

Deemed Provisions – Cl 67 Matters to be considered by Local Government

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: The application relates to a Telstra telecommunications facility, which falls within the land use classification of 'Radio, TV and Communications Installation', which is defined under TPS2 as: <i>'Radio, T.V. and Communication Installation - means any land or buildings used for the transmission, relay or reception of signals or pictures, both commercial and domestic, but does not include a communications antenna domestic.'</i></p> <p>The proposed development would transmit and relay signals for telecommunications and is considered to meet the definition above. Land use in the 'Urban Development' zone is guided by Structure Plans which is discussed later in the report. The proposal is considered consistent with the zone.</p>			
b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: Under draft Local Planning Scheme No.3 (LPS3), the proposed development is considered to meet the land use definition of 'Telecommunications Infrastructure', which is defined as: <i>'Telecommunications Infrastructure - means premises used to accommodate the infrastructure used by or in connection with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure related to the network.'</i></p> <p>Within the 'Urban Development' zone under LPS3, a 'Telecommunications Infrastructure' land use is an 'A' use, meaning it can be considered for approval at the discretion of the Shire/Council, subject to community consultation and consideration of any submissions.</p>			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: State Planning Policy 5.2 - Telecommunications Infrastructure (SPP5.2): SPP5.2 seeks to balance the need for infrastructure with the potential amenity impacts generally associated with this type of development. It states that it should be located to avoid detracting from a significant view of a heritage item or place, a landmark, streetscape, vista or panorama. The SPP sets out requirements in relation to visual impact, location/co-location, siting and design and the need for services. In this regard, the location adjoins an existing rail corridor, which does not have intensive development currently, or planned, along it. Also, being setback 53m from Keirnan Street and set amongst existing trees on the subject land, creates further layers of filtered screening that assists in maintaining acceptable amenity outcomes. On this basis the development is consistent with the SPP.</p>			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d) –	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

Comment:			
e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
f) any policy of the State	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment</p> <p>Local Planning Policy 4.6 - Telecommunications Infrastructure (LPP4.6):</p> <p>In addition to SPP5.2, LPP4.6 supplements the SPP and seeks to protect the character and amenity of areas within the Shire and ensure telecommunications infrastructure is located appropriately and with minimal impact. For the reasons explained under the SPP section above, the development is considered to align with the LPP. This is explained following:</p> <p>Location:</p> <p>LPP4.6 states that this type of development “<i>should not be located within 200 metres of land zoned Urban or Urban Deferred in the Metropolitan Region Scheme</i>” (MRS) unless there are special circumstances such as a physical buffer between the development and the residential area. As mentioned above, this applies to the subject land given the proposed location adjoins an existing rail corridor, which will cause future residential development to be separated from it. This affords a physical buffer, in addition to the increased setback to Keirnan Street that provides for filtered screening of the development.</p> <p>Visual Impact:</p> <p>The policy framework acknowledges that telecommunication infrastructure is generally located in prominent positions where they are more likely to be visible to the public in order for them to be effective. However, SPP5.2 states that telecommunication infrastructure should be sited and designed to “<i>minimise visual impact</i>” and where possible be located where such will not detract from a streetscape where viewed from public or private land, under provision 5.1.1(11)(b).</p> <p>The proposed location of the development is separated from development to the west by the railway reserve and Paterson Street. Existing screening is established through mature vegetation in this location, as depicted below. In addition, the subject site has established vegetation along the eastern boundary and within the site to screen views of the tower from immediate neighbours to the east and south.</p>			



The monopole is considered to be only marginally visible from the street and neighbouring properties.

In order to address the ground level infrastructure that may be more visible, further landscaping should be included to reduce its visual impact on the streetscape and the neighbour to the north at the pedestrian level, consistent with the SPP. This has been recommended as a condition. Relocation of the development is not considered to be warranted, given the extensive setback already proposed from Keirnan Street.

Overall, it is considered that the proposal balances both the need for infrastructure within the locality and the potential amenity impacts, subject to further landscaping to the front of the site. The proposal is considered to meet the objectives of the planning framework.

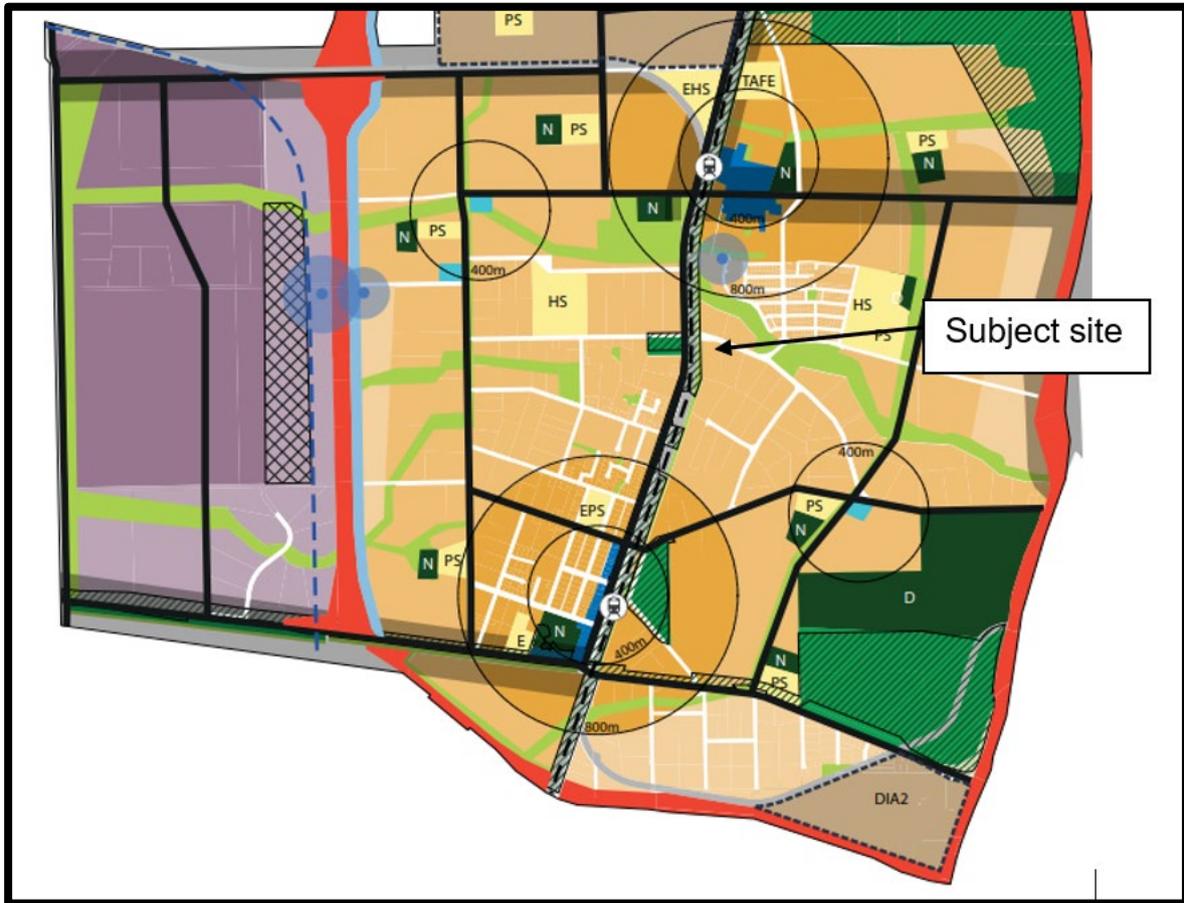
Health and Safety

It is noted that residents raised objections in relation to impact of telecommunications infrastructure on human health. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) provide standards for limits of exposure which must be complied with by all installations. The limits for electromagnetic energy (EME) exposure given in the standard are intended to provide protection for people of all ages and medical conditions when exposed 24 hours a day 7 days a week. A report has been provided as part of the application detailing information in relation to levels of radiofrequency (RF) and EME. The report shows that the highest EME exposure level of the tower is 2.27% of the ARPANSA standard exposure limit. This is very low and represents nil risk.

h) any structure plan, activity centre plan or local development plan that relates to the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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Comment: Mundijong District Structure Plan 2020

The subject site lies centrally within the Mundijong District Structure Plan (DSP) area within the residential 'Low (suburban): R20 – R35' designation (depicted below), which would result in residential lots with an area of around 350m².



The proposed development is considered to utilise a location which has a number of advantages, namely associated with it adjoining the existing rail corridor. Future residential development will need to be setback from this rail corridor, meaning that the telecommunications infrastructure will include a degree of separation as a result. For this reason it is considered a suitable location that will support the planned urbanisation of the area.

i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

Comment:			
m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: refer to visual amenity section of report			
n) the amenity of the locality including the following – I. Environmental impacts of the development II. The character of the locality III. Social impacts of the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: refer to visual amenity section of report			
o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Additional landscaping is recommended to the front of the base			
q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
r) the suitability of the land for the development taking into account the possible risk to human health or safety	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: It is noted that residents raised objections in relation to impact of telecommunications infrastructure on human health. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) provide standards for limits of exposure which must be complied with by all installations. The limits for electromagnetic energy (EME) exposure given in the standard are intended to provide protection for people of all ages and medical conditions when exposed 24 hours a day 7 days a week. A report has been provided as part of the application detailing information in relation to levels of radiofrequency (RF) and EME. The report shows that the highest EME exposure level of the tower is 2.27% of the ARPANSA standard exposure limit. This is very low and represents nil risk.			
s) the adequacy of – I. The proposed means of access to and egress from the site; and II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

system in the locality and the probable effect on traffic flow and safety			
Comment:			
u) the availability and adequacy for the development of the following – I. Public transport services II. Public utility services III. Storage, management and collection of waste IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities) V. Access by older people and people with disability	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
w) the history of the site where the development is to be located	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
y) any submissions received on the application	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: refer to consultation section of report			
Za) the comments or submissions received from any authority consulted under clause 66	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			