

Deemed Provisions – Cl 67 Matters to be considered by local Government

Land Use:

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to Report			

b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting of approving	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to Report			

c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

f) any policy of the State	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
<ul style="list-style-type: none"> 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 4.15 - Bicycle Facilities Policy (LPP 4.15)**
- **Local Planning Policy 4.16 – Tree Retention and Planting (LPP4.16)**

h) any structure plan, activity centre plan or local development plan that relates to the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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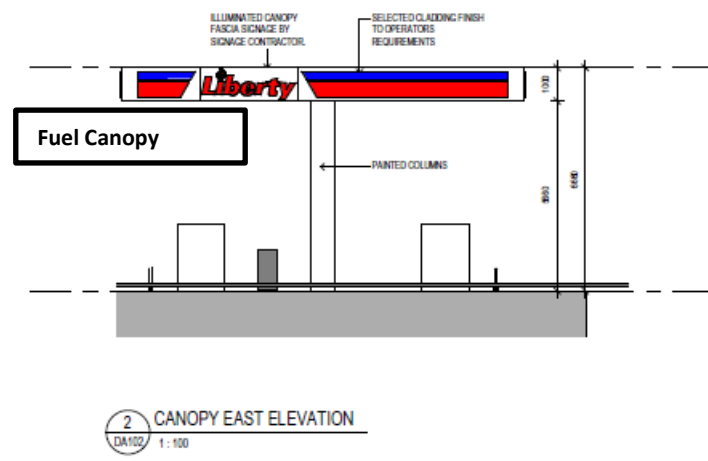
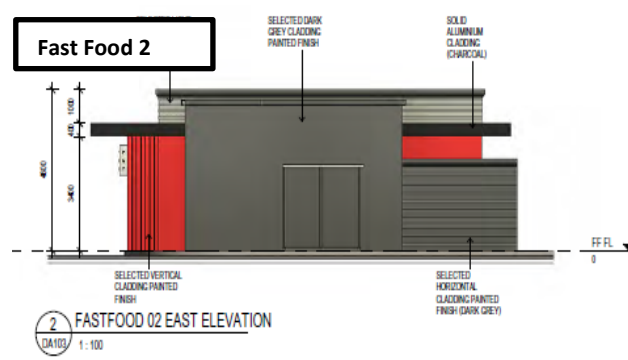
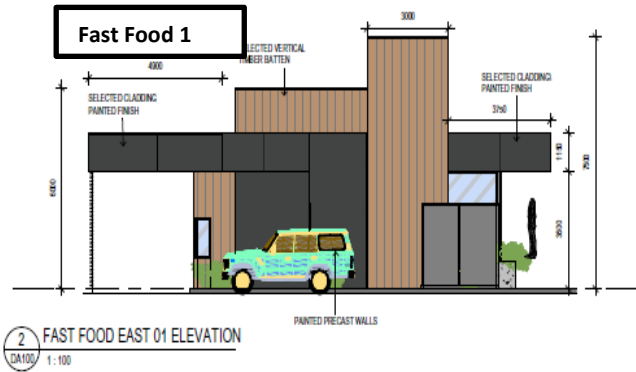
Comment:
Byford District Structure Plan – Refer to Report
Byford Townsite Detailed Area Plan

DAP Requirement	Proposed Development
<p><u>Lot sizes</u> Given the mixture of land uses to be accommodated, further subdivision will not be supported unless supported by a detailed land development concept.</p>	<p><u>Complies</u> – The application does not propose any subdivision of land.</p>
<p>Building Setbacks South Western Highway – minimum 15 metres from kerb of highway carriageway</p> <p>Setbacks on other boundaries will be as determined by the Shire.</p>	<p><u>Complies</u> Fast Food 1 -14.2m Convenient store - 14.87m Fast Food 2 - 12.375m</p> <p><u>Does not comply.</u> Fuel canopy - 7.7m</p> <p>The fuel canopy does not comply with the DAP requirements. The minimum front setback required for Service Commercial under for LPS3 is 12 metres.</p> <p>Officers consider that the proposed setback variations to the Fuel canopy can be supported on the merit that the proposed landscape plan proposes to plant trees along the South Western highway edge that would eventually screen the development from view. In addition, the proposed fuel canopy is open thereby not resulting in issues by way of bulk.</p> <p><u>Complies</u> - The Fast Food 1 is setback 12.726m from Larsen Road which can be considered to be the secondary street. The minimum secondary setback requirement for Service Commercial requirement under for LPS3 is 6 metres.</p> <p>The Service centre is setback 11.902m from George Street which can be considered to be the rear. The vacuum bays are</p>

	<p>3.246m from George Street The minimum rear setback requirement for Service Commercial requirement under for LPS3 10metres. Overall, it is considered that the development would maintain a consistent streetscape along the George Street Road reserve.</p>
Building Placement, Orientation and Frontages	

Must address the Highway, George Street, car parking and public footpath.

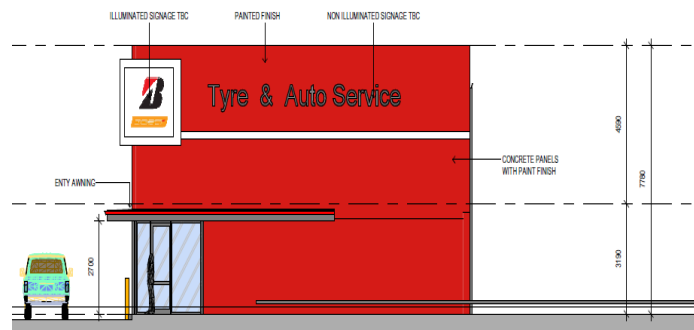
Complies – The following elevations are for the Fast Food tenancies, convenience store, and fuel canopy viewed from the Highway.

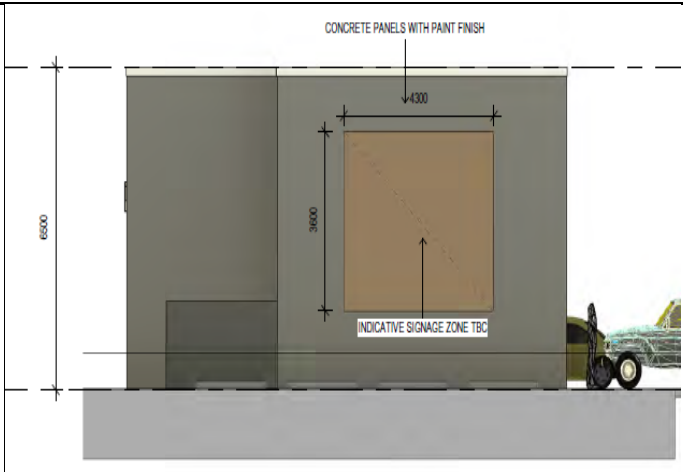


Officers consider that the Highway frontage has been adequately addressed taking into account the corporate branding required for the different tenants. The proposed cladded precast walls and timber columns and battens will improve the visual impact of the site. The coloured blank walls particularly for the convenience store will be ameliorated by the proposed timber colonnade along the edge which will further present an interesting visual aspect to this frontage. This timber feature will provide a quality presentation to Southwestern Highway.

In addition, building bulk from the proposed development will be softened by proposed landscaping adjacent to Southwestern Highway. The applicant has provided a justification stating that most of the buildings will eventually be screened by vegetation. Overall, the design elements which include the use of timber looking columns, coloured blockwork, composite cladding, with contrasting colours and varied roof forms for the fast foods are aesthetically pleasing.

The following elevations are for the Service Center and Car wash as viewed from George Street.

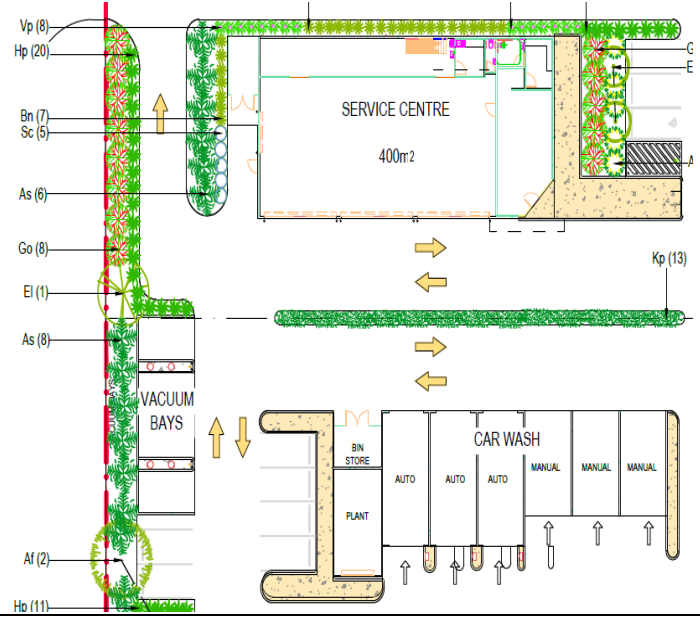





2 CAR WASH ELEVATION

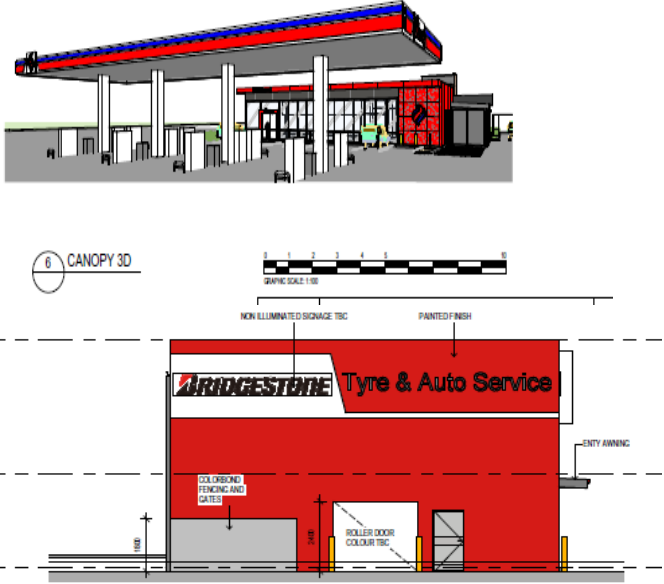
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Officers consider that the George Street frontage has been sufficiently addressed particularly by the proposed soft landscaping surrounding buildings facing George Street. The landscape plan indicatively includes planting of trees that will assist in breaking the building bulk as shown below:



<p>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.</p>	<p>Generally complies</p>
<p>Buildings should generally be set parallel to existing side boundaries</p>	<p>Generally complies</p>
<p><i>Scale, Proportion & Built Form</i></p>	
<p>May be contemporary in its form and style. Shall also strive to demonstrate some consistency with the best elements of neighbouring contemporary buildings (if they exist) in terms of basic form, rhythm, materials and articulation.</p>	<p>Complies - The proposed development is generally contemporary in form and style matching with the new neighbouring contemporary buildings further south . The building is proposed to be constructed of tilt up concrete tilts and timber cladding. The applicant provided information that dark grey and timber colours will be used to ensure the building is sympathetic to natural soils and vegetation</p> <p>The proposal presents a commercial design that is sympathetic with the surrounding residential context. The overall design and materials proposed will replicate the existing commercial buildings to the south, thereby in keeping with the existing streetscape. The scale of the buildings is otherwise considered consistent with the surrounding buildings in terms of scale and design. The overall design of the proposal complements the established patterns and future character of the commercial precinct</p>
<p>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.</p>	<p>Complies</p>

<p>Buildings should be capable of adaptation over time to cater for alternative uses.</p>	<p>Complies</p>
<p>Development may be permitted to a maximum of two storeys, with a total roof height of 8.0m maximum.</p>	<p>Complies</p>
<p><i>Building Materials and Colours</i></p>	
<p>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.</p>	<p>Complies - Tilt up concrete panel construction methods are used. The buildings are proposed to be constructed of tilt up concrete tilts.</p>
<p>Where roofing is visible, large profile roof sheeting is not acceptable</p>	<p>Complies -Roofing will predominantly be flat and hidden behind parapets.</p>
<p>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.</p>	<p>Complies -Design and style is in keeping with the semi-rural character of the Byford area. Verandah style and façade treatment below sufficient to address this issue.</p>  <p>6 PERSPECTIVE</p>

<p>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.</p> <p>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.</p> <p>Colours that take inspiration from the local soils and vegetation would be most appropriate.</p>	<p>Complies corporate branding normally associated with tenancies have been used. The service station Liberty, including red, blue and white colours. It is common practice for commercial buildings to be branded accordingly.</p> 
<p>Car Parking and Access</p>	
<p>Where lots have dual public road frontage, vehicular access must be provided to each road. Crossovers to South Western Highway are to be minimized.</p> <p>Access to crossover on adjoining lots via connection car parking area will be considered acceptable.</p> <p>Centrally located "through" parking areas linking George Street and South Western Highway are required.</p>	<p>Does not comply - A minimum of 88 parking bays would need to be provided. The proposal has an overall shortfall of 9 bays. Discussed in the car parking section of the main report</p>
<p>Where lots have a dual public road frontage, vehicular access must be provided to each road.</p>	<p>Complies - Discussed in the traffic section of the report.</p>
<p>If the Highway is used for vehicular access of any kind, then each site will be limited to one crossover to the Highway.</p>	<p>Complies however use of Southwestern Highway crossover is not supported by MRWA.</p>

Car parking for customers and tenants shall be provided on-site as required by the prevailing Town Planning Scheme.	Does not comply as discussed in the car parking section of the report.
Corner Sites	
New development located on corner lots with a two street frontage must be sited and designed in such a manner that large, blank walls or fences are not provided to either	Complies - The development addresses all the street frontages.
Fences - Colourbond Fencing will not be permitted in Highway Commercial area. Where screening of service areas is required it must be constructed of materials consistent with the building services.	Does not comply - The development proposes 1.80m high Colorbond fence along the boundaries as shown on the Site Plan.
<i>Servicing (bin storage, air conditioning and cooling plant, etc)</i>	
Service areas shall be located out of sight of public roads and footpaths	Complies The applicant has provided a Waste Management Plan (WMP) showing provisions for bin storage strategically located and enclosed away from the areas of street view. The WMP has been provided and all solid waste operations to be managed as per the WMP to address any littering, scavenging and noise during collection by waste contractor. The WMP has however not addressed management of waste water generated from the car wash. As such the plan is required to be updated to address treatment of wastewater from the carwash and a risk management plan identifying all foreseeable risks to the environment and community including risk management controls. This will be included as a condition of approval.
Air conditioning equipment, satellite dishes and other roof structures shall be located so as not to extend above the roof line.	No details provided - Locations of plant and air-conditioning equipment have not been provided. The applicant has advised this is to be undertaken when tenants have been confirmed.

<p>Mechanical equipment may be permitted on building facades (other than a public street façade) where it is adequately visually screened and noise insulated in a manner that is in keeping with the development.</p>	<p>No details provided at this stage.</p>
<p>Advertising Signage</p>	
<p>Advertising signage must conform to the requirements of the Shire of Serpentine-Jarrahdale Local Planning Policy No. 4.11 – “Advertising Policy”.</p> <ul style="list-style-type: none"> • Building signage shall be kept simple and restrained and set on the building front as appropriate. Corner buildings may be treated differently where signage can be made an integral part of the design and demonstrated to be visually compatible. 	<p>Does not comply – The proposed Pylons signs are over height as discussed under the signage section of the report. A signage strategy would be required if the development were to be approved.</p>
<ul style="list-style-type: none"> • Signage other than the name of the business, the principal activity of the business and the street address will not be permitted. ‘Third party’ advertising will not generally be permitted. • Colours for signs should be selected with due consideration for the colours used in neighbouring developments. 	<p>Complies</p>
<p>Environmentally Sensitive Design</p>	
<p>New developments shall incorporate ecologically sustainable design principles (refer to DAP for full details).</p>	<p>Complies - The applicant has provided information that hardstand and access areas are to be constructed using recycled asphalt or similar product. The proposed buildings and associated structures (i.e fuel canopy) will be designed to support PV (Solar) Panels. Water wise gardens will be proposed.</p>
<p>Landscaping</p>	

<p>A landscape plan must be provided and approved by the Council for every development site. The plan must incorporate the planting of substantial trees, aimed at maintaining the area's semi-rural character.</p>	<p>Complies - The applicant has provided a Landscape Plan and Revegetation Plan. The landscaping proposal should be modified to show the retention of native trees and vegetation in the area indicated as proposed MRS reservation – those trees to be maintained by the developer until any approved development within an approved MRS reservation requires them to be removed. An updated Landscape will be recommended as a condition if the development were to be approved.</p>
<p>A minimum of 15% or of the total site has to be landscaped in a form approved by the Council. This area includes any area on a secondary street frontage, and may include an open car park where shade tree planting is proposed at a rate of at least one tree per 6 car bays.</p>	<p>Complies Approximately 1833m² of the site is designated as "landscaping" on the site plan. This would meet the 15% requirement. However, about one third of the "landscaping" shown on the applicant's plan comprises paving and drainage swales. The updated Landscape plan shall include shade trees in the carpark.</p>
<p>All trees planted on the site must be from a selected palette of indigenous trees as specified by the Council.</p>	<p>Tree species indicated on the landscape plan submitted by applicant should be reviewed and approved by Shire Officers to ensure they are appropriate for the location.</p> <p>An updated Landscaping Plan shall be submitted to and approved by the Shire of Serpentine Jarrahdale. The Landscaping Plan shall detail the landscaping within the site and on all the adjoining verges (including pedestrian pathways), to the satisfaction of the Shire of Serpentine Jarrahdale.</p>
<p>Street trees to be provided, as required by Council, approximately every 10 metres. Species to be as required by Council.</p>	<p>Does not comply - The submitted Planning report made no reference to the street trees removal other than to include notes on the Landscaping that the area of vegetation will be affected by a proposed MRS reservation and that the proposed MRS area should be landscaped with turf.</p>
<p>Existing trees are to be maintained wherever possible.</p>	<p>Complies The site plan indicates the retention existing trees within the South Western Highway reservation.</p>
<p>Furniture</p>	
<p>Street furniture (seats, litter bins, bollards, street lighting, decorative lighting, signs etc) should be simple and elegant and must be approved by Council. It can be used to define spaces as well as roads, paths and accessways.</p>	<p>No details provided.</p>

i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

Development:

k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			

m) 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	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to Report			

n) the amenity of the locality including the following – I. Environmental impacts of the development II. The character of the locality III. Social impacts of the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to report			

o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

r) the suitability of the land for the development taking into account the possible risk to human health or safety	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

s) the adequacy of –	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
I. The proposed means of access to and egress from the site; and			
II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles			
Comment: Refer to report			

t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road system in the locality and the probable effect on traffic flow and safety	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to report			

u) the availability and adequacy for the development of the following –	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
I. Public transport services			
II. Public utility services			
III. Storage, management and collection of waste			
IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)			
V. Access by older people and people with disability			
Comment:			

v) 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	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

w) the history of the site where the development is to be located	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

y) any submissions received on the application	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

Za) the comments or submissions received from any authority consulted under clause 66	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			

Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			