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Date Plans Provided: 11/05/2021

Planning Report

Planning Permit Application for a Telecommunications Facility

280-286 Point Cook Road, Point Cook VIC 3030
(Lot T on Plan of Subdivision 524220P)

Optus Reference: M2960 Sanctuary Lakes

Prepared by Kordia Solutions Australia on behalf of Optus Mobile Pty Ltd

March 2021

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Plan: 1 of 39



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Town Planning
Advertised Documents

Plan: 2 of 39

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Quality Control

Prepared by:	David Hodgkinson Senior Planning Consultant SAED, National Engineering & Design Kordia Solutions Australia 0437015282 David.hodgkinson@kordia.com.au
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Town Planning
Advertised Documents

Plan: 3 of 39

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Table of Contents

Quality Control.....	Date Plans Provided: 11/05/2021 3
Executive Summary.....	6
1.0 Introduction.....	7
1.1 Need for the Facility.....	8
1.2 Site Selection	8
1.3 Preferred Site Candidate	12
2.0 Site Context.....	13
3.0 Scope of Works	14
3.1 Access.....	16
3.2 Utilities.....	17
3.3 Construction Scheduling.....	17
4.0 Relevant Legislation and Planning Controls.....	18
4.1 Commonwealth Legislation.....	18
4.1.1 Telecommunications Act 1997.....	18
4.1.3 Telecommunications Code of Practice 2018.....	18
4.1.4 Deployment Code.....	19
4.1.5 Environmental Protection and Biodiversity Conservation Act 1999	19
4.2.1 Planning and Environment Act 1987	20
4.2.2 Heritage Act 2017	20
4.2.3 Aboriginal Act 2006	21
4.2.3 State Planning Policy Framework	21
4.2.4 Local Planning Policy Framework (LPPF).....	23
4.2.5 Zoning	24
4.2.6 Overlays.....	26
4.2.7 Particular Use Provisions	26
4.3 A Code of Practice for Telecommunications Facilities In Victoria.....	26
5.0 Development Impacts.....	30
5.1 Visual Impact Assessment	30
6.2 Heritage.....	31
6.3 Ecology	
6.4 Noise and Vibration	

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 4 of 39

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Date Plans Provided: 11/05/2021

6.5 Traffic	32
6.6 Flooding	32
6.7 Bushfire	32
6.8 Erosion and Sediment Control	32
6.9 Social and Economic Impacts of the Proposal	33
6.10 Health and Safety	34
7.0 Conclusion	36
Appendix A – Design Drawings	37
Appendix B – Environmental EME Report	39
Appendix C – Environmental Searches	39

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 5 of 39



Date Plans Provided: 11/05/2021

Executive Summary

Address of Site	280-286 Point Cook Road Point Cook VIC 3030
Legal Property Description	Lot T on Plan of Subdivision 524220P
Property Owner	Col CD Pty Ltd
Local Government Authority	Wyndham City Council
Planning Scheme	Wyndham Planning Scheme
Proposal	<p>The proposal comprises:</p> <ul style="list-style-type: none"> • Construction of a new 25m monopole mobile phone base station telecommunication facility (25.6m overall height); • Installation of nine (9) panel antennas mounted on a triangular headframe on top of the proposed monopole; • Installation of four (4) outdoor bay equipment cabinets (2 proposed and 2 for future) at the base of the facility; and • Installation of ancillary equipment.
Coverage Objectives	Optus have identified the need for increase service capacity within the growth area of Sanctuary Lakes. To facilitate provision of mobile phone call and data services, a new Telecommunications Facility is required to ensure adequate mobile coverage and capacity remains available.
Permit Trigger	Clause 52.19: Buildings and Works for Telecommunications Facility
Zone and Overlays	General Residential Zone 1 (GRZ1) No applicable overlays
Use	Telecommunications Facility
Applicant	Optus Mobile Pty Ltd C/- Kordia Solution Australia Unit 9, 137-145 Rooks Road Nunawading VIC 3131
Contact Person	David Hodgkinson 0437015282 David.Hodgkinson@kordia.com.au
Site Name Reference	M2960 Sanctuary Lakes

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 6 of 39

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1.0 Introduction

Kordia Solutions Australia (Kordia) have been engaged by Optus Mobile Pty Ltd (Optus) to design and construct a new Telecommunications Facility at 280-286 Point Cook Road, Point Cook VIC

Mobile phone infrastructure provides an integral part of our everyday lives and helps pave the way for societal and technological progression. With the influx of future growth within the subject area, which is generating increasing consumer demands on voice and data services, it has been identified that a new base station is required to address the current poor mobile coverage and capacity. Provision of quality mobile phone infrastructure will support the sustainable use and development of the Sanctuary Lakes and surrounding areas.

In order to enable the provision of these services to customers, Optus and Kordia have undertaken a comprehensive site identification and selection process based on a number of factors including environmental, planning, community, property, engineering and radiofrequency (RF) coverage objectives which have all been taken into careful consideration throughout the analysis.

As a result of this assessment, it was determined that a new telecommunications facility at the above address would be required in order to provide the necessary coverage and service objectives within the area with minimal adverse impacts on surrounding environments and the community.

Optus ensures that all of its facilities, including the proposed facility will operate at a level well below the strict Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) guidelines, even at maximum capacity. It should be noted that telecommunication facilities are designed to operate at the lowest possible power.

Optus and Kordia consider the above location to be favourable for the proposed facility as it will have minimal overall environmental impact upon the locality whilst crucially providing the necessary coverage.

All mobile phone network operators are bound by the operational provisions of the federal *Telecommunications Act 1997* and the *Telecommunications Code of Practice 2018*. This Development Application is bound by the core principles and operator requirements outlined within the *Telecommunications Act 1997* and subordinate regulations. In addition, consent is required from Wyndham City Council as the responsible planning authority for the local government area in order to undertake the proposed development. Further information regarding the legislative framework pursuant to this proposal is located within Section 4 of this report.

Optus and Kordia are seeking planning approval for a new telecommunications facility at the subject site.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 7 of 39

1.1 Need for the Facility

The installation of the proposed facility is intended to ensure coverage and capacity is available at Sanctuary Lakes as the area is undergoing rapid development.

Mobile phones work by sending and receiving low power radio signals, much like a two way radio system. The signals are sent to and received from antennas that are attached to radio transmitters and receivers, commonly referred to as mobile phone base stations. The base stations are linked to the rest of the mobile and fixed phone network and pass the signal/call into those networks.

Each base station can only carry a finite number of calls. In areas of high mobile phone use, such as central business districts and high density areas, more base stations are required to handle the level of call and data traffic.

There are many factors that may cause a call drop-out or slow data speeds such as:

- being too far away from a facility;
- objects blocking the signal from your nearest facility – for example hills, large buildings or even trees;
- the facility may be operating at capacity and unable to accept any more calls or data; and
- the depth of coverage may not be sufficient to allow reliable calls inside buildings.

Optus have identified the need to improve and increase coverage and service capacity in Sanctuary Lakes. For the reasons above, the proposed telecommunications facility is required to ensure adequate mobile coverage and capacity is available.

1.2 Site Selection

Due to the specific intended coverage area, site selection was limited to the land within the immediate vicinity of this part of Sanctuary Lakes.

The candidate assessment undertaken for the area included an assessment of a number of factors such as environmental constraints, planning, community, property, engineering and radiofrequency (RF) coverage objectives which have all been taken into careful consideration in selecting an appropriate site. Due diligence is conducted in relation to existing sensitive land uses, costs of upgrading, technical and coverage objectives, lease and land tenure, visual impact and engineering/design criteria.

In the first instance, the carriers attempt to co-locate on an existing telecommunications facility. Co-location opportunities in the Sanctuary Lakes area were considered. A search of the Radio Frequency National Site Archive (RFNSA) was conducted, the results are visible in **Figure 1** below.

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Site Details

Site In Service Date
Facility Owner/Controller
Site Comment
Nearby Broadcast Sites* 300m
ACMA Site IDs
SSD Users

To Be Confirmed
Optus
No broadcast sites within selected radius.
None entered
32 users have SSD User access for this site.

* Based on Australian Communications and Media Authority data: [ACMA List of Licensed Broadcasting Transmitters](#) downloaded on 06/12/2020.

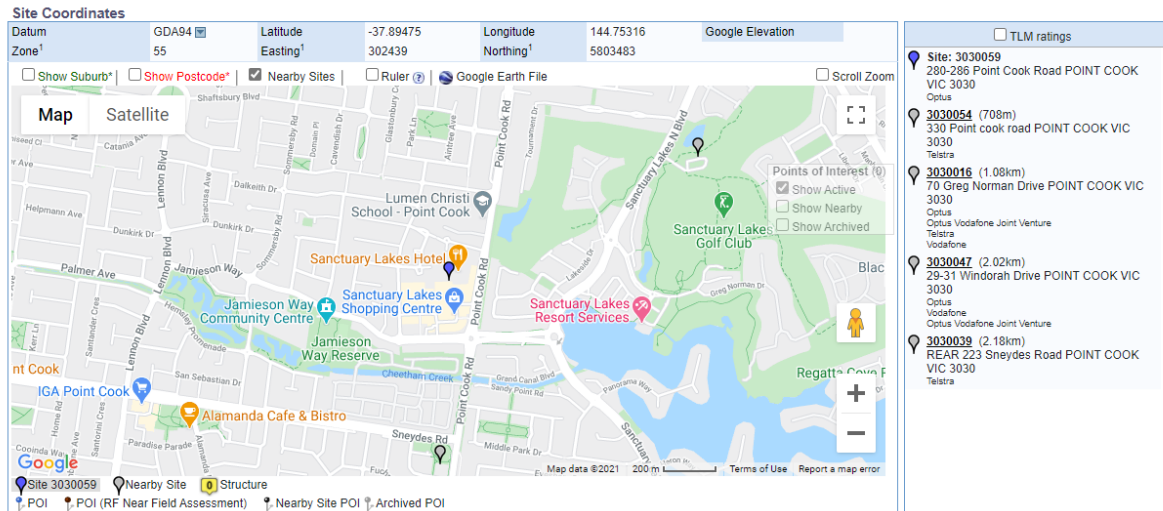


Figure 1 – Search of nearby existing telecommunications facilities (Source: RFNSA)

The proposed facility to which this development application relates is identified as site number 3030059 and marked by the blue pin on the map above. Two additional facilities are identified:

Site number 30300016: 70 Greg Norman Drive, Point Cook VIC 3030 – This site is currently a facility that comprises of Optus antennas and therefore was discounted.

Site number 3030054: 330 Point Cook Road, Point Cook VIC 3030 – This is a Telstra Exchange building with antennas on the rooftop. The site is too far south of the search area and therefore was discounted.

A new facility is required. The following greenfield candidates, shown in **Figure 2**, were identified and assessed against environmental, planning, community, property, engineering and radiofrequency (RF) objectives. The outcomes of the site selection process are outlined in the table below.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 9 of 39

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Candidate C is ultimately approved by Council however they are the most recent version as at the date shown below:

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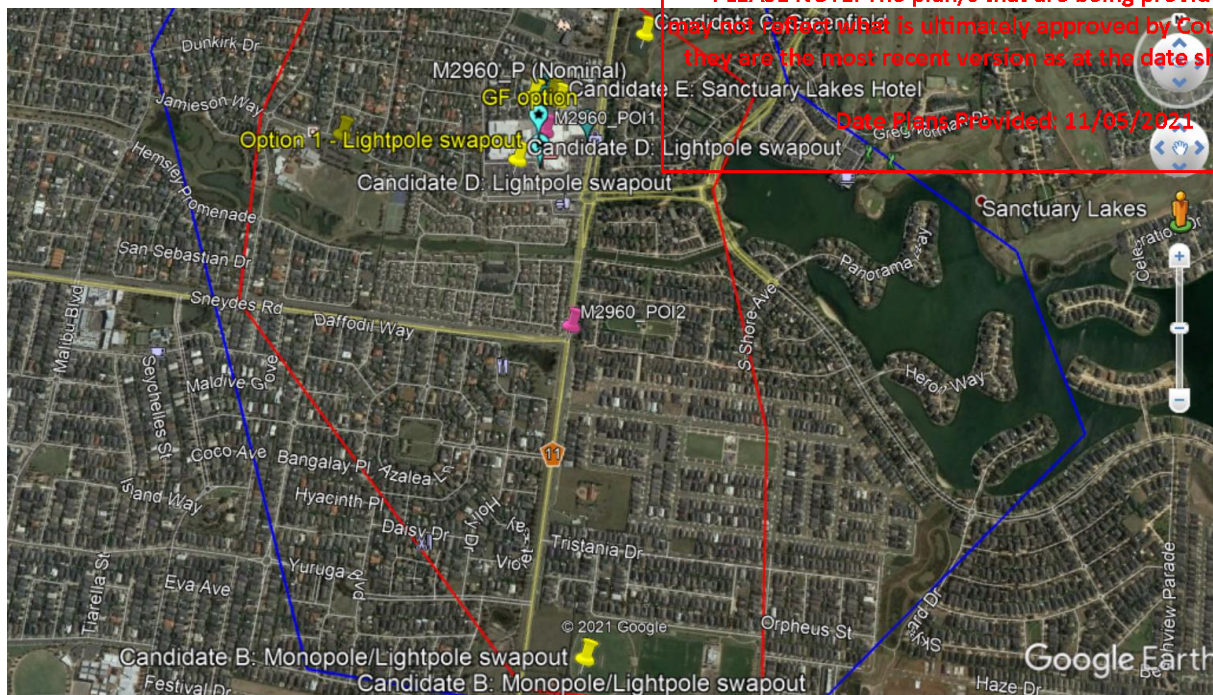


Figure 2 – Candidates identified in the site selection process (Source: Google Earth)

Table 1 provides a comparison of the above candidates in terms of their selection outcomes.

Table 1 - Candidate Analysis Summary

<u>Candidate ID</u>	<u>Address</u>	<u>Selection Outcomes</u>
Candidate A (-37.895516 144.746538)	59 Jamieson Way Point Cook VIC 3030	Proposal to swapout light pole in a car park, however the candidate was unable to meet the coverage objectives are the targeted area and therefore Candidate A was discounted.
Candidate B (-37.907719 144.753815)	1-5 Saltwater Promenade Point Cook VIC 3030	Proposal to swapout a light pole on the recreational oval, however the candidate was unable to meet the coverage objectives for the targeted area and therefore Candidate B was discounted.
Candidate C (-37.896196 144.751855)	9 Greg Norman Drive Point Cook VIC	Proposal for a new pole on the Golf Course however the candidate was unable to meet the coverage objectives for the targeted area and therefore Candidate C was discounted.
Candidate D (-37.896196 144.751855)	18 Jamieson Way Point Cook VIC 3030	Proposal to swapout light pole in a car park, however although the candidate could meet the coverage objectives when compared to

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 10 of 39

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		candidate E location, Candidate D was then discounted.
Candidate – E (-37.894749, 144.753158)	280-286 Point Cook Road Point Cook VIC 3030	The proposal is to provide a new pole within a car park of the hotel. The candidate is able to provide the optimum coverage to the area and establish an interest from the land owner. Therefore Candidate E was chosen as the preferred candidate.

The proposed site location, displayed below in **Figure 3**, best meets Optus's deployment objectives whilst satisfying construction feasibility, town planning considerations, environmental impacts, visual amenity, and other engineering factors:

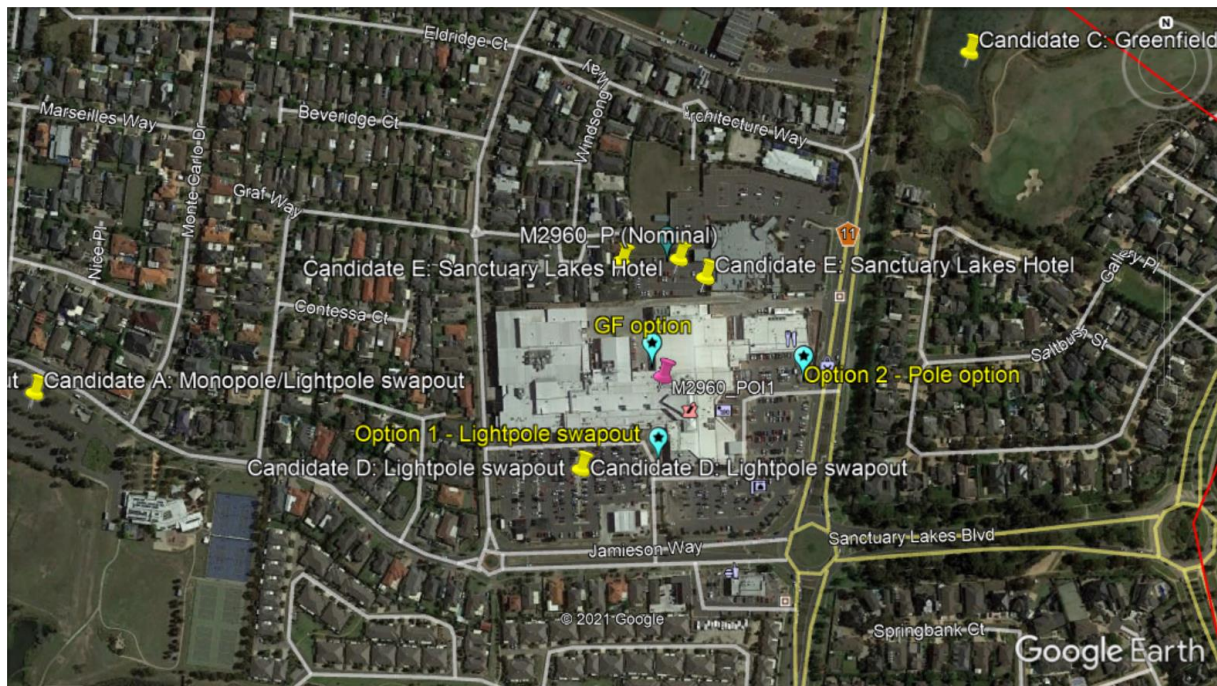


Figure 3 - Proposed Telecommunication Facility Site Location (source: Google Earth)

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 11 of 39

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1.3 Preferred Site Candidate

Candidate E was selected as the preferred site candidate for the following reasons:

- The proposed site location is in a cleared hardstanding area, eliminating the need to clear vegetation for construction or power/underground service trenching;
- The proposed site location is in the location of an existing communications tower (which is to be decommissioned), thereby ensuring the development is consistent with the built form and character of the area;
- Connections to power and transmission backhaul is available at the site;
- Town planning compliance (in respect of zoning, surrounding land uses, environmental significance, local environmental plans, and visual impact) is achievable;
- Access and parking within proximity of the site which may be used for construction and maintenance visits is available; and
- The location will offer an effective site solution whilst maximising coverage and mobile phone service provisions within the identified locality.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 12 of 39

2.0 Site Context

The subject site is situated within the Sanctuary Lakes Hotel, in the Wyndham City local government area of Victoria. The site location is characterised by single storey hotel building and associated car parking surrounding the hotel. low density housing of single and double storey surround to the north east and west of the site. To the south is adjoining the Sanctuary Lakes Shopping Centre. The legal description of the property is 280-286 Point Cook Road, Point Cook VIC 3030 (Lot T on Plan of Subdivision 524220P). The GPS coordinates of the proposed location are: (-37.894749, 144.753158).

The proposal involves the installation of a new 25m monopole, antennas, equipment shelter, and associated equipment.

The site location and context is demonstrated in **Figure 4** below.

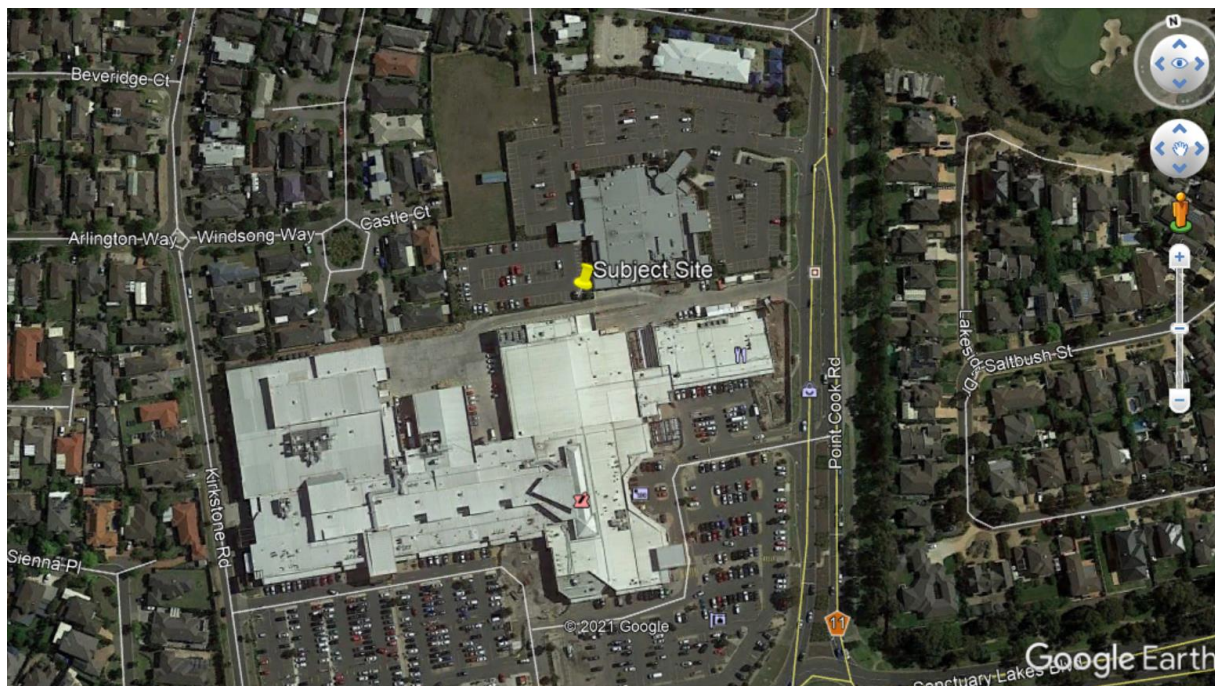


Figure 4 – Proposed Telecommunication Facility context map (source: Google Earth)

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3.0 Scope of Works

The proposed facility seeks to provide continued and enhanced coverage within the Sanctuary Lakes area and involves the following works:

- Construction of a new 25m monopole mobile phone base station telecommunication facility (25.6m overall height);
- Installation of nine (9) panel antennas mounted on a triangular headframe on top of the proposed monopole;
- Installation of four (4) outdoor bay equipment cabinets (2 proposed and 2 for future) at the base of the facility; and
- Installation of ancillary equipment

A diagram of the proposed telecommunications facility is displayed below in **Figure 5**. Full preliminary drawings are available in **Appendix A – Design Drawings**.

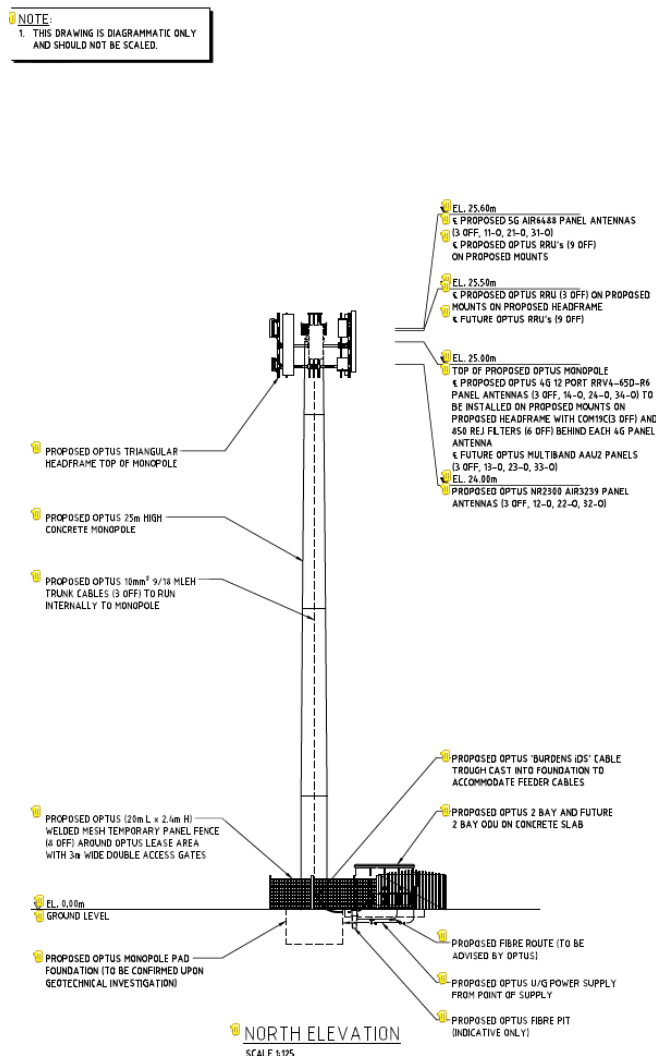


Figure 5 – Proposed Telecommunications Facility elevation drawings

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Town Planning
Advertised Documents

Plan: 14 of 39

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Figure 6 – Location of Site (from north to south)

**WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents**

Plan: 15 of 39



3.1 Access

Access to the proposed site will be conducted via the existing hotel entrance car park through to the rear car parking area to the site as indicated below in **Figure 7** and on the proposed plans within **Appendix A – Design Drawings**. This route enables direct access to the proposed site location which will reduce any disruptions to traffic flow for construction vehicles during the build phase and any future required maintenance. The available access is of sufficient size for vehicle manoeuvring. Traffic management and relevant approvals will be obtained during/for construction as necessary, though impacts are considered insignificant.

There is existing standing area adjacent to the proposed location for vehicle activities during the construction phase. Given the minor amount of traffic generated by the facility (expected to be 2 – 4 movements per year), additional formal parking or manoeuvring areas are not required. Mobile phone base stations do not require only infrequent maintenance visits. The proposal will not be a significant generator of vehicular and/or pedestrian traffic.



Figure 7 – Access via hotel existing car park

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3.2 Utilities

The final power design including the capacity of the supply will be confirmed in the detailed design phase, however, a major upgrade is not anticipated. Indicatively, power and underground optic fibre connections are shown on the Site Access and Site Layout plans appended to this report **Appendix A – Design Drawings**. The proposed facility will be connected to existing fibre infrastructure within the area, with an existing Optus services pit located adjacent to the subject location.

The unmanned facility does not require access to water or sewer infrastructure. The proposal will not alter stormwater runoff from the site, given the very minimal hardstand area created by the installation.

3.3 Construction Scheduling

The development and construction of the mobile phone base station primarily consists of the following processes:

- Remediation – ensuring that the land is suitable for construction. This is inclusive of confirming existing structural assessments and the provision of cabling;
- Decommissioning of the existing structure – removal of the existing lattice tower and associated redundant equipment;
- Construction of the new structure – laying of foundations, standing the new monopole, crane lift of the monopole section/s into place, attachment of the headframe;
- Installation of new equipment – reflective of the scope of works outlined within this Development Application; and
- Network Integration – Ensuring that the mobile phone base station can connect with both end users and other sites within the Optus network.

Throughout the construction phase of the proposed development, any construction works will seek to minimise existing traffic flows as much as possible with traffic management to be implemented.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 17 of 39



4.0 Relevant Legislation and Planning Controls

4.1 Commonwealth Legislation

As a licensed telecommunications carrier, the provisions of the *Telecommunications Act 1997* and the following supporting legislation apply to this proposal:

- *Telecommunications Code of Practice 2018*;
- *Telecommunications (Low-impact Facilities) Determination 2018*;
- Mobile Phone Base Station Deployment Code C564:2020; and
- *Environment Protection and Biodiversity Conservation Act 1999*

4.1.1 Telecommunications Act 1997

The *Telecommunications Act 1997* (TA) came into operation in July 1997. The TA sets up a framework for regulating the actions of telecommunications carriers and service providers. Optus is a licensed carrier under the TA.

Schedule 3 – Carriers' powers and immunities, of the TA, specifies 'authorised activities' that a carrier is empowered to carry out without approval under State legislation. These activities include the inspection of land, and the installation and maintenance of certain facilities.

A Carrier's power to install a facility is contingent upon the facility being a 'low-impact facility' as defined by the *Telecommunications (Low-Impact Facilities) Determination 2018* (TLIFD). A facility cannot be a low-impact facility unless it is specified in the TLIFD.

4.1.2 Telecommunications (Low-Impact Facilities) Determination 2018

The *Telecommunications (Low-impact Facilities) Determination 2018* identifies both the type of facilities that can be "Low-impact", and the areas in which these facilities can be installed. Importantly, this current facility is not defined as a "low impact facility". A new mobile telecommunication tower is not a low-impact facility and is therefore subject to State Planning Laws and Regulations and is therefore subject to State Planning Laws and Regulations.

The carrier is not empowered to undertake the proposed works without approval under Victorian planning legislation, and the carrier must obtain development consent from the consent authority. The consent authority in this instance is the Wyndham City Council. The provisions of the *Planning and Environment Act 1987* and the Wyndham City Planning Scheme will be applicable to the proposal.

4.1.3 Telecommunications Code of Practice 2018

Under the *Telecommunications Act 1997* the Commonwealth Government established the Telecommunications Code of Practice, which sets out the conditions under which a carrier must operate.

Section 2.11 of the *Telecommunications Code of Practice 2018* sets out the design, planning and installation requirements for the carriers to ensure the installation of facilities is in accordance with industry 'best practice'. This is required to: "W. 2.11(3) To minimise the potential degradation of the environment and the visual amenity associated with the facilities." [Section 2.11(3)] Best practice also involves the carrier complying with any relevant industry code of

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standard that is registered by the Australian Communications Authority (ACA) under Part 6 of the Act.

4.1.4 Deployment Code

The 'Mobile Phone Base Station Deployment Code' Communications Alliance Ltd Industry Code (C564:2018) is a code developed by a working committee with representatives from carriers, various levels of government, an industry group and a community action group. The Code first came into effect on the 1st July, 2012.

The Code is designed to:

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

The carriers' activities are published on the internet based Radio Frequency National Site Archive (RFNSA) as well as information relevant to each site such as EME Reports. In the site selection and design stages of this proposal the precautionary approach outlined in the Deployment Code has been considered. No consultation external to that undertaken in the Development Application process is required under the Code however additional consultation may be undertaken at the Carrier's discretion.

4.1.5 Environmental Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation (EPBC) Act 1999 obliges telecommunications carriers to consider 'matters of national environmental significance'. Under this legislation, an action will require approval from the Minister of Environment if the action has or is likely to have an impact on a matter of National Environmental Significance.

A search of matters of National Environmental Significance is included in **Appendix B** – .

No World Heritage Properties, National Heritage Places, Commonwealth Heritage Places, or Critical Habitats are identified within a 1km buffer zone of the site. Some Listed Threatened Ecological Communities and Listed Threatened Species may occur in the area.

On the basis of the scope of works and the above findings, this development is unlikely to have a significant impact upon any national heritage values.

Referral is not required for environmental assessment under the EPBC Act in respect of environment protection and biodiversity conservation.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 19 of 39

4.2 State Legislation

The proposed facility is therefore subject to State planning instruments and regulation in addition to the Commonwealth regulatory framework. The State Government and Local provisions which could potentially apply to the proposed facility include:

- *Planning and Environmental Act 1987*;
- *Heritage Act 2017*;
- State Planning Policy Framework;
- Local Planning Policy Framework (LPPF); and
- State Development Assessment Provisions.

4.2.1 Planning and Environment Act 1987

Development of the proposed telecommunications facility is subject to the relevant provisions of the *Planning and Environment Act 1987* (P & E Act).

The purpose of the P & E Act is to establish a framework for planning the use, development and protection of land in Victoria in the present and long-term interests of all Victorians.

The proposed telecommunications facility is consistent with the key objectives of the P & E Act and will result in the orderly and sustainable development and use of land that will have minimal impact on natural resources and ecological processes. Further demonstration with these broad objectives is provided in the following sections.

4.2.2 Heritage Act 2017

The *Heritage Act 2017* provides for the protection and conservation of heritage sites throughout the state. The *Heritage Act 2017* established a Victoria Heritage Register and Heritage Inventory of significant sites and provides legal protection for heritage places and objects that are significant to the history and development of Victoria. Permits are required for any works or alterations in relation to a registered place or object.

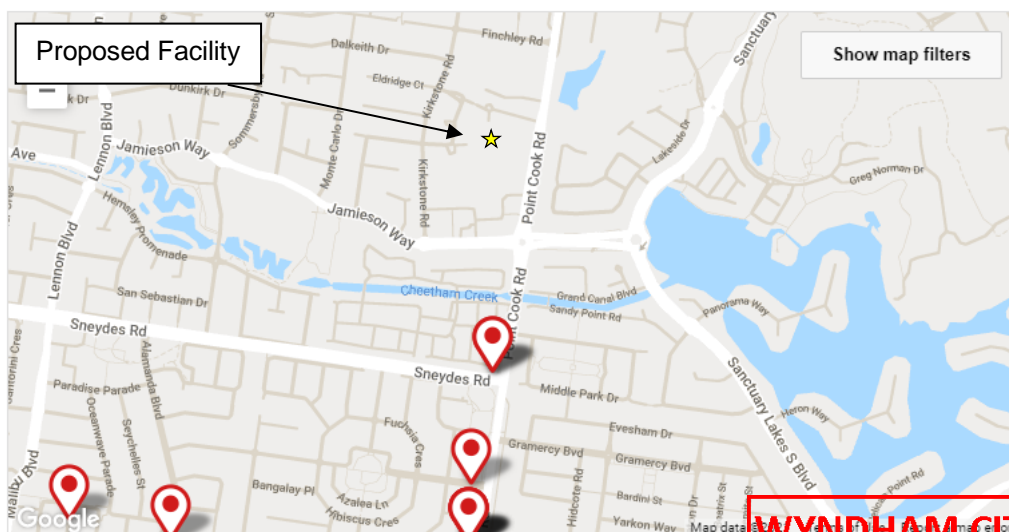


Figure 8 - Victorian Heritage Database Map

As identified above in **Figure 8**, there are no heritage items within the area.

4.2.3 Aboriginal Act 2006

The *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2018* provide for the protection of Aboriginal cultural heritage in Victoria. Aboriginal heritage is defined as “Aboriginal places, Aboriginal objects and Aboriginal human remains”.

The regulations are intended to provide for the effective protection and management of Aboriginal Cultural Heritage in Victoria by, amongst other things, specifying the circumstances in which a cultural heritage management plan (CHMP) is required and prescribing standards for the preparation of CHMPs.

The process to determine whether a CHMP is required involves consideration whether an area is identified as being in an area of cultural heritage sensitivity and consideration of whether an activity is high impact (*Aboriginal Heritage Regulations 2018* r 7).

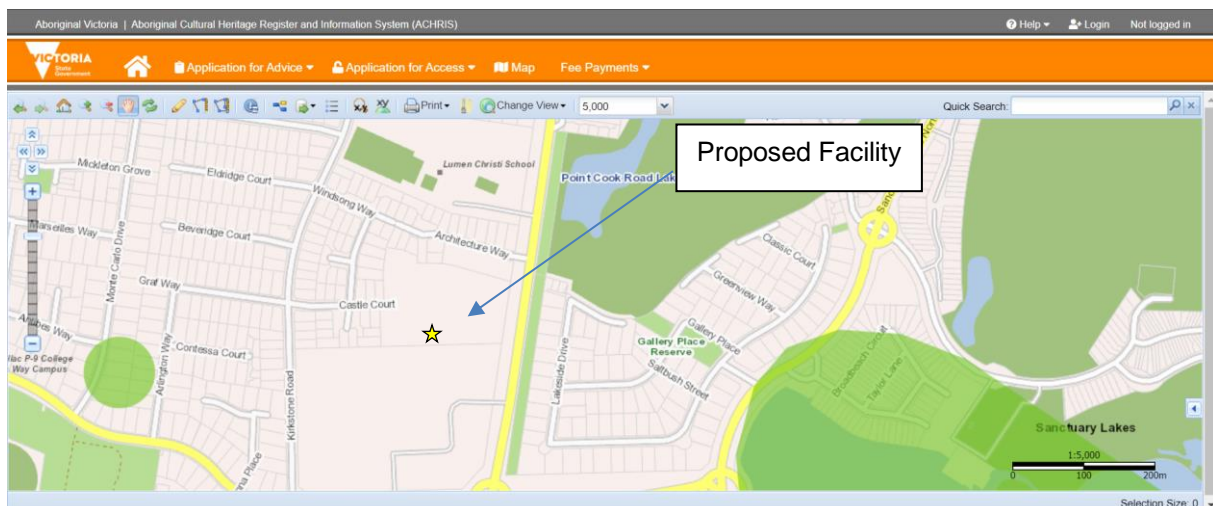


Figure 9 - Aboriginal Cultural Heritage Register and Information System Mapping of site

The proposed site location is not within an area of Aboriginal Cultural Heritage Sensitivity.

Optus nonetheless recognises Aboriginal and Torres Strait Islander heritage as an important part of Australia’s culture and seeks to protect and preserve Indigenous cultural heritage. Optus staff and contractors are required to comply with the guidelines and requirements relating to works in or within close proximity to Indigenous sites or areas, including stopping work immediately upon finding unknown Indigenous artefacts in the vicinity of works.

4.2.3 State Planning Policy Framework

The State Planning Policy Framework (SPPF) outline the ‘particular provisions’ applying to specified categories of use and development (such as Telecommunications), the ‘general provisions’ and the ‘definitions’. Clause 19.03-4 of the SPPF sets out the objective for telecommunications infrastructure, which is:

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“To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.”

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The general implementation of this objective includes:

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- Facilitate the upgrading and maintenance of telecommunications facilities.
- Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.
- Ensure the communications technology needs of business, domestic, entertainment and community services are met.
- Do not prohibit the use of land for a telecommunications facility in any zone.
- Encourage the continued deployment of broadband telecommunications services that are easily accessible by:
- Increasing and improving access for all sectors of the community to the broadband telecommunications trunk network.
- Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.
- In consideration proposals for telecommunication services, seek a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.
- Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

The proposed telecommunications facility is required to provide continued and improved mobile telecommunications coverage and capacity at Sanctuary Lakes. The installation of a Optus facility is deemed to be the most suitable design solution. The scale of the facility is acceptable in terms of visual impact given its context. It is considered that the facility will not result in undue impact on the visual amenity of the locality.

The SPPF requires that where relevant, consideration must be given to “A Code of Practice for Telecommunications Facilities in Victoria (Department of Sustainability and Environment, 2004). An assessment against the Code is provided subsequently in this report.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 22 of 39



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4.2.4 Local Planning Policy Framework (LPPF)

The LPPF, which sets out the Municipal Strategic Statement and Local Planning Policies that apply to the Wyndham City Council area, is set out as follows. **Date Plans Provided: 11/05/2021**

Clause 21.01-3 provides the Strategic Vision for the municipality, setting the aims and actions, and key strategic directions. The strategic direction is met through key objectives for *Urban Growth, Economic Growth, Environmental & Landscape Values*. General compliance with the three objectives is included below:

Urban Growth – To identify area suitable for urban growth and development.

Complies - The proposed facility in a location capable of meeting Optus's coverage objectives whilst ensuring that environmental values of the Sanctuary Lakes area are preserved. The physical infrastructure is provided in order to ensure that high quality mobile phone and mobile internet services are in the Sanctuary Lakes area. Mobile phone communication is an integral part of modern interactions, supporting wellbeing and promoting safety of individuals where emergency assistance is required.

Economic Growth - To facilitate new development and employment opportunities in Wyndham.

Complies - The proposed facility supports the economic development by providing reliable telecommunications and mobile internet service. Effective mobile functionality supports the residential, home based business, commercial, industrial, and recreational pursuits of the present (and future) activities in the Sanctuary Lakes area. Optus monitors service capacity at each of its mobile phone base stations and is responsive to use traffic trends, thereby ensuring that upgrades are provided where necessary to continue the effective and efficient provision of telecommunications service. In this way, the proposed telecommunications infrastructure is a bastion of the local economy.

Environmental & Landscape Values - To protect and enhance indigenous flora, fauna and habitat.

Complies - Optus has prioritised the minimisation of threat to native flora and fauna, particularly listed species, ecosystems or their habitat. Management techniques are in place on worksites to ensure the spread or introduction of pest species and invasive weeds are prevented. In terms of the built environment and visual amenity, site selection has met the objectives of minimising visual impact on sensitive receptors and minimising visual changes to the local area.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 23 of 39



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Date Plans Provided: 11/05/2021

4.2.5 Zoning

As shown below in **Figure 10**, the subject land is located within the General Residential Zone 1 (GRZ1).

Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)

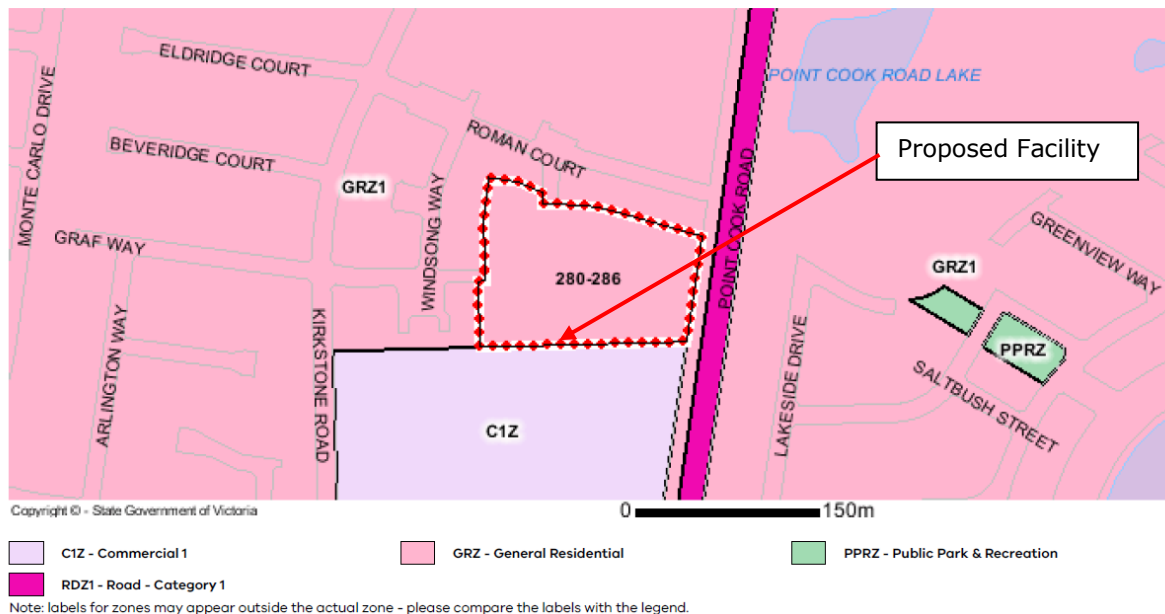


Figure 10 – Planning Property Report, Planning Scheme Zone Mapping

Under the Wyndham Planning Scheme, the proposal is defined as a 'Telecommunications Tower': "A tower, pole or mast used as part of a Telecommunications network." (Table to Clause 73.03). The land use term "Telecommunications Facility" is included in the land use term "Utility Installation".

Clause 32.08 pertains to the General Residential Zone. A permit is required for a Telecommunications Facility (other use not in Section 1 or 3).

Clause 62.01 details instances of telecommunications Uses Not Requiring a Permit. There is an exemption listed where the use of land for a Telecommunications facility and associated buildings and works meet the requirements of Clause 52.19-1. However, the proposal does not meet the listed exemption criteria of Clause 52.19-1, and therefore requires a permit.

The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 24 of 39

- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

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The proposal is assessed against the Purpose of the General Residential Zone in the table below **Table 2**.

Table 2 – Assessment against the purpose criteria of the General Residential Zone under the Wyndham Planning Scheme

Purpose	Compliance
To implement the Municipal Planning Strategy and the Planning Policy Framework.	Complies – Demonstration of compliance with the Municipal Planning Strategy and the Planning Policy Framework is provided in this planning report.
To encourage development that respects the neighbourhood character of the area.	Complies – the proposed telecommunications facility is within the carpark of the hotel separated from residential uses. The facility is designed with a monopole at a reduced height to minimise the impact on the surrounding neighbourhood character rather than propose a large and higher lattice structure.
To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.	N/A
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.	Complies – The proposed telecommunications facility is essential service that does not change the land use of the existing or potential development of the land and only requires a small footprint in development potential development of the land and only requires a small footprint in development. Providing quality and reliable mobile phone service in the Sanctuary Lakes area ensures existing mobile service coverage for all Optus customers are maintained and available. Mobile telecommunications have grown in importance across economic, business, tourism and social spheres. Mobile telecommunications are being used more frequently, and in more innovative ways ranging from business, recreational, industry and social activities. Better mobile capacity and coverage also promotes personal and community safety where telecommunications enable contact with emergency services.

As demonstrated above in **Table 2**, the proposal generally complies with the Purpose of the General Residential Zone.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 25 of 39



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4.2.6 Overlays

No Overlays affect the property.

4.2.7 Particular Use Provisions

Clause 52.19 of the Planning Scheme relates specifically to Telecommunications Facilities. The purpose of these provisions are:

- *To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.*
- *To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.*
- *To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.*

Pursuant to Clause 52.19-5 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 set out in A Code of Practice for Telecommunications Facilities in Victoria, July 2004.*
- *The effect of the proposal on adjacent land.*
- *If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.*

An assessment of the proposal against the provisions of the *Code of Practice for Telecommunications Facilities in Victoria* is provided below.

4.3 A Code of Practice for Telecommunications Facilities In Victoria

A Code of Practice for Telecommunications Facilities in Victoria also referred to as the 'Victorian Code of Practice' is an incorporated document in all Planning Schemes in Victoria pursuant to Clause 52.19.

The purpose of this Code is to:

- *Set out the circumstances and requirements under which land may be developed for a telecommunications facility without the need for a planning permit.*
- *Set out principles for the design, siting, construction and operation of a telecommunications facility which a responsible authority must consider when deciding on an application for a planning permit.*

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 26 of 39

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It aims to:

- Ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
- Ensure the application of consistent provisions for telecommunications facilities.
- Encourage an effective statewide telecommunications network in a manner consistent with the economic, environmental and social objectives of planning in Victoria as set out in Section 4 of the Planning and Environment Act 1987.
- Encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Section 4 of the Victorian Code of Practice establishes principles to be applied where relevant to the design, siting, construction and operation of any telecommunications facility, which is not exempt under Commonwealth legislation.

An assessment of the compliance of the proposed mobile telecommunications base station in accordance with the principles of Section 4.0 of the Code of Practice for Telecommunications Facilities in Victoria, July 2004 has been undertaken. Each principle is addressed in the below table.

Table 3 – Assessment against the principles for the design, siting, construction and operation of telecommunications facilities under section 4 of the Victorian Code of Practice

Principles for the design, siting, construction and operation of telecommunications facilities		
Principle	Application	Compliance
4.1 A Telecommunications facility should be sited to minimise visual impact.	<ul style="list-style-type: none"> 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. A telecommunications facility mounted on a building should be integrated with the design and appearance of the building. Equipment associated with the telecommunications facility should be screened or housed to reduce its visibility. The relevant officer of the responsible authority should be consulted before any street tree is pruned, lopped, destroyed or removed. A telecommunications facility should be located so as to minimise 	4.1 Complies – The proposed facility is not within a heritage place / identified within the Heritage Overlay under the Wyndham Planning Scheme. The proposal is for a new monopole facility. The proposal reasonably minimises impacts on sensitive receptors and minimises visual changes to the local Sanctuary Lakes area. A slim-line monopole is proposed to reduce visual bulk. The proposed facility is to be located within a rural residential area. The proposed facility is consistent with the built character of the area. The overall height of the facility is reduced as far as possible given the reasonable

Advertised Documents

Plan: 27 of 39

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may not reflect radio frequency service objectives of the facility in order to minimise visual impact to sensitive receptors identified in close proximity to the proposed facility. There are no new access points or tracks proposed.

Date Plans Provided: 11/05/2021

	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.	
4.2 Telecommunications facilities should be co-located wherever practical	<ul style="list-style-type: none"> Wherever practical, telecommunications lines should be located within an existing underground conduit or duct. Overhead lines and antennae should be attached to existing utility poles, towers or other radiocommunications equipment to minimise unnecessary clutter. 	4.2 Complies – The proposed facility is to be situated at the location of an existing communications tower. There are no suitable co-location opportunities to meet the coverage objectives for Beveridge. A detailed site selection assessment is provided in Section 1 of this Planning Report. Underground power and optic fibre cables are proposed so as to minimise unnecessary visual clutter in accordance with this design principle criterion.
4.3 Health standards for exposure to radio emissions will be met.	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.	4.3 Complies – The proposed facility is to be designed and installed in accordance with the relevant standards for human exposure to radio frequency emissions. An Environmental EME Report is included as part of this application to demonstrate compliance with this criterion. The report provides a summary of levels of radiofrequency electromagnetic energy around the base station. Levels are calculated using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency. Refer Appendix C – Environmental EME Report.
4.4 Disturbance and risk relating to siting	<ul style="list-style-type: none"> Soil erosion during construction and soil instability during operation 	4.4 Complies – Construction practices have the objective

Advertised Documents

Plan: 28 of 39



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<p>and construction should be minimised. Construction activity and site location should comply with State environment protection policies and best practice environmental management guidelines</p>	<p>should be minimised in accordance with any relevant policy or guideline issued by the Environment Protection Authority.</p> <ul style="list-style-type: none"> • Construction should be carried out in a safe and effective manner in accordance with relevant requirements of the Occupational Health and Safety Act 1985. • Obstruction or danger to pedestrians or vehicles caused by the location of the facility, construction activity or materials used in construction should be minimised. • Where practical, construction should be carried out during times that cause minimum disruption to adjoining properties and public access. • 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. • Open trenching should be guarded in accordance with Australian Standard Section 93.080 – Road Engineering AS 1165 – 1982 – Traffic hazard warning lamps. • 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. • 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. 	<p>soil loss and degradation as well as preventing adverse impacts on water quality.</p> <p>Optus's Health and Safety policies define the company's commitment to managing the health, safety, and wellbeing of staff and the environment. The relevant requirements of the <i>Occupational Health and Safety Act 1985</i> are reflected throughout the relevant construction practices. Traffic control and trenching is undertaken in accordance with the applicable Australian and industry standards. Threat to native flora and fauna, particular listed species, ecosystems or their habitat is minimised. Optus avoids potential impacts to existing land uses and private assets as far as practicable. 'Dial-Before-You-Dig' or equivalent industry standard underground service location protocols are observed prior to ground disturbance to ensure there are no asset strikes which might cause service disruption. Disturbed areas are reinstated in accordance with regulator and landowner agreements.</p>
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WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 29 of 39



5.0 Development Impacts

This section takes into considerations matters of relevance to the proposed development, which is inclusive of issues relating to the environmental impacts of the proposal on the built and natural form, as well as the social and economic impacts the telecommunications facility will have on the locality.

In addition to the information provided in this planning report and its appendices, the following environmental, social and economic considerations have been taken into account for this proposal:

5.1 Visual Impact Assessment

With over 16,000 base stations in operation around Australia, panel antennas, dishes and other relevant equipment have become part of the urban landscape. Telecommunications facilities are not only operated by mobile phone networks but also entail critical infrastructure assets employed by the emergency services, rail and other public utility authorities to ensure the active and safe operation of their respective duties.

Freestanding mobile phone base stations are a common feature within urban and rural landscapes. The justification behind the use of a freestanding structure is to provide line of site coverage within flat and undulating topography. Specific design elements have been included within the planning of the proposed facility, inclusive of:

- Limiting the height of the proposal to 25m. This will ensure that the best level of coverage can be provided to the locality, without constructing to a greater height which would have greater adverse visual impact and offer no additional benefit to the service area.
- Ground based equipment is to be located directly adjacent to the structure, in the vicinity of existing buildings and infrastructure. The proposed ground-based equipment will not be inconsistent with the existing character of the locality.
- The siting and location of the proposal has been taken in to consideration during the site selection process in order to ensure that the site does not result in any undue visual intrusion towards surrounding viewing corridors or to sensitive land uses.
- Use of non-reflective neutral colours for the facility in order to visually integrate with the prevailing background of the locality.

Error! Reference source not found. indicate views to the facility from the surrounding area.

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Figure 12 - View to site facing west from east

6.2 Heritage

Victoria Planning Maps Online does not identify any heritage and built form overlays applicable to the subject site location. As identified in Section 4.2.2 *Heritage Act 2017*, the Victorian Heritage Database / Register does contain any heritage items near to the proposed facility. There are no Commonwealth, World, or National Heritage Places identified in the site location according to the Commonwealth Department of the Environment and Energy mapping.

6.3 Ecology

The proposed facility development footprint is an approximately 37m² on commercial car park area. It is proposed to remove three (3) small trees and shrubs to establish the compound area.

In the course of conducting its activities, Optus has the objectives of minimising the effect on native flora and fauna, particularly upon listed species, ecosystems, and their habitat; as well as preventing introduction or spread of pest species and invasive weeds from its activities.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 31 of 39

Through the measures identified herein, the proposal is capable of being installed and operated while protecting the health of ecological systems and the biodiversity they support. The proposal conserves identified environmental and landscape values.

Date Plans Provided: 11/05/2021

6.4 Noise and Vibration

There will be no noise or vibration impacts associated with the operation of the telecommunications tower. The equipment cabinet utilised by Optus will emit only minimal noise, with air-condition cooling used to enable the equipment to stay within normal operating temperatures. It is believed that the operational facility will not result in any adverse noise impacts to the nearest sensitive noise receptors given the isolated location of the proposed equipment cabinet in the context of the area.

During construction, there will be some minor noise and vibration for a temporary period. It is anticipated that the construction and operation of the facility will not generate any unacceptable adverse noise impacts on surrounding land uses. Council's restrictions upon construction times as set by a development permit are strictly adhered to.

6.5 Traffic

Mobile phone base stations are not significant generators of pedestrian or vehicular traffic. During construction, a cherry picker and crane will be required to erect the monopole. Appropriate approvals will be obtained to undertake these works, as relevant. Throughout the lifecycle of the telecommunications facility, it is only required to be visited on a quarterly basis throughout the year for maintenance purposes. The proposal is not considered to constitute any significant impacts to existing traffic flows within the greater locality.

6.6 Flooding

The subject site is not located within a Urban Flood Zone or Land Subject to Inundation and therefore will not be affected by water flow around the compound and facility.

6.7 Bushfire

The proposed facility does not result in unacceptable risk from bushfire to persons or property. The telecommunications facility is unmanned and remotely operated. Further to this, the facility is pre-fabricated and designed in accordance with the Building Code of Australia and Australian Standards, and is intended to serve the purpose of providing critical communications to the public and the emergency services during extreme weather events.

6.8 Erosion and Sediment Control

Erosion and sediment controls where necessary will be implemented prior to the commencement of any construction works and will be maintained throughout the construction phase to manage potential run off, water and air quality during construction.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 32 of 39



The development will not induce any adverse soil erosion or siltation. Measures that are to be implemented include:

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- All construction plant, equipment and vehicles are to be properly maintained and operated so as to alleviate excessive exhaust emissions;
- All dust generating construction activities are to cease during high wind conditions, unless operations can be controlled by localised watering or other control means;
- All staff and contractors working on site to undergo site induction relating to any specific management issues;
- Topsoil shall be stripped from the construction footprint only and stockpiled separately for reuse during the reinstatement works;
- Sediment fencing to be installed around all topsoil stockpiles (as required);
- Install sediment fencing around construction activities to control runoff during works (as required);
- Install adequate sediment and erosion controls to protect any drainage lines in the vicinity of the construction works;
- All erosion controls to be routinely inspected and maintained to ensure they remain effective (i.e. remove silt build up, reinforce or re-establish controls);
- Locate all soil stockpiles away from drainage lines and outside defined flood zones to manage any onsite risks;
- Locate stockpiles so that they do not impede on natural or constructed surface drainage channels or roads; and
- Install appropriate erosion controls to manage runoff on disturbed areas as required.

Date Plans Provided: 12/05/2021

6.9 Social and Economic Impacts of the Proposal

Since 2007, the amount of mobile phone subscriptions has exceeded the overall population of Australia. The wider community has seen a general reliance on mobile phone networks for other uses than that of traditional voice calls.

Australia has one of the highest penetrations of “smartphone” usage in the world. A sample study by the Digital Industry Association of Australia has estimated the usage of smartphones at rate of 76% of all mobile phone users. This has seen an ongoing impact and influence as how we conduct business “on the move” – inclusive of checking emails, social networking, e-commerce and browsing the internet. Consumers have an increasing expectation that a reliable, fast and cost effective mobile phone network can support these activities.

Furthermore, there is a general expectation in the wider community for a dependable and reliable mobile phone network. Optus have sought to ensure major improvements to their network through 24hr monitoring of network performance. Further to this, mobile phone networks form a vital “first response” tool to emergency situations – hence the importance of carriers to ensure that their infrastructure can be maintained to the highest standards.



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Date Plans Provided: 11/05/2021

6.10 Health and Safety

Optus understands that some people have genuine concerns about the levels of electromagnetic fields (EMF) that the proposed facility will emit and is committed to addressing those concerns responsibly. EMF is sometimes known as electromagnetic radiation (EMR) or electromagnetic energy (EME). Often, there is a misconception regarding the perceived health risks surrounding mobile phone base stations and Electromagnetic Energy (EME).

Electromagnetic fields are present everywhere in our environment – the earth, sun and ionosphere are all natural sources of EMF. Optus and Kordia rely on the expert advice of international and national health authorities including the World Health Organization (WHO) and the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) for overall assessments of health and safety impacts. The International Commission on Non-Ionizing Radiation Protection (ICNIRP) has issued guidelines on levels of allowable public exposure to Radio Frequency (RF) fields, including guidelines on RF from mobile phones and base stations, which Optus adheres to. These guidelines have a large safety margin built into them.

EME is non-ionising radiation, meaning that it has insufficient energy to break chemical bonds or remove electrons (ionisation). In contrast, ionising radiation (such as X-rays) can remove electrons from atoms and molecules leading to damage in biological tissue (Source: ARPANSA).

In addition, further information is available at: www.optus.com.au/eme and EMF Explained Series www.emfexplained.info.

It is Optus's obligation to comply with the mandated standard (RPS3) for EMF set by ARPANSA, which is based on the safety guidelines recommended by the WHO. The safety standard works by limiting the network signal to a level which will protect all people, in all environments, 24 hours a day.

To demonstrate compliance with the safety standard, an Environmental EME Report is available in **Appendix C – Environmental EME Report** or via the RFNSA website www.rfnsa.com.au (Site Number 3030059).

The EME Report predicts the maximum signal strength from the proposed facility at 1.5m above ground level is well within the allowable limit. This is typical of Optus's responsible approach to network performance and environmental compliance.

Furthermore, the ARPANSA Fact sheet "Mobile Base Stations and Health" March 2015 states *"Health authorities around the world, including ARPANSA and the WHO have examined the scientific evidence regarding possible health effects from base stations. Current research indicates that there are no established health effects from the low exposure to the RF EME exposure from mobile phone base station antennas."*

Optus undertakes further measures when designing the facility, to minimise the EME exposure to the general public, by installing the facility in accordance with the Australian Mobile Telecommunications Association (AMTA) Radio frequency (RF) Safety Compliance Program – Base Station Design Guidelines Engineering for Access Control to minimise EME.

Other preventative measures also include:

- Power Control network feature that automatically adjusts the power of the network transmission based on consumer demand.

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 34 of 39

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- Varying the facility's transmit power to the minimum required level in order to save electricity and lower RF emissions from the facility.

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Further information about EMF can be obtained from:

Date Plans Provided: 11/05/2021

- Commonwealth Department of Health (ARPANSA): www.arpansa.gov.au
- Australian Communications and Media Authority (ACMA): www.acma.gov.au
- World Health Organisation (WHO): www.who.int/en/

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 35 of 39



7.0 Conclusion

A new telecommunications facility at 280-286 Point Cook Road (Point Cook VIC 3008) on Plan of Subdivision 524220P) is proposed. The installation of the proposed facility is intended to ensure coverage and capacity is available at Sanctuary Lakes.

This report has undertaken an assessment of the relevant planning and technical matters, as required by Commonwealth, State and local legislation, environmental, operational, radiofrequency and public safety requirements.

As a result of this process, we consider that the proposed facility is suitable for its location, given the following reasons:

- The facility will operate within the applicable regulatory framework of Commonwealth, State and Local Governments;
- The proposal is generally compliant with the relevant planning considerations and the aims of objectives of the Wyndham City Planning Scheme;
- The site has been assessed as a viable option for the effective delivery of Optus coverage and radiofrequency objectives for the search area, in accordance with the 'Precautionary Principle', and will greatly improve access to mobile telecommunications for residents and businesses in the local area;
- The proposal will not result in any unacceptable impact to visual amenity;
- The facility will operate within all current and relevant Australian Standards for Environmental EME Human Exposure;
- The need to remove vegetation has been minimised as far as practical;
- The facility is not anticipated to have an adverse impact on local environmental values for the subject site and surrounding area;
- The proposal will not prejudice the existing and future uses of the site; and
- The proposed development is expected to provide socio-economic benefits to the community, businesses, travellers, and emergency services in the region.

Based upon the above, we request that the Council approve this application and issue a development permit for a telecommunications facility at the Sanctuary Lakes site in accordance with the plans attached in **Appendix A – Design Drawings**, subject to reasonable and relevant conditions.

Please direct any queries relating to this application to David Hodgkinson on 0437015282 or at David.hodgkinson@kordia.com.au

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Appendix A – Design Drawings

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Date Plans Provided: 11/05/2021

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 37 of 39



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Appendix B – Environmental Search

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Date Plans Provided: 11/05/2021

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 38 of 39



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Appendix C – Environmental EME Report

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Date Plans Provided: 11/05/2021

WYNDHAM CITY COUNCIL
Town Planning
Advertised Documents

Plan: 39 of 39

