

Technical Report			
Application No:	PA20/481		
Lodgement Date:	11 June 2020	DAU Date:	
Address:	32 Paterson Street, Mundijong		
Proposal:	Drivethrough Bottle Shop		
Land Use:	See report	Permissibility:	See report
Owner:	CC Wormal Pty Ltd		
Applicant:	Harvey Construction WA		
Zoning:	Urban Development	Density Code:	N/A
Delegation Type:	12.1.1	Officer:	Haydn Ruse
Site Inspection:	Yes		
Advertising:	Yes		
Outstanding Internal Referrals:	No		
External Referrals:	Yes		
Department of Planning, Lands and Heritage			
Within a Bushfire Prone Area:	Yes		

Introduction:

A planning application dated 11 June 2020 has been received for proposed Drive through Bottle Shop at 32 Paterson Street, Mundijong.

The subject lot is zoned Urban Development in accordance with the Shire's Town Planning Scheme No. 2 (TPS 2). A Drivethrough Bottle Shop is considered a 'Shop' use which is a use that can be considered for approval in the Urban Development zone in accordance with clause 5.19.1.3 of TPS 2.

The proposal is reported to Council for determination as officers do not have delegation to determine an application that has received objections in accordance with Delegated Authority 12.1.1.

This report recommends that the Drive Through Bottle Shop as proposed be approved subject to appropriate conditions.

Background:

Existing Development:

The subject site is 2,028.45m² in area and is bound by Paterson Street to the east, an unconstructed laneway to the west, the Mundijong Hotel to the south and Mundijong Hair Salon to the north. The subject site is currently vacant and used informally for parking for the Mundijong Hotel.

The surrounding land comprises of commercial development along Paterson Street to the north and south, residential development to the west and the railway line to the east.

Proposed Development/Site Context:

The application seeks approval for an extension to the Mundijong Hotel that would operate as a drive-through bottle shop, with associated car parking. The features of the proposed development include:

- A 223m² single storey extension comprising of a display area and one way undercover drive-through;
- Retrofitting of part of the Mundijong Hotel to include part of the display area and a cool room;
- Construction of a bin store area;
- Construction of a car parking area comprising of 41 parking bays (inclusive of two universal access bays), one loading bay and landscaping;
- Construction of a full movement crossover to Paterson Street and an entry only from the laneway to the rear.

During the assessment process, amendments were made to the proposed site plans to address concerns about general vehicle access from the laneway to the rear and the potential impact on the residential amenity on adjoining properties. As a result, the plans were amended to remove all access from the laneway to the rear, include an additional 3 parking bays and erect a 2m high masonry wall along the rear lot boundary. This will be discussed further in the report.

The bottle shop is proposed to operate as an extension to the Mundijong Hotel and would operate across the same hours as the Mundijong Hotel, being 9:00am - 10:00pm Sunday to Thursday and 9:00am to 11:00pm Friday and Saturday.

Community / Stakeholder Consultation:

The application was advertised to landowners within a 500m radius of the site for a period of 21 days, in accordance with Local Planning Policy 1.4 - Public Consultation on Planning Matters Policy (LPP1.4). The application was also referred to the Mundijong Residents Association for a period of 21 days. During the advertising period two submissions were received, objecting to the proposed development.

Statutory Environment:

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
- Rural Strategy Review 2013
- Draft Local Planning Scheme No. 3
- Draft Local Planning Strategy
- Mundijong - Whitby District Structure Plan
- Local Planning Policy 1.4 - Public Consultation on Planning Matters Policy
- Local Planning Policy 3.4 - Paterson Street Design Guidelines
- Local Planning Policy 4.16 - Landscape and Vegetation Policy

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 proposed development primarily entails the retail sale of liquor and is considered to be most closely associated with a 'Shop' land use under Town Planning Scheme No. 2 (TPS2). A 'Shop' means:

'a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.'

Officers must also have regard for the seriously entertained Draft Local Planning Scheme No. 3, which introduces a new land use of 'Liquor Store - Small'. This means:

'premises the subject of a liquor store licence granted under the Liquor Control Act 1988 with a net lettable area of not more than 300 m2.'

The subject site is currently zoned 'Urban Development' under TPS2. Within this zone, the Zoning Table does not provide for any land use permissibility, rather clause 5.18 of TPS2 relating to the Urban Development zone requires the preparation of a Structure Plan to guide development. The subject site is designated as 'Centre' under the current Mundijong-Whitby District Structure Plan, and referred to as a 'Neighbourhood/Local Centre'. Within the 'Neighbourhood Centre' zone under TPS2, a 'Shop' land use would be a 'P' permitted land use.

Under the Draft District Structure Plan currently being progressed, the subject land is designated within the Mundijong District Centre. This provides that:

"Mundijong District Centre will continue to perform its role as the Shire's 'Civic and Governance Precinct' centred around the existing urban core on Paterson Street. In a retail sense the Mundijong District Centre will also continue its role as a neighbourhood centre. It has been classified as a District Centre due to the range of uses provided and significant role the centre plays in the context of the Shire. In the long-term Mundijong District Centre also has capacity to expand its retail function and become a TOD, however, this is dependent on the outcomes of METRONET."

The subject site is also proposed to be zoned 'Urban Development' under the seriously entertained Draft Local Planning Scheme No. 3 (LPS3). A 'Liquor Store - Small' land use is listed as a 'D' use within the Urban Development zone under LPS3, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval.

The proposed development is thus consistent with the current and intended future planning framework.

Parking:

Table V - Parking Requirements of TPS2 sets out car parking requirements for specific land uses. This proposal, as discussed, involves formalising of car parking that will serve the current 'Tavern' development, as well as the new 'Shop' expansion which is proposed as a drive through bottle shop.

Under Table V of TPS2, a 'Tavern' generates a car parking rate of 1 bay per 2 square metres of bar and lounge area. The applicant has identified that the existing tavern has a patronage area and alfresco area totaling 222m², which would result in a requirement for 111 parking bays under TPS2. A 'Shop' use generates a car parking requirement of 1 bay per 15sqm of gross leasable area. For the 150sqm shop display component, this would generate a further 10 bays. This creates a total of 121 bays.

Under LPS3, which is a seriously entertained planning proposal, Schedule 4.3 - Car Parking Requirements states that a 'Tavern' land use requires 1 car bay per 4m² of dining, drinking and/or lounge areas and 1 bay per 4m² of public assembly areas. Based on the existing patronage area and alfresco area totaling 222m², the development would result in a requirement for 56 parking bays under LPS3. The 'Liquor Store - Small' generates a car parking requirement of 1 bay per 20sqm of gross leasable area, which would result in eight bays. This creates a total of 64 bays.

LPS3 reflects the intended future planning framework, and particularly provides the most specific car parking treatment for how development within a 'District Centre' should be considered. The risk in not using LPS3, is that development is not considered or advanced in a manner which Council intends under its new adopted LPS3.

The proposal includes the provision of 41 new car parking bays.

The existing Mundijong Hotel development does not have any formal parking areas servicing the site. There are currently two on-street bays directly outside the front of the Mundijong Hotel and a 12 bay car parking area accessed from Paterson Street, directly opposite the subject site. The site of the proposed drive through bottle shop has been used as informal parking for the Mundijong Hotel, there is also an informal car parking area between the Mundijong Hotel and the Post Office, with space to facilitate approximately 16 parking spaces, as shown below:



Existing Car Parking

Accounting for the existing formal and adjacent car parking bays within a reasonable proximity to the subject site, the proposed development will create in excess of the minimum 64 bays required under LPS3.

Developer Contributions (DCA3):

This development falls within the proposed development contribution area DCA3 (Mundijong Urban DCP). It is anticipated that the Amendment 209, which introduces this DCA, will be a seriously entertained document (having been adopted by Council and submitted to the WAPC), at the time this application is determined. As such it will be required to contribute towards the cost of common infrastructure under the Mundijong Urban Development Contribution Plan.

As a non-residential development, contributions are calculated on the current lot area on which the development is situated, giving a lot "yield" for the site. The liability to pay the contribution is triggered at the building permit stage, and thus the DCP payment will be recommended as a condition of development approval for the Building Permit stage.

The current lot area is 2,028.80m², which gives a total lot yield of 4.5 lots (the lot area divided by 350m² (the average R25 zoned dwelling size)).

Under the current draft DCP (as advertised) the contribution value will be circa \$13,063 per lot, giving a total contribution due of circa \$75,770.

It is noted that recommendations for modifications to the Amendment 209 are being submitted to the November Council Meeting, which will amend this amount to reduce the overall per lot rate. This is a result of reviewing all infrastructure and costings in order to reflect more accurate assumptions and development patterns.

Traffic:

A Traffic Impact Statement (TIS) was provided as additional information to the application, which can be viewed in **attachment 5** to this report. The TIS demonstrates the traffic impacts of the proposed development will not have an undue impact on the current or future local road network and is acceptable in terms of potential traffic safety issues arising from the proposal.

Paterson Street is classified as a Local Distributor Road under the Main Roads Western Australia (MRWA) road hierarchy and has a speed limit of 60 km/h. The TIS is based current site traffic generation and based on the modelled traffic growth volume over the next ten years.

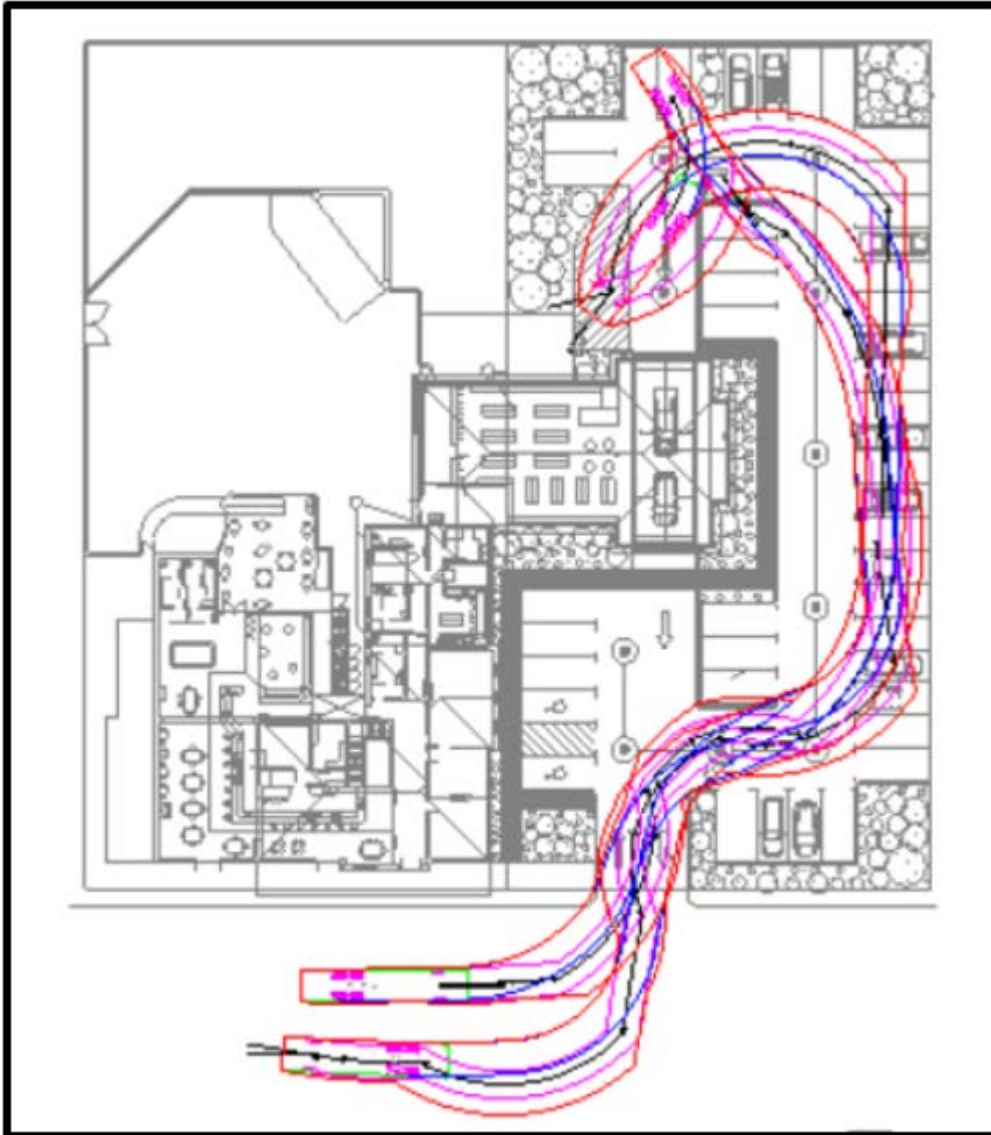
The TIS includes the following table for existing traffic on Paterson Street

Paterson Street	North Bound (VPH)	South Bound (VPH)	Total
AM Network Peak	201	98	299
PM Network Peak	146	130	276

The site is anticipated to generate a total of 29 trips in the PM traffic peak hour (6pm to 7pm).

The WAPC guideline document "*Transport Impact Assessment Guidelines*" (2016) provides guidance on the assessment of traffic impacts and states "*As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may.*" Based on the information provided, the proposal would not increase the existing traffic movements more than 10% and it is therefore considered that the road network is capable of accommodating the proposed development.

The TIS also highlights a fairly complex internal maneuvering arrangement for servicing vehicles, which could only be undertaken at times when the car parking area is almost entirely empty, as shown following. There is no option to move the access further north on the site due to the existence of a bus shelter and street lighting infrastructure.



Turning Templates

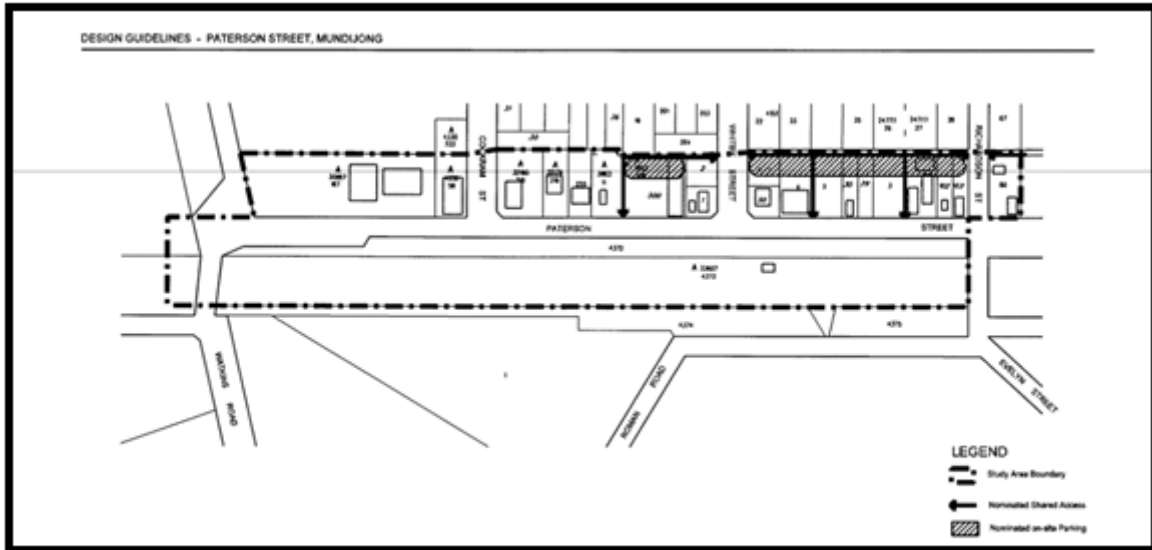
There is the option of restricting loading and unloading times to times where the car park will most likely be empty, which is considered a relevant and incidental component of the development that can be conditioned. Through limiting loading/unloading times to outside peak utilization times (deemed 11am to 7pm daily), the proposed configuration of development can be supported.

This support however is conditional upon plans and specifications being submitted and approved by the Shire, and particularly through this process consider incidental elements like curbing design, drainage location, landscaping types such that the safe maneuverability of loading and unloading can be achieved.

Local Planning Policy 3.4 – Paterson Street Design Guidelines:

LPP 3.4 envisages that the rear laneway that adjoins the development will be fully constructed in the future, to cater for two way vehicle movements. This would require a 10 m laneway width being constructed in the future, compared to the current 5m width. Officers recommend imposition of a condition that requires 2.5 metres of land

across the full length of the subject site, which is both Lot 6 (32) Paterson Street and Lot 5 (34) Paterson Mundijong. These two lots combine to represent the ultimate development site, with a condition imposed that requires amalgamation prior to issue of a Building Permit.



Shared Access Arrangements -LPP 3.4 Paterson Street Design Guidelines

Form of Development:

The application seeks approval for a single storey extension to the existing Tavern building to the northern elevation and conversion of part of the existing Tavern into a cool room and display area for the bottle shop. The display area would have a floor area of 150m² and a drive-through measuring 61.4m². The extension would be set back 25.7m from the primary street boundary behind the front wall of the existing Tavern.

Local Planning Policy 3.4 - Paterson Street Design Guidelines (LPP3.4) sets out design standards for development on Paterson Street. The objectives of LPP3.4 seek to maintain the heritage of Paterson Street by encouraging development forms that will “*enhance the character of the town and strengthen its identity*”. LPP3.4 also identifies significant features of the urban fabric. The existing Tavern is located on a lot designated as an ‘other landmark site’ under LPP3.4 and the subject site is designated as a ‘nominated square’.

Guideline Statement	Proposal/Officer Comment
<p>The maximum height of building walls of buildings to Paterson Street shall be two storeys, or 7.0 metres.</p>	<p>The purpose of the height restriction is to preserve the prevailing built form along Paterson Street. Currently most buildings are single storey with the exception of the Mundijong Tavern.</p> <p>The proposed wall height is 3.9m, compliant with the LPP.</p>
<p>Primary Street setbacks should be to the greater dimension as per figure 6 of the LPP</p>	<p>Figure 6 shows a 2m minimum setback from the primary street. The proposal would be set back 25.7m from the primary street, compliant with the LPP.</p> <p>The rationale of the setback requirements is due to the unique character of Paterson Street and the variety of existing setbacks. The 2m setback is encouraged to achieve an active street frontage for uses such as shops and restaurants</p>

	<p>The setback of the proposed development is considered consistent with maintaining the variety and would ensure that the existing historic building appears more dominant within the streetscape.</p>
<p>Forecourts or Squares are encouraged for those locations notated as “Nominated Squares” in Figure 7 of these Guidelines</p>	<p>Forecourts and Squares are encouraged to enhance key heritage buildings and provide a venue for commercial. Cultural and community events.</p> <p>The application does not propose a forecourt or square as encouraged by the LPP. It is noted that this is a desirable provision and not a mandatory provision. It is considered that given the land use, a forecourt or square would not be appropriate.</p>
<p>The minimum side setback shall be 8m.</p> <p>A side setback may be relaxed to nil where:</p> <ul style="list-style-type: none"> i) the subject development is proposed on those lots nominated to have a minimum front setback of 2.0 metres (on Figure 6), ii) the proposed development is a shop, restaurant, café or office, and iii) the boundary to which the relaxation is being sought is not affected by the “Nominated Shared Access” easement depicted in Figure 8. 	<p>The subject site and the existing Tavern are nominated under the LPP to have shared vehicular access which is achieved under the proposal. However the development proposes a nil setback given it is an extension of the existing building which also currently has a nil setback.</p> <p>The proposal is nominated to have a 2m front setback on figure 6. The proposed development is a ‘Tavern’. The setback would not adversely impact on the shared access arrangements.</p>
<p>A minimum rear setback of 9m</p>	<p>The proposal has a 23.7m rear setback compliant with the LPP</p>
<p>10% of the gross area of a site in the commercial zone to be landscaped.</p> <p>Four circumstances may exist which could allow Council to consider variations:</p> <ul style="list-style-type: none"> a) where the proponent contributes to or carries out, landscape improvements to the street contiguous to the site (including but not limited to, street trees, street furniture, paving, etc), to a value of ten percent of the englobo land value of the site, b) where the proponent 	<p>The LPP also states that variations may be considered where provision of on-site landscaping to improve amenity may not be appropriate. The policy states <i>“it is also recognised that town centre development must nevertheless contribute to the streetscape amenity through other means, such as landscaping within the street, public art, or (where appropriate) a forecourt or square”</i>.</p> <p>The submitted site plan shows areas of proposed landscaping alongside the front boundary, adjacent to the drive-through and within the car park behind the development. This demonstrates that landscaping can be achieved to create an attractive street frontage. A condition is recommended for a landscaping plan to be submitted to detail the species of trees and the density prior to commencement of works.</p>

<p>contributes to or carries out, the provision of public art within or contiguous to the site, to a value of ten percent of the englobo land value of the site,</p> <p>c) where the proponent creates a town square or forecourt, compliant with the requirements of Guideline statement 1.2.3, or</p> <p>d) d) combinations of the above to a total value of ten percent of the englobo land value of the site.</p>	
<p>Driveways no less than 6m in width</p> <p>Easements in gross no less than 8.0 metres in width shall be applied to shared driveways to guarantee shared use and access.</p>	<p>The access driveway is proposed to be 7m in width compliant with the LPP.</p>
<p>Car Parking as prescribed under TPS2</p>	
<p>On-site loading areas to be at the rear and be gated for after-hours security and concealed by fencing of a minimum height of 2m</p>	<p>The loading bay is located to the rear of the drive-through extension so as to preserve the amenity of the streetscape. This area is no fenced off or gated for out of hours however the building would be closed off with a roller shutter door which is considered to be sufficient for security purposes and would not result in a secluded area.</p>
<p>Fencing should be transparent and no higher than 1.8m. Front fencing shall comprise either painted open picket or wrought iron.</p>	<p>No fencing is proposed to the front or side lot boundaries. A 2m high masonry wall is proposed along the rear to prevent access to the laneway. The intent of this is to preserve the residential amenity of adjacent landowners to the rear.</p> <p>A fence/wall in this location is also considered of benefit to prevent pedestrians from purchasing liquor and having direct access to the laneway to the rear.</p>
<p>The architectural style of new buildings should (in the case of additions and extensions) match that of their principal building, and in the case of new development, should be closely sympathetic to the architectural style of the key 19th and 20th Century buildings in the Precinct.</p>	<p>The extension would be of brick construction with use of render to the drive-through to match the external appearance of the existing building. It is considered that the external appearance of the extension is cotemporary in design whilst in keeping with the appearance of the existing building.</p> <p>Given the scale and siting of the proposed development, it would appear subservient in scale to the existing building. It would have a hipped roof with a gable facing onto Paterson Street. The form of the extension reflects the form of the existing building and is considered appropriate in its context.</p>
<p>Roof pitch should be between</p>	<p>The extension has a gable roof facing the street that replicates</p>

<p>300-450. Gables facing the street are encouraged. Flat deck roofs are not permitted, unless they are concealed behind a parapet façade to the street. Skillion roof forms are acceptable.</p> <p>Satellite dishes or air conditioning units shall not be visible from an abutting street. If a roof attachment requires location at the front, at its discretion Council may approve this providing it is not visually obtrusive.</p>	<p>the form of the existing building.</p> <p>None proposed.</p>
<p>The permissible roof materials include profiled colorbond sheet metal, terracotta roof tiles and grey(timber) shingles. Where zincalume is used, it shall be treated to reduce its reflectivity.</p>	<p>A schedule of colours and materials is recommended as a condition to ensure this provision is met.</p>
<p>Walls facing a public street should be constructed of either brick, rendered brick, local stone or weatherboard. Brick shall be laid in a running bond or English garden bond pattern. Bricks shall be similar to the Cardup type brick originally used on the Mundijong Hotel</p> <p>Stone walls shall be laid in a random coursed pattern. Limestone is not preferred.</p>	<p>The walls would be constructed using brick and render, compliant with the LPP. The schedule of colours and materials bring provided will ensure it is in keeping with the existing and intended character of the area.</p>
<p>Rendered or weatherboard walls require painting. Preferred colours include either “traditional white wash”, a cream render, but may also include darker toned browns, olives, ochres and tan/pinks.</p> <p>Accent colours are to either complement base tonings or provide relief. By definition, complimentary accent colours should be those of opposite (or “complementary”) chroma and hue. Coloured accents should remain dark toned. Relief colours may be white or cream.</p>	<p>A schedule of colours and materials is recommended as a condition to ensure consistency with this provision</p>

<p>Building facades facing the street should be articulated by the inclusion of significant and robust detail utilising a variety of materials and method.</p>	<p>The front elevation of the extension is articulated and includes the drive-through element forward of the remainder of the extension reducing the impact of the wall on the streetscape. It is considered that the roller shutter door is not in keeping with the desired streetscape however given its setback from the primary street boundary, its scale and its purpose for security, it is considered it could be designed in a bespoke manner so as to not adversely impact on the character or amenity of the streetscape. The schedule of colours and materials will ensure the external appearance is in keeping with the design of the building.</p>
<p>WINDOWS: AT STREET LEVEL No less than sixty (40) percent of the vertical area of a building façade facing a street (or formal public space such as a square) at street level shall comprise windows, or glazed doors.</p>	<p>While the proposed design does not comply, the design has been developed to be in keeping with the heritage design of the Mundijong Hotel. In this instance Officers consider the design is more appropriate being in keeping with the heritage character of the Mundijong hotel.</p>
<p>WINDOWS: DESIGN Windows shall have a vertical emphasis. Window frames visible from the street should be of a timber-famed casement or awning type. Window detailing should include a header or soldier lintel course, and a header sill course. Gabled dormer windows are acceptable for providing windows to habitable roof spaces.</p>	<p>The proposed vertical area of the building façade comprises approximately 8.8% windows. The design, although non-compliant, has been chosen to reflect the heritage design of the adjoining Mundijong Hotel. Compliance with the policy in this regard would result in a jarring design outcome, as such, the variation is supported in this regard.</p>
<p>ENTRANCES TO STREET Buildings should provide primary door openings to street footpaths for each tenancy abutting a street.</p> <p>Where buildings provide door openings other than to street sidewalks, then such entrances should be clearly identifiable, easily accessible, and highly visible from car parks, public spaces or building windows.</p>	<p>The drive-through has its main opening facing onto Paterson Street.</p>
<p>Floor levels of ground floors should match the level of footpaths abutting thereto.</p> <p>The minimum ground floor height (floor to ceiling), in buildings adjacent to the street, shall be a minimum of 3.5 metres.</p>	<p>The floor level matches the level of footpaths and the ground floor height is 3.6m consistent with the LPP.</p>
<p>Where buildings abut a street sidewalk, such buildings shall</p>	<p>The building is set back from the street and therefore awnings are not required.</p>

provide a continuous awning over the footpath.	
<p>Building facades should be illuminated wherever possible. Applicants must demonstrate that upper storey residential units will not be affected by direct light intrusion through windows.</p> <p>Pedestrian paths and spaces accessible at night should be adequately lit. Particularly along key walking paths, lighting should be contiguous, without gaps.</p>	<p>It is recommended that a condition of approval requires for a lighting plan to be submitted to the Shire. Adequate lighting is considered an important part in ensuring that the proposal does not result in adverse social or amenity impacts. The lighting plan will ensure this is achieved.</p>
<p>Proposals for civic, cultural, commercial, residential (except single residential), and/or mixed residential/commercial developments over the value of \$500,000 are to set aside a minimum of one half of one per cent (i.e., 0.5%) of the estimated total project cost for the development of public art works which reflect the place, locality and/or community.</p> <p>The contribution to public art may be credited to the development's obligations to provide landscaping.</p>	<p>A condition for a landscaping plan has been recommended which will account for the requirements under this provision.</p>

Amenity:

Clause 67 of the Deemed Provisions, namely clause (n) requires the Local Government to consider the amenity impacts of a development specifically in relation to the character of the locality and social impacts. Generally, in assessing social impacts it is important to consider how the premises would operate including hours of operation, marketing/advertising and considering sensitive premises in the locality.

In this case, the proposal is for an extension in the form of a drive through bottle shop (with display area), with this extension being to the existing Tavern that has been operating from the site for considerable time.

In terms of sensitive premises the following have been identified:-

- Mundijong Primary School is located approximately 175m to the north: and
- Mundijong Family Practice located approximately 3m to the north.

The frontage of the licensed premises does not take a predominant view from either of these sensitive premises and any signage would not be visible. More so, the strategic intent of the area is to provide for a mixed range of uses and the 'Tavern' is an existing and well-established operation. Regardless, sale of alcohol is required to be in accordance with the relevant regulations and principles of responsible sale.

It is considered that social impacts can be appropriately managed through the responsible operation of the business. Planning conditions including the requirement for a lighting plan and the secure storage of products will go further to mitigate the potential social impacts resultant from the proposal. Any signage would require development approval and through this process, consideration would be given to its context and potential social impacts.

Noise from the development would be generated from the potential increase of customers visiting the site and their vehicles. The level of noise is not considered to be dissimilar to the existing activities of the tavern and its outdoor seating area and these types of developments are expected to occur in Town Centres.

Officers are satisfied that the issue of noise can be managed through the *Environmental Protection (Noise) Regulations 1997* and will recommend an advice note that ensures the operator is aware that noise requires monitoring. Management of noise can be further considered through the Section 39 application for a liquor license by the Shire's Health Services.

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: Council may resolve to approve the application subject to conditions.

Option 2: Council may resolve to refuse the application subject to reasons.

Conclusion:

The application seeks approval for a drive-through bottle shop extension to the Mundijong Hotel. The proposal received two objections during the advertising period and seeks some variations to the provisions of Local Planning Policy 3.4 - Paterson Street Design Guidelines, which has triggered the application being presented to Council for determination in accordance with Delegated Authority 12.1.1. Officers consider the proposed development to be acceptable, subject to appropriate conditions and modifications as discussed within the body of this report and recommend the application be granted approval.

Attachments:

- CL67 Table

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

a) The aims and provisions of this Scheme and any other local	YES	NO	N/A
---	-----	----	-----

planning scheme operating within the area	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comment:			
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"/>
Comment:			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d) – None Applicable to this area from what I can determine	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 type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
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:			
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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input 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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input 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:			
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:			
o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
r) the suitability of the land for the development taking into account the possible risk to human health or safety	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
s) the adequacy of – I. The proposed means of access to and egress from the site; and II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road 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:			
u) the availability and adequacy for the development of the following – I. Public transport services II. Public utility services III. Storage, management and collection of waste IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities) V. Access by older people and people with disability	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
v) the potential loss of any community service or benefit resulting	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

from the development other than potential loss that may result from economic competition between new and existing businesses	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment:			
w) the history of the site where the development is to be located	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
y) any submissions received on the application	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
Za) the comments or submissions received from any authority consulted under clause 66	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			