Development Application Report

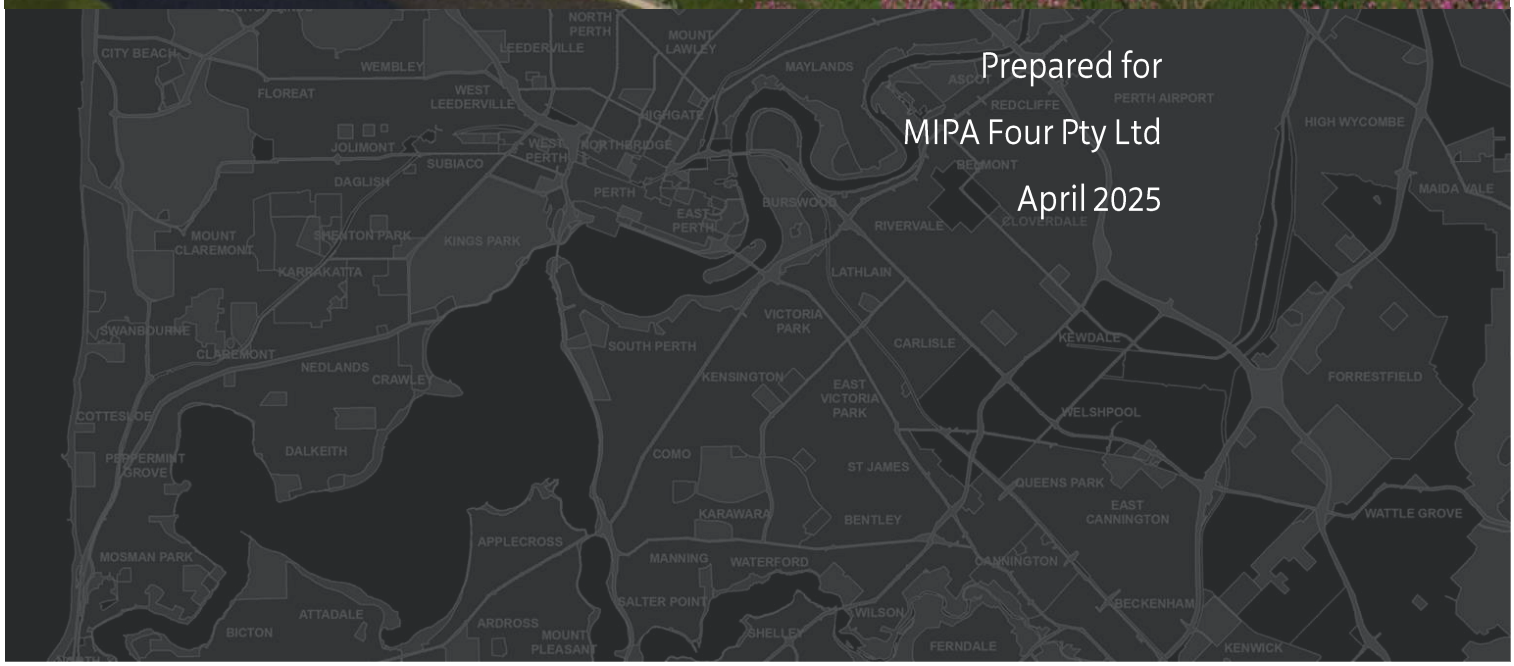
Hatch Court Industrial Development

Lot 8 (37) Stirling Crescent & Lot 16 (4) Hatch Court, High Wycombe

PLANNING SOLUTIONS | URBAN & REGIONAL PLANNING

PS





Prepared for

MIPA Four Pty Ltd

April 2025

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Direct all enquiries to:

Planning Solutions
Level 1, 251 St Georges Terrace
Perth WA 6000

All correspondence to:
Planning Solutions
GPO Box 2709
CLOISTERS SQUARE PO WA 6850

Phone: 08 9227 7970
Fax: 08 9227 7971
Email: admin@planningsolutions.com.au
Web: planningsolutions.com.au

Project Details

Job number	9000	
Client	MIPA Four Pty Ltd	
Prepared by	Planning Solutions	
Consultant Team	Town Planning Architect Traffic Engineering Arboricultural Bushfire Acoustic Geotechnical Hydraulics Site and Soil Evaluation Stormwater	Planning Solutions Meyer Shircore & Associates Transcore Arborology WA Bushfire Smart Lloyd George Acoustics Galt Geotechnics CHD Groundbreaking Investigations JC Consulting Engineers

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1 PRELIMINARY

1.1 Introduction

Planning Solutions acts on behalf of MIPA Four Pty Ltd, the proponent of the proposed industrial development on Lot 8 (37) Stirling Crescent & Lot 16 (14) Hatch Court, High Wycombe (**subject site**).

Planning Solutions has prepared the following report in support of an application for development approval. This report will discuss various matters pertinent to the proposal, including:

- Site details.
- Proposed development.
- Strategic planning framework.
- Statutory planning framework.

This proposal seeks to develop a high-quality industrial development in the emerging Hatch Court industrial area. The development will achieve a high quality design, functionality and also include the retention of significant trees on both Lot 8 and 16. The retention of these significant trees is also supported by the further provision of 48 additional trees across the two sites, which will provide soft screening to the Stirling Crescent and Hatch Court frontages while also providing shade to the car parking areas and wider amenity improvements for the overall industrial area.

Planning Solutions respectfully seeks development approval for the proposal from the Metro Outer Development Assessment Panel (**MODAP**).

1.2 Background

1.2.1 Pre-lodgement Consultation

Representatives from the project team met with officers from the City of Kalamunda (**City**) on 8 April 2024 and 4 March 2025 to present concept plans, provide an overview of the proposed development, and discuss land use planning considerations and development application requirements.

In the second meeting with the City, it was confirmed that the City were progressing with the Local Structure Plan for the Hatch Court Precinct. The City had also purchased Lot 13 (23) Hatch Court, High Wycombe which would facilitate a vehicle access connection from Hatch Court to Adelaide Street. With this information known, the development application has been updated to reflect likely vehicle access changes for the industrial precinct.

1.2.2 Design Review Panel

The proposal was presented to the City of Kalamunda's (**City**) Design Review Panel (**DRP**) on 7 August 2024. The assessment highlighted elements for refinement and further development prior to lodgement of a development application. The comments from the DRP have been considered holistically by the design team, and integrated and reflected in the revised development plans. The DRP's comments and recommendations from this meeting, and the design team's response are detailed in **Appendix 3.**

1.2.3 Hatch Court Industrial Precinct

The development is located within the Hatch Court Light Industrial Precinct, which has an area of approximately 30 hectares and is bounded by Abernathy Road, Adelaide Street, Stirling Crescent and Kalamunda Road. A summary of the recent history of the Hatch Court Industrial Precinct is provided as follows:

- In 2010, the Hatch Court precinct was rezoned from Rural to Urban under the Metropolitan Region Scheme by Amendment No. 1187/57.
- On 6 February 2016, Amendment No. 80 to the City's Local Planning Scheme No. 3 (**LPS3**) was gazetted rezoning the precinct from 'Urban Development' to 'Light Industry' and inserting a requirement for a structure plan be prepared to address access considerations and the interface to existing residential land uses.
- On 17 September 2019 the City granted approval for a hardstand and warehouse on Lot 201 (614) Kalamunda Road within the Hatch Court Precinct for industrial purposes despite the absence of a structure plan.
- In 2021, Main Roads completed the detailed planning of modifications to the Great Eastern Bypass Interchange to improve traffic flow and regional connectivity in and around the subject site. These changes will include closing access to Great Eastern Highway from Stirling Crescent, reducing industrial traffic along Stirling Crescent considerably as non-local traffic shifts to Abernathy Road and Stirling Crescent north of Adelaide Street.
- In August 2021, Main Roads released an update regarding additional local upgrade works to be undertaken by the City of Stirling to Stirling Crescent and Talbot Road in support of the proposed changes to the regional road network .
- On 26 April 2022, the Council of the City resolved to advertise *Draft Local Planning Policy 35 – Hatch Court Industrial Precinct* (**LPP35**) for public comment. The intent of LPP35 was to guide the development of Lot 1499 only, in the absence of a structure plan, and to prevent the development of the remainder of the precinct–including the subject site. The response to draft LPP35 by local landowners was as follows:
    - On 26 June 2022, Council received a petition from 15 landowners within the Hatch Court Industrial Precinct requesting Council to initiate a scheme amendment deleting the structure planning requirement from LPS3.
    - Landowners were of the opinion that a LSP was simply no longer required for the subject site, nor the precinct generally and that all relevant considerations have been resolved by the proposed changes to the regional movement network, or are already capable of resolution via the existing framework and decision-making powers.
- On 17 May 2023, the Metro Outer Joint Development Assessment Panel (**JDAP**) approved the development of Lot 1499 for industrial purposes in the absence of either the structure plan, or the finalisation of draft LPP35–with the support of the City.
- On the 22 October 2024 Council meeting, the City of Kalamunda resolved to not proceed with the draft LPP 35 and instead initiate the preparation of a LSP, Development Contribution Plan (DCP) and Design Guidelines for the Hatch Court Light Industrial area and the area to the south-east side of the Stirling Crescent which does not have a LPS to coordinate and guide development. As part of this process, the City will engage with landowners (provide opportunity to make submission on draft plans) and prepare a business case (or project plan) before commencing with the preparation of the LSP, DCP and Design Guidelines.
- On 12 December 2024, the City granted approval for a warehouse development on Lot 9 (29) Stirling Crescent within the Hatch Court Precinct in the absence of a structure plan, DCP and Design Guidelines.

2 SITE DETAILS

2.1 Land description

Table 1 outlines the lot details and a legal description of the subject site.

Table 1 - Lot details

Lot	Diagram	Volume	Folio	Area
8	67603	1689	341	1.001 hectares
16	70547	1739	268	1.0031 hectares

The land is not subject to any encumbrances. Refer **Appendix 1** for a copy of the Certificates of Title and Deposited Plan.

2.2 Location

2.2.1 Regional context

The subject site is located in the municipality of the City of Kalamunda (**City**) within the Hatch Court Light Industrial Precinct. This precinct borders the western edge of the Perth Airport, and sits along the southern boundary of the Hazelmere industrial precinct. The site is located approximately 13.5 kilometres north-east of the Perth city centre, 4km south of the Midland town centre, and 7km north-west of the Kalamunda town centre.

The subject site has frontages to Stirling Crescent and Hatch Court, with both local roads under the jurisdiction of the City. Stirling Crescent connects to the Great Eastern Highway Bypass and Kalamunda Road, connecting the site to main transport corridors including Roe Highway and Great Eastern Highway.

Access to Great Eastern Highway from Stirling Crescent will be closed in the long term, reducing industrial traffic along Stirling Crescent considerably.

2.2.2 Local context, land use and topography

The area surrounding the subject site to the north and north-east are generally characterised by industrial land uses or formerly rural-residential land uses. The area is now transitioning to industrial activities in accordance with the Light Industry Zoning applied by the City. Land uses to the east and south of the subject are generally residential, increasing in density to the south, away from the subject site.

The immediate context of the subject site is as follows:

- To the north and the west are former rural-residential lots, now rezoned for industrial development.
- To the south, across Stirling Crescent, are existing large residential lots provide a transition to standard residential lots.
- To the east, the site has been predominantly developed with hardstand for a logistics operation.

Refer to **Figure 1** for an aerial photograph and **Images 1-4** for street views of the site.



Figure 1 - Aerial photograph of the subject site dated 2025 (Source: Nearmap)



Image 1 – Lot 8 as seen from Stirling Crescent, looking north (Source: Google Maps)



Image 2 – Lot 8 as seen from corner Stirling Crescent / Hatch Court, looking west (Source: Google Maps)



Image 3 – Lot 16 as seen from Hatch Court looking south-east (Source: Google Maps)



Image 4 – Boundary line between Lots 8 & 16 as seen from Hatch Court looking south (Source: Google Maps)

2.2.2.1 Vegetation, Topography and Soils

The subject site is characterised by groups of trees located to the lot boundaries, and largely cleared central areas. The proposed tenancies have been located within the existing cleared central areas where possible, and designed to accommodate as many existing healthy trees as possible. This retains the existing green character of the locality, while supporting the intended industrial nature of the wider Hatch Court Industrial Precinct to the north and west.

Further to this, Geotechnical Analysis and a Site and Soil Evaluation (**SSE**) have been undertaken by Galt Geotechnics. The SSE provides details on the topography and soil typology at the subject site. The site is generally flat with site surface levels as follows:

- Lot 8: RL 22.5 m AHD to the north to RL 23.5 m AHD to the south
- Lot 16: RL 21.5 m AHD to the north to RL 23.0 m AHD to the south

It is likely that filling of about 0.2 m to 2.0 m will be required to achieve the proposed design level. Dewatering may also be required for temporary excavations.

Refer **Appendix 4** and **Appendix 5** for copies of the Geotechnical Analysis and Site and Soil Evaluation.

3 PROPOSED DEVELOPMENT

3.1 Development Summary

This application seeks development approval for a light industrial development on the eastern boundary of the Hatch Court Industrial Precinct. The proposed development comprises eleven light industry tenancies, all with integrated office areas, internalised waste storage areas, service yards and common parking areas for visitors and customers. The proposed development also integrates significant areas of landscaping, including the retention of 18 trees along the boundary of Lot 8, and the provision of an additional 48 trees within trees wells and landscaping areas across both lots.

This focus on tree retention and landscaping has resulted in provision of 1,562m2 soft landscaping across the two lots. This expanse of landscaped area is focused to the lot boundaries, creating a soft interface for the industrial building and also supporting the proposed staff amenities area located on the south-eastern corner of Lot 8 (adjacent to Stirling Crescent).

The proposed tenancies will integrate with the wider locality by providing a transitional area between the existing residential area to the south-east, through the use of the existing significant trees as a softening and screening to the buildings, and the intended industrial character for the Hatch Court Precinct as part of the wider Hazelmere Industrial area to the north and west.

Refer **Figures 2-8** for renders showing the proposed development on Lot 8 and 16, including the staff alfresco area on the Stirling Crescent frontage, and the retained trees located to the site boundaries and at the interface between the two lots.



Figure 2 - Lot 8 as seen from Hatch Court



Figure 3 - Render showing interface between lot 8 and 16 buildings



Figure 4 - Lot 8 aerial view from corner of Stirling Crescent and Hatch Cout

3.2 Built form and operational details

The proposed development includes a range of façade treatments to achieve a high quality built form outcome. A mix of finishes and treatments contribute positively to the public realm and the Hatch Court Light Industrial Precinct, which will be assisted by the retained trees located to the site boundaries. Refer below for a summary of the proposed development on Lot 8 and Lot 16, respectively.

3.2.1 Lot 8 Development Summary

A summary of the proposed development for Lot 8 is provided below.

- Building 1, containing four 2-storey light industry tenancies, each with a mezzanine office area of 155m^2, as follows:
  - "Warehouse" 1 – GFA 1,139m^2, with service yard.
  - "Warehouse" 2 – GFA 1,215m^2, with service yard.
  - "Warehouse" 3 – GFA 1,237m^2, with service yard.
  - "Warehouse" 4 – GFA 1,253m^2, with service yard.
- A dedicated staff alfresco area to the south eastern corner of the site;
- Car parking and access including:
  - Two full movement crossovers to Hatch Court to service the development, as follows:
    - Westernmost crossover to service heavy vehicles (for delivery / service), as well as passenger vehicles accessing the car parking on this side of the site.
    - Easternmost crossover to service passenger vehicles only. This is an existing cross over to Hatch Court and is proposed to be improved as part of the development proposal.
  - 48 shared car parking bays, provided along the western and eastern boundaries.

- Pedestrian paths along the western boundary of the building, providing alternative access from the junction of Hatch Court and Stirling Crescent and providing space for bicycle racks
  - 3 bicycle parking racks with space for 6 bikes are located in front of tenancies 1, 2 and 3.

- 1,032m² of landscaping, including:
  - 3m wide landscaping strips along the Stirling Crescent and Hatch Court frontages;
  - Landscaping areas around the building and alfresco area;
  - Retention of 18 trees, located to the boundaries of the site in tree wells or co-located with the staff alfresco area; and
  - Provision of an additional 20 small trees.



Figure 5 - Lot 8 viewed from staff alfresco area on Stirling Crescent frontage



Figure 6 - South East elevation of Lot 8, with retained trees shown around staff alfresco area and along Hatch Court frontage

3.2.2 Lot 16 Development Summary

A summary of the proposed development for Lot 16 is provided below.

- Building 2, containing seven 2-storey light industry tenancies, as follows.
  - "Warehouse" 1 – GFA 1,290m², with an internal office space of 150m² and a service yard.
  - "Warehouse" 2 – GFA 652m², with an internal office space of 63m² and a service yard.
  - "Warehouse" 3 – GFA 622m², with an internal office space of 63m² and a service yard.
  - "Warehouse" 4 – GFA 592m², with an internal office space of 63m² and a service yard.

- "Warehouse" 5 – GFA 560m², with an internal office space of 63m² and a service yard.
- "Warehouse" 6 – GFA 527m², with an internal office space of 63m² and a service yard.
- "Warehouse" 7 – GFA 497m², with an internal office space of 63m² and a service yard.

- Car parking and access including:
  - One full movement crossover to Hatch Court;
  - 26 shared car parking bays, provided at the Hatch Court frontage and 4 additional shared car parking bays located at the southern corner of the site.
- 530m² of landscaping, including:
  - A 3m wide landscaping strip along the Hatch Court frontage;
  - Landscaping areas on the outside of the service yards and around the building; and
  - Provision of 28 small trees across site.



Figure 7 - View of Lot 16 building from northern corner



Figure 8 - Lot 16 render as seen from Hatch Court (foreground), Lot 8 building in background

Refer **Appendix 2** for a copy of the development plans and landscape plans.

3.3 Technical Appendices

3.3.1 Arboricultural Impact Assessment

The proposed development includes the retention of 18 trees on Lot 8, as well as the provision of an additional 48 small trees across the subject site. The retained trees have been identified, and will be protected, in accordance with the findings of the Arboricultural Impact Assessments (AIA) recommendations, as prepared by Arborology WA.

The subject sites are both characterised by lines of trees located to the site boundaries, with some trees located around the existing buildings on the centre of the site. The AIA reports identify trees for retention based on anticipated tree lifespan, any identified trees problems, and the anticipated impact to tree viability due to proximity of the proposed building footprints. This has resulted in the protection and retention of 18 trees on Lot 8. Additionally, the development has demonstrated that the proposed development on Lot 16 will not adversely affect the existing trees on Lot 16 (14) Hatch Court, with the 33 trees identified as healthy to be retained and protected through the development of the subject site.

Refer **Figure 9** below for extracts of the site plans showing the trees to be retained or protected, and **Appendix 6** for copies of the completed Arboricultural Impact Assessments.



Figure 9 - Lot 8 Arboricultural Impact Assessment Site Plan Extract of retained trees and required protection zones

3.3.2 Transport Impact Statement

A Transport Impact Statement (TIS) has been completed by Transcore for the proposed development. The TIS provides an analysis of the proposed development for the interim and final development layout following the redevelopment of Hatch Court, including:

- Analysis and demonstration of the swept paths for 12m rigid trucks on both lots, including:
  - Light vehicle access to Lot 8 on the easternmost crossover;
  - Shared access between tucks and light vehicles on the western crossover to Lot 8; and
  - Shared access between tucks and light vehicles on the single crossover to Lot 16.
- Consideration for alternative modes of transport, including:
  - Bicycle access and parking provision (6 bike bays on Lot 8); and
  - Public transport proximity.
- Provision for the widening of Hatch Court to accommodate industrial traffic following the closure of the Hatch Court and Stirling Crescent junction.

The design of the traffic access and layout has been considered to ensure the operations of the lots can be maintained through the existing and future road layout of Hatch Court and Stirling Cresent, while supporting the industrial traffic and truck movements required by the light industry land uses and wider industrial precinct.

Refer **Appendix 7** for a copy of the Transport Impact Statement.

3.3.3 Bushfire

As the site is identified as a bushfire prone site, a Bushfire Management Plan (**BMP**) has been prepared by Bushfire Smart for the proposed development to address the requirements of State Planning Policy 3.7 (**SPP3.7**). The BMP demonstrates that the subject site adequately addresses bushfire management and mitigation, with the highest bushfire attack level rating at BAL-19 for the proposed buildings. This assessment has been completed with regard to the City of Kalamunda's annual Fire Hazard Reduction Notice, which requires specific maintenance levels and outcomes for private land.

Refer **Appendix 8** for a copy of the Bushfire Management Plans.

3.3.4 Environmental Noise Assessment

The subject site is surrounded by potentially noise-sensitive land uses, including residential properties. To address these concerns, an acoustic assessment was conducted by Lloyd George Acoustics. The acoustic assessment is available in **Appendix 9** of this report.

The assessment evaluated noise impacts associated with the development, particularly concerning the 'noise-sensitive' residences to the north, east and west. The results show the development will comply with the *Environmental Protection (Noise) Regulations 1997* during all standard operating hours.

Nothing that tenants and mechanical plant details have not been formed, further assessment will be undertaken as part of the detailed design stages to ensure ongoing compliance with the *Environmental Protection (Noise) Regulations 1997*.

3.3.5 Stormwater

JC Consulting Engineers have prepared Stormwater Management Plans (SWMP) for the proposed development. The SWMP shows that the proposal will include capacity to contain a 1:100 ARI storm event, with the provision of 44 soak wells on Lot 8 and 70 soak wells on Lot 16.

Refer **Appendix 10** for a copy of the Stormwater Management Plans.

3.3.6 Hydrology and Effluent Disposal

The subject site is connected to reticulated water supply. However, is not currently connected to any reticulated sewage.

The development will be serviced by an on-site effluent disposal system in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and the Government Sewerage Policy 2019.

Refer the completed Hydraulic plans provided in **Appendix 11**, demonstrating the proposed on-site effluent disposal.

3.3.7 Waste

The development has been designed with service yards for each of the tenancies. Each tenancy includes provision for bin storage on the inside of the roller doors and would be accessible by waste collection vehicles if necessary. Accordingly, any waste produced by the development will be contained within the buildings, and collected in accordance with the operational requirements of each tenancy.

4 STRATEGIC PLANNING FRAMEWORK

4.1 Local Planning Strategy

The City of Kalamunda Local Planning Strategy (**Strategy**) was adopted by Council in 2011.

The Strategy includes the following vision statement for industry:

> *Expand industrial development and uses within the Shire taking advantage of the broader state industrial and transport policies, and the development related to Perth Airport.*
>
> *Develop industrial areas to maximise economic and employment opportunities without compromising the amenity of the adjacent land uses or the natural environment.*

The Strategy also includes the following policy initiative:

> *Undertake comprehensive planning and analysis of the Forrestfield/High Wycombe Industrial area.*

The proposed development aligns with the City's strategic planning intentions as well as and various strategic planning work that has occurred in the many years since the Strategy was published, such as the creation of the Hatch Court Industrial Precinct. By proposing an industrial development of an adequate scale, that considers the interface to residential properties to the east, the proposed development ensures the delivery of an appropriate employment generating land use that aligns with City's strategic planning intentions.

5 STATUTORY PLANNING FRAMEWORK

5.1 Metropolitan Region Scheme

Under the provisions of the Metropolitan Region Scheme (**MRS**) the subject site is zoned Urban. The proposed development is consistent with the intent of the Urban zone and may be approved accordingly.

The subject site is not affected by land reserved by the MRS, nor is it subject to any resolution or declaration made under the MRS.

5.2 Local planning scheme

5.2.1 Zoning

The subject site is zoned 'Light Industry' under the provisions of the City of Kalamunda Local Planning Scheme No. 3 (**LPS3**).

The objectives of the Light Industry zone are as follows:

- *To provide for predominantly light industry located in proximity to residential areas.*
- *To ensure that industries are environmentally compatible with surrounding zones and activities.*
- *To ensure that the movement of goods and services in and out of the zone cause minimal impact on residential land in the vicinity.*

The proposed light industry development aligns with the Light Industry zone objectives, as it will provide a light industrial development that is compatible with the emerging industrial area and nearby rural residential and residential areas. The development will provide a transitional zone between the existing residences to the east of Stirling Crescent, and the wider Hazelmere Industrial area to the north and west of the site.

Environmental impacts such as lighting and noise have been considered in the design and operation of the development and have been assessed as acceptable, as provided in the technical appendices and outlined throughout this report. This is furthered by the retention of 18 trees on Lot 8, provision of an additional 48 small trees across the two lots, and a total of over 1,500m^2 of landscaping across the two lots.

The movement of goods and services in and out of the site have been designed to ensure maximum efficiency, including appropriate placement of crossovers and driveways. It is noted the proposed development has been designed with consideration for the future closure of Hatch Court to Stirling Crescent. This closure will entirely remove any traffic impacts on the nearby residential properties, with access to Hatch Court changed to north of the site.

Refer **Figure 10**, LPS3 Zoning Map.

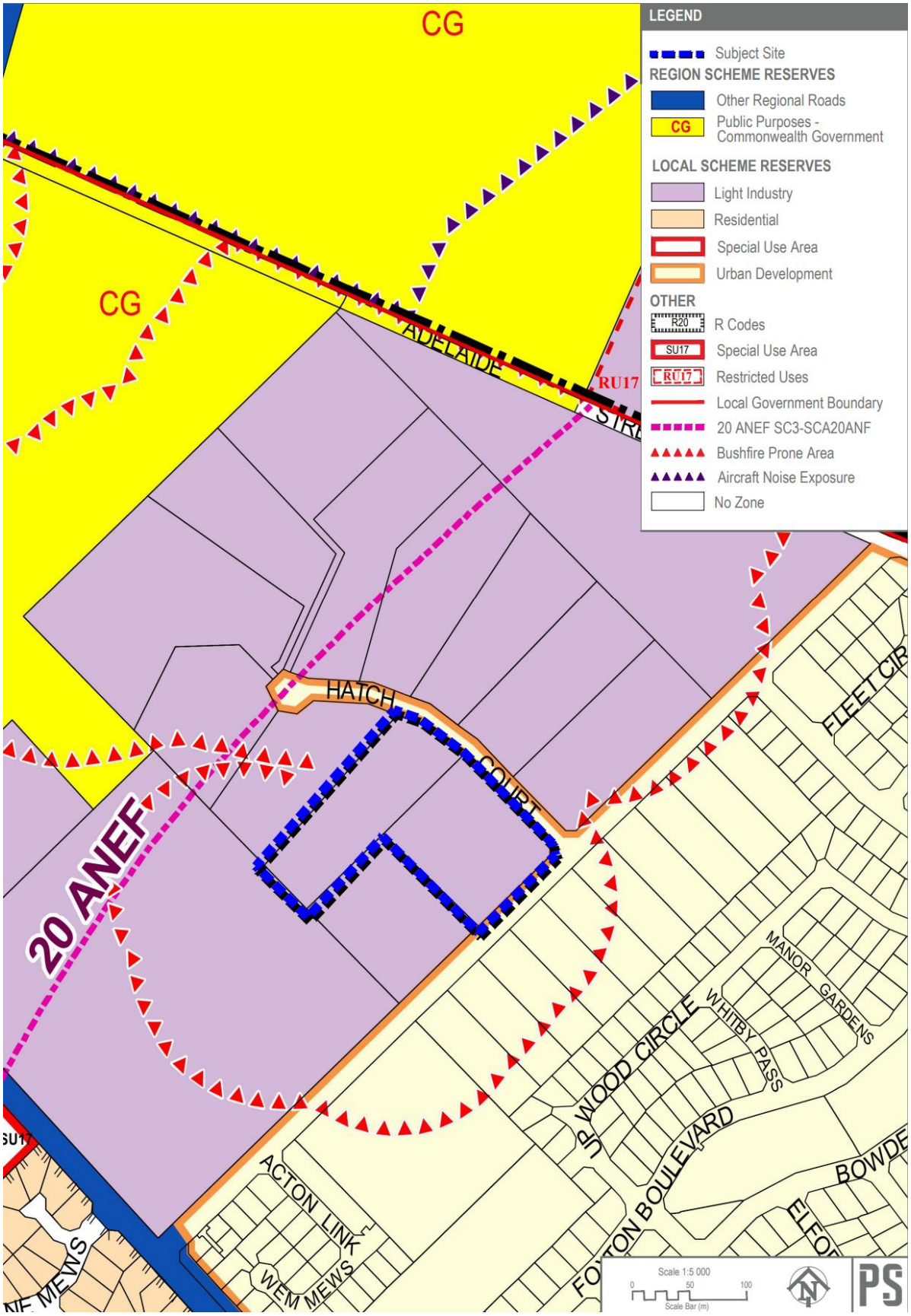


Figure 10 - LPS3 Zoning Map

5.2.2 Land use permissibility

Pursuant to the provisions of Schedule 1 of LPS3, the development application seeks approval for the proposed development under the 'Industry – light' land use definition. Industry - light is defined under LPS3 as follows:

> *""**industry – light**" means an industry –*
>
> *(a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality;*
>
> *(b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services.*

Pursuant to Table 1 of LPS3, 'Industry – light' is a 'P' (permitted) use in the Light Industry zone.

The proposed development is entirely consistent with the definition of industry – light, as the intent for the tenancies is to support the manufacture, dismantling, processing, assembly, testing, servicing, maintenance and repairing of goods in a manner that will not create adverse impacts on the surrounding neighbourhood.

5.2.3 Development standards and requirements

LPS3 includes provisions for the outcomes and form of all development within the City, including specific requirements for Light Industry zoned land. An assessment against the relevant provisions for the built form, car parking and land use has been provided below.

5.2.3.1 General Development Requirements

An assessment against the relevant general development requirements of LPS3 is provided in **Table 2** below, including the provisions raised in Table 2 of LPS3 and under clause 5.15 for Industrial Zoned Land.

Table 2 - Assessment against LPS3 General Development Requirements for Industrial Zoned land

Requirement			Assessment	Compliance
Built Form Requirements – Lot 8				
Setbacks	*Front (Stirling Crescent)*	*15m*	17.60m	✓
	Minor street (Hatch Court)	*3m*	3m	✓
	Side	*Nil*	34.7m (north-western boundary)	✓
	Rear	*Nil*	0m – 1.6m (southern boundary)	✓
Site Coverage		*60%*	Site coverage 4,844m² on 10,010m² site; ~48%	✓
Plot Ratio		*0.5*	Total floor area 5,464m²; Plot ratio approximately 0.54	Minor Variation
Landscaping Strip (Road Frontages)		*3m*	3m to Hatch Court, 4m to Stirling Crescent	✓
Built Form Requirements – Lot 16				
Setbacks	*Front (Hatch Court)*	15m	15m – 16.15m	✓
	Minor street	3m	N/A	N/A
	Side	Nil	0m (north-western boundary) 22.74m (south-eastern boundary)	✓
	Rear	Nil	0m	✓
Site Coverage		60%	Site coverage 5,250m² on 10,032m² site; ~52.5%	✓

Requirement			Assessment	Compliance
Plot Ratio		0.5	Total floor area 5,250m²; Plot ratio approximately 0.52	Minor Variation
Landscaping Strip (Road Frontages)		3m	3m	✓
Light Industry and General Industry Zones - Development requirements				
5.15.1	***Setbacks** - The land between a street alignment and the distance that buildings are required to be setback from such street alignment shall only be used for any of the following: a means of vehicular or pedestrian access; the daily parking of vehicles used by employees and customers; the loading and unloading of vehicles; and landscaping.*		The land between a street and the building frontage shall only be used for landscaping, access and car parking.	✓
5.15.2	***Proximity to Residential Zones** – No building closer than 15m from a Residential Zone.*		At the closest point, the proposed buildings are approximately 300 metres away from a residential zone (southern side of Kalamunda Road).	✓
5.15.3	***Access** – All vehicular access designed to enable vehicles to enter and leave in forward gear.*		All vehicles servicing the proposed development can enter and leave in forward gear as a result of the drive-through loading/unloading areas.	✓
5.15.4	***Storage** – No goods, materials, merchandise or motor vehicles shall be stacked, placed or stored within 2 metres of either side or the rear boundaries of the site. unless otherwise approved by local government.*		The proposal does not include uncovered open storage within 2 metres of side boundaries or forward of the building line.	✓
5.15.4	***Materials** – Street facing walls or buildings to be wholly brick, concrete or masonry. Cladding may not be Zincalume unless approved by the local government.*		The street facing elevations will predominately consist of concrete, and will be broken up with public art, signage, and window/louvers sections. This provides variability in each elevation, softening the built form and providing an appealing façade from the street environment.	✓
5.15.6	***Loading/Unloading Bays** – A paved area is to be provided for loading being not less than 3.5 metres in width by 7 metres with a minimum height clearance of 3.5 metres.*		The proposed loading/unloading bays are within the tenancies and will exceed the minimum area and clearance requirements.	✓
5.15.7	***Service Yards & Refuse Storage** – Screening to be provided to service yards and refuse storage areas.*		Refuse areas are indicated within each tenancy and therefore will be screened from view from the street and common areas.	✓
5.15.8	***Landscaping** – The landscaped area may include land between a street pavement and any buildings. Shade trees to be provided in car parking areas with more than 12 car bays.*		The proposed development intends to protect and retain 18 trees on Lot 8, and provides for an additional 48 trees within tree wells and landscaped areas. The trees are largely co-located with the parking areas, providing more than adequate shade to the bays.	✓
5.15.9	***Drainage** – On-site storage and stormwater treatment consistent with appropriate standards adopted by the local government.*		Geotechnical investigations and a stormwater management plan and hydraulic design for effluent disposal have been provided in support of this application.	✓

5.2.3.1.1 Site cover and Plot Ratio

Plot ratio is defined under LPS3 as follows:

> *the total floor area of all buildings on a site divided by the area of the site except for residential dwellings where the term has the same meaning as in the Residential Design Codes;*

The consideration of both plot ratio and site cover provides two different considerations, as one considers the floorplate of the development (site cover) where the other considers the mass of the building (plot ratio). Accordingly, while Lot 16 is compliant for site cover at under 60%, the plot ratio produces a minor variation despite not having any additional floor area above the ground level. Further, Lot 8 is also compliant when considering site cover, but the additional plot ratio area created by the mezzanine pushes the plot ratio into a minor variation where the ground level would be under the plot ratio requirement of 0.5:1.

Noting that both buildings are compliant with the site cover requirements, and are standard light-industrial style buildings, the minor variation of less than 200m2 for each site under the plot ratio requirement is considered acceptable and will not adversely affect the amenity or future development of the wider industrial precinct.

The development is demonstrated to be compliant with the development requirements applicable to the industrial zone and warrants approval accordingly.

5.2.3.2 Car parking

An assessment against the parking requirements under LPS3 for the Industry - Light land use is provided in **Table 3** below.

Table 3 – Assessment against LPS3 car parking requirements for Industry - Light land use

Land use	Car parking standard	Assessment	Requirement
Industry - Light	*2 bays per 100m² of industrial area, or 1 bay per employee plus 2 visitor bays, whichever is greater.*	Lot 8 – 4,517m² "industrial area" NLA	**92.34 bays** 90.34 bays (industrial area), plus 2 visitor bays
		Lot 16 – 4,478m² "industrial area" NLA	**91.56 bays** 89.56 bays (industrial area), plus 2 visitor bays
		Number of parking bays provided	**Lot 8 - 60 bays**
			Lot 16 – 86 bays
		Total parking shortfall	**Lot 8 – 32.34 bays**
			Lot 16 – 5.56 bays

5.2.3.3 Industrial Areas as trigger for Parking requirement

In accordance with the car parking standard requirement, the parking assessment has been completed using only the proposed *industrial areas* of the development. This includes the "warehouse" floor areas, but excludes the office and toilets of the proposed buildings, which are ancillary to the industrial development. The offices will not function separately from the industrial area, and thus will be adequately supported by the parking bays provided to support the industrial development.

In considering the ancillary nature of the office areas, as well as the specific requirements for parking provision under LPS3, only the industrial floor areas within the tenancies have been used to calculate the parking requirement. This is reduced from the Lot 8 building total floor area of 5,367m^2 and the Lot 16 building total floor area of 5,188m^2 (both excluding external walls), down to 4,517m^2 and 4478m^2 for the industrial areas of Lot 8 and Lot 16, respectively.

5.2.3.4 Justification for parking shortfall

Per the assessment completed in **Table 3** above, the car parking requirement triggered across the subject site is a total of 183.9 parking bays. With a total of 146 bays proposed, the development has an on-paper parking shortfall under LPS3 of approximately 32 bays and 5 bays, on Lot 8 and Lot 16 respectively. The Lot 8 on-paper shortfall is created due to the area required to retain the existing on-site trees, which restrains the potential lot and parking layout options, while the 5 bay shortfall on Lot 16 is minor.

Using the current Lot 8 site layout, the removal of the retained trees to the eastern and western boundaries would allow the provision of a further 15 car parking bays. This would reduce the parking shortfall to 17 bays, but would create a degraded amenity outcome through the loss of shade trees for the car parking area, as well as the loss of the proposed staff amenity area.

Additionally, this minimum parking requirement under LPS3 is above the minimum standard provided under the *WA Planning Manual: Non-Residential Car Parking Rates in Perth and Peel* (**WA Planning Manual**), which requires a minimum of 1 bay per 100m2 for Industry-Light land uses – i.e. half of the LPS3 requirement for Industry – Light land uses. The WA Planning Manual was endorsed in 2024, a year after the most recent amendment to LPS3, and provides an updated approach to car parking bay provision within the Perth and Peel area. Accordingly, the proposed development provides a car parking provision that exceeds the WA Planning Manual requirement by approximately 15 and 41 bays for the individual lots, and is thus considered to adequately provide parking for the proposed development.

5.2.4 Additional requirements that apply to land in scheme area

Clause 5.23 of LPS 3 lists the following site and development requirements that apply to the land zoned Light Industry, as bounded by Kalamunda Road, Stirling Crescent, Adelaide Street and land reserved for Perth Airport under the MRS.

The requirements of clause 5.23 are provided as follows:

> *1. A structure plan is to be prepared and approved for the land pursuant to Part 4 of the deemed provisions and is to specifically address:*
>
> *(a) Traffic management including:*
>
> - *Provision of future vehicular access to be primarily via Adelaide Street;*
> - *Ensuring any vehicular access to Kalamunda Road does not reduce existing levels of access for adjacent properties; and*
> - *Access for lots with frontage to Stirling Crescent being provided via an internal road only.*
>
> *(b) Appropriate interface with existing residential development along Stirling Crescent including setbacks, landscaping, fencing and façade treatment provisions;*
>
> *(c)the identification and protection of environmentally significant areas within the land through the provision of appropriate buffers; and*
>
> *(d) The identified bushfire risk in accordance with State Planning Policy 3.7 and Guidelines for Planning in Bushfire Prone Areas.*

2. Subdivision and / or development is to generally be in accordance with the approved structure plan.

A structure plan has not been prepared or adopted over the subject site and surrounding precinct.

The proposed development seeks a variation to clause 5.23 to approve the development in the absence of an approved structure plan.

Clause 27(2) of the deemed provisions, allows for development approval to be granted on land in the absence of a structure plan (where one is required) if the decision maker is satisfied that:

(a) the proposed development or subdivision does not conflict with the principles of orderly and proper planning; and

(b) the proposed development or subdivision would not prejudice the overall development potential of the area.

These considerations are addressed in detail as follows:

<u>The development does not conflict with the principles of orderly and proper planning</u>

The principles of orderly and proper planning, as summarised by the DPLH[1],

"relates to a proposal's consistency with the established planning framework for an area, including instruments such as State planning policy, planning strategy or planning scheme. Use of the term depends on the context of the site, location and planning framework in question."

This report demonstrates that the proposed development is compliant with the requirements of the applicable state and local planning framework.

Critically, the proposed use is a 'P-class', permitted use within the zone, and note 2 of clause 4.3.3 of LPS3 states in part that *"The local government will not refuse a 'P' use because of the unsuitability of the use for the zone..."*

Given that the development proposes a land use capable of approval "as of right", the proposal is inherently consistent with the local planning framework.

This leads us to the second question of whether the development is prejudicial to the development of the area the primary planning consideration. This requires an evaluation of the specific built form, access considerations and other matters provided for under the local planning framework.

(a) <u>*the proposed development or subdivision would not prejudice the overall development potential of the area.*</u>

To determine whether the development has the potential to prejudice the overall development of the area, a detailed assessment against the structure planning objectives is provided in **Table 4** below:

[1] 'Making good planning decision' (26 June 2024) *Planning Online*, Department of Planning, Lands & Heritage, https://www.planning.wa.gov.au/how-does-planning-work/making-good-planning-decisions

Table 4 – Assessment against structure planning objectives for the Hatch Court Industrial precinct

Structure planning objective	Assessment / response	Outcome
(a) Traffic management including: • Provision of future vehicular access to be primarily via Adelaide Street;	The proposed access arrangements are wholly consistent with the intent of this clause for the following reasons: • This clause is applicable on a precinct level and includes the word 'primarily' which means *'for the most part' or 'mainly'*. This is highly relevant as it indicates that this particular clause cannot be interpreted as an absolute requirement. In other words, this clause requires the *"provision of future vehicular access [for the precinct] to be [mostly] via Adelaide Street"*. This clearly allows for a level of traffic on streets other than Adelaide Street, including Stirling Crescent. • Notwithstanding, it is understood the City is intending to close Hatch Court off from Stirling Crescent, ensuring all traffic associated with the proposal does not connect directly to Stirling Crescent. The proposed access has been designed considering this. As such, the proposed development has been demonstrated to be non-prejudicial to the delivery of this particular planning objective and warrants support accordingly.	Satisfied
• Access for lots with frontage to Stirling Crescent being provided via an internal road only	Refer to the response provided above, regarding the City's intentions regarding Hatch Court.	Satisfied
(b) Appropriate interface with existing residential development along Stirling Crescent including setbacks, landscaping, fencing and façade treatment provisions	The development complies with all applicable development requirements, including setbacks and landscaping. Further, the development is supported by an acoustic report demonstrating that residences will not be impacted by the proposed land use activities, while the retained significant trees will provide a soft screening to the building when viewed from Stirling Crescent and the nearby residential lots.	Satisfied
(c) The identification and protection of environmentally significant areas within the land through the provision of appropriate buffers	No environmentally significant areas have been identified within the subject site.	Satisfied
(d) The identified bushfire risk in accordance with State Planning Policy 3.7 and Guidelines for Planning in Bushfire Prone Areas.	All SPP3.7 requirements have been addressed; refer sections 3.3.3. 4.2.4.1 and 4.3.1 of this report for further details.	Satisfied

The assessment above demonstrates that all relevant planning objectives have either been satisfied. Accordingly, the proposed development is considered to be non-prejudicial to the development of a structure plan for the intended industrial form for the locality.

5.2.4.1 Special Control Area – Bushfire Prone Areas

LPS3 identifies the site as part of a 'Bushfire Prone Areas' Special Control Area (**SCA**). Accordingly, LPS3 sets out development requirements for lots within this SCA, including a requirement for all applications to be accompanied by a Bushfire Attack Level (**BAL**) assessment and a suitable fire management plan (as applicable).

The completed BMPs for the two lots, provided in **Appendix 8,** demonstrates that the subject site adequately addresses bushfire management and mitigation, with a highest BAL rating of BAL-19 applicable to the proposed buildings.

5.3 State Planning Policies

5.3.1 State Planning Policy 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (**SPP3.7**) applies to the subject site as part of the site is in a Bushfire Prone Area. SPP3.7 is applied in the planning framework through the LPS3 and Schedule 2 (deemed provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The completed BMPs, provided in **Appendix 8**, have been completed in accordance with the requirements of SPP3.7 and demonstrate that the subject site adequately addresses bushfire management and mitigation requirements.

5.3.2 State Planning Policy 7.0

State Planning Policy 7.0 – Design of the Built Environment (**SPP7.0**) addresses the importance of design quality, and sets out the principles, processes and considerations that apply to the design of the built environment in Western Australia, across all levels of planning and development. The Design Review Panel comments were prepared with regard to the requirements of SPP7.0, as per the response provided in **Appendix 3**. Further to this, a design statement, including comments against the 10 Design Principles, has been prepared by Meyer Shircore Architects, and is provided in **Appendix 12**.

5.4 Local Planning Policies

5.4.1 Local Planning Policy No.02 – Advertising Signage

Indicative signage areas have been included within the proposal. The proposed signage will consist of horizontal wall signage that provides the business names of the tenants. An assessment of the indicative signage zones against the relevant provisions of *Local Planning Policy 2 – Advertising Signage* (**LPP2**) has been provided in **Table 5** below.

Table 5 - Assessment against Local Planning Policy 2 - Advertising Signs for Horizontal Signs

Requirement	Proposed	Compliance
Horizontal signs shall be fixed parallel to the wall of the building to which it is attached.	All proposed signs are fixed parallel to the wall of the buildings.	✓
Horizontal signs shall afford a minimum headway of 2.75m.	Lot 8 signs – 4.1m clearance to ground level Lot 16 signs – Tenancy 1 signage 4.1m clearance to ground level, remainder 3.8m clearance to ground.	✓
Horizontal signs shall conform as to depth of the following table- Distance below sign / Maximum sign depth Less than 7.5m / 600mm 7.5m to 9m / 750mm 9m to 12m / 1m And an increase of 150mm in depth for every additional 300mm in height, to a maximum of 4.5m.	The proposed signage panels are intended to be integrated within the rebate for the concrete panels making the wall of the buildings. Accordingly, the signs are anticipated to fit within this signage zone for all dimensions.	✓
Horizontal signs shall not project more than 600mm from the wall to which it is attached.	All proposed signage shall not project more than 600mm from the wall.	✓
Horizontal signs shall not be within 600mm of either end of the wall to which it is attached.	All proposed signage zones are separated from the end of the wall by 1m or more.	✓

Requirement	Proposed	Compliance
There shall be not more than one line of horizontal signs facing any one street on any building.	The proposed signage across the two lots has been aligned to ensure that the signs are consistent for both the Stirling Crescent and Hatch Court street frontages.	✓

AS provided in Table 5 above, the proposed signage zones are considered consistent with the requirements of LPP2. Any future signage details will be contained within these areas.

5.4.2 Local Planning Policy No.26 – Public Art Contributions

The City's *Local Planning Policy No.26 – Public Art Contributions* (**LPP26**) lays out the requirements for public art contributions for development. The City requires all development proposals of a value greater than $500,000 to provide public art to the cost of 1% of the development value and up to a maximum contribution of $250,000. Alternatively, cash in lieu payments can be considered by the City. The proposed development plan includes indicative public art in the preferred location on the site. The application of public art contributions will be progressed as part of the detailed design stage, in accordance with a suitably worded condition of approval.

5.4.3 Local Planning Policy No.13 – Street Fencing, Walls and Gates

An assessment against the requirements of the City's *Local Planning Policy No.13 – Street Fencing, Walls and Gates* (LPP13) as relevant for industrial land is provided in **Table 6** below. This assessment confirms the proposed development meets the requirements of LPP13.

Table 6 - Assessment against Local Planning Policy 13 requirements for fencing in Industrial Zoned land

Requirement	Response
Fencing and gates shall be a maximum height of 2.1m and shall be visually permeable.	Fencing is proposed within the site to separate each tenancy. The fencing is proposed to be black and visually permeable as shown at **Figure 11** below.  **Figure 11 - Lot 16 Indicative fencing within development**
Fencing and gates shall be integrated (with complimentary colours, textures or materials) with the site planning and design of the building and details required to be submitted as a planning application.	All proposed fencing within the site is integrated into the development, and delineates service yards for each tenancy
Sliding front gates are preferred. Where swinging gates are installed on boundary fencing they shall open inwards from the street.	The proposed gates to the service yards all swing inwards. No gate is proposed for the site crossovers or along the front boundaries of the site.
Black is the preferred colour for metal tubing rail fences (including garrison fencing).	Where fencing is proposed it will be black and visually permeable.

All of the proposed fencing is either internal to the site or along the common boundaries, and will be developed in accordance with the requirements of LPP13, as applicable.

6 MATTERS TO BE CONSIDERED

Clause 67(2) of the Deemed Provisions sets out the matters for which due regard is to be given when considering a development application. Refer **Table 7** below for an assessment of the relevant matters.

Table 7 - Matters to be considered

Matter to be considered	Provided
(a) the aims and provisions of this Scheme (including any planning codes that are read, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area;	The proposal is demonstrated to be consistent with the aims and provisions of the scheme, as demonstrated in section 4.2 of this report.
(c) any approved State planning policy	The proposal is demonstrated to be consistent with State Planning Policy 4.2 and State Planning Policy 7.0, as demonstrated in section 4.3.2 above.
(fa) any local planning strategy for this Scheme endorsed by the Commission	The development is demonstrated to be consistent with the City's Local Planning Strategy.
(g) any local planning policy for the Scheme area;	As demonstrated, this development application is consistent with the relevant Local Planning Policy's adopted by the local authority.
(h) any structure plan or local development plan that relates to the development	There are no relevant structure plans, or local development plans related to the subject site currently in force. The structure plan requirements for the Hatch Court Industrial Precinct are addressed in the section above.
(m) the compatibility of the development with its setting, including – *(i) the compatibility of the development with the desired future character of its setting; and* *(ii) 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;*	As discussed in this report, the development is compatible with the current and desired character of the locality and will not impact on the amenity of adjoining properties.
(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;*	As discussed in this report, the development is suitable for the industrial precinct and zone to which it is located, and all environmental impacts have been accounted for.
(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	The development will not have a negative impact on any water sources, or the natural environment, as demonstrated in the technical reports provided.
(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;	As demonstrated, suitable landscaped areas are proposed through the subject site and on the verge which enhances the overall amenity of the development and locality.
(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	The subject site is suitable for development and is not considered to be susceptible to any natural hazards.
(r) the suitability of the land for the development taking into account the possible risk to human health or safety	There is no actual or perceived threat to human safety proposed as part of this development application.

Matter to be considered	Provided
(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;*	As demonstrated, access and egress to the site and servicing arrangements are suitable for the development.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	Refer the TIS (Appendix 5 - Geotechnical Report Appendix 6 - Arboricultural Impact Assessment Appendix 7 - Transport Impact) which demonstrates that traffic generated is suitable for the locality.
(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;*	Public transport and pedestrian/cyclist access are confirmed as adequate as outlined at Section 3.3 of this report. The development will suitably manage storage and waste, with adequately sized storage and collection are proposed within each tenancy.
(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;	This development will not result in the loss of community service or benefits. Instead, this development will provide vital community benefits, most importantly employment.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	As demonstrated in this report, the development is not anticipated to negatively impact on the amenity of surrounding landowners/residents. This development will have a positive impact on the community overall.

7 CONCLUSION

This application seeks approval for the development of two light industry developments on two adjoining sites, including associated offices, access, landscaping and car parking. Approval of the proposal is warranted for the following reasons:

- The development is appropriately located within an area zoned for light industrial development and capable of approval within the zone.
- The proposed development will not by nature of its operations and location, detrimentally impact upon the locality.
- The development is designed to an exceptionally high standard and will present attractively to the surrounding residential developments through the retention of existing significant trees across the lots and provision of over 1,500m^2 of landscaping areas.
- The development appropriately responds to all relevant aspects of the planning framework with any variations to the framework appropriately justified. It has been demonstrated to be satisfactory from a bushfire and traffic perspective with access and circulation arrangements providing for a high level of functionality, convenience and safety.

Having regard to the above, the proposal clearly demonstrates the suitability of the industrial development on the subject site.

We therefore respectfully request the application for development approval be considered on its merits and favourably determined.

Appendix 1 - Certificate of Title

Appendix 2 - Development plans

Appendix 3 – DRP Responses

Appendix 4 - Site and Soil Evaluation

Appendix 5 - Geotechnical Report

Appendix 6 - Arboricultural Impact Assessment

Appendix 7 - Transport Impact Statement

Appendix 8 - Bushfire Management Plan

Appendix 9 – Environmental Noise Assessment

Appendix 10 - Stormwater Management Plan

Appendix 11 - Hydraulic Construction Design

Appendix 12 - Design Statement