

### Attachment 4: Technical Assessment

Deemed Provisions – CI 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:** Refer to the Local Planning Scheme No.3 section of the Council Report.

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	<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:** As discussed in the Council Report, the proposal is considered generally consistent with the planning framework.

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:** The proposal has been assessed in accordance with the following State Planning Policies:

- State Planning Policy 2.1 – Peel-Harvey Coastal Plan Catchment (SPP2.1)

The site is within the SPP2.1 policy area. The objectives of SPP2.1 relevant to this application seek to ensure that development does not adversely impact the environment. The Council Report addresses potential environmental impacts and how this is proposed to be managed through the remediation and rehabilitation of the site. Furthermore, managing stormwater runoff is an ongoing measure to ensure nutrient export is managed ongoing.

- State Planning Policy 2.5 – Rural Planning (SPP2.5)

The purpose of SPP2.5 is to protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome. The relevant objectives of the policy to this proposal are listed and discussed following:

- *Avoid and minimise land use conflicts;*
- *Protect and sustainably manage environmental, landscape and water resource assets.*

As the proposal includes non-rural land uses it is important to ensure that it does not cause land use conflict with surrounding rural land uses. The proposal is

considered to appropriately manage land use conflicts and environmental and amenity impacts. This is discussed in detail within the Local Planning Policy 4.26 – Development in the Rural Zone and Amenity sections of the Council Report.

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7) – Refer to the SPP3.7 section of the Council Report.

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	<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:** Advice was provided by DWER that the proposal would require a Works Approval under the *Environmental Protection Act 1986*. This advice was forwarded to the applicant.

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"/>
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**Comment:**

f) any policy of the State	<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 comments in section c) of this assessment.

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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**Comment:** The proposal has been assessed in accordance with the following Local Planning Policies:

- Local Planning Policy 4.26 – Development in the Rural Zone (LPP4.26) – Refer to the LPP4.26 section of the Council Report.

h) any structure plan, activity centre plan or local development plan that relates to the development	<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:**

i) any report of the review of the local planning scheme that has been published under the <i>Planning and</i>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
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<i>Development (Local Planning Schemes) Regulations 2015</i>	<input type="checkbox"/>	<input type="checkbox"/>	<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>			

**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"/>
<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 checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> Refer to the consideration of built form in the Local Planning Scheme No.3 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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> The environmental impacts of the development have been considered in the Remediation and Rehabilitation Works of the Council Report.			

o) the likely effect of the development on the natural environment or water resources and any means that are	<b>YES</b>	<b>NO</b>	<b>N/A</b>
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proposed to protect or to mitigate impacts on the natural environment or the water resource	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comment:</b> The impacts to water resources have been considered in the Stormwater section of the Council Report.			

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> Refer to the Landscaping section of the Council Report.			

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> Refer to the Stormwater section of the Council Report for consideration of flooding and water management. Refer to the SPP3.7 section for consideration of bushfire risk.			

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> The risks associated with the history and contamination of the site have been addressed within the Remediation and Rehabilitation Works section of the Council Report.			

s) the adequacy of –	<b>YES</b>	<b>NO</b>	<b>N/A</b>
I. The proposed means of access to and egress from the site; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. Arrangements for the loading, unloading, manoeuvring, and parking of vehicles			
<b>Comment:</b> Refer to the Traffic section of the Council Report.			

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:</b> Refer to the Traffic section of the Council Report.			

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 checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> Refer to the LPP4.26 section of the Council Report.			

w) the history of the site where the development is to be located	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment:</b> The history of the site has been considered in detail within the Background section of the Council Report.			

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"/>
<b>Comment:</b> Refer to the LPP4.26 section of the Council Report.			

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> Seven submissions were received objecting to the proposal. These have been summarised and addressed within the Community / Stakeholder Consultation section of the Council Report. The full written submissions are contained within the Summary of Submissions Attachment.			

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"/>
<b>Comment:</b> The comments of relevant State Government Agencies have been considered in the Community / Stakeholder Consultation section of the Council Report.			

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>			