

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

## Land Use:

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:**

Service Commercial Zone Under Clause 16(2) of LPS3 states the objectives of the zone as follows:

- *To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.*
- *To provide for a range of wholesale sales, showrooms, trade, and services which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.*

The proposed self-storage facility is a commercial activity that requires a large site to offer a diverse range of unit types. Given the nature of the development, vehicle access is considered to be located in an area of least impact. In this instance access is proposed via George Street in lieu of South Western Highway.

Consequently, it's challenging to situate this type of development in within precincts such as town centres or near shopping centres. Therefore, it is more appropriate to place it within Commercial or Industrial zones like the Service Commercial zone. The proposed development aligns with the intent and objectives of the Service Commercial 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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting of approving	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment: No pending scheme amendments**

c) any approved State planning policy	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:**

**SPP 7.0 – See report**

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

e) any policy of the Commission	<b>YES</b>	<b>NO</b>	<b>N/A</b>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Comment:</b>			
f) any policy of the State	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b> <b>See Above</b>			

g) any local planning policy for the Scheme area	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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- **Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4)**
- **Draft Local Planning Policy 1.4 – Advertising Development Applications (DLPP1.4)**
- **Local Planning Policy 1.6 – Public Art for Major Developments (LPP1.6)**
- **Local Planning Policy 2.4 – Water Sensitive Design (LPP2.4)**
- **Local Planning Policy 4.11 – Advertising Policy (LPP4.11)**

#### LPP 4.11 – Advertising

Requirements	Provided	Compliant
<b>Pylon Sign</b>		
The maximum sign face area is 10m <sup>2</sup> per face, for a maximum of two faces.	The proposed face will be roughly 21m <sup>2</sup> in size	No
The maximum height above the ground is to be 6.5m or the height of a building in close proximity, whichever is the greater, but is not to exceed 10m. The height of a building is defined as the height of the uppermost part of the building above ground level.	Proposed 6m in height	Yes
Must be mounted as a free-standing structure	Provided as a free structure	Yes
Must not be located less than 1.5m from the front property boundary (including the primary and secondary street frontages of a corner lot), and must not project beyond the alignment of any property boundary.	Proposed approximately 0.88m from the front boundary	No
Must not face adjoining premises unless the sign is a minimum of 3.0m from the	Setback more than 3m from the adjoining sites	Yes

property boundary of that premises, or unless the landowner of the adjoining premises consents to the sign being a lesser distance from the boundary.		
Must not expose an unsightly back view of the sign to a road or other public place. Must not to be located on a street frontage of a premises along which is located another pylon sign, billboard sign or pole sign.	Proposal is of a new nature and is not considered to be unsightly, setback from other properties adequately where other signage is proposed to be provided.	Yes
<b>Performance Criteria</b>	<b>Comment</b>	
<b>Size</b> Is in keeping with scale of the development or site on which it is proposed.	The size is appropriate for the location and scale of the development	
<b>Colour and Shape</b> Is complementary to the development and surrounding landscape.	The colour is expected to be complimentary and match the proposed colours of the structure	
<b>Number</b> There is not an excess of signage that detrimentally impacts on the visual amenity and character of the area	A single sign is proposed	
<b>Location</b> The location is sympathetic to the existing landscape /streetscape and does not impede on the function of the approved use for the site.	The proposed pylon sign is setback closer than 1.5m from the road. It is expected as part of the future building permit if the application is approved for the proposed signage to be relocated further into the site.	
<b>Design</b> The scale and form of the sign complements the building /development and does not obstruct key architectural features.	A pylon sign is appropriate for a warehouse style development and is not considered to obstruct any line of sight of major architectural features of the proposed structure	
<b>Safety</b> The proposed signage does not pose an unacceptable risk to the public.	The sign is not located in a manner where public safety is impacted.	

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"/>
<b>Byford District Structure Plan (BDSP)</b> The BDSP provides high-level strategic guidance on future planning and development in the Byford locality. Under the BDSP the site is designated 'Service Commercial', in line with LPS3. For			

the reasons discussed earlier regarding the land use, the proposed development is consistent with the BDSP.

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>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

## Development:

k) the built heritage conservation of any place that is of cultural significance	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment: Refer to 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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment: Refer to 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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:**

**Stormwater Management Plan required/conditioned**

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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> <b>Landscaping Plans provided/conditioned</b>			
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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
r) the suitability of the land for the development taking into account the possible risk to human health or safety	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment: Refer to report</b>			
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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment: Refer to report</b>			
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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> <b>Byford Rail within 100m of site</b> <b>SWHY access provided.</b> <b>Pedestrian and Bike Access provided.</b>			

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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:****No community service loss noted.**

w) the history of the site where the development is to be located	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:**

y) any submissions received on the application	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:****See schedule of submissions.**

Za) the comments or submissions received from any authority consulted under clause 66	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment:****Consultation and comments provided from MRWA and PTA  
See gov agency submissions.**

Zb) any other planning consideration the local government considers appropriate	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**