



Department of Environment,
Land, Water and Planning

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Mr Kelvin Tori
Chief Executive Officer
Melton City Council
Email address: lucys@melton.vic.gov.au

Attention: Lucy Slater, Senior Strategic Planner

Dear Mr Tori

**PROPOSED MELTON PLANNING SCHEME AMENDMENT C212melt
PROPOSED NEW COMMUNICATIONS INFRASTRUCTURE POLICY**

I refer to your council's application for authorisation to prepare an amendment to the Melton Planning Scheme. The amendment proposes to implement the recommendations of the *City of Melton Communications Infrastructure Policy (Policy Framework), December 2017*, by amending the Local Planning Policy Framework to introduce a Communications Infrastructure Policy.

Pursuant to section 8A of the *Planning and Environment Act 1987*, I do not authorise your council to prepare the amendment.

In deciding not to authorise preparation of this amendment, I considered the following matters:

- The Victoria Planning Provision (VPP) at Clause 52.19 (Telecommunications Facility) provides all the direction required for decision making, therefore, a local policy is not required.
- The proposed local policy would duplicate content of the existing provision at Clause 52.19 and also would add an additional layer of requirements when a planning permit is required, which would be contrary to orderly planning principles.
- Local policy should only be used to provide locally specific direction for a municipality. It must not assume the role of state policy or take on a broader mandate.
- The proposed local policy seeks to include additional and more stringent requirements which are beyond the scope of the planning scheme and are already dealt with by existing Commonwealth and State legislation.
- The particular provisions at Clause 52.19 and A Code of Practice for Telecommunications Facilities in Victoria, July 2004 ensure local planning policy objectives can be achieved and impacts on amenity can be appropriately managed, consistent with orderly and proper planning.

If you have any further queries in relation to this matter please contact Daniela Antovska, Planner from Planning Services on (03) 9412 4162 or email daniela.antovska@delwp.vic.gov.au.

Yours sincerely,

Steven Cox
Manager, State Planning Services

13 March 2020

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