

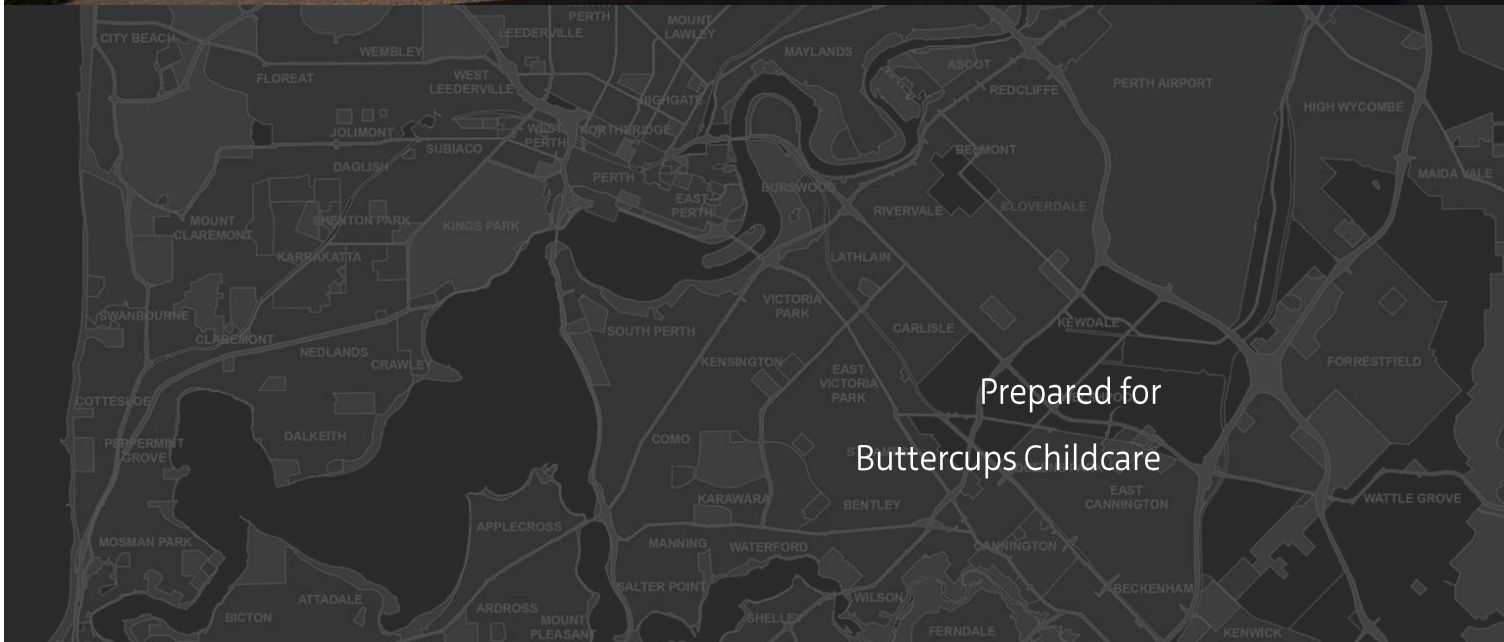
# Development Application Report

## Proposed Child Care Centre

Lot 631 (108) Lawrence Way, Byford

**PLANNING SOLUTIONS**  
URBAN & REGIONAL PLANNING

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## Project Details

|                        |   |   |
|------------------------|---|---|
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| <b>Client</b>          | Buttercups Childcare  |   |
| <b>Prepared by</b>     | Planning Solutions  |   |
| <b>Consultant Team</b> | Town Planning<br>Drafting and Design<br>Traffic Engineering<br>Landscaping Plan<br>Bushfire<br>Acoustic | Planning Solutions<br>Brown Falconer<br>Urbii<br>Urban Retreat Gardens<br>Ecological<br>Reverberate |

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## 1 PRELIMINARY

### 1.1 Introduction

Planning Solutions acts on behalf of Buttercups Childcare, the operator of the proposed child care centre development at Lot 631 (108) Lawrence Way, Byford (**subject site**).

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

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

The proposal involves the use and development of a child care centre on the subject site, which will accommodate a maximum of 96 children.

The proposed development seeks to establish an important community facility on the subject site, providing essential urban support services to the current and future residents and workers of Byford and its surrounding suburbs. The proposed development will result in a substantial community benefit through the provision of essential child care services and the generation of local employment opportunities.

The child care centre has been specifically designed to respond to the transitioning character of the area with an attractive, site responsive design and layout.

The proposed development is designed to a high architectural standard and has benefitted from the expert input of traffic, acoustic and landscaping consultants. The development includes environmentally sustainable design features and native landscaping, and encourages alternative modes of transport.

We respectfully request the Metro Outer Development Assessment Panel grant approval to the proposed development.

## 2 SITE DETAILS

### 2.1 Land description

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

**Table 1 - Lot details**

| Lot | Deposited Plan | Volume | Folio | Area (m <sup>2</sup> ) |
|-----|----------------|--------|-------|------------------------|
| 631 | 423330         | 4030   | 692   | 2,304                  |

Refer **Appendix 1** for a copy of the Certificate of Title and Deposited Plan.

## 2.2 Location

### 2.2.1 Regional context

The subject site is within the municipality of the Shire of Serpentine Jarrahdale (**Shire**), approximately 32.5km south east of the Perth city centre and 1.8km south west of the Byford Activity Centre. The subject site adjoins Orton Road at its southern boundary, which provides a direct connection to the Kwinana Freeway to the west and South Western Highway to the west (via Warrington Road and Abernathy Road). The site also adjoins Lawrence Way to the east and Maive Street to the north which provide accessibility to the surrounding residential areas.

### 2.2.2 Local context, land use and topography

The subject site is within an area of Byford planned for future development and expansion. The subject site comprises of one residential lot which is currently vacant of any development and has a combined area of 2,304m<sup>2</sup> (refer **Figure 1** below).

The subject site is located within a residential estate named Beenyup Grove, providing new residential lots, and public open space. The residential estate is approximately 75% complete, with the residential lots in the southern portion of the estate yet to be developed. The subject site is located approximately 200m south from the Beenyup Primary School which is also located on Lawrence Way.



Figure 1: Aerial photograph



### 3 PROPOSED DEVELOPMENT

#### 3.1 Development Summary

The proposal seeks to develop a single-storey, 96 place child care centre with associated car parking, landscaping and access on the subject site. The child care centre is well positioned in a predominantly single storey residential locality and is within close proximity to a primary school. The scale and form of the proposed child care centre respects the context and character of the locality. The proposed building seeks to address the street frontages through responsible design, reinforcing the residential aesthetic, while allowing for a subtle variation to outline the child care centre and its relative branding.

The proposed centre will provide early learning / child care services for up to 96 children of the following age demographics:

- 20 places for children aged 0-2 years.
- 36 places for children aged 2-3 years.
- 40 places for children aged 4-5 years.

The centre is proposed to operate from 6:30am to 6:30pm, Monday to Friday, and accommodate 16 staff.

The proposal is supported by the following technical reports demonstrating its suitability:

- Transport Impact Statement (TIS) prepared by Urbii, demonstrating there will be minimal impacts on the surrounding road network arising from the proposal, and that the proposed access arrangements are satisfactory from a traffic engineering perspective (refer to **Appendix 3**).
- Environmental Noise Assessment prepared by Reverberate, demonstrating the proposal will comply with the *Environmental Protection (Noise) Regulations 1997* (refer to **Appendix 4**).
- A Bushfire Management Plan and Bushfire Emergency Evacuation Plan prepared by Ecological, demonstrating the proposal will comply with State Planning Policy 3.7 – Planning in Bushfire Prone Areas (refer **Appendix 5**).
- A Landscaping plan prepared by Urban Retreat Garden Design, depicting the proposed on site and verge landscaping (refer **Appendix 6**).

Specifics of the proposed development and its built form are discussed below.

#### 3.2 Built Form

The proposed child care centre is intended to create a recognisable community focal point, providing an essential service which is accessible to the surrounding residents.

The facility has been designed in a manner consistent with the prevailing residential character of the locality. The domestic building form with a pitched roof, selected soft tones, materials and textures ensure the attractive built form of the facility is sympathetic to its context.

Specifically, the proposed development comprises:

- A single storey child care centre building with a maximum height of 4.79m, with the following setbacks:
  - Minimum 1.5m setback from Orton Road (southern boundary).
  - Minimum 6m setback to Lawrence Way (eastern boundary).
  - Minimum 15m setback to Maive Street (northern boundary).

- Minimum 13.7m setback from the residential property (Lot 441 Orton Road & Lot 466 Maive Street) on the southern boundary.
- Floor-to-ceiling windows along the northern and eastern building elevations to maximise access to natural sunlight within internal activity rooms.
- Openable windows and doors on building elevations to allow natural cross-ventilation.
- The building façades are comprised of high quality materials including axon and matrix panel cladding, powdercoat aluminium, Colorbond, textured paint finishes and glazing. The materials and finishes are consistent with a residential built form typology. The built form is intended to be an attractive addition to the streetscape.
- An outdoor play area in the northern and eastern portions of the site, with a total area of 686m<sup>2</sup>.
- An internal floor layout with the following components:
  - Piazza, reception desk, office, meeting and staff rooms.
  - Kitchen, pantry store and laundry.
  - Six group activity rooms and associated children’s toilets, prep rooms and sleep rooms.
- Boundary fence along the perimeter of the subject site and outdoor play spaces, comprising various materials, design features and heights. Fencing heights and design are reflective of the acoustic recommendations and amenity.
- Substantial landscaping provided along street frontages and throughout the site, including native shade trees, groundcover and verge planting.
- One 6.2m full movement crossover to Maive Street and one 3.5m egress crossover to Cap Road, which connects directly to Orton Road. Ingress and egress has been configured to optimise the functionality and accessibility of the site for both visitors and staff.
- A 20 bay car park situated in the western portion of the subject site, including one ACROD bay.
- Pedestrian access via an entrance foyer at the western elevation, accessible from the car park and the footpath from Orton Road.
- Fully enclosed bin store located at the southern portion of the car park. Waste bins will be wheeled out to the car park for on site waste collection (during non peak periods of operation), as required and based on the needs of the child care centre.

Refer to **Appendix 2** for the development plans depicting the proposal.

Refer **Figures 2 – 4** below for perspectives of the proposed development.



Figure 2: North west view of child care centre viewed from the car park.



Figure 3: Corner of Maive Street and Lawrence Way Perspective.



Figure 4: Child care centre entrance as viewed from the car park.

### 3.3 Transport

The proposed development and access arrangements are supported by a Transport Impact Statement (TIS) prepared by Urbii. The TIS carries out an assessment in accordance with WAPC guidelines and demonstrates that the trip generation resulting from the proposed facility will have an insignificant impact on the surrounding road network.

The resultant anticipated traffic generation from the proposed development is 78 AM peak hour trips, and 78 PM peak hour trips. The net traffic increase of the child care centre will not increase traffic on the surrounding road network by more than 100 vehicles per hour. In accordance with the WAPC's Transport Impact Assessment Guidelines for Development (2016), a Transport Impact Assessment is therefore not required as the impact on the surrounding road network is insignificant.

The TIS provides the following conclusions:

- The traffic analysis shows that the traffic generation of the proposed development is relatively low, and as such, would have an insignificant impact on the surrounding road network.
- The site features good connectivity via the existing road and path network in the area.
- The provision of 20 on-site car parking bays are deemed sufficient to cater for the needs of the child care centre.
- The car park provides sufficient space for service vehicles to access and egress the subject site at off peak operating times or when closed.

Refer to **Appendix 3** for the Transport Impact Statement prepared by Urbii.

### 3.4 Acoustic

The development site is in proximity to residential properties and adjoins residential properties at its western and boundary. Accordingly, an Environmental Noise Assessment has been conducted by Reverberate.

The assessment considers the noise impacts associated with the proposed child care centre, and demonstrates the proposal will comply with the *Environmental Protection (Noise) Regulations 1997* during operating hours, subject to the following key mitigation measures:

- The outdoor play area is not to be used until after 7:00am (ie. during the day period only).
- Noise control barriers are recommended<sup>2</sup> with the minimum heights shown in Appendix C of the Environmental Noise Assessment.
- Restriction of selected car parking bays, with no parking in them until after 7am. This can be appropriately managed by the child care centre operator.
- The air conditioning condensing units to be installed with "Low Noise" night period modes.

Refer to **Appendix 4** for a copy of the Environmental Acoustic Assessment Report prepared by Reverberate.

### 3.5 Bushfire

The subject site is located within a designated bushfire prone area in accordance with the Department of Fire and Emergency Services (DFES) Map of Bushfire Prone Areas.

Accordingly, a Bushfire Attack Level Assessment (BAL) Report has been prepared by Ecological Australia to demonstrate appropriate bushfire risk management for the proposed development. The subject site has been identified within a range of BAL12.

A Bushfire Management Plan (BMP) and Draft Bushfire Emergency Evacuation Plan (BEEP) has therefore been prepared to support the proposed development. This reporting demonstrates the proposed use and location of built form is satisfactory to address the necessary bushfire requirements.

Refer Error! Reference source not found., Bushfire Management Plan and Bushfire Emergency Evacuation Plan.

### 3.6 Landscaping

A Landscaping Plan has been prepared by Urban Retreat Garden Design. Proposed are native species which are resilient and waterwise, consistent with typical types of planting found in the Byford area. Landscaped areas are provided in the Maive Street, Lawrence Way and Orton Road verges to visually soften the development and present attractively to the streetscape. Landscaping is provided within the car parking area, to screen parked vehicles and the bin store. Specifically, the proposed landscaping comprises:

- 64m<sup>2</sup> of soft landscaping elements on site including:
  - 8 x native trees
- 152m<sup>2</sup> of soft landscaping within verge areas including:
  - 7 x native trees

The Landscaping Plan excludes the 686m<sup>2</sup> outdoor play area. The outdoor play area design and landscaping will be finalised following tenant negotiations and preparation of more detailed designs.

Refer to **Appendix 6** for the Landscaping Plan prepared by Urban Retreat Garden Design.

### 3.1 Waste management

The development proposes an enclosed bin store at the southern aspect of the car park area. Waste collection will occur through a private contractor chosen by the operator.

Waste collection would occur when the facility is closed or outside of peak operating hours, allowing optimal use of the car park by a service vehicle and ensuring waste collection does not interfere with the operation of the centre.

## 4 STATUTORY PLANNING FRAMEWORK

### 4.1 Metropolitan Region Scheme

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

### 4.2 Shire of Serpentine Jarrahdale Local Planning Scheme No. 3

#### 4.2.1 Zoning

The subject site is zoned 'Urban Development' under the Shire of Serpentine Jarrahdale's Local Planning Scheme No. 3 (LPS3) (refer Figure 5 below).

The objective of the Urban Development zone is:

*The purpose of the Urban Development zone is to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances.*

Relatedly, the Doley Road Precinct Structure Plan (PSP) has been prepared for the subject site to guide the future development of the area. The PSP is addressed separately in section 4.2.2 of this report.

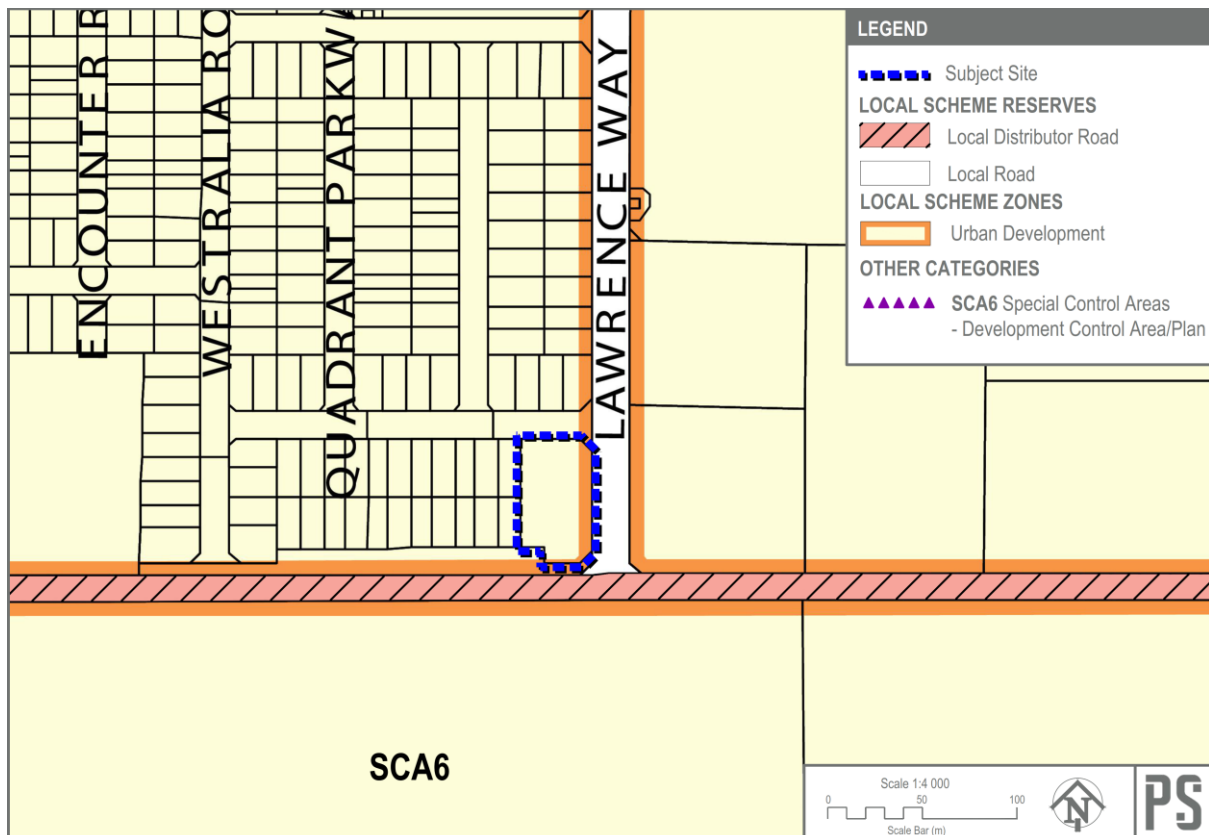


Figure 5: Zoning Map

#### 4.2.2 Doley Road Precinct Local Structure Plan

The Doley Road Precinct Local Structure Plan (PSP) was prepared to inform the future subdivision and development of the western part of Byford's townsite within the Shire.

The subject site is designated 'Residential – R40 – R60' under the PSP.

#### 4.2.3 Land use permissibility

The proposed development seeks approval for a child care centre, best classified as a 'Child Care Premises', under LPS3, defined as:

*Child Care Premises: means premises where –*

- (a) *an education and care service as defined in the Education and Care Services National Law (Western Australia) Section 5(1), other than a family day care service as defined in that section, is provided; or*
- (b) *a child care service as defined in the Child Care Services Act 2007 section 4 is provided.*

A Child Care Premises is an 'A' use in the Urban Development and Residential zone and therefore capable of approval at the discretion of the local government following advertising.

The proposed use is entirely appropriate and suitable for establishment on the subject site for the following reasons:

1. The proposed centre will provide an essential community service to the surrounding locality, catering for the care of up to 96 children and providing opportunities for local employment.
2. The proposed centre provides a site-responsive design, utilising the entire 2,304m<sup>2</sup> of development site area and incorporating built form to integrate within the residential character of the area.
3. The proposed development is located on Lawrence Way and will have synergies with Beenyup Primary School, 400m north.
4. The proposal is supported by a Transport Impact Statement which demonstrates it is satisfactory from a traffic and access point of view.
5. An acoustic assessment has been undertaken, demonstrating the proposal will comply with the *Environmental Protection (Noise) Regulations 1997*.

For the reasons outlined above, the proposed childcare premises is entirely compatible with the Urban Development and Residential zone and warrants approval accordingly.

#### 4.2.4 Development standards and requirements

Schedule 4 - Additional Site and Development Requirements sets out the general development requirements which apply to land use and development within the Scheme area. Refer to **Table 2** below for an assessment against the relevant provisions of Schedule 4.

**Table 2 - Assessment against the relevant development requirements of LPS3**

| Requirement  | Provided  | Compliance |
|--|---|------------|
| <b>4.3 – Car Parking Requirements</b>  |   |            |
| <i>All parking areas shall be designed and constructed in accordance with relevant Australian Standards.</i> | The proposed vehicle parking is compliant with the Australian Standards.              | ✓          |
| <i>All external parking areas shall include shade trees at the rate of 1 tree per 4 parking</i>              | 20 car parking bays are provided. * 8 trees are provided within the car parking area. | ✓          |

bays or 1 tree every 12 metres, whichever is the lesser.

#### 4.4 – Bicycle Parking and Facilities

Where end of trip bicycle facilities are required under this Scheme, the following shall be provided at a minimum:

- (a) one (1) shower for the first five (5) bicycle spaces or part thereof, plus an additional shower for each ten (10) bicycle parking spaces thereafter; and
- (b) one (1) change room or direct access to a communal change room per shower; and
- (c) one (1) secure equipment locker per bicycle parking space.

3 bicycle racks are provided.

✓

Having regard to **Table 2** above, the proposal largely complies with the development requirements of LPS3 and warrants approval accordingly.

#### 4.2.5 Parking

**Table 3** below provides an assessment of the proposed car parking against the requirements of LPS3.

**Table 3 - Assessment against car parking requirement of LPS3**

| Land use            | Parking standard  | Required car bays   | Provided                          |
|---------------------|---|---|-----------------------------------|
| Child Care Premises | <p>1 per 10 children accommodated under maximum occupancy and 1 bay per employee* with a minimum of 3 spaces.</p> <p>*1 bay per employee means 1 bay for each of the maximum number of employees on the premises at any given time.</p> | <p>1 bay for every 10 children = 9.6 bays.</p> <p>1 bay per employee = 16 bays.</p> | 20 car bays (including ACROD bay) |
| <b>Total</b>        |   | <b>Total bays required: 26</b>  | <b>Total bays provided: 20</b>    |

#### Justification

As demonstrated in the TIS, the car parking layout and supply for the proposed childcare is considered appropriate. Detailed analysis has been undertaken to determine the actual need for car parking on the site. As detailed within the TIS, the average length of stay for drop-offs to be 6.8 minutes. The Poisson Distribution modelling shows that in any 7-minute period during the peak hour, the number of pick-ups/drop-offs within the car park will be 8 vehicles or less. Outside of peak hours the demand for visitor parking will be much lower thus the proposed 20 car parking bays will be sufficient.

The Byford Rail Extension and Byford Rail Station once complete will result in additional bus servicing within the locality to connect to the train station. In the medium to long term, buss accessibility for the proposed development is expected to improve. Additionally, the subject site is 200m south of Beenyup Primary School.

Refer to **Appendix 3** for a copy of the Transport Impact Statement prepared by Urbii.

Further, the WAPC Draft Position Statement: Child Care premises states 'Generally, the minimum car parking requirement for a child care premises, including staff and visitor parking, will be one space per five children.' When considering this car parking ratio, the proposed development would only generate the need for 19 car bays.

Ultimately, the adequacy of the proposed car parking is demonstrated and the minor shortfall justifiable warranting approval.



#### 4.2.6 Matters to be considered

Clause 67(2) of the Deemed Provisions sets out the matters for which due regard is to be given when considering a development application. Refer **Table 4** - Matters to be considered below for an assessment of the relevant matters.

**Table 4 - Matters to be considered**

| Matter to be considered   | Provided  |
|---|---|
| (a) <i>the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i>   | The aims and provisions of LPS3 are addressed in this report.   |
| (b) <i>the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i> | There are no known scheme amendments to LPS3 that would affect the merits of this proposal.   |
| (c) <i>any approved State planning policy</i>   | The relevant State Planning Policies are addressed in <b>section 5</b> of this report.  |
| (g) <i>any local planning policy for the Scheme area;</i>   | Relevant local planning policies are considered in <b>section 4.4</b> of this report.   |
| (m) <i>the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation, and appearance of the development;</i>   | <p>Strong emphasis has been placed on the design of the building, ensuring the built form responds to the prevailing residential character of the locality, while making a positive built form contribution to the streetscape.</p> <p>The proposed building incorporates domestic styled materials and design features including a pitched roof, soft tones, textures and materials to maintain a high level of similarity with the established residential character of the area. The proposed building is single storey, consistent with adjoining residential properties.</p> <p>The proposed parking area comprises landscaping with shade trees to minimise/soften any perceived visual impacts. Increased landscaping is also provided north of the car park (within the verge) to further mitigate any visual impacts.</p> <p>The end result is a child care facility which presents well to the surrounding locality and achieves a good design outcome. Overall, the scale, height, orientation and appearance of the development is consistent with the character of the locality.</p> |
| (n) <i>the amenity of the locality including the following –</i><br><i>(i) environmental impacts of the development;</i><br><i>(ii) the character of the locality;</i><br><i>(iii) social impacts of the development;</i>   | <p>As detailed above, the proposed development responds to the character of the area through a range of design features.</p> <p>It has been demonstrated in the Environmental Noise Assessment the proposal will not affect the amenity of the adjacent residential properties. In this regard, noise generated by the proposed development will comply at all times with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>   |

| Matter to be considered  | Provided   |
|--|--|
|  | There will be no detrimental social impact resulting from the proposed development. Conversely, the proposal will result in positive social impacts to the locality, through the creation of 16 jobs and provide essential early learning services for families, further enhancing opportunities for employment.   |
| (p) <i>whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;</i>  | The proposed development incorporates the following landscaping:<br>The provision of native groundcover species throughout the development and adjacent verges.<br>8 trees provided on site and 7 more within the verge.<br>The proposed landscaping arrangements are considered to be more than adequate for the purpose of the proposal.   |
| (s) <i>the adequacy of –</i><br>(i) <i>the proposed means of access to and egress from the site; and</i><br>(ii) <i>arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i>  | A TIS has been prepared to address traffic/access considerations, confirming the proposed development is entirely suitable in this regard.   |
| (t) <i>the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</i>  | Refer to <b>Appendix 3</b> for a copy of the Transport Impact Statement prepared by Urbii.   |
| (u) <i>the availability and adequacy for the development of the following –</i><br>(i) <i>public transport services;</i><br>(ii) <i>public utility services;</i><br>(iii) <i>storage, management and collection of waste;</i><br>(iv) <i>access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</i><br>(v) <i>access by older people and people with disability;</i> | i. Availability of transport options near the subject site is addressed in the supporting TIS (refer <b>Appendix 3</b> ).<br>ii. The subject site has access to all the required utility services prior to commencement of development (ie. following subdivision conditions clearance).<br>iii. The details of the storage and collection of waste are provided within this report.<br>iv. The development is accessible to pedestrians and cyclists through provision of a pedestrian accessway from Lawrence Way and Cap Street to the main entry.<br>v. One universally accessible car parking space has been provided for the proposed development. |
| (v) <i>the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;</i>  | The proposed child care centre will provide full-time employment and provide essential early learning services for up to 96 children, meeting demand for such urban support services in the area. The facility will also enhance employment opportunities for residents in the wider locality through the provision of such services.  |
| (w) <i>the history of the site where the development is to be located;</i>   | The history of the site for residential purposes has been considered in the design of the proposed child care centre.  |
| (x) <i>the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;</i>  | In this respect, there is a clear and demonstrable positive social outcome resulting from this development. The application is supported by traffic and acoustic reporting, demonstrating the proposal will have no adverse impact on the amenity of the surrounding area.   |
| (y) <i>any submissions received on the application;</i>  | Any submissions will be considered during public advertising of the application.   |

The proposal meets the relevant matters to be considered, warranting approval.

### 4.3 Beenyup Grove Local Development Plan

The Beenyup Grove Local Development Plan (LDP) was prepared to inform the future subdivision and development of the residential portion of Beenyup Grove within the suburb of Byford.

The LDP provides provisions around the street scape, setbacks and open space. An assessment against the relevant provisions is detailed below in **Table 5**.

#### 4.3.1 Development Requirements

The LDP provides general provisions for the land within the LDP area. **Table 5** provides an assessment against the general development standards and key development provisions as per the 'Residential – R60' designation prescribed by the LDP.

**Table 5 - Assessment against relevant development requirements of LDP**

| Requirement  | Provided  | Compliance |
|--|---|------------|
| <b>Streetscape Requirements</b>  |   |            |
| <i>Primary Street Setback – 2m<br/>Secondary Street Setback – 1m</i>   | 6m to Primary Street (Lawrence Way).<br>15m to Secondary Street (Maive Street).<br>1.5m to Secondary Street (Orton Road). | ✓          |
| <b>Boundary Setback Requirements</b>   |   |            |
| <ul style="list-style-type: none"> <li>- Buildings built to both side boundaries are permitted</li> <li>- Walls not higher than 3.5m, with an average height of 3.0m or less.</li> </ul> | Fences above 3m tall are not proposed.  | ✓          |
| <b>Open Space Provisions</b>   |   |            |
| <i>Minimum open space – 30%</i>  | The proposal provides 60% open space.   | ✓          |
| <b>Landscaping</b>   |   |            |
| <i>The front setback area, excluding the area of any driveway, verandah or porch, shall consist of at least 40% soft landscaping.</i>  | The development proposes over 40% soft landscaping at front setback area.   | ✓          |

As shown in **Table 5** above, the proposed development is generally compliant with all the relevant development requirements of the LDP. The proposal warrants approval accordingly.

## 4.4 Local Planning Policies

An assessment of the proposed child care centre against the relevant Local Planning Policies is provided below.

### 4.4.1 Local Planning Policy 1.6 – Public Art

Local Planning Policy 1.6 – Public Art (LPP1.6) prescribes the need for public art contribution that will be required in larger scale developments to improve and enhance the wellbeing of people in the environments where they live, work and play by. The proposed development meets the criteria of LPP1.6 as it has a proposed construction cost between \$1,000,000 - \$50,000,000.

The contribution required states that:

*Public art with a minimum cost of 1% of construction cost; or 1% of construction cost contributed to the public art fund.*

A public art contribution can be imposed as a suitably worded condition of approval.

### 4.4.2 Local Planning Policy 2.3 – Development Standards for Development Applications

Local Planning Policy 2.3 – Development Standards for Development Applications (LPP2.3) establishes a minimum standard for development to maintain and enhance the amenity and natural environment, and ensures high quality landscaping will be established, identified and preserved where possible. Table 6 below provides an assessment against the relevant provisions of LPP2.3.

**Table 6 - Assessment against the relevant requirements of LPP2.3**

| Requirement   | Provided  | Compliance |
|---|---|------------|
| <b>Landscaping and Revegetation</b>   |   |            |
| <i>Revegetation is required to replace mature native vegetation that is proposed to be lost as a result of any development / planning application throughout the Shire.</i>   | The site is currently vacant of any vegetation. 15 trees will be planted as part of the development.            | ✓          |
| <i>Where landscaping is required, plants identified as pest plants by the Shire and listed in Schedule 1 of this Policy, are not permitted to be retained or established.</i>   | No pest plants are proposed. The species proposed are outlined in the landscaping plan in <b>Appendix 6</b> .   | ✓          |
| <i>Where landscaping is proposed within the road verge, a deed of agreement prepared by the Shire's solicitors at the applicants cost, which include lodgement of a caveat on title, is to be prepared and executed prior to the development being occupied. The deed is to include that the owner agrees to maintain the landscaping within the road verge.</i>  | Noted.  | ✓          |
| <i>All landscaping plans submitted to the Shire must be drawn to scale and detail the following:</i><br><i>a) The location and type of existing trees and plantings, including genus species name and whether they are to be retained.</i><br><i>b) The location and type of new trees and shrubs that are proposed to be installed as part of the landscaping including genus species name.</i><br><i>c) Any lawns, paths, hardscaping or other features to be established including construction materials to be used (i.e. brick paving, concrete).</i><br><i>d) Any natural landscape areas to be retained.</i> | Noted. Refer to <b>Appendix 6</b> for a copy of the development plans that include a detailed landscaping plan. | ✓          |

|   |  |   |
|---|--|---|
| <i>e) Those areas to be reticulated or irrigated including details on the type of reticulation.</i>   |  |   |
| <i>To allow establishment of landscaping around existing trees and tree trunks adequate space depended upon the species should be maintained and kept clear of all impervious materials. Where a tree is positioned within 3m of less from a hardscape area, root control barriers should be installed.</i>   | All trees will have sufficient space to establish roots, with no control barriers implemented.   | ✓ |
| <i>Landscaping treatments should aim to minimise water use through soil improvement and mulching to retain moisture, use of indigenous, native landscaping; installation of smart irrigation systems including monitors, controllers and subsurface irrigation.</i>   | Noted. Landscaping will aim to minimise water use through selecting native species. Specific details pertaining to irrigation will be provided during the detailed design stage. | ✓ |
| <i>The Local Natural Areas identified in the Shire's Local Biodiversity Strategy have both landscape and biodiversity values and will be retained and protected where possible.</i>   | The subject site does not contain any Local Natural Areas.   | ✓ |
| <b>Drainage</b>   |  |   |
| <i>Where development has been proposed in an area where the lots grade to the road and the downstream system is designed with adequate capacity the following must be achieved:</i><br><i>a) Flow across paved areas to road/drain or legal point of discharge;</i><br><i>b) All plans submitted for approval to show existing and proposed levels, and flow paths.</i><br><i>c) Contain the first 15mm at source for retention or detention and slow release to downstream environment, based on soil conditions</i> | Stormwater management can be addressed through a suitably worded condition of approval.  | ✓ |
| <i>During construction, measures should be implemented to ensure no discharge of dust or sediment from the site.</i>  | Construction management can be addressed through a suitably worded condition of approval.  | ✓ |

Having regard to **Table 6** above, the proposal is consistent with the relevant development requirements of LPP2.3 and warrants approval accordingly.

#### 4.4.3 Local Planning Policy 4.11 – Advertising

The Shire's Local Planning Policy 4.11 – Advertising (**LPP4.11**) provides a planning framework for the appropriate development of signage on private and public land, to ensure that public safety is maintained and to ensure that the character and amenity of the area where signage may be proposed is maintained. Table 1: Sign Permissibility outlines the permissibility of each sign type against the zone that it is located in. Wall signs are zoned "X" within the urban development and Residential zone, meaning they are not permitted.

It is considered necessary to have appropriate advertising on the proposed child care centre as it is a commercial land use that must be recognisable by the public. The proposed signage has been designed to integrate with the building and is of size that does not compromise the residential amenity of the area.

The proposed signage comprises:

- 1 x 4m x 0.9m "Buttercups Building Brighter Futures" wall sign located on the Maive Street frontage.
- 5 x 3.5m x 0.9m "Buttercups Building Brighter Futures" boundary fence signs.
  - 1 x located on Maive Street.

- 2 x located on Lawrence Way.
- 2 x Orton Road.
- 1 x 2.7m x 0.8m "Buttercups" boundary fence sign located at the Maive Street crossover.

Table 7 below provides an assessment against Table 2 of LPP4.11.

**Table 7 - Assessment against the provisions of LPP4.11**

| Requirement   | Comment   | Complies |
|---|---|----------|
| <b>Wall Sign</b>  |   |          |
| <i>A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.</i>                        | The proposed signage only displays the name of the tenant.                                    | ✓        |
| <i>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.</i> | The proposed signage is approximately 3m <sup>2</sup> in face area and 4.6m above the ground. | ✓        |
| <i>Must not project more than 300mm from the wall and/or fascia to which it is affixed.</i>   | The proposed signage does not project more than 300mm from the wall.                          | ✓        |
| <i>Must not project beyond the edges of a wall and/or fascia.</i>   | The proposed signage does not project beyond the edges of the walls.                          | ✓        |
| <i>A wall sign, which extends above a wall, may be considered as a roof sign.</i>   | The proposed signage does not extend above any walls.   | ✓        |
| <b>Boundary Fence Sign</b>  |   |          |
| <i>A boundary fencesign is not to be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads.</i>    | A fences are capable of holding the proposed signage.   | ✓        |
| <i>Is a single faced sign.</i>  | All signage is single sided.  | ✓        |
| <i>The maximum sign face area is 36m<sup>2</sup>.</i>   | No single sign exceeds 10m <sup>2</sup> in face area.   | ✓        |

The proposal is consistent with the provisions of LPP4.9 and warrants approval.

#### 4.4.4 Local Planning Policy 4.24 – Child Minding Centres

The Shire's Local Planning Policy 4.24 – Child Minding Centres (LPP4.24) provides guidance for the location of child minding centres to best take advantage of the surrounding natural environment and provide a compatible setting with the locality.

Table 8 below provides an assessment of the proposed child care centre against the provisions of LPP4.24.

**Table 8 - Assessment against the provisions of LPP4.24**

| Requirement - Acceptable Development   | Comment   | Complies |
|--|---|----------|
| <b>Location</b>  |   |          |
| <i>Child minding centres located within easy walking distance of activity centre or recreational nodes. Located within a walkable catchment for the local neighbourhood.</i> | The proposed childcare centre is located within a walkable catchment area for the residential area to the north west of the subject site. | ✓        |

| Requirement - Acceptable Development  | Comment   | Complies |
|---|---|----------|
| <i>Larger child minding centres being encouraged to locate near or within activity centres.</i>   |   |          |
| <i>The location is close to or adjoins public open space</i>  | The proposed child care centre is 130m from Beenyup Primary School to the north and 240m from public open space, also located to the north.   | ✓        |
| <i>Child minding centres are adequately separated from any incompatible nearby uses, with this supported by a suitably qualified risk assessment forming part of an application. Such risk assessment is to consider elements such as dangerous goods, hazardous materials and public health considerations. Potentially incompatible uses (taking into account design and layout) may include, for example, outlets selling petroleum, fast-food, and alcohol or tobacco products.</i> | The proposed child care centre is adequately separated from incompatible uses.  | ✓        |
| <b>Parking</b>  |   |          |
| <i>Parking meets the requirements of the Local Planning Scheme, and demonstrates how this meets the operational aspects of the development.</i>   | The proposed car parking layout meets the requirements of LPS2. Refer to the TIS prepared by Urbii at <b>Appendix 3</b> for further detail on the proposed parking.   | ✓        |
| <i>Landscaped parking areas in accordance with the Local Planning Scheme.</i>   | There are no landscaping requirements within LPS3. Refer to <b>Appendix 6</b> for a copy of the Landscaping Plan prepared by Urban Retreat Garden Designs.  | ✓        |
| <i>Parking areas located so as to provide a separation between surrounding dwellings and outdoor play spaces.</i>   | The parking area is proposed to be on the western portion of the site to create a satisfactory separation to the future residential properties to the west. The outdoor play area front Lawrence Way and has a significant setback from the lot to the east. Refer to <b>Appendix 4</b> for a copy of the Environmental Noise Assessment prepared by Reverberate. | ✓        |
| <b>Traffic</b>  |   |          |
| <i>Traffic generation poses an increase of no more than 10% of the current recorded daily volumes on the roads which the development adjoins. This is confirmed by a traffic impact statement.</i>  | As demonstrated within the TIS, the forecast increase in traffic is marginal and the impact on the surrounding road network insignificant. Refer to <b>Appendix 3</b> for a copy of the Transport Impact Statement prepared by Urbii.   | ✓        |
| <i>Development facilitates full movement access to and egress from the site.</i>  | Full movement access and egress and is provide from the site. Refer to <b>Appendix 3</b> for a copy of the Transport Impact Statement prepared by Urbii.<br><br>Painted arrow markings and signage will be installed to guide traffic movements. A "NO ENTRY" sign will be installed at the exit crossover.   | ✓        |
| <b>Infrastructure Requirements</b>  |   |          |
| <i>Designated pedestrian footpaths from the street to the centre and the car park to the centre.</i>  | Designated footpaths are provided from the street and car park to the entrance of the centre.   | ✓        |
| <i>Car parking visible from the street to discourage verge parking.</i>   | The car parking area is visible from Orton Road and Maive Street.   | ✓        |
| <b>Amenity</b>  |   |          |

| Requirement - Acceptable Development   | Comment   | Complies         |
|--|---|------------------|
| <i>Outdoor play areas located in a safe place within the site, providing adequate shade, and separated from noise sensitive premises.</i>  | The outdoor play area front Lawrence Way and has a significant setback from the lot to the east. Refer to <b>Appendix 4</b> for a copy of the Environmental Noise Assessment prepared by Reverberate.   | ✓                |
| <i>Setbacks to side and rear boundaries and the orientation of openings to indoor play areas located to minimise noise impacts.</i>  | The proposed child care centre has been designed to minimize the noise impact on surrounding land uses. Refer to <b>Appendix 4</b> for a copy of the Environmental Noise Assessment prepared by Reverberate.  | ✓                |
| <i>Waste service areas appropriately screened from public areas.</i>   | The bin storage area and service area is appropriately screened from public areas.  | ✓                |
| <i>Acoustic impact assessment submitted demonstrates how noise will be managed, particularly from:</i><br><ul style="list-style-type: none"> <li>- Indoor and outdoor play areas;</li> <li>- Car parking areas and the impulsive noise that comes from car access (especially staff arriving before opening and departing after closure), opening and closing of car doors, arrangement of car parking bays (staff versus visitor).</li> </ul> | Noted. Refer to <b>Appendix 4</b> for a copy of the Environmental Noise Assessment prepared by Reverberate.   | ✓                |
| <i>Hours of operation 7:00am to 7:00pm Monday to Friday.</i>   | The child care centre is proposed to be operating from 6:30 am – 6:30 pm. This allows parents to drop their children at the child care centre on their way to work.<br><br>The noise generated at that time will be mitigated through a restriction on the use of car parking adjacent the residential area and restriction of outdoor play before 7am. | <b>VARIATION</b> |
| <i>Child minding centres are not subject to unacceptable noise that could impact the health and wellbeing of children.</i>   | Noted. The subject site is in an area of residential nature.  | ✓                |
| <i>Sites in residential areas greater than 1000m2 in areas.</i>  | The subject site is 2,304m2   | ✓                |
| <i>A maximum site coverage of 60%, in order to mimic typical residential form and to provide future ability to recede back to a residential development should that occur.</i>   | The proposed child care centre has a site coverage of 32%.  | ✓                |
| <b>Landscaping</b>   |   |                  |
| <i>On site landscaping and landscape of all adjoining verge areas, in accordance with the Scheme, to provide an attractive setting and contribute to the streetscape.</i>  | Refer to <b>Appendix 6</b> for a copy of the Landscaping Plan prepared by Urban Retreat Garden Designs  | ✓                |
| <b>Design</b>  |   |                  |
| <i>Development has the appearance of natural materials i.e recycled clay face brick, vertical and horizontal patterns of timber cladding, rammed earth construction, earth block features, natural stone elements for columns, sheltering gable roof.</i>  | The proposed child care centre is utilizing vertical cladding, masonry fencing and a gable roof to ensure the development has a "natural look" and matches the residential context of the surrounding properties.   | ✓                |



| Requirement - Acceptable Development   | Comment  | Complies |
|--|--|----------|
| <i>Measures should be taken to ensure that play areas are large enough and of such dimensions to be useful as play areas and positive outdoor space. Side setback and leftover building areas are not included for such purpose.</i> | The proposed development has a play space of 686m <sup>2</sup> that is made up of two large areas to the north and east of the subject site. | ✓        |

The proposal is generally consistent with the provisions of LPP4.24 and warrants approval accordingly.

## 4.5 State Planning Policies

### 4.5.1 State Planning Policy 3.7 Planning in Bushfire Prone Areas

The majority of the subject site is located within a designated bushfire prone area in accordance with the Department of Fire and Emergency Services (DFES) Map of Bushfire Prone Areas.

Accordingly, a Bushfire Attack Level Assessment (BAL) Report has been prepared by Ecological Australia to demonstrate appropriate bushfire risk management for the proposed development. The subject site has been identified with a BAL rating of BAL12.5.

A Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP) has therefore been prepared to support the proposed development. This reporting demonstrates the proposed use and location of built form is satisfaction to address the necessary bushfire requirements.

Refer **Appendix 5** for a copy of the Bushfire Management Plan and Bushfire Emergency Evacuation Plan.

### 4.5.2 State Planning Policy 7.0 - Design of the Built Environment

State Planning Policy 7.0 Design of the Built Environment (SPP7) establishes a set of ten 'Design Principles', providing a consistent framework to guide the design, review and decision-making process for planning proposals. **Table 9** provides an assessment against the ten design principles of SPP7.

**Table 9 - Assessment against Schedule 1 – Design Principles of SPP 7**

| Design Principle                | Proposed Development Response   |
|---------------------------------|---|
| <b>1. Context and character</b> | <ul style="list-style-type: none"> <li>The proposed child care centre is located within the suburb of Byford. The child care centre is located in close proximity to an existing primary school and existing future residential land uses.</li> <li>The locality is predominantly residential in context and character, with the subject site surrounded by single storey residential and rural lots.</li> <li>The proposed facility has been designed with numerous domestic design features and integrates with the surrounding suburban context, while maintaining a distinct community/institutional feel for individual character and identification purposes. The development maintains congruity with the scale and height of existing residential dwellings forming the locality. The proposed development has been designed to be sympathetic with the surrounding residential developments, while interacting with the street frontages, to create a development connected to the surrounding context.</li> </ul> |
| <b>2. Landscape quality</b>     | <ul style="list-style-type: none"> <li>Extensive landscaping and trees are proposed adjacent to the car park, to provide attractive screening to the streetscape and shade for parked cars. Landscaping comprises 64m<sup>2</sup> of soft landscaping, 8 x native tree and 152m<sup>2</sup> of soft landscaping within the verge areas including 7 x native trees. Refer to <b>Appendix 6</b> for the</li> </ul>  |

| Design Principle                                 | Proposed Development Response   |
|--|---|
|  | <p>Landscaping Plan prepared by Urban Retreat Garden Design.</p>  |
| <p><b>3. Built form and scale</b></p>            | <ul style="list-style-type: none"> <li>• The proposed built form is consistent with and is sympathetic to its local context. The building height and scale of the child care centre building is consistent with built form of the established locality.</li> <li>• The single-storey scale responds to the prevailing heights in the area. The building is set back appropriately from Lawrence Way and Maive Street to ensure the development does not adversely impact on the locality.</li> <li>• The entrance of the proposed development and the built form features work to interact with the street and compliment the visual aspects of the area, with proposed landscaping along the street frontages.</li> <li>• Potentially unsightly components such as bin store structures and loading areas are treated / located to reduce impacts on the streetscape. Landscaping at street edges further enhance presentation of the development.</li> </ul>  |
| <p><b>4. Functionality and build quality</b></p> | <ul style="list-style-type: none"> <li>• Functionality is at the core of the proposed design, to ensure access, built form interface and appropriate exposure to the child care operator.</li> <li>• The facility is designed in compliance with the National Childcare Regulations which require a baseline level of functionality and build quality to be achieved for child care facilities.</li> <li>• The facility will be constructed to a high standard with quality materials which are intended to last the full life-cycle of the development and require minimal maintenance, allowing educators to focus on providing childcare services.</li> <li>• Landscape planting comprises native species which are climatised to the area and suited to the soil types of Byford, with screen planting proposed to the west of the development along the lot boundary.</li> <li>• The proposed crossovers to Maive Street and Cap Road ensures the site results in a logical traffic flow of vehicles.</li> </ul> |
| <p><b>5. Sustainability</b></p>                  | <ul style="list-style-type: none"> <li>• In terms of social and economic impact, the proposed child care premises is likely to result in significant net benefits as it will:             <ul style="list-style-type: none"> <li>○ Actively contribute to meeting the demand for childcare places in the area;</li> <li>○ Facilitate the establishment of a new business; and</li> <li>○ Create direct and indirect employment opportunities.</li> </ul> </li> <li>• From an environmental point of view, the building includes various design features which would reduce dependency on resources, including a north-facing activity space, east-west facing full height windows and large openings providing cross-ventilation, high quality internal fixtures with longevity, etc.</li> <li>• The proposed development contains landscaped areas to enable suitable planting of low, medium and higher scale plants/trees. This will aid providing greater shade to the car park and outdoor play area.</li> </ul> |
| <p><b>6. Amenity</b></p>                         | <ul style="list-style-type: none"> <li>• The achievement of a high level of amenity for children, nearby residents, visitors and staff have been central to the design of the child care centre.</li> <li>• Amenity for users has been enhanced through the provision of spacious internal rooms and outdoor play area, easy pedestrian access, accessible vehicle parking, high-quality landscaping and the location of the waste storage area within the car park (which is screened by landscaping).</li> </ul>  |

| Design Principle             | Proposed Development Response   |
|------------------------------|---|
|                              | <ul style="list-style-type: none"> <li>The amenity of the neighbourhood has been considered through the use of a residential building design, a sympathetic scale of built form, various built form treatments and the use of landscaping to soften the interface.</li> <li>The proposed child care centre has been carefully designed to reflect the residential character of the locality.</li> <li>The development application is supported by a range of expert consultant reports demonstrating the suitability of traffic / servicing, acoustic management, and landscaping arrangements to ensure the amenity of the locality is preserved and supported by the proposed development.</li> </ul> |
| <p><b>7. Legibility</b></p>  | <ul style="list-style-type: none"> <li>The proposed child care centre provides clear and legible vehicle access via Maive Street which directs staff and patrons to the car park.</li> <li>The proposal is a clear and attractive feature on the corner of Lawrence Way and Orton Road.</li> <li>A defined pedestrian path offers pedestrian access from the street and the parking area to the entrance of the building to ensure universal ease of movement and safe navigation throughout the site.</li> <li>The signage is a recognisable feature of the facility which will reinforce its role as a community focal point and draw patrons to the entry.</li> </ul>                                |
| <p><b>8. Safety</b></p>      | <ul style="list-style-type: none"> <li>The facility will be constructed in accordance with regulatory standards which optimise safety and security for occupants.</li> <li>The child care centre will allow for passive surveillance to the streetscapes.</li> <li>The car park is of a suitable size and configuration, and is compliant with relevant Australian Standards to ensure safe and proper interaction between pedestrians and vehicles.</li> </ul>   |
| <p><b>9. Community</b></p>   | <ul style="list-style-type: none"> <li>The child care centre will be a community focal point. Local families will be likely to place their children in the centre and are likely to interact on a daily basis as a result of this. The development will facilitate passive social interaction by providing services that many members of the community will use.</li> <li>It is likely the community fabric will be strengthened as a result of the centre being established. There are also expected to be synergies with local schools, where families may have children attending the child care centre.</li> </ul>  |
| <p><b>10. Aesthetics</b></p> | <ul style="list-style-type: none"> <li>The location of the child care centre appropriately addresses the three street frontages.</li> <li>The potentially unsightly areas (i.e. bin stores) are given design attention through materiality and treatment to ensure they do not detract from the value of the locality and are located in areas less visible from the adjoining roads.</li> </ul>  |

Having regard to **Table 9**, the proposed development is largely consistent with SPP7.0 and warrants approval.

## 5 CONCLUSION

This application seeks development approval for a Child Care Centre on the subject site. The proposed development is generally consistent with the applicable planning framework. The proposed development warrants approval for the following reasons:

1. The proposed development will provide increased community services and amenity to residents and workers of the surrounding locality.
2. The proposed development is site responsive, complementing the residential character of the locality and adjoining residential properties.
3. The design of the proposed development is of an appropriate bulk and scale, with high-quality, contemporary materials, resulting in a quality built form outcome.
4. Substantial areas of high quality landscaping are proposed.
5. The proposed development is situated in close proximity to open space and local places of employment.

The proposed development has substantial merit and warrants approval. We therefore respectfully request the Metro Outer Joint Development Assessment Panel grant approval to the application.