

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	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: The proposed use is classified as a ‘Civic Building’ which is defined under TPS2 as:</p> <p><i>“a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for administrative or other like purpose.”</i></p> <p>The subject site is located within the ‘Urban Development’ zone while the designation is ‘Residential’ under the Doley Road Precinct Local Structure Plan (LSP). Pursuant to Table 1 - Zoning Table of TPS2, the use of a ‘Civic Building’ under the ‘Residential’ zone is an ‘AA’ use which means that the Council may, at its discretion, permit the use.</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: Similar to the above, LPS3 lists a ‘Civic Use’ as “premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.” Further, pursuant to LPS3, the subject site is located within the ‘Urban Development’ zone. The designation remains as ‘Residential’ under the LSP. Pursuant to the LPS3 zoning table, a ‘Civic Use’ under the ‘Residential’ zone use an ‘A’ use which means that the use is only permitted if the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.</p> <p>As detailed above, consultation has occurred as part of the application.</p>			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment:</p> <p>SPP3.7- Planning in Bushfire Prone Areas– The subject site lies within a bushfire prone area and as such is required to have a Bushfire Management Plan (BMP) prepared achieving compliance with the Guidelines for Planning in Bushfire Prone Areas (Guidelines).</p> <p>A BMP has been prepared as part of the application and demonstrates consistency with the elements of the Guidelines as follows:</p> <p>Location, Siting and Design: The future building can be located in an area that will, on completion, be subject to bushfire rating of BAL-12.5.</p> <p>Vehicular Access: The subject site is located on a corner and therefore has the benefit of two lot frontages and alternative access in the case of a bushfire emergency.</p> <p>Water: The development will be provided with a dedicated water tank for firefighting, consistent with the requirements of the Guidelines.</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: <u>Local Planning Policy 4.7 - Placement of Fill (LPP 4.7)</u> The fire station building of the proposed development has a finished floor level of 40.01AHD. The natural ground level of the site has a level of approximately 39.19AHD. The proposal as a result includes filling certain sections of the western portion of the site to a maximum of 0.82m.</p> <p>The level of fill is necessary given that the land falls from a contour level of 40.38AHD in the north-east corner to 38.78AHD in the south-west corner, resulting in a fall across the site of 1.6m. The fill is not only required to create a level building footprint but also to ensure adequate separation from groundwater.</p>			
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"/>
Comment: The subject site is located within the Doley Park Local Structure Plan area designated the site as residential – refer to land use section of report.			
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: The proposed development is considered to be compatible with the development in its setting. Refer to 'Built Form' assessment section of the Council 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 Council 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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input 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: the fire station development requires vegetation removal both onsite and within the adjacent Orton Road reserve. No intact vegetation communities occur onsite, however a Landscape Plan has been submitted showing the planting of local native species both onsite and within the adjacent road reserves, although there will be less planting in the Orton Road reserve due to future roadworks.			
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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: the development will be constructed to a BAL 12.5 rating while vegetation removal will ensure bushfire threat is further reduced. The site is not located with a Floodplain management area however it is recommended that a 'Stormwater Management Plan' be submitted.			
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:			
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: that the current crossover designs are acceptable however once Doley Road and Orton Road have been upgraded then it will be the developer's responsibility to amend the crossover to tie in to the new roads.			
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 <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: the submitted 'Traffic Impact Statement' has demonstrated that the number of estimated trips generated by the proposed fire station use will not exceed the capacity of the local road network while fire trucks have a length of less than 19m and therefore are not confined to the Heavy Vehicles Restricted Access Vehicles (RAV) Network.			
u) the availability and adequacy for the development of the following –	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

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			
Comment: The proposed development is considered to be adequately serviced taking into account those matters listed above.			
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: the proposed development is vital for protecting the community against the threat of fire and in particular bushfires.			
w) the history of the site where the development is to be located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment: there is no site history relevant to the assessment of this application.			
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: refer to previous discussion regarding potential noise impacts.			
y) any submissions received on the application	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment: during the consultation period, one submission has been received. Concerns relate to impacts upon the nearby housing estate and concerns relating to the safety of the road network. This is addressed in the body of the Council 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: the application has not been referred to External authorities.			
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:			