

Development Application Report

Proposed Service Station and Fast Food Outlet

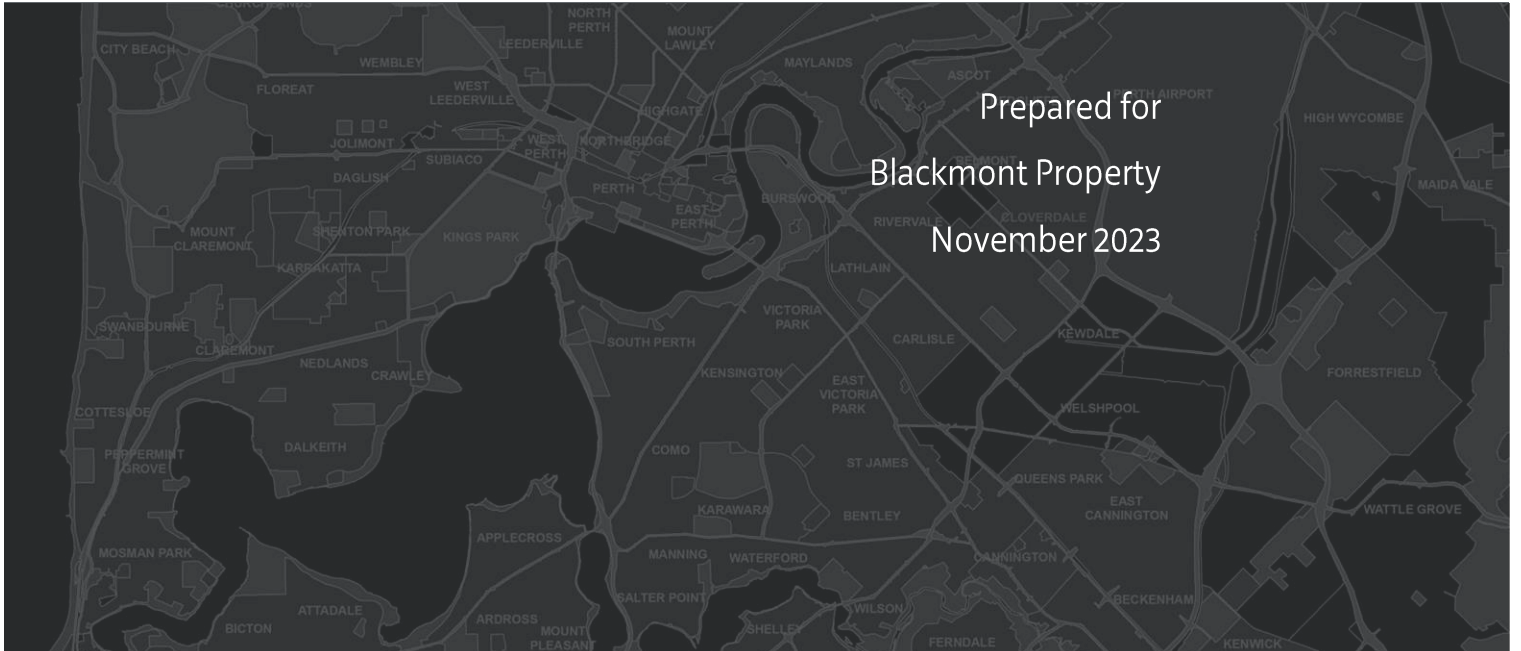
Part Lot 408 (19) Neerabup Road
Clarkson

PLANNING SOLUTIONS
URBAN & REGIONAL PLANNING

PS



Prepared for
Blackmont Property
November 2023



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1 PRELIMINARY

1.1 Introduction

Planning Solutions acts on behalf of Blackmont Property, the proponent of the proposed service station and fast food outlet on Part Lot 408 (19) Neerabup Road, Clarkson (**subject site**). The development site fronts Neerabup Road and Key Largo Drive to the south and east, respectively.

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.
- Statutory planning framework.

This application seeks approval for the development of a service station and fast food outlet on the subject site, which will provide for the retail sale of fuel, coffee and pre-prepared food, and convenience goods. The application includes associated signage, landscaping and access via a crossover to Key Largo Drive.

The proposed development is situated along Neerabup Road, a four lane dual carriageway road that connects the development site to the Mitchell Freeway and wider Perth Metropolitan region. Neerabup Road is a vehicle focused streetscape, with the majority of the main street development within the precinct situated on Ocean Keys Boulevard. The proposed development expands on the recently developed Woolworths supermarket and introduces activation along the Neerabup Road street front in a manner that is consistent with the surrounding land uses.

Planning Solutions respectfully requests that the Joint Development Assessment Panel (**JDAP**) grant approval to the development application.

1.2 Background

1.2.1 Subdivision Approval

On May 17 2023, the Western Australian Planning Commission (**WAPC**) granted approval to subdivide Lot 408 Neerabup Road into two new lots consisting of proposed Lot 1, being a 2.66ha lot fronting Marmion Avenue and Neerabup Road, and proposed Lot 2, a 0.4149ha lot fronting Neerabup Road and Key Largo Drive (**subject site**). The conditional approval from the WAPC included 10 conditions.

1.2.1.1 Key Largo Drive access

Condition 4 of the WAPC subdivision approval, along with the approved subdivision plan, permits access to Key Largo Drive from the subject site at a single location. Outside of the Key Largo Drive access location, condition 4 restricts vehicular access to Neerabup Road and Key Largo Drive.

The approved subdivision plan indicates that the Key Largo Drive access location is approximately 31 metres from the truncation on Neerabup Road. Prior to lodgement of development the application, the proponent and their traffic engineer have discussed and agreed with the City's officers to amend and reposition the access location to be setback 25 metres from the truncation on Neerabup Road. This access arrangement is reflected in the development plans and will be further addressed through the preparation of the Deposited Plan and subdivision conditions clearance process.

A copy of the subdivision approval is included in **Appendix 1**.

2 SITE DETAILS

2.1 Land description

Refer to Table 1 below for the lot details and a description of the subject site.

Table 1: Lot details

Lot	Deposited Plan	Volume	Folio	Area
408	23838	2183	316	3.0751ha

There is a Restrictive Covenant and Easement listed on the title which relate to water services and access purposes, respectively. Neither affect the use and development of the development site.

Refer to Appendix 2 for a copy of the Certificate of Title and Plan.

2.2 Location

2.2.1 Regional Context

The subject site is located in the suburb of Clarkson, within the municipality of the City of Wanneroo. The subject site is situated approximately 35 kilometres north of the Perth city centre and is located adjacent to the Clarkson town centre, 12km north-west of the Wanneroo city centre.

The subject site is located on Neerabup Road, an Other Regional Road, which further connects to Marmion Avenue and the Mitchell Freeway. These two road networks connect the subject site to the wider Perth Metropolitan Region.

2.2.2 Local Context, Land Use and Topography

The surrounding locality is generally characterised by commercial and retail development, with low density residential development located around the commercial centre area.

The development site is located to the south of the Ocean Keys Shopping Centre complex, which includes the Ocean Keys shopping centre, community service businesses such as a vet, dentist, bakery, and gyms, as well as various large format retail stores. Clarkson Train Station is located 2km east of the subject site, with a high frequency bus stop located approximately 450m north of the subject site on Ocean Keys Boulevard.

Pedestrian footpaths with landscaped areas including trees adjoin the boundary of the development site in the verge areas along Key Largo Drive, with the pedestrian path continuing around the corner and along Neerabup Road.

The development site is situated on a corner location at the signalised intersection of Neerabup Road and Key Largo Drive and is currently vacant, with the previous car park being demolished. The recently developed Woolworths supermarket and gym (under construction) are located directly west of the development site.

Refer to Figure 1 below, site aerial.



Figure 1: Site Aerial

3 PROPOSED DEVELOPMENT

3.1 Development Summary

The proposal involves the development of a service station and fast food outlet on the development site, including car parking, access modifications, signage and landscaping. The proposed service station will be branded '7-Eleven' and provide for the retail sale of fuel and convenience goods, while the fast food outlet will accommodate 'Starbucks' and provide for the sale of coffee and pre-packaged food items via a drive through and internal dining service.

Specifically, the proposed development comprises:

- A service station with:
 - A 7-Eleven branded convenience store building in the south-eastern portion of the subject site, with a net lettable area (NLA) of 215m²;
 - A bin store and service loading bay located at the northern end of the convenience store building;
 - A fuel canopy with a clearance of 4.5 metres and overall height of 5.5 metres;
 - Three (3) fuel bowsers below the canopy, with six (6) refuelling bays (two per bowser);
 - Two (2) underground fuel storage tanks with the filling point located to the south of the fuel canopy area, to accommodate the movements of a 19 metre fuel tanker;
 - Eight (8) car parking bays for customers and staff adjoining the convenience store building, including one ACROD bay; and
 - Three (3) bike racks accommodating parking for six (6) bicycles.
- A Starbucks fast food outlet with:
 - A 220m² building with seating for 74 patrons;
 - A drive through access with queuing space for 13 vehicles;
 - A 12m² bin store and loading bay located at the western end of the building;
 - 15 car parking bays to the south and east of the building, including one specified waiting bay; and
 - Three (3) bike racks accommodating parking for six (6) bicycles.
- The crossover to Key Largo Drive setback 25 metres from the truncation on Neerabup Road, in accordance with the subdivision approval and discussions with the City's officers prior to lodgement of the development application.
- Integration of a crossover to the access easement along the northern boundary of the subject site, in accordance with the subdivision approval.

The proposed service station will operate 24 hours per day, seven days per week and accommodate up to three staff on site at any one time. The fast food outlet will also operate 24 hours a day, seven days a week, with primary hours expected to be between 5am and 10pm each day. A maximum of eight fast food outlet staff will be accommodated on site at any one time.

The proposed service station building is situated at the south-eastern part of the development site, with the predominant frontage to Key Largo Drive. The positioning of the service station this way encourages the built form activation of the street corner, while ensuring that the service station is clearly visible from Neerabup Road.

The positioning of the fuel canopy and retail building aligns with the proposed fuel station building, and also provides a clear visual through to the fast food outlet for travellers on the roads. The fuel canopy integrates with the proposed new crossover to Key Largo Drive without interfering with access to the fast food outlet drive-through or preventing access to the northern boundary of the site. This allows vehicles to manoeuvre through the site in a safe and coordinated manner. The canopy is a visually permeable structure, supported by structural beams integrated into the bowsers (located centrally within the canopy itself).

A service yard and bin storage area are located on the northern side of the retail building, within a 3.7 metre high enclosure, comprising a Colorbond metal external finish. An 8 metre high multi-tenant pylon sign is integrated into the design of the convenience store building.

Refer to **Appendix 3** for a copy of the Development Plans, and **Appendix 4** for a copy of the Landscaping Plan.

3.2 Traffic and Access

The development proposes to create and use a new crossover to Key Largo Drive and connection to the north through the subdivision access easement. The east/west alignment of the petrol bowsers permits a logical and efficient flow of vehicles through the subject site without interfering with the fast food outlets access and traffic.

Specifically, the proposed access arrangements comprise:

- One left in – left out crossover to Key Largo Drive, setback 25m from the truncation on Neerabup Road.
- One internal crossover along the northern boundary of the site, in accordance with the approved subdivision easement requirement.
- Tanker and service vehicle ingress and egress from Key Largo Drive.
- Remote fuel fill point located to the south of the fuel canopy.
- A loading bay for service vehicles accessing the adjacent service yards of both the convenience store and fast food outlets.

The proposed layout has been designed to facilitate the safe and efficient movement of light vehicles and service vehicles, ensuring minimal conflict between the petrol bowsers, tanker movement areas and fast food drive through. The tanker will enter and exit via the Key Largo Drive crossover. A tanker swept path plan depicting the swept path movements of a 19.0m semi-trailer is contained within the supporting Transport Impact Assessment.

The Transport Impact Assessment (TIA), prepared by Urbii, has assessed the proposed access, egress, traffic generation, impact on surrounding roads, and parking arrangements. This assessment confirms:

- The traffic generated by the proposed development can be accommodated by the surrounding road and intersections;
- The design of the site provides adequate space for the fuel tanker to safely manoeuvre through proposed development; and
- The car parking supply is satisfactory and can accommodate the car parking demand of the proposed development.

Fuel tankers will generally make between one to four deliveries per week, depending on retail fuel consumption and general demand. Deliveries will generally take place outside of peak traffic periods to ensure minimal disturbance to the site's operations and external traffic.

Refer **Appendix 5** for a copy of the Transport Impact Assessment and swept paths.

3.3 Bushfire Management

The southern portion of the development site is designated as bushfire prone on the Map of Bush Fire Prone Areas due to being within 100 metres of identified bushfire prone vegetation within Reserve 52272, to the south of Neerabup Road.

A Bushfire Management Plan (**BMP**) and Bushfire Risk Management Plan (**BRMP**) were prepared by JBS&G, in accordance with *State Planning Policy 3.7 Planning in Bushfire Prone Areas* Policy Measures 6.5 and 6.6.

The BRMP provides guidance for the protection measures within the project area to mitigate risk to high-risk land uses (such as service station) within a bushfire prone area. Bushfire management measures included in the BRMP include:

1. standard evacuation and safety protocols;
2. requirement of provision of emergency plans and a dangerous goods manifests on site; and
3. scheduling for future review of the BRMP:
 - a) after 5 years or after any major events; or
 - b) after changes occur on site that affect the site conditions.

Refer **Appendix 6** for a copy of the Bushfire Management Plan and Bushfire Risk Management Plan.

3.4 Acoustic Management

The proposed development places the convenience store building along the eastern boundary of the development site. This is an intentional design measure to mitigate the noise generated from the vehicles accessing the petrol bowsers. The location of the retail building thereby acts as a buffer and actively seeks to limit the reverberation of noise onto the nearby residential properties.

An Environmental Noise Assessment has been prepared as the proposed 24/7 businesses are located in proximity to residential land uses to the south east of the development site. The Environmental Noise Assessment demonstrates that the proposed development will comply with the assigned levels determined in accordance with the *Environmental Protection (Noise) Regulations 1997*, at all times and without the need for mitigation measures.

Refer **Appendix 7** for a copy of the Environmental Noise Assessment.

3.5 Stormwater Management

A Stormwater Management Plan (**SMP**) was prepared by JC Consulting Engineers (**JCCE**). The proposed stormwater management for the site allows for on-site disposal through a series of soak wells and connecting drainage infrastructure. A SPEL tank is also proposed to appropriately control and management stormwater in the fuel court area.

Refer **Appendix 8** for a copy of the Stormwater Management Plan.

3.6 Waste Management

The proposed development provides a screened bin store and service yard area for each of the proposed buildings. The service station bin store area is located at the northern side of the building and is accessed by double gates with a loading area directly adjacent. The fast food storage area is located at the western side of the building, also accessed via double gates with an adjacent loading area. The bins will be of a standard commercial size and will be collected by private contractor at regular intervals during the week on an as needs basis.

3.7 Signage

The proposal incorporates various advertising signage on the premises as part of the overall development. Specifically, the proposed signage comprises:

- Two (2) x 1.45m diameter Starbucks wall signs.
- One (1) x 0.4m tall and 2.9m wide Starbucks name wall sign.
- One (1) x 0.4m tall and 3.35m wide Starbucks wall name sign.
- One (1) x 0.4m tall and 3.35m wide Starbucks verandah sign.
- One (1) x 1.85m squared 7-Eleven wall sign.
- One (1) x .8m tall and 0.65m wide 7-Eleven verandah sign.
- One (1) x 8m high and 1.75 metre wide internally illuminated pylon sign for the Price Board and ID of the site, located on the south-eastern corner of the development site. The proposed ID sign will comprise of corporate logos and an LED digital fuel price board.
- One (1) x 6m high and 1.965m wide pylon sign for identification and wayfinding in and around the site and surrounds located on the north-eastern corner of the development site.

The other signs intended for the development are either exempt from requiring planning approval or do not warrant an assessment by virtue of their size and nature (e.g., minor directional signage, hazard signage, universally accessible bays signage etc).

The proposed signage is consistent with the 7-Eleven's and Starbucks' corporate branding, as implemented on all new and refurbished sites across Australia.

Refer to **Appendix 3** for a copy of the Development Plans which depict the proposed signage.

3.8 Landscaping

The proposed landscaping in the development includes the provision of seven (7) new trees, two of which are located adjacent to the car parking bays along the eastern boundary of the development site and will provide shade for cars parked in that area.

The remainder of the trees are located along the western boundary of the development site and are proposed to create a shaded planted area around the perimeter of the site where a mixture of shrubs and ground cover is proposed.

Refer to **Appendix 4** for a copy of the Landscaping Plan.

3.9 Lighting

The proposed fuel canopy is provided with baffled and directional lighting to ensure light spill is appropriately managed and not impacting on the adjacent properties. This is a standard industry practice implemented on new and refurbished fuel retailing sites across Australia.

Lighting associated with the proposed development, including lights on the retailing building and beneath the fuel canopy, are designed to comply with the relevant Australian Standards.

4 STATUTORY PLANNING FRAMEWORK

4.1 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 located along an Other Regional Road, Neerabup Road.

4.2 Local Planning Scheme

The City of Wanneroo *District Planning Scheme No. 2 (DPS2)* applies to the subject site. The provisions of DPS2 are supplemented by the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Where a deemed provision is inconsistent with a provision of DPS2, the deemed provision prevails to the extent of the inconsistency.

4.2.1 Zoning

Under the provisions of DPS2, the subject site is zoned "Centre". The objectives of the Centre zone under DPS2 are as follows:

To designate land for future development as a town centre or activity centre.

To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.

In accordance with the Centre objectives under DSP2, the subject site is subject to the Clarkson Activity Centre Structure Plan (Clarkson ACSP). Under the provisions of the Clarkson ACSP, the subject site is zoned "Commercial" with an applicable density code of R160. The objectives of the Commercial zone under DPS2 are as follows:

To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.

To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street boundary and design of facades.

To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.

Additional objectives for the Commercial zone are added under the Clarkson ACSP, as follows:

- a) *Create a Main Street as an active focus for the community with a balance of viable uses and a diversity of retail and commercial uses and leisure opportunities that generate date and evening activity;*
- b) *Encourage high standards of build form and streetscape;*
- c) *Provide continuity of activity along streets; and*
- d) *Provide efficient vehicle access with pedestrian priority.*

The proposed development is located to the south of the main street area, with Key Largo Drive intended to create a connection between the main street along Ocean Keys Boulevard and Neerabup Road as a high-traffic distributor road. The fast food outlet and service station create a useable intermediary space between the regional road and the intended activation for along Key Largo Drive. The proposed development introduces two complementary land uses to the wider shopping precinct that will complement the established businesses and commercial amenity.

The scale of the development is all single storey, with the buildings placed to create articulation along the street frontage without encouraging pedestrian movement where it would conflict with the high volumes of traffic on Neerabup Road. Further, the site is designed to integrate with the existing shopping centre with efficient internal connections through the access easement to the north creating a direct link to the Clarkson Shopping Centre area, while the proposed uses are complementary to both the high traffic streetscape and retail surrounds.

Extensive technical reporting has been undertaken demonstrating that the proposed use is suitable from a traffic and acoustic perspective. The facility will also integrate with the existing shopping centre on the surrounding lots, which comprises of various retail, community and commercial uses, and several eating establishments. Further, the proposed development will engage with the passing traffic along Neerabup Road, providing convenience for both locals and visitors to the area.

For these reasons, the proposed development is considered consistent with the objectives of the Commercial zone and warrants approval accordingly.

4.2.2 Land Use

The proposed development includes two businesses. The uses are classified as "Fast Food Outlet" and "Service Station". These land uses are defined by DPS2 as follows:

Fast Food Outlet means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

- (a) without further preparation; and
- (b) primarily off the premises.

Service Station means premises other than premises used for a transport depot, panel beating, spray painting, major repairs, or wrecking, that are used for –

- (c) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or
- (d) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.

The proposed development provides for the retail sale of fuel, the retail sale of various goods of an incidental or convenience nature, and the sale of coffee and food in a ready-to-eat format. The facility also provides onsite parking for staff and customers, and will operate 24 hours per day, 7 days per week. The proposed development clearly satisfies the Fast Food Outlet and Service Station land use definitions under DPS2. As outlined above, the proposed land uses are appropriate for the area and align with the Commercial zone objectives as outlined under the Clarkson ACSP.

In accordance with Table 1 – Zoning Table of DPS2, 'Service Station' is an 'A' (discretionary) use within the 'Commercial' zone, meaning the use is capable of approval at the City's discretion, and subject to public advertising.

In accordance with Table 1 – Zoning Table of DPS2, 'Fast Food Outlet' is a 'D' (discretionary) use within the 'Commercial' zone, meaning the use is capable of approval at the City's discretion.

The proposed Service Station and Fast Food Outlet uses are supported by technical traffic and acoustic reporting, demonstrating the proposal will have no significant impact on the surrounding road network or amenity of the locality. For these reasons, and the assessment completed in this report, the proposed development is considered consistent with the objectives of the Commercial zone and warrants approval accordingly.

An assessment against the development standards and requirements of DPS2 has been completed in the following section, with further assessment against the relevant Activity Centre Plan completed in **section 4.3** below.

4.2.3 Development Standards and Requirements

Table 2 below provides an assessment against the development requirements of DPS2, relevant to this proposal.

Table 2: Assessment against the relevant development requirements of DPS2

Provision	Comment	Compliance
Commercial and Centre zones		
All land contained in the Commercial and Centre zones shall specify a maximum retail net lettable area (NLA) which relates to retail floor area. The maximum retail net lettable area shall be included in Schedule 7 of this Scheme, and subject to requirement 1.2 of this Schedule, shall bind the development of the land to no more than that area specified.	The subject site is within the Clarkson District Centre area. The maximum NLA for the Clarkson District Centre – Commercial and Centre zones is 28,800m ² NLA total. The proposed development includes 435m ² NLA and is within the 10,000m ² NLA permitted for the subject site under the Clarkson Activity Centre Plan.	Yes
Notwithstanding the provisions of requirement 1.1 of this Schedule, the local government when considering applications for development approval may permit the development of the land to exceed the maximum retail net lettable area included in Schedule 7 of the Scheme, provided that the retail net lettable area for that land does not exceed what is stipulated in a structure plan or precinct structure plan approved by the Commission.		Yes
Centre zone		
Subject to Clause 43 of the deemed provisions, no subdivision (including strata or survey strata subdivision), or other development should be commenced or carried out in a Centre zone until a precinct structure plan has been prepared and adopted under the provisions of Part 5 of the deemed provisions. No subdivision (including strata or survey strata subdivision) should be commenced or carried out and no other development shall be commenced or carried out otherwise than in conformity with a precinct structure plan which is in existence at the time the application for approval of the subdivision or other development is received by the responsible authority.	The Clarkson Activity Centre Plan has been prepared and adopted under the deemed provisions. The subsequent subdivision and development is aligned with the Activity Centre Plan.	Yes
The permissibility of uses in the Centre zone, subject to Clause 43 of the deemed provisions, shall be determined with regard to the provisions of the relevant precinct structure plan.	The Clarkson Activity Centre Plan applies a 'Commercial' zone over the site, with land use permissibility in accordance with the land use permissibility table for the Commercial zone as included in DPS2.	Yes

Provision	Comment	Compliance
Setbacks for Non-Rural and Non-Residential Development		
Subject to the provisions of Part 3 or as otherwise provided in this clause, non-rural and non-residential buildings shall be set back as follows: Street boundary – 6 metres; Side and rear boundaries – Nil.	Lot boundary setbacks have been varied having regard to the context of the locality and requirements of the Clarkson Activity Centre Plan. Refer Table 4 of this report for further assessment and justification.	Variation
That portion of a lot within 3 metres of the street boundary shall only be permitted to be used for a means of access and landscaping.	The portion of the lot within 3m of the street boundary is proposed to be used for access and landscaping where building setback variations are not proposed.	Yes
That portion of a lot between 3 metres of the street boundary and the building setback line shall only be permitted to be used for: a means of access; the loading and unloading of vehicles; landscaping; a trade display; the daily parking of vehicles used by employees and customers of the development.	The portion of the lot between 3m of the street boundary and the building setback line is proposed to be used for access, landscaping, and parking where building setback variations are not proposed.	Yes
No such area shall be used for the parking of vehicles displayed for sale or which are being wrecked or repaired or for the stacking or storage of materials, products, or wastes.	No vehicle sales or wrecking is proposed on site, and storage will be contained within the storage areas and buildings proposed on site.	Yes
All buildings constructed on a lot adjoining a Right-of-Way shall be setback a minimum of 1.5 metres from the Right-of-Way, or in the case of a carport, garage or parking bay, such additional distance that the local government may require to ensure adequate vehicular manoeuvring.	The proposed fast food outlet is set back approximately 4.4m from the access easement located on the northern boundary of the subject site.	Yes
Building Facades for Non-Rural and Non-Residential Development		
The façade or facades of all non-rural and non-residential development shall be of a high standard of architectural design and constructed in brick, masonry and/or plate glass or other approved material which in the opinion of the local government would not adversely impact on the amenity or streetscape of the area. Where metal clad walls are approved by the local government, they shall have a factory applied paint finish.	The proposed facades of the development are proposed to be created to a high standard in a brick base, with the tenancy brands identifiable façade details included in the design.	Yes
The facade or facades of all non-rural and non-residential development shall have incorporated in their design, integrated panels for the purpose of signage placement.	Signage placement has been integrated into the design of the two proposed buildings.	Yes
Traffic Entrances		
The local government may where it considers it desirable and in the interests of traffic safety, to reduce traffic hazards or otherwise to assist in the planning for vehicular traffic, direct the owner of any lot to limit access and egress or provide such additional access and egress as it requires to any premises.	Access to the subject site is in accordance with the approved subdivision and discussions with the City's officers, with a single crossover located on Key Largo Drive and an access easement to the northern boundary of the site.	Yes
Visual Truncations to Vehicular Accessways in the Vicinity of Streets or Rights-of-Way		

Provision	Comment	Compliance
No building, wall, fence, landscaping, or other development greater than 0.6 metres in height measured from the natural ground level at the boundary shall be constructed or maintained within the sightline area stipulated in the Australian Standard for Off Street Parking AS2890.1 at the intersection of a vehicular accessway and a street or right-of-way.	No development of greater than 0.6m in height is proposed within the access sightline areas around the site.	Yes
Pedestrian and Vehicle Reciprocal Access Requirements		
If the local government approves car parking and pedestrian access on neighbouring premises in a manner which relies on the reciprocal movement of vehicles and pedestrians between or across the premises, the owners concerned shall allow the necessary reciprocal access and parking at all times to the satisfaction of the local government.	Access is in accordance with the required Access Easement, as applied through the subdivision approval conditions.	Yes
Service Areas and Access		
Provision shall be made for service access to the rear of all taverns, hotels, motels, shops, bulky goods showrooms, restaurants/cafes, lunch bars, fast food outlets, convenience stores, liquor stores (large or small) and other commercial uses as required by the local government for the purpose of loading and unloading goods unless considered by the local government to be undesirable in a particular instance.	A separate loading bay area with direct access to the back of house area of both the fast food outlet and service station buildings is proposed as part of the development.	Yes
Storage and Rubbish Accumulation		
All storage, including the storage of accumulated rubbish, shall be confined to within a building, or a suitably enclosed area screened from its immediate surrounds and any adjacent public street or road by normal viewing by a wall not less than 1.8 metres in height constructed of brick, masonry, or other approved material.	All waste materials shall be maintained within the fast food outlet, service station building or related bin store areas and collected as necessary by a private waste collector.	Yes
All storage of accumulated rubbish shall be located in a position accessible to rubbish collection vehicles and where vehicular access and car parking will not be adversely affected.	All waste materials shall be located in the bin store area and accessible to the private waste collector vehicles without adversely impacting car parking	Yes
Car Parking Standards		
The number of on-site car parking bays to be provided for specified development shall be in accordance with Schedule 11. Where development is not specified in Schedule 11 the local government shall determine the parking standard. The local government may also determine that a general car parking standard shall apply irrespective of the development proposed in cases where it considers this to be appropriate.	An assessment against the parking requirements as provided in Schedule 11 of LPS has been completed in Table 3 of this report.	Yes

Provision	Comment	Compliance
The design of off-street parking areas including parking for disabled shall be in accordance with Australian Standards AS2890.1 or AS2890.2 as amended from time to time. Car parking areas shall be constructed, marked, drained and thereafter maintained to the satisfaction of the local government.	The proposed parking shall be in accordance with the relevant Australian Standard.	Yes
Bicycle Parking and End of Trip Facilities		
The local government may require the provision of bicycle parking and end of trip facilities such as showers, change rooms and lockers in commercial developments and other employment centres in accordance with Austroads' Guide to Engineering Practice Part 14: Bicycles.	12 bicycle parking bays are provided as part of the development, 6 to the eastern end of the fast food outlet building and 6 to the southern end of the service station building.	Yes
Landscaping Requirements for Non-Rural and Non-Residential Development		
A minimum of 8% of the area of a development site shall be set aside, developed, and maintained as landscaping to a standard satisfactory to the local government. In addition, the road verge adjacent to the lot shall be landscaped and maintained to the satisfaction of the local government.	A total area of 810m ² has been developed as landscaping, which is approximately 19.5% of the 4,149m lot area.	Yes
When a proposed development includes a car parking area abutting a street, an area no less than 3 metres wide within the lot along all street boundaries shall be set aside, developed, and maintained as landscaping to a standard satisfactory to the local government. This landscaped area shall be included in the minimum 8% of the area of the total development site referred to in the previous subclause.	Site boundaries where a car parking area abuts the street has a minimum of 2.445m wide landscaping strip between the car bays and the street, which is a variation on the permitted 3m. This variation is proposed to allow for the incorporation of the access easement roadway, and also connects the proposed landscaping area with the existing verge landscaping area with existing trees that are being maintained along Key Largo Drive.	Variation
Landscaping shall be carried out and maintained on all those areas of a development site which are not approved for buildings, accessways, storage purposes or car parking. Alternatively, the local government may require these areas to be screened from view of streets and other public places.	Landscaping is proposed for all areas of the development site not proposed to be used for buildings, access, parking, or storage.	Yes
Landscape areas shall be designed and located to improve the visual appeal of the development from the street and other public spaces and the standard of amenity for those using the development. The use of endemic trees and shrubs are encouraged.	The landscaping areas are located around the edges of the subject site and will improve the visual appeal of the development from the surrounding streets and neighbouring properties.	Yes
Shade trees shall be planted and maintained in car parking areas designed within the wells at the rate of one tree for every four (4) car parking bays, to the local government's satisfaction.	7 shade trees are provided.	Yes
Land Use Permissibility for Structure Plans and Precinct Structure Plans		

Provision			Comment	Compliance
For land identified as a Business or Commercial zone within an approved structure plan, the following interpretation shall apply unless otherwise prescribed in this Scheme –			The subject site is within the Clarkson Activity Centre Plan Area and is thus zoned 'Commercial' with no change for the equivalent Scheme Zone.	Yes
Existing Structure Plan Zone	Location	Equivalent Scheme Zone		
Business	Within Activity Centre	Commercial		
	Outside Activity Centre	Service Commercial		
Commercial	Within Activity Centre	Commercial		
	Outside Activity Centre	Service Commercial		

As outlined above, the proposed development complies with the relevant development requirements of DPS2. Where variations are proposed, they have been demonstrated to provide an appropriate outcome and warrant approval accordingly.

4.2.3.1 DPS2 Car Parking Standards

The DPS2 Car Parking standards applicable to the subject site have been assessed in **Table 3** below.

Table 3: Assessment against the relevant DP2 Car Parking Requirements

Car parking requirement	Determinant	Required	Proposed
Fast Food Outlet 1 per 4 guests in indoor and outdoor seated areas plus 7 per 100m ² NLA for non-seated areas. Up to 50% of non-seated area parking may be located in drive through queue	74 seats, 40m ² NLA non seated area	18.5 (seating area), 2.8 (non-seating) Total required: 21.3 bays	22 parking bays, 6 refueling bays, 13 drive through bays 1 waiting bay
Service Station 5 bays per service bay plus 7 per 100m ² non-service bay NLA. Up to 50% of non-service bays may be located in refueling positions	No service bays, 130m ² NLA non-service NLA	9.1 bays	
Total required parking bays		30.4 bays	

The proposed development supplies a total of 22 standard parking bays, 6 refuelling bays, 1 waiting bay and 13 drive through queuing bays. This results in a total provision of 29 bays and 13 drive through queuing bays on site. A minor variation is sought to the car parking requirements. Having regard to the car-orientated nature of the land uses, drive through queuing provided and reciprocal nature of the businesses, it is considered sufficient parking and queuing capacity is provided to cater for the demand generated by the businesses.

4.3 Activity Centre Plan

4.3.1 Clarkson Activity Centre Structure Plan

The Clarkson ACSP has been created to guide development at Clarkson as a secondary centre under *State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP4.2)*. As a secondary centre, the Clarkson Activity Centre needs to support a wide range of activities into the future, including office, community, recreation, and entertainment, for the residents within the growing trade area.

The objectives of the CAPC are as follows:

The creation of a mixed use centre that caters for the needs of residents within the region and provides for a suitable residential environment.

To contribute to the north west corridor employment self-sufficiency targets

The development of one or more main-streets.

The development of a centre that links with the nearby Clarkson Rail Station.

To provide a safe and secure environment for all residents, workers and visitors.

A focus on built form and performance based outcomes with an emphasis on contemporary architecture.

To provide for developments that can incorporate energy efficient design, effective waste disposal and reduction and water conservation.

The proposed development intends to expand on the surrounding commercial development while providing services in the buffer area between the shopping complex and Neerabup Road as an Other Regional Road. The proposed development means that both passers-by and existing shoppers can complete convenience stops without significantly impacting traffic in the area. The proposed development will allow visitors and customers to complete multi-purpose visits to the shopping centre and wider precinct.

For the reasons stated above, the proposed development is aligned with the objectives of the Clarkson ACSP and warrants approval accordingly.

4.3.2 Development Standards and Requirements

Table 4 below provides an assessment against the development requirements of the Clarkson ACSP, as relevant to this proposal. As the subject site is not located along the Main Street, those criteria specific to Main Street Development have been excluded from this assessment.

Table 4: Clarkson Activity Centre Plan Development Criteria

Provision	Comment	Compliance
General Development Criteria		
a) the provisions of the 'Commercial' zone in the Scheme should apply to this zone unless otherwise specified in this section;	The provisions of the commercial zone under DPS2 have been assessed in Table 2.	Yes
c) any commercial building should have a front facade no less than 4.5 metres in height in order to provide the appropriate scale;	The front façade for the site consists of the eastern elevation of the proposed service station building. This includes incorporation of architectural planks along the roofline of the building, which will create an average façade height of 6.2m which increases to 8m to integrate with the proposed signage structures.	Yes

Provision	Comment	Compliance
d) except where required to enable the creation of public places, alfresco dining, architectural features, or the like, setbacks along the Main-Street frontage should be as follows: Front: - Nil Side - Nil, except for a 3m wide vehicle access Rear - 6 metres;	N/A	N/A
e) Setbacks in other locations in the zone should be in accordance with the Scheme;	Setback requirements under DPS2 has been assessed in Table 2 .	Yes
f) buildings should be designed to have active frontages that include door and window openings with no blank facades fronting the street and awnings and/or colonnades along public frontages to give pedestrian protection from the weather;	The proposed development includes architectural detailing across the entire street frontage of the service station building, as well as provision of large window openings to provide built form activation to the street. The proposed pedestrian pathways around the site connect to the wider pedestrian network at the southern-most point of the lot. This positioning of the pedestrian access has been completed to capture the pedestrian traffic from the existing traffic lights at Neerabup Road and Ley Largo Drive. This location will allow for the ease of accessibility and activation for pedestrians wanting to access the site.	Yes
g) buildings fronting the Main-Street should comply with clause 7.1 and should create an urban wall, making entries to buildings, pedestrian walkways, and carparking areas clearly defined elements;	N/A	N/A
h) buildings on corner sites should address the street corner, and buildings on landmark sites identified on the Activity Centre Plan Map should be developed as landmarks within the overall urban fabric in compliance with clause 7.2;	The service station building addresses all elements of the street corner, including the truncation that connects Neerabup Road and Key Largo Drive. The proposed development integrates architectural elements along the roofline of the service station building, creating a built form that is both taller and more articulated when viewed from the corner. Further, the architectural design integrates with the proposed signage pylon for the sign, creating a cohesive and striking visual for passersby.	Yes
i) buildings fronting and facing the Transitional Street (in proximity to the Main-Street or with Caribbean Court) should be developed in accordance with clauses (d) – (h) above. Buildings not facing the Transitional Street should be developed so as to allow sufficient separation for the future construction to comply with clauses (d) – (h) above;	The proposed development fronts the Transitional Street at its furthest point from the Main Street under the Clarkson ACSP. The development is proposed to create a landmark site in accordance with the Clarkson ACSP, without sacrificing built form or land useability due to the proximity of the site to the Neerabup Road as an Other Regional Road. As assessed above, the proposed development is compliant with the relevant provisions outlined in clauses (d) – (h).	Yes
j) buildings, public spaces and parking areas should be well lit to encourage safe use after hours;	The proposed development will include lighting for after-hours use.	Yes

Provision	Comment	Compliance
k) car parks should be designed to not dominate the street and provide direct pedestrian movement towards buildings. Within outdoor, ground level parking areas shade trees should be planted at the rate of one tree to every four cars and should be protected from damage by vehicles;	The provided car parking has been designed to integrate with the overall design of the site, with most of the parking places aligned with the proposed service station and fast food buildings. Where parking is not co-located with the buildings, provision of landscaping has been made to buffer the view of the car parking area from the street.	Yes
l) the number of car parking bays for retail developments may be reduced, at Council's discretion, to a rate not lower than 4.5 bays per 100m ² where the total number of bays on the site exceed 500 bays;	N/A	N/A
m) service areas, bin and material storage areas and services such as air conditioners, compressors and other machinery should be located away from public areas and screened from view from streets and public areas by an enclosure in the style and material of the building. On sites that adjoin residential properties, such areas should not abut the common boundary. No fencing should be permitted elsewhere in the zone for any other purpose;	Service areas and other machinery are all proposed to be located away from the street and screened from view by the proposed bin store areas for both the service station and fast food outlet.	Yes
n) roof mounted mechanical equipment, if required, should be screened from view by the roof form or parapet walls;	Any roof mounted mechanical equipment, if required, will be screened from view.	Yes
o) signage is to be designed in accordance with the City's local planning policy for advertising signs (LPP4.6) or equivalent. A signage strategy will be required at the Development Application stage.	An assessment of the proposed signage for the site is completed in Table 7 of this report.	Yes
p) temporary commercial uses in public spaces such as alfresco dining and flower or fruit stalls may be permitted subject to such controls as Council may dictate;	N/A	N/A
q) convenient, safe and direct pedestrian access should be provided;	Pedestrian access into and around the site is provided through the connection of the surrounding footpath to the site at the southernmost point of the site, and internal pedestrian crossing markings around the site.	Yes
r) the 10 metre wide public access easement around the southern boundary of Ocean Keys Shopping Centre is to be constructed to local road standard to include a 6 metre carriageway with dual use path provision as shown in Figure 3;	N/A	N/A
s) any developments abutting public access easements are to be appropriately set back, truncated at corners to provide adequate sightlines and sited and designed to ensure that the easements provide a pleasant streetscape and provide for safe vehicular and pedestrian use at all hours;	The proposed fast food outlet is set back from the northern boundary of the subject site, which is also set back from the 10 metre wide public access easement located around the southern boundary of Ocean Keys Shopping Centre. This ensures there is adequate area for the future development of this public access easement, as well as development of the connecting crossover from the site to the public access easement in accordance with the subject site's subdivision approval.	Yes

Provision	Comment	Compliance
t) direct vehicular access onto Marmion Avenue or Neerabup Road from lots abutting these roads should not be permitted. Access to these lots should only be obtained from either secondary street frontages or from the public access easements (where available) to the satisfaction of the City of Wanneroo; and	No direct access onto Marmion Avenue or Neerabup Road is proposed.	Yes
u) the use of rooftop areas for carparking, private recreation, landscaping and the like will be supported where there is no significant impacts to adjoining properties	N/A	N/A
Criteria Specific to Lot 408 (19) Neerabup Road		
Land use		
Land use permissibility should be in accordance with the Scheme.	Land use permissibility requirements under DPS2 have been assessed in Section 4.2.2.	Yes
The preferred land uses along Key Largo Drive are Shop and Restaurant. Buildings facing Key Largo Drive should contain active uses at ground floor.	The proposed development is for active uses at the ground level, with façade activation for the corner of Key Largo Drive and Neerabup Road in a form that is sympathetic to the road-dominated streetscape that is Neerabup Road, without degrading the transitional nature of Key Largo Drive.	Yes
In accordance with the RSA (Appendix 1A), a maximum retail floorspace of 10,000m ² NLA is allowed on this Lot 408 (No. 19) Neerabup Road.	The total retail floorspace proposed for this development is 435m ² , which is significantly under the 10,000m ² NLA permitted in combination with the supermarket development.	Yes
Vehicular Access Points		
Vehicle access points should be in the general location and function as outlined on Figure 3.	The proposed development includes access to Key Largo Drive, which has been established through the subdivision approval for the subject site.	Yes
<p>Figure 3 – Movement Network</p>		

Provision	Comment	Compliance
Access within the site should maximise connectivity, legibility, a slow and safe traffic environment and a comfortable, convenient and safe pedestrian environment.	Access to and within the site is designed to ensure that the two land uses can exist cohesively, with multi-purpose trips easily completed by visitors to the site. Traffic is clearly visible across the site, with the fuel canopy providing limited impingement to visibility for drivers and pedestrians traversing the site.	Yes
All site access arrangements are subject to a Transport Impact Assessment at the development application stage.	Refer Appendix 5 Traffic Impact Assessment completed by Urbii.	Yes
Internal Access Street		
The internal access street linking Neerabup Road to Pensacola Terrace, as indicated on Figure 3, should be constructed in accordance with access street standards including the following: <ul style="list-style-type: none"> • A 6 metre wide carriageway • a continuous shade tree canopy to facilitate pedestrian movement through the site • Lighting and seating at appropriate intervals • Embayment parking at regular intervals • Footpath of a typical minimum width of 3 metres 	N/A	N/A
Pedestrian and Cyclist linkages		
The Activity Centre Plan should ensure efficient, legible, and safe pedestrian corridors/networks connecting the centre with the surrounding residential locations to promote pedestrian movement around the centre for shopping needs and the use of the associated civic, commercial, government, health and recreational uses.	N/A	N/A
Two pedestrian access points are to be provided into the site from Key Largo Drive at the locations indicated on Figure 3.	The proposed vehicle crossover, which is located in accordance with the Subdivision Approval for the site, is located where the highlighted pedestrian access points are required to be provided. This provision for pedestrian access has been relocated to the corner of Key Largo Drive and Neerabup Road, in order to connect to the pedestrian crossings associated with the traffic lights. The location of the pedestrian crossing closer to the intersection is considered to service the greater area more efficiently, particularly with regards to the residential areas located to the south of the site.	Variation
Pedestrian connections to be provided adjacent to the internal access street connecting to Pensacola Terrace to ensure pedestrian connection to the Marmion Avenue underpass.	N/A	N/A
On-site cycle facilities to be provided in accordance with Clause 4.16 of the Scheme.	Assessment against DPS2 has been completed in Table 2 of this report.	Yes
Parking		

Provision	Comment	Compliance
Parking provision should be in accordance with the Scheme, though concessions may be approved where reciprocal use is provided (excluding for residential components, which must provide dedicated bays, in accordance with the R-Codes).	Assessment against DPS2 has been completed in Table 2 of this report.	Yes
Car parking should be screened from public streets by buildings or landscaping in accordance with the Landscaping Master Plan.	Car parking is screened from the street by landscaping, in accordance with the landscaping requirements.	Yes
Undercroft parking, working with the established levels of the site should be considered where appropriate.	N/A	N/A
A row of car parking may be provided along Key Largo Drive, reflecting the transitional nature of this street.	N/A	N/A
Bicycle parking to be provided in accordance with the Scheme.	Bicycle parking bays are provided for both land uses.	Yes
Landscaping to be designed to shade parking areas at the rate of 1 tree to every four cars and should be protected from damage by vehicles.	Shade trees are proposed at a ratio of one for every 4 car parking bays where car parking is not adjacent to a building.	Yes
Built Form		
Built form should address the new internal access street and appropriately frame the street.	N/A	N/A
All built form should: <ul style="list-style-type: none"> • generate visual interest through built form articulation, architectural features and building materials • be designed to provide passive surveillance to the street and abutting pub areas and other public spaces through orientation, activation of ground floor, door openings and other façade treatments • Awnings should be utilised along building frontages to provide weather protection. 	The proposed development is designed to activate the street through architectural elements that generate visual interest and windows that provide passive surveillance.	Yes
Buildings along Key Largo Drive should have a minimum of 2 storeys in equivalent height.	The proposed development achieves the envisaged building height through the use of architectural elements along the roofline, which create both height and visual interest for the site.	Yes
Buildings facing Neerabup Road and Marmion Avenue should maximise building articulation, including 50% glazing at ground floor and windows and entrances accessible or visible from the street or public realm.	The proposed development maximises articulation along Neerabup Road through the provision of glazing along and around the junction between Neerabup Road and Key Largo Drive. Entrances are all visible from the street, and clearly articulated around the site.	Yes
Appropriate design responses should be utilised to address the interface between Commercial and sensitive land uses where proposed.	N/A	N/A

As demonstrated in Table 4 above, the proposed development is aligned with the development requirements of the Clarkson ACSP. The site has been developed as a landmark site, with architectural elements used to activate the façade facing the intersection of Neerabup Road and Key Largo Drive, as well as aligning with the applicable subdivision approval and crossover requirements for access onto Key Largo Drive.

The variation from the Clarkson ACSP requirements for a pedestrian access to allow for the direct vehicle access to the site from Key Largo Drive has been extensively supported by traffic reporting and assessment to ensure that the safety, viability and accessibility in and around the site is maintained and supports the expected traffic for the subject site.

4.4 State Planning Policies

4.4.1 State Planning Policy 3.7 – Planning for Bushfire Prone Areas

State Planning Policy 3.7 Planning for Bushfire Prone Areas (SPP3.7) refers to land identified as being bushfire prone and is intended to be used to inform and guide development to achieve acceptable bushfire protection outcomes. SPP3.7 considers the vulnerability of a site to bushfire and aims to avoid any increase in the threat of bushfire to people, property, and infrastructure.

The subject site is considered to be bushfire prone to the south of the site. The Bushfire Attack Level (BAL) calculated for the site on the BAL contour map is BAL-12.5. In accordance with the requirements of SPP3.7, the location of the service station, as a high risk land use within the BAL-12.5 area, requires completion of a Bushfire Risk Management Plan (BRMP).

A BRMP has been completed as part of this application and is included in **Appendix 4**. The BRMP outlines the expected risks of bushfire upon the subject site, as well as the potential risk of a bushfire originating from an on-site fire. In all instances, the predicted risk is low, with Neerabup Road presenting a significant firebreak between the subject site and the nearby vegetation and bushlands.

Refer to **Appendix 4** for a copy of the Bushfire Management Plan and Bushfire Risk Management Plan.

4.4.2 State Planning Policy 7.0 – Design of the Built Environment

State Planning Policy No.7.0 Design of the Built Environment (SPP 7.0) became operational on 24 May 2019. SPP7 is the lead policy that elevates the importance of design quality, and sets out the principles, processes and considerations which apply to the design of the built environment in Western Australia, across all levels of planning and development.

SPP7 establishes a set of ten 'Design Principles', providing a consistent framework to guide the design, review, and decision-making process for planning proposals. Refer **Table 5** below for an assessment against the ten design principles of SPP7.0.

Table 5: Assessment against Schedule 1 – Design Principles of SPP 7.0

Design Element		Design Outcome
1.	Context and character Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.	The proposed development has been designed to integrate with the surrounding road network as well as the Ocean Keys shopping centre precinct within the goals of the Clarkson ACSP. The site will have distinct architectural features that identify it as a landmark site and the entrance into the Shopping Precinct, as well as connectivity through the transitional zone outlined in the Clarkson ACSP to the Main Street Area along Ocean Keys Boulevard.
2.	Landscape quality Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.	The proposed landscaping includes significant areas of vegetation around the boundaries of the site, providing a softer, buffered appearance from the street. This will also create shaded areas for pedestrians in the area and alleviate heat and noise impacts from Neerabup Road, as an Other Regional Road, on the greater shopping complex.

Design Element	Design Outcome
<p>3. Built form and scale. Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</p>	<p>The proposed development is situated on the edge of a transitional zone between the Ocean Keys Shopping Centre and Neerabup Road. The scale of the development reflects the transitional nature, with the single storey development respecting the current height of the neighbouring properties along Neerabup Road (primarily single storey commercial). The integrating architectural elements increase the development height and appearance and create a landmark appearance. Finally, the architectural elements create a transition in the increases in building height towards the Ocean Keys Shopping Centre.</p>
<p>4. Functionality and build quality. Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full lifecycle.</p>	<p>The proposed layout of the subject site will support both the vehicle heavy elements of the service station and drive through, while providing an amenable pedestrian environment through the provision of the internal seating area for the fast food outlet, pedestrian crossing areas, and landscaped areas. This will allow the site to develop alongside both Neerabup Road as a high-volume road, without impeding upon the neighbouring shopping complex of Ocean Keys.</p>
<p>5. Sustainability Good design optimises the sustainability of the built environment, delivering positive environmental, social, and economic outcomes.</p>	<p>The proposed development will contribute to the surrounding locality through the introduction of additional landscaping and economic trade. This is an improvement from the previous use of the site as a car parking area, which involved no activation of the site and had limited landscaping areas.</p>
<p>6. Amenity Good design optimises internal and external amenity for occupants, visitors, and neighbours, contributing to living and working environments that are comfortable and productive.</p>	<p>The proposed development is located in a commercial centre, across an Other Regional Road from the nearest residential development. The development has been designed to connect with the greater commercial area while alleviating the impacts of the high volume of passing traffic. This has been done through the use of landscape buffering, distancing the fast food development from the primary road frontage, and co-location of the vehicle-dominated land uses near to the regional road and existing volumes of traffic.</p>
<p>7. Legibility Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.</p>	<p>The proposed development is designed to be legible from a vehicle and pedestrian perspective. The design of the fuel canopy ensures that visibility through and around the site is clear, with visibility from Neerabup Road for passersby in vehicles and along the pedestrian path maintained to encourage pass-by trip activation. Further, the site is designed as a landmark site, with architectural elements adding to the character and memorability of the site for wayfinding and co-ordination.</p>
<p>8. Safety Good design optimises safety and security, minimizing the risk of personal harm and supporting safe behaviour and use.</p>	<p>The proposed development includes maintenance of sightlines within and around the site and will incorporate lighting and façade treatments.</p>
<p>9. Community Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.</p>	<p>The proposed development is designed to service the local context as well as the wider community through its proximity to Neerabup Road. The site is located on the near the Ocean Keys Shopping Centre, adjacent to residential dwellings across Neerabup Road and will service that nearby residential area, while also servicing the wider community.</p>
<p>10. Aesthetics Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</p>	<p>The proposed development incorporates significant architectural details that are focused along the junction of Key Largo Drive and Neerabup Road. These features create an active façade for the site and will contribute to the approach to the wider commercial and retail precinct when approaching from the south.</p>

As demonstrated above, the proposed development aligns with the objectives of SPP7 and warrants approval accordingly.

4.5 Local Planning Policies

4.5.1 Local Planning Policy 2.9 – Service Stations and Roadhouses

The City’s Local Planning Policy 2.9 - Service Stations and Roadhouses (LPP2.9) sets out the requirements for the development of service stations and roadhouses within the proximity of freeways and other primary road networks. Refer Table 6 below for an assessment against the relevant requirements of SPP2.9.

Table 6: Assessment against LPP2.9 - Service Stations and Roadhouses

Provision	Comment	Compliance
Development requirements		
Service stations and roadhouses shall not cause undue conflict through the generation of traffic, demand for parking or the emission of noise, light, fumes, odours, dust, vibration, electrical interference, waste water or any other form of pollution or activity which may be undesirable or incompatible;	The development of the site as a service station will not create undue conflict through the generation of traffic, parking demand or the emission of any activity which may be undesirable or incompatible, as it is located in close proximity to Neerabup Road as an Other Regional Road and is expected to create spontaneous trips from the existing traffic numbers as well as a small amount of additional planned trips.	Yes
Buildings shall be of a high standard of architectural design with landmark characteristics such as roof features that protrude above the roofline. Additional building detail, articulation, colours and textures can also be included to enhance architectural quality;	The proposed development includes roof features that protrude above the roofline and integrate the proposed signage with the building in a manner that elevates the high quality buildings into recognizable landmark sites.	Yes
The use of bold and innovative canopy structures that provide a strong architectural statement is encouraged;	Canopy structures shall be incorporated into the buildings and designed to incorporate with the overall architectural design of the buildings.	Yes
Buildings shall address the street by way of major openings and entries so as to provide a level of passive surveillance from inside the building to adjacent streets and the public realm. The use of blank walls shall be minimised and glazing to openings shall not be obscured with signage, translucent films, paint, fittings or furniture;	The proposed development addresses the street through the provision of major window openings along the street frontage, and into the subject stie through the provision of clear entrances and windows. No signage is proposed to obscure windows addressing the street.	Yes
Where blank walls cannot be avoided they should be designed in such a way that they contribute to a safe and attractive street environment by: <ul style="list-style-type: none"> • Minimising the length and height of blank walls; and • Articulating blank walls through the creative application of complementary materials, avoiding large continuous masses of the same finish and/or the provision of appropriately integrated structural features, lighting, street furniture, artworks and/or landscaping; 	All walls addressing the street will be architecturally treated to ensure a safe and attractive street environment.	Yes
Amenity		

Provision	Comment	Compliance
Service stations and roadhouses abutting residential or other sensitive development shall be designed to minimise impact on abutting residents and shall address, noise, light, fumes, odours, dust, vibration, electrical interference, waste water, traffic, visual amenity, safety and any other matter that may detract from the amenity of the area.	The proposed development does not directly abut sensitive land use, and is located across Neerabup Road from the closest residential development. However, the proposed development has been designed to ensure that all potential hazardous emissions from the site – such as noise or traffic – are mediated to have negligible impacts on the surrounding sensitive land uses. This is shown through the completed consultant reports completed by the relevant consultants.	Yes
The location of service stations and roadhouses shall have regard to the prescribed buffer distances set out under the Environmental Protection Authority Separation Distances between Industrial and Sensitive Land Uses.	The proposed service station has been assessed to adequately mitigate any potential impacts on the nearby residential and sensitive land uses, per the completed technical reports. This satisfies the objectives of the Environmental Protection Authority Separation Distances and does not require further action.	Yes
Variations to the Separation Distances can be supported by the City where it is demonstrated that the potential impacts are satisfactorily able to be managed.	N/A	N/A
Location		
Where potential conflict between a proposed service station or roadhouse and adjoining or nearby residential or sensitive land use cannot be adequately managed, alternative locations need to be considered where the use will be more compatible.	N/A	N/A
Signage		
Signage associated with service stations and roadhouses are to have regard to the provisions and requirements of the City of Wanneroo's, Local Planning Policy 4.6: Advertising Signs.	The proposed signage has been assessed against Local Planning Policy 4.6 in Table 7: Assessment against LPP4.6 - Advertising Signs Table 7 of this report.	Yes
Development Control Policy 1.10		
In addition to the provisions and requirements of this policy, due regard is to be given to the Western Australian Planning Commission Development Control Policy 1.10 – Freeway service centres and roadhouses.	N/A	N/A
Conditions of approval		
In its determination of any application for a service station or roadhouse, in addition to any other powers provided for under District Planning Scheme No. 2, the City may impose conditions designed to minimise the impact on the amenity of residential and sensitive land uses, including limiting the scale of the development and restricting the times during which the use may operate.	The scale and operating times of the proposed development are reflective of the location and nature of the proposed development. This application demonstrates that the proposed development has no unacceptable impacts on the amenity of nearby sensitive land uses.	Yes

As outlined in Table 6 above, the proposed development is considered compliant with the requirements of LPP2.9 and warrants approval accordingly.

4.5.2 Local Planning Policy 4.6 – Advertising Signs

The City's Local Planning Policy 4.6 – Advertising Signs (LPP4.6) sets out the requirements for advertising sign built form and safety considerations within the City's Scheme Area. Refer to **Table 7** below for an assessment against LPP4.6.

Table 7: Assessment against LPP4.6 - Advertising Signs

Provision	Comment	Compliance
General Policy Provisions		
1. In general, advertising signs shall: <ul style="list-style-type: none"> • Not contain any offensive material'; • Not be affixed to boundary walls or fences; • Not extend beyond the boundary of the lot on which they are situated; • Relate to the site on which they are located; and • Integrate with the building design, particularly through the provision of signage panels within the building facades, wherever possible. 	The proposed advertising signs for the development will: <ul style="list-style-type: none"> • Not contain any offensive material; • Not be affixed to boundary walls or fences; • Not extend beyond the boundary of the lot on which they are situated; • Relate to the site on which they are located; and • Integrate with the building design through the integration of above-roof architectural elements to create a seamless view from the street. 	Yes
2. A sign that fits within the definition of more than one sign type shall be assessed against the criteria the City considers most applicable.	Assessment against the relevant signage criteria is provided below.	Yes
3. The area of a sign is to be measured as the greatest horizontal dimension multiplied by the greatest vertical dimension, excluding any support structures.	The area of all signs is measured as the greatest horizontal and vertical dimensions, excluding support structures.	Yes
Signage Strategy		
A signage strategy is an overall plan for a development site or structure plan area and shall be submitted with an application for development approval when: <ul style="list-style-type: none"> • The sign/s relate to a subdivision or development estate which proposes more than ten lots; • The sign/s relate to a display home or village; or • The number of signs for a development site (existing and proposed) exceeds a total of four. 	The proposed signage is aligned with the branding for both 7-Eleven service station building and Starbucks fast food outlet. This includes a total of 7 signs (wall signs, verandah sign and pylon signs) for the fast food outlet, and 4 signs (pylon signs and a verandah sign) for the service station building. No signage strategy has been developed for the site, with the proposed locations for the 11 signs included in the development application plans, as shown in Appendix 2 .	Variation
A signage strategy should incorporate the location, type, size and design of all existing and proposed signs, depicted on site and elevation plans. Justification should be provided on the need for the number and design of signs proposed, having regard for the relevant policy provisions and objectives.	No signage strategy has been prepared for this proposed development.	No
Digital Signage		
The City may consider applications for digital signage in the following circumstances: <ol style="list-style-type: none"> 1. Pylon Signs and Wall Signs associated with schools, tafes or colleges, outdoor recreation (e.g. golf course), places of worship and tourist locations²; 	N/A	N/A
2. On Commercial zoned land identified as a Neighbourhood Centre or above under DPS 2 or an	The proposed development is located in the Clarkson ACSP area, and thus is under an applicable Structure Plan.	Yes

Provision	Comment	Compliance
<p>applicable structure plan, or Business zoned land within an Integrated Business Centre³, limited to the following:</p> <ul style="list-style-type: none"> • One Pylon Sign per street frontage; • One Wall Sign per street frontage; and • One Window Sign per tenancy. 	<p>There are two proposed pylons, one for the intersection of Neerabup Road (applicable and integrated into the service station building) and Key Largo Drive, and one further up onto Key Largo Drive (applicable to the fast food outlet). This satisfies the limit for one pylon sign per street frontage.</p> <p>The proposed service station pylon sign will include digital elements to allow for the clear communication of fuel prices and ease and safety for workers changing the signs and integrate signage for both tenancies on the site. All other signs are not digital.</p>	
Pylon Sign		
<p>Pylon signs should -</p> <ul style="list-style-type: none"> • Be limited to a maximum of one per street frontage or one for every 40 metres of linear street frontage. • Not exceed 6 metres in height by 2.5 metres in width. • Be located centrally within the lot and no closer than 3 metres to a side boundary. 	<p>The proposed fast food pylon sign is 6m tall and 1.965m wide and includes only a sign for the fast food outlet.</p> <p>It is located approximately 2m from the lot boundary, within the 3m landscaping strip to ensure that it is easily visible from Key Largo Drive for passersby to the site. This pylon sign has been included for wayfinding around the site and will be located a where it is visible from the crossover to Key Largo Drive, as well as the internal accessways (including easement onto the site) between the site and Ocean Keys Shopping Center.</p>	Variation
	<p>The service station pylon sign is proposed to be integrated with the service station building and will include signage for both the service station and fast food outlet. The signage is within the requirements for multiple tenancy developments at 8m high by 1.75m wide and satisfies the requirements for digital signage.</p>	Yes
<p>Individual pylon signs will not be supported for individual tenancies where multiple units exist or are proposed to exist on a lot. In this instance, a pylon sign shall be designed to provide one infill panel for each unit on the lot and may be increased in height to 8 metres.</p>	<p>The service station pylon sign is proposed to be integrated with the service station building via architectural elements along the roofline. The pylon will include signage for both the service station and fast food outlet, with the signs visible from both sides of the pylon. The proposed pylon sign is 8m tall by 1.75m wide and will provide a central identification point and wayfinding information at the junction of Neerabup Road and Key Largo Drive.</p>	Yes
Wall Sign		
<p>Wall signs should -</p> <ul style="list-style-type: none"> • Be limited to a maximum of one sign per tenancy, per street frontage. • Not extend laterally beyond either end of the wall or protrude above the top of the wall. • Not exceed 25 percent in aggregate area on any one wall to a maximum of 8 square metres. • Be integrated with the building design. 	<p>The proposed fast food outlet includes 2 wall sign logos (each with a diameter of 1.45m), and 2 title wall signs for Starbucks. The front façade of the fast food outlet includes one logo and one title sign, with the other two signs located at each end of the building. None of the signs extend laterally beyond the edge of the wall, exceed 25% of the wall area for any one wall with a maximum combined area on one elevation of 7.76m², and are all integrated with the building design.</p>	Variation.

Provision	Comment	Compliance
	The number of signs proposed are to ensure that wayfinding from the street as well as from adjoining lots is clear to visitors, with all four lot boundaries expected to experience passing traffic due to the nature of the site.	
	The proposed wall sign for the fast food outlet has been integrated into an architectural element along the buildings frontage in order to create a balanced frontage when combined with the integrated pylon sign to the southern end of the building. The sign is placed within the limits of the wall and has an area of 3.4m ² .	Yes
For wall signs proposed on a 'Residential' zoned lot used predominantly for non-residential purposes, the following applies: • Limited to one sign per lot. • Limited to 1.2 square metres in area.	N/A	N/A
Verandah Sign		
Signs on the underside of a verandah should - • Not exceed 2.4 metres in length. • Not exceed 400 millimetres in height. • Not be located within 1 metre of another such sign on the underside of the same verandah. • Be positioned at right angles to the building façade. • Provide a clear headway under the sign of not less than 2.75 metres, measured from floor level. • Not project beyond the edges of the verandah.	N/A	N/A
Signs on the fascia of a verandah should not - • Exceed 400 millimetres in height. • Project beyond the edges of the verandah.	1 verandah sign is proposed for the fast food outlet. The proposed verandah sign is 3.35m in length, 0.4m in height, and is located parallel to the verandah edge at the back of the building. It is the only proposed sign for this elevation and will face the internal access road that connects the site to the wider Ocean Keys shopping centre. The proposed sign is placed on the top of the awning, within the parapet of the building so that the text is backed by the building while not being directly attached to it. This ensures the text is located on the furthest edge of the building, without projecting beyond the extents of the building and impacting the wider view around and across the subject site.	Variation
	1 verandah sign is proposed for the service station building along the building's frontage. The sign itself has an area of 0.5m ² and is integrated with the design of the verandah awning which includes 7-Eleven branding along its length. The total height of the sign is 0.8m tall, due to the square nature of the 7-Eleven logo and is aligned with the scale of the development.	Variation

1. *Offensive material is content deemed by the City to be objectionable, violent, insulting, obscene or defamatory to most people, or a particular group of people.*

2. *Tourist location: refers to places where visitors typically visit for the natural, cultural or historic value while also offering leisure and amusement at a regional or sub-regional level and is determined at the discretion of the City.*

3. *Integrated Business Centre: refers to a continuous area of Business zoned land greater than 10,000m².*

As assessed above, the proposed signage for the subject site includes a number of variations on the deemed to comply requirements under LPP4.6. All variations have been justified in the above assessment and primarily relate to ensuring that wayfinding and the scale and appearance of the development is maintained in and around the development.

The subject site does trigger the requirement to complete a signage strategy due to the number of signs on site, but this has been justified against due to the scale and number of internal and external views in and around the site requiring adequate signage to ensure that visitors and customers to and around the site are able to locate tenancies and navigate the area. As such, the proposed signage for the subject site is considered acceptable and warrants approval accordingly.

4.6 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 8** below for an assessment of the relevant matters.

Table 8: Matters to be considered

Matter to be considered	Provided
<i>(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 Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i>	Refer Section 4 of this report.
<i>(c) any approved State planning policy</i>	Refer Section 4.4 of this report.
<i>(g) any local planning policy for the Scheme area;</i>	Refer Section 4.5 of this report.
<i>(h) any structure plan or local development plan that relates to the development</i>	Refer Section 4.3 of this report.
<i>(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;</i>	The proposed development is aligned with the current and future character of the area, and includes provision of: <ul style="list-style-type: none"> - architectural elements for built form articulation and activation; - activation of the site and street frontages; - pedestrian and vehicle connectivity to the surrounding context and; - consideration of nearby sensitive land uses.
<i>(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;</i>	As outlined above, the proposed development has been designed to activate the streetscape and connect to the existing character of the area. Further, the provided technical reports show that the proposed development will not adversely affect nearby sensitive land uses and will complement the existing shopping centre to the north.
<i>(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</i>	Refer Section 3.5 and Appendix 6 .
<i>(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;</i>	Refer Section 3.5 of this report.

Matter to be considered	Provided
(q) <i>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</i>	Refer Section 3.5 of this report.
(r) <i>the suitability of the land for the development taking into account the possible risk to human health or safety</i>	Refer Sections 3.3 and 3.5 of this report.
(s) <i>the adequacy of –</i> (i) <i>the proposed means of access to and egress from the site; and</i> (ii) <i>arrangements for the loading, unloading, manoeuvring, and parking of vehicles;</i>	Refer Section 3.2 and Appendix 4 of this report.
(t) <i>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;</i>	Refer Section 3.2 and Appendix 4 of this report.
(u) <i>the availability and adequacy for the development of the following –</i> (i) <i>public transport services;</i> (ii) <i>public utility services;</i> (iii) <i>storage, management, and collection of waste;</i> (iv) <i>access for pedestrians and cyclists (including end of trip storage, toilet, and shower facilities);</i> (v) <i>access by older people and people with disability;</i>	Refer Section 3.2 of this report.

As outlined above, the relevant matters to be considered for the proposed development have been adequately addressed in the relevant sections of this report.

5 CONCLUSION

As detailed above, the proposed development of a service station and fast food outlet on the subject site achieves the purpose and intent of the Clarkson Activity Centre Plan and complies with the provisions of the City of Wanneroo *District Planning Scheme No. 2*. Specifically;

- The proposed development is consistent with the applicable subdivision approval, including provision for a crossover to Key Largo Drive setback 25m from the intersection of Neerabup Road.
- The proposed development is consistent with the commercial zoning and intent as outlined under the City of Wanneroo *District Planning Scheme No. 2* and Clarkson Activity Centre Structure Plan.
- The proposed development is designed to be a landmark site with additional architectural consideration and elements included and integration of the proposed signage pylon on the site, as aligned with the provisions of the Clarkson Activity Centre Structure Plan.
- The proposed development has been adequately assessed against the requirements of State Planning Policies 3.7 – Planning for Bushfire Prone Areas, and 7.0 – Design of the Built Environment, and deemed to address all development requirements.
- The proposed development is consistent with the objectives and provisions of Local Planning Policies 2.9 – Service Stations and Roadhouses, and 4.6 – Advertising Signs, where applicable.
- The proposed development will not have any impact on the amenity of adjoining owners or occupiers, as demonstrated through the various completed technical reports.