

Communications Antenna Policy

It has been noticed that while the public benefits from the convenience of personal wireless facilities for home, business and emergency services, as they are currently deployed in Seychelles, personal wireless facilities have the following impacts:

- ①. Detract from the natural beauty and tropical scenic resources of the islands;
- ②. Cause opposition from concerned neighbours as to the placement of personal wireless facilities on nearby residential property;
- ③. Are incompatible with residential land uses;
- ④. Are capable of blighting and disrupting nearby residential and scenic area, and thereby decreasing property values; and
- ⑤. Depart from existing patterns of development;

General Guidelines and Requirements

The location of personal wireless facilities within the country is a matter of national resource management. The economy of our little country depends heavily on the tourism industry. This industry in return, relies on the untouched and natural beauty of our islands.

1. Purpose

The purpose of this policy is to establish guidelines for the siting of towers and antennas. However, the goals are as follows:

- ①. Encourage the location of towers in non-residential areas and thus minimizing the total number of towers throughout the islands.
- ②. Encourage users of towers to locate them, as far as practicable, in areas where adverse impact on the community is minimal.
- ③. Encourage users of towers to configure them in a way that minimises the adverse visual impact of towers and antennas. That is, the selection of sites with existing natural screen such as woodlands, large parks and forests, rather than areas which are at strategic points, totally exposed or of considerable natural beauty.
- ④. Encourage the use of Government property for siting of personal wireless facilities.
- ⑤. Delegate co-location of existing tower sites where technically and economically feasible.
- ⑥. Enhance the ability of telecommunication service providers to provide their services to the public more effectively and efficiently.

2. Inventory of Existing Towers

All telecommunications service providers and broadcasters are required to provide the Ministry with an inventory of its existing towers including specification information about the location, height, and design of each tower. The Ministry may share such information with other applicants seeking to locate similar towers. However, the Ministry is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

3. Approval Process

Process of evaluating proposals for personal wireless facilities is to encourage opportunities for co-location of equipment. Hence, prior to approval, other licensees of similar services will be notified regarding the use of the property for the purpose of siting personal wireless facilities.

4. Aesthetics and Lighting

The following guidelines govern the aesthetics and lighting of towers.

- ①. Towers shall be painted in adherence to the International Regulations and Standards of Annex 14 of the Chicago Convention, which is also the accepted national standard.
- ②. At the tower site, the design of the buildings and related structures, apart from the tower itself, shall to extent possible use materials, colours, textures, screening, innovative camouflaging techniques and landscaping that will blend the tower facilities to the natural settings and built environment.
- ③. For antennas installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral colour that is identical to, or closely compatible with, the colour of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- ④. Towers shall not be artificially lighted unless required by the Directorate of Civil Aviation (DCA) of the Ministry of Tourism and Civil Aviation. If it is required, DCA may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.

5. Landscaping

The following are requirements with regards to landscaping the surrounding of the tower. These requirements may be waived by the Ministry if the goals of this policy would be better served.

- ①. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent public ways, public property and residential property. The standard buffer comprises of a landscaped strip of at least 1.5 m wide outside the perimeter of the compound.
- ②. In locations where visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived altogether.
- ③. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. At some large tower sites, the natural growth of large trees around the property perimeter may provide a sufficient buffer.

6. Government Requirements

- ①. All towers must meet or exceed current standards and regulations set by the relevant authorities that regulates towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this policy shall bring such towers and antennas into compliance with such revised standards and regulations within 6 months of the effective date of such standards and regulations. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense. In addition, approval must be sought from DCA to ensure compliance to the national standards on lighting and colour coding of towers.
- ②. Prior to the issuance of approval, the Ministry shall determine that the new personal wireless facility will not interfere with any existing communication system.
- ③. Each new personal wireless facility will be subject to a 10 year review by the Ministry. The review will determine whether or not the originally approved tower height and accessory equipment are still necessary to provide adequate communication service.

- ④. The use shall not adversely affect the health, peace or safety of persons residing or working on the premises or in the surrounding area.
- ⑤. Wireless facilities shall avoid potential damage to adjacent properties from tower or antenna failure through engineering and careful siting of telecommunications tower structures. [See 9 ①& ④ for setback conditions]
- ⑥. In no case shall a tower be located in the front yard, back yard, or side yard in a residential district.
- ⑦. A land use permit for a personal wireless facility shall become null, void and non-renewable if the facility is not constructed and placed into service within one year of the date of the issuance of the permit.
- ⑧. The applicant must notify the Planning Authority of all structural changes in the application of a previously permitted personal wireless facility within 90 days of change.
- ⑨. All personal wireless facilities must comply with the current building regulations in the Town and Country Planning Act.
- ⑩. No on-premise storage of material or equipment shall be allowed other than that used in the operation and maintenance of the personal wireless facility site.

7. Roof-Mounted Systems

- ①. Roof mounted antennas shall be located as far away as technically feasible from the edge of the building. Antennas attached to the building should be painted to otherwise treated to match the exterior of the building.
- ②. Equipment enclosures and antennas shall not extend more than 5 m from the top of the building.

8. Building Codes and Safety Standards

- ①. To ensure structural integrity of towers, the owner shall ensure it is maintained in compliance with of the standards contained in applicable building regulations in the Town and Country Planning Act, as amended from time to time.
- ②. If upon inspection, the Planning Authority concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance. If the owner fails to bring such tower into compliance within 30 days, the Planning Authority may remove such tower at the owner's expense.

9. Specific Permitted Uses

- ①. Erecting a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, at a minimum distance equal to the height of the tower.
- ②. Installing antenna on an existing structure other than a tower (such as a building sign, light pole, water tower, or other free standing non-residential structure) that is 15 m in height or greater, so long as said additional antenna adds no more than 5 m to the height of the said existing structure.
- ③. Installing an antenna on an existing tower of any height, so long as the additional of said antenna adds no more than 5 m to the height of the said existing tower.
- ④. Location of any tower must be certified by a licenced professional engineer that it can structurally accommodate the number of shared users proposed by the applicant. Furthermore, the Ministry must conclude that the tower is in conformity with the goals

set forth in this policy and the tower is to be setback from any existing residential setting at a distance equal to the height of the tower and with the exception of broadcasting towers, meet the following height and usage criteria:

- ①. for a single user, up to 45 m in height
- ②. for two users, up to 55 m in height
- ③. for three or more users, up to 65 m in height

10. Information

Each applicant for erecting a tower must submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by a licenced professional engineer, showing location and dimensions of all improvements, including information concerning topography, radio frequency, service coverage, capacity, structural integrity of the tower structure, number and type of antenna, tower height requirements, setbacks (verification if adequate to contain debris in case of a structural failure), drives, parking, fencing, landscaping, adjacent uses, and other information deem by the Planning Authority to be necessary to assess compliance with this policy.

11. Factors Considered In Approval Process

- ①. Height of the proposed tower
- ②. Proximity of the tower to residential settings
- ③. Nature of uses on adjacent and nearby properties
- ④. Surrounding topography
- ⑤. Surrounding tree coverage and foliage
- ⑥. Design of tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
- ⑦. Availability of suitable existing towers and other structures.
- ⑧. Engineering and technical requirements to provide a reliable service.
- ⑨. Economic constraints on the construction and operation of the site and the overall system.

12. Co-Location Opportunities

No tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Ministry that no existing tower or structure can accommodate the applicant's proposed antenna. The following are evidence that may be acceptable to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna.

- ①. No existing towers or structures are located within the geographical area required to meet the applicant's engineering requirements.
- ②. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
- ③. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- ④. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

13. Separation

Towers shall not be located within 1 km from any existing tower that adheres to this policy, unless one of the following:

- ①. Technologically required.
- ②. Visually preferable.
- ③. One of the towers in question is located at the telecommunications service provider's main office premises.

- ④. The towers are located at a tower-farm.

1. Security Fencing

Towers shall be enclosed by decay-resistant security fencing not less than 2 m in height and shall be equipped with an appropriate anti-climbing device and warning signs.

2. Removal of Abandoned Antennas and Towers

Any tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner shall remove the same within 90 days or receipt of notice from the Planning Authority, notifying the owner of such abandonment. If such antenna or tower is not removed within the said 90 days, the Planning Authority may, remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.