

17 February 2022

Planning Department
Yarra Ranges Council
PO Box 105
Anderson Street
Lilydale VIC 3140

Via email: mail@yarraranges.vic.gov.au

Dear Sir/Madam:

Proposed telecommunications facility
215 Liverpool Road, Kilsyth VIC 3137
Lot 21 PS 318763

Stilmark is a licenced carrier for the purposes of the *Telecommunications Act 1997 (Cth)* and operates as an infrastructure provider or 'neutral host', whereby new facilities are sited, designed, acquired, built and maintained by Stilmark but utilised by carriers - such as the mobile carriers - as part of their respective networks. Stilmark structures are purposely designed and constructed to allow for collocation of at least two or three carriers to occur.

I wish to submit a proposal to establish a telecommunications facility, in the form of a mobile telephone base station, at 215 Liverpool Road, Kilsyth VIC 3137. The specific location is on the southern boundary of the subject property, approximately half-way between the eastern and western boundaries, as shown on the attached proposal plans. The structure, once approved, will not be constructed until there is sufficient need or demand that a carrier elects to locate on it. Stilmark are already aware of the significant mobile telecommunications coverage deficiencies in the nearby area.

The site is located within the *Green Wedge A Zone (Schedule 1)* pursuant to the Yarra Ranges Planning Scheme. The proposal is of a kind requiring a permit within this zone pursuant to Clause 52.19 of the Scheme.

This planning assessment is written in accordance with the requirements of the Yarra Ranges Planning Scheme and the Victorian Telecommunications Code of Practice and sets out the rationale and merits of the proposal to assist Council in determining the application.

The Subject Land

The subject land is described as being on Liverpool Road, with physical access to the proposed site location available from the existing property driveway. The site is approximately 115m west of the eastern property boundary, and 100m east of the western property boundary. The proposed site location is on the southern boundary.

There is a row of vegetation in the immediate vicinity of the subject site to the south (on the adjoining property), however the proposed site location is currently void of vegetation. The subject property is bordered by stands of mature vegetation on all boundaries apart from the far eastern boundary. There is dense vegetation on the western boundary, which is the Liverpool Road frontage, and also on the northern boundary to the adjoining industrial area. This vegetation will significantly minimise any visual impact of the proposed facility.

It is also important to note that on the western side of Liverpool Road, bordering the adjacent small residential area, there is further dense vegetation lining the road. This will further assist in screening the proposed facility from the nearby surrounding area.

The subject lot comprises open, unused green space, as well as existing commercial and industrial use. The proposed site location is a currently unused portion of land on the property, in an area that will not preclude the use of land for alternative uses both now and in the future.

As noted above, the land is located within the *Green Wedge A Zone* pursuant to the Yarra Ranges Council Planning Scheme, specifically GWAZ1.



Image 1 – Subject property, 215 Liverpool Road, Kilsyth VIC 3137

The Locality

The subject property is approximately 2.1km south of Kilsyth, and 2.5km west from Montrose. Croydon is around 4.5km north-west of the site, while Bayswater is approximately 5km south-west. The area surrounding the subject property is mixed-use. To the immediate north, there are significant commercial and industrial operations up to and across Canterbury Road. There is a pocket of residential properties on the western side of Liverpool Road, which is further bounded by additional industrial use. To the south and east of the subject property, rural and rural residential properties are present on large lots, some with business operations.

The subject property is, therefore, well placed to service the surrounding areas that require a robust mobile telecommunications network. Being located in a position that can service the variety of land uses in the nearby area, this proposal is considered appropriately sited to an area not currently receiving the optimal level of telecommunications services.

With the advent of significant work-from-home roles throughout the Covid-19 pandemic, reliance on mobile telecommunications networks has increased significantly. The proposed facility here at Kilsyth will ensure that the surrounding community, both the residential areas and the rural properties surrounding, as well as the significant industrial precinct, will have access to the most up-to-date telecommunications services.

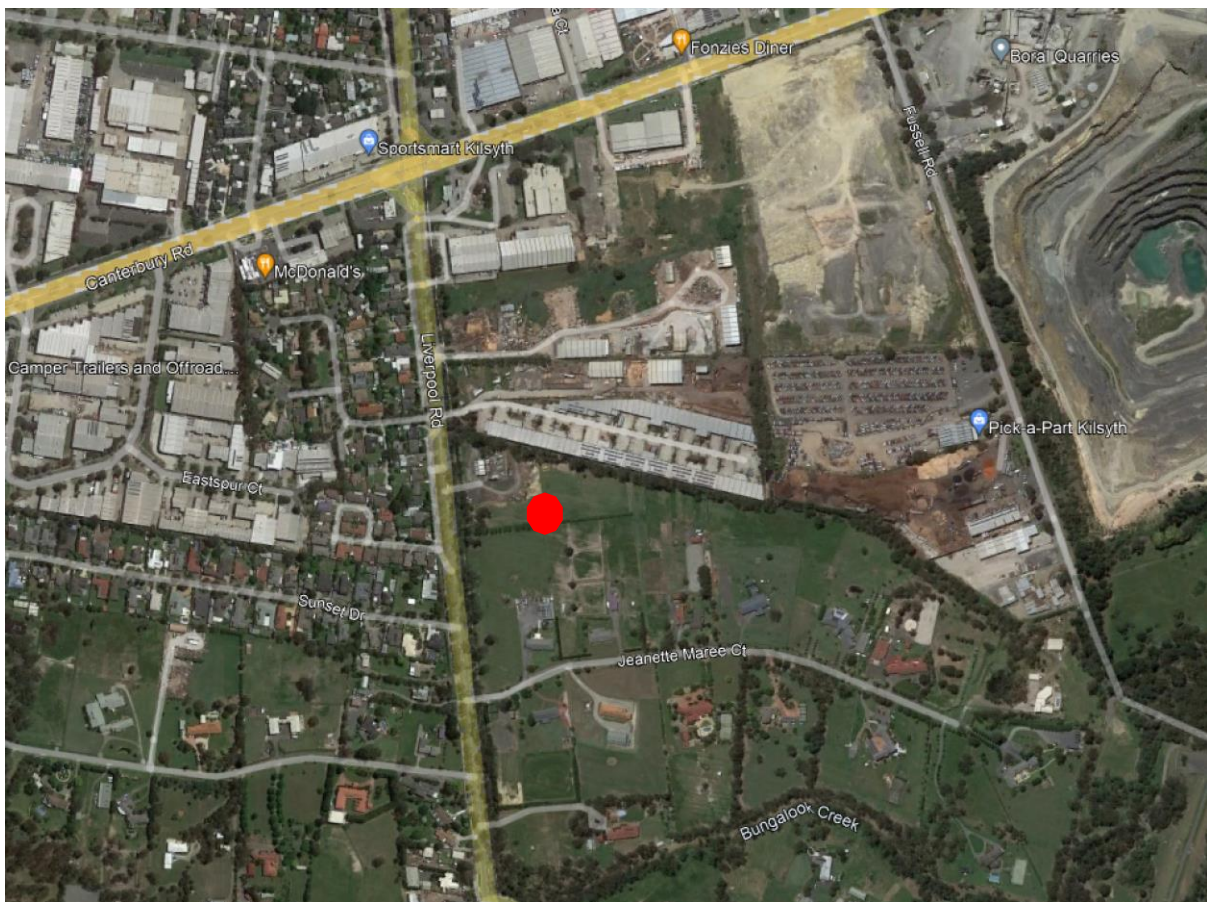


Image 2 – Locality surrounding site location, 215 Liverpool Road, Kilsyth VIC 3137

The Proposal

The proposal is to establish a new telecommunications facility on the site, including a monopole and ground-based equipment, within a fenced security compound.

More specifically, the proposal consists of the following (as shown on the plans submitted);

- a 35 metre high monopole;
- a new headframe mounted at the top of the monopole to accommodate six (6) future panel antennas;

- a new equipment shelter and equipment units located at the base of the monopole; and
- a security fenced compound around the proposed facility.

The area required for the facility and its compound is already clear of any vegetation, and no additional vegetation is required to be removed for this proposal.

Need for the facility

Stilmark is proposing the facility to cater for a projected future need by the carriers in this area (and forms part of a larger strategic program across the South-East region of Victoria). As such, the proposal represents strategic and practical forward planning based on projected future need - an approach which, for this type of infrastructure, has generally not occurred in the past.

There is also a significant current need in the immediately surrounding area for improved mobile telecommunications services.

It is critical to note, however, that as Stilmark is an infrastructure owner and provider, it will not build the structure until a carrier elects to locate on it – that is, the structure will not be speculatively built in the hope it will be collocated on. As such, there will be no impact – visual or otherwise - from the structure until there is a need for it to be constructed. To that end, Council and the community do not need to be concerned that unnecessary structures will be constructed, regardless of whether there is an approval in place. Notwithstanding, Stilmark is confident that there will be a demand in time for the proposed structure and seeks an approval on that basis. The non-existence of base station facilities in the area confirms there is a need for improved coverage and services.

Once the structure is in place, it will also be suitable and available for collocation by a second (or potentially third) carrier. This preference and preparation for collocation will also help to minimise the number of such structures in the council area and give Council an improved basis on which to drive collocation when new facilities (by others) are proposed.

In terms of future requirements, the overall coverage in the area is generally poor and there are no mobile phone base stations within around 1.3 kilometres to the south and west of the proposed location, and even further distanced to other directions. It is not possible to adequately and efficiently service the area around the proposed location from existing facilities. Data services, in particular, are unreliable and throughput speeds slow. Due to the numerous residential properties within the surrounding area, as well as the rural and industrial properties that run local businesses, it is imperative that a new telecommunications facility be installed to service the exponential demand in mobile telecommunications services into the future.

Image 3, below, shows an extract from www.rfnsa.com.au, which is an online database of all existing and proposed facilities in Australia. The extract shows that there are three existing telecommunications sites in the surrounding area, and one site that has not been progressed, near Pinks Reserve.

As indicated on the extract, the proposed site location is at least 1.3 kilometres from all existing mobile telecommunications facilities. The nearest telecommunications tower is located at Eastwood Golf Club, around 1.33km south, housing Optus and Vodafone equipment. To the west, a facility is present around 2km away, and to the north and east, there are no facilities in proximity to this

proposal. The extent of the coverage ‘hole’ in the area surrounding the proposed facility is considerable, shown visually by the red circle in Image 3.

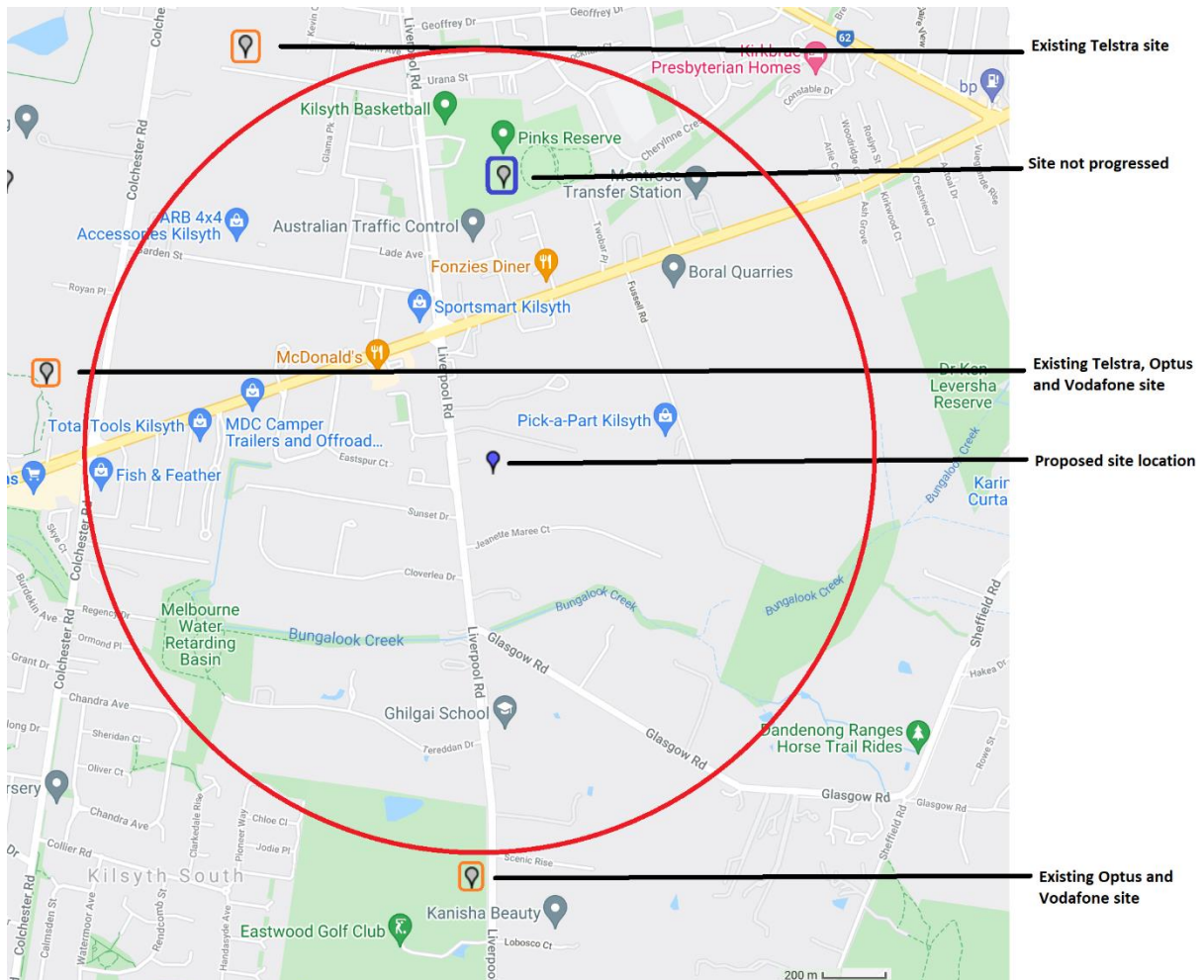


Image 3: Proposed Location and surrounding telecommunications facilities

The new facility is well placed in a central location to allow for new and improved coverage and services to the area, which includes the industrial and residential areas, as well as the large lot rural properties and the numerous roadways surrounding the site location.

Given the lack of existing telecommunications infrastructure and other tall structures in the appropriate area requiring coverage improvements, collocation is also not an option for addressing future requirements, and a new structure will be required. Existing facilities would not provide the required coverage improvements to areas of currently poor coverage.

Assessment against the Planning Scheme

As noted above, the subject land and proposal is located in the *Green Wedge A Zone* pursuant to the Yarra Ranges Planning Scheme. In this zone, a telecommunications facility such as that proposed requires a permit.

Green Wedge A Zone

The purposes of the *Green Wedge A Zone* are to:

- *implement the Municipal Planning Strategy and the Planning Policy Framework;*
- *to provide for the use of land for agriculture;*
- *to protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area;*
- *to ensure that use and development promotes sustainable land management practices and infrastructure provision;*
- *to protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes; and*
- *to recognise and protect the amenity of existing rural living areas.*

The property proposed to site this facility on is directly on the edge of alternate zoning types, including residential and industrial uses. The proposal broadly adheres to the purposes of the Green Wedge A zone, by ensuring that there is no impact on the biodiversity or landscape values of the area, provides for necessary infrastructure that is able to service all surrounding areas and zoning types, and all while protecting the amenity of the local area by siting the facility setback from roadways and at an appropriate distance from surrounding residences and uses.

The proposed facility utilises a small footprint, and will not require the removal of any vegetation for its installation. The ongoing use of the proposed facility will not impede on existing or future use of the land, and will not impact the surrounding area.

In this instance, the schedule referenced is Schedule 1 (GWAZ1) which relates to subdivision and other requirements. As such, the Schedule is not relevant to this proposal.

While the proposed facility will be 35m in height, it is the inherent nature of a telecommunications facility that it is taller than the area that it is intending to service. It is also considered commonplace, and one of the most appropriate landuse zones, to site a telecommunications facility in.

While the main impact of such a facility is its visual impact, amelioration measures have been put in place to ensure the impact is minimised. In this instance, the use of a monopole creates a slimline appearance rather than the bulk of a steel lattice tower. The siting of the facility in an area that is distanced from residences and other members of the community, further reduces the actual and perceived visual impact of the facility. The significant mature vegetation along Liverpool Road will also assist in reducing visual impact towards the proposed facility.

As has been mentioned, once approved, the proposed facility will not be built until a carrier elects to locate on it.

Facilities such as the proposed make very little noise, limited to a domestic-type air-conditioning unit, and emit no dust or odour. As the facilities are un-manned, they only require 4-6 maintenance visits per year, and therefore create no impact on nearby traffic.

The proposed facility does not contravene the purpose of the *Green Wedge A Zone*, and due to its location and siting, it will not affect the safety or amenity of the local community.

Accordingly, it is concluded that the impacts of the facility have been sufficiently minimised by way of appropriate siting within an appropriate landuse zone, whilst achieving the required technical outcomes.

Infrastructure Provisions

Part 19 of the Scheme deals with infrastructure requirements and is broad in its application. Telecommunications are dealt with in 19.03-4.

The Objective of the Scheme in this respect is:

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

The Scheme also lists a number of strategies, which are:

- *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.*
- *Ensure that the use of land for a telecommunications facility is not prohibited 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.*
- *Ensure 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.*

In this instance, the proposal is for a telecommunications facility that will provide for the future use of all Carriers to install equipment to service their expanding Networks. The facility will ensure the surrounding community is kept up to date, and provided the most advanced mobile telecommunications services available. Users that will benefit from this proposal include the extensive nearby industrial and residential areas, as well as the agricultural and rural operations, the nearby roadlinks, and the recreational areas further abroad. This facility will provide for current and future needs, including the 5G Network services. Further, this proposal is located in an appropriate zone with setbacks from adjoining landuse zones and perceived sensitive areas to ensure there is minimal or no impact on amenity.

As such, in this instance it seems clear an appropriate balance between the need for the facility and its impact on the environment has been struck.

It is also a requirement of the Scheme that the Code of Practice for Telecommunications Facilities in Victoria (Department of Sustainability and Environment, 2004) be considered. This is reinforced by Part 52.19 of the Scheme and an analysis of the Code is also set out below.

Telecommunications Facility (52.19)

The Planning Scheme also specifically mentions telecommunications facility at 52.19.

The key purpose of this part of the Scheme is to ensure telecommunications facilities:

- Meet the communication needs of the community;
- Ensure the approach to the assessment of such facilities is consistent;
- Minimise impacts on amenity.

The need for the facility, its benefits and likely impacts on amenity (including how this impact will be mitigated) have already been set out above.

The proposed facility is neither a 'low-impact facility' nor exempt by some other means (such as the Victorian Code). As such, a permit is required.

An assessment against the Code is set out below.

Victorian Telecommunications Code of Practice

With respect to the Code, the proposed facility is not one set out in Section 5 of the Code and therefore requires a permit.

With respect to the Principles set out in Section 4 of the Code, I note the following:

Principle 1: A telecommunications facility should be sited to minimise visual impact –

- The proposal incorporates a monopole of minimal bulk, and utilises the smallest possible structure to meet the needs of the facility, in this instance a 35m monopole;
- The proposed facility has been sited in an appropriately zoned area, distanced from sensitive uses and residential areas, who will be the main beneficiary of this proposal;
- The proposed facility has substantial buffering from surrounding sensitive areas;
- The proposed facility utilises the existing stands of mature vegetation in the surrounding area to greatly minimise any possible visual impact.

Principle 2: Telecommunications facilities should be co-located wherever practical –

- There were no existing buildings or structures in the area that would permit collocation to occur and the technical and network requirements to be met.
- The long-term Network objectives of a site in this area could not be achieved by utilising existing facilities in the area, and a standalone facility ensures future Network capacity and the ability to provide upgraded services to the surrounding community.
- This proposal offers the appropriate height and a structural suitability for future collocation of all Carriers.

Principle 3: Health standards for exposure to radio emissions will be met –

- As with all mobile telecommunications facilities in Australia, the proposed facility is required to comply at all time with the relevant Radiation Protection Standard, and once operational, must have this compliance certified by an accredited body.

Principle 4: Disturbance and risk relating to siting and construction be minimised –

- Construction activities on site will adhere to all relevant state and local environmental protection policies. All associated guidelines for construction will be adhered to throughout

the construction process. Due to the minimal footprint proposed by the facility and associated equipment, there is minimal excavation required, and construction timeframes will be relatively short.

As such, the need, siting and design of the proposed facility complies with the Principles and intent of the Code.

Materials and finishes

It is proposed to install a steel monopole, which is grey in colour and that will quickly present as a surface which will recede into the environment. The antennas are a natural grey colour, that blend with the grey tone of the pole. The ground based equipment is commonly painted a shade of green, and will complement the nearby vegetation surrounding the site compound.

No external lighting is proposed as part of this facility.

Conclusion

The proposed telecommunications facility at 215 Liverpool Road, Kilsyth, will form an integral part of the mobile telecommunications network in the Yarra Ranges Council area. As part of Stilmark's assessment of the future mobile telecommunications need in this area, a new facility is required to ensure the community surrounding the site locality receive high quality and reliable mobile telecommunications services. This includes the industrial, residential, agricultural, rural and recreation users, and the nearby road links and local businesses in the area.

There is strong State policy support for telecommunications facilities if, when balancing improved telecommunications services with environmental impact, a particular proposal provides a net community benefit. It is strongly considered that there are significant benefits to the locality surrounding the proposed facility, including along the road networks, the industrial and residential areas of surrounding suburbs, and the agricultural and rural areas directly surrounding the proposed site location.

The site has a number of important characteristics that make it suitable for the construction of a new telecommunications facility in the manner proposed. Significantly, the site provides the appropriate location that will adequately service the objectives of existing and future mobile networks, including 5G. The location also ensures the facility can effectively integrate into the existing network of surrounding mobile sites.

Stilmark have undertaken an assessment of the relevant matters as required by Commonwealth, State, and Local planning policies, including the Telecommunications Act 1997, and the Yarra Ranges Planning Scheme. The proposal is considered appropriate in light of the relevant legislative, environmental, technical, radio coverage and public safety requirements.

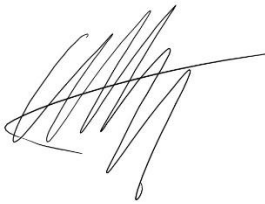
The proposed facility is considered appropriate for the subject site for the following reasons:

- The facility is located specifically to provide reliable mobile phone service to the area surrounding the site, including the industrial, residential, agricultural and rural areas directly around the site, as well as the roadways and recreation areas of surrounding suburbs;
- The use of a monopole with minimal bulk ensures that visual impact is significantly mitigated;
- The siting of the facility within an area that has significant stands of mature vegetation in the surrounding area will further minimise any visual impact;
- The proposal is consistent with the relevant provisions of the Yarra Ranges Planning Scheme and relevant State planning provisions, as well as recent Infrastructure Victoria report findings;
- The facility will ensure the provision of improved mobile phone coverage and competition in the area;
- The facility will allow for all mobile telecommunications Carrier's to collocate their equipment on one standalone structure;
- The site location is able to ensure that the Carrier's future network growth, including 5G, can proceed efficiently; and
- Emissions from the proposed facility will be significantly below the Australian Radiation Protection and Nuclear Safety Agency standards adopted by the Australian Communications and Media Authority.

The assessment of the proposal demonstrates that the proposal represents sound and proper town planning and it is respectfully requested that consent is granted for this application.

Should you have any questions, please don't hesitate to contact me on the below.

Yours sincerely

A handwritten signature in black ink, appearing to read "Chris Hayes", with a long horizontal stroke extending to the right.

Chris Hayes
Planning Manager
Stilmark

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