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## 1. INTRODUCTION

### 1.1 PURPOSE AND AIMS OF THE POLICY FRAMEWORK

The purpose of this Policy Framework is to provide a framework to implement the Communications Infrastructure Policy (the Policy) and to provide prescriptive guidance to communications infrastructure providers on what needs to be demonstrated within a planning permit application to satisfy Council that Clause 52.19 of the Melton Planning Scheme and the principles of A Code of Practice for Telecommunications in Victoria (Vic Code) have been complied with.

The guidance is for the location and design of communications infrastructure that a developer must consider when making an application to Council. However, it is also imperative that the Policy Framework does not restrict developers and providers in the communications infrastructure industry.

The Policy Framework is to be used to guide the assessment and associated provision of new infrastructure within the City of Melton, as well as being a planning decision making tool which can be implemented into the Melton Planning Scheme.

The Policy Framework aims to assist Council Officers, Councillors and communications infrastructure providers with guidance and with the assessment and determination of planning permit applications as well as applications for leasing.

The Policy Framework provides requirements and guidelines to be followed when seeking to install communications infrastructure on all land within the City of Melton and Section 4 of the Policy Framework provides requirements and guidelines to be followed when seeking to install infrastructure on Council-owned land.

The Policy has regard to both the State Planning Policy Framework which seeks to 'facilitate the orderly development, extension and maintenance of telecommunications infrastructure' and Clause 52.19 of the Victorian Planning Provisions. The purpose and aims of the Policy Framework are:

- to minimise potentially negative impacts upon the natural environment;
- ensure that the local community has access to communications services;
- identify the preferential land uses for communications infrastructure;
- encourage good design principles and provide guidance for the design and siting of communication infrastructure that requires Council's consent to minimise potential impact upon visual amenity;
- provide guidance to communications infrastructure providers about Council's requirements for site location, design, application submission and post-decision discussions; and
- provide a consistency of approach which balances the needs and benefits all stakeholders including the community, Council and communications infrastructure providers.

### 1.2. POLICY AND FRAMEWORK CONTEXT

The City of Melton is located within the urban fringe to the west of Melbourne and has land within it identified within the West Growth Corridor and the Sunbury Growth Corridor. The City of Melton has experienced significant growth and future projected population growth will create increasing demand for communications services and associated infrastructure. Therefore, telecommunications carriers and other communications infrastructure providers will seek to locate new infrastructure that may at times require Council approval.

Communication facilities are an essential component of economic and social development in the 21st Century. Projected population density will increase throughout nearly the entirety of the City of Melton focussed predominately on the land between Caroline Springs and the Melton Township, as well as Diggers Rest. It is clear from the projected population growth against the current existing telecommunications sites in the City of Melton, that more sites will be required particularly in the north and south of the City and closer to residential uses as population density and mobile phone and wireless internet use increases over the next several years.

The Policy provides direction for the deployment of communications facilities within the community. This includes providing location and siting guidance for carriers, ensuring that they avoid visually sensitive locations and to ensure that the infrastructure is provided appropriately in City of Melton's urban, rural and growth areas.

Therefore, it is Council's intention that to deliver the best outcomes, a regular, open dialogue is required to ensure all parties work together to achieve the best outcomes possible for the community.

## 2. DEVELOPMENT APPROVAL REQUIREMENTS

There are communications providers who are required to construct infrastructure within the City of Melton. Depending upon their ownership, authority (Commonwealth, state or privately owned) and their purpose, these providers may be exempt from the planning permit process and therefore not require Council approval.

If planning approval is required, all permit applications for communications infrastructure will be considered and determined at a Council Meeting.

Council must determine applications on planning grounds and will make decisions in accordance with all other legislation governing telecommunications facilities.

Should Council be minded to grant approval, the applicant is advised that the approval of any permit may be subject to conditions, discussed further in Section 3.5.

### 2.1. RELATIONSHIP TO OTHER PLANNING INSTRUMENTS

The Policy Framework applies to all land within the City of Melton. This Policy Framework is to be read in conjunction with the Melton Planning Scheme and, in particular, Clause 52.19 which details the permit and application requirements as well as exemptions and decision guidelines.

Below is a list of relevant legislation and other policies and guidance that must be considered when seeking a permit for communications infrastructure. Should any of the documents or legislation be amended, the latest version should be used.

#### 2.1.1. Commonwealth Legislation

Telecommunications Act 1997

Environmental Protection and Biodiversity Conservation Act 1995

Telecommunications (Low-impact Facilities) Determination 1997

Telecommunications Code of Practice 1997

#### 2.1.2. State Legislation

Aboriginal Heritage Act 2006

Heritage Act 1995

Planning and Environmental Act 1987

Melton Planning Scheme

Clause 19.03-4 - State Planning Policy Framework on Telecommunications

Clause 52.19 – Decision guidelines for Telecommunications Development

A Code of Practice for Telecommunications Facilities in Victoria

**2.1.3. Other Policies and Guidance**

Mobile Phone Base Station Deployment Industry Code (the Deployment Code)

Melton City Council's Significant Landscape Strategy

Clause 52.19-2 of the Melton Planning Scheme lists certain bodies that can carry out building and works for a telecommunications facility without a planning permit. It states:

*A permit is required to construct a building or construct or carry out works for a Telecommunications facility.*

*This does not apply to:*

- *Buildings and works associated with:*
- *A low-impact facility as described in the Telecommunications (Low-impact Facilities) Determination 1997.*
- *The inspection and maintenance of a telecommunications facility as defined in the Telecommunications Act 1997 (Cwth).*
- *A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cwth).*
- *A temporary defence facility.*
- *The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.*
- *Any Telecommunications facility described in A Code of Practice for Telecommunications Facilities in Victoria which complies with the requirements of the Code.*

*Buildings and works associated with activities which are:*

- *Authorised under Clause 6(2) of Division 3 of Schedule 3 of the Telecommunications Act 1997 (Cwth).*
- *Carried out by bodies listed in Sections 46 to 51 (inclusive) of the Telecommunications Act 1997 (Cwth) pursuant to legislation applying to those bodies.*

Section 46 to 51 of the *Telecommunications Act 1997* lists various types of activities and organisations that would be exempt from a planning permit. The ones that may be applicable in the City of Melton are:

- intelligence operations, for example the Australian Secret Intelligence Service.
- transport authorities, for example Victorian Rail Track Corporation (VicTrack).
- broadcasting services, for example Broadcast Australia.
- electricity supply bodies, for example Jemena.
- ministerial determination, for any communications infrastructure specified by the Australian Government's Minister for Communications.

The above only applies to planning permits for building and associated works and it does not exempt the body from having to apply for other approvals (such as a heritage exemption or permit for works pertaining to a heritage overlay).

In Victoria, a permit is usually required to remove or prune native vegetation. These regulations are known as the native vegetation clearing regulations and are primarily implemented through local planning schemes. Under Clause 52.16 or 52.17 of the Victoria Planning Provisions, a permit is required unless:

- the relevant clause states that a permit to remove native vegetation is not required.
- an exemption from requiring a permit to remove native vegetation exists under the relevant clause.
- the right to remove the native vegetation is provided for in legislation.

There are other communications infrastructure providers who are not carriers and not exempt from permit provisions by Clause 52.19-2. These providers are subject to planning permit applications for new towers and additions to existing facilities that fall outside of the parameters of the Vic Code.

These are generally private broadcasters, Wi-Fi and telecommunications providers (for private networks) and other others such as digital radio. These must follow the statutory planning requirements and any applicable overlays as per the Melton Planning Scheme.

Table 1 below outlines what types of facilities require Council approval and what levels of notification are required for each. This is an overview and each case should be considered on its merits, although this is a good guide to the distinctions in each type.

Table 1 - Communications Infrastructure and Planning Approval Pathways

Type of Development	New/Existing	Approval Pathway	Responsible Authority	Consultation/ Notification Requirements
Communications infrastructure mounted on a structure with support structure up to 3m	Existing	Telecommunications (Low Impact Facilities Determination) 1997	Commonwealth	Section 7 of the Mobile Phone Deployment Code (10 day process)
Communications infrastructure mounted on a structure with support structure up to 3m	New	Telecommunications (Low Impact Facilities Determination) 1997	Commonwealth	Section 6 of the Mobile Phone Deployment Code (8 week process)
Communications infrastructure mounted on a structure with support structure up to 5m (not in Residential Zone)	Existing	A Code of Practice for Telecommunications Facilities in Victoria	Victoria State Government - Department of Environment, Land, Water and Planning	Section 7 of the Mobile Phone Deployment Code (10 day process)
Communications infrastructure mounted on a support structure up to 5m (not in Residential Zone)	New	A Code of Practice for Telecommunications Facilities in Victoria	Victoria State Government - Department of Environment, Land, Water and Planning	Section 6 of the Mobile Phone Deployment Code (8 week process)
All other Communications infrastructure mounted on a support structure	Existing	Melton Planning Scheme	Melton City Council	Notification as per the requirements of S52 of the Planning and Environment Act 1987
All other Communications infrastructure mounted on a support structure	New	Melton Planning Scheme	Melton City Council	Notification as per the requirements of S52 of the Planning and Environment Act 1987
Standalone telecommunications tower	New	Melton Planning Scheme	Melton City Council	Notification as per the requirements of S52 of the Planning and Environment Act 1987
Standalone telecommunications tower	Existing	Telecommunications (Low Impact Facilities Determination) 1997	Commonwealth	Section 7 of the Mobile Phone Deployment Code (10 day process)
Temporary facility	N/A	A Code of Practice for Telecommunications Facilities in Victoria	Victoria State Government - Department of Environment, Land, Water and Planning	Section 6 of the Mobile Phone Deployment Code (8 week process)
Replacement tower or facility	N/A	A Code of Practice for Telecommunications Facilities in Victoria	Victoria State Government - Department of Environment, Land, Water and Planning	Section 7 of the Mobile Phone Deployment Code (10 day process)



### 3. GUIDANCE FOR COMMUNICATIONS INFRASTRUCTURE DEVELOPMENT

Communications infrastructure can be split into the following categories within the City of Melton and in the context of this Policy Framework:

- Communications infrastructure as defined as communications facilities within Melton Planning Scheme located on Council land; and
- Communications infrastructure as defined as communications facilities within Melton Planning Scheme not located on Council land.

Although the Melton City Council treats all communications infrastructure under the same parameters, some extra controls relate to infrastructure located on Council land as set out set out in section 4 of this Policy Framework.

The decision guidelines set out in Clause 52.19-6 state that before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a telecommunications facility as set out in *A Code of Practice for Telecommunications Facilities in Victoria, 2004 (Vic Code)*.
- The effect of the proposal on adjacent land.
- Whether the telecommunications facility site is covered by any overlays

This framework sets out a clear guidance for providers to ensure compliance with the decision guidelines. The table below sets out the principles contained within the Vic Code and the Melton City Council's minimum requirements to comply with these provisions. These are outlined in Table 2 below.

Table 2 – Extract from A Code of Practice for Telecommunications Facilities in Victoria, 2004.

Principle	Application of Principle	Council Minimum Requirements
1 - A Telecommunications facility should be sited to minimise visual impact.	<ul style="list-style-type: none"> <li><input type="checkbox"/> On, or in the vicinity of, a heritage place, a telecommunications facility should be sited and designed with external colours, finishes and scale sympathetic to those of the heritage place. A heritage place is a heritage place listed in the schedule to the Heritage Overlay in the planning scheme.</li> <li><input type="checkbox"/> A telecommunications facility mounted on a building should be integrated with the design and appearance of the building.</li> <li><input type="checkbox"/> Equipment associated with the telecommunications facility should be screened or housed to reduce its visibility.</li> <li><input type="checkbox"/> Equipment associated with the telecommunications facility should be screened or housed to reduce its visibility.</li> <li><input type="checkbox"/> The relevant officer of the responsible authority should be consulted before any street tree is pruned, lopped,</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Planning report supporting the Permit application should include photomontages (the number of which should be determined on a site-by-site basis) and a visual impact statement showing impacts from significant views, streetscapes, vistas, panorama and from heritage place or landmark.</li> <li><input type="checkbox"/> Site plans with schedule of colours and finishes.</li> </ul>

	<p>destroyed or removed.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> A telecommunications facility should be located to minimise any interruption to a significant view of a heritage place, a landmark, a streetscape, vista or a panorama, whether viewed from public or private land.</li> </ul>	
<p>2 - Telecommunications facilities should be co-located wherever practical.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Wherever practical, telecommunications lines should be located within an existing underground conduit or duct.</li> <li><input type="checkbox"/> Overhead lines and antennae should be attached to existing utility poles, towers or other radiocommunications equipment to minimise unnecessary clutter.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Planning report supporting planning permit application should identify opportunities within 500 metres to co-locate and an explanation as to why they can or cannot be used.</li> </ul>
<p>3 - Health standards for exposure to radio emissions will be met.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> A telecommunications facility must be designed and installed so that the maximum human exposure levels to radio frequency emissions comply with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, ARPANSA, May 2002.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Predictive EME report to be submitted as part of planning permit application showing compliance with Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz, ARPANSA, May 2002.</li> </ul>
<p>4 - Disturbance and risk relating to siting and construction should be minimised. Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Soil erosion during construction and soil instability during operation should be minimised in accordance with any relevant policy or guideline issued by the Environment Protection Authority.</li> <li><input type="checkbox"/> Construction should be carried out in a safe and effective manner in accordance with relevant requirements of the Occupational Health and Safety Act 1985.</li> <li><input type="checkbox"/> Obstruction or danger to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction should be minimised.</li> <li><input type="checkbox"/> Where practical, construction should be carried out during times that cause minimum disruption to adjoining properties and public access.</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Where there are known existing site issues or constraints, soil and erosion plan, stormwater management, flora and fauna reports and any other specific site plans or reports pertaining to site conditions are to be submitted with any planning permit application.</li> <li><input type="checkbox"/> Construction and access details to be documented within the planning report supporting the planning permit application.</li> <li><input type="checkbox"/> Any planning permit shall be conditioned to require the applicant to reinstate or repair any damage to Council's assets as a result of the development works to the satisfaction of Council.</li> </ul>

	<ul style="list-style-type: none"> <li><input type="checkbox"/> Traffic control measures should be taken during construction in accordance with Australian Standard AS1742.3 – 2002 Manual of uniform traffic control devices – Traffic control devices on roads.</li> <li><input type="checkbox"/> Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road Engineering AS 1165 – 1982 – Traffic hazard warning lamps.</li> <li><input type="checkbox"/> Disturbance to flora and fauna should be minimised during construction and vegetation replaced to the satisfaction of the land owner or responsible authority at the conclusion of work.</li> <li><input type="checkbox"/> Street furniture, paving or other existing facilities removed or damaged during construction should be reinstated (at the telecommunication carrier's expense) to at least the same condition as that which existed prior to the telecommunications facility being installed.</li> </ul>	
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### 3.1 SITING AND LOCATION

When proposing to install new communications infrastructure, a carrier must provide written justification as to its siting and location. Melton City Council will consider all planning permit applications on their merits and with regard to the criteria in this section.

#### 3.1.1. General Siting and Location Guidance

When identifying a site for communications infrastructure, all providers should consider the following:

- Communications infrastructure providers should be aware of the Melton City Council's preferred hierarchy of land uses when siting infrastructure which is (from preferred to least preferred):
  - Industrial
  - Commercial
  - Rural
  - Residential

- Proximity to any community sensitive locations. This can include but not limited to schools, childcare centres, aged care facilities and any areas of special interest for the community such as protected views and vistas and items of heritage.
- Proposals to locate communications infrastructure within a Significant Landscape Overlay is discouraged and where it is proposed, visual impact and design needs to be carefully considered. Any proposals of this nature should feature high quality design that seeks to absorb into the landscape and complies with the decision guidelines (in addition to the matters listed at Clause 42.03-3) contained within Schedule 1 to the Significant Landscape Overlay shown on the Planning Scheme map as SLO 1. This relates to the Volcanic Cones of Mount Kororoit, Mount Cottrell and Mount Atkinson.
- Proposals should also take account of Melton City Council's Significant Landscape Strategy when siting communications infrastructure within or adjacent to the Melton Volcanic Plain or when having the potential to interrupt views from waterways or forested areas contained within the Plain.

Planning permit applications should demonstrate that the above factors have been considered when choosing a site. Where the site location deviates from this guidance, justification, clearly demonstrating why this has occurred, needs to be included in the application. This could mean that the proponent must demonstrate why, for instance, the need for the facility outweighs the siting and location guidance provided by Council in this Policy Framework.

### **3.1.2. Co-location**

- Communications infrastructure should be co-located wherever practical. Any permit application to Council should contain a detailed analysis of possible co-location opportunities. This analysis should include a breakdown of the suitability of each candidate in terms of potential coverage, design advantages and constraints, commercial viability/willingness of the landlord and environmental constraints.
- Where co-location is not possible (for example, it may not meet coverage requirements) any permit application should provide a detailed analysis of candidates.

### **3.1.3. Aboriginal Heritage**

- Aboriginal places and objects can be found all over Victoria and are often near major food sources such as rivers, lakes and swamps. Any permit application is to provide evidence of due diligence as to whether there are any recorded Aboriginal sites or places on the subject site. This can be done by accessing the Victorian Aboriginal Heritage Register via the Aboriginal Cultural Heritage Register and Information System (ACHRIS).

### **3.1.4. Airport Operations**

- Evidence should be provided to demonstrate that communications infrastructure will not impact upon airport operations. For example, if the site subject to a permit application is located on an Obstacle Limitation Surface (OLS) map, correspondence from the Civil Aviation and Safety Authority (CASA) advising that the proposal will not impinge upon airport operations.

### **3.1.5. Heritage Conservation**

- The communications infrastructure provider is to avoid or minimise any potential impact upon land, archaeological relics and buildings that are of heritage significance. Specialist studies and reports may be required where it is not clear that impacts will be avoided.

### **3.1.6. Precinct Structure Plans and Growth Corridor Plans**

Land which is currently zoned Urban Growth Zone may currently be rural in nature, however this will not always be the case. Growth Corridor Plans and any Precinct Structure Plans (PSP's) should be taken into consideration by infrastructure providers. Communications infrastructure providers need to adhere to these plans in the first instance and address them in their planning report when applying for a planning permit.

Communication infrastructure providers should have regard to the land uses shown in the PSP and their relationship to the hierarchy of Council preferred land uses.

One of the objectives of PSPs is to provide to all lots, to the satisfaction of the relevant authorities, telecommunications (which may include mobile telecommunications as well as fibre broadband). This is to be achieved with minimum visual impact. Therefore, the siting of communications infrastructure within a PSP

needs to take account at an early stage the future urban structure and identify areas where communications infrastructure can be located with minimum impact.

For example, infrastructure incorporated into existing infrastructure such as light poles or sports field lighting or located in areas which will cause minimum disruption such as passive areas of encumbered Open Space, is to be encouraged. Establishing communications infrastructure that is compatible with the visual and biodiversity ideals of these areas is essential. While each site will have design requirements that are unique, in these areas, slimline monopoles are a preferred option to lattice towers. In active open space, facilities should utilise existing infrastructure where possible. Where it is not possible to co-locate communications facilities, proposals should reflect existing infrastructure design rather than introducing a dominating feature, as shown in Figure 8 below. In active areas, small cells or smart poles in the form of street furniture that incorporates communications equipment is an acceptable way of integrating communications infrastructure into the streetscape. In commercial areas, rooftop facilities may be viable and may be screened to improve their appearance and maintain the visual amenity of an area.

Melton City Council encourages communications infrastructure providers to liaise with the VPA and Council at the early stages of the PSP to provide input into the process.



Figure 1 - A co-location installation on a high-voltage electricity pylon.

## 3.2. DESIGN

This section provides detailed guidance for providing communications infrastructure whilst avoiding unnecessary detrimental impacts upon amenity and biodiversity. Communications infrastructure should be designed to minimise visual clutter and impacts upon existing visual amenity, utilising the solutions identified in this section where possible.

### 3.2.1. Visual Amenity and Design Objectives

- For rooftop infrastructure, and where practical, communications infrastructure should be located away from the street frontage to reduce visual impact and adequately setback from the roof edges of buildings and be sympathetic to adjacent buildings.
- Standalone communications towers should be of a slimline monopole design with turret antenna-mounts and headframes as compact as possible and ancillary equipment kept to a minimum.
- The removal of protected or endangered vegetation should be avoided but, where it is unavoidable, it should be kept to a minimum that allows infrastructure to be built or operate.

- Screening, whether by vegetation, landform or manmade, should be considered to lessen any potential impact upon visual amenity.
- The materials, finishes and colours of the communications infrastructure should be appropriate to its location and environment and reduce glare and reflectivity. In rural areas, communications infrastructure should be designed to respond appropriately to its rural landscape setting. An example of this may be colour matching equipment to surrounding vegetation.
- Communications infrastructure that is no longer required is to be removed and the site restored, to a condition matching its condition prior to the installation of the infrastructure.

### 3.2.2. Public Safety

- Communication infrastructure shall be designed, installed and maintained to comply with current standards relating to human exposure to electromagnetic emissions as detailed in the relevant standard.
- To ensure public safety, public access will be restricted to communications infrastructure. Security fencing, warning signs and infrastructure provider contact information must be provided to limit access and provide access information. In the case of on street poles, the poles will not be climbable.
- All aspects of the design and building work should comply with the applicable requirements of the Building Code of Australia



Figure 2 - Small-cell on a smart-pole



Figure 3 - An example of shrouding/screening on a prominent heritage building.



Figure 4 - A rooftop installation that does not break the ridge or overall height of the building.

### EXAMPLES OF POOR TELECOMMUNICATIONS OUTCOMES



Figure 5 - Two monopoles and a lattice tower, all on the same site, within metres of one another.





Figure 6 - An obtrusive and overcrowded rooftop.



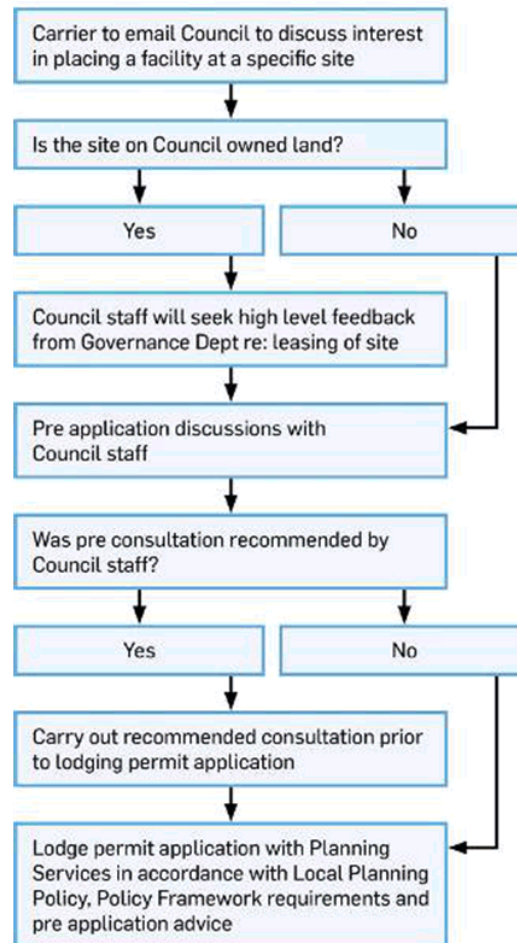
Figure 7 - A rooftop facility overcrowded with facilities.



Figure 8 - A poor example of a telecommunications facility in a reserve.

## 4. PLANNING PERMIT APPLICATION REQUIREMENTS

### **PLANNING APPLICATION SUBMISSION PROCESS**



## 4.1. PRE-SUBMISSION REQUIREMENTS

Pre-application discussions should take place between Council and the carriers on proposed communications infrastructure.

Initial discussions have the potential to improve the efficiency and effectiveness of any permit application. Excellent pre-application discussions can allow better coordination between Council and providers and improve results for the community.

### 4.1.1. Pre-Submission Consultation

As a result of pre-application discussions, Council may require pre-submission consultation prior to a planning permit or extension in time for existing permit application in the following circumstances:

- Site is identified within the vicinity of a location deemed to be community sensitive.
- Site that is near a location that has previously attracted objections to communications infrastructure development.
- Site located within an overlay that has reason to cause community concern.
- Site located on Council land where the applicant is seeking an extension to an approved permit prior to a lease being in place between the Council and the communications infrastructure provider.

Council encourages communications infrastructure providers to discuss any pre-consultation plans with Council prior to undertaking so that the key stakeholders and level of pre-consultation required can be determined. While the amount of consultation will be decided by the communications infrastructure provider in conjunction with Council planning staff, it could take the form of:

- Letterbox drop to affected properties, as identified at the discretion of Council.
- Advertorial or newspaper notice within a local paper, as identified by Council, advising of the proposal.
- Information kiosk in, for example, a local shopping centre.
- Community information session.

## 4.2. SUBMISSION REQUIREMENTS

Providing the correct information is crucial to assessing any application and good decision-making. At pre-application discussion, infrastructure providers should discuss what information is required for a specific site. However, as a guide, any application should include the following information:

- The applicant is to provide Council with information to help in consideration of the need for a facility, ideally in graphic form, such as:
  - existing infrastructure in the area.
  - coverage maps or a written description of the need driving the requirement for the facility with specific mention to communities and areas within the City of Melton that will be covered or require coverage. This is not to assess the quality of the coverage but, to provide a visual/graphic justification for the site to aid Council in the decision-making process. This should also include a distinction if the facility is for providing depth of coverage or increased wireless broadband internet to an area.
  - an analysis of coverage at varying heights.

The applicant must also provide the following information within the planning report:

- A detailed analysis of possible co-location opportunities. This should include at a minimum the three nearest communications facilities and justification on why they are or not suitable for co-location purposes.
- A detailed analysis of alternative sites. This should include at a minimum four alternative candidates considered. Council recognise that this may not always be possible due to location constraints and will consider a statement on the search undertaken and why due to constraints that is was not possible to provide the four alternative candidates. This should take account of Council's preferred land use hierarchy outlined the Communications Infrastructure Policy Framework.
- A statement as to whether the communications infrastructure is within 500 metres of a community sensitive land use (refer to Section 3.1.1 for examples) and what steps have been undertaken to avoid community sensitive land uses and any steps to provide pre-consultation to said sensitive land uses.

- Evidence of due diligence (such as evidence of utilising the Aboriginal Heritage Planning Tool provided by Aboriginal Victoria if the site is in an area associated with Cultural Heritage Sensitivity) as to whether there are Aboriginal sites or places on the location and a determination as to whether a Cultural Heritage permit or Cultural Heritage Management Plan. An Aboriginal Heritage Certificate clarifies whether any Aboriginal cultural heritage places or objects are located on the land, or if it falls within an area of Aboriginal cultural heritage sensitivity. If there are any such Aboriginal sites, places or objects on the land, then any permit application may need to include a Cultural Heritage Management Plan.
- Details relating to any proposed or approved Precinct Structure Plan relevant to the locality, including a consideration of how it will fit in with future land uses and any potential impact upon or changes to land use zoning, road layouts, housing and the like. There should also be an assessment against the objectives and implementation requirements and guidelines within a Precinct Structure Plan.
- Consideration to any relevant Native Vegetation Precinct Plan that applies to a site and the provisions contained therein in relation to any disturbance or removal to vegetation when planning a site. However, most land is now covered by the Biodiversity Conservation Strategy (BCS).
- Details of the technologies being introduced and how the infrastructure would benefit the community.
- A detailed visual impact assessment, using a template detailed in Appendix B.
- Photo montages of the proposed facility in context of the location. Photo montages should be taken from public vantage points and be at a focal length of 50mm. Locations could include the closest residential property, major junction, a location with a high footfall or an identified significant view or vista. Specific locations from which the photos should be taken can be requested of Council at pre-submission discussion stage.
- If the proposed site is a heritage item or located within a heritage overlay, the applicant is to provide a heritage impact statement.
- Whether the communications infrastructure infringes upon any relevant obstacle limitation surface map. Should there be an infringement, then any application should provide evidence of consultation with the Civil Aviation Safety Authority.
- Any additional technical reports to support the application where any other overlay applies (Bushfire Assessment report, Flora and Fauna Assessment report etc.)

### 4.3. POST-DETERMINATION

Conditions may include but, are not restricted to, pre- and post-installation EME testing; the provision and approval of sediment and erosion control plans, a landscape plan for the provision of landscaping, a landscape management plan for the protection of existing vegetation during construction; requirements upon the location or discovery of Aboriginal artefacts; a schedule of external building materials and colours; and waste management and minimisation.

Should Council decide to refuse a permit application, Council would welcome and encourage applicants to approach Council to discuss the reasons for refusal and explore possible solutions. It may be that small changes to the proposed infrastructure could resolve the reasons for refusal and avoid alternate dispute resolution services and VCAT.

Council and the applicant should address the issues and the reasons for refusal, whether the proposed infrastructure can be changed/improved, whether either party has been too rigid in its approach, and by thinking about objectives and solutions may be developed jointly. It is considered that any post-refusal discussions are a cost-effective way to avoid the time and money of VCAT, although any discussions do not negate the need to follow the statutory legislation nor avoid transparent decision-making or the role of Council Meetings.

## **4.4. STAKEHOLDER INPUTS**

Council encourages open and productive dialogue with communications infrastructure providers to ensure that the City maintains and develops world class communications infrastructure in a sustainable and responsible manner.

### **4.4.1. Forums**

At least once a year the Melton City Council will convene a forum of Council staff engaged in communications development (Statutory and Strategic Planning, Property, Parks and Leasing Officers). This forum is open to all the communications infrastructure providers operating within the City of Melton. Council encourages all communications infrastructure providers to register their interest in this forum via the communications infrastructure contact details provided in this Policy Framework.

Melton City Council will advocate for the consideration of communications infrastructure at the early stages in the preparation of PSPs. Council will encourage the communications infrastructure provider to contact the VPA and Council (via the email address in 4.1 above) to facilitate a forum with any developer engaged in that PSP so that design and siting can be worked through at an early stage (with Council encouraging high quality and innovative design) to ensure that communications infrastructure can be incorporated into the development in a sustainable and responsible way. Communications infrastructure providers should give as much information as possible and this will in turn allow Council to provide clarity in the developers intentions, the planning permit process, Council's requirements and stakeholders desired outcomes.

### **4.4.2. Council Briefing**

After each local election, Council Officers will brief any newly elected councillors on the provision of communications infrastructure. Included in this briefing will be an introduction of how communications infrastructure works, limitations to its provision, approval pathways, and the degree of control that Council can exercise in determining applications.

## 5. GUIDANCE FOR COUNCIL OWNED LAND

This section sets out the procedure, and location and siting guidance when seeking to engage Council to seek to locate communications infrastructure on Council-owned land.

### 5.1. SPECIFIC LOCATION GUIDANCE FOR COUNCIL OWNED LAND

When locating communications infrastructure on Council-owned land, any provider should consider the siting and design guidance located within section 3 of this Policy Framework.

However, Council will not accept proposals on Council-owned land at the locations listed below unless they can be justified and evidence is provided that they satisfy the guidelines within this document and any applicable clause of the *Melton Planning Scheme* prior to any permit being sought:

- Located within land identified on the Planning Scheme map as SLO1.
- Located within a heritage overlay.
- Located within 100 metres of an existing communications infrastructure unless detailed coverage justification, a statement outlining why the existing infrastructure is unsuitable and an innovative design acceptable to Council is submitted for consideration at the initial contact stage.

### 5.2. INFORMATION TO BE PROVIDED

Once a communications provider has identified a site that is Council-owned, Council should be contacted to start the assessment process as to whether the site is viable and what steps are to be taken to secure a planning permit and, following that, a lease.

With reference made to this Policy Framework, illustrating that it has been considered and addressed when seeking the site, the following information should be provided:

- Property details, including parcel details and site address.
- Detailed description of the proposal, a marked-up site plan showing where it is intended to be located and any details on the size and location of the lease area that is required. This should be in the form of preliminary design drawings which can accompany any permit application. Council appreciate at an early stage this may not be available, although Council will need some form of design drawing or photomontage illustrating the appearance and design of the proposal.
- Outline details of lease period and rental offer.
- Details of three nearest existing communications infrastructure facilities and why they are not suitable and thus Council land is required.
- Any other supporting documentation as required (coverage details, design considerations, details of other new sites considered).

Upon receipt of this documentation Council will contact the applicant acknowledging receipt of their enquiry, provide feedback and advise on the next steps in the process. Please note that Council may require more time or information to consider the proposal and will advise the applicant as soon as possible.

### 5.3. LEASING GUIDANCE

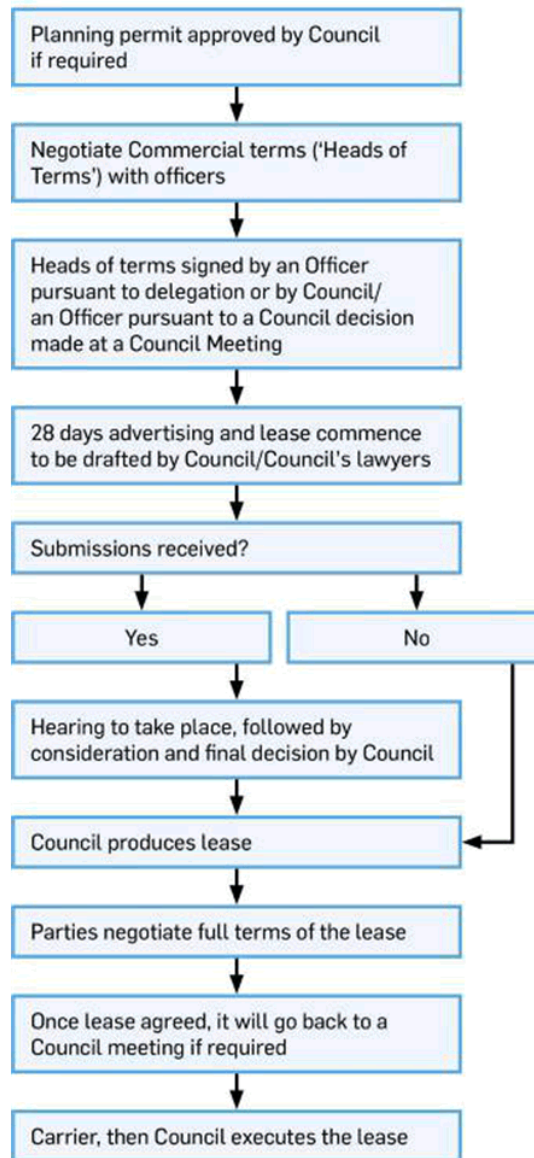
If Council deem a proposal acceptable following the steps above the proponent must then seek a planning permit with Council prior to any lease negotiations taking place.

Council's endorsement to undertake a permit application does not guarantee any rights or approvals for the proposal. The permit application process is a separate process with the permit application considered on its merits in line with the *Melton Planning Scheme* and the decision guidelines contained within Clause 52.19.

Once a planning permit has been granted, Council will seek to enter into lease negotiation with the proponent. Table 3 below illustrates the steps that will be taken during the lease negotiation period and shows indicative timeframes for their conclusion. Please note that at either step 3 or 6 (to be decided by Council) there would likely need to be a 28-day public notice pursuant to the *Local Government Act 1989*, consideration of any submissions and a hearing of anyone wishing to be heard.

Table 3 – Steps to be taken during lease negotiation.

**LEASING FLOW CHART**



If under section 69 of the Planning and *Environment Act 1987* the proponent is required to extend the expiry date of a planning permit (e.g. there is a lapse of time between the granting of a permit and the lease being finalised), any application shall demonstrate that the proponent has undertaken further community consultation of the original permit application (as outlined above in section 3.3.1.) and detail the outcomes of said consultation.



## 5.4. POST-INSTALLATION

Council recognises that post successful lease negotiations, construction access and protocols will need to be undertaken. This also related to the on-going life cycle of the infrastructure, including access and ongoing maintenance of the facility. Prior to any "non-emergency" works as defined in the lease Council must be contacted with five business days' notice prior to any works being undertaken on site on the dedicated communications infrastructure email address highlighted in section 4.2 with the email clearly stating the following information:

- Site address.
- Nature of enquiry or works to be undertaken (with design drawings of amendments if applicable).
- Copy of the letter and information (predictive EME report, details of newspaper notification) detailing compliance with the *Mobile Phone Base Station Deployment Industry Code*.
- Timeframe for site access and length of time for works or maintenance to be undertaken.
- Details of including contact details of contractors undertaking the works.
- Copy of public liability certificates for each contractor on site, certificate of currency (WorkCover), safe work or risk assessments and any relevant traffic management plans if applicable.

## 6. IMPLEMENTATION

### 6.1. DETERMINING THE APPROACH

The approach for determining whether changes to the Melton Planning Scheme need to be made to implement this project would involve the following steps:

- Identifying what policy provisions can be implemented while not being more stringent than Section 52.19 of the Victorian Planning Provisions;
- Assessing what outcomes are required through implementation
- Determining how the proposed planning tools will be used

#### 6.1.1 Complying with Clause 52.19 of the Victorian Planning Provisions

Any policy that will be implemented cannot be more prescriptive than Clause 52.19 of the Victorian Planning Provisions. This ensures that policy is consistent with the State guidelines contained within the VIC Code and Clause 52.19 of Melton Planning Scheme.

#### 6.1.2 What are the Required Outcomes

An assessment of the current policy and existing infrastructure was completed. This looked at what existing policy controls are in place and what can be done to improve the current situation so that future communications infrastructure deployment is consistent and in the best interests of the local community. It should also make the legislative process clearer for the carriers to follow. Therefore, a revised policy was required to:

- Provide clear guidance to developers and the community of compliance with Clause 52.19 and the Vic Code in planning permit applications to increase transparency of the decision-making process.
- Assist in providing communications infrastructure at an earlier stage in PSPs and new developments within the municipality.
- Provide a more streamlined approach to assist Council officers and in turn, carriers when seeking to place communications infrastructure on Council land.

#### 6.1.3 Options for Statutory Implementation

There are several statutory controls available to Council to manage Communication Infrastructure Policy in Melton. These statutory controls include:

- Policy Guidance Framework (as set out in this document)
- Local policy (See Appendix D)

A description of each of these statutory controls, and the advantages or disadvantages of each, is provided at Appendix D.

## 6.2. Recommended Approach

It is recommended that a two-tiered approach be adopted which includes a Local Policy and a Planning Policy Guidance Framework.

### 6.2.1 Policy Guidance Framework

The policy guidance or framework will provide a protocol and prescriptive guidelines for the placement of communications infrastructure on Council land. This can also provide background information and further detail on requirements for planning permit application (what needs to be submitted within a planning permit application) to illustrate compliance with Clause 52.19 of the Melton Planning Scheme and A Code of Practice for Telecommunications in Victoria.

### 6.2.2 Local Policy

The Policy should be an active policy setting out clear objectives or desired outcomes of what Council is trying to achieve. The Policy should relate to all land within the Melton LGA, although the Planning Policy Guidance Note/Framework will differentiate between requirements for Council-owned and requirements for non-Council-owned land. The Policy will also provide more prescriptive controls on siting and design on communications infrastructure for Communications Infrastructure developers who are not bound by the Telecommunications regulatory framework of the carriers such as private networks for businesses, digital radio and the like. The full policy is set out in Appendix D.

## 7. FREQUENTLY ASKED QUESTIONS

### **What safety measures are in place?**

Electromagnetic energy (EME) emissions produced by telecommunications facility are regulated by the Australian Government Australian Communications and Media Authority (ACMA) under the Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003. These limits are based on the ARPANSA Radiation Protection Standard - Maximum Exposure Levels to Radiofrequency Fields - 3kHz to 300GHz. Compliance with the Standard is documented in an EME report.

Signage is erected to advise of areas where EME emissions may exceed certain levels but these are in areas that are not publicly accessible.

Measures are taken to prevent unauthorised access to telecommunications facility with features such as fenced compounds and a lack of climbable features. Ancillary equipment is located within a locked building, shelter or cabinet.

### **Will communications infrastructure affect property prices?**

Property values may increase or decrease for a variety of reasons. Any changes in property value which may be a result of the installation of communications infrastructure is not a matter for consideration under the Planning and Environmental Act 1987 and therefore will not be taken into consideration during the assessment of a development application.

### **Buffer zones near to school?**

The following information is taken from a fact sheet produced by the Australian Government entitled Communications Towers, Radio Transmitters and Safety: Information for schools, teachers, students, and parents: 'Because transmitters must operate below the ARPANSA standard, there is no particular advantage locating these away from schools. In fact, poor location of the transmitters can affect the performance of mobile handsets, requiring more power to be emitted from the handset to connect with nearby transmitters. This is potentially of greater concern as handsets are used near the body.'

### **My signal is fine. Why is the site needed?**

A new telecommunications facility may be needed to increase network capacity in areas which have good coverage, especially where there is or has been an increase in population. A new telecommunications facility will sometimes reduce demands on surrounding sites and allow other telecommunications facilities to better serve the areas surrounding that telecommunications facility.

### **Satellites, will they solve all the problems?**

Satellites are generally used for communications with fixed points due to the narrow signal beams produced and as such the technology is not easily transferrable to personal mobile coverage without being cost prohibitive.

### **What are infrastructure providers' plans for the area?**

Communications providers should identify opportunities for colocation where possible to reduce unnecessary duplication of infrastructure, as required by A Code of Practice for Telecommunications Facilities in Victoria.

### **Will I benefit from the proposal?**

Users of the carrier or supplier which proposes to install equipment will benefit from the proposal, subject to certain factors such as distance from the communication infrastructure, positioning of antennas, topography and obstacles.

**How do I complain?**

For telecommunications that do not require a permit application, where people feel that a carrier has breached the Mobile Phone Base Station Deployment Code they are free to complain to the Australian Communications Media Authority outlining their complaint. The contact details of the ACMA are as follows:

Telecommunications Deployment  
Operations Branch  
Australian Communications and Media Authority  
PO Box 78  
Belconnen  
Australian Capital Territory  
2617

Tel.: 1300 850 115                      Fax.: (02) 6219 5347  
Email: [lais@acma.gov.au](mailto:lais@acma.gov.au)                      Internet: [www.acma.gov.au](http://www.acma.gov.au)

For telecommunications that do require a permit application, in the first instance, people can contact Council via:

[planningsupport@melton.vic.gov.au](mailto:planningsupport@melton.vic.gov.au)

**APPENDIX A GLOSSARY OF TERMS**

<b>Term</b>	<b>Definition</b>
3G	Third generation
4G	Fourth generation
5G	Fifth generation
ACMA	Australian Communications and Media Authority
ACT	Australian Capital Territory
The Act	Telecommunications Act 1997
ARPANSA	Australian Radiation Protection and Nuclear Safety Agency
The ARPANSA Standard	Radiation Protection Standard – Maximum Exposure Levels to Radiofrequency Fields – 3kHz to 300 GHz (2002)
ASIO	Australian Security Intelligence Organisation
ASIS	Australian Secret Intelligence Service
CHMP	Cultural Heritage Management Plan
The Council	Melton City Council
CPI	Customer Price Index
DEDJTR	Department of Economic Development, Jobs, Transport and Resources
DELWP	Department of Environment, Land, Water and Planning
The Determination	Telecommunications (Low-impact Facilities) Determination 1997
EME	Electromagnetic emissions or electromagnetic energy
EMF	Electromagnetic field
EPBC Act	Environmental Protection and Biodiversity Conservation Act 1999
HOT	Heads of Terms
ICNIRP	International Commission on Non-Ionising Radiation Protection
IARC	International Agency for Research on Cancer
IoT	Internet of things
LAAN	Land Access and Activity Notice
LGA	Local Government Authority
LPPF	Local Planning Policy Framework

MCF	Mobile Carriers Forum
NBN	National Broadband Network
NSW	New South Wales
OLS	Obstacle Limitation Surface
P&E Act	Planning and Environment Act 1987
The Plan	Plan Melbourne
The Policy	Communications Infrastructure Policy
PSP	Precinct Structure Plans
RF	Radiofrequency
RFNSA	Radio Frequency National Site Archive
SPPF	State Planning Policy Framework
VPP	Victorian Planning Provisions
TIO	Telecommunications Industry Ombudsman
VCAT	Victorian Civil and Administrative Tribunal
VHA	Vodafone Hutchinson Australia
VPA	Victorian Planning Authority
VPP	Victorian Planning Provisions
Vic Code	A Code of Practice for Telecommunications Facilities in Victoria
VicTrack	Victorian Rail Track Corporation
WHO	World Health Organisation

## APPENDIX B VISUAL IMPACT ASSESSMENT TEMPLATE

### BACKGROUND

\_\_\_\_\_ has been engaged by \_\_\_\_\_ to prepare the following visual impact statement (VIA) . This report provides an assessment of the potential visual impacts of the proposed \_\_\_\_\_ communications facility when viewed from the surrounding area. This VIA supports the Planning Report documentation lodged with Melton City Council for assessment under \_\_\_\_\_

### SITE LOCATION

The site is located at \_\_\_\_\_ (Figure 1).



Figure 1 – Location of the proposed site (Source: XXXX, YEAR).

## METHODOLOGY

This Visual Impact Statement has been carried out by undertaking the following:

- Analysis of the existing visual environment, considering views in an immediate, local and regional context. Significant views and vantage points within the surrounding area have also been analysed.
- A height simulation of the proposed facility has been undertaken. This involved *raising a helium filled blimp/the erection of a cherry picker* to the height of proposed structure. Digital photographs of the *blimp/cherry picker* were taken from several key vantage points within the surrounding visual catchment to determine the extent of visibility of the proposal and to assist in identifying location which are likely to be affected by the proposal.
- Visual simulations of the proposed Telstra telecommunications facility from locations within the surrounding visual catchment have been undertaken to demonstrate the likely visual impacts of the works. To realistically illustrate the potential visual impacts of the proposed Telstra telecommunications facility, a set of photomontages have been prepared to demonstrate the extent of visual change between the existing and simulated visual environment.

All digital photographs were taken using a \_\_\_\_\_ camera. The camera specifications are outlined in table 1 below:

**Table 1 – Camera specifications**


## ASSESSMENT CRITERIA

The approach to rating visual impact for the proposed Telstra telecommunications facility was based on two factors; the visibility of the proposed development and the Visual Absorption Capacity (VAC) of the landscape.

### Visibility

The visibility of a proposal can be categorised into three components: number of viewers, period of view and distance of view table 2 below outlines the assessment criteria used for categorising the visibility components outlined above.

**Table 2 – Visibility rationale**

Visibility Component	category	Criteria
Number of viewers	High	> 1,000 people per day
	Moderate	100 – 1,000 people per day
	Low	< 100 people per day
Period of view	Long Term	> 120 minutes
	Moderate Term	1 – 120 minutes
	Short Term	< 1 minutes
Distance Zone	Foreground	0 – 200m
	Middle ground	200m – 1.5km
	Background	> 1.5km



The rationale for the assessment of visibility is that a proposal is highly visible if many people can see the proposed development at relatively close distances over a long period of time. A proposal is moderately visible if a medium number of people can see the proposed development at a medium distance over a moderate period, or many people will see the proposal over a short period. Alternatively, if a proposal has low visibility it is essentially not visible.

**Visual Absorption Capacity**

Visual absorption capacity (VAC) is the landscape's ability to absorb physical changes without transformation in its visual character and quality. Table 3 below outlines the rationale for assessment that has been adopted in this report.

**Table 3 – Visual Absorption capacity rationale**

VAC Category	Criteria
High	The landscape can absorb the impacts of the development resulting in a low degree of visual contrast.
Moderate	The landscape can absorb some of the impacts of the development resulting in some visual contrast.
Low	The landscape is unable to absorb the impacts of the development resulting in a high degree of visual contrast.

**Visual Impact Rating**

To determine the anticipated visual impact, the visibility of a proposal can be assessed against the VAC of the landscape. Table 4 below provides a VIA matrix which has been used to establish the total visual impact a development may have on the surrounding landscape.

**Table 4 – Visual Impact Assessment matrix**

		Visibility		
		Low	Moderate	High
Visual Capacity	Low	M	H	H
	Moderate	L	M	H
	High	L	L	M

## EXISTING VISUAL ENVIRONMENT

### LAND FORM

- Topography
- Bodies of water
- Vegetation

The topography surrounding \_\_\_\_\_ is \_\_\_\_\_

The elevated areas at \_\_\_\_\_ provide \_\_\_\_\_

Existing vegetation at \_\_\_\_\_ provides effective visual screening for the \_\_\_\_\_ area.

Vegetation \_\_\_\_\_ provides some screening for the \_\_\_\_\_ area.

\_\_\_\_\_ located at partially obscure views to the proposed site from \_\_\_\_\_

### LAND USE

- Commercial areas
- Town centre?
- Residential areas
- Industrial sites
- National parks
- Educational establishments
- Significant open space.

The \_\_\_\_\_ are the most visually significant forms in the locality. \_\_\_\_\_ and \_\_\_\_\_ contribute to the visual character of the area.

### SIGNIFICANT VIEWS

Several locations have been identified as having significant views of the proposed site and surrounding area. Figure 2 outlines the locations of these viewpoints within the locality.



Figure 2 – location of significant views of the site throughout the locality

A visual assessment of these locations is described and illustrated below:

**View –**

Description of View, why it is important, is it stationary or passing view, is it highly trafficked by people.



Figure 3 – View 1:

Three (3) views must be provided using Figures 2 and 3 as a template.

## DESCRIPTION OF THE PROPOSAL

Proposed works include:

- \_\_\_\_\_

This report was written with reference to the following site plans by \_\_\_\_\_:

include drawing number, title & date

## IMPACT ASSESSMENT

An assessment of the potential visual impacts on several vantage points within the visual catchment have been undertaken in accordance with the assessment criteria outlined in Section 1.4. Figure \_\_\_\_\_ below demonstrates the locations of the vantage points which have been assessed in this chapter.

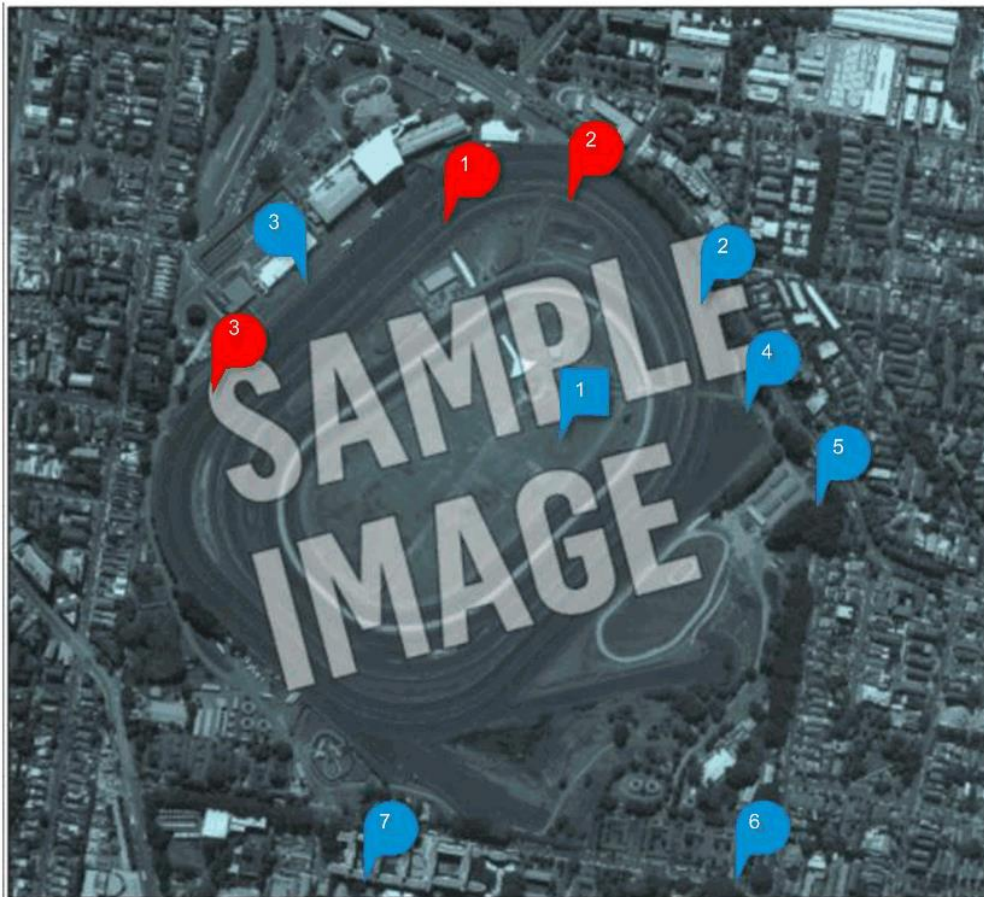


Figure 4 - Image location map. Red denotes photomontages

**VIEW – NAME AND SITE ADDRESS**



Figure 7 - View of the proposed facility from \_\_\_\_\_

Assessment Criteria	Assessment Details
View location	E.g. Foreshore Road looking south east
Period of View	Short term / Moderate term / Long term
Number of Viewers	Low / Moderate / High
Distance of View	XXXm
Visibility	Low / Moderate / High
Visual Absorption Capacity	Low / Moderate / High
Visual Impact Rating	Low / Moderate / High
Comment	The proposed telecommunications facility will have a _____ impact on views from this location. The visual impact from this vantage point is due to _____. The monopole will be _____ visible through existing vegetation on the _____. Discuss period of view.

Table 5 – View 1 Visual Impact Assessment

Four (4) views must be provided using Figure 7 and Table 5 as a template.

## CONCLUSION

Summarise and discuss visual impact in relation to findings and Visual Impact Matrix located in Table 4

## APPENDIX C CHECKLIST OF SUBMISSION REQUIREMENTS

Item	Included
Application form	
Title plan	
Land owner details	
Site plans	
EPBC report	
Cultural Heritage Management Plan Tool	
A Code of Practice for Telecommunications Facilities in Victoria	
Environmental EME report	
Predictive EME map	
Photomontages and visual impact assessment	
Written explanation or graphical representation of the need for the proposal	
Detailed site selection process, including existing infrastructure and rationale for new sites	
Example of community consultation undertaken	
Obstacle limitation surface impact assessment	
Landscape plan	
Sediment and erosion plan	
Geotechnical report	
Ecological report	
Waste management plan	
Bushfire protection report	
Heritage impact assessment	

## APPENDIX D IMPLEMENTATION OPTIONS

### COUNCIL POLICY FRAMEWORK

Council could resolve to adopt only the Policy Framework as the tool for use in assessing planning applications. This would mean that the Planning Scheme would not be amended.

The advantages to this would include:

- The Policy Framework could be used immediately to assess applications and guide future development
- The Policy Framework could be amended at any time to include any changes that council would see fit.
- No changes to the Planning Scheme would be required

The disadvantages would include:

- The Policy Framework would hold less weight within the Victorian Civil and Administrative Tribunal (VCAT) than the implementation of the Policy Framework and a Local Planning Policy within the Planning Scheme.

Due to the disadvantages to only implementing a policy framework, including having less statutory weight, this approach would not be recommended.

The alternative is to implement a two-tiered approach which includes a Local Policy and a Planning Policy Guidance Framework. This will include amending the Planning Scheme to insert the Local Policy. The Policy Framework will then provide guidance, information and further details on how the Policy is to be implemented and interpreted on a day-to-day basis. The specifics of the Local Policy are explained below.

### LOCAL POLICY

Employing a policy for Communications Infrastructure would add statutory weight to the Council's policy direction.

#### Where the policy would apply

The Communications Infrastructure Policy would relate to all land within the City of Melton in accordance with the provisions of clause 52.19 of the *Melton Planning Scheme*.

#### Municipal Strategic Statement (MSS) Context

Encourage efficient communications infrastructure networks while maintaining the amenities of local communities and ensuring the conservation of significant and sensitive natural, cultural and historical areas.

#### Policy Basis

Telecommunications has become an integrated and essential service, access to which is viewed as accepted and commonplace as much as other utilities such as electricity, gas and water. There have been significant changes to the technology and services provided from the communications infrastructure, such as the increase of wireless internet and the move towards Smart Communities and telecommuting, as well as the connectivity that powers business and is fully integrated into communities and homes.

The City of Melton supports and encourages reliable and world class communications infrastructure, however there is a need to respond to proposed urban growth within the City of Melton and the legislative and technological changes within the communications industry. This is required to ensure support for sustainable growth of this infrastructure whilst also considering and respecting any concerns of the community that may arise from the siting and deployment of communications infrastructure within their homes and workplaces.

The City of Melton recognises that there are concerns from communities over long-term health and safety, visual impact and environmental concerns and therefore the City of Melton seeks input to guide siting and design of communications infrastructure development. This is particularly important within the new greenfield communities subject to Precinct Structure Plans to ensure they have the best communication services available to them, whilst balancing against the visual and environmental challenges, that are associated with the development of communications infrastructure



Therefore, the City of Melton seeks to provide guidance to communications infrastructure providers on what needs to be demonstrated within a permit application to satisfy compliance with Clause 52.19 and the principles of *A Code of Practice for Telecommunications in Victoria*.

#### Policy Objectives

The objectives of the Policy are as follows:

- To ensure that the health of the local communities is maintained by minimising any potential health risks associated with the provision of communications infrastructure.
- To ensure any potential impact upon the amenity of local communities are minimised.
- To ensure an open and consistent approach by Council in considering communications infrastructure.
- To provide guidance to communications infrastructure providers on Council's requirements and expectations.
- To support the expansion of communications networks and their infrastructure, including telecommunications and high-speed broadband.
- To keep the numbers of communications infrastructure and infrastructure sites to a minimum, while maintaining the effective operation of their networks.

#### Local Policy

It is the Policy that:

- Communications infrastructure should co-locate with existing communications infrastructure.
- Where co-locating is not possible, communications facilities should use existing structures, such as lampposts, high-voltage electricity pylons and rooftops.
- Where a new communications facility is required, Council's preference, in descending order, is for sites to be located in industrial, commercial, rural and residential areas as defined by the *Telecommunications (Low-impact Facilities) Determination 1997* (as amended).
- Any application to Council must include written evidence of pre-planning application consultation with Council.
- Any application should include a thoroughly detailed assessment of alternative candidates and, where applicable, providing details as to why co-location infrastructure is not viable.
- A detailed visual impact assessment, including photo montages, using a template detailed in the *Policy Guidance Note*.
- Permit applications are accompanied by detailed explanation of electromagnetic emissions/radiofrequency issues including technologies involved, coverage and/or capacity and the benefits that the infrastructure would deliver to the community.
- Applications for communications infrastructure in conservation areas or on heritage items, should include a heritage impact assessment.
- Applications for communications infrastructure must take into account and address the objectives of any Precinct Structure Plan, Native Vegetation Precinct Plan and Biodiversity Conservation Strategy applicable to the site.
- Planning permit applications should provide details of materials, colours, screening, landscaping, lighting and access for proposed Communications Infrastructure facilities.
- Where applicable, communication infrastructure must comply with the Radiation Protection Standard entitled Maximum Exposure Levels to Radiofrequency Fields – 3 kHz to 300 GHz (2002) in relation to health and wireless communications facilities.
- To protect and conserve the Victorian Volcanic Plain and its historic, scientific, landscape, habitat or cultural values, communications infrastructure providers should have regard to and show compliance with Council's *Significant Landscape Features Strategy*. Communications infrastructure in the Plain

should be avoided. As land-owner, Council will not enter in to any agreement with communication infrastructure providers for sites that are on the Plain.

**Decision Guidelines**

Before determining a permit application, the responsible authority must consider clause 65 of the *Melton Planning Scheme*, the purposes of any relevant overlay, Council's *Communication Infrastructure Policy Guidance Note*, Council's *Significant Landscape Features Strategy* and the principles set out in *A Code of Practice for Telecommunications Facilities in Victoria*.

**Policy References**

*A Code of Practice for Telecommunications Facilities in Victoria*, July 2004  
*Communication Infrastructure Policy Guidance Note*, City of Melton, TBC  
*Significant Landscape Features Strategy*, City of Melton, May 2016