

## Form 1: Responsible Authority Report (Regulation 12)

### Notes for Author

This template is provided to assist in the formulation of a Responsible Authority Report (RAR) for a Development Assessment Panel (DAP) application under Regulation 12 of the *Planning and Development (Development Assessment Panel) Regulations 2011*. This template should be used for all RARs under r.12 except for applications for a review of the original decision or a reconsideration of the original decision, please use the State Administrative Tribunal (SAT) Reconsideration template for those reports.

This template contains guidance to assist the author prepare a report that is comprehensive, succinct and addresses the key issues required for a decision to be made under the relevant Local Planning Scheme and Region Scheme (where applicable). The guidance notes should be deleted once the RAR is prepared and do not form part of the report.

The RAR template also provides for some sections to be deleted if they are not required. Where other sections are not relevant to a particular report and there are no specific notes, please insert either “not relevant” or “not applicable” under those headings.

Where the RAR template is submitted to a Council meeting, please note:

- The officer’s recommendation may be placed either first or last in accordance with the usual requirements of the Council meeting.
- For the submission of the RAR to the DAP Secretariat, the heading “Responsible Authority Recommendation” must contain the Council’s recommendation.
- If the officer recommendation is different from the Council recommendation, this should be shown under the heading “Officer Recommendation”.
- The “Reasons for Responsible Authority Recommendation” section should be completed after the Council meeting and should reflect why the recommendation differs from the reasons as shown in the minutes of the Council meeting.
- Where local government officers have delegation to provide the RAR to the DAP secretariat, only the “Responsible Authority Recommendation” should be completed and the “Officer Recommendation” section can be deleted.

**LOT 10, 777 SOUTH WESTERN HIGHWAY, BYFORD – PROPOSED  
WAREHOUSE (SELF STORAGE FACILITY)**

**Form 1 – Responsible Authority Report**  
(Regulation 12)

<b>DAP Name:</b>	Metro Outer Joint Development Assessment Panel
<b>Local Government Area:</b>	Shire of Serpentine Jarrahdale
<b>Applicant:</b>	Planning Solutions Pty Ltd
<b>Owner:</b>	Byford Development Pty Ltd
<b>Value of Development:</b>	\$7million
<b>Responsible Authority:</b>	Shire of Serpentine Jarrahdale
<b>Authorising Officer:</b>	Director Development Services Andrew Trosic
<b>LG Reference:</b>	PA23/169
<b>DAP File No:</b>	DAP/24/02675
<b>Application Received Date:</b>	2 April 2024
<b>Report Due Date:</b>	20 June 2024
<b>Application Statutory Process Timeframe:</b>	90 Days + EOT
<b>Attachment(s):</b>	<ol style="list-style-type: none"> <li>1. Initial Development Plans</li> <li>2. Current Development Plans</li> <li>3. Applicant's response to RFI</li> <li>4. Summary of Submissions</li> <li>5. Clause 67 Assessment</li> <li>6. Transport Impact Statement</li> <li>7. Stormwater Management Plan</li> <li>8. Noise Technical Note</li> <li>9. Landscaping Plan</li> <li>10. Combined Documents for Determination</li> </ol>

**Responsible Authority Recommendation:**

That the Metro Outer Joint Development Assessment Panel resolves to:

1. That the Metro Outer Development Assessment Panel APPROVES the development application for the proposed Warehouse/Storage at Lot 10, 777 South Western Highway, Byford as contained within attachment 10 with the following conditions:

**Conditions:**

- a. The development is to be carried out in compliance with plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specification	Development Plans dated June 2024 Stormwater Management Plan dated June 2024 Transport Impact Statement dated June 2024 Environmental Noise Technical Note dated June 2024 Landscaping Plan dated June 2024
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- b. Prior to the lodgement of a Building Permit, a revised Stormwater Management Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Plan must demonstrate:

- i. That offsite discharge rates of stormwater do not exceed predevelopment flow rates or the maximum levels set under the Byford DWMS;
- ii. That the storage requirement for rainfall events can cater for a 1% AEP (annual exceedance probability) while ensuring that the ground floor units, car parking area and traffic circulation areas do not flood.

The revised Plan should be developed in accordance with Local Planning Policy 2.4: Water Sensitive Urban Design Guidelines to the satisfaction of the Shire, in consultation with the PTA. Once approved, development shall be in accordance with the approved revised Stormwater Management Plan.

- c. Prior to lodgement of a Building Permit, civil drawings are to be provided to the satisfaction of the Shire, detailing the vehicle parking areas, accessways, internal roads and crossovers which must:

- i. Be designed in accordance with the relevant Australian/New Zealand Standard;
- ii. Include a suitable number of car parking spaces dedicated to people with disability designed in accordance with the relevant Australian/New Zealand Standard;
- iii. Be constructed, sealed, kerbed, drained, marked and thereafter maintained.

The works are to be completed prior to operation of the development, and thereafter maintained.

- d. Prior to lodgement of a Building Permit, a revised Elevations Plan (including Lighting Plan) is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The revised plan must demonstrate the provision of an appropriate recycled brick/masonry material, applied as a suitable horizontal band along the Highway frontage of the development. This band is to be highlighted through suitable lighting, which provides a night time glow to that prominent building material aspect of the development, facing the Highway. The plan shall also demonstrate the provision of lighting to all access ways, car parking areas, exterior entrances to all buildings and the extent to which light from all external light sources is cast. The plan must demonstrate lighting not causing an adverse amenity impact on the surrounding area. Once approved, the development is to occur in accordance with the revised plan.

- e. Prior to lodgement of a Building Permit, percent for art shall be provided to the satisfaction of the Shire of Serpentine Jarrahdale, in accordance with Local Planning Policy 1.6 - Public Art. Such art is to be established prior to occupation of the development.
- f. Prior to the lodgement of a Building Permit, a Landscaping Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Landscaping Plan shall detail:
  - i. Provision of vegetative landscaping within the site and the adjoining verges of the site, and the full management of verges adjoining the site.
  - ii. Detailed planting regime and plans, identifying the number of plants, species, size of tubs.
  - iii. A schedule of planting including the how vegetation is planted, monitored for failure, and replaced where required.

Once approved, the Landscaping Plan shall be implemented prior to occupation and maintained thereafter.

- g. Prior to lodgement of a Building Permit, a Construction Management Plan is to be submitted to and approved by the Shire of Serpentine Jarrahdale. The Plan should address the following matters:
  - i. Management of car parking, delivery vehicles and traffic associated with the construction of the development;
  - ii. Management of dust and noise.

Once approved, the Construction Management Plan shall be always adhered to.

- h. Prior to occupation of the development, a detailed Noise Management Plan must be submitted and approved by the Shire of Serpentine Jarrahdale. The Noise Management Plan must detail all measures to mitigate noise emissions to the satisfaction of the Shire of Serpentine Jarrahdale, including guidance to those visiting the site between the hours of 7pm to 7am. Once approved, the development shall be carried out in accordance with the Noise Management Plan.
- i. Prior to occupation of the development, a Waste Management Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. The Waste Management Plan must include the management of waste generated from the development. Once approved, development must be in accordance with the approval Waste Management Plan.
- j. All loading and unloading associated with the development must be undertaken within the subject property boundaries.
- k. Prior to lodgement of a Building Permit, a Signage Strategy shall be submitted to and approved by the Shire of Serpentine Jarrahdale. Once approved, signage shall be displayed in accordance with the approved Strategy.

#### Main Road Conditions:

- l. No vehicular access to South West Highway is approved for the operation of the development. Gates and crossover must be deleted from the approved plans.

- m. No part of the development, other than approved landscaping is to be located within the proposed land requirement for South Western Highway as detailed in the attached Land Protection Plan 201232-0006 (extract). The Fire Pump & Tank, Bio Retention and any associated infrastructure services as depicted in the Stormwater Management Plan (23-11-135/400), dated February 2024 is to be removed from the future road reserve.
- n. Prior to the issue of a Building Permit, the redundant vehicle crossovers to South Western Highway are to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction and specifications of the Shire.
- o. Stormwater shall not be discharged to the South Western Highway Road Reserve.

Perth Transport Authority Conditions:

- p. Prior to lodgement of Building Permit complete engineering drawings are to be provided to demonstrate integration of the crossovers into the MetConnx design for George Street.
- q. Prior to lodgement of Building Permit the applicant/owner must obtain approval from the PTA for works in and around the operating railway reserve in accordance with the PTA 8810-450-003 - *Procedure - Working in and around the PTA Rail Corridor, Assets, and Infrastructure*. To the satisfaction of the Shire on the advice of the PTA.

**Reasons for Responsible Authority Recommendation**

Complete this section where the Council resolution differs from the Officer Recommendation and provide the reasons as shown in the Council minutes here. The Officer Recommendation section below, including reasons, will also need to be completed.

Include a brief summary of key issues and provide clear and succinct reason/s for the recommendation. If the recommendation is for a refusal, this section may be used to emphasise the reasons in the recommendation if required.

**Details: outline of development application**

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban Zone
Local Planning Scheme	Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 (LPS3)
Local Planning Scheme - Zone	Service Commercial'
Structure Plan	Byford District Structure Plan

Precinct Plan	Byford Townsite Detailed Area Plan
Use Class and permissibility:	Warehouse – “P” Land use
Lot Size:	8,701m <sup>2</sup>
Existing Land Use:	Vacant Land
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	Yes
Swan River Trust Area	No

**Proposal:**

The application seeks approval for a ‘for a ‘Warehouse’ (Self Storage Facility) at Lot 10, 777 South Western Highway, Byford.

It is considered that the proposed development is consistent with the local planning framework, it is therefore recommended that the MODAP approves the application, subject to conditions.

**Background**

The subject site is located north of the Byford town centre. The site is bordered by South Western Highway to the east, George Street to the west and commercial development to the south. The adjoining lot to the north is vacant and subject to a development approval for a service station, car wash, vehicle service/tyre centre, and showroom which has not yet been substantially commenced. There is also a new development application proposed for this northern adjoining land, which was

considered by Council at its May 2024 meeting. This proposes a service station, two fast food outlets, motor vehicle repair and motor vehicle wash tenancies.

The subject site in context of the locality is depicted following:



Figure 1 - Locality Plan

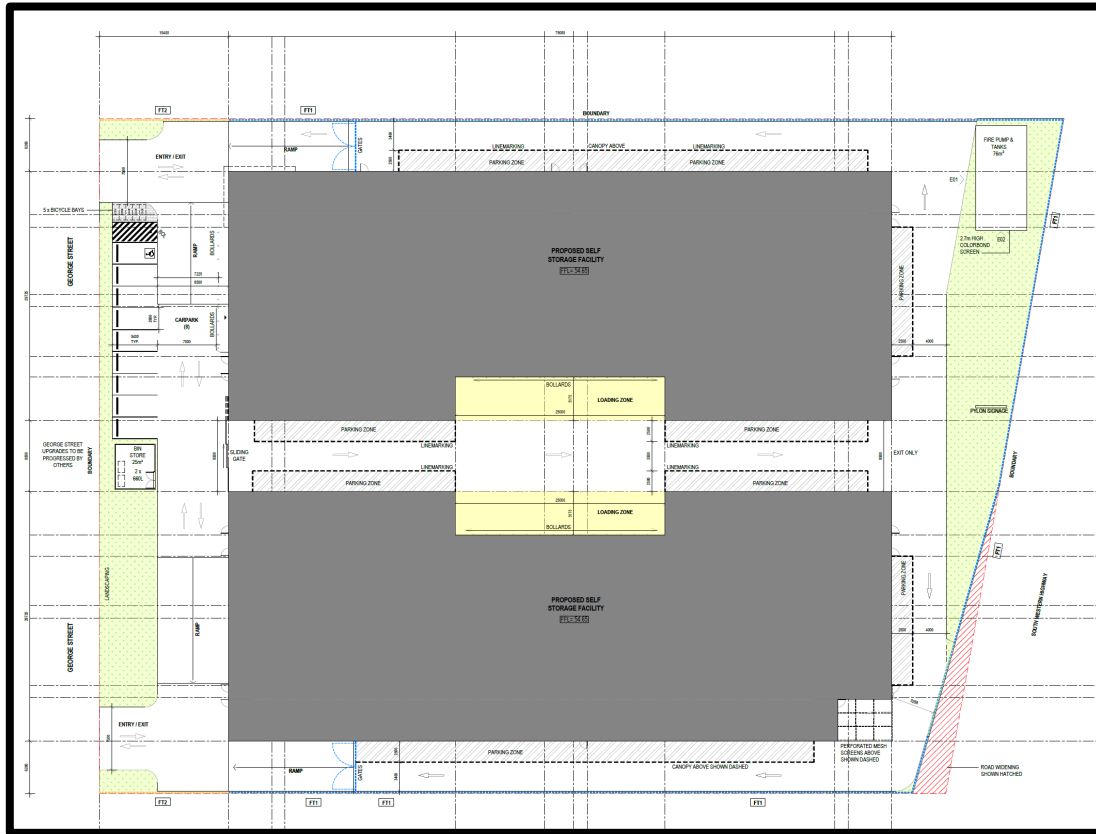
### Initial Proposal

The initial application (**attachment 1**) sought approval to demolish all existing buildings and develop a three-story self-storage facility in the following manner:

- Ground floor:
  - o 278 units;
  - o 70sqm office building; and
  - o Pedestrian accessways to internal stairwells and lifts.
- First floor:
  - o 316 units.
- Second floor:
  - o 340 units.
- Parking and loading undertaken through 9 parking bays: 8 parallel parking zones for ease of access and 2 dedicated loading zones.
- A bin store located towards the George Street façade, other fire pumps and mechanical will be located to the South Western Highway frontage.
- Access to the site provided by two full movement crossovers via George Street with security gates. With the proposal requesting the existing crossover to remain to South Western Highway to be retained until such a time that George Street works are completed.
- Landscaping provided to the South Western Highway and George Street frontages.
- A single pylon sign proposed to the South Western Highway frontage.

The self-storage units would be available for public short-term and long-term hire, offering a variety of unit types and sizes. The facility is proposed to be accessible 24/7 and also provide staffed times during regular trading hours.

The initial development plans are shown below:



**Figure 2 - Initial Proposal Site Plan**



**Figure 3 - Perspectives**

**Revised Proposal**

After initial consultation, the Shire raised a number of points of concern pertaining to aspects of the design that did not comply with the planning framework. These were specifically:

- The proposed development not considered to represent a form of physical works that protect current amenity, nor align with the intended future amenity for the service commercial zone, as documented under Local Planning Scheme 3 and the Byford Townsite Local Development Plan;



- The proposed development is not considered to provide sufficient layout and configuration to encompass the minimum landscaping required, which is necessary to help moderate the physical form of development especially as viewed from public areas;
- The proposed development does not include sufficient information to determine whether it will be able to manage noise impacts, on the basis that no environmental noise assessment has been provided. Being a 24 / 7 operation, there is insufficient information to determine if noise impacts can be managed;
- The proposed development does not demonstrate the ability to manage stormwater;
- The proposed development does not demonstrate that it will be consistent with the orderly and proper planning of the locality, having regard for the Byford Townsite Local Development Plan and the development principles it establishes for new development;
- The proposed development is not considered to represent suitable design of the built environment, by way of its height, scale, bulk, materials and colours.

The applicant, in response, has provided revised plans. The revised development consists of development in the following manner:

- Modify the form of the development from a vertical multi-storey building into a horizontal single storey layout. The reduction in height creates a particularly less imposing built form, and more in keeping with the low scale development forms in Byford that connect with landscape.
- A maximum height of 5.05m. It is noted that due to site levels, the height as viewed from South Western Highway will be significantly less also.
- A reduction in units to 375, with an average size of 10.9m<sup>2</sup>.
- A reduction in total site coverage to 47%.
- Revised setbacks of:
  - o 1.2m from George Street.
  - o Between 10.2m and 0.3m from the northern boundary.
  - o Between 7.8m and 2.8m from the southern boundary.
  - o Between 10.2m and 1.5m from South Western Highway.
- Subsequent reconfiguration of the internal access ways and parking areas.
- A north-south orientation of parking/loading zones (169.5m), providing parking for 31 standard vehicles. No modifications to the crossover locations are proposed.
- Removal of the fire tanks and relocation of the pylon sign (north), out of the proposed road widening area.
- Relocation of the bin store to the south western portion of the development (at 21m<sup>2</sup>) and the office/box shop and toilet (at 40m<sup>2</sup>) to the north western portion of the site.
- The development now proposes 868m<sup>2</sup> of landscaping (10% of the total site area).
- Alteration of the exterior including a combination of materials and colours.
- The colour palette has been amended to a mix of grey as well as eucalyptus and forest green, in accordance with the prevailing natural and rural character of the locality.

A full set of the plans can be viewed within **attachment 2** and a copy of the applicant's response to further information can be found within **attachment 3**.



Figure 4 - George Street Perspective



Figure 5 - Site Plan

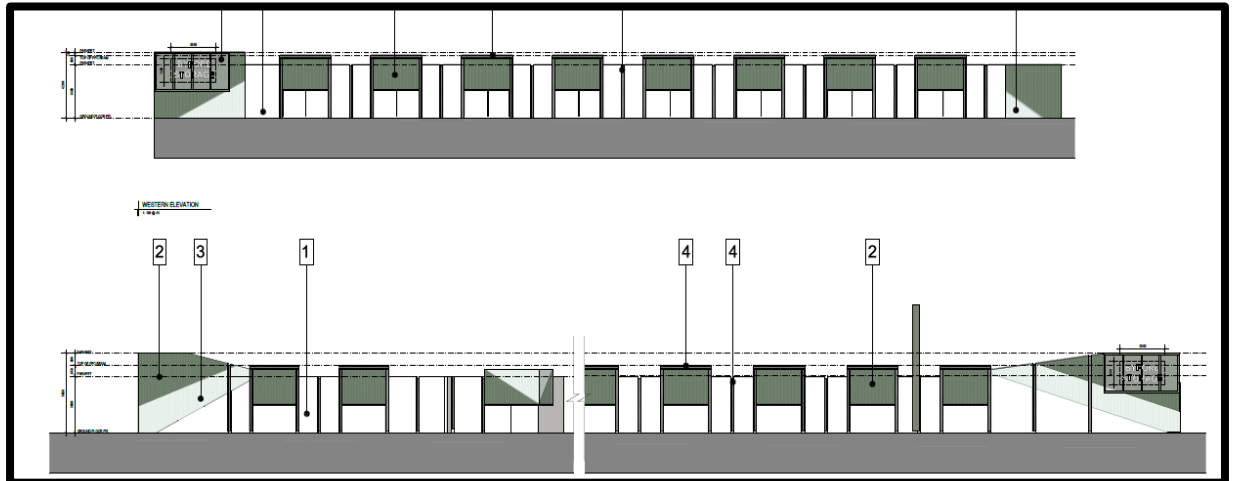


Figure 6 - West and East Elevations

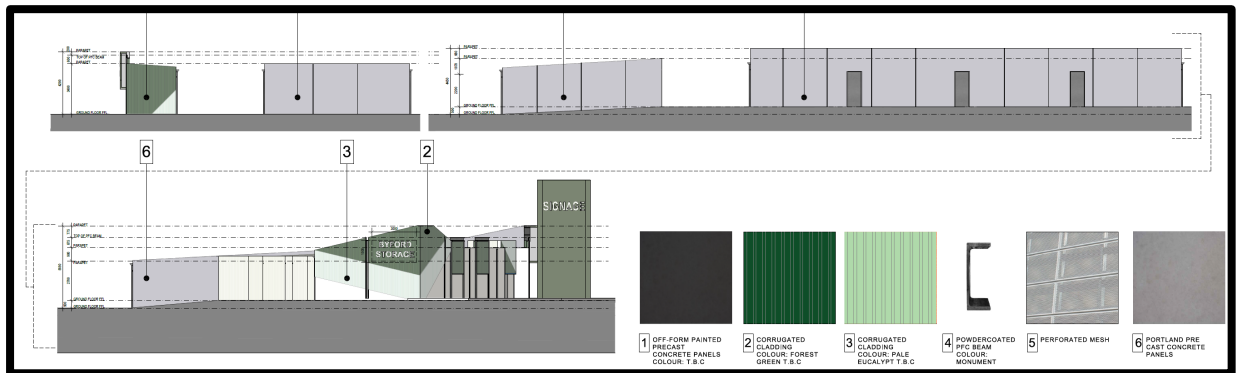


Figure 7 - Southern Elevation & Colour Palette

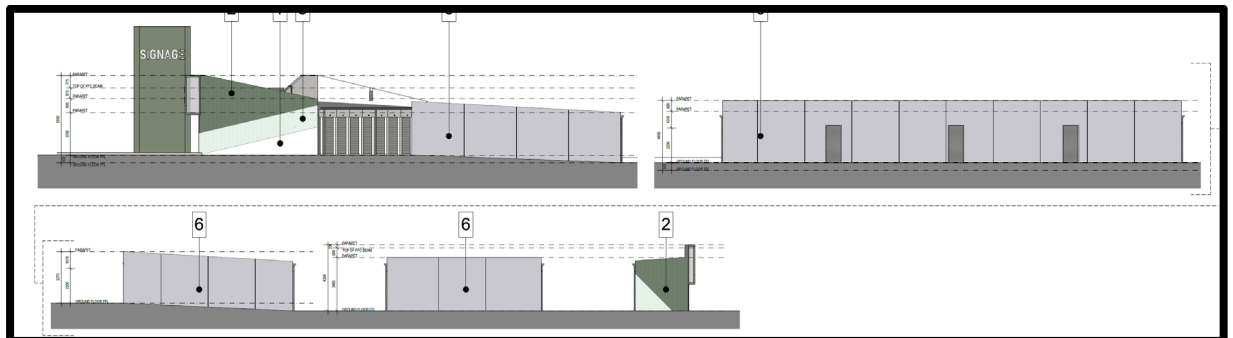


Figure 8 - Northern Elevation



Figure 9 - South Western Highway Perspective

## Community / Stakeholder Consultation

The initial application was advertised for a period of 14 days from 9 April 2024 to 23 April 2024 to surrounding landowners within a 200m radius of the subject site, in accordance with Draft LPP1.4 - Advertising Development Applications.

The application was also advertised on the Shire's website for the same period. At the conclusion of the consultation, 12 objections were received.

A summary of the submissions with the Applicant's comments and Officer response is contained within **attachment 4**.

The updated plans received were not readvertised to the community. Local Planning Policy 1.4 - Advertising Development Applications currently states "*Where the Shire receives amended plans through the addressing of submissions or through a request for further information; amended plans may be readvertised in accordance with the requirements under Table 1. Where amended plans:*

- a. *Significantly alter the proposal which was previously advertised.*
- b. *Propose new elements of considered which were not previously advertised.*

The revised plans were considered to address all the matters raised during the request for further information to the Shire, the proposal's bulk and scale, design, parking and traffic demand has been reduced. The reduction in height and scale has specifically seen the proposal, which was previously consistent with a number of development standards, being aligned to such and the broader planning framework.

## Consultation with Government Agencies:

The initial application was referred to the following government agencies for comment, the following table provides the referral comments and Officers responses. The revised design was not re-referred to Government Agencies as the proposed entry and exit access ways were retained in their previous locations. The applicant furthermore removed the temporary crossover onto South Western Highway, alleviating any concerns previously raised by MRWA and PTA.

### Main Roads Western Australia (MRWA)

In response to correspondence received on 2 April 2024 please be advised Main Roads has no objections subject to the following conditions being imposed:

#### Conditions

1. Prior to the issue of building approval, George Street must be constructed enable access the subject lot. George Street shall be constructed to the Shire's requirements.
2. No vehicular access to South West Highway is approved. Gates and crossover must be deleted from the approved plans (see marked up red plans for details).

#### Justification for Condition

Temporary access to/from South Western Highway is not supported due to public safety and the development is the nexus for the road works to be completed.

3. No part of the development, other than approved landscaping is to be located within the proposed land requirement for South Western Highway as detailed in the attached Land Protection Plan 201232-0006 (extract). The Fire Pump & Tank, Bio Retention and any associated infrastructure services as depicted in the

Stormwater Management Plan (23-11-135/400), dated February 2024 is to be removed from the future road reserve. See marked up red plans for details.

Justification for Condition

No form of the development should encroach upon the identified land requirement.

4. Prior to the issue of a Building Permit, the redundant vehicle crossovers to South Western Highway are to be removed and kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction and specifications of the Shire.

Justification for Condition

Public safety

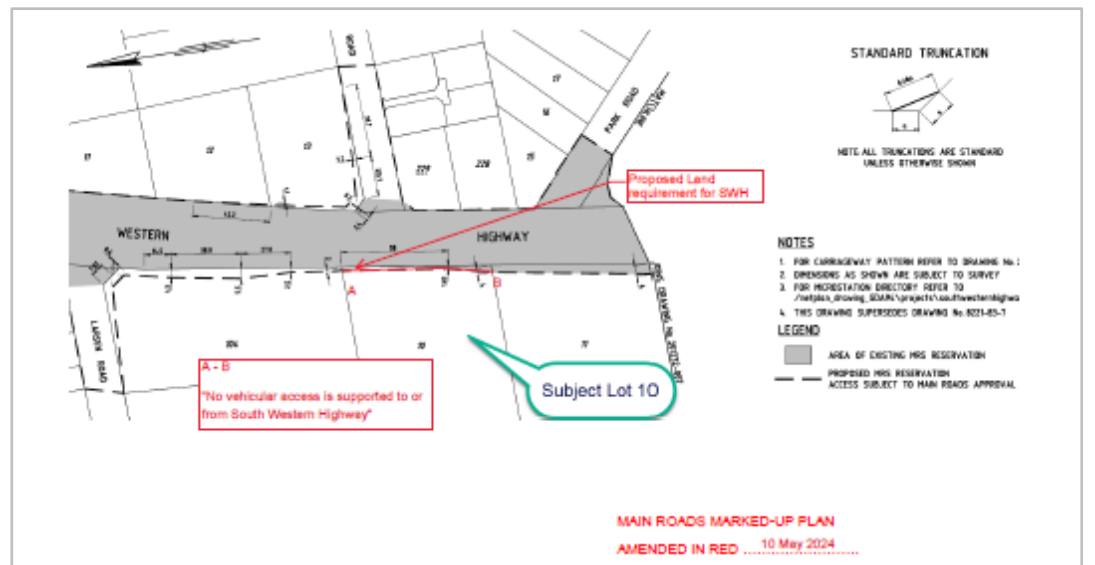
5. Stormwater shall not be discharged to the South Western Highway Road Reserve

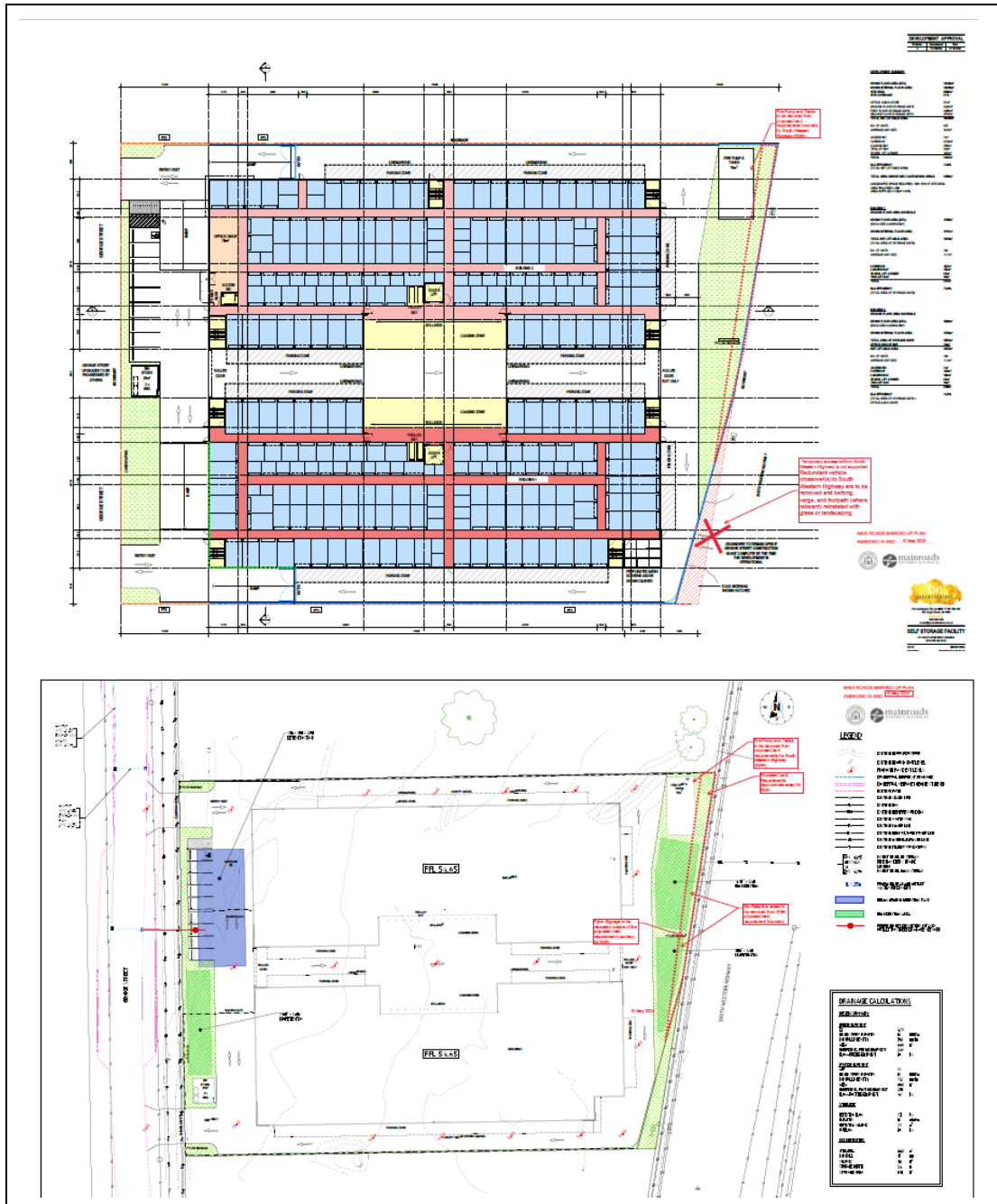
Justification for Condition

Public safety and protection of the Primary Regional Road Reservation.

Advice

- a. The applicant is required to submit an Application form to undertake works within the road reserve prior to undertaking any works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.





**Officer Comment:**

Supported. The Shire will recommend conditions to MODAP requiring the application to be constructed upon the delivery of the George Street upgrades being finalised. The Shire will also recommend conditions for any works to be omitted from the marked plans where MRWA will be requiring future land for the upgrade of South Western Highway.

**Perth Transport Authority (PTA)**

Thank you for providing the Public Transport Authority (PTA) the opportunity to respond to the following application:

**PA24/169 – Lot 10, 777 South Western Highway, Byford - MODAP Application - Proposed Self Storage Facility**



Please find the following conditions and advice

### Conditions

1. Prior to building permit the development plans must be amended to address the MetConnx FDD-1 design for George Street *Justification for condition* - Condition is to ensure that the development does not conflict with the Byford Rail Extension Project
2. Stormwater must be contained within the development site no spillage or discharge is permitted into the PTA rail corridor. *Justification for Condition* - Protect the function of the railway.
3. Prior to building permit the Stormwater Management Plan titled *777 South Western Highway, Byford Stormwater Management Plan, Revision A*, dated 26/02/2024, and prepared by Porter Consulting Engineers must be amended, to the satisfaction of the PTA, to address that the Byford Rail Extension project road drainage infrastructure along George St has been designed to cater for the stormwater management of the road reserve, not to facilitate for additional flows from the subject lot for offset stormwater management. Any upgrades/works required as a result of the amended stormwater plan are not at the expense of the PTA.
4. Prior to building permit the Transport Impact Statement titled *Proposed Self-Storage Warehouse Facility, Revision r01a*, dated 08/03/2024, and prepared by Transcore must be amended to address the following to the satisfaction of the PTA.
  - a. Consider parallel parking along George Street and potential conflicts with relocation of crossovers for service vehicle access to George St in lieu of South-Western Highway.
  - b. The traffic impact assessment nominates George Street operating under a default speed limit (50km/h), whereas BRE design will be posted at 40km/h, with 20km/h speed humps.
5. Interfacing of construction works will be required so that the developer works around our Shire's approved construction staging.
6. Prior to building permit the applicant/owner must obtain approval from the PTA for works in and around the operating railway reserve in accordance with the PTA 8810-450-003 - *Procedure - Working in and around the PTA Rail Corridor, Assets, and Infrastructure*. To the satisfaction of the PTA.

### Advice

1. Regarding Condition 1, the MetConnx FDD-1 design for George St can be obtained through the OMTID Byford Rail Extension project team.
2. Regarding Condition 6, the applicant/owner also required to submit an application to undertake works within the PTA Protection Zone prior to any works commencing. Prior to construction phase, PTA would require Issue for Construction (IFC) drawings to be submitted for review. Essentially, if tower crane would be utilised, please submit specs & location of crane. Information about the procedure and required documentation for assessment can be found in the PTA's 8810-450-003 - *Procedure*. The application must be submitted a minimum of two to three months prior to the commencement of any works. Please email the application to [PTAThirdPartyAccess@pta.wa.gov.au](mailto:PTAThirdPartyAccess@pta.wa.gov.au). All PTA Specifications,

Procedures and Guidelines most recent versions can be obtained on the PTA Vendor Portal <https://www.pta.wa.gov.au/vendor/>

Works that fall outside of the site footprint will need to be coordinated for potential effects to the rail. E.g., utilities work.

**Officer Comment:**

Noted. The Shire has been in liaison with MetConnx and the Office of Major Transport Infrastructure Development (OMITD), the George Street bays are proposed to be altered to accommodate the proposed development's northern crossover. The design to amend the bays on George Street are to be finalised outside of the consideration of this development application. Appropriate conditions will be applied to the recommendation.

## Statutory Environment

### Legislation

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection (Noise) Regulations 1997*
- *Planning and Development (Development Assessment Panel) Regulations 2011*
- *Metropolitan Region Scheme*

### Local Planning Framework

- Shire of Serpentine Jarrahdale Local Planning Scheme No. 3 (LPS3)
- Shire of Serpentine Jarrahdale Local Planning Strategy
- Byford District Structure Plan
- Byford Townsite Detailed Area Plan

### State Planning Policies

- State Planning Policy 7.0 - Design of the Built Environment
- Development Control Policy 5.1 - Regional Roads

### Local Planning Policies

- Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4)
- Local Planning Policy 1.6 - Public Art for Major Developments (LPP1.6)
- Local Planning Policy 2.4 - Water Sensitive Design (LPP2.4)
- Local Planning Policy 4.11 - Advertising Policy (LPP4.11)

## Planning Assessment

Clause 67 of the Deemed Provisions lists matters to be considered in the determination of development applications. An assessment was carried out against the planning framework in accordance with Clause 67 of the Deemed Provisions which can be viewed within **attachment 5**.

### Land Use

The subject lot is zoned 'Service Commercial' under the Local Planning Scheme No. 3 (LPS3).

A Warehouse' is defined as follows:



*means premises including indoor or outdoor facilities used for  
(a) the storage of goods, equipment, plant or materials; or  
(b) the display or the sale by wholesale of goods.*

The Warehouse is a 'P' land use under the zoning table which means it is a land use that permitted within the zone. Clause 18(5) of LPS3 states the following:

*“If a use of land is identified in a zone as being a class P or class I use, the local government may not refuse an application for development approval for that use in that zone but may require works that are to be undertaken in connection with that use to have development approval.”*

The land use is therefore considered consistent with the zone and the assessment is focussed on the works component.

### Local Planning Scheme No. 3 (LPS3)

#### *Development Standards*

Schedule 4 of LPS3 stipulates the development standards for within the scheme area, this includes provisions applicable to the Service Commercial zone.

<b>Requirement</b>	<b>Provided</b>	<b>Compliant</b>
<b>Clause 4.1 - Additional Site and Development Requirements</b>		
End of trip bicycle facilities must be provided in new developments in accordance with the requirements of Schedule 4.4 of the Scheme.	Nil	No
The local government shall require wastewater connection to reticulated sewer. Subject to land capability and site constraint analysis to the satisfaction of the local government, alternate treatment units may be considered as a temporary solution until such time as reticulated sewer is available to the site, at which time the development is to be connected to reticulated sewer.	The proposal is located within a reticulated sewerage area. The existing facilities on site are connected to wastewater. It is expected that the proposal will be connected to similar services	Y
The local government shall require connection to reticulated water. Subject to the demonstration of suitability, connection to an alternate water supply may be considered by the local government.	The proposal is located within a reticulated water area. The existing facilities on site are connected to scheme water. It is expected that the proposal will be connected to similar services	Y
<b>Clause 4.2 - Setbacks, Site Coverage and Plot Ratio</b>		
Landscaping	868m2 - 10%	Yes

Requirement	Provided	Compliant
<ul style="list-style-type: none"> <li>• 10% in total, comprised of 5% of the front setback.</li> </ul>		
Site Coverage and Plot Ratio <ul style="list-style-type: none"> <li>• Maximum site coverage: 75%</li> </ul>	47%.	Yes
Setbacks <ul style="list-style-type: none"> <li>• Front: 12m</li> <li>• Secondary Street: 6m</li> <li>• Side: 6m (north &amp; south)</li> </ul>	<b>Setbacks</b> <ul style="list-style-type: none"> <li>• Front: <b>1.5m</b></li> <li>• Secondary Street: <b>1.2m</b></li> <li>• Side: <b>0.3m + 2.8m</b></li> </ul>	No

The application proposes no end of trip facilities. Given the nature of the self-storage facility, it is expected that customers will only travel to the facility to access or move their belongings and goods. They will generally not access the facility for any other purpose.

The proposal presents variations to the setbacks under LPS3. In consideration of the variations, a consistent landscaping strip is proposed along the length of the South Western Highway boundary. The strip is between 1.5m and 10.2m and is in addition to the landscaping strip along the South Western Highway verge, providing an additional 8m. In addition to the selected colours, the proposal presents an acceptable level of bulk within the service commercial zone. The development plans have been amended to modify the form of the development from a vertical multi-storey building into a horizontal single storey layout. This reduces the perceived bulk and scale. Notwithstanding, the development continues to address both frontages via articulation, changes in materiality, openings, and roof pitch. The variation can be considered acceptable on this basis.

*Car parking:*

Section 4.3 of LPS3 sets out parking requirements for all proposals. The application proposes 38 car parking bays at several designated parking zones. These are inclusive zones for light trucks and passenger vehicles.

Parking provision is assessed in the table following:

Land Use	Parking Requirement	Floor Area	Parking Required
Warehouse/Storage	1 per 80m <sup>2</sup> NLA	4,090m <sup>2</sup>	(51.125) - 52
Office	1 per 40m <sup>2</sup> NLA	40m <sup>2</sup>	1
<b>Total required bays</b>		<b>53 Required Bays</b>	<b>31 provided Bays</b>
<b>Total Shortfall</b>			<b>22 bays short fall</b>

The application proposes a shortfall in parking based on the prescribed rates within the LPS3. The decision maker, under Clause 34(4) and (5) of the LPS3, may consider a variation where the development will not have a significant adverse effect on the occupiers, users of the development, the inhabitants of the locality or the likely future development of the locality.

Where a traditional warehouse facility would require a considerable number of staff operating at all times of the day the LPS3 requirements in parking would be considered acceptable. The proposed variation can be considered acceptable in this instance given the nature of the business operating as a “Self-Storage”. The applicant in this instance has prescribed that there will be a total of two employees at any given time on site, furthermore it is expected that customers are not likely to visit the premises often or visit for long periods of time, and generally only access to drop off or collect goods stored.

Clause 77D of the Deemed Provisions allows for a Local Government to exercise discretion and either vary or waive a minimum on-site parking requirement as follows:

- (1) *The local government may —*
  - (a) *vary a minimum on-site parking requirement that applies to development so that the minimum number of car parking spaces that must be provided as part of the development is a lower number; or*
  - (b) *wave a minimum on-site parking requirement that applies to development.*

A Traffic Impact Statement (TIS) (**attachment 6**) was submitted as part of the application which includes a justification for the parking provision variation. The TIS considers that self-storage facilities are not comparable to a typical warehouse which generates more traffic and has a number of staff onsite. Officers accept that the subject development would generate less traffic and thus require less parking bays than a typical warehouse. It is expected that customers are not likely to visit the premises often or visit for long periods of time, and generally only access to drop off or collect goods stored.

The TIS refers to a report undertaken by Aurecon in 2009 titled *Study Results and Findings Self Storage Facility Traffic and Parking Study* prepared for the Self-Storage Association of Australasia. The study was commissioned to identify typical parking demands and trip generation rates for self-storage units around Australia to assist future developments given there are no specific guidelines currently available. The study recommends parking provision as follows:

**Table 5-7: Recommended Number of Parking Spaces per MLA (m<sup>2</sup>)**

MLA	Office Parking	Storage Area Parking*	Staff Parking	Trailer/Ute Parking	Total Parking Spaces
0-3,000 m <sup>2</sup>	1	2	2	1	6
3,000 m <sup>2</sup> -6,000 m <sup>2</sup>	2	5	2	1	10
6,000 m <sup>2</sup> – 9,500 m <sup>2</sup>	3	5	2	1	11

\*Note: Ranch style sites will not require designated storage area parking as vehicles in these sites will park in aisles adjacent to their storage units; similarly “mixed” sites may require less designated storage area parking if they have a significant number of drive up storage units in a ranch style arrangement.

The applicant furthermore has provided a Transport Impact Statement (TIS) in support of the proposal. The TIS as a conservative proposition based on existing *RTA NSW - Guide to Traffic Generating Developments* guidelines for warehousing that a total of 21 trips per hour is proposed (11 in and 10 out), however it is unlikely for any self-storage proposal to generate the proposed number of vehicles.

Council may recall at its Ordinary Council Meeting of 17 February 2020 it approved a similar development at Lot 128 South Western Highway with a 47-bay shortfall under the former Town Planning Scheme No.2. At this time, the traffic report also relied on

the Aurecon study and the nature of the development when justifying the variation. Thus, the car parking variation is considered acceptable.

The TIS concludes that the 31 parking bays on site will accommodate all the proposed traffic and parking generated from the development. It is therefore considered acceptable to consider the shortfall in parking.

State Planning Policy 7.0 - Design of the Built Environment (SPP7.0)

SPP7.0 provides broad design principles for major development within Western Australia. The policy provides several objectives which are assessed on a merits-based approach. The proposal is considered to meet all relevant objectives, primarily for its built form and its interaction with the distinctive characteristics of the local area. The initial proposal did not present reasonably towards the objectives of SPP7.0, the Byford Town Site Local Development Plan (LDP) and the objectives of the zone as discussed within LPS3. The matters which rendered the initial proposal not supported were:

- The development lacks visual appeal, with its facade treatment failing to enhance or respond to Byford's distinctive characteristics. The large, industrial-scale building does not match its landscape setting.
- The design does not reflect the local context and character of Byford or the setting of the Darling Scarp, contrasting with the town's semi-rural feel and visual connections to the Scarp.
- Material and colour choices do not adequately represent Byford's landscape. The design lacked locally inspired materials like Cardup brick, natural timber, and laterite stone that align with the semi-rural built form.
- The architectural style does not reinforce Byford's contemporary rural town feel.
- The large building, inconsistent with Byford's context and character, disrupts visual harmony at the town's main gateway, hindering the unification of styles between old and new parts of Byford.
- The development is at odds with good human scale and experience, disrupting views of the Darling Scarp. The three-story building is inappropriate in a predominantly single- and two-story context, potentially becoming an intrusive element.
- The South Western Highway Precinct includes the former Byford Town Centre area before redevelopment on the western side of the railway.

The applicant has responded with a revised development which is considered to respond to the matters raised above.

- The development plans have been revised to change the form of the building from a vertical multi-storey structure to a horizontal single-storey layout, reducing the perceived bulk and scale. The materiality of the street frontages includes Portland and painted precast concrete, perforated mesh screening, feature corrugated cladding panels, and powder-coated metal framing along the South Western Highway elevation, creating vertical articulation.
- The colour palette has been updated to include shades of grey, eucalyptus, and forest green, aligning with the natural and rural character of the area.
- Additionally, the roof along the South Western Highway frontage is designed to pitch up at the corners, matching the prevailing pitched roof form of the locality, while internal roofs remain flat, as they will not be visible externally. Due to the site levels, the buildings will appear lower when viewed from South Western Highway.

- Openings to George Street are maintained via the crossovers. Despite minimal openings to South Western Highway, the development is a low-traffic use, making additional openings unnecessary for passive surveillance. Therefore, extra effort has been placed on ensuring that the respective frontages are visually appealing.



**Figure 10 - Initial Development Elevations (SWH)**



**Figure 11 - Revised Development Perspective (SWH)**

Byford Townsite Local Development Plan (LDP):

The subject land is located within the Byford Townsite LDP, within Character Area H (Highway Commercial). Consistent with the zoning under the Scheme, this character area is intended to accommodate showrooms, bulky goods, offices, medical centres, consulting rooms, and the like.

In terms of the LDP, Officers note that the following provisions of particular relevance to the proposal:

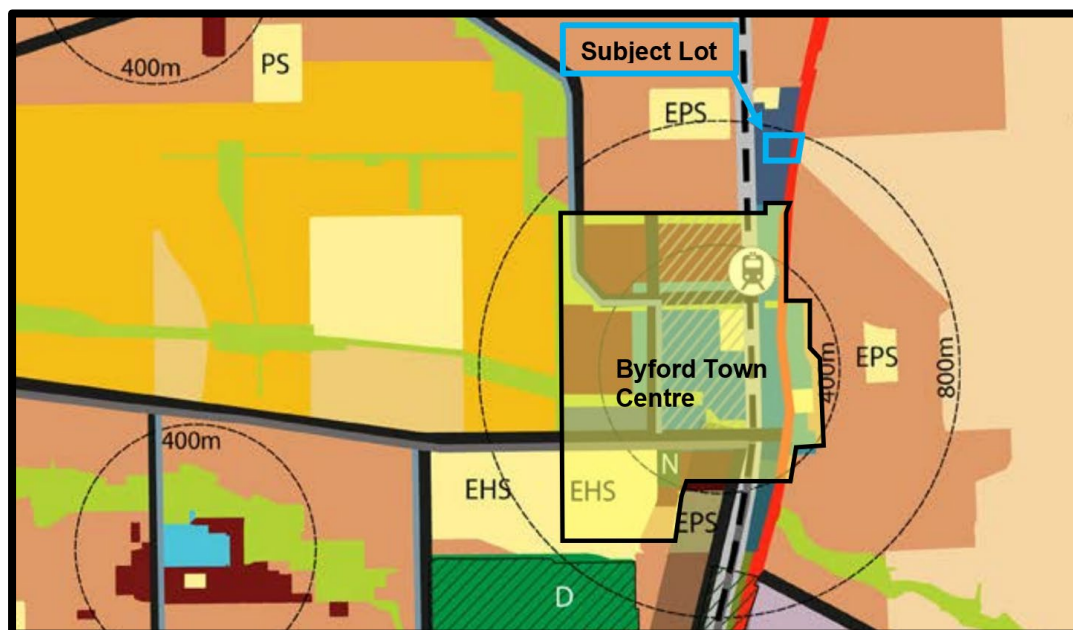
- *buildings must present a quality visual aspect to all street frontages. The main entry must be visually prominent, and clear views must be provided from the development to all adjacent streets.*

- *Ground floors shall have walls with large glazed areas facing the street, and any other areas facing significant setbacks should also have glazed areas to enhance their commercial exposure and maximise casual surveillance both into and out of the building;*
- *Roof forms shall be broken up to add interest to the skyline. Reflective roofing materials are not permitted (unless the roof is flat located behind a pediment). Roofing profiles and formats will be considered in their overall street context, and should contribute visually to the context of the immediate vicinity. Bearing in mind the semi-rural character of the town, pitched roofs shall be set at approximately 25 degrees.*
- *Buildings should be capable of adaptation over time to cater for alternative uses;*
- *Development may be permitted to a maximum of two storeys, with a total roof height of 8.0m maximum.*
- *New buildings shall be constructed predominantly of brick / masonry - either rendered or unrendered, with metal (non-reflective) roofing. The use of some weatherboard cladding or custom orb profile steel sheeting as a detail feature should also be considered, in combination with the brick / masonry.*
- *The use of concrete tilt-up construction for external walls will only be permitted if the developer can demonstrate that proposed articulation, detailing and the provision of windows is compatible with the objectives and provisions of these Guidelines. Acceptable means of treating tilt-up slabs include detailing by texturing / grooving surfaces, by the use of bas-relief designs or public artworks, and the inclusion of brick headers around windows and doors. Other design devices to accentuate openings may be considered.*
- *Commercial property owners or tenants should not use colours that make their buildings stand in sharp contrast to their context. Intense and lurid colours shall not be used.*
- *Muted neutral backgrounds with mid-range accents are acceptable. Occasional and limited use of strong colour could add life to the streetscape, but strong colour use should be the exception rather than the rule.*
- *Colours that take inspiration from the local soils and vegetation would be most appropriate.*

As mentioned previous, the initial proposal did not meet the intent of the Character H area, and the LDP provisions listed.

The revised plans, whilst still representing some variations to provisions of the LDP, are considered acceptable and justifiable from a planning discretion perspective. The revised design is considered aligned to the expectations of the amenity of the area, and general complimentary to the Byford Town Centre. The Highway Commercial zones under the LDP aim to foster a transition between the Byford Town Centre (mixed use and street based activation), to the residential neighbourhoods of the wider periphery. In doing this transition, there is a careful need to balance the more car orientated and simpler building forms that tend to typify a service commercial area. This is shown following:





**Figure 12 - Proximity to Byford Town Centre**

In considering the intended amenity for the zone, the proposed revised development is considered generally aligned with the LDP in the following ways:

- The George and South Western Highway frontages both present a varied pitched roof as discussed within the SPP7.0 section of this report. The frontages both provide vertical and horizontal articulation minimising the impact of bulk and creating visual appeal along each frontage.
- The development plans have been amended to reduce the building height to a single storey. The roof along the South Western Highway frontage has been designed to pitch up to the respective corners.
- The development plans have been amended to reduce the building height to a single storey. This reduction in height from over 11m to under 6m is supported, and is below the 8m maximum set within the Local Development Plan.
- The colour palette has been amended to a mix of grey as well as eucalyptus and forest green, in accordance with the prevailing natural and rural character of the locality.

The development is considered to provide a presentation to both the Highway and George Street, setting a clear fronting keynote to this entry element into the Shire. The nature of the use is generally challenging to including transparency of the ground floor plane, insofar that self storage warehouses replicate an intended secure 'function', by exhibiting a strong and secure built form. Adaptation will not therefore be easy, but can through modifications still take place.

The main concern remains to the ongoing use of a non-preferred material, being concrete tilt-up construction. The LDP does provide that provided there is proposed articulation, it may be acceptable. In order to secure this, it is recommended a condition be imposed requiring the integration of the stated preferred materials of brick/masonry, along extents of the Highway frontage. This should be through inclusion of a recycled brick horizontal band or bands, stretching along the that frontage. A similar affect has occurred to the south, for a similar use as shown following:



**Figure 13 - Example of Tilt**

Local Planning Policy 1.6 - Public Art

LPP1.6 provides the requirements for any major development over \$1million threshold to contribute to public art. The proposed development is estimated to be \$7m in value, and thus falls within the requirements of the policy.

No public art has been proposed at this stage of the development, therefore a condition requiring to the applicant requiring a percent for art aspect in accordance with the LPP, is provided as part of the recommended list of conditions.

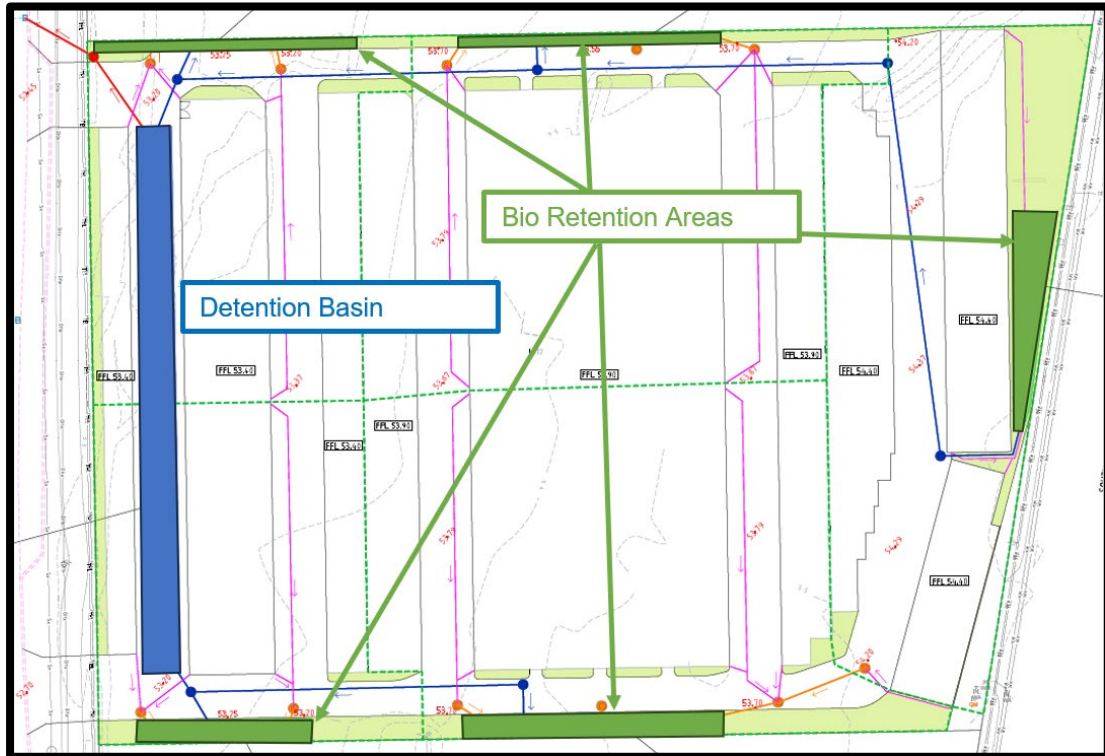
Local Planning Policy 2.4 - Water Sensitive Design (LPP2.4)

LPP2.4 aims to maximise water efficiency by encouraging best practice urban water management methods. The policy aims to ensure waters sensitive design best management practices are implemented for new developments with the Shire.

A Stormwater Management Plan (SMP) was submitted as part of the application (**attachment 7**). The SMP proposes several bio retention areas and a detention basin across the site for the treatment and storage of stormwater.

Officers consider that further details should be provided, should the application be approved, showing specifically how discharge rates of stormwater do not exceed predevelopment flows, or the adopted DWMS for Byford. Further details must also demonstrate that the storage requirement for rainfall events can cater for a 1% AEP (annual exceedance probability) and ensure that the ground floor units, car parking area and traffic circulation areas do not flood.



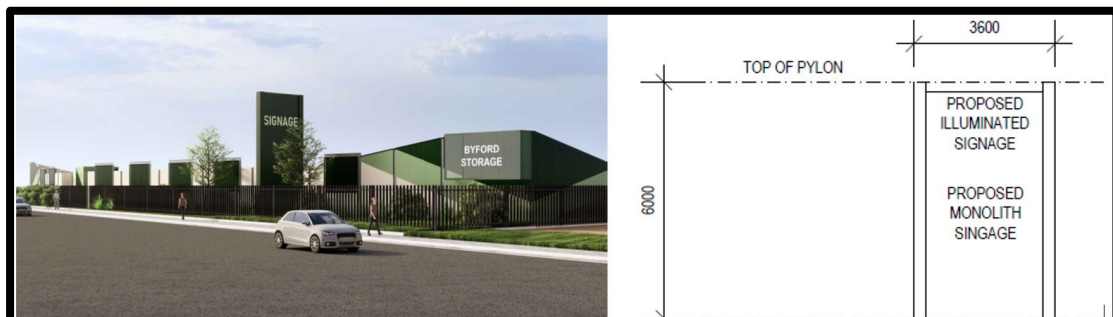


**Figure 14 - Proposed Storm Water Retention Areas**

Local Planning Policy 4.11 - Advertising

LPP4.11 provides a set of development objectives for the Shire to assess signage associated with development. The policy ensures that the siting, design and general appearance of advertising and signage does not detract from the landscape values, amenity, and character of the area. The application proposes the following signage as part of the development:

- A single pylon sign located adjacent to South Western Highway;
- Two Wall signs;
  - o One facing West on the George Street Elevation;
  - o One facing East on the South Western Highway elevation.



**Figure 15 - Pylon Signage and Wall Sign**



**Figure 16 - Wall Sign - George Street**

The proposed signage is assessed in accordance with the relevant provisions of LPP4.11.

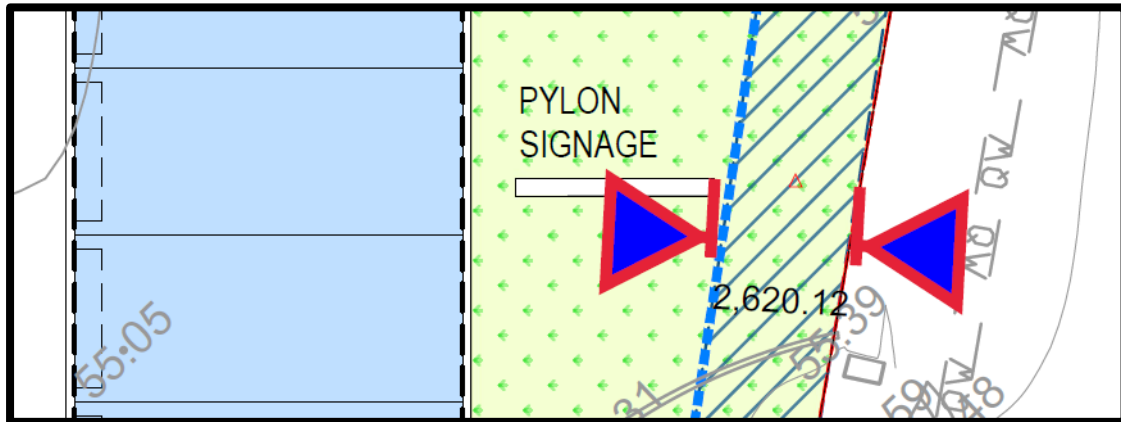
Requirements	Provided	Compliant
<b>Pylon Sign</b>		
The maximum sign face area is 10m <sup>2</sup> per face, for a maximum of two faces.	The proposed face will be roughly 21m <sup>2</sup> in size	No
The maximum height above the ground is to be 6.5m or the height of a building in close proximity, whichever is the greater, but is not to exceed 10m. The height of a building is defined as the height of the uppermost part of the building above ground level.	Proposed 6m in height	Yes
Must be mounted as a free-standing structure	Provided as a free structure	Yes
Must not be located less than 1.5m from the front property boundary (including the primary and secondary street frontages of a corner lot), and must not project beyond the alignment of any property boundary.	Proposed approximately 2.6 from the front boundary	Yes
Must not face adjoining premises unless the sign is a minimum of 3.0m from the property boundary of that premises, or unless the landowner of the adjoining premises consents to the sign being a lesser distance from the boundary.	Setback more than 3m from the adjoining sites	Yes
Must not expose an unsightly back view of the sign to a	Proposal is of a new nature and is not considered to be unsightly, setback	Yes

Requirements	Provided	Compliant
road or other public place. Must not to be located on a street frontage of a premises along which is located another pylon sign, billboard sign or pole sign.	from other properties adequately where other signage is proposed to be provided.	
<b>Wall Signs</b>		
A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.	Proposes the developments name	Yes
The maximum single face area is 10m <sup>2</sup> and must not extend beyond 12.0m above the ground even if the wall is higher than this.	Each sign is approximately 4.5m <sup>2</sup> . Proposed Heights of Approximate 4m above ground level.	Yes Yes
Must not project more than 300mm from the wall and/or fascia to which it is affixed.	Signs are not projecting from the wall	Yes
Must not project beyond the edges of a wall and/or fascia.	Signs are not projecting past the fascia of the building	Yes

The signs propose variations against the development standards of the policy and therefore is required to be assessed against the applicable performance criteria:

Performance Criteria	Comment
<b>Size</b> Is in keeping with scale of the development or site on which it is proposed.	The size is appropriate for the location and scale of the development
<b>Colour and Shape</b> Is complementary to the development and surrounding landscape.	The colour is expected to be complimentary and match the proposed colours of the structure
<b>Number</b> There is not an excess of signage that detrimentally impacts on the visual amenity and character of the area	A single sign is proposed to each frontage of each type, with the exception of the pylon sign being singularly located towards SWH.
<b>Location</b> The location is sympathetic to the existing landscape /streetscape and does not impede on the function of the approved use for the site.	The proposed pylon sign is setback closer than 2.6m from the road outside of the SWH road widening sections.
<b>Design</b> The scale and form of the sign complements the building /development and does not obstruct key architectural features.	A pylon sign is appropriate for a warehouse style development and is not considered to obstruct any line of sight of major architectural features of the proposed structure

<p><b>Safety</b> The proposed signage does not pose an unacceptable risk to the public.</p>	<p>The sign is not located in a manner where public safety is impacted.</p>
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**Figure 17 - Setback to South Western Highway**

Noise

The proposal has a noise technical note as part of the application. The technical note (**attachment 8**) has provided a review of the development and has concluded the proposed risk to any noise emissions is low. The proposal's nature is not considered to generate noise that will be of an intrusive nature during daytime hours. The proposal does intend to operate on a 24/7 basis, with a secure access gate. This is the main risk of noise impacts, being patrons accessing the facility during the night.

Given the design of the structure, the units themselves will act as a buffer between any unloading and activity taking place, and the direction of nearby sensitive development. This sees the form of development helping to manage and mitigate any noise impacts.

The Shire will recommend a condition of approval requiring a Noise Management Plan (NMP) to be provided prior to the occupation of the development. The NMP will provide guidance for the occupants to ensure that any users of the facility outside of daytime hours are to be undertaken in a manner which will not cause undue noise to the neighbouring residential properties adjacent on South Western Highway. This will include guidance as to the minimisation of noise when visiting the facility between 7pm and 7am.

Access and Traffic

Clause 67 of the *Deemed Provisions*, specifically (s) and (t) relate to the ability of a development to manage access and egress arrangements, and whether traffic generated by a proposal would be suitable considering the local road network. A Transport Impact Statement (TIS) was provided with the application, which can be viewed in **attachment 6** to this report.

Access

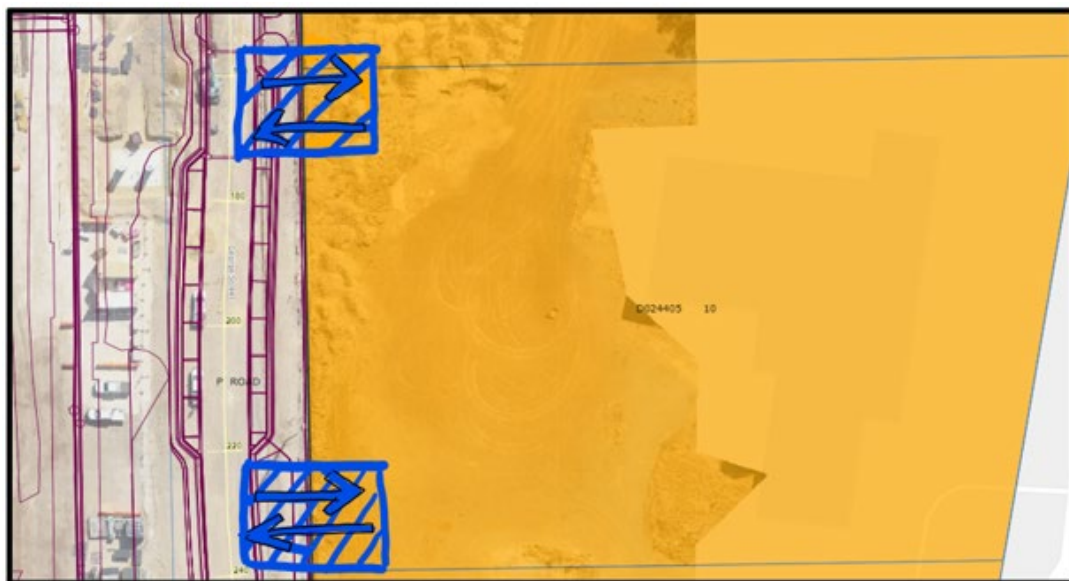
The site currently has two full movement crossovers onto South Western Highway. The application proposes to utilise two new crossovers from George Street (one in and one out) which has not yet been constructed in the vicinity of the subject site. Two crossovers are proposed to enhance traffic circulation within the site which facilitates a one-way system for vehicles, typical for this type of development, as shown following:





**Figure 18 - Circulation diagram**

The Public Transport Authority (PTA) initially raised concerns in relation to the location of the northernmost crossover due to a conflict with parking bays proposed on George Street. The PTA suggested that the development be limited to the southern crossover only. The proposed northern crossover and the location of the future PTA parking bays at this time are shown following:



**Figure 19 - George Street Design Parking Conflict**

PTA has subsequently reviewed and revised the George Street design details. Confirmation has been received from the PTA that there will no longer be a conflict

between the proposed access and the future parking bays. Given MRWA's position not to support a crossover onto Southwestern Highway, the provision of a second crossover from George Street is integral to the development being able to achieve safe egress from the site. A condition is recommended for the applicant to provide detailed engineering drawings to the satisfaction of the Shire in liaison with PTA, MetConnx and the OMITD.

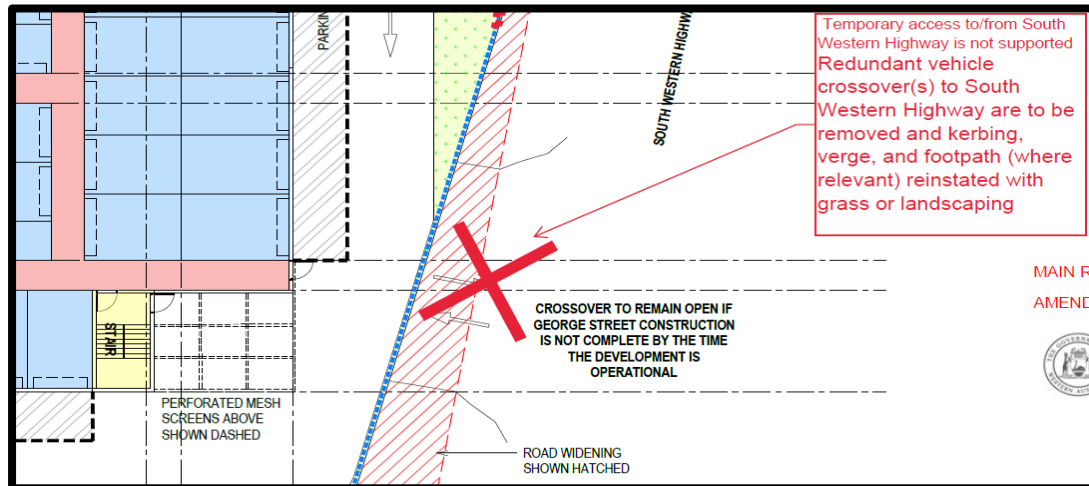
In addition to future parking bays, there are several changes to the local road network as part of the Byford Rail Extension project. Specific to this development, George Street will be fully constructed from Larsen Road (north) to Evans Way (south) as shown following:



**Figure 20 - Road Closures**

The application proposes to use the southern-most crossover on South Western Highway for a temporary period should George Street not be fully constructed at the time the development becomes operational.

MRWA do not support the use of the crossover on South Western Highway and have proposed a condition requiring its removal. Given the traffic volumes on South Western Highway, its function as a Primary Regional Road and the comments received by MRWA, Officers also do not support this aspect of the proposal.



**Figure 21 - MRWA objection to the temporary crossover**

Traffic

As previously stated, for the purposes of the TIS, trip rates for a warehouse developments have been used, sourced from the RTA NSW Guide to Traffic Generating Developments, as there are no trip rates for self-storage facilities in the Guidelines. Importantly, the TIS notes the following:

Self-storage facilities by definition are low traffic generators which would accommodate mainly 2-axle vehicles (i.e. cars, small trucks and furniture removal vans).

Self-storage facilities would not generate typical AM and PM peak hour trips and therefore the AM peak hour trip rate quoted by RTA Guidelines for a warehouse development is adopted as the peak hour trip rate for the proposed development.

Vehicles visit self-storage facilities in small numbers spread over the 8-10 hour daily opening period of the facility.

Using the trip generation rates for a warehouse, it is estimated that the proposal would result in 540 daily trips with 68 of the trips being during the peak operating hour of the facility. The TIS identifies George Street as a future Access Street with the PTA earmarking the road to have a speed limit of 40kmph with 20kmph speed hump treatments. The overall road capacity is expected to carry a maximum of 3,000vpd. As previously stated, South Western Highway has the capacity to cater for approximately 25,000 to 30,000 vehicles per day (vpd).

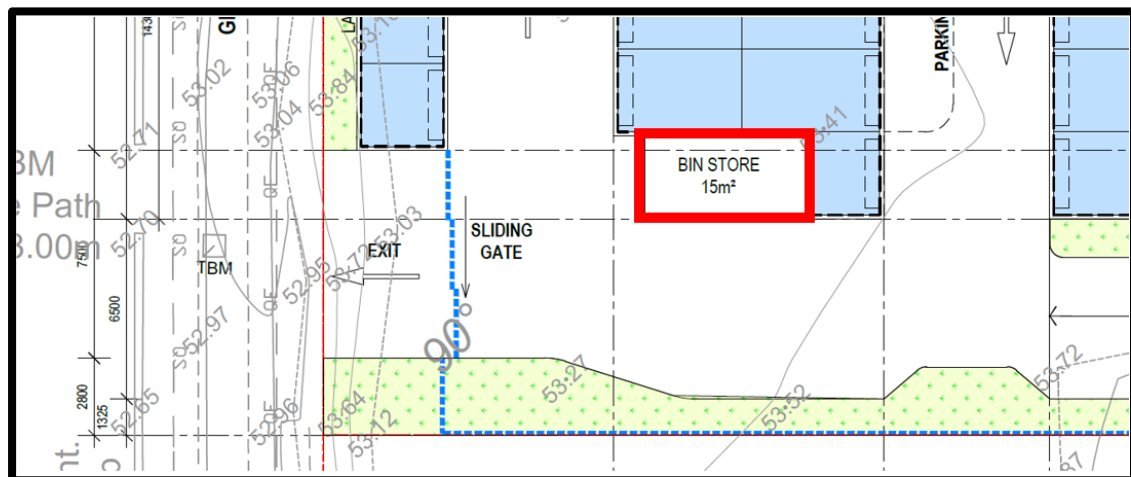
The WAPC Transport Impact Assessment Guidelines states “As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may. All sections of the road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where development traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”



The TIS identifies that the proposal would result in significantly less traffic than 100vph and as such it is considered that the road network has the capacity to accommodate the vehicles generated by the development.

### Waste

The application provides a bin store for the storage and management of waste to the site. Currently there is no details provided regarding the waste capacity of the site. It is recommended that a Waste Management Plan (WMP) is submitted prior to occupation of the site and carried out for the life of the development. The main operation of the WMP is to ensure waste is collected and taken off site during non-peak hours.



**Figure 22 - Bin Store Location**

### **Conclusion**

The application seeks approval for a Warehouse (Self Storage Facility). Officers consider that the development is generally consistent with the planning framework. The proposal has been reviewed by MRWA and the PTA which have provided support on the basis the access network is sufficiently addressed via conditions. The proposed use is compatible with the service commercial zone. The application is recommended for support subject to conditions.