Technical Report			
Application No:	**PA19/445**		
Lodgement Date:	**01/05/2019**	**DAU Date:**	
Address:	**244 King Road, Oakford**		
Proposal:	**Retrospective Light Industry**		
Land Use:	**Light Industry**	**Permissibility:**	**SA**
Owner:	**888CSE Holdings Pty Ltd**		
Applicant:	**Harley Dykstra**		
Zoning:	**Rural**	**Density Code:**	**R2**
Delegation Type:	**12.1.1**	**Officer:**	
Site Inspection:		**Yes**	
Advertising:		**Yes**	
Outstanding Internal Referrals:		**No**	
External Referrals:		**No**	
Within a Bushfire Prone Area:		**Yes**	

Introduction:

A development application dated 1 May 2019 has been received for a retrospective 'Light Industry' land use involving the assembly of extractive industry machinery at Lot 813, 244 King Road, Oldbury.

The subject lot is zoned 'Rural' in accordance with the Shire's Town Planning Scheme No. 2 (TPS 2). A Retrospective 'Light Industry' is an 'SA' use within the 'Rural' zone in accordance with the Shire's TPS 2.

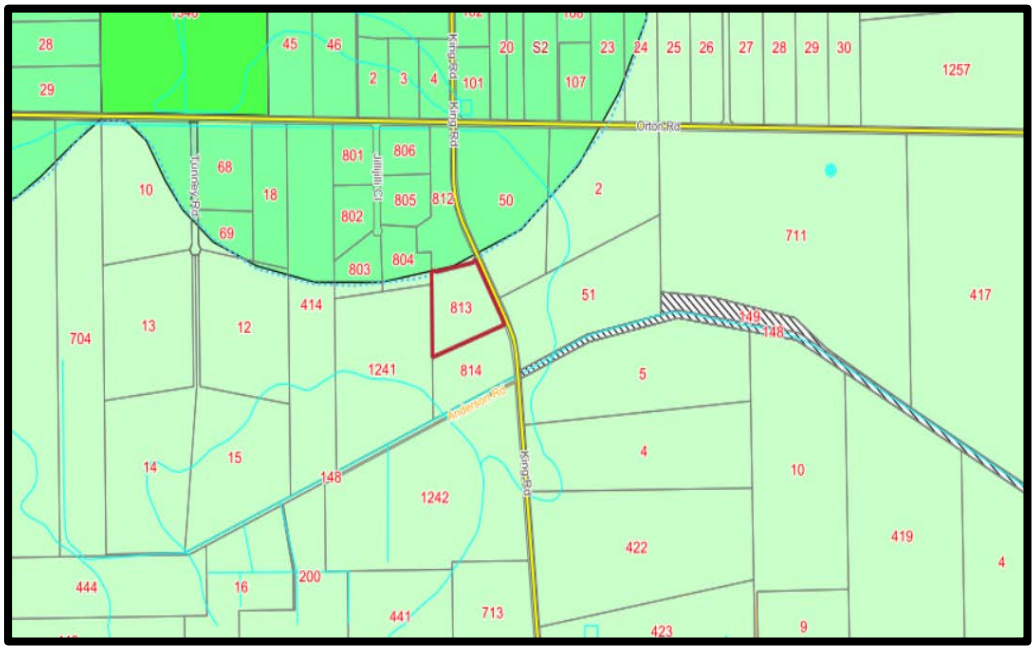
This item is presented to Council for determination, as the initial approval was made by Council with a specific time limit imposed to enable a period to transition the business to a more suitable industrial location. The Council approval in 2013 specifically anticipated that a 5 year period would enable enough time for the operation to relocate to West Mundijong Industrial Area. This has not occurred.

Given the industrial nature and scale of the development, and that the land in question is identified to remain zoned Rural under Draft Local Planning Scheme No. 3, officers do not believe the development to be aligned with the intended rural character of the area. Also, the use class of Light Industry is specifically prohibited in the Rural zone under the new Draft Local Planning Scheme No. 3 being advertised.

The recommendation seeks to address a viable transition through an extension to 31 December 2020, with the Shire seeking to also assist the applicant during this time once they secure a site within West Mundijong (if that is the industrial area they seek to locate in).

Existing Development:

The subject site is zoned 'Rural' under the current Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS2). King Road runs along the eastern boundary and is included in Main Roads Restricted Access Vehicle network. Surrounding lots are zoned 'Rural' with the 'Rural Groundwater Protection' zone abutting the site to the north. Existing development on site comprises of an outbuilding, site office and hardstand areas. There are also several commercial vehicles parked on site and parts and equipment stockpiled on the site.



Under the Shire's Draft Local Planning Scheme No. 3, the subject land is identified to remain zoned Rural. Ultimately, the area is intended to retain a level of Rural character and amenity, with land use and development intended to characterise this rural nature.

Figure 3 - example machinery assembled on site

At its Ordinary Council Meeting of 27 May 2013, Council considered a development application for a retrospective machinery and assembly plant and associated outbuilding**.** Officers recommended refusal of the application for the following reasons:

1. The proposed land use is inconsistent with the objectives of the Rural Zone of the Shire's Town Planning Scheme No 2.
2. The proposed Light Industrial land use falls within the 'undesirable' uses in the Rural Policy Area within the Shire's Rural Strategy.
3. The proposal falls within the 'unacceptable development' criteria of the Shire of Serpentine Jarrahdale's Local Planning Policy No. 36 *Non-Urban Outbuildings* as the total floor area at 800m² exceeds the 600m² maximum floor area for the 'Rural' zone.
4. The proposal falls within the 'unacceptable development' criteria of the Shire of Serpentine Jarrahdale's Local Planning Policy No. 36 *Non-Urban Outbuildings* as the proposed wall height at 6m exceeds the maximum 5m requirement for the 'Rural' zone.
5. The proposal falls within the 'unacceptable development' criteria of the Shire of Serpentine Jarrahdale's Local Planning Policy No. 36 *Non-Urban Outbuildings* as the proposed roof ridge height at 7.5m exceeds the maximum 6m requirement for the 'Rural' zone.
6. The existing land use and proposed development has the potential to establish an undesirable precedent and would be inconsistent with the principles of orderly and proper planning.

An advice note recommended that the use cease operations within two years of the date of the decision to allow for the operations to relocate. In essence, this time limited approval sought to assist the applicant to relocate to a more appropriate industrial location within the Shire - being either West Mundijong or Cardup Business Park. The former being the preferred location.

Council resolved to adjust the Advice Note by stating that operations were to cease within five years instead of two in order to give the applicant more time to relocate the business to an appropriately zoned site. Council did refuse the development as indicated above.

On 20 August 2013, a revised development application was received for the machinery assembly and distribution plant. The proposal sought development approval for a five year period and the size of the outbuilding was reduced. Essentially, the applicant sought to obtain an approval status for 5 years to enable transition, rather than the refusal that had been issued (with the same period of transition) given the risk the applicant could face through enforcement processes at any time.

Council considered this application at its Ordinary Council Meeting of 14 October 2013 , and resolved to approve the application for the following reasons:

a) Council has already formally agreed to allow the use of the land to remain for a period of five years.

b) Council has the discretion under the Town Planning Scheme within the current Rural zoning to grant a temporary approval for such land use.

c) The issue of a planning approval provides Council with greater opportunity to ensure appropriate management and controls are in place in relation to the land use.

d) the issue of a 5 year planning approval provides all parties with certainty for the future, and provides certainty for the eventual decommissioning and relocation of the land use to another site.

This approval expired on 12 November 2018 and the Shire commenced compliance action in accordance with Council's decision. Following a compliance investigation by Shire Officers, a retrospective development application was received.

Retrospective Development

The subject application seeks a continuation of the previously approved use**.** The proposal involves the bringing of machinery to the site in a non-assembled form which is then assembled and transported to customers including local extractive industries and mining operations. Additionally, the application seeks approval for the retention of an existing office which was brought to site without approval. The business currently employs 11 members of staff. Parts for the maintenance of machinery are also stored on site, however maintenance does not take place on site. It is worth noting the outbuilding on site already has approval.

Three to four delivery vehicles would enter and exit the site daily. Generally, operating hours would be between 7:00am and 5:00pm Monday to Friday. as previously approved. however approval is sought under this application to allow for occasional operation of the site on Saturday between 7:00am and 10:00pm.

The proposal also includes a 1.5m high vegetated bund with a base of 3m and further vegetation to enhance the existing landscaping and provide screening to the west of the site, where a previous complaint had been received.

Community / Stakeholder Consultation:

Advertising was carried out for a period of 21 days from 10 June 2019 – 1 July 2019. Seven letters were sent out to surrounding landowners in accordance with Local Planning Policy 1.4 – Public Consultation for Planning Matters. During this period, one submission was received objecting to the development. The issues raised in the submission relate to the following issues which are discussed in the relevant headings of the report:

- Accurateness of land use;
- Land use not consistent with zoning;
- Amenity; and
- Traffic Safety

Statutory Environment:

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Metropolitan Region Scheme
- Town Planning Scheme No.2
- Rural Strategy 2013
- State Planning Policy 2.5 – Rural Planning
- Draft Local Planning Strategy
- Draft Local Planning Scheme No.3

Planning Assessment:

A comprehensive assessment has been undertaken in accordance with section 67 of the Planning and Development Regulations 2015, the assessment can be viewed as part of the attachment.

Land Use

In determining the land use of the proposal, it is considered the proposal best fits within the TPS2 definition of 'Industry Light'.

'Industry' is defined under TPS2 as "the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

(i) The winning, processing or treatment of minerals;

(ii) The making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;

(iii) The generation of electricity or the production of gas;

(iv) The manufacture of edible goods;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods resulting from the process, and the use of land for the amenity of persons engaged in the process, but does not include:

(i) The carrying out of agriculture;

(ii) Site work on buildings, work or land;

(iii) In the case of edible goods the preparation of food for sale from the premises;

(iv) Panel beating, spray painting or motor vehicle wrecking".

It is considered that the making/assembling of the machinery is consistent with the definition of an industry.

'Industry Light' – means an industry:

(i) *"In which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water or other waste products; and*

(ii) *The establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any like services."*

'Industry General' *"means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry."*

To determine which type of industry the proposal relates, it is required to establish whether the proposal results in amenity impacts that cannot be managed or results in an undue load on any services. As part of the initial approval, management plans in relation to noise and dust were required. These management plans demonstrate marginal compliance with the relevant regulations and set out mitigation measures, therefore it has been demonstrated that amenity can be managed.

The development is considered to meet the definition of 'Industry - Light' as the operations generally do not result in an adverse impact upon the amenity of the surrounding area and does not impose an undue load on any existing or projected service.

Clause 3.2.4 of TPS 2 states that *"where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use".* As such, the proposal is considered to best fit within the land use of 'Industry - Light' and that 'General Industry' is a more general definition. This is consistent with the previous determination by Council.

The subject site is zoned 'Rural' under TPS2 where a 'Industry - Light' land use is an 'SA' use, meaning the use can be approved at the discretion of Council subject to the application being advertised and any submission considered in making a decision. The application has been advertised and one submission received which has been discussed in detail within the assessment.

Under Draft Local Planning Scheme No. 3, the land is proposed to be zoned Rural, whereby the use of 'Industry - Light' is prohibited - meaning it cannot be approved.

Orderly and Proper Planning

Clause 67 of the regulations, specifically A – J, considers State and Local Planning Policy frameworks including Draft Schemes, Strategies, State Planning Polices, Local Planning Policies and the like. These frameworks provide guidance in order to establish if a development is consistent with orderly and proper planning, current amenity and character, and importantly intended amenity and character of an area. When considering the State and Local Planning framework the following documents are relevant:

Objectives of zone under TPS2

The development falls within the 'Rural' zone under TPS2, the objective for which is to accommodate the full range of rural pursuits and associated activities conducted within the Scheme area. TPS2 does not define a 'rural pursuit' however, the State Administrative Tribunal (SAT) consistently define rural as something that is *'relating to, or a characteristic of the country'.*

The activity of assembling machinery is not considered a characteristic of the country rather consistent with an industrial area. These types of industries are not typically found in a rural area, and could not be considered to predominantly support rural based uses. It is acknowledged that 'Industry - Light' can be considered in the 'Rural' zone, however the industry should have a clear planning link to a rural pursuit to be able to be considered consistent with the objective of the zone.

As the development is not considered by Officers to be a rural pursuit nor an associated activity, the proposal does not align with the objective for the 'Rural' zone. As such, the proposed development does not provide sufficient merits in which to judge it as an appropriate land use within the 'Rural' zone. This generally aligns with the consistent view that both officers and Council have taken on the matter to date.

Council's temporary approval was to allow time for the proposal to be relocated to a more appropriate site such as West Mundijong Industrial Precinct. Since the time of the approval, West Mundijong Industrial Precinct has been rezoned under TPS2 from 'Rural' to 'Urban Development' to allow for the transition of the area. Development aligned with the Industrial zoning under the Metropolitan Region Scheme has also occurred.

As part of the TPS2 amendment, a Structure Plan was drafted to inform the amendment which designates areas for 'Industry - General' and 'Industry - Light'. Council, at is Ordinary Council Meeting of 19 August 2019, resolved to continue with the West Mundijong Structure Plan concurrently with the Greater Mundijong District Structure Plan to expedite the planning framework and further subdivision and development of the area. At this meeting, Council also resolved to deem the draft Structure Plan satisfactory for advertising.

Lot 11 Kargotich Road, within the Structure Plan area, has development approval for a 'Warehouse'. In addition, Lots 12 and 13 Kargotich Road, within the Structure Plan area, have development approval for 'Industry – Light' land uses with Lot 12 having been developed. It is therefore considered that the West Mundijong Industrial Precinct has significantly transitioned since the temporary approval was granted on the subject site. As such, the initial reasoning for allowing the use to remain on the subject site is no longer applicable and as an inappropriate use in a rural location, has the opportunity to now transition to an area like West Mundijong.

The officer recommendation is to allow a final temporary extension until 31 December 2020, in order for the use to relocate from the land.

Draft Local Planning Scheme No.3

LPS3 defines 'industry' as *"premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes facilities on the premises for any of the following purposes:*

(a) the storage of goods;

(b) the work of administration or accounting;

(c) the selling of goods by wholesale or retail;

(d) the provision of amenities for employees;

(e) incidental purposes."

The proposal involves the assembly of machinery and is therefore considered an 'industry' in accordance with the above definition.

'Industry – Light' is defined under LPS3 as *"premises used for an industry where impacts on the amenity of the area in which the premises is located can be mitigated, avoided or managed."*

As with the definitions under TPS2, the proposal is considered to be an 'Industry – Light'.

The subject site is zoned 'Rural' under the Shire's LPS3 where an 'Industry - Light' land use is a prohibited use and therefore if LPS3 was the current Scheme, the proposal would not be capable of approval under LPS3.

As LPS3 has commenced adverting, it is considered a seriously entertained document. Furthermore, Clause 67 (b) of the Deemed Provisions requires for the consideration of *"any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving".*

The relevant objectives of the 'Rural' zone under LPS3 are discussed as follows;

- *"To provide for the maintenance or enhancement of specific local rural character."*

The surrounding area generally comprises of land uses typical to a rural area. Such land uses include rural uses and equestrian activity. It is considered that a business assembling industrial machinery is inconsistent with the local rural character in the area.

- *"To protect and accommodate broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use."*

The proposal is not consistent with the listed activities.

- *"To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies including groundwater, to protect sensitive areas especially the natural valley and watercourse systems from damage."*

  Although vegetation can adequately screen development, the appearance of the operations on site are not considered to enhance the environmental qualities of the landscape.

- *"To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses."*

The proposal involves a non-rural land use the benefits of which have not been demonstrated. The proposal by way of land use and visual appearance is considered inconsistent with the surrounding rural uses.

The land use is considered inconsistent with the draft LPS3.

Draft Local Planning Strategy

The Strategy designates the subject site as 'Rural Land'. It is also worth noting that the site lies within an area designated as a State Planning Investigation Area however, no further information is documented in this regard. *"The Rural land use category provides for a full range of rural land uses, tourism opportunities, rural enterprise and the preservation of the natural landscape. Rural land facilitates agricultural production and the protection of the natural landscape."*

The proposal is not considered a rural land use, tourism opportunity or rural enterprise. The land use is considered inappropriate in a rural location, and inconsistent with the draft Local Planning Strategy.

Rural Strategy 2013 Review:

The Shire's Rural Strategy 2013 Review (Strategy) outlines key themes that future development within rural areas should be considered against. Generally, the Strategy requires rural areas to maintain a rural character, retain natural assets and facilitate productive rural areas by ensuring the areas are economically productive.

The subject site falls within the Rural Policy Area of the Rural Strategy 2013. Within this policy area there is a general presumption against development that is not 'rural' in nature, or would impact adversely on the established character and amenity of the locality. The retrospective development is considered to be inconsistent with the anticipated 'rural' use for the Rural Policy Area and out of character with the established rural character in the area. The development is considered to impact the amenity of the area by means of the visibility of the development, which is clearly in contrast to its surroundings.

The Rural Policy Area also discourages developments that are likely to result in an impact to the environment and encourages revegetation and landscaping for development within the area. The retrospective development poses a minor risk to the environment by means of potential for hydrocarbons and other pollutants to enter the groundwater as a result of the operations. This could be mitigated through the imposition of management plans and requirements for any such operations to be undertaken on hardstand areas. Even so, there will always be a risk by virtue of the activities being located, notwithstanding the presence of a management plan.

Officers consider the retrospective development to be inconsistent with the policy provisions and objectives for the Rural policy area.

State Planning Policy 2.5 – Rural Planning

SPP2.5 states *"The purpose of this policy is to protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome."*

Section 3 (Background) of SPP2.5 indicates (among other things) that *"Rural land accommodates significant environmental asset and natural landscape values …" and that there will be increased "pressure on rural land to be used for a wide variety of purposes …"* It is considered that this development is an example of a non-rural use intruding into a rural area, contrary to the purpose and intent of the zone.

In the policy measures at section 5.1 of SPP2.5, rural land is to be protected as a resource by:

- requiring that land use change from rural to all other uses be planned and provided for in a planning scheme or strategy. A change from rural use to other uses in the area which includes the land is not planned for in TPS2, Draft LPS3 or the Rural Strategy;
- ensuring retention and protection of rural land for biodiversity protection, natural resource management and protection of valued landscapes and views.

The proposed development is considered contrary to these provisions.

It is worth noting that in SPP2.5, 'rural land use' is defined as *"Land uses that are rural in nature and that support and are associated with primary production, basic raw material extraction, biodiversity conservation, natural resource management, public purposes*

(eg.prisons, cemeteries, public utilities and waste management facilities) and protection of landscapes and views."

The proposed 'Industry - Light' is therefore not a rural land use under SPP2.5, consistent with the proposal not being a 'rural pursuit' as mentioned in Clause 5.10.1 of TPS2.

SJ2050

In 2016, Council endorsed SJ2050 as the vision document for future planning within the Shire. SJ2050 identified a settlement pattern aligned with the Perth and Peel @ 3.5 Million Sub-Regional Planning Frameworks and identified the Oakford area as an intensive agriculture area. The industry light land use does not fall within the definition of intensive agriculture.

SJ2050 Spatial Framework

LPP51 - Oakford Rural Economic Living Area Planning Framework

The subject land does not fall within this area.

Other Considerations

Traffic

Notwithstanding the submission received, the retrospective development generates very few vehicle movements, generally limited to staff movements to and from the site. The applicant has advised that there are between 3 - 4 small van/light truck movements per day. The business assembles on average 1 to 2 machines per month, resulting in 1 truck loaded with machinery leaving the site every three to four weeks on average.

The Department of Planning Lands and Heritage (DPLH) Guidelines for Transport Impact Assessments sets out the circumstances where Transport Impact Assessments are required as part of development. In this case, the vehicle movements are considered 'low impact' under the Guidelines and therefore no transport information is normally required.

Despite the low traffic movements and King Road being part of the Restricted Access Vehicle (RAV) Network, some vehicles which leave the subject site are potentially of a size that require a special permit from Main Roads Western Australia (MRWA). As a final extension until 31 December 2020 is recommended, it is not considered viable to be recommending road upgrades given the use will not be present on the land after this time.

Figure 3 – Equipment being transferred offsite by vehicle

Built Form and Amenity

The application in most part seeks approval the continuation of a use previously approved by Council, with the provision of extended hours of operation on a Saturday. The existing outbuilding and hardstand area on site formed part of the previous approvals for the site. The office however, has not been subject to any approvals and is required to be validated through this process if approval extension is considered until 31 December 2020.

In relation to the office, no plans have been submitted, however, Officers advise that the office is of a transportable nature, constructed of white cladding with windows and a flat roof. Resembling a typical transportable structure usually associated with a construction site. If Council choose to approve the development, Officers recommend a condition requiring the submission of a floor plan and elevations. The office and the overall land use would be required to be removed if the application is refused.

Noise

The operations include noise generating activities through the assembly operations and vehicle movements. An acoustic assessment was submitted as the result of a condition imposed on the previous approval. The assessment identifies 5 residences within close proximity of the subject site as depicted below;

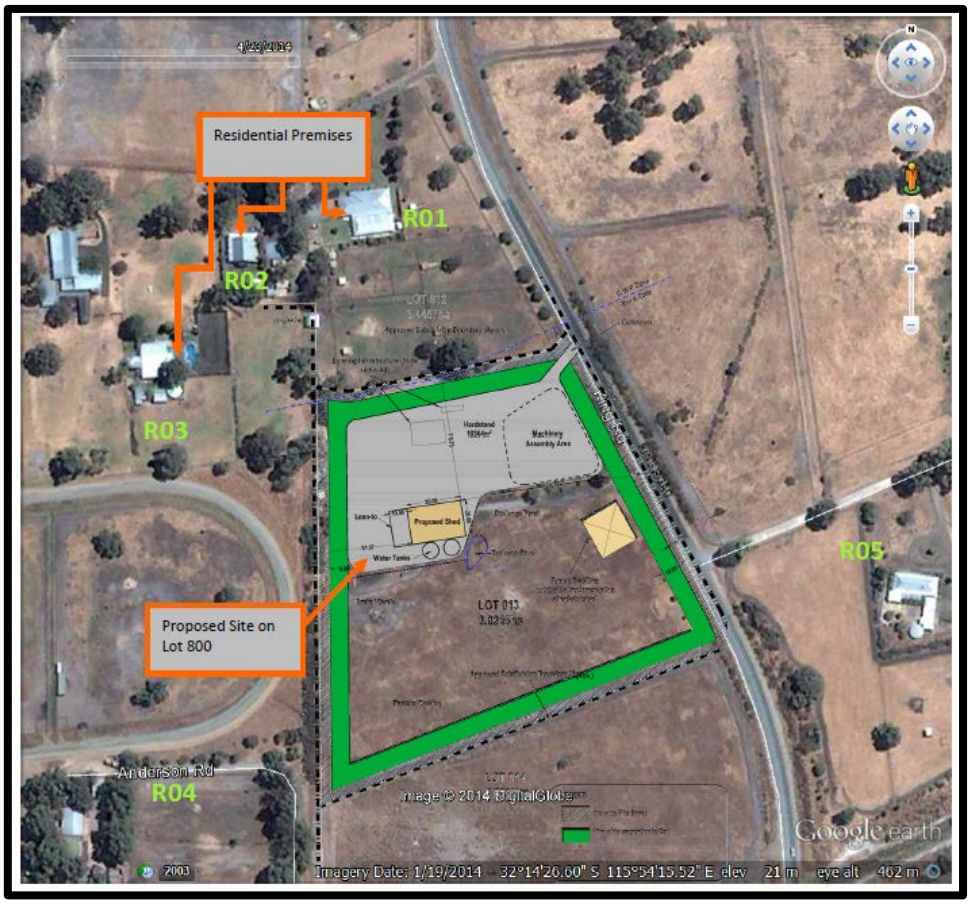


Figure 4 – Location plan showing nearest residences

The acoustic assessment modelled noise generated from the use of a forklift, cherry picker, crushing and truck movement. The results show marginal compliance with the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations) at the 3 residences to the northwest of the site. The acoustic assessment concludes that as compliance is marginally achieved, forklift operation should be restricted to areas farthest from shared boundaries as much as possible. The figure below taken from the assessment shows the areas where the forklift operations should be restricted. It also states that while the forklift may operate outside of this area, it should be for brief periods only.

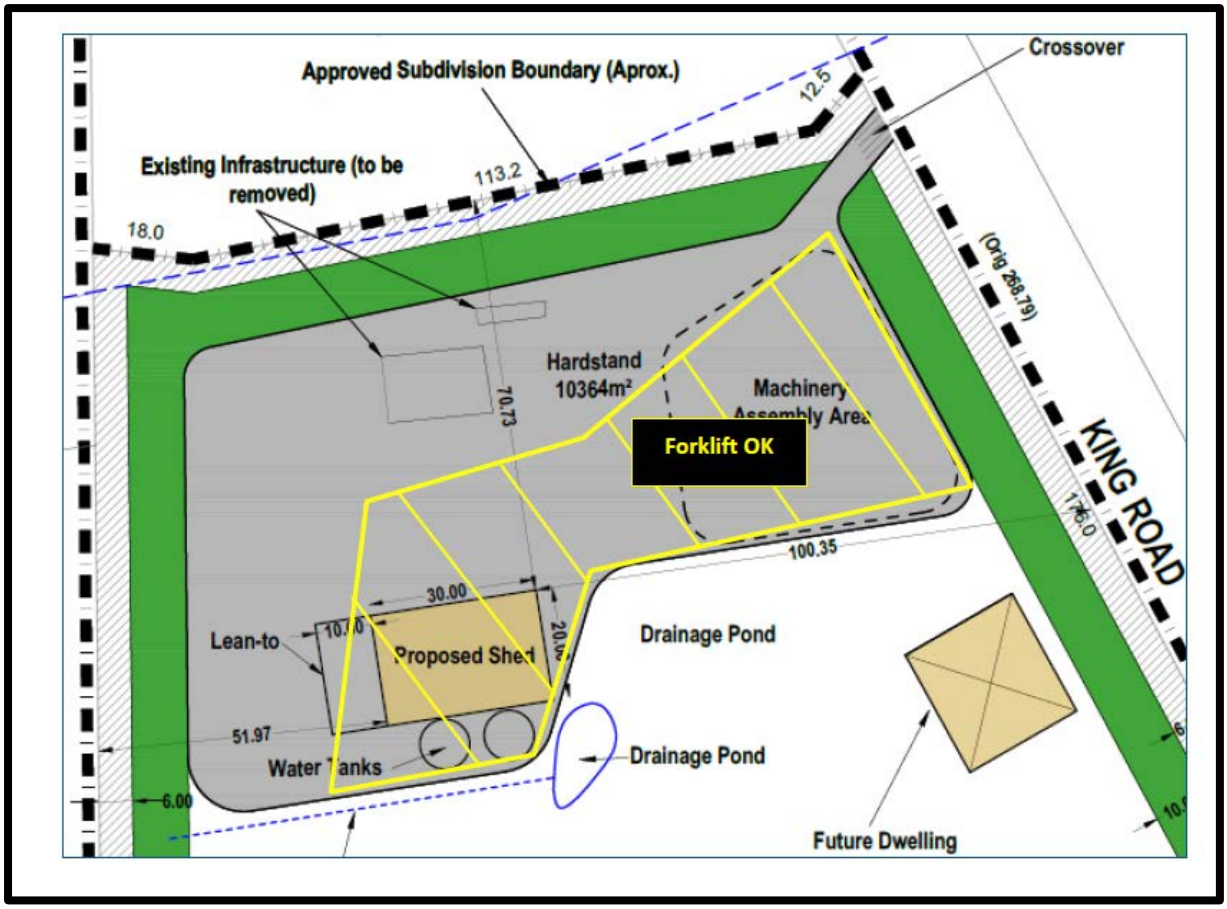


Figure 5 – Forklift work zone to manage noise emissions

As a final extension until 31 December 2020 is recommended, in order to transition to an industrial location, it is not recommended that new conditions be imposed in respect of noise management.

Landscaping

The current application includes further landscaping to mitigate visual impacts form the development on adjacent landowners. The proposed landscaping focuses on the western view which is not currently screened and provides a direct view to the lay down area. The proposal includes an earth bund, which would be planted to provide an aesthetic screen. It is considered that this additional landscaping goes further to improve the rural character and amenity of the area, but does not alter the view of officers that a temporary approval to 31 December 2020 should be considered to require transition of the business to an industrial location.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

Option 1

That Council EXTENDS the time limited planning approval issued by Council on 14 October 2013, to expire on 31 December 2020.

Option 2

That Council REFUSES to EXTEND the time limited planning approval dated 14 October 2013, and commences compliance and enforcement action.

Option 3

That Council EXTENDS the time limited planning approval issued by Council on 14 October 2013, to have no expiry date.

Option 1 is recommended.

Conclusion

The application seeks approval for the continuation of a previously approved business involving the assembling of machinery for extractive industries. The amenity impacts are considered capable of managing and therefore the proposal is considered to fall within the land use of 'Industry - Light'.

It is considered that although the land use is capable of approval, the operations are not consistent with the objectives of the zone or the character and appearance of a rural area under the planning framework. It is therefore recommended that the application have a final time limited extension to 31 December 2020, to enable the applicant to relocate to an alternative industrial zoned site.

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** ☐	**NO** ☒	**N/A** ☐
Comment: The proposal, although the land use is capable of approval, is considered inconsistent with the TPS2 objective of the 'Rural' zone.			
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 *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving	**YES** ☐	**NO** ☒	**N/A** ☐
Comment: The land use is a prohibited use under the draft LPS3 and considered contrary to the principles of orderly and proper planning.			
c) any approved State planning policy	**YES** ☐	**NO** ☒	**N/A** ☐
Comment: The proposed land use is considered inconsistent with SPP2.5 – Rural Planning			
d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d) – None Applicable to this area from what I can determine	**YES** ☐	**NO** ☐	**N/A** ☒
Comment:			
e) any policy of the Commission	**YES** ☐	**NO** ☐	**N/A** ☒
Comment:			
f) any policy of the State	**YES** ☐	**NO** ☐	**N/A** ☒
Comment:			
g) any local planning policy for the Scheme area	**YES** ☐	**NO** ☐	**N/A** ☒
Comment:			
h) any structure plan, activity centre plan or local development plan that relates to the development	**YES** ☐	**NO** ☐	**N/A** ☒
Comment:			
i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*	**YES** ☐	**NO** ☒	**N/A** ☐
Comment: The land use is a prohibited use under the draft LPS3			
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** ☐	**NO** ☐	**N/A** ☒
Comment:			
k) the built heritage conservation of any place that is of cultural significance	**YES** ☐	**NO** ☐	**N/A** ☒

Comment:			
l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	**YES** ☐	**NO** ☐	**N/A** ☒
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** ☒	**NO** ☐	**N/A** ☐
Comment: The proposal by way of land use and visual appearance is not considered compatible with the development within the surrounding area.			
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** ☐	**NO** ☒	**N/A** ☐
Comment: the proposal is considered to appear at odds with the rural character of the area.			
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** ☒	**NO** ☐	**N/A** ☐
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** ☒	**NO** ☐	**N/A** ☐
Comment: Further landscaping is proposed as part of the application			
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** ☐	**NO** ☒	**N/A** ☐
Comment;			
r) the suitability of the land for the development taking into account the possible risk to human health or safety	**YES** ☒	**NO** ☐	**N/A** ☐
Comment: Refer to amenity section of assessment			
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** ☒	**NO** ☐	**N/A** ☐
Comment: Refer to Traffic section of assessment – further information required			
t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road system in the locality and the probable effect on traffic flow and safety	**YES** ☒	**NO** ☐	**N/A** ☐
Comment: Refer to Traffic section of assessment – further information required			
u) the availability and adequacy for the development of the following – I. Public transport services II. Public utility services	**YES** ☐	**NO** ☐	**N/A** ☒

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			
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** ☐	**NO** ☐	**N/A** ☒
Comment:			
w) the history of the site where the development is to be located	**YES** ☒	**NO** ☐	**N/A** ☐
Comment:			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	**YES** ☒	**NO** ☐	**N/A** ☐
Comment: Refer to amenity section of assessment			
y) any submissions received on the application	**YES** ☒	**NO** ☐	**N/A** ☐
Comment: Refer to consultation section of assessment			
Za) the comments or submissions received from any authority consulted under clause 66	**YES** ☒	**NO** ☐	**N/A** ☐
Comment:			
Zb) any other planning consideration the local government considers appropriate	**YES** ☐	**NO** ☐	**N/A** ☒
Comment:			