

Appendix 3 – Assessment against relevant Planning Scheme controls

Planning Scheme Reference	Assessment
State Planning Policy Framework	
Clause 11.02-1S. Supply of Urban Land	<p>Clause 11.02-1S (<i>Supply of Urban Land</i>) aims to “ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses”.</p> <p>The proposal is best classified as a community and recreational use, and is a consistent land use with regards to the supply of urban land.</p>
Clause 17.03-1S. Industrial Land Supply	<p>Clause 17.03-1S (<i>Industrial Land Supply</i>) aims to ensure land is available for industry, and to avoid approving non-industrial land uses that could prejudice the availability of land for future industrial uses.</p> <p>It is considered that the proposed use is not industrial in nature, and causes detriment to the surrounding industrial uses and potential future uses.</p>
Local Planning Policy Framework	
Clause 21.09. Economic Development	<p>Clause 21.09 (<i>Economic Development</i>) provides local-specific content to support the above Clause and includes the following objectives:</p> <ul style="list-style-type: none"> • To create a diverse economy that fosters business growth, encourages new investment and leads and responds to change. • To ensure sufficient industrial land is available and there are ample opportunities for industry to invest to support the growth and resilience of the local economy. • To minimise conflict between industrial and other uses. <p>It is considered that the proposed use will cause conflict between surrounding industrial uses.</p>
Zone	
Industrial 1 Zone	<p>The purpose of the Industrial 1 Zone is to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.</p>

	It is considered that the proposed use is not compatible with achieving the purpose of the Industrial 1 Zone, and adversely affects the safety and amenity of the immediate industrial context of the parent lot whereby the subject land is contained within.
Other	
52.06. Car Parking	<p>Pursuant to Clause 52.06-5 (<i>Car Parking – Number of Car Parking Spaces required under Table 1</i>), 0.3 car parking spaces are required per patron.</p> <p>With an average of 45 patrons attending the premises at any one time, a maximum of 15 car parking spaces is required to cater for car parking provision. 28 car parking spaces are available on the parent lot.</p> <p>The applicant has stated that they have obtained the consent to utilise the car parking spaces of the adjacent warehouses outside of normal business hours, and as the hours of operation for the proposed use are outside of normal business hours, it can be considered that all 28 of the car parking spaces can be utilised under these terms.</p> <p>In contrast, every objection received by Council has stated that the number of patrons utilising the subject land (45 patrons) is incorrect and remarkably understated. It has been acknowledged that there have been up to 200 patrons attending the premises on several occasions, and that the patron figures claimed by the applicant should not be taken seriously.</p> <p>Therefore, it is unclear how many patrons are utilising the premises as the information given by the applicant is at odds with the concerns raised by adjacent landowners and occupiers. Given this, a true assessment against the car parking requirements cannot be undertaken, and the approval of this application could lead to further adverse impacts to the current car parking condition.</p>