approach for all signs is required.

vi) Signage shall be displayed in English but may include a translation in another language.



**Projecting wall signs**



**Window signs**

vii) Signage erected or displayed on identified heritage buildings or within heritage conservation areas must not detract from the architectural character and heritage significance of such buildings or areas.

viii) Outdoor advertising attached to vehicles or trailers which are parked for advertising purposes will not be permitted.

ix) Signage must not be flashing or animated.

Note: Flashing or animated signs include mechanical moving signs, moving LED signs, video/television screens, projected laser advertising and other flashing, intermittently illuminated or sequenced lighting signs

***Develop patterns and themes in the streetscape. Use advertising to highlight not obscure architectural details.***

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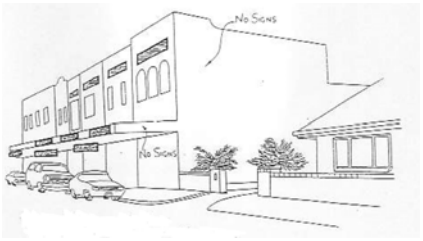
# 3 Signage based on land use zones

## 3.1 Residential Zones

### Explanation

Interspersed throughout residential areas are a number of commercial activities such as corner or mid block shops. These activities and home businesses have a legitimate claim to some form of signage. However, any outdoor advertising or business identification signage should not impinge on the amenity of adjoining or nearby residential housing, particularly in relation to noise, visual amenity and spillage of light.




**Protect residential amenity. Avoid signs facing residential properties**

### Objectives

- To ensure that signs in residential areas are appropriate to the surrounding dwellings.

### Controls

i) Signage must not be illuminated and signage must relate to the use of the building or land.

ii) Minimise signage along boundaries common with residential properties.

iii) Business identification signs (including those for a home business) must not be more than 1.5sqm in area.

iv) Proposals for signage on buildings operating as existing uses or business premises will be assessed against the controls relating to business zones.

## 3.2 Business Zones

### Explanation

The greatest demand and pressure for outdoor advertising is experienced in commercial centres. There is usually a large number of businesses and activities competing for a limited amount of advertising space, each trying to ensure that their message has prominence over other activities, particularly those of a similar nature.

These demands need to be carefully weighed up against the visual impact advertising can have, particularly in relation to the proliferation of advertising that can occur where building facades are obscured by signs.

### Objectives

- To reduce the visual complexity of streetscapes by providing fewer, more effective signs.
- To recognise that outdoor advertising can help to express the character of a commercial district or business centre.

## Controls

i) The size and shape of any signage must relate to the size of the building or space to which it is to be attached to or placed on. Larger building facades are capable of accommodating larger signs without detracting from the appearance of the building.

ii) Signage must not dominate or obscure a building or its architectural features. Advertising should highlight and reinforce architectural details.

iii) Roof signs and advertising structures must not project above the parapet of the building or that part of the building to which they are attached (including signs and bunting mounted on plant rooms or other roof structures).

iv) Avoid fin signs, projecting wall signs and above awning signs (sitting on the awning).

v) The visual amenity and value of streetscapes should be protected through careful consideration of proposals for flush wall signage.

vi) On any building listed as a Heritage Item or situated in a Heritage Conservation Area outdoor advertising (projecting and flush) must not be located above awning level.

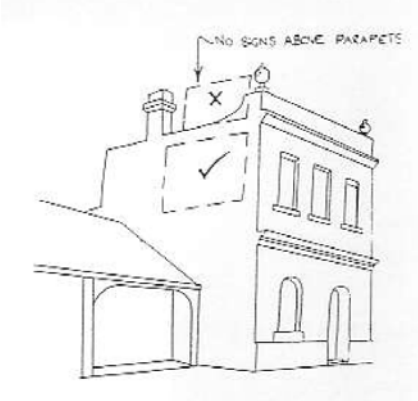
vii) Upper level signs are best located at major focal points of a building only, to advertise arcades, plazas, etc…and to provide as corporate identity for developments which contain a range of businesses.

viii) Outdoor advertising on or attached to buildings must align and relate to the architectural design lines on a building façade or, in the absence of architectural detail or decoration, relate to the design lines of adjacent buildings.

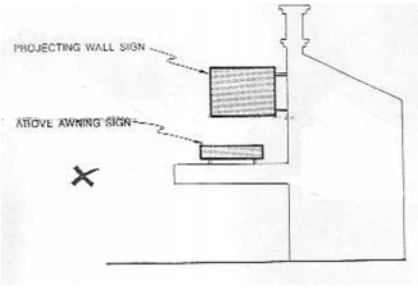
ix) Limit under awning to one per shop or for larger premises one per 6 metres of shop frontage.

x) Under awning signs must be at least 2.6 metres above footpath level.

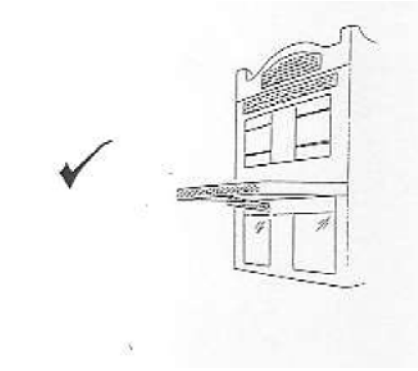
xi) Pole or pylon signs must not exceed the height of adjoining or adjacent buildings, or 6 metres, whichever is the lower.

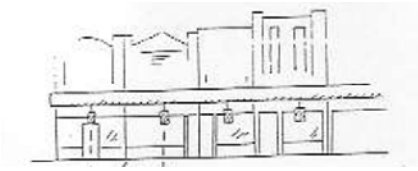



No signs above parapet




Projecting wall signs, fin signs and above awning signs are unsuitable





One under awning sign per shop

## 3.3 Industrial Zones

### Explanation

Industrial areas vary greatly in architectural styles and quality, scale of buildings, siting of buildings, landscaping and the types of land uses.

Many industrial areas may not be visually attractive; however, careful design and location of signage can be an effective mechanism to assist in enhancing the visual quality of the area while at the same time improving communication via advertising.

### Objectives

- To ensure a co-ordinated approach to outdoor advertising is taken where multiple occupancy of sites occurs.
- To minimise visual clutter while contributing to the identity of the area and the streetscape.

### Controls

i) The design and location of signage should be placed on fewer, larger signs.

ii) Signage should be integrated with onsite landscaping.

iii) Signage should not visually dominate the area of building walls, parapets or landscaped areas.

iv) Larger multiple occupancy industrial developments should be identified by one or two signs or directory boards at the entrance identifying the names and activities of the occupants.

v) Signage for each unit in a multiple occupancy development should be of a uniform size, shape and general presentation.

vi) Signage must relate to the use of the building or land.

vii) Avoid lines of bunting draped between poles and /or buildings.

## 3.4 Special Purpose Zones

### Explanation

Special Purpose zones are used to accommodate various specialist activities usually associated with the provisions of services by Government or public authorities such as schools, churches, hospitals, state and regional roads, drainage and other utility works.

These activities may be located in the midst of residential areas and care needs to be taken that any outdoor advertising does not impinge on the amenity of these areas.

Generally, advertising unrelated to the use of the land is not appropriate and should be limited.

### Objective

- To facilitate quality outdoor advertising and signage for identification and public information purposes of activities carried out or services provided on site.

### Controls

i) Signage must not be flashing or animated.

ii) Signage must be designed and located so that it forms an integral part of the building or land upon which it is situated.

iii) The number of signs should be kept to a minimum. Where possible signs should be grouped together. Avoid a proliferation of advertising material.

## 3.5 Environmental, Recreation and Rural Zones

### Explanation

Recreation zoned areas can accommodate a variety of activities and land uses including public and private recreation facilities. There is a legitimate need for adequate directional and identification signage in these areas.

Environmental zoned areas are visually and environmentally sensitive and as such any outdoor advertising and signage must be sympathetic to these sensitivities. This is also important in the Rural zone, while recognising the need for business identification for any primary/ rural industries.

### Objectives

- To ensure the environmental and scenic qualities are protected from inappropriate signage.

- To allow for appropriate promotional and directional advertising and signage to identify both public and private recreation facilities.

### Controls

i) The location, number and size of signs and the use of shapes, colours and construction materials should ensure that outdoor advertising is low key in appearance.

ii) Signage must not be illuminated, flashing or animated except where it can be demonstrated that this would be for temporary periods only (eg. scoreboards on sports fields) and measures are proposed to minimise impacts on surrounding properties.

iii) Signage must relate to the activities carried out or facilities available on the land on which the sign is erected.

# Sydney Airport Planning and Noise Impacts F4

## Contents


**1 Introduction ..... 2**
1.1 Objective ..... 2

**2 Airspace operations ..... 3**

**3 Aircraft noise ..... 4**

# 1 Introduction

Randwick City is located in close proximity to Sydney's Kingsford Smith Airport. As a major airport it has published an 'Australian Noise Exposure Forecast' (ANEF) which relates to the forecast aviation activity for the next 20 years. The ANEF is a measure of aircraft noise exposure and frequent of flights shown as contours on a map updated from time to time by Airservices Australia.

The ANEF chart for ~~2029~~ 2033 ~~of the predicted noise levels, based on the flight path, frequency, time and type of aircraft flying over an area, is contained within the Sydney Airport's Master Plan 2009. It~~ identifies parts of Coogee, South Coogee, Randwick and Kingsford where development needs to consider noise attenuation.

The effective and ongoing operation of Sydney Airport and the protection of the community also require development to be within set heights identified on the Obstacle Limitation Surface (OLS) map and the Procedures for Air Navigation Systems Operations Surface (PANS-OPS) as prepared by the airport operators and endorsed by the Commonwealth.

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

**Note:**

**The ANEF contours as endorsed by Airservices Australia can be found on the Sydney Airport website (http://www.sydneyairport.com.au/corporate/community-environment-and-planning/master-plan.aspx )**

## 1.1 Objective

- To assist applicants to identify height restrictions, suitable building design and noise attenuation measures, in areas affected by the operation of Sydney Airport.

# 2 Airspace operations

## Explanation

To ensure the safe operation of the airport, limits on the heights of buildings are prescribed along flight paths.

In Randwick City, development proposals (including temporary buildings or structures) with a height of 15.24m AHD or greater must be referred to the Sydney Airport Corporation Limited (SACL) for approval in accordance with Clause ~~6.7~~ 6.8 of RLEP. Any SACL approved height includes lift over-runs, chimneys, aerials, antennas, etc.

A separate approval from SACL is also required to operate construction equipment (such as cranes used for the construction of buildings), prior to the commencement of works.

Note: In relation to short term temporary buildings or structures, an application must be made to Sydney Airport at least 28 days before commencement of the activity.

**Refer to Clause 6.8 Airport operations of the RLEP 2012.**

**Note:**

**Refer also to the National Airports Safeguarding Framework for relevant guidelines (http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/ ).**

## Controls

i) Submit to Council accurate and detailed drawings clearly indicating the height levels (above AHD) of various roof elements (including parapet, lift overrun, roof ridge and roof-mounted installations) ~~to AHD~~ for referral to SACL.

ii) Landscaping must consider bird and obstacle hazard management and ensure trees to be planted are not capable of intruding the Obstacle Limitation Surface when mature (ie over 15 metres).

iii) Submit to Council details on the proposed height of any crane that may be used during construction works for referral to SACL.

# 3 Aircraft noise

## Explanation

All development located on land near or within an ANEF contour of 20 or greater that Council considers is likely to be adversely affected by aircraft noise must comply with Clause 6.9 of the RLEP.

Parts of Coogee, South Coogee, Randwick and Kingsford fall within the 20 ANEF contour. Development proposals in these areas, which involve the creation of additional number of dwellings or substantial alterations to existing residential buildings, ~~should~~ are encouraged to submit a Pre-Lodgement Application to Council. This is to ensure that potential noise issues are identified ~~at an~~ early ~~stage~~ and that relevant mitigation measures are appropriately addressed in the ~~Development Application~~ DA.

**Refer to Clause 6.9 Development in areas subject to aircraft noise of the RLEP 2012.**

**Note:**

**Refer also to the National Airports Safeguarding Framework for relevant guidelines (http://www.infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/ ).**

## Controls

i) Development proposals potentially affected by aircraft noise must incorporate suitable noise mitigation measures based on the recommendations of an appropriately qualified acoustics consultant.

ii) ~~The introduction of~~ Acoustic measures ~~to reduce aircraft noise must where possible integrate~~ should demonstrate sustainable design principles, maintain reasonable internal amenity and not unacceptably detract from the building or streetscape value of an area.

~~**Note:**~~

~~**Refer also to *Guidelines for Development in the Vicinity of Airports* being prepared by the National Airports Safeguarding Advisory Group.**~~

# Telecommunications and Radiocommunications F5

## Contents


**1 Introduction ..... 2**
1.1 Objectives ..... 2
1.2 Definitions ..... 3

**2 Legislation and Regulatory Framework ..... 4**
2.1 Commonwealth legislation ..... 4
2.2 State legislation ..... 5

**3 Consultation Requirements for Low-impact Facilities ..... 5**

**4 Development Application Lodgement Requirements ..... 6**

**5 Design Controls ..... 7**
5.1 Visual amenity ..... 7
5.2 Co-location ..... 8
5.3 Location ..... 8
5.4 Heritage and Environment ..... 8
5.5 Facility physical design controls ..... 9
5.6 Facility health controls ..... 9

**Appendix F5-1:Checklist for Low Impact Facilities and Non Low Impact Facilities ..... 10**

# 1 Introduction

This DCP section applies to telecommunications and radiocommunications facilities and their supporting infrastructure and ancillary development under the following legislation:

- Telecommunications Act 1997
- Telecommunications Code of Practice 1997
- Radiocommunications Act 1992
- Telecommunications (Low-impact Facilities) Determination 1997, made pursuant to the Telecommunications Act 1997

Council does not have regulatory control over "low impact facilities". The Commonwealth Low-impact Facilities Determination (LIF Determination) exempts low impact facilities from State and Territory planning and environmental laws.

**Note:**

**Refer to the Comlaw website (http://www.comlaw.gov.au) for the current version of the LIF Determination.**

Most new or upgraded infrastructure does not require Council consent under the Commonwealth or State legislation such as the LIF Determination, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and State Environmental Planning Policy (Infrastructure) 2007.

This section of the DCP aims to provide controls and guidelines for the siting, design and installation of telecommunications and radiocommunications facilities that require development consent from Council. While it does not contain regulatory control over low impact facilities, this section can assist as a guide for telecommunications carriers for the siting, design and installation of low impact facilities.

## 1.1 Objectives

- To ensure the effective, efficient and suitable provision of telecommunications and radiocommunications infrastructure so that it achieves social, environmental and economic sustainability, and specifically:

### Social

- To apply a precautionary approach to the deployment of telecommunications and radio-communications infrastructure;
- To minimise EMR exposure to the public;
- To avoid community sensitive locations;
- To ensure that the general public and local communities have access to telecommunications technology;
- To achieve equity for the various stakeholders by endeavouring to balance their various needs;
- To enable the community to adequately identify infrastructure and the agencies responsible for them;
- To outline the planning process to ensure that the community is adequately informed and empowered to participate in the planning/decision-making process.

### Environmental

- To help implement principles of quality urban design in respect to telecommunications and radiocommunications infrastructure;

- To ensure infrastructure is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons;
- To minimise adverse impacts on the natural environment;
- To assess whether the proposed infrastructure is consistent with the amenity of the area;
- To ensure sites are restored after discontinuation or removal of infrastructure.

**Economic**

- To identify the type of land use areas suitable for this type of infrastructure in a local government area;
- To accommodate the planning requirements of new technology;
- To assess whether the proposed infrastructure is consistent with permitted development in adjacent areas;
- To ensure reasonable access to telecommunications technology;
- To provide certainty for stakeholders and a consistent approach to the implementation/assessment of telecommunications infrastructure.

## 1.2 Definitions

**Note:**

**The terms, used in this DCP section, have the following meanings. The definitions included here are for the purpose of clarification only and do not supplant the definitions in relevant legislations.**

**Electromagnetic radiation (EMR)** means the radiation in the microwave and radiofrequency band of the electromagnetic spectrum.

**Low-impact telecommunication facility (LIF)** means a low-impact facility within the meaning of the Telecommunications (Low-impact Facilities) Determination 1997 of the Commonwealth made under the Telecommunications Act 1997 of the Commonwealth.

**Non-Low impact facility** means a telecommunications facility that is **NOT** exempted from State and Council planning control under the Telecommunications (Low-impact Facilities) Determination 1997.

**Radiocommunications facility** means a base station or radiocommunications link, satellite-based facility or radiocommunications transmitter.

# 2 Legislation and Regulatory Framework

## 2.1 Commonwealth legislation

### Telecommunications Act 1997

The Telecommunications Act 1997 establishes a regime for Carriers' rights and responsibilities when inspecting, maintaining or installing telecommunications facilities.

### Radiocommunications Act 1992

The Radiocommunications Act 1992 regulates radiocommunications transmitters. It provides for the licensing of radiocommunications equipment and applies mandatory standards to its use.

### Telecommunications Code of Practice 1997

The Telecommunications Code of Practice 1997 establishes obligations on carriers in land-access situations such as when inspecting land, installing low impact telecommunication facilities and maintaining such facilities. It also requires carriers to comply with recognised industry codes and standards.

### Telecommunications (Low-impact Facilities) Determination 1997

The Telecommunications (Low-impact) Facilities Determination 1997 exempts telecommunications infrastructure classified as "low impact" from compliance with State and Local Government regulations. This classification relates primarily to visual appearance and size, rather than emissions.

### Industry Code for the Mobile Phone Base Station Deployment (C564:2011)

The Code is designed:

- to allow the community and councils to have greater participation in decisions made by Carriers when deploying mobile phone base stations; and
- to provide greater transparency to local community and councils when a Carrier is planning, selecting sites for, installing and operating Mobile Phone Radiocommunications Infrastructure.

Although the Code cannot change the regulatory and legislative regime at local, State or Federal level, it supplements the existing requirements already imposed on Carriers by requiring them to consult with the local community and to adopt a precautionary approach in planning, installing and operating Mobile Phone Radiocommunications Infrastructure.

### 2.2 State legislation

#### State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP prescribes circumstances where the development of telecommunications facilities can be carried out as:

- exempt development,
- development permitted without consent (an assessment process under Part 5 of the EP&A Act is required),
- complying development, or
- development permitted with consent.

It also outlines relevant requirements relating to notification, site selection, design, construction and operation.

#### State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The Codes SEPP allows certain types of communications dishes (radio and satellite) to be installed as exempt development.

#### NSW Telecommunications Facilities Guidelines Including Broadband 2010

The Guideline outlines the State wide planning provisions and development controls for telecommunications facilities in NSW contained in the Infrastructure SEPP and provides guidance to facilitate the roll out of broadband in NSW.

## 3 Consultation Requirements for Low-impact Facilities

While development consent is not required for low-impact facilities, as part of a carrier's consultation obligations, Council requires a written notification demonstrating compliance with the relevant sections of the Code and provision of the information listed in the checklist (Appendix 1). Other consultation requirements for low-impact facilities include:

i) The carrier is to consult with affected community, irrespective of Council boundaries, as required by the Code;

ii) The applicant is to consult with Council about a consultation strategy;

iii) Consultation must be commensurate with the anticipated impact of the facility;

iv) The applicant must make reasonable endeavours to conduct consultation in such a way that local communities are informed about the proposal and able to comment on it;

v) For each proposed facility, a sign must be erected notifying the intention of the carrier to erect infrastructure

on site and providing the name and contact details of the carrier, consistent with the Code;

vi) For each completed facility, a permanent and legible weatherproof sign must be publicly visible in the immediate proximity of the facility and visible to the general public, to identify the name and contact details of the operator or site manager, consistent with the Code;

vii) The applicant must provide council and any other interested party with the results of its community consultation undertaken for facilities covered by the LIF Determination.

# 4 Development Application Lodgement Requirements

The applicant is to provide information about the existing infrastructure of that carrier in the area to assist with Council's consideration of this application.

The applicant is to provide Council with:

i) its rationale for deciding the category or type of the development (i.e. low-impact facility or non-low impact facility);

ii) an EMR assessment in accordance with the ARPANSA prediction methodology and report format as described in the Code;

iii) a $360^{o}$ prediction map of exposure levels at 1.5m above publicly accessible surfaces within 300m and listed as a likely community sensitive location in the Code, or for other sites upon request;

iv) the information listed in the checklist (see Appendix 1);

v) photomontage/s of the proposed facility in context of the location;

vi) the results of any community consultation process;

vii) statement of environmental effects; and

viii) site and locality analysis. See the Design section in Part B for further requirements on site/locality analysis.

Telecommunication facility (i.e. mobile) providers must provide compliance evidence that indicates that exposure details contained in the application are true and accurate, consistent with the Code. Other radiocommunication infrastructure providers must provide an EMR compliance certificate as to exposure details in the application.

# 5 Design Controls

## 5.1 Visual amenity

i) Antennas, cabinets and supporting infrastructure should be designed to minimise or reduce the visual and cumulative visual impact from the public domain and adjacent areas.

ii) Within the local context, the infrastructure design must take account of:

a) colour;
b) texture;
c) form;
d) bulk and scale.

iii) Infrastructure must:

a) be well-designed;
b) be integrated with the existing building structure unless otherwise justified in writing to Council;
c) have concealed cables where practical and appropriate;
d) be unobtrusive where possible; and
e) be consistent with the character of the surrounding area.

iv) Minimise the visual impact of a telecommunications or radiocommunication facility by:

a) integrating the facility with the design and appearance of any building or structure on or within which it is located;
b) screening any equipment associated with the facility so as to reduce its visibility;
c) avoiding the obstruction of views of significant vistas, significant landmarks or items of environmental heritage;
d) Locating the facility away from the street frontage as much as practicable; and
e) ensuring that the scale, colour and finishes of the facility are in keeping with the streetscape and locality.

v) Infrastructure must be removed when no longer being used. The site must be restored following construction of the infrastructure.

## 5.2 Co-location

Co-location is the practice of locating a number of different telecommunication facilities, often owned by different carriers, on one facility or structure. Co-location may not always be a desirable option where:

- cumulative emissions are a consideration;
- it may be visually unacceptable;
- there are physical and technical limits to the amount of infrastructure that structures are able to support; or
- the required coverage cannot be achieved from the location.

i) Co-locate facilities (where possible) or demonstrate why the co-location with other facilities in the vicinity is not viable;

ii) Demonstrate a precautionary approach and effective measures to minimise any negative impacts of co-location.

## 5.3 Location

i) Demonstrate that, in selecting a site, that the applicant has adopted a precautionary approach in regards to minimising EMR exposures consistent with the Code. Preferred locations and land uses (as determined by Randwick Council) include:

   a) industrial areas;
   b) special uses where co-location arises, such as university, hospital and port uses; and
   c) business centres.

ii) Demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas:
   a) where occupants are located for long periods of time (e.g. residences); and
   b) that are frequented by children (e.g. schools, child care centres).

## 5.4 Heritage and Environment

While infrastructure proposed for areas of environmental significance cannot be carried out as low-impact facilities under the LIF Determination, the Infrastructure SEPP permits certain development in areas of environmental significance to be carried out as exempt or complying development or development permitted without consent.

If development consent is required, the applicant must:

i) Demonstrate how the proposed facility avoids or minimises the visual impact on the heritage significance of heritage items and heritage conservation areas;

ii) Provide a heritage impact report/statement if the proposal involves a heritage item or is located within a heritage conservation area; and

iii) Demonstrate how the proposed facility avoids or minimises the physical impact on any endemic flora and fauna. Refer to the RLEP Biodiversity Map for location of areas with biodiversity significance.

## 5.5 Facility physical design controls

i) Infrastructure must be of high quality design and construction. Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under the Code.

ii) The plan for the facility must include measures to restrict public access to the antenna(s). Approaches to the antenna(s) must contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner/manager.

iii) Where relevant, proposals must comply with the BCA for purposes of construction and the relevant exposure levels as directed by the Australian Communications Authority (ACA). Provide Council with certification about the standards with which the facility will comply.

iv) Proposals should also consider:

a) minimising transmitter power to that required to achieve coverage requirements;
b) choosing or designing antenna(s) which minimise emissions in directions not required for coverage;
c) selecting the option that results in the lowest exposures (if alternative sites are available or if there are different options for mounting antenna(s) on a single site).

## 5.6 Facility health controls

i) Provide documentation to show that the proposed facility complies with the relevant Australian Exposure standard as specified by the ACA.

ii) Demonstrate the precautions taken to minimise EMR exposures to the public.

iii) Provide a mapped analysis of cumulative EMR effect of the proposal.

## Appendix F5-1: Checklist for Low Impact Facilities and Non Low Impact Facilities

| Information Requirements | Required Yes/No | Supplied Yes/No |
|---|---|---|
| Has the proponent provided council with its information on infrastructure in this council's jurisdiction? | | |
| Is the proposal low impact? | | |
| Is the proposal not low impact? | | |
| Has adequate justification been provided for this proposed location? | | |
| Has the proponent provided a 360° map of predicted exposure levels at 1.5m above publicly accessible surfaces within 300m and listed as a likely community sensitive location in the Code? | | |
| Has the proponent provided cross sectional diagrams? | | |
| Has the proponent provided a photo montage of the facility in context of the location? | | |
| Has the proponent provided a community consultation proposal where required under the Code? | | |
| Has the proponent provided a heritage report/impact statement in accordance with Council's LEP (if required)? | | |
| Has the proponent provided professional certification that exposure details contained in the application are true and accurate? | | |
| ***Location*** | | |
| Has the proponent demonstrated that, in selecting a site, it has adopted a precautionary approach in regards to minimising Electromagnetic Radiation exposures? | | |
| Is the facility in a preferred land use area? | | |
| If the facility is in a sensitive area? | | |
| ***Site analysis*** | ***Yes/No*** | ***Yes/No*** |
| Is the proposed site within 300m of a school, adjacent to a playground, child care centre or on a listed heritage item? | | |
| Has the proponent submitted a scaled site and adjacent locality analysis plan showing: | | |
| • existing vegetation; | | |
| • site boundaries and dimensions | | |
| • topography | | |
| • location of existing buildings; | | |
| • views to and from the proposed site; | | |
| • location of sensitive land uses? | | |
| ***Public consultation*** | ***Yes/No*** | ***Yes/No*** |

| Information Requirements | Required Yes/No | Supplied Yes/No |
|---|---|---|
| Has the proponent consulted with affected adjoining councils (where relevant)? | | |
| Has the proponent consulted with council about how best to conduct community consultation? | | |
| Does the proposal provide for visible permanent signage on site? | | |
| Has the proponent advised relevant community groups? | | |
| Has the proponent placed an advertisement in the local paper (if appropriate)? | | |
| Has the proponent conducted a public meeting (if appropriate)? | | |
| Has the proponent provided council with the results of its community consultation process? (if appropriate) | | |
| Has the proponent adequately considered the issue of non-English speaking communities? | | |
| Has the proponent erected a sign on site notifying of its intention to construct that provides its contact details for facilities covered by the LIF Determination? | | |
| ***Design controls / Council's requirements*** | | |
| ***1. Visual amenity*** | | |
| Has the facility been designed so as to minimise visual impact from the public domain? | | |
| Does the design minimise or reduce the cumulative visual impact from the public domain? | | |
| Does the design take account of: | | |
| • colour; | | |
| • texture; | | |
| • form; | | |
| • bulk and scale? | | |
| Is the facility?: | | |
| • well designed; | | |
| • integrated with existing building structure; | | |
| • incorporating concealed cables; | | |
| • integrating the shelters with building structure; | | |
| • unobtrusive; | | |
| • consistent with character of the surrounding area? | | |
| Does the plan include removal of the infrastructure when it is redundant? | | |
| Does the plan include restoration of the site following construction of the infrastructure? | | |
| ***2. Co-location*** | | |
| Does the plan require co-location? If so, | | |

| Information Requirements | Required Yes/No | Supplied Yes/No |
|---|---|---|
| • does it result in an unacceptable visual impact? | | |
| • does it minimise cumulative emissions for neighbouring residents or other sensitive land uses? | | |
| ***3. Environment and heritage*** | | |
| Is the infrastructure in a heritage area/on a heritage building/in the vicinity of heritage items requiring development consent? | | |
| Have measures been implemented to reduce visual impact on the heritage item or conservation area? | | |
| Has the proponent provided a heritage impact report/ statement? | | |
| Has the proponent considered minimising physical impact on flora & fauna? | | |
| ***4. Facility physical design controls*** | | |
| Has the carrier demonstrated that the infrastructure is of high quality design and construction? | | |
| Does the plan include measures to restrict public access to the antenna(s)? | | |
| Does the facility comply with the Building Code of Australia (not relevant for facilities covered by the LIF Determination) and other relevant Australian standards? | | |
| ***5. Facility health controls*** | | |
| Has the proponent demonstrated the measures it has taken to minimise Electromagnetic Radiation exposures in the adjacent area? | | |
| Has the proponent provided a statement that the proposed facility complies with the relevant Australian exposure standard? | | |
| Are any emissions other than electromagnetic expected? | | |