

Lots 1, 2 & 3 (8) MACRAE ROAD, APPLECROSS – SHORT STAY ACCOMMODATION

Form 2 – Responsible Authority Report (Regulation 17)

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| DAP Name: | Metro Inner South JDAP | |
| Local Government Area: | City of Melville | |
| Proposed Amendments: | Form 2 Short Stay Accommodation | |
| Applicant: | Mr Scout Walsh – Planning Solutions | |
| Owner: | Macrae Pty Ltd | |
| Value of Amendment: | \$ Nil | |
| Responsible Authority: | City of Melville | |
| Authorising Officer: | Mr Steve Cope, Director Urban Planning | |
| LG Reference: | DAP-2016-1467/E | |
| DAP File No: | DAP/16/01164 | |
| Date of Original DAP decision: | 20 March 2017 | |
| Application Received Date: | 19 March 2021 | |
| Application Statutory Process Timeframe: | 90 Days | |
| Attachment(s): | 1. Site Plan 2. Short-Term Accommodation Management Plan 3. Council Minutes (extract only) | |
| Is the Responsible Authority Recommendation the same as the Officer Recommendation? | <input type="checkbox"/> Yes | Complete Responsible Authority Recommendation section |
| | <input type="checkbox"/> No | Complete Responsible Authority and Officer Recommendation sections |

Responsible Authority Recommendation

That the Metro Inner South JDAP resolves to:

Refuse DAP Application reference DAP/16/01164 and accompanying plans (Site Plan & Short-Term Accommodation Management Plan) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provision of the City of Melville Local Planning Scheme No. 6, for the following reasons:

Reasons

1. The proposed development would introduce a non-residential use within the H4 residential zone of the Canning Bridge Activity Centre Plan. Accordingly, the proposed use would be contrary to the objectives of the ACP which promotes intensity and a diverse range of land uses within the central core areas of M10 and M15 while seeking to maintain residential amenity in the H4 and H8 residential areas. The approval of the proposed commercial activity on the subject site would therefore be inconsistent with the requirements of orderly and proper planning and would have an adverse impact on residential amenity.
2. The proposed use not listed 'Holiday Apartments' is not consistent with the Desired Outcomes in Element 1 of the Canning Bridge Activity Centre Plan (CBACP) which states that uses within the Residential zone will remain Residential only to provide a buffer zone between the Centre and surrounding suburb. The proposed use is not identified as a preferred use in the CBACP and its scale and operation is likely to have a detrimental impact on the amenity of the locality.
3. Having regard to Local Planning Policy 1.21 the proposed 'Holiday Apartments' are not located on a local or district distributor road and are proposed to be located within a multiple dwelling development with shared access arrangements in place. As such the proposed location and building type is considered to be unsuitable having regard to the provisions of Local Planning Policy LPP 1.21 Short Term Accommodation.
4. Having regard to Local Planning Policy 1.21, the proposal seeking approval to use up to all of the apartments within the building for short stay accommodation is likely to result in an accumulation of adverse amenity impacts at a scale likely to be detrimental to nearby residential properties.

Details: outline of development application

| | |
|---|---|
| Region Scheme | Metropolitan Regional Scheme |
| Region Scheme Zone/Reserve | Urban |
| Local Planning Scheme | Local Planning Scheme No.6 |
| Local Planning Scheme Zone/Reserve | District Centre |
| Structure Plan/Precinct Plan | Canning Bridge Activity Centre Plan |
| Structure Plan/Precinct Plan Land Use Designation | Q1 Kintail Quarter H4 |
| Use Class (proposed) and permissibility: | Use Not Listed – Holiday Apartment |
| Lot Size: | 1353sqm |
| Net Lettable Area (NLA): | N/A |
| Number of Dwellings: | 30 Apartments Under Construction |
| Existing Land Use: | Residential |
| State Heritage Register | No |
| Local Heritage | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List |

| | |
|-----------------------|---|
| | <input type="checkbox"/> Heritage Area |
| Design Review | <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other |
| Bushfire Prone Area | No |
| Swan River Trust Area | No |

Proposal:

Development Approval was granted for a four storey multiple dwelling development with basement parking and roof top terrace on Lots 1, 2 & 3 (No.8) Macrae Road, Applecross, by the Metro Central JDAP on the 20 March 2017 DAP/16/01164 (DA-2016-1467).

Approval is now sought to amend the development approval DAP/16/01164 (DA-2016-1467) to also permit the proposed apartments to be used on a short term basis, as holiday apartments.

The amendment does not result in any further changes to the built form as previously approved.

Background:

The development is currently under construction and is expected to be completed in 2021.

There have been a number of development amendments relating to this site over the past 5 years. This planning history is summarised as follows:

- DA-2016-1467 – Four Storey Apartment Development. (Approved)
- DA-2016-1467/A – Amendment (Approved)
- DA-2016-1467/B – Amendment (Approved)

Site Context

Under the provisions of the City of Melville Local Planning Scheme No. 6 (LPS6) the subject site is zoned 'Residential' with a density coding of R-ACO. The CBACP approved by the WAPC in April 2016 provides the development controls for the site.

The development site is located close to the fringe of the CBACP in the 'H4' zone.

The subject site, given its location within a District Centre with an associated Activity Centre Plan has good access to the regional road network including Canning Highway and the Kwinana Freeway. It is well connected to public transport with Canning Highway being 200m away and designated as a high frequency bus route. The site is also within 1200m of the Perth to Mandurah Train Station, and has good access to the Perth bicycle network via the Kwinana Freeway and the Swan River and Canning River.

The subject site is within 100m of commercial development, including food and beverage outlets, shops, offices and consulting rooms.



Figure 1: Aerial photograph of subject site

Legislation and Policy:

Legislation

Planning and Development Act 2005
City of Melville Local Planning Scheme No. 6 (LPS6)
Canning Bridge Activity Centre Plan
Metropolitan Region Scheme (MRS)

State Government Policies

SPP3.2: Urban Growth and Development
SPP4.2: Activity Centres for Perth and Peel
Planning Bulletin 99 Holiday Homes Guidelines (Department of Planning, Land & Heritage)

Structure Plans/Activity Centre Plans

Canning Bridge Activity Centre Plan

Local Policies

Local Planning Policy 1.1: Planning Process and Decision Making (LPP 1.1)

Local Planning Policy P1.21: Short Stay Accommodation (LPP 1.21)

Consultation:

Public Consultation

In accordance with the City of Melville Local Planning Policy 1.1 - Planning Process and Decision Making (LPP1.1) and Local Planning Policy 1.21 - Short Stay Accommodation (LPP 1.21), the application was advertised for a period of 14 days commencing 8 April 2021 and concluding 26 April 2021. Consultation was undertaken online and via direct written correspondence to the owners/occupiers of the adjoining properties.

A total of 19 submissions were received during the advertising period, all objecting to the proposal. A summary of the concerns raised, along with the officer's comments, is tabled below:

| Issue Raised | Officer's comments |
|---|--|
| Short stay accommodation should be restricted to mixed use zones in Activity Centres. The property is in the residential H4 zone of the Canning Bridge Activity Centre Plan [CBACP]. The CBACP makes provisions for short term accommodation only in the M10, M15 mixed zones but not the H4 residential zone. H4 was always designated as being for residential purposes only. | The CBACP states that "tourist accommodation" related uses are preferred uses within the M10 and M15 Mixed use zones of the CBACP, and are not listed as preferred uses within the H4 area. Refer to 'Site Characteristics' in the comment section of this report for further explanation. |
| To allow short term accommodation is a departure from what was previously communicated and would surely require broad community consultation and amendments to the CBACP itself. | Noted. The proposed development will be assessed against the relevant provisions and development controls. |
| Short stay accommodation is a commercial activity and therefore should not be allowed in residential areas. (Refer SAT Kogon and City of Vincent 28 October 2019). | The merit of individual proposals for short stay accommodation will be considered as part of the assessment process associated with such individual proposals. It is noted, for example, that within the H4 area of the CBACP, a number of non-residential uses are classed as preferred land uses in the H4 zone. |

| | |
|---|---|
| Short term accommodation is likely to result in increased traffic, noise anti-social behaviour and criminal activities. | The associated impacts will form part of the assessment undertaken at the DA stage. It is noted that there are approximately 100 properties being operated as short term accommodation in the City of Melville at present, with infrequent report of adverse impacts resulting. |
| Short term accommodation is totally out of place with the existing land use and would impact significantly on the amenity of existing residents. | Noted. In addition see officer comments below, including in the section headed 'General'. |
| Short term accommodation has the potential to increase the risk of transmission of infections such as Covid 19 and is not appropriate in high rise accommodation. | This is not a material planning consideration |
| The proposal has the potential to negatively impact the quiet street appeal, safety and character of the locality. | Noted. See officer comment in report below. |
| The proposal does not comply with the Building Codes of Australia. | Refer to comment section below titled 'Compliance with Other Legislation for further commentary. |

Referrals/consultation with Government/Service Agencies

Nil

Design Review Panel Advice

Nil

Land Use

City of Melville Local Planning Scheme No 6

Under the provisions of Local Planning Scheme No. 6 (LPS6), the site is within a Centre Zone C2. Therefore the development controls applicable, including land use permissibility are contained within the associated CBACP.

Canning Bridge Activity Centre Plan

Under the provisions of the CBACP, the site is located within the H4 zone of the Kintail Quarter (Q1).

The proposed use is not considered to fit any specific land use currently identified in the CBACP. It is noted that the proposed use is similar to but is not considered the same as 'Serviced Apartment'. The LPS6 definition of serviced apartment is:

means a group of units or apartments providing –

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.'

The CBACP contains the following definition of 'Tourist Accommodation':

'Means any land and buildings used for human habitation on a temporary basis, with ancillary amenities such as Café/Restaurant, laundry and cleaning services. The term includes motel and serviced apartment and the like, but does not include Hotel, Residential Building or Bed and Breakfast Accommodation.'

It is noted that the Department of Planning, Lands and Heritage (DPLH) has undertaken work on the classification of short stay accommodation. This is reproduced in Appendix 6 of the State Parliament Economics and Industry Standing Committee Report 7 'Levelling the Playing Field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia' September 2019. The DPLH work has proposed a range of new uses to be included in the Planning and Development Regulations. One of those draft uses is the term 'Holiday apartment'. This term is included in the City of Melville LPP 1.21 and is also included as a use in the related amendment to LPS6 initiated by the Council of the City of Melville.

The specific type of short stay accommodation use proposed in this case is 'Holiday Apartment'. A Holiday Apartment is not listed as a preferred land use in the H4 zone of the CBACP.

The proposed definition of a 'Holiday Apartment' in LPP 1.21 is as follows:

Holiday Apartment (derived from the draft Planning and Development (Local Planning Schemes) Regulations definition)

Means, a multiple dwelling that is used to provide short term accommodation.

In accordance with Clause 1.16 of the CBACP, states:

"Uses Not Listed

Any use not listed in the relevant Clause pertaining to the relevant Quarter is not permitted unless the Council is satisfied that the use is consistent with the relevant Desired Outcomes for that Quarter"

The relevant desired outcomes in this context are found in Element 1 of Table 1 of the CBACP. Element 1 outlines the preferred land uses for the Q1 area of the ACP. The area identified as Q1 includes the subject application site at 8 Macrae Road.

Q1 Desired Outcome

As stated, the proposed use Holiday Apartment, being unlisted in the CBACP, is not a preferred use in the H4 zone of the Q1 quarter. The requirements set out by Element 1 demonstrate a strong preference for a mixture of residential and non-residential uses within the M10 and M15 areas of the Q1 quarter of the ACP area, and a desire to limit the extent of non-residential uses within the H4 and H8 zones of the Q1 quarter. In this vein, the ACP anticipates a mixture of land uses in the more densely developed M10 and M15 zones, including tourist accommodation, but limits the range of non-residential land uses in the H4 and H8 zones to exclude tourist accommodation, allowing private and public recreation uses to support the residential needs of the local area, and the ability to work from home via home occupation and home office land uses. The Desired Outcomes of Element 1 state:

Uses within the Residential zone will remain as residential only to establish an appropriate buffer between the centre and surrounding suburb.

It is noted that the H4 zone is classed as the residential zone for the purposes of the ACP, as opposed to the mixed use zones provided by the defined M10 and M15 areas.

While the proposed development would not result in any outward change to the appearance of the multiple dwelling complex as approved and proposed, the proposed use of the 30 multiple dwellings as holiday apartments would constitute the introduction of a non-residential use not anticipated by the CBACP, and one which fails to satisfy the desired objectives of Element 1 of the CBACP. In particular, the cumulative impacts of potentially all apartments being used for short stay accommodation, is considered to be a substantial variation to the character and amenity expected in the H4 zone. This type of use is considered to be better located within the M10 and M15 zones where tourist accommodation uses are a preferred land use.

Local Planning Policy 1.12 'Short Term Accommodation'

Prior to the drafting of LPP1.21 Short Term Accommodation, the City's practice was to treat the use of a dwelling for short stay accommodation purposes, whether that be a single house or an apartment, as not constituting development and as such not requiring the prior planning approval of the City.

In response to concerns about the lack of clarity in relation to short stay accommodation, LPP 1.21 has been developed to assist in the assessment of short stay accommodation proposals across the City. A copy of the policy is attached to this report.

[3926 LPP 1.21 Short Stay Accommodation](#)

LPP 1.21 establishes definitions for various forms of short term accommodation, and assessment criteria to ensure appropriate location and management of short term accommodation uses. A key objective of the policy is to ensure appropriate location and management of short term accommodation that protects the amenity of residential areas or nearby residents.

An assessment of the proposed Holiday Apartments in accordance with the provisions of LPP 1.21 is provided in the table below.

Local Planning Policy 1.21 'Short Stay Accommodation' Provisions

| Requirement | Comment |
|--|--|
| Clause 1 'General' | Proposal requires a performance assessment against these provisions. Refer to comment section below titled 'General' for further commentary. |
| Clause 2 'Site Characteristics' | Proposal requires a performance assessment against these provisions. Refer to comment section below titled 'Site Characteristics' for further commentary. |
| Clause 3 'Number of Persons' | Proposal meets the requirements of LPP 1.21. Refer to comment section below titled 'Number of Person' for further commentary. |
| Clause 4 'Car Parking' | Proposal meets the requirements of LPP 1.21. Refer to comment section below titled 'Car Parking' for further commentary. |
| Clause 5 'Signage' | No signage has been proposed as part of this application. |
| Clause 6 'Site Management Plan' | Proposal meets the requirements of LPP 1.21. Refer to comment section below titled 'Site Management Plan' for further commentary. |
| Clause 7 'Public Consultation' | Has been undertaken in accordance with the Planning Regulations and the LPP. Refer the Public Consultation section above. |
| Clause 8 'Temporary Approval' | Where necessary to allow ongoing monitoring of the impacts of short term accommodation, the approval period may be limited in accordance with Clause 72 of Schedule 2 of the Regulations. Refer to comment section below titled 'Temporary Approval' for further commentary. |
| Clause 9 'Compliance with Other Legislation' | Proposal meets the requirements of LPP 1.21. Refer to comment section below titled 'Compliance with Other Legislation' for further commentary. |

General

The preparation of LPP 1.21 was one part of the approach to short term accommodation. Council has also initiated an amendment to LPS6 to formalise land use definitions and to establish land use permissibility across different zones. The proposed amendment designates 'Holiday Apartment' as a 'X' use in Residential zones.

LPP 1.21 establishes that short term accommodation is a distinct land use and requires development approval from the City. Whilst it is recognised and acknowledged that the introduction of new land use definitions and associated land use permissibility requirements for application across the various zones of the City will require an amendment to the City's LPS6, in the interim the LPP establishes that the City will treat short term accommodation use as a use not listed under LPS6. The LPP also establishes that un-hosted uses have the potential to have a greater amenity impact than hosted land uses and that the accumulation of un-hosted uses on an individual site may have an adverse impact on amenity.

The current proposal is for the future owners of the apartments on this site to have the option to either use the dwellings as permanent accommodation or as holiday apartments. Holiday apartments are classed as unhosted short term accommodation.

In terms of the impacts that might result from the development in question, given that the development is not yet fully constructed, prospective property owners will be made aware of the options for short stay accommodation at the time of their purchase. In which case there will be an expectation of the activities that are associated with short stay accommodation such as the more regular coming and going of short term tenants, and cleaners and/or property managers, from occurring within the complex.

In this way, with this level of heightened awareness and acceptance, it is considered that the internal impacts that will accrue from the use of the development for Holiday Apartment purposes would be able to be managed. This, supplemented by the provision of adequate site management from a strata body, and by short stay management requirements being in place for each Holiday Apartment through the individual apartment owners, could enable internal amenity impacts within the apartment development to be able to be managed so as to be acceptable to occupants.

In terms of external impacts, it is considered that these require assessment against the provisions of the LPP, noting that under the provisions of the CBACP, the proposed use within the H4 area of the ACP area is not a preferred land use.

The amenity impact on surrounding landowners is considered to be unacceptable and on that basis the proposal is not supported. The proposal allows for all of the apartments within the development to be used for 'Holiday Apartments' at the same time. This may result in unacceptable levels of noise from guests and a higher intensity of land use than would be expected when dwellings are being used on a permanent basis by home owners or tenants. The range of potential impacts could include traffic and parking noise associated with arrival and departure of guests and potentially, the more frequent coming and going of guests, the arrival and departure of vehicles servicing the apartments for cleaning, maintenance and rubbish collection and disposal, associated increased parking demand and potential anti-social behaviour of guests using apartments for holiday purposes, noting that balconies in

each apartment provide an interface to the surrounding residential area. While a management plan has been prepared by the applicant, the City does not have the capacity to enforce its provisions particularly if anti-social behaviour or excess noise occurs on the weekends or after business hours.

Despite the management of internal amenity, the amenity impact of the proposed development on surrounding landowners is however considered to be unacceptable and on that basis the proposal is not supported. This intensity and potential impact is a key reason that the City is not supportive of the proposal.

Site Characteristics of Local Planning policy LPP1.21

LPP 1.21 provides a number of criteria which for the purposes of assessment against the LPP provisions constitute preferred and undesirable property characteristics. Where a short stay accommodation use such as Holiday Apartment is proposed within a residential zone, the assessment undertaken will consider the extent to which the various preferred and undesirable property characteristics are satisfied.

Preferred Property Characteristics:

- (a) *Location within, abutting or opposite to mixed use centres.*
- (b) *Well served by footpaths, dual access paths and public transport.*
- (c) *Located on Local Distributor and District Distributor Roads.*

In consideration of these “Preferred Property Characteristics” it is noted that:

- a) The subject site is located within the area covered by the CBACP. The CBACP is an activity centre plan for the Canning Bridge District Centre. It is noted that the development site falls within the residential zone of the CBACP area, in which case for the purposes of this assessment and in accordance with the LPP, it is considered to be located within a residential zone, albeit that the CBACP is in principle a mixed use centre. It is further noted that the site is in close proximity to the identified mixed use zones of the CBACP as illustrated by the image below, it being within 100 metres of the M10 mixed use zone (light blue) and 220m of the M15 mixed use zone (dark blue). The site has good access to major roads, Canning Highway and the Kwinana Freeway and is well served by footpaths, designated cycling routes, and public transport with Canning Highway, a designated high frequency bus transport route, being 200metres away. The site is also approximately 1200 metres of the Perth to Mandurah Train Station.
- b) The subject site also has good access to the Perth bicycle network via the Kwinana Freeway and the Swan River and Canning River.
- c) It is noted that Macrae Road is not classed as a Local or District Distributor Road and as such does not meet this particular preferred property characteristic as outlined by the LPP.

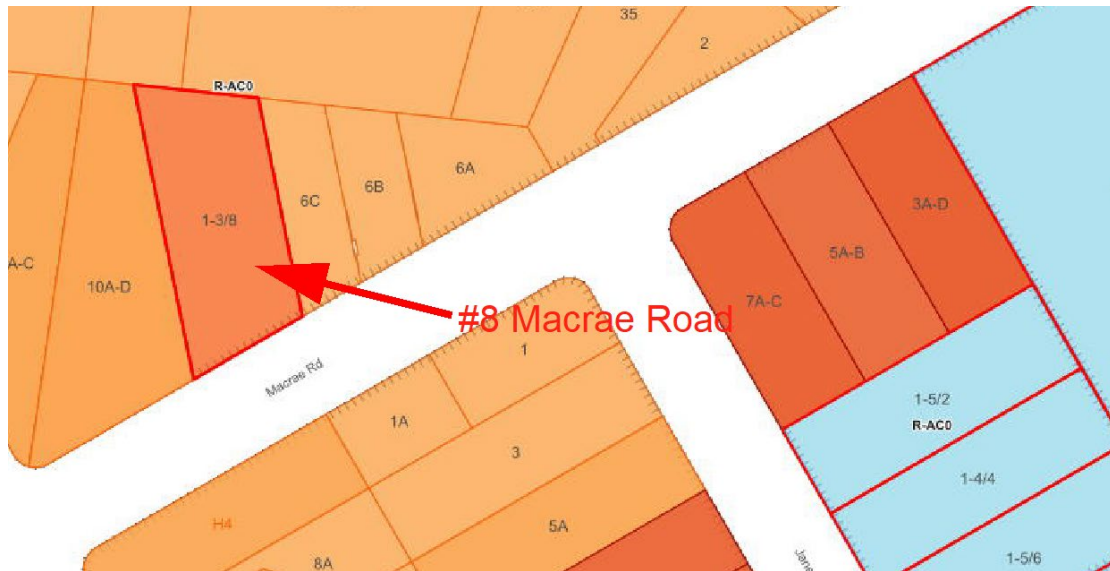


Figure 2: Proximity to the Mixed Use Zones

Undesirable Property Characteristics

- (a) *Properties located within cul-de-sacs.*
- (b) *Properties located on battle-axe style rear lots*
- (c) *Properties comprising grouped or multiple dwelling developments with shared access arrangements.*

The subject proposal is located within a multiple dwelling development with shared access arrangements. This is an undesirable property characteristic.

It has been previously noted that the potential adverse impacts for owners/occupiers of the subject development may be able to be mitigated by the fact that the whole of this development is proposed to be sold on the basis of optional permanent occupation/short stay use, and therefore all owners will be aware what they are buying into. In that vein, the fact that the development in this case involves the use of multiple dwellings with shared access and common spaces may be able to be managed so as to have a lesser impact than might otherwise be the case where individual apartments within an existing multiple dwelling development are proposed to be used for short stay purposes. That said it is noted in this report that the potential operation of the multiple dwelling building for commercial short stay accommodation will not be in keeping with the type of use expected in this residential zone.

In terms of the external impacts that may accrue when an accumulation of short stay uses dominate within a multiple dwelling development such as this, it is noted that the location within a strata development with the ability for all owners to use the apartments as 'holiday apartments', each managed individually, raises the potential for amenity impacts on the adjoining landowners. The use of 'holiday apartments' will result in regular arrivals and departures from the building, and individual apartments will require regular cleaning and maintenance in anticipation of new occupants. This has the potential to be more intensive than an apartment being occupied on a permanent basis, to the detriment of residential amenity.

Number of Persons

The site management plan provided with the proposal sets out the maximum occupancy rate for each apartment.

- 1 bedroom apartments - up to two adults
- 2 bedroom apartments - up to four adults

This aspect of the development is considered to comply with the requirements of LPP1.21.

Car Parking

LPP 1.21 states that car parking shall be provided as per the R-Codes or the relevant activity centre plan. No changes to parking arrangements are proposed as a part of the proposed change of use application.

All parking associated with the proposed short stay accommodation is contained in the car park at basement level which is screened from the street by the ground floor apartments. The car parking provisions are fully compliant with Element 18 of the CBACP.

This aspect of the development is considered to comply with the requirements of LPP1.21.

Site Management Plan

A site management plan has been submitted as part of this application which covers all of the requirements set out in this clause 6 of the proposed local planning policy.

This aspect of the development is considered to comply with the requirements of LPP1.21.

Temporary Approval

Given the nature of the present development application whereby the multiple dwellings as approved are proposed to be marketed for sale with the option of short stay use, if approval of the present development application were to be contemplated, the imposition of a temporary approval would raise practical issues which would need to be considered.

Compliance with Other Legislation

Operation of short stay accommodation uses may trigger the need for compliance with other legislation such as the Health Act and/or requirements under the National Construction Code.

With respect to the National Construction Code (NCC), there has been consideration as to whether the use of an apartment for short stay accommodation triggers a change in the classification of the building. Under the NCC a typical apartment building is a Class 2 building whereas a building such as a hotel is Class 3. Differences between Class 2 and Class 3 requirements include higher standards in relation to fire safety.

The NCC does not provide clarification that the use of a dwelling/apartment for short stay accommodation triggers a requirement that a building be constructed to Class 3 requirements. The current interpretation is that the length of time a person stays in a dwelling (long term residential or short stay accommodation) does not alter the classification of the building, given that it is still a dwelling.

Conclusion:

The proposed development which allows for all of the dwellings in the approved building to be used for 'Residential Apartments' has been assessed against the provisions of the CBACP and Local Planning Policy 1.21 'Short Term Accommodation'.

The CBACP promotes intensity and a diverse range of land uses within the central cores areas of M10 and M15 while seeking to maintain residential amenity in the H4 and H8 residential areas. The proposed use is similar to but is not considered the same as 'Serviced Apartment' which is included under the definition of Tourist Accommodation which is identified as a preferred use in the M10 and M15 zones and is not identified as a preferred use in the H4 or H8 zones.

The approval of a commercial activity on the subject site would be inconsistent with the requirements of orderly and proper planning. Further the proposed use not listed 'Holiday Apartment' is not considered to be consistent with the Desired Outcomes in Element 1 of the Canning Bridge Activity Centre Plan (CBACP) which states that uses within the Residential zone will remain Residential only to provide a buffer zone between the Centre and surrounding suburb.

The proposed 'Holiday Apartments' are not located on a local or district distributor road and are located within a strata development. As such the proposed location and building type is considered to be unsuitable having regard to the provisions of Local Planning Policy LPP 1.21 Short Term Accommodation. Further, and having regard to Local Planning Policy 1.21, the proposal seeking approval to use up to all of the apartments within the building for short stay accommodation is considered to have the potential to result in an accumulation of adverse amenity impacts at a scale likely to be detrimental to nearby residential properties.

The proposal is considered to result in the potential for the development to be occupied more intensely than originally intended. This is not in keeping with the land use envisaged in this residential zone and is considered to be inconsistent with the provisions of the CBACP and the provisions of LPP 1.21 and as such is not supported.

Officer Recommendation Delete section if not required.

It is recommended that the Insert DAP Name resolves to:

1. **Choose Accept/Refuse** that the DAP Application reference Insert DAP reference number as detailed on the DAP Form 2 dated Choose date is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Choose Approve/Refuse** DAP Application reference Insert DAP reference number and accompanying plans (Reference Numbers) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (delete for WAPC applications), and the provisions of Clause no. of the LG Name Choose scheme details Planning Scheme No. no., for the proposed minor amendment to the approved development details at property location, Choose Conditions/Reasons details:

Choose Conditions/Reasons

1. Amended Condition (with relevant Condition Number OR reason for refusal)
2. Amended Condition (with relevant Condition Number OR reason for refusal)

New Conditions - if required

Please consider any consequential impact/s of amended or new conditions and ensure that they are consistent with the full text of the modified approval.

1. Insert New Condition
2. Insert New Condition

Amended Advice Notes - if required

1. Amended Advice Notes (with relevant Advice Note Number)
2. Amended Advice Notes (with relevant Advice Note Number)

New Advice Notes - if required

Please consider carefully the need for advice notes and ensure that they are relevant to, and augment the recommended approval. Where advice notes are used, please do not refer to specific condition numbers unless absolutely necessary.

1. Insert New Advice Note
2. Insert New Advice Note

All other conditions and requirements detailed on the previous approval dated Choose date shall remain unless altered by this application.

Reasons for Officer Recommendation

Provide a brief summary of key issues and provide clear and succinct reason(s) for the Officer Recommendation. It should reflect why the recommendation differs from the reasons as shown in the minutes of the Council meeting. If the recommendation is for a refusal, this section could be used to amplify the reasons in the recommendation if required.