

<b>Technical Report</b>			
<b>Application No:</b>	<b>PA19/1219</b>		
<b>Lodgement Date:</b>	<b>29/11/2019</b>	<b>DAU Date:</b>	
<b>Address:</b>	<b>30 Leaver Way, Cardup</b>		
<b>Proposal:</b>	<b>Commercial Vehicle Parking</b>		
<b>Land Use:</b>	<b>Commercial Vehicle Parking</b>	<b>Permissibility:</b>	<b>SA</b>
<b>Owner:</b>	<b>Tracey Thompson</b>		
<b>Applicant:</b>	<b>As above</b>		
<b>Zoning:</b>	<b>Special Rural</b>	<b>Density Code:</b>	<b>R2</b>
<b>Delegation Type:</b>	<b>12.1.1</b>	<b>Officer:</b>	<b>Haydn Ruse/Ashwin Nair</b>
<b>Site Inspection:</b>	<b>No</b>		
<b>Advertising:</b>	<b>Yes</b>		
<b>Outstanding Internal Referrals:</b>	<b>No</b>		
<b>External Referrals:</b>	<b>No</b>		
<b>Within a Bushfire Prone Area:</b>	<b>Yes</b>		

### **Introduction:**

This report is presented to Council to consider a development application for retrospective Commercial Vehicle Parking at Lot 10, 30 Leaver Way, Cardup. The application seeks retrospective approval for the parking of four Commercial Vehicles, being three prime movers with semi-trailers and one rigid truck.

The proposal does fall within the temporary exemptions listed within the 'Notice of Exemptions' issued by the Minister of Planning on 8 April 2020 and later amended. The applicant however has advised that they wish for the item to be determined as they are seeking permanent approval for the land use.

The report recommends refusal of the application due to the incompatibility of the land use within the current and intended future amenities of the area.

### **Background:**

#### Existing Development:

The subject site has been developed for residential occupation and features an existing dwelling and incidental development, including an outbuilding and water tanks etc. The property is located on the outskirts of the Byford urban development area, to the south of Orton Road and west of Hopkinson Road (future Tonkin Highway)

#### Proposed Development/Site Context:

The application relates to the retrospective parking of commercial vehicles, being three 14m long and 2.2m wide prime movers with semi-trailers and one 8.5m long and 2.2m wide small rigid truck. The applicant has advised that trucks have been parked on the subject lot since they purchased the property 27 years ago (1993) and that they were not aware of the requirement for development approval to park the vehicles.

The vehicles are proposed to be parked on existing hardstand areas around the house and shed. The application states that the vehicles would generally leave the property at 6:00am at

the earliest and return at 5:30pm at the latest during the week. Occasionally, for approximately four weeks of the year, the trucks are used for night works and would leave the site between 6:00pm – 8:00pm and return between 4:00am – 6:00am.

The application also states that the trucks are operated by family members of the occupiers household only, three of which live at the premises and one that does not.

**Community / Stakeholder Consultation:**

The application was advertised to surrounding landowners for a period of 21 days in accordance with Local Planning Policy 1.4 – Public Consultation for Planning Matters Policy. During the consultation period three submissions were received objecting to the retrospective development. The grounds for objection that are relevant to a planning consideration have been summarised into key issues below:

1. Inconsistency with Rural Character;
2. Odour Impacts;
3. Health Impacts;
4. Noise Impacts;
5. Light pollution impact from headlights;
6. Traffic impacts;
7. Concern about land use classification;
8. Traffic safety impacts; and
9. Concern about the adequacy of the surrounding road network.

**Statutory Environment:**

- Shire of Serpentine Jarrahdale Town Planning Scheme 2

**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**

The applicant has stated that the intended use is 'Commercial Vehicle Parking', which is defined under the Shire of Serpentine Jarrahdale Town Planning Scheme No.2 (TPS2) as:

- (a) *The parking of one or more commercial vehicles on any land within the Scheme Area. A vehicle shall be parked for the purpose of this definition if it is present on the subject land for more than two hours and is not in that time being used to load or unload anything, or in connection with building or development work carried on with all necessary Council approvals.*
- (b) *If a trailer or the like having no independent means of propulsion is attached to a prime mover or other motorised vehicle, the two in combination shall be regarded as one commercial vehicle for the purpose of this Scheme.*

- (c) *However, where a trailer or the like is not presently attached to a prime mover or other motorised vehicle, it shall, subject to paragraph (3) be regarded as a separate commercial vehicle for the purpose of this Scheme.*
- (d) *Where there is one prime mover and one trailer on a lot, and even though not attached they are ordinarily used in combination, the two shall be regarded as one commercial vehicle for the purpose of this Scheme.*

Within the 'Special Rural' zone 'Commercial Vehicle Parking' is a discretionary ('SA') land use, meaning the development is only capable of approval, subject to mandatory advertising and exercise of discretion to permit. During the advertising period a number of concerns have been raised particularly in relation to how the operation has been managed prior to this application being lodged, including the nature of the development and appropriate land use classification. The submissions have suggested a more appropriate land use classification would be 'Transport Depot', which is defined under current TPS2 as:

*"Transport Depot - means land or buildings designed or used for one or more of the following purposes:*

- (a) *The parking or garaging of more than one commercial vehicle used or intended for use for the carriage of goods (including livestock) or persons.*
- (b) *The transfer of goods (including livestock) or passengers from one vehicle to another vehicle.*
- (c) *The maintenance, repair or refueling of vehicles referred to in (a) or (b) above.*

*The above uses (a) to (c) inclusive, singularly or collectively may, with Council's planning consent, include as an incidental use overnight accommodation of patrons of the facilities."*

Within the 'Special Rural' zone a 'Transport Depot' is a prohibited land use, meaning it cannot be considered for approval.

In considering which land use is the most applicable under the current TPS2, consideration must be given to what is proposed within the application as this reflects how development would ultimately operate if approved. Based on the information supplied, there would be no transfer of goods or passengers on-site and no maintenance, repair or refueling occurring on-site. The application seeks approval only for the parking of the vehicles.

In this instance, both definitions include the parking of commercial vehicles, the difference being that the 'Transport Depot' land use is broader and covers additional activities such as transfer of goods and maintenance. Clause 3.2.4 of TPS2 states that the most specific land use category must apply and cannot be interchanged with another land use category which by its more general terms might otherwise apply. In

this instance, Officers consider the most specific land use classification under current TPS 2 to be 'Commercial Vehicle Parking'.

#### Aims and Objectives of TPS2

The subject site is zoned 'Special Rural' under TPS2. The purpose and intent of the 'Special Rural' zone specified in clause 5.9.1 is to "*depict places within the rural area wherein closer subdivision will be permitted to provide for such uses as hobby farm, horse training and breeding, rural residential retreats and intensive horticulture and also to make provisions for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of the selected areas.*"

The zoning table of TPS 2 establishes the permissibility of different categories of land uses within the 'Special Rural' zone. For a use to be considered, an application needs to demonstrate that it will maintain the current and intended amenity of the area – in this case defined by rural landscape and amenity. Additionally, any development should support, and not compromise, development of the land within the locality being used for its anticipated purposes such as '*hobby farming, horse training and breeding, intensive horticulture, residential retreats and intensive horticulture*'.

Clause 1 of the 'Deemed Provisions' defines amenity as "*all those factors which combine to form the character of an area and include the present and future amenity.*" In terms of the subject site, the area comprises of single dwellings and associated minor developments (outbuildings) within a predominantly rural area. The amenity of the area, as noted in the purpose of the current TPS2 zone, is largely defined through protection of the rural landscape and associated amenity for the area.

In terms of future amenity, the site is zoned 'Rural Residential' under draft Local Planning Scheme No. 3 (LPS3). It seeks:

- *To provide for lot sizes in the range of 1 ha to 4 ha.*
- *To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land.*
- *To provide a residential amenity with a rural character.*

The guidance under the proposed LPS3 elevates the importance of rural character which maintains a level of residential amenity for the area.

While noting that the current land use classification of 'Commercial Vehicle Parking' is a use which may be considered within the current zone, there is an important emphasis placed upon rural character, rural and residential amenities and ensuring development supports this going forward.

Officers consider the proposed development is considered to impact the existing and proposed amenity of the area by means of visibility and nature of traffic and vehicles which is in contrast to the surrounding development. The proposal is also not a type of development considered consistent with the future amenity of the locality, which emphasises rural character in conjunction with residential amenity.

This application therefore needs to balance the question of whether retrospective development approval ought to be granted, taking in to account the current and

intended future amenity of the area. Officers find it difficult to conclude that retrospective development approval, as sought by the applicant, should be granted based on this assessment.

### **Draft Local Planning Scheme No.3**

Schedule 2, Part 9, Clause 67(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a Local Government to consider the principles of orderly and proper planning including any proposed Local Planning Scheme.

The definitions under draft LPS3 are slightly different from TPS2, 'Commercial Vehicle Parking' is defined as:

*Commercial Vehicle Parking - means premises used for parking of a single commercial vehicle, used offsite for commercial purposes but does not include –*

- (a) any part of a public road used for parking or for a taxi rank; or*
- (b) parking of commercial vehicles incidental to the predominant use of the land.*

The proposal however includes the parking of four commercial vehicles and therefore would not meet the definition of 'Commercial Vehicle Parking' under LPS3. A 'Transport Depot' is defined under LPS3 as:

*Transport Depot - means premises used primarily for the parking or garaging of three (3) or more commercial vehicles including –*

- (a) any ancillary maintenance or refueling of those vehicles; and*
- (b) any ancillary storage of goods brought to the premises by those vehicles; and*
- (c) the transfer of goods or persons from one vehicle to another.*

In this instance, the proposed development would meet the definition of a 'Transport Depot' due to the number of vehicles proposed to be parked. Within the 'Rural Residential' zone under draft LPS 3 a 'Transport Depot' would be a prohibited 'X' use. Prohibiting a 'Transport Depot' in the Rural Residential zone recognises the incompatibility of this use with residential amenity and rural character, which officers agree with.

As a 'Transport Depot' is designated as a prohibited land use under the 'Rural Residential' zoning of draft LPS3, the application for retrospective development approval is not consistent with draft LPS3. If LPS3 was now operative, the development could not be considered as it would be prohibited. This poses the question as to how proposed LPS3 should be factored in to the decision making of this application, which is under the current TPS2.

In this regard, the Shire is seriously considering adopting proposed LPS3 and its associated Local Planning Strategy. LPS3 has reached a stage that it constitutes a seriously entertained planning proposal and is therefore a relevant matter for consideration as to orderly and proper planning. It has reached the point that it has a real likelihood of being adopted.

The proposed LPS3 addresses relevance to the application insomuch that it seeks to classify the land use as a 'Transport Depot', and prohibits the proposed use within the proposed 'Rural Residential' zone considering the objectives of the zone under LPS3. This is reflected and grounded in sound town planning principles, insomuch that the strategic objective for the zone have been defined, explained and planned under the proposed Local Planning Strategy, which has shaped the proposed LPS3.

Advancing the proposed Local Planning Strategy and LPS3 is considered certain, insomuch that advertising has been completed and that the consideration of submissions received is being presented to Council at the June meeting. Expectations exist for a short term approval of the proposed Local Planning Strategy and LPS3, and that this will not be a medium or long term prospect.

### **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 area is economically productive.

The subject site has been designated 'Rural Living B' within the Rural Strategy 2013. The objective of 'Rural Living B' is as follows:

*'cater for rural residential development and ancillary rural related uses on a range of lots between two hectare to four hectares'.*

The retrospective application is considered inconsistent with the 'Rural Living B Policy Area'. The vehicles are not associated with any rural land use as they are commonly used for road construction and civil works. In terms of rural character and amenity, the development is considered to impact the amenity of the area by means of the visibility of the development and nature of traffic, which is in contrast to its surroundings which is predominantly residential with rural character.

### **Draft Local Planning Strategy (Strategy)**

This intends for the land to be zoned to enable smaller 'Rural Residential' lots. As mentioned, the Strategy informs the objectives for the 'Rural Residential' zone under draft LPS3 as follows:

- *To provide for lot sizes in the range of 1 ha to 4 ha;*
- *To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land;*
- *To set aside areas for the retention of vegetation and landform or other features which distinguish the land; and*
- *To provide a residential amenity with a rural character.*

In terms of rural pursuit or ancillary pursuits, the proposal does not demonstrate that it is rural or related to an ancillary pursuit. As such, at odds with the expected activities,

considered appropriate within the designation under the draft Strategy. The proposal is inconsistent with the draft Strategy framework.

#### Amenity and Health

During the advertising period, noise, odour and light generated by the vehicles were raised as concerns. Officers agree with the noise concerns raised through the submissions, particularly in relation to the proposed operating hours, which would see vehicle movements early in the morning, and overnight, on occasion.

While operating hours could be limited, the applicant has identified the occasional demand for night time work which could become impacted if such a limitation was imposed. Night time operations appear to also contribute to concerns towards noise and headlight impacts.

In terms of odour, a submission raised concerns in relation to diesel smells associated with commercial vehicles and potential health impacts from inhalation of fumes. Notwithstanding the broader land use concerns, the specific issue of odour impacts resulting from the parking of four commercial vehicles is difficult to ground in evidence. Comparing for example development along arterial roads of the Shire which would carry far higher volumes of diesel powered vehicles, the Shire does not receive routine diesel fume complaints.

#### Character and Amenity of the Locality

Submissions received on the application have raised concerns about the inconsistency of the development with the existing character of the locality. These concerns primarily relate to the incompatibility of land use with the current and intended amenities of the zone.

While the application as proposed does not seek approval to operate as a 'Transport Depot', it would fall under this definition under Proposed LPS3 exceeding the threshold of 'Commercial Vehicle Parking.'

In terms of the character of the locality, as discussed above, the locality comprises of predominantly residential development with a typical rural setting. The character and amenity of the locality is described as rural and residential in nature. The commercial vehicles in this regard are considered to impact the character and amenity by way of visual and noise impact, and would be considered at odds with the existing/expected development within the area.

#### Traffic and Safety

Submissions received during the advertising period have raised concerns in relation to an increase in the volume of traffic resulting from the proposal, the adequacy of the surrounding road network to facilitate these vehicles and safety impact from the use of these vehicles on local roads.

Officers note that the application indicates the trucks will only be used by occupiers of the landowners household and one direct family member that is not an occupier of the landowners household. Essentially, this would mean there would only be two additional vehicle movements generated from the one family member that does not

live on-site. The remaining vehicle movements would not be any more than could otherwise be expected of a family leaving and returning to work using domestic vehicles, except for the fact of the very different character of vehicles being considered.

In terms of traffic safety and the adequacy of the road network, the vehicles the subject of this application are as-of-right vehicles. This means they are permitted to use any road in accordance with the *Traffic (Vehicles) Regulations 2014*.

Essentially, this application for retrospective development approval is for a land use that is not considered to be consistent with the current, or intended future amenity, of the area. It falls within the definition of a discretionary land use under the current TPS2, but a prohibited use under the proposed LPS3. While proposed LPS3 considers that there may be the opportunity to consider 'Commercial Vehicle Parking' for a single vehicle, this proposal for four vehicles exceeds a threshold that could be considered to support the current and intended amenity of the area.

The Shire identifies under its proposed LPS3 that 'Transport Depots' may be considered within the:

- Rural
- Rural Enterprise
- Light Industry
- General Industry and;
- Industrial Development zones

This recognises that more than one commercial vehicle elevates a land use from one which is consistent with rural character with residential amenities, to one which is more akin to being suited for industrial amenities.

To this end, while the application is recommended for refusal, officers also seek to assist the applicant in locating a suitable alternative location for them to seek approval for their development.

While officers acknowledge that the application sets out that the use of trucks has been a continuing feature of the land use, both the current and intended future planning framework do not appear to support commercial vehicles in the number proposed by the application. Officers need to consider the current objectives and the zone, as well as the intended future zone objective for the 'Rural Residential' zone. With objections from nearby landowners raising issues which impact on the amenity of the area, the number of trucks proposed is considered unacceptably high for the application to be more favourably considered.

Should the application be refused, Council will need to also consider issuing a written direction to remove the unapproved land use. Under s214(3) of the Planning and Development Act 2005, a written direction is to specify a time, being not less than 60 days after the service of the direction, within which the direction is to be complied with. In order to provide sufficient time for the applicant to comply with such direction, a timeframe of 180 is recommended



## **Options and Implications**

### Option 1:

That Council REFUSES the retrospective development approval and provides reasons for the refusal.

Comment: This will not permit the four commercial vehicles to be parked on the land, as proposed by the application.

### Option 2:

That Council APPROVES the retrospective development application subject to conditions which limit hours of operation to daylight hours only.

Comment: This will permit the four commercial vehicles to be parked on the land, but only to be operated during the hours of 7am to 7pm, Monday to Friday, and 7am to 5pm on Saturday, and not on Sunday or public holidays. This would seek to address the concerns raised in objections in respect of noise and rural residential character.

### Option 3:

That Council APPROVES the retrospective development application subject to conditions which limit hours of operation to daylight hours only and which reduce the number of commercial vehicles permitted to be parked from four to one.

Comment: This will permit one commercial vehicle to be parked on the land, but only to be operated during the hours of 7am to 7pm, Monday to Friday, and 7am to 5pm on Saturday, and not on Sunday or public holidays. This would seek to address all the concerns raised in objections.

Option 1 is recommended

## **Conclusion**

The application seeks retrospective approval for 'Commercial Vehicle Parking' within the 'Special Rural' zone. The proposed development is not considered consistent with the objectives of the current zone, or future zone as anticipated under LPS3. It is recommended for refusal on this basis.

## Deemed Provisions – CI 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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
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  the proposal is inconsistent with the draft Local Planning Scheme No.03	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
c) any approved State planning policy	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d) – <b>None</b> <b>Applicable to this area from what I can determine</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
e) any policy of the Commission	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
f) any policy of the State	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
g) any local planning policy for the Scheme area	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
h) any structure plan, activity centre plan or local development plan that relates to the development ( <b>include building envelope</b> )	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
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"/>
<b>Comment:</b>			
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"/>
<b>Comment:</b>			
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"/>
<b>Comment:</b>			

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"/>
<b>Comment:</b>			
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 type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
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 type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
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 type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
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 type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</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 type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" 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 type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" 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 Access and egress appears adequate. No loading or unloading proposed as part of development.	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</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 type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b>			
u) the availability and adequacy for the development of the following –	<b>YES</b>	<b>NO</b>	<b>N/A</b>

I. Public transport services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>Comment:</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 type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
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"/>
<b>Comment:</b>			
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 type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
Development not considered appropriate in considering the draft framework and the expected amenity under the existing framework.			
<b>Comment:</b>			
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"/>
<b>Comment:</b>			
Za) the comments or submissions received from any authority consulted under clause 66	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			
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"/>
<b>Comment:</b>			