

Assessment against relevant Planning Scheme controls

Planning Scheme Reference	Assessment
State Planning Policy Framework	
Clause 19.03-4 – Telecommunications	<p>The objective of this policy is to <i>“facilitate the orderly development, extension and maintenance of telecommunication infrastructure.”</i></p> <p>It outlines that in <i>“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.”</i></p> <p>Council has already approved a telecommunication facility of the subject land. The height of the monopole for that telecommunication facility is only 25 metres in height, with the antennae occupying the area between 26.26 and 22.25 metres. This telecommunication facility has now been constructed.</p> <p>The proposed telecommunications facility would comprise of a 35-metre monopole, and the main antennae would occupy the area above 33.6 metres, and a separate parabolic antenna would be located at approximately 27 metres.</p> <p>Based on the approximate location of the antennae for both telecommunications facilities (as described on the plans), it appears that both facilities could potentially be located on a single 35-metre monopole.</p> <p>The construction of two monopoles within the immediate vicinity would adversely impact on the visual amenity of the area.</p>
Local Planning Policy Framework	
Clause 22.08 – Rural Land Use Policy	<p>Amongst the numerous objectives the policy, it outlines the need to <i>“maintain and enhance the landscape of the rural areas by encouraging development that is in harmony with the rural landscape.”</i></p> <p>The construction two telecommunications facilities within such close proximity is deemed to be inconsistent with the rural landscape character of the area.</p>
Zone	
Clause 35.04 – Green Wedge Zone	<p>The purpose of the Green Wedge Zone is:</p> <ul style="list-style-type: none"> • <i>To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i> • <i>To provide for the use of land for agriculture.</i>

	<ul style="list-style-type: none"> • <i>To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.</i> • <i>To encourage use and development that is consistent with sustainable land management practices.</i> • <i>To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.</i> • <i>To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.</i> • <i>To protect and enhance the biodiversity of the area.</i> <p>The construction two telecommunications facilities within such close proximity is deemed to be inconsistent with the objective that outlined the need to “<i>protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.</i>”</p>
Particular Provisions	
<p>Clause 52.19 – Telecommunications Facility</p>	<p>Clause 52.19 of the Melton Planning Scheme requires the Code of Practice for Telecommunications Facilities in Victoria (2004) to be used in the assessment of applications involving telecommunications facilities. There are four basic principles which should be applied when assessing the merits of the proposal. These four principles are:</p> <ul style="list-style-type: none"> • <i>A telecommunications facility should be sited to minimise visual impact;</i> • <i>Telecommunications facilities should be co-located wherever practical;</i> • <i>Health standards for exposure to radio emission will be met;</i> • <i>Disturbance and risk relating to siting and construction should be minimised.</i> <p>The proposal is deemed to be inconsistent with the first two principles of Clause 52.19, given, that the visual impact of locating two telecommunication facilities within such close proximity to each other would be visually intrusive, and the possibility of co-location does not appear to have been properly investigated, nor considered.</p>
General Provisions	
<p>Clause 65 - Decision Guidelines</p>	<p>The provision outlines that before deciding on an application the responsible authority must consider amongst other things:</p>

	<ul style="list-style-type: none"> • <i>The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</i> • <i>The purpose of the zone, overlay or other provision.</i> • <i>Any matter required to be considered in the zone, overlay or other provision.</i> • <i>The orderly planning of the area.</i> • <i>The effect on the amenity of the area.</i> <p>As outlined previously, the proposed telecommunications facility is deemed to be inconsistent with the relevant state and local planning policies, the zoning provisions, and the general provisions relating to the assessment of telecommunication facilities. As such, the application should be refused.</p>
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