



Council Policy

Masts, Aerials and Flagpoles

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Policy Objective

This policy seeks to provide clarity for landowners on the types of masts, aerials and flagpoles that may be placed on land without Council approval.

Background

With rapidly changing technology, alternate ways of linking residences or businesses to the outside world electronically are increasing and they are becoming more affordable. Transmission aerials and masts can have a pronounced effect upon the visual qualities of a lot and the amenity of the neighbouring properties. Where microwave and satellite dishes are attached to tall structures the effect is substantially increased.

With on-going changes to the character of Albany, and the continual growth of the urban population, enquiries are being received from private individuals and businesses to place flagpoles upon properties for reasons such as a desire to fly the Australian flag and to display company logos.

The Building Code of Australia and the Town Planning and Development Act are both silent on whether flagpoles, masts and aerials constitute development and no local law exists to control the appearance, height or impact of these structures. This policy is created as a development policy under clause 7.21 of the Town of Albany Town Planning Scheme 1A and it will have the legislative support of the Town Planning and Development Act 1928 (as amended).

This policy does not apply to structures erected in accordance with a development consent for the purposes of providing security lighting to premises or to those structures approved as pylon signs pursuant to Council's Signs Local Law, The policy also does not seek to modify or reduce any rights made available to national telecommunication carriers under the Commonwealth Government's telecommunications legislation.

Interpretation

For the purposes of this policy;

The words "mast", and "aerial" shall include any slimline structure erected, latticed framework or architectural feature exceeding a height of 5 metres, attached to a building or free-standing upon land used for the transmission or receipt of a radio, television or other electronically communicated signal.

The word "flagpole" shall include any structure for the purposes of flying a flag, supporting bunting or other similar removable object.

The policy equally applies irrespective of whether the mast, aerial or flagpole is constructed of steel, timber, aluminium, plastic, fibreglass or composite materials.

General

- (a) No transmitting satellite or microwave dish shall be placed upon land zoned 'Residential' unless special approval has been granted by Council.
- (b) Council will generally not support an application to place an aerial or mast upon a lot zoned 'Residential' where a microwave or satellite dish is located on that structure and it is being used for the purpose of "transmitting" an electronic signal.
- (c) Council will generally not support the placement of a mast or aerial upon land zoned 'Residential' where the landowner seeks to place a satellite or microwave dish upon that mast or aerial and the "receiving" device is positioned at a level higher than the ridge line of the residence or business located on the subject land.
- (d) A landowner may erect a single mast, aerial or flagpole not exceeding 10 metres in height or a number of aerials, the aggregated height of which does not exceed 10 metres, upon a lot without Council's approval, provided the mast, aerial or flagpole is located more than 2 metres from the property boundary, other than a road frontage.
- (e) The use of a single slimline pole is preferred to lattice towers or structures as the visual effect of a single pole upon an adjoining property is less than a lattice tower or structure.
- (f) With the exception of specified television aerials, no mast, tower or flagpole exceeding a height of 10 metres, or which the aggregate height of which exceeds 10m, shall be erected or placed upon a lot without Council's prior written consent. The applicant shall gain a Notice of Planning Consent and a Building Licence for the structure. Appropriate documentation to substantiate that the structure is structurally sound and it will have minimal effect upon adjoining properties should be supplied with the application.
- (g) For the purposes of determining the height of a mast, aerial or flagpole, the following principles shall be applied:
 - Where the mast is located upon the ground, the height shall be that measurement from natural ground level to the upper-most portion of the structure:
 - Where it is attached to a building the height shall be that measurement from floor level of the uppermost floor of the building, (immediately below the base of the aerial) to the uppermost portion of the supporting structure.

The structure shall not include any antennae, dish, wire, rope or support, which does not form a structural component of the structure.

Television Aerials

Council's approval is not required for a TV aerial below 20 metres in height, provided the aerial is of tubular steel construction not exceeding 70 mm in external diameter, the structure is installed by a registered aerial installer and the aerial only supports a standard UHF or VHF tubular aluminium receiver.

Flagpoles

Upon land zoned 'Residential' a landowner may erect a single slimline pole not exceeding 170mm in width/diameter and 6 metres in height from which may be flown an official flag, (as determined by the Commonwealth Government) during daylight hours. Where the flag is flown *after* dark, it must be floodlit in such a manner that it does not cause inconvenience to adjoining landowners or create a traffic hazard to motorists using adjoining streets.

Upon land used for recreational, public purposes, commercial or industrial activities, a single flagpole not exceeding 12 metres in height may be erected for the purposes of flying an official flag, (as determined by the Commonwealth Government), or a flag displaying a company or organisation's logo. In addition thereto, one other flagpole not exceeding 12 metres in height may be erected on the land for the purposes of displaying an official flag (as determined by the Commonwealth Government).

Upon any flagpole, a maximum of one flag may be flown. Where an organisation or company seeks to fly a flag, banner or similar item, which is not specified in the preceding paragraph, the flagpole shall be treated as a hoarding, pursuant to Council's Sign Local Law and the provisions of that local law shall apply.

Building Sites And Display Villages

Within a 'Residential' or 'Tourist Residential' zone, a builder or real estate agency may display the company logo upon a flag flown from a flagpole provided:

- (a) The flagpole does not exceed a height of 6 metres;
- (b) The flag is only displayed during the period the development is under construction;
- (c) In the case of an approved display home/village, the flag is displayed only during the period that the village is under construction or open for viewing;
- (d) The flag is only displayed during daylight hours: and
- (e) Only one flag is displayed on the lot (s) per 25 metre of property frontage.

Masts

On land used for industrial or commercial purposes, Council may approve communication masts with a maximum height of 15 metres provided microwave and satellite receival/transmission dishes are positioned no higher than 10 metres above ground level. Where a number of businesses are located on a site, or within close proximity of each other, Council will encourage businesses to co-locate upon a single mast unless technical advice is supplied to indicate that the quality of transmission/receival will be seriously affected by that co-location.

On land zoned 'Residential' no mast should be erected which will severely impact upon the visual amenity or the physical safety of the occupier(s) of the land or adjoining properties. On lodging an application for approval for a mast, an applicant shall also supply to Council a copy of the licence issued to the landowner, pursuant to Telecommunications Act to use transmitting facilities.

Satellite Dishes:

A Notice of Planning Consent (Planning Permit) is required to erect a Satellite Dish in a residential area except where it complies with the following:

1. The Dish has a diameter not greater than 900mm;
2. The Dish is not located on the facade or roof of a building fronting a public road;
3. The Dish is not within any street setback area;
4. The Dish does not project above the ridge line of a building;
5. The Dish is coloured in a similar colour to the roof of the building if it is visible from any nearby properties; and
6. There are no existing Satellite Dishes or Microwave Antennas on the lot.

MSD (Microwave) Antennas:

A Notice of Planning Consent (Planning Permit) is required to erect an MDS (Microwave) Antenna in a residential area except where it complies with the following:

1. The Antenna has a diameter not greater than 500mm;
2. The Antenna does not project higher than 3m above the ridge line of the building except where is attached to an existing television mast;
3. There are no existing Satellite Dishes or Microwave Antennas on the lot.