



Metro North-West Joint Development Assessment Panel Agenda

Meeting Date and Time: 26 April 2018; 9:30am
Meeting Number: MNWJDAP/210
Meeting Venue: City of Joondalup
25 Boas Avenue
Joondalup

Attendance

DAP Members

Ms Karen Hyde (Presiding Member)
Mr Ray Haeren (Deputy Presiding Member)
Mr John Syme (Specialist Member)

Item 8.1

Cr David Boothman (Local Government Member, City of Stirling)
Cr Giovanni Italiano (Local Government Member, City of Stirling)

Item 10.1

Cr Christine Hamilton-Prime (Local Government Member, City of Joondalup)
Cr Philippa Taylor (Local Government Member, City of Joondalup)

Officers in attendance

Item 8.1

Mr Ben Hesketh (Western Australian Planning Commission)
Ms Giselle Allix (City of Stirling)
Mr Daniel Heymans (City of Stirling)

Item 10.1

Mr Ryan Bailey (City of Joondalup)

Minute Secretary

Mr John Byrne (City of Joondalup)

Applicants and Submitters

Item 8.1

Mr Nik Hidding (Peter Webb & Associates)
Mr Brendan Foley (Lavan)

Item 10.1

Mr Brendan Foley (Lavan)
Mr Scott Vincent (Planning Solutions)

Members of the Public / Media

Nil



1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

The Minutes of Metro North-West JDAP meeting No.209 held on 20 April 2018 were not available at time of Agenda preparation.

5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. Disclosure of Interests

Member/Officer	Report Item	Nature of Interest
Ms Karen Hyde	8.1	Impartiality Interest – Ms Hyde currently works for Taylor Burrell Barnett, the firm was engaged by the City of Stirling in 2013 to prepare the MRS amendment, structure plan and LDP for the Herdsman Glendalough area. The work and associated fee was concluded in 2015.

7. Deputations and Presentations

- 7.1** Mr Nik Hidding (Peter Webb & Associates) presenting in support of Item 8.1. The presentation will address the reasons for refusal and seek approval of the application.
- 7.2** Mr Brendan Foley (Lavan) presenting in support of the application at Item 8.1. The presentation will address the legal discretion to approve the proposed development.
- 7.3** Mr Scott Vincent (Planning Solutions) presenting in support of the application at Item 10.1. The presentation will support the RAR recommendation and a brief outline of the amended proposal.



8. Form 1 - Responsible Authority Reports – DAP Applications

- 8.1a** Property Location: Lot 100, House Number 304 Scarborough Beach Road, Scarborough
Application Details: Motor Vehicle Sales and Motor Vehicle Repair
Applicant: Peter Webb & Associates
Owner: Ryder Pty Ltd & Mechanical Holdings Pty Ltd
Responsible authority: City of Stirling
DAP File No: DAP/17/01353
- 8.1b** Property Location: Lot 100 (No. 304) Scarborough Beach Road, Osborne Park
Application Details: Motor Vehicle Sales and Motor Vehicle Repair
Applicant: Mr Nik Hidding, Peter Webb & Associates
Owner: Ryder Pty Ltd and Mechanical Holdings Pty Ltd
Responsible authority: Western Australian Planning Commission
DAP File No: DAP/17/01353

9. Form 2 – Responsible Authority Reports - Amending or cancelling DAP development approval

Nil

10. Appeals to the State Administrative Tribunal

- 10.1** Property Location: Lot 1 (248) Camberwarra Drive, Craigie
Application Details: Child Care Centre
Applicant: Planning Solutions
Owner: The Roman Catholic Archbishop of Perth
Responsible authority: City of Joondalup
DAP File No: DAP/17/01210

The following State Administrative Tribunal Application has been received:

- City of Wanneroo - Lot 140 (81) Ghost Gum Boulevard, Banksia Grove - Motor Vehicle Repair

11. General Business / Meeting Closure

In accordance with Section 7.3 of the DAP Standing Orders 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.



Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Lot 100, House Number 304 Scarborough Beach Road, Scarborough
Development Description:	Motor Vehicle Sales and Motor Vehicle Repair
DAP Name:	Metro North-West JDAP
Applicant:	Peter Webb & Associates
Owner:	Ryder Pty Ltd & Mechanical Holdings Pty Ltd
Value of Development:	\$9 million
LG Reference:	DA17/2495
Responsible Authority:	City of Stirling
Authorising Officer:	Ross Povey, Director Planning and Development
DAP File No:	DAP/17/01353
Report Due Date:	12/4/2018
Application Received Date:	22/12/2017
Application Process Days:	70 days
Attachment(s):	<p>Attachment 1 Development Application Plans (all received 8 December 2017 unless otherwise stated)</p> <ol style="list-style-type: none">1) Site Plan (SK1);2) Site Floor Plan (SK2);3) Car Deck Plan, South Elevation & West Elevation (SK3);4) East Elevation (SK4);5) Re-establishment Survey; and6) Landscape Plan. <p>Attachment 2 Aerial Location Plan</p> <p>Attachment 3 Herdsman Glendalough Area</p> <p>Attachment 4 Metropolitan Region Scheme (MRS) Zoning Map</p> <p>Attachment 5 City of Stirling Local Planning Scheme No. 3 (LPS 3) Zoning Map</p> <p>Attachment 6 Herdsman Glendalough Area Structure Plan Map</p>

	<p>Attachment 7 Applicants Traffic Impact Statement prepared by Transcore (December 2017)</p> <p>Attachment 8 Main Roads Western Australia referral comments</p> <p>Attachment 9 Transcore Response to MRWA comments</p> <p>Attachment 10 Extract of Part 1 of the Draft Herdsman Glendalough Area Structure Plan</p> <p>Attachment 11 Amendment No. 39 Report</p>
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Officer Recommendation:

That the Metro North-West JDAP resolves to:

Refuse DAP Application reference DAP/17/01353 and accompanying plans (Attachment 1) in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Local Planning Scheme No.3, for the following reasons:

1. The proposed 'Motor Vehicle Repair' land use is not supported as it is an 'X' use under the Draft Herdsman Glendalough Structure Plan. The proposed 'Motor Vehicle Repair' use is contrary to the intended future character of the area and is inconsistent with the principles of orderly and proper planning. The proposed use and form of development will prejudice the intent and objectives of the planning framework of the area.
2. The proposed development is inconsistent with Amendment No. 39 in relation to the objectives for the Herdsman Glendalough Special Control Area.
3. The proposed development is inconsistent with Development Control Policy 1.6- Planning to Support Transit Use and Transit, as the proposal does not include uses and activities that will benefit from their proximity and accessibility to public transport, and which will in turn generate a demand for the use of transit infrastructure and service.
4. The proposed development is inconsistent with Development Control Policy 5.1- Vehicular Access, which seeks to rationalise vehicle access from regional roads (Scarborough Beach Road).
5. The proposed development is not considered to meet the intent and policy provisions of State Planning Policy 4.2 – Activity Centres for Perth and Peel.

6. The application does not satisfy *Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 - Deemed Provisions)*, including Clauses 67(a), (b), (c), (g), (h), (m), (n), (p), (s) and (t).
7. The proposed development does not achieve the objectives of the Glendalough Station Special Control Area as set out in Clause 6.4 of the City's Local Planning Scheme No. 3, as the development does not '*capitalise on the strategic advantages of the Special Control Area's excellent public transport, accessibility and proximity to the Central Business District*'.
8. The proposed development is contrary to the objectives and development provisions of Local Planning Policy 6.11 in relation to Trees and Development, which requires 28 advanced trees be planted onsite as the proposal does not propose any advanced trees.
9. The proposed development is contrary to the objectives and development provisions of Local Planning Policy 6.6 in relation to Landscaping, which requires 1417.9sqm of landscaping to be provided onsite, a 1.5m wide landscaping strip to street frontages and 12 trees to be planted in open parking areas.

Background:

Zoning	MRS:	Urban
	TPS:	Industrial
Use Class:		Motor Vehicle Sales and Motor Vehicle Repair
Strategy Policy:		Not Applicable
Development Scheme:		Local Planning Scheme No.3
Lot Size:		14,179sqm
Existing Land Use:		Motor Vehicle Sales and Motor Vehicle Repair

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) (Attachment 4) and 'Industrial' under the City of Stirling's Local Planning Scheme No. 3 (LPS3) (Attachment 5). The subject site abuts Scarborough Beach Road to the south, Mitchell Freeway road reserve to the west and commercial properties on all other sides. The site is affected by the Western Australian Planning Commission's Planning Control Area 104, which includes a requirement for road widening.

The subject site is currently used for the purpose of Motor Vehicle Sales and Repairs. The area surrounding the subject site is characterised by industrial and office land uses. A number of Motor Vehicle Sales premises are also located in the immediate vicinity.

Herdsmen Glendalough has been traditionally characterised by showrooms, industrial activities and office uses. To the east of the Mitchell Freeway the area is characterised by both industrial and residential development. Given the area's proximity to Glendalough Station and due to its high level of employment generation, the Herdsmen Glendalough Area is recognised as a key strategic location in terms of the City's future economic and residential growth. The opportunity to transform the area to one which is more intense, more pedestrian friendly and focuses on mixed use, has been recognised in the city's long term planning for the area, which is in the last stages of finalisation.

Details

The application seeks approval for the demolition and redevelopment of the site for a new dealership and repair centre for Scarboro Toyota which comprises the following land uses: Motor Vehicle Sales and Motor Vehicle Repair.

Specifically, the proposal includes:

1. Built Form
 - a) Dealership building (including a mezzanine) to be used for display of new vehicles; sales office; administration office & reception area for the dealership;
 - b) Workshop for Motor Vehicle Repair; and
 - c) Cardeck area above the workshop for vehicle parking.
2. Parking
 - a) Motor Vehicle Sales component includes 48 bays dedicated for new motor vehicle display and 193 bays dedicated for used motor vehicle display.
 - b) Motor Vehicle Repair component includes 48 service bays; and
 - c) Total of 115 customer/staff parking bays are proposed comprised of 43 bays on ground level and 72 bays on the car deck.
3. Hours of operation & Staff
 - a) Hours of operation: 8.00am- 5.00pm Monday – Friday (Wednesday trading to 9.00pm) and Saturday 8.00am to 12.00pm.
 - b) 90 Staff members to be employed
4. Access & Egress
 - a) Relocation of existing left in/left out crossover (and associated short turn left lane) on Scarborough Beach Road.
 - b) Existing Baden Street crossover is proposed to be retained with no changes to this part of the proposal.

Legislation & policy:

Legislation

Metropolitan Region Scheme

The Metropolitan Region Scheme (MRS) is a State planning instrument which provides high-level / broad land use zones for the Perth Metropolitan Area. The subject site is zoned 'Urban' under the MRS.

Clause 30(1) of the MRS specifies that the decision maker, in determining the application, shall have regard to the following:

- the purpose for which the land is zoned or reserved under the Scheme;
- the orderly and proper planning of the locality; and
- the preservation of the amenities of the locality.

In accordance with the Notice of Delegation published in the Government Gazette on 12 June 2015, the application has been referred to the WAPC for consideration

under the provisions of Clause 32 of the Metropolitan Region Scheme. This is because the subject site is located within the Glendalough Station Precinct Clause 32 area, and is also affected by Planning Control Area 104. Officers of the Department of Planning, Lands and Heritage will also be providing a responsible authority report to the Metro North-West JDAP on the application for the purpose of the required determination under the MRS.

Metropolitan Region Scheme Amendment 1291/41

To realise the vision for the area, the Metropolitan Region Scheme needed to be amended. On 3 April 2014, the City submitted a request to the Western Australian Planning Commission to amend the Metropolitan Region Scheme by rezoning the majority of the Herdsman Glendalough Area from 'Industrial' to 'Urban'. This is to allow the introduction of high intensity mixed use development into the area.

The MRS Amendment 1291/41 has since been endorsed by the Minister for Planning, approved by the Governor and was submitted before both Houses of Parliament in accordance with the provisions of Section 56 of the *Planning and Development Act 2005*. The amendment has been effective in the MRS since 8 December 2017.

City of Stirling Local Planning Scheme No. 3 Industry Zone

The majority of the Herdsman Glendalough area is currently zoned 'Industry' and contains a number of 'Special Use' zones and 'Additional Use' zones for Motor Vehicle Sales (Additional Use 48)

Under Local Planning Scheme No.3 (LPS 3), the subject site is zoned Industry. LPS3 provides the following objectives for the Industry zone:-

- a) *To provide for a range of industrial and business development, as well as facilities for the storage and distribution of goods.*
- b) *To ensure a high standard of development appropriate to a modern industrial area and which is conducive to safe and convenient access by all clientele.*

Glendalough Station Special Control Area

The subject site is located within the Glendalough Station Special Control Area and therefore subject to Part 6.4 of LPS3. Clause 6.4.1 of LPS3 outlines the following objectives for the Glendalough Station Special Control Area:

- a) *"The development of land within the Glendalough Station Special Control Area shall comply with the adopted Structure Plan and Local Planning Policy for this area.*
- b) *To encourage development which capitalises on the strategic advantages of the Special Control Area's excellent public transport, accessibility and proximity to the Central Business District.*
- c) *To create a more economically, socially and environmentally sustainable City.*
- d) *To create a pedestrian friendly environment by having buildings with nil setbacks and weather protection".*

The following extracts of LPS3 are relevant to the determination of the application.

Clause 5.5.1 of Local Planning Scheme No. 3 – Variations to Site and Development Standards and Requirements

In relation to development that does not comply with a standard or requirement prescribed under the Scheme:

Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the Council may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit.

Amendment No. 39 to Local Planning Scheme No.3

The site is located within the Herdsman Glendalough area. This area has been the subject of extensive land use planning and community consultation over the last seven years. The transformation of the area from industrial to a mix of residential, office and shopping areas centred on transit stops will be facilitated by the imminent changes to the planning framework. Amendment 39 will be considered by the Statutory Planning Committee of the WAPC at its 1 May 2018 meeting, for a recommendation to be made to the Minister for Planning.

Amendment No. 39 must be given due regard in determining this development application. In relation to scheme amendments, clause 67 (b) requires that they be given 'due regard' in considering a development application where the amendment has been advertised. Amendment No. 39 has been advertised and has progressed well beyond this point in the process. Therefore, it must be given due regard in considering the proposal for the subject site.

'Due regard' has been cited in a number of legal cases including *Tah Land Pty Ltd v Western Australian Planning Commission* [2009] WASC 196, where the Supreme Court held that:

- 'due regard' implies something greater than mere 'regard'; and
- the decision-maker has a mandatory obligation to consider that document or planning instrument when making a decision on an application to which the particular document or instrument relates.

The major components of LPS3 - Amendment No.39 include the introduction of a 'Development' zone, the introduction of the 'Herdsman Glendalough Special Control Area and road widening provisions:

1. Introduction of Development Zone in Local Planning Scheme No.3

LPS3 currently zones the Herdsman Glendalough Area 'Industrial', 'Residential', 'Special Use', 'Hotel', 'Local Centre' and 'Business'. Amendment No.39 proposes to replace these zones with a single 'Development' zone and introduce a 'Development' area into Schedule 10 of LPS3. Clause 4.2.3 of Local Planning Scheme No.3 states that the objectives of a 'Development' zone are to:-

- a) *"To provide for coordinated development through the application of a comprehensive structure plan to guide subdivision and development.*

- b) *To avoid the development of land for purposes likely to compromise its future development for purposes, or in a manner likely to detract from the amenity or integrity of the area”.*

Amendment No. 39 proposes that a ‘Development’ Area be inserted into Schedule 10 of LPS3. The purpose of this ‘Development’ Area is to:-

“To facilitate development within the Herdsman Glendalough Structure Plan Area in a manner consistent with the objectives in Clause 6.4.1”.

Clause 6.4.1 proposes objectives for the Herdsman Glendalough Special Control Area (discussed below).

The introduction of a ‘Development’ zone over the Herdsman Glendalough Area will require a Structure Plan to be prepared and adopted. The Herdsman Glendalough Structure Plan was advertised for public comment from 20 January 2015 until 3 March 2015 and is also discussed further in this report.

2. Introduction of Herdsman Glendalough Special Control Area into Local Planning Scheme No.3

The Herdsman Glendalough Special Control Area covers the same area as the ‘Herdsman Glendalough Area’ (Attachment 3) and will replace the existing smaller Glendalough Station Special Control Area.

The Planning and Development (Local Planning Schemes) Regulations 2015 states that the purpose of a Special Control Areas is to:-

“Identify areas which are significant for a particular reason and where special provisions in the Scheme may need to apply. These provisions would typically target a single issue or related set of issues often overlapping zone and reserve boundaries. The special control areas should be shown on the Scheme Map as additional to the zones and reserves. If a special control area is shown on the Scheme Map, special provisions related to the particular issue would apply in addition to the provisions of the zones and reserves. These provisions would set out the purpose and objectives of the special control area, any specific development requirements, the process for referring applications to relevant agencies and matters to be taken into account in determining development proposal”.

The objectives of the Herdsman Glendalough Special Control Area are:-

- a) *To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles;*
- b) *To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists;*
- c) *To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses;*
- d) *To ensure the development of a diverse range of housing types;*
- e) *To ensure the development of a convenient network of public open space;*

- f) *To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area;*
- g) *To ensure the development of a range community facilities;*
- h) *To create a more permeable transport network through the provision of additional road connections;*
- i) *To ensure the conservation and appropriate use of natural resources; and*
- j) *To enable developer contributions to help fund key infrastructure.*

3. Proposed Clause 6.4.4

To ensure that road widening and new road connections are secured, the following provisions are proposed for the Special Control Area:-

“6.4.4 Road Widening Requirements

The owner of any site affected by a road widening reservation under the Metropolitan Region Scheme shall cede such road widening free of cost on the date on which, in the opinion of the City, the development, subdivision or strata subdivision of the lot the subject of the road widening requirement, is commenced.

The owner of any site affected by a right of way widening under the Local Planning Policy relating to Right of Ways shall cede such a right of way widening free of cost as a condition of development approval or subdivision or strata title approval recommended by the City.”

This requirement is significant as it requires landowners when developing to cede land free of cost. This will allow for future road widening to facilitate improved public transport infrastructure which is fundamental to the success of the planning framework for the area. Also, development to the scale envisaged by the planning framework will not be possible without an enhanced and more efficient public transport system and new road connections.

Owners ceding land for road widening purposes free of charge will be compensated through significant increases in development potential afforded through the provisions of the Herdsman Glendalough Structure Plan, and Herdsman Glendalough Local Development Plan.

Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 9, Clause 67 (Matters to be considered by local government)

Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 Deemed Provisions stipulates other matters to which Council is to give due regard to. The following provisions are applicable to the development proposal:-

- a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*
- b) *The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving*

- c) *any approved State planning policy*
- g) *any local planning policy for the Scheme area*
- h) *any structure plan, activity centre plan or local development plan that relates to the development*
- 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;*
- s) *the adequacy of —*
 - i. *the proposed means of access to and egress from the site; and*
 - ii. *arrangements for the loading, unloading, manoeuvring and parking of vehicles.*
- t) *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.*

In December 2017, Council adopted Scheme Amendment No.39 which relates to the rezoning of the area from 'Industrial' to 'Development'. Based on Clause 67 (b), due regard is to be given to the imminent Scheme amendment.

Herdsman Glendalough Structure Plan and Local Development Plan Project History

In May 2008, the City, in conjunction with the then Department of Planning and Infrastructure, Public Transport Authority, Main Roads WA and the City of Vincent, commenced the 'Scarborough Beach Road Activity Corridor Study'.

One of the key development nodes of the Scarborough Beach Road Activity corridor is the 'Herdsman Glendalough Area'. The City of Stirling prepared a concept structure plan for the Herdsman Glendalough Area in 2010, which was subsequently advertised for public comment between 6 June 2011 and 15 July 2011. Following this advertising period, Council resolved (Resolution Number 1211/014) to endorse the preparation of a project brief, for the development of a final Structure Plan and Local Development Plan. The Structure Plan and the Local Development Plan will provide statutory provisions which will guide future land use and development in the area.

Following the approval of the project brief, on 19 February 2013 Council resolved (Council Resolution Number 0213/077) to appoint an external consultant to assist the City. As part of the process of developing the Structure Plan, Detailed Area Plan, Retail Needs Assessment and Urban Design and Landscaping Masterplan, the City held four further community consultation sessions with the public as follows:-

- *Vision Workshop - 16 May 2013;*
- *East of Frobisher Precinct Design Workshop - 30 May 2013;*
- *Hutton to Frobisher Precinct Design Workshop - 5 June 2013;*
- *King Edward to Hutton Street Precinct Design Workshop – 6 June 2013; and*
- *Open Day - 30 November 2013.*

Following the community consultation sessions, the draft Herdsman Glendalough Structure Plan and Detailed Area Plan were prepared. At its meeting held on 14 October 2014, Council resolved (Council Resolution Number 1014/015) to advertise the Structure Plan and Detailed Area Plans as follows:-

That Council INITIATES advertising of the following documents in accordance

with Part 6A of Local Planning Scheme No.3:-

- a) Herdsman Glendalough Structure Plan; and*
- b) Herdsman Glendalough Detailed Area Plan.”*

The Structure Plan and the Local Development Plan were advertised between 20 January 2015 and 3 March 2015. The City is currently awaiting the gazettal of Amendment No. 39 by the WAPC prior to finalisation of the Structure Plan and Local Development Plan.

State Government Policies

Perth and Peel @ 3.5 Million

Perth and Peel @ 3.5 Million is a State planning instrument guiding development of the Perth and Peel metropolitan areas, providing a framework for urban growth and consolidation. Glendalough is recognised as a District Centre in the Perth and Peel @ 3.5 Million Sub-Regional Framework Activity Centres Hierarchy and covers land in both the City of Stirling and the City of Vincent.

The Herdsman Glendalough Area is also a key component of the Scarborough Beach Road Activity Corridor. This corridor is identified within Perth and Peel @ 3.5 Million Sub-Regional Framework as one of several corridors *“that should be the focus for investigating increased densities and a greater mix of suitable land uses.”* The objectives of Amendment No.39 and the broader planning framework are consistent with the principles of Perth and Peel @ 3.5 Million which are to focus future residential growth on major corridors and around activity centres.

Central Metropolitan Perth Sub-regional Strategy

The Central Metropolitan Perth and Peel Sub-Regional Strategy (CMPSRS) provide a framework for delivering the objectives of Perth and Peel @ 3.5 Million within the central metropolitan region.

With respect to the subject area, the CMPSRS provides the following guidance:

- *The Stirling Centre and Glendalough Train Station areas are both identified as major growth areas with a yield in excess of 1000 dwellings;*
- *Glendalough and Stirling Train Station’s are identified for Transit Oriented Development sites, with the extension of Stephenson Avenue as a public transport corridor;*
- *The premise of rapid transport on Scarborough Beach Road is supported by the Strategy’s expectation for consolidated redevelopment around key existing and new intersections and transit nodes; and*
- *The Strategy notes that the “Osborne Park industrial area has experienced a transition of uses over recent years, largely to bulky goods retailing. Despite offering a grid network and large landholdings conducive to consolidated redevelopment it is yet to experience the degree of development that has occurred south of Scarborough Beach Road. This may be partly attributed to the lack of sewerage in some portions of Osborne Park, limited amenity and access issues”. It notes a need for many of the existing service and light*

industrial uses to remain, so these are likely to be neighbouring the Structure Plan area in the long-term future.

State Planning Policy 4.2 – Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel, is the overarching State policy utilised by the Western Australian Planning Commission and other decision makers to implement the recommendations of Perth and Peel @ 3.5 Million as they relate to activity centres. SPP 4.2 places a high priority on establishing a coherent and complementary urban form and design outcome for places. The aim is to create diverse mixed use centres which attract investment, employment and people.

SPP 4.2 applies to centres classified as ‘District’ and above. Glendalough, situated within the eastern part of the HGA, is a District Centre and the Stirling Strategic Metropolitan Centre anchors the west.

Commensurate with the categories, District Centres should:

- *Be a focal point for bus network;*
- *Be characterised by a variety of retail types, including discount department stores, supermarkets, convenience goods, small-scale comparison shopping, personal services, some specialty stores, district-level office development and local professional services;*
- *Achieve a minimum residential density target per gross hectare of 20, and desirable target of 30; and*
- *Provide a mix of land uses floor space as a proportion of the centre’s total floor space.*

Development Control Policy 1.6 - Planning to Support Transit Use and Transit Oriented Development

Development Control Policy 1.6 - Planning to Support Transit Use and Transit Oriented Development (DC 1.6) sets out policy objectives that include:

“To ensure the optimal use of land within transit oriented precincts by encouraging the development of uses and activities that will benefit from their proximity and accessibility to public transport, and which will in turn generate a demand for the use of transit infrastructure and services.”

Scarborough Beach Road Activity Corridor Framework

The Scarborough Beach Road Activity Corridor Framework is a strategic planning document adopted by the WAPC in 2012.

The document establishes a vision for the Scarborough Beach Road Activity Corridor and provides high level guidance for future growth and development from Scarborough Beach to Charles Street, North Perth. The document identifies Glendalough Station as a future transit oriented centre and identifies mixed use development and increased density for Osborne Park and Herdsman.

Currently there is no residential development along Scarborough Beach Road within the Herdsman Glendalough Area. The new planning framework including

Amendment No.39 will require residential development within the Herdsman Glendalough Area of the Scarborough Beach Road Activity Corridor.

Adoption of both Metropolitan Region Scheme Amendment 1291/41 and Amendment No.39 will complete a significant part of the necessary planning framework for the Scarborough Beach Road Activity Corridor.

Development Control Policy 5.1 - Regional Roads (Vehicular Access)

Development Control Policy 5.1 (DC 5.1) was adopted by the WAPC in 1998 and addresses matters relating to the control of development adjacent to regional roads. Given Scarborough Beach Road is reserved as a 'Primary Regional Road' in certain sections and an 'Other Regional Road' in other sections under the MRS, the Policy is relevant to the consideration of the proposed development. In relation to regional roads, Part 3.3.1 of DC 5.1 stipulates the following:

"In general, the Commission will seek to minimise the creation of new driveways on regional roads and rationalise existing access arrangements".

Local Planning Policies

- Local Planning Policy 4.3 – Industrial Design Guidelines
- Local Planning Policy 6.1 – Advertising Signs
- Local Planning Policy 6.2 – Bicycle Parking
- Local Planning Policy 6.3 – Bin Storage
- Local Planning Policy 6.6 – Landscaping
- Local Planning Policy 6.11 – Trees and Development
- Local Planning Policy 6.7 – Parking & Access

These are referred to further within the planning assessment section of this report.

Consultation:

Public Consultation

The application was not required to be advertised in accordance with the City's Planning Consultation Procedure.

Consultation with other Agencies or Consultants

Referral to Main Roads Western Australia

Consultation was undertaken with Main Roads Western Australia (Main Roads WA) as Scarborough Beach Road is reserved as a Primary Regional Road where it abuts Mitchell Freeway under the Metropolitan Region Scheme. Main Roads WA does not support the proposal for the following reasons:

1. *The development proposes to relocate the existing left in/left out access and short slip lane on Scarborough Beach Road to the west of its existing location within the Mitchell Freeway Primary Regional Road reservation. This is inconsistent with Development Control Policy (DCP) 1.5 (Vehicular Access) Section 3.3 regarding driveway access and Main Roads intent to rationalise vehicle access.*

2. *As per Main Roads Driveways Policy Section 3.3.7 regarding auxiliary lanes, the whole left turn auxiliary lane shall be located within the property frontage, unless written approval from the affected property owner is provided.*

As the modified access and slip lane is proposed within the Primary Regional Road reserve, Main Roads is the affected property owner. As such Main Roads does not agree to the relocation of the access and slip lane due to it being in contravention of DCP 5.1 and its potential impact on future road widening works for Mitchell Freeway and construction of a bridge for the future Pedestrian Shared Pathway (PSP) link at this location.

3. *SWEPT path diagrams provided in the Transport Impact Statement prepared by Transcore use the incorrect car carrier design vehicle. SWEPT path diagrams indicating site access for a 25 metre car carrier design vehicle as per Austroads Design Vehicles and Turning Path Templates Guide should be used for this type of development. The 19 metre semi-trailer depicted in the Transport Impact Statement is not typical of the vehicle used for the purposes of car transport for the proposed land use.*
4. *The proposed development has sufficient vehicular access from Baden Street to the rear of Lot 100. Baden Street is included in the Restricted Access Vehicle Network for a 25 metre car carrier design vehicle and as such the access to Scarborough Beach Road is not required. An example of a similar access arrangement has been successfully achieved for the same land use at Melville Toyota where all access to the site is achieved from a Local Road (Carr Place).*

The comments from Main Roads WA were provided to the applicant so that they could respond to the concerns raised. The applicants justification is provided in Attachment 9.

Referral to Department of Planning, Lands & Heritage

Consultation was undertaken with Department of Planning, Lands and Heritage (DPLH). A response was not received however given the subject site is within the Glendalough Station Precinct Clause 32 area, officers at DPLH will provide a responsible authority report to the Metro North-West JDAP.

Planning Assessment:

The application seeks consideration of a Motor Vehicle Sales and Motor Vehicle Repair dealership on the subject site. The development has been assessed against the City's Local Planning Scheme No. 3 (LPS3) and applicable Local Planning Policies. LPS3 provides guidance in respect to zoning and objectives of zones, however, more specific development standards are provided in relevant local planning policies.

1. Amendment No.39
 - a) Assessment against the requirements of the 'Development Zone'
 - b) Assessment against the objectives of the Glendalough Special Control Area.
2. State Planning Policy 4.2 Activity Centres for Perth and Peel

3. Local Planning Scheme No.3:
 - a) Assessment against the objectives of the Glendalough Station Special Control Area.
4. Herdsman Glendalough Structure Plan and the Local Development Plan:
 - a) Land use assessment;
 - b) Assessment against the relevant development standards;
5. Planning and Development (Local Planning Schemes) Regulations 2015
 - a) Assessment against Schedule 2, Part 9, Clause 67 (Matters to be considered by local government)
6. Local Planning Policy 4.3 – Industrial Design Guidelines
7. Local Planning Policy 6.1– Advertising Signs
8. Local Planning Policy 6.6 – Landscaping
9. Local Planning Policy 6.11 – Trees and Development
10. Engineering Design Considerations

Amendment No. 39

In relation to scheme amendments, clause 67 (b) requires that they be given ‘due regard’ in considering a development application where the amendment has been advertised. Given the scheme amendment is well progressed and currently with the WAPC for gazettal, due regard must be given to the amendment when considering the proposal at the subject site. The major components of Amendment No.39 include the introduction of a ‘Development’ zone, the introduction of the ‘Herdsman Glendalough Special Control Area and proposed Clause 6.4.4 in relation to road widening requirements. The major components will be assessed below.

Assessment against the requirements of the ‘Development Zone’

The site will be zoned Development under LPS3 once the amendment is gazetted. The following table provides an assessment of the development against the objectives of the zone.

Objective	Officer Comment
<i>To provide for coordinated development through the application of a comprehensive structure plan to guide subdivision and development.</i>	<p>The introduction of a ‘Development’ zone over the Herdsman Glendalough Area will require a Structure Plan to be prepared and adopted.</p> <p>Given the Herdsman Glendalough Structure Plan and Local Development Plan have been advertised for public comment, due regard must be given to these planning instruments.</p> <p>The proposal does not meet this objective as it does not address the Herdsman Glendalough Structure Plan and Local Development Plan. The applicants submission details the term ‘due regard’ and provides reasons as to why little weight should be given to the draft planning instruments. As a result, the development is not aligned with the future</p>

	framework.
<i>To avoid the development of land for purposes likely to compromise its future development for purposes, or in a manner likely to detract from the amenity or integrity of the area.</i>	The proposal does not meet this objective as it will compromise the vision for the area. The imminent changes to the planning framework open up opportunities for the development of the site in a manner consistent with the vision and objectives for the area. The proposed development compromises the creation of a mixed use development with dense built form, high frequency public transport and quality public spaces.

The Herdsman Glendalough area has high strategic importance and seeks to become a vibrant and economically diverse centre that will provide an alternative to the Perth CBD. Herdsman Glendalough is now on the cusp of transformation to a mixed use precinct, to be characterised by office development, new commercial and retail opportunities, and the introduction of residential living. The City, along with the State, has embarked on a comprehensive strategic approach to this area as a large scale redevelopment opportunity to bring in additional employment opportunities, regeneration, and most importantly, residents. The proposed development will jeopardise the vision of creating a vibrant, pedestrian friendly, mixed use area as the proposed land use is a car based use which involves a large Motor Vehicle Repair component which will further limit any opportunity for a residential component to be included on the subject site over the long term.

Assessment against the objectives of the Glendalough Special Control Area

Amendment No.39 will replace the existing smaller Glendalough Station Special Control Area with the Herdsman Glendalough Special Control Area. An assessment against the objective is provided in the table below.

Objective	Officer Comment
To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles	<p>The proposed land uses do not contribute to the vibrancy of the centre and has the unwanted impact of sterilising the land (and adjacent land) and impacting the ability to provide a vibrant, mixed use centre.</p> <p>The proposal does not meet this objective.</p>
To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists.	<p>Main Roads WA does not support the application as the proposed relocation of the access and slip lane may impact the construction of a bridge for the future Pedestrian Shared Pathway (PSP) link at this location. The PSP plays an important role in creating a pedestrian friendly environment and as such should not be compromised.</p> <p>The City's Engineer has commented that to accommodate truck movements the</p>

	<p>proposed crossover width at the footpath exceeds desirable crossing lengths, and does not create a desirable pedestrian environment.</p> <p>Furthermore due to the relocation of the crossover further west, the existing left turn pocket is now considered too short to accommodate truck access into the site and is therefore unsafe.</p> <p>The proposal does not meet this objective.</p>
To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses	The proposal is considered to be an underutilisation of the land as the proposed land uses are vehicle based uses that do not include a residential component. In particular the Motor Vehicle Repair land use limits the potential of the area to deliver vibrancy and activity. The proposed development does not seek to densify the commercial uses and therefore the objective is not met.
To ensure the development of a diverse range of housing types	Residential component is not proposed as part of the development therefore the objective is not met.
To ensure the development of a convenient network of public open space	Public open space is not proposed as part of the development therefore the objective is not met.
To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area	The proposed development is proposing one industrial land use – Motor Vehicle Repair and one commercial land use- Motor Vehicle Sales therefore the objective is not met as a range of commercial uses is not proposed.
To ensure the development of a range community facilities	Community facilities are not proposed as part of the development therefore the objective is not met.
To create a more permeable transport network through the provision of additional road connections	<p>The proposed development does not factor in the proposed road connections that are shown in the structure plan (discussed later in the report). Furthermore, Main Roads WA and the City's Engineering Business Unit do not support the relocated crossover as it has implications in terms of pedestrian movement.</p> <p>This objective is not met.</p>
To ensure the conservation and appropriate use of natural resources	Given the proposed land use is of a larger scale than the existing land use, it is expected that increased consumption of natural resources will occur. Furthermore the lack of density, of both residential and

	commercial uses further exacerbates the issue of urban sprawl, which has implications in terms of consumption of natural resources.
To enable developer contributions to help fund key infrastructure	<p>The City's officers are currently preparing a Development Contribution Plan for the Herdsman Glendalough Area which will be presented to Council before the end of the 2017/2018 financial year.</p> <p>As such, the applicant is not expected to meet this objective.</p>

As per the assessment above, the proposed development predominantly does not meet the objectives of the Glendalough Special Control Area and is considered to jeopardise the extensively planned objectives for the area. The proposed development does not provide any social interaction or pedestrian interaction with the surrounding environment and does not contribute to creating a vibrant centre. Motor Vehicle Repairs is a land use which is only permitted in the Industrial zone as this zone can accommodate uses which are less sensitive to the noise, odour and emissions associated with a Motor Vehicle Repairs. The approval of this use is directly contrary to and will significantly jeopardise the vision of creating a vibrant, pedestrian friendly, mixed use area around a key public transport node.

State Planning Policy 4.2 Activity Centres for Perth and Peel

State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2) outlines the typical functions, characteristics and performance targets for each level of the activity centre hierarchy. In regards to District Centres, such as the Glendalough, SPP 4.2 outlines the following:

Main role/function	District centres have a greater focus on servicing the daily and weekly needs of residents. Their relatively smaller scale catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments
Typical retail types	Discount department stores, Supermarkets, Convenience goods, Small scale comparison shopping, Personal services, Some specialty shops
Typical office development	District level office development, Local professional services

SPP 4.2 encourages the inclusion of diverse, active land uses within activity centres as a means of activating the public realm and creating a sense of vibrancy. The City does not consider that the proposal would contribute to the vibrancy of the centre, particularly given the development does not include a variety of land uses, does not encourage pedestrian activity, is unlikely to capitalise on the public transport system and will not improve the visual amenity of the area.

Local Planning Scheme No.3

Assessment against the objectives of the Glendalough Station Special Control Area

In relation to the current planning framework, the subject site is controlled by Clause 6.4 - Glendalough Station Special Control Area. An assessment against the objectives is provided in the table below.

Objective	Officer Comment
The development of land within the Glendalough Station Special Control Area shall comply with the adopted Structure Plan and Local Planning Policy for this area.	<p>Given the Herdsman Glendalough Structure Plan has been advertised for public comment, due regard must be given to this planning instrument.</p> <p>The proposal does not meet this objective; especially considering Motor Vehicle Repair is 'Not Permitted' under the Structure Plan in the Mixed Use zone. Non-compliance with the Structure Plan will be further discussed in this report.</p>
To encourage development which capitalises on the strategic advantages of the Special Control Area's excellent public transport, accessibility and proximity to the Central Business District.	The proposed development does not capitalise on the close proximity to Glendalough Train Station and proximity to high frequency public transport services. The proposed Motor Vehicle Sales and Motor Vehicle Repairs land uses are vehicle based uses with an excessive amount of land dedicated to the parking of vehicles. This is an underutilisation of the site and will compromise the ability to achieve the long term planning objectives for the area.
To create a more economically, socially and environmentally sustainable City.	The proposed development does not meet this objective as it seeks to utilise a strategically located site, within close proximity to high frequency public transport and Glendalough Train Station for the purposes of vehicle based land uses with a significant number of vehicle parking bays. The proposal does not comply with this objective and furthermore exacerbates the issues that this objective aims to avoid.
To create a pedestrian friendly environment by having buildings with nil setbacks and weather protection	A nil setback to the Planning Control Area boundary is not proposed however the building includes awnings as a means of providing weather protection for pedestrians. The proposal in general is not considered to be pedestrian friendly, based on the land uses proposed, the number of parking bays proposed, the issues in relation to the crossover and the lack of landscaping proposed.

	<p>As previously mentioned, Main Roads WA do not support the application due to potential impacts of the crossover and the future PSP. The City's Engineering team have also noted that the width of the crossover does not promote safe pedestrian movement. The lack of landscaping further reduces the visual amenity of the site and therefore compromises the ability to create a pedestrian friendly environment.</p> <p>The proposed development does not meet the objective.</p>
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As detailed above, the proposed land uses and associated built form is not considered to be a suitable use for the site as it does not meet the objectives set out in LPS 3 for the Glendalough Station Special Control Area.

Herdsmen Glendalough Structure Plan and the Local Development Plan

Land use assessment

Given the Herdsmen Glendalough Structure Plan and Local Development Plan have been advertised for public comment, due regard must be given to these planning instruments.

Under LPS 3 Motor Vehicle Sales is defined as:-

“premises used to sell or hire motor vehicles, boats, caravans, trailers or the like”

Under LPS 3 Motor Vehicle Repairs is defined as:-

“premises used for or in connection with –

- a) electrical and mechanical repairs, or overhauls, to vehicles; or
- b) repairs to tyres, but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping.

Whilst it's noted that Motor Vehicle Repair and Motor Vehicles Sales are both permitted within the 'Industrial Zone', under the draft Herdsmen Glendalough Structure Plan, Motor Vehicle Sales is a 'Discretionary' land use ('D' use) and Motor Vehicle Repair is 'Not Permitted' ('X' use) within the 'Mixed Use zone'.

The structure plan notes that the Herdsmen Glendalough area is considered a District Centre and that District Centres should:

- *Be a focal point for bus network;*
- *Be characterised by a variety of retail types, including discount department stores, supermarkets, convenience goods, small-scale comparison shopping, personal services, some specialty stores, district-level office development and local professional services;*

- *Achieve a minimum residential density target per gross hectare of 20, and desirable target of 30; and*
- *Provide a mix of land uses floor space as a proportion of the centre's total floor space.*

The proposed Motor Vehicle Repair component of the development takes up approximately 5000sqm of land area onsite. Motor Vehicle Repairs is considered to fall outside of the typical functions and characteristics of a District Centre, as they do not offer retailing, personal services or professional (office) services to the local catchment. Furthermore a site with a Motor Vehicle Repair land use is not compatible with a Residential land uses as Motor Vehicle Repairs are typically associated with higher levels of noise, odour and emissions. As such, Motor Vehicle Repairs are not considered appropriate land uses to be located within the District Centre, and are therefore not permitted within the zone.

The subject site is within a Special Control Area Mandatory Residential under the structure plan, which requires a minimum of 20% of the overall plot ratio of the site to be provided for residential dwellings. The intention of this requirement is to ensure that a residential population is provided in the vicinity of the future transit stops, in order to support the viability of a rapid transit system. At the very least, the City's expectation is that the proposal could make provisions for a future residential component, so as to be in conformity with the vision for the area. The proposed land use and associated built form is against the vision as Motor Vehicle Repairs and Residential land uses are conflicting uses. The intent of the emerging planning framework for the Herdsman Glendalough precinct is to create a vibrant mixed use area which embraces dense built form, public transport and quality public spaces. The proposed Motor Vehicle Repair land use is not aligned with the emerging planning framework and furthermore compromises the ability to deliver the objectives for the area.

Should the proposal be approved by JDAP, the Motor Vehicle Repair component will be considered a 'Non-Conforming Use'. The use of Motor Vehicle Repairs is still capable of approval by virtue of the nonconforming use provisions of LPS3. LPS3 does not establish any specific criteria that must be met in order to redevelop a site whilst retaining what is, in this instance, a non-conforming use. In the absence of any specific criteria, it is most relevant to refer to the objectives of the 'Mixed Use zone', being:

- To provide for a variety of land uses and activities which contribute to a vibrant and active street front;*
- To provide a high density, multi-storey built form outcome with vertical integration of land uses;*
- To facilitate the creation of employment within the area so as to reduce the demand for travel and enhance the level of self-sufficiency; and*
- To ensure a high standard of design that negates issues such as noise, smell and vibration that are related to mixed use developments.*

The Motor Vehicle Repair land use does not satisfy the objectives of the 'Mixed Use' zone and will not facilitate the redevelopment of the subject site in a way that will considerably improve the visual amenity of the area through the construction of a high quality development. The proposed retention of the non-conforming use is considered to significantly compromise the objectives of the 'Mixed Use' zone.

Assessment against the relevant development standards

1. Carparking

The intent of the future planning framework for the Herdsman Glendalough precinct is to significantly limit the provision of on-site parking by imposing maximum parking provisions. Whilst the final adoption of the Structure Plan is currently pending gazettal of Amendment No. 39, it is a strong reflection of Council's intent to limit the provision of onsite parking in the area in order to encourage high levels of access via public transport and sustainable methods of transport such as walking and cycling. The proposed development provides 115 car parking bays for customers and 164 car parking bays for 'car storage' (not including the bays that are used for the display of vehicles in association with the Motor Vehicle Sales land use) therefore a total of 270 parking bays is provided. The proposed development does not seek to minimise the visual impact of surface parking and parking structures on public domain amenity and therefore does not achieve the design intent for the area.

2. Future Road Link

In order to allow for the proposed increases in development intensity in the area, new road connections need to be established to improve traffic movement particularly along Scarborough Beach Road. Without the introduction of new road connections, the proposed increases in development intensity should not occur. Several sites within the Structure Plan Area have been identified as being required to cede land for new road connections.

"Proposed Local Road Reserve

The areas identified on Plan 1 as 'Proposed Local Road Reserve' represent desired local road connections to improve the overall connectivity within the Structure Plan area. The Detailed Area Plan provides additional development potential to sites where these local reserves are provided. These road connections are subject to detailed design, including location, alignment and road reserve width, as a component of adjacent subdivision and/or development approvals. These roads are to be ceded free of cost and constructed by the landowner".

Attachment 6 (the Herdsman Glendalough Structure Plan map) indicates that two new local road reserves are to be located at the subject site. One local road reserve is shown on the structure plan on the western side of the subject lot and another is shown to the north of the site and will connect Baden Street to the proposed road reserve on the western side of the lot. The proposed development application does not make provision for the proposed local road reserves as per the Herdsman Glendalough Structure Plan map and therefore does not seek to improve network connectivity within the area.

The proposal will compromise the ability to achieve the long term planning objectives for the area and will reinforce the existing issues associated with the locality, in particular, the segregation of land uses.

Planning and Development (Local Planning Schemes) Regulations 2015

An assessment against Schedule 2, Part 9, Clause 67 (Matters to be considered by local government) has been conducted below. Clause 67 outlines the matters that Council is to consider when determining a development application. In this instance the imminent planning framework and the 'due regard' which is to be given to the framework. This requires Council to take close consideration of the following matters:

Provision	Officer Comment
a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area.	The development does not meet the objectives set out in LPS 3 for the Glendalough Station Special Control Area therefore does not comply with this provision.
b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving.	The proposal is inconsistent with orderly and proper planning as Amendment No. 39 must be given due regard in determining the development application. The applicant's submission details why little weight should be given to the draft planning instruments. As a result the proposed development is inconsistent with Amendment No. 39.
c) any approved State planning policy;	<p>The proposal is inconsistent with the following policies:</p> <ul style="list-style-type: none"> • Perth and Peel @ 3.5 Million • Central Metropolitan Perth Sub-regional Strategy • State Planning Policy 4.2 – Activity Centres for Perth and Peel • Development Control Policy 1.6 - Planning to Support Transit Use and Transit Oriented Development • Scarborough Beach Road Activity Corridor Framework • Development Control Policy 5.1 - Regional Roads (Vehicular Access) <p>All of the above mentioned policies, except for Development Control Policy 5.1, identify the Herdsman Glendalough area as a District Centre to be characterised by increased density (both residential and commercial), mix of land uses and good connectivity in order to enable a pedestrian friendly and vibrant mixed use area. The development represents a significant underutilisation of the site as it does not achieve the intent of the above mentioned State Planning Policies.</p>

	<p>In relation to Development Control Policy 5.1, Part 3.3.1 of DC 5.1 stipulates the following:</p> <p><i>“In general, the Commission will seek to minimise the creation of new driveways on regional roads and rationalise existing access arrangements”.</i></p> <p>The proposed development does not conform to DC 5.1 as it proposes to maintain a relocated the crossover on Scarborough Beach Road. Main Roads WA note that Baden Street, to the north of the subject site, is included in the Restricted Access Vehicle Network for a 25 metre car carrier design vehicle and therefore access to Scarborough Beach Road can and should be rationalised.</p>
g) any local planning policy for the Scheme area	<p>The proposed development is seeking variations to the following local planning policies:</p> <ul style="list-style-type: none"> • Local Planning Policy 4.3 – Industrial Design Guidelines • Local Planning Policy 6.1– Advertising Signs • Local Planning Policy 6.6 – Landscaping • Local Planning Policy 6.11 – Trees and Development <p>Non-compliance with local planning policies is further discussed below however it should be noted that the variations sought to the two landscaping policies are not considered acceptable to the City.</p>
h) any structure plan, activity centre plan or local development plan that relates to the development;	<p>The applicants submission details the term ‘due regard’ and provides reasons as to why little weight should be given to the draft planning instruments. As a result, the development is not aligned with the emerging framework.</p> <p>This is not deemed acceptable by the City as it will compromise the ability to deliver the objectives of the future planning framework.</p>

<p>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;</p>	<p>The subject site is within 100m of Glendalough Train Station, a high frequency bus route and the future rapid transit system. As such, the subject site is recognised as a key strategic location in terms of the City's future economic and residential growth. The proposed development is considered incompatible with its setting as it results in a significant number of carparking bays and a land use which will limit the capability to increase residential density within close proximity to public transport.</p>
<p>n) the amenity of the locality including the following —</p> <ul style="list-style-type: none"> (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development 	<p>The proposed development will jeopardise the creation of a mixed use development with dense built form, high frequency public transport and quality public spaces. In doing so, the proposed development will have negative impacts on amenity as it will result in a sea of carparking bays with little landscaping proposed. Furthermore the environmental impacts associated with the Motor Vehicle Repair use (such as noise, odour and emissions) will further negatively impact the amenity of the area.</p>
<p>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</p>	<p>The landscaping provisions of Local Planning Policy 6.6 and Local Planning Policy 6.11 have not been fulfilled and are therefore inadequate. This will be further discussed below in the Landscaping section.</p>
<p>s) the adequacy of —</p> <ul style="list-style-type: none"> (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles; 	<p>Main Roads WA do not support the proposal due to DC 5.1 which seeks to rationalise crossovers from regional roads.</p> <p>The City's Engineers do not support access and egress from Scarborough Beach Road, particularly in relation to truck movements and safety implications that arise.</p>
<p>t) 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</p>	<p>As per Main Roads comments and the City's Engineers, access from Scarborough Beach Road is not ideal and should be relocated where possible.</p> <p>Given Scarborough Beach Road is a Regional Road Reserve. In the section where the crossover will be relocated to, safety is a concern as trucks and cars slowing down into the slip lane will affect traffic flow and have safety implications.</p>

Local Planning Policy 4.3 - Industrial Design Guidelines

The Industrial Design Guidelines stipulate a 1.5m landscaping strip be provided on all street frontages. The proposed development does not comply with this provision as a 1.5m landscape strip is not provided to Scarborough Beach Road (excluding the road widening area) and on the western side of the lot where the site abuts the Mitchell Freeway road reserve. Furthermore the policy requires fences to be setback behind the required landscaping strip however a variation is sought to this provision as the fence adjacent to the Mitchell Freeway road reserve is located on the boundary. Variations to this policy are to be assessed against the relevant statements of intent for each precinct of this policy and the objectives of the zone as contained within Local Planning Scheme No.3.

The statement of intent for the Osborne Park precinct is as follows:-

“The Osborne Precinct is all the remaining industrial land not contained within any of the above precincts. This area is designed to allow for a broad range of large scale and small scale industrial uses on a variety of lot sizes. In the short term, large-scale office uses shall be permitted within 500 metres of Glendalough Train Station”.

LPS3 provides the following objectives for the Industry zone:-

- a) *To provide for a range of industrial and business development, as well as facilities for the storage and distribution of goods.*
- b) *To ensure a high standard of development appropriate to a modern industrial area and which is conducive to safe and convenient access by all clientele.*

The lack of landscaping proposed to the primary and secondary street frontage is not deemed to contribute to a high standard of development and therefore the objectives of the Industry zone are not deemed to be met.

Local Planning Policy 6.1 – Advertising Signs

The application is seeking a variation to LPP 6.1 in relation to created roof signage. A created roof sign is defined in LPP 6.1 as follows:

“Sign which is affixed to the fascia or parapet, or forms part of a projection above the eaves or ceiling of the building and complements the architectural style of the building, but does not include a Roof Sign”

The standards in the policy limit the site to one created roof sign per lot, with a maximum area of 3.0sqm. The proposal includes 4 created roof signs of which two are 7.8sqm therefore not compliant with the policy. Given the size of the subject site and the scale of the built form, the proposed signage is deemed to be acceptable as it is aligned with the objectives of the policy, which aim to improve the streetscape and ensure that advertisements do not adversely impact the amenity of surrounding land

Local Planning Policy 6.6 – Landscaping

LPP 6.6 requires the following provisions to be met:

- A landscaped area not less than 1.5m wide shall be provided adjoining all street boundaries, primarily as planting bed;
- A minimum of 10% landscaping of the total site area to be provided onsite;
- A minimum of 1 tree per 6 bays (Minimum 45 litre for exotics and 11 litre for natives) is required in open parking areas.

The application is proposing 30sqm of landscaping in lieu of 1419sqm as required by LPP 6.6. The proposed development requires 12 trees to be provided in open car parking areas (which is the car deck in this instance) therefore 12 trees should be proposed on the car deck. The City's Parks and Sustainability Business Unit have confirmed that the planting of trees on the car deck is possible subject to the following minimum soil standards schedule:

Plant Type	Definition	Soil Volume	Soil Depth	Soil Areas
Large trees	>12m high	76.8m ³	1,200mm	8m x 8m
Medium trees	8-12m high	36m ³	1,000mm	6m x 6m
Small trees	6-8m high	9.8m ³	800mm	3.5m x 3.5m

Table 1. Minimum soil standards for plant types and sizes.

Whilst the development does include 12 trees, the location of these trees is not deemed to meet the requirement as the trees are located on the ground floor adjacent to the Motor Vehicles on display as part of the Motor Vehicle Sales land use. The proposed variation sought to the 1.5m landscaping strip to the street frontages plays a critical role in terms of visual amenity and will set a precedent in the area if compliance is not achieved.

The proposed landscaping variations are required to be assessed against the following objectives of the Landscaping Policy:

- *To promote improved landscaping provision and design;*
- *To improve the visual appeal of development, screen service areas and provide a buffer to boundaries;*
- *To provide shade and 'green relief' in built up areas; and*
- *To promote more environmentally sustainable landscaping The purpose of the reduction in landscaping adjacent to the primary.*

The significant lack of landscaping across the site does not meet the objectives of the landscaping policy and will have negative implications on the streetscape in terms of visual amenity.

Local Planning Policy 6.11 – Trees and Development

Provision 5.1 of LPP 6.11 requires one advanced tree be provided for every 500sqm of the sites area. An advanced tree is defined in the policy as follows:-

“means a tree which requires planting in at least a 90 litre container or greater size and which is at least 2 metres in height and at least 2 years of age”.

The policy requires 9sqm of soil space to be provided at ground level, free of intrusion, around each tree to sustain its health and growth.

Given the subject site is 14,179sqm in area, a total of 28 advanced trees are required to be planted on site, inclusive of 9sqm around each tree. Whilst the proposal includes 12, 90lt trees as part of the landscaping plan, the proposed trees have a soil space area of 1sqm and therefore are not considered to meet the definition of an advanced tree. Based on the above, a shortfall of 28 advanced trees is proposed as part of this application.

The proposed variation is required to be assessed against the following relevant objective of the Trees and Development Policy:

- *To ensure appropriate advanced trees are planted which are suited to their environment and location where significant trees have been removed or do not exist on zoned land.*

The proposed development does not meet this objective as there are no advanced trees being planted as part of the proposal.

Engineering Design Considerations

The City's Engineers have provided the following comments on the proposal:

1. A street light currently exists in the location of the proposed crossover and the applicant has not addressed the relocation of the street light.
2. The tyre store conflicts with the swept path diagram for the 19m semi-trailer (see turn path analysis -figure 3 in Transport Impact Statement).
3. The manoeuvring spaces at the top and bottom of the ramp in association with the cardeck are inadequate.
4. The ramp grades are incorrect.
5. All truck including car carrier access to the site via Scarborough Beach Road is not supported due to the following:
 - a) Due to the relocation of the crossover further west, the existing left turn pocket is now considered too short to accommodate truck access into the site.
 - b) To accommodate truck movements the proposed crossover width at the footpath exceeds desirable crossing lengths, and does not create a desirable pedestrian environment.
6. The proposed parking shown along the rear northern Baden Street boundary requires the existing crossover to be relocated, there are no details shown on the plans or Traffic Report detailing how this will occur.
7. The existing road drain on Baden Street will need to be made trafficable at applicant's cost (\$2250) as it will conflict with any crossover in Baden Street.

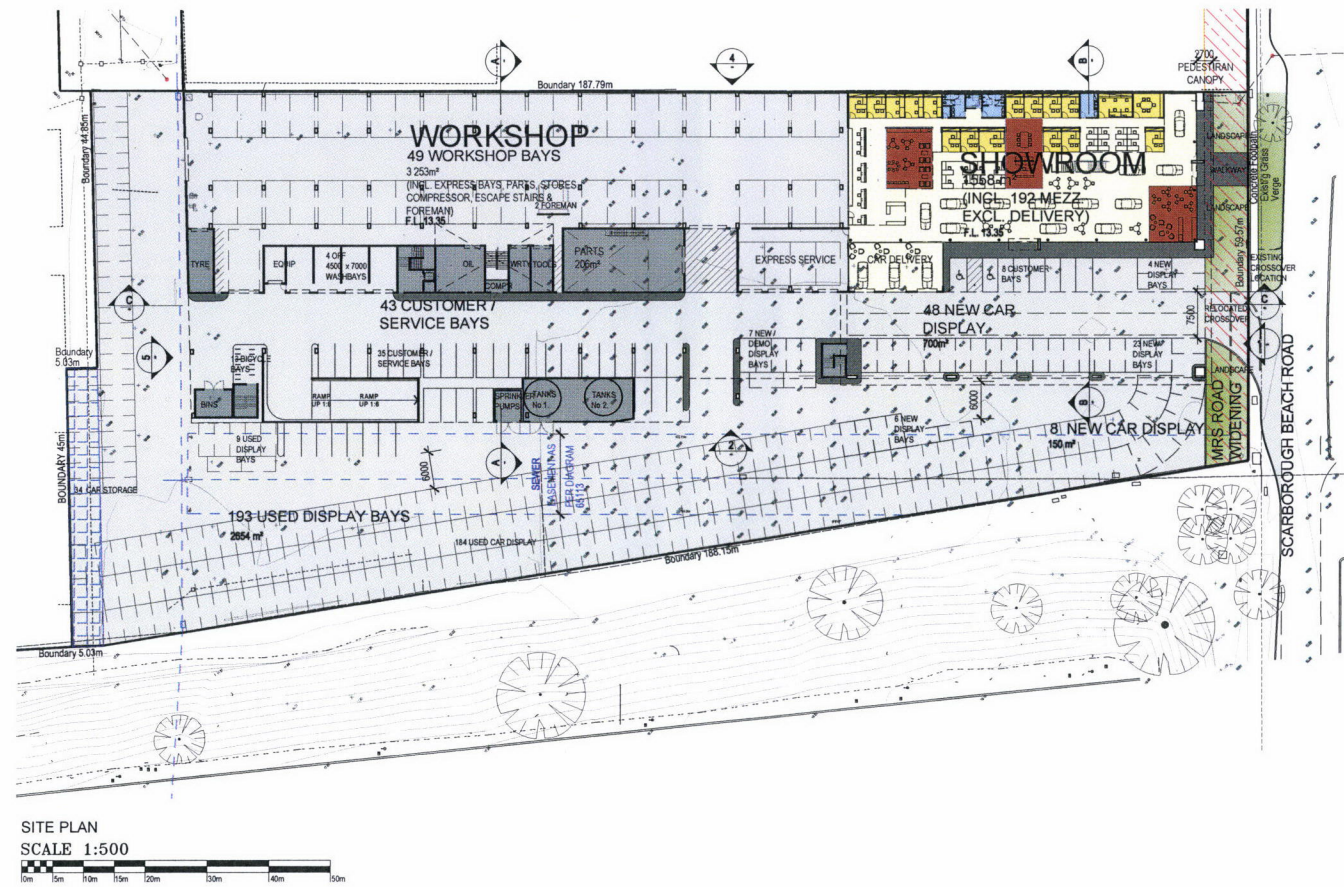
Based on the above comments and Main Roads WA advice, there are access issues with the crossover to Scarborough Beach Road which would result in a redesign. The applicant was made aware of the comments through the assessment process and

has provided a justification letter to demonstrate why the access from Scarborough Beach Road is acceptable (see Attachment 9). This City is not satisfied with this justification as the proposed crossover issues ultimately result in pedestrian related issues, which compromise the vision for the area.

Conclusion

The development is contrary to the proposed planning framework for the area. Amendment No. 39 is at an advanced stage and as such of significant weight in considering the proposed land uses and form of development, both of which are contrary to the existing strategic planning framework and imminent statutory requirements. The development is an underutilisation of the land, particularly in relation to the proximity of the site to Glendalough Train Station and access to high frequency buses. The development includes uses that will attract primarily car based patrons and would be unlikely to attract a large number of public transport users and pedestrians, which is seen as a lost opportunity. The proposed development significantly compromises the City's vision and the opportunity to transform the area to one which is dense, pedestrian friendly and focuses on a mixed use incorporating residential development.

In light of the above, the application is recommended for refusal.



SCARBORO TOYOTA
LOT 100, NO 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean
Architects. Interior Designers
2/43 Oxford Close West Leederville WA 6007
Telephone 9382 3133 Facsimile 9382 3144
Email admin@brucecleanarchitects.com.au

8 DECEMBER 2017

SCHEME A.6

PARKING REQUIREMENTS

MOTOR VEHICLE SALES 1/100m² OPEN DISPLAY 1/ STAFF MEMBER 54 STAFF - 10 MANAGERS USING DISPLAY VEHICLES	(700 + 2654) / 100 = 33.54	34
MOTOR VEHICLE REPAIR 1/40m² G.F.A.	3453 / 40 = 86.32	86
TOTAL BAYS REQUIRED		164

TABLE 2: PROPOSED CAR PARKING REDUCTIONS 20% REDUCTION - WITHIN 400m² OF RAIL STATION +10% REDUCTION - WITHIN 400m² OF HIGH FREQUENCY BUS TOTAL 30% REDUCTION	164 x 0.3 = 49.2	49
--	------------------	----

TOTAL BAYS REQUIRED AFTER REDUCTION 115

TOTAL BAYS PROVIDED 115
(45 LOCATED ON GROUND LEVEL + 72 LOCATED ON THE CAR DECK)

BICYCLE PARKING 1/400 G.F.A.	(1707 + 3453) / 400 = 12.9	13
---------------------------------	----------------------------	----

AREAS (m²)

SITE	14 179
REDUCED SITE	10 500
SHOWROOM GROUND FLOOR SHOWROOM OFFICES AMENITIES DELIVERY	1 079 232 55 120
TOTAL SHOWROOM GROUND FLOOR	1 486
FIRST FLOOR OFFICES AMENITIES CORRIDOR	96 65 31
TOTAL SHOWROOM FIRST FLOOR	192
TOTAL SHOWROOM AREA	1 707
WORKSHOP GROUND FLOOR WORKSHOP STORES PARTS STAIR & LIFT COMPRESSOR	115 2 827 165 206 47 8
TOTAL WORKSHOP GROUND FLOOR	3 253

MEZZANINE

AMENITIES	112
STORES	25
CORRIDOR	55
TOTAL WORKSHOP GROUND FLOOR	200
TOTAL WORKSHOP AREA	3 453

WASH BAYS & STORES

WASH BAYS	140
EQUIPMENT	22
ACCESS DRIVE	202
BINS	29
TOTAL WASH BAYS & STORES	191
PUMPS & TANKS PUMP ROOM TANKS 1 & 2 (ENCLOSURE)	27 123
TOTAL PUMP & TANKS	150

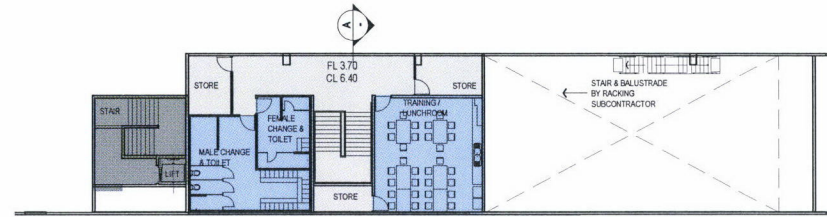
CAR DECK CAR DECK RAMP TOTAL CAR DECK	5 400 318 5 718
TOTAL BUILDING AREA	11 219

LEGEND

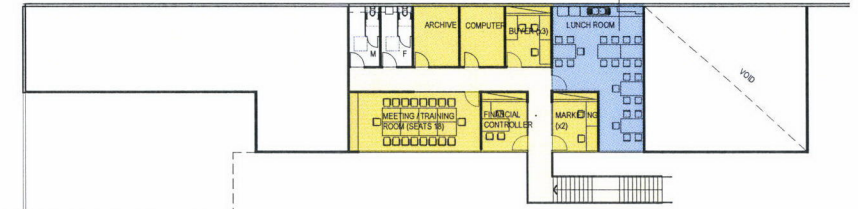
MRS ROAD WIDENING	
DRAINAGE EASEMENT	



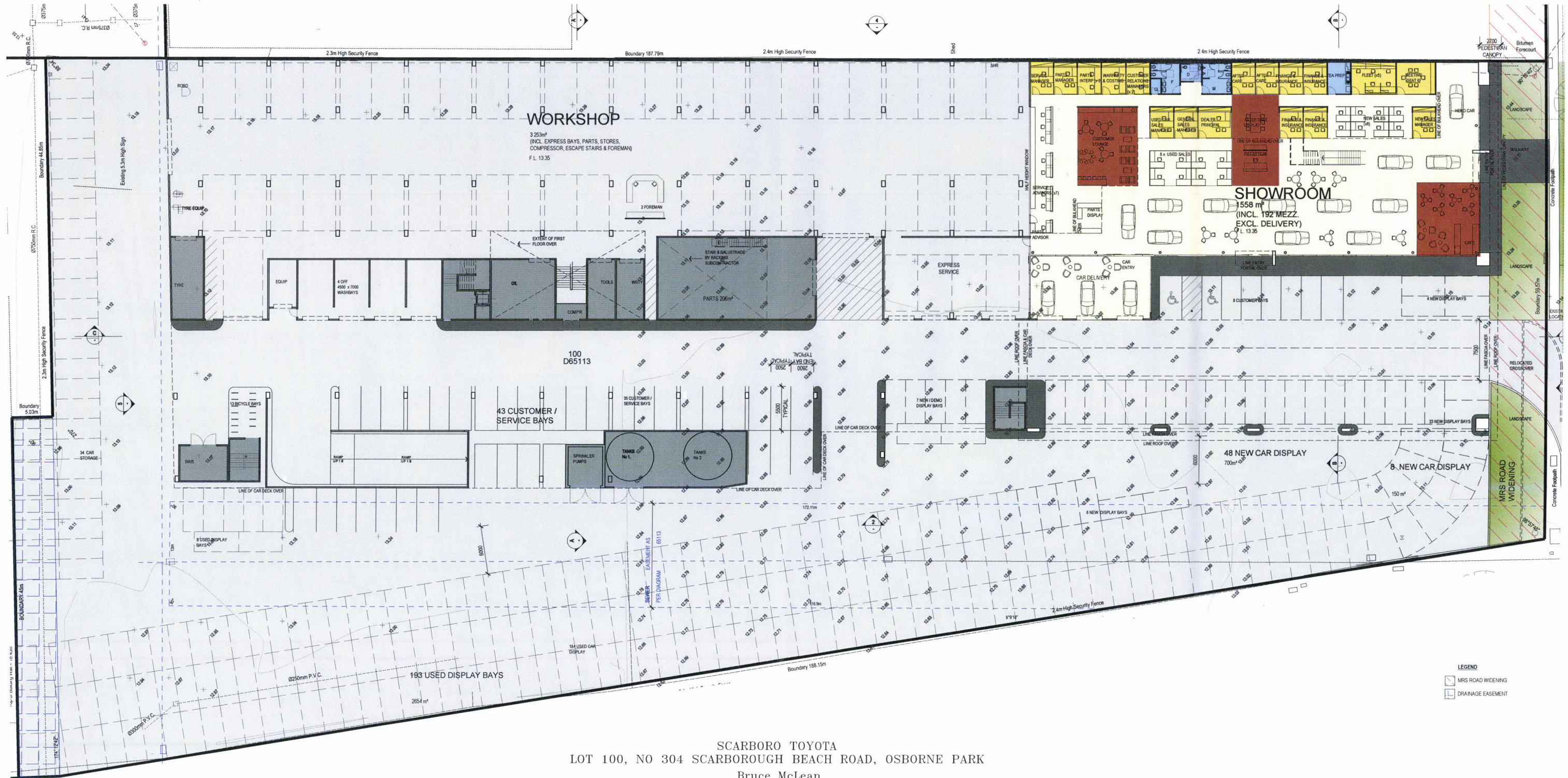
SK1



FIRST FLOOR WORKSHOP
AREA 200m²



FIRST FLOOR SHOWROOM PLAN
AREA 192m²



SCARBORO TOYOTA
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Bruce McLean
Architects. Interior Designers

2/43 Oxford Close West Leederville WA 6007
Telephone 9382 3133 Facsimile 9382 3144
Email admin@brucecleanarchitects.com.au

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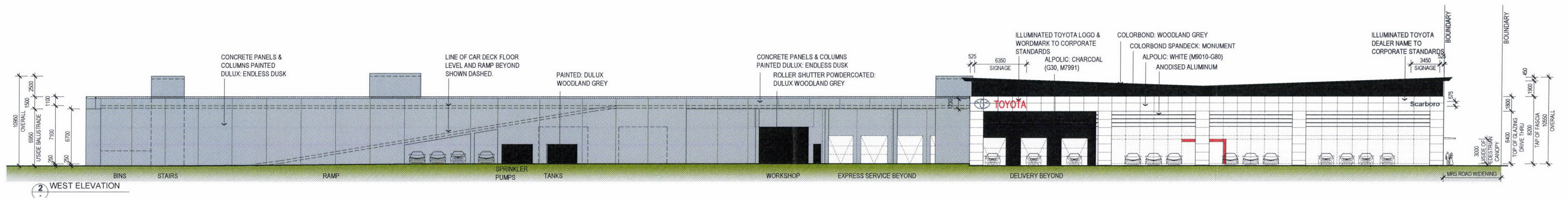
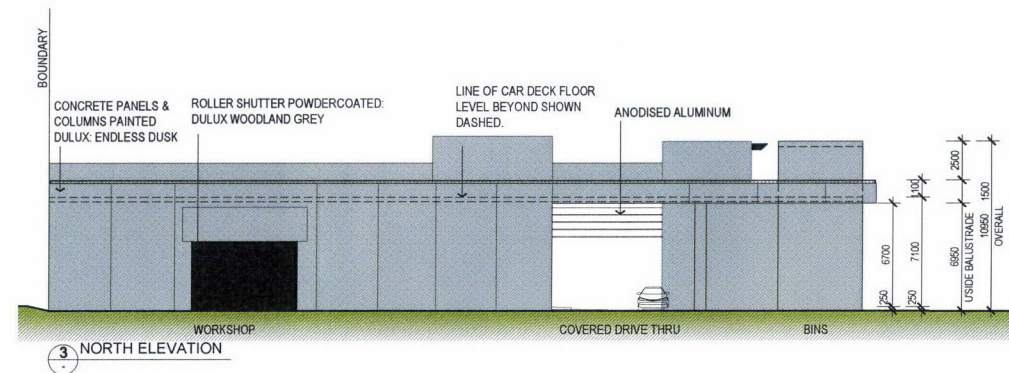
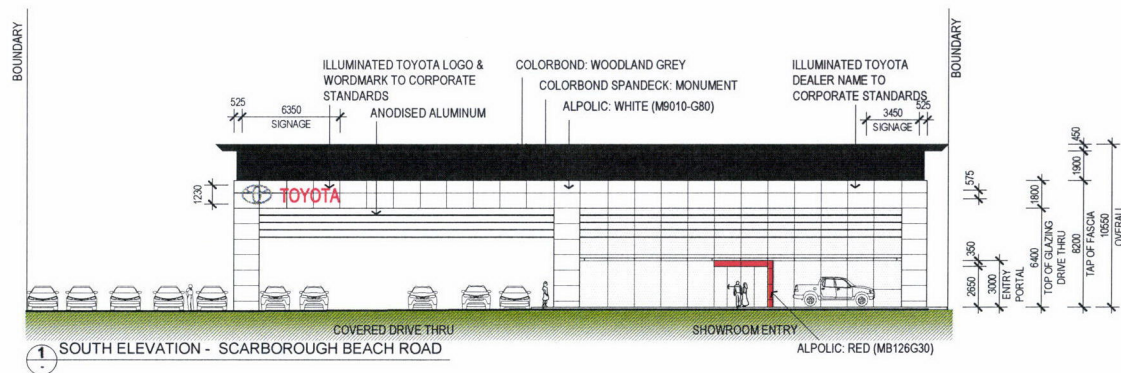
SITE FLOOR PLAN
SCALE 1:200

0m 5m 10m 15m 20m



SK2

CARDECK PLAN



SCARBORO TOYOTA
LOT 100, NO 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

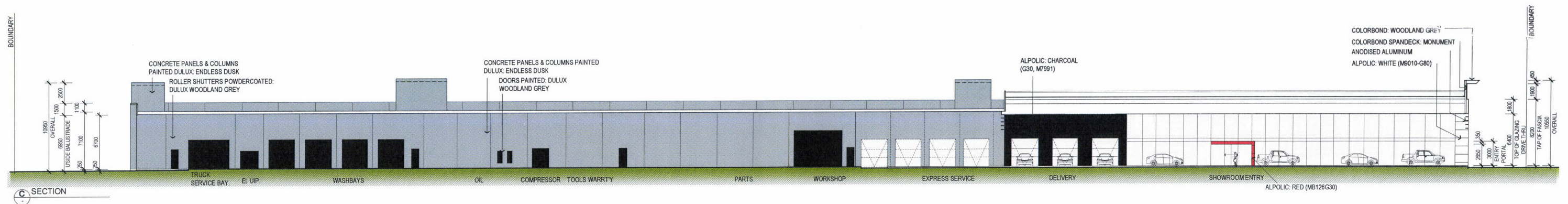
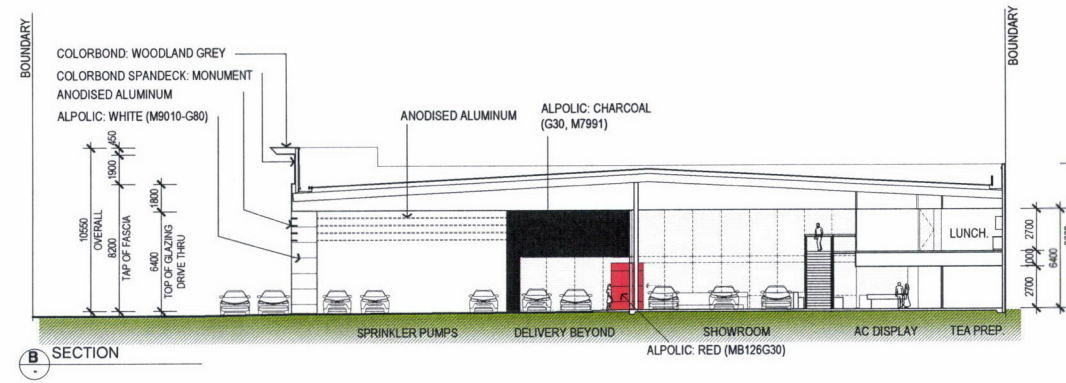
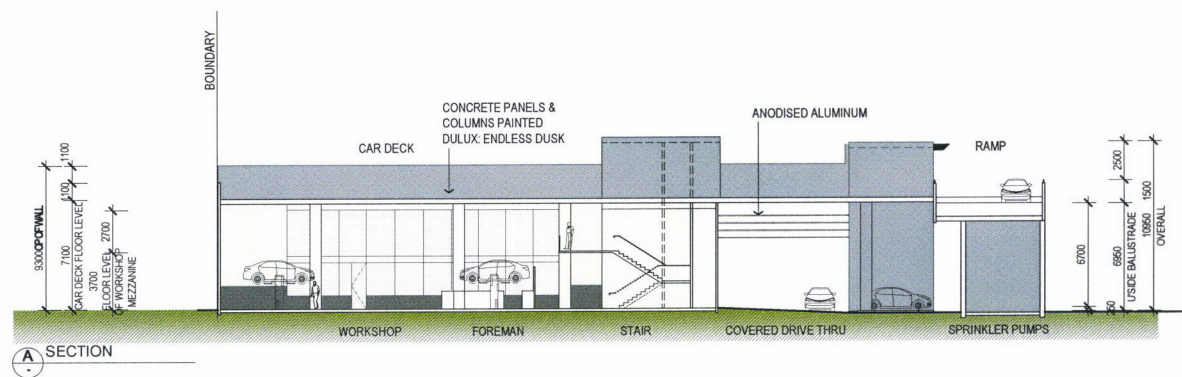
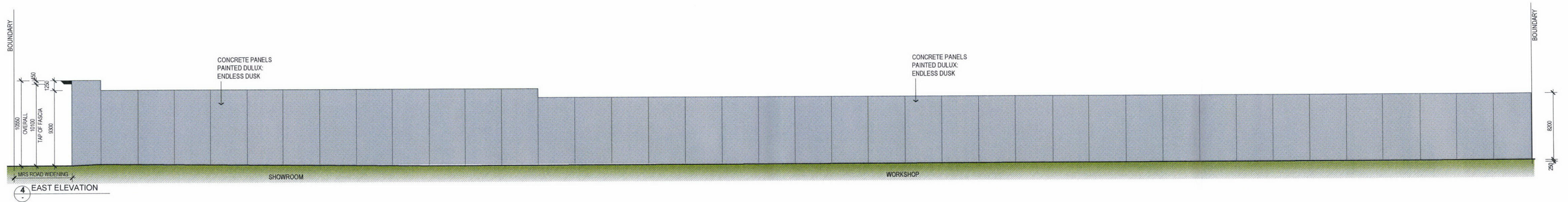
Bruce McLean
Architects. Interior Designers

2/43 Oxford Close West Leederville WA 6007
Telephone 9382 3133 Facsimilie 9382 3144
Email admin@brucemcleanarchitects.com.au

8 DECEMBER 2017

SCHEME A.6





SCARBORO TOYOTA
LOT 100, NO 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean
Architects. Interior Designers
2/43 Oxford Close West Leederville WA 6007
Telephone 9382 3133 Facsimile 9382 3144
Email admin@brucecleanarchitects.com.au

8 DECEMBER 2017

SCHEME A.6

SCALE 1:200
0m 2m 5m 10m 15m

SK4



SCARBORO TOYOTA

LOT 100, No. 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean

Architects Interior Designers
2/43 Oxford Close West Leederville
Telephone +61 8 9382 3133 Facsimile 9382 3144
E-mail admin@brucemcleanarchitects.com.au
November 2017
SCHEME A.3



SCARBORO TOYOTA

LOT 100, No. 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean

Architects Interior Designers
2/43 Oxford Close West Leederville

Telephone +61 8 9382 3133 Facsimile 9382 3144

E-mail admin@brucemcleanarchitects.com.au

November 2017

SCHEME A.3



SCARBORO TOYOTA

LOT 100, No. 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean

Architects Interior Designers

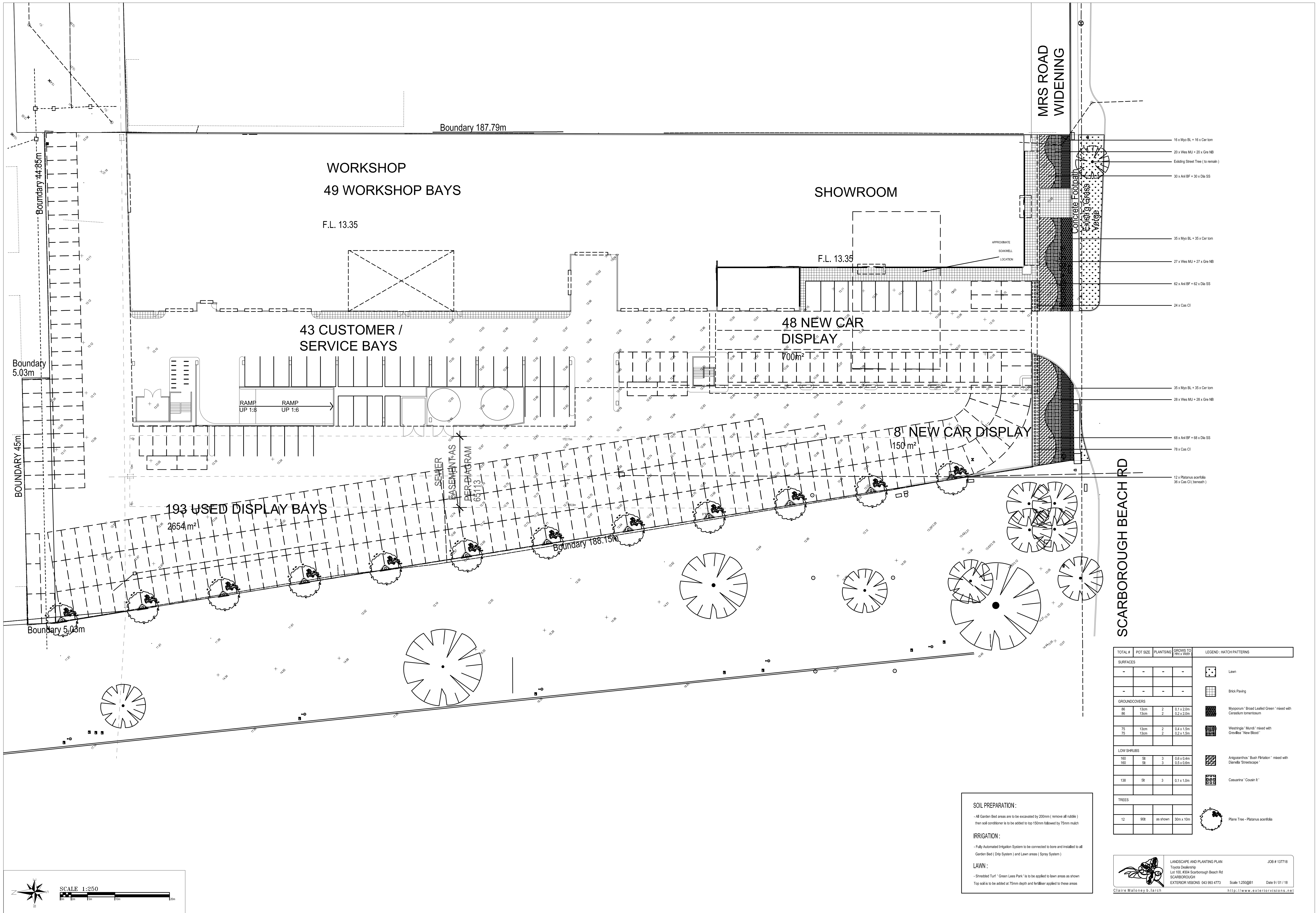
2/43 Oxford Close West Leederville

Telephone +61 8 9382 3133 Facsimile 9382 3144

E-mail admin@brucecleanarchitects.com.au

November 2017

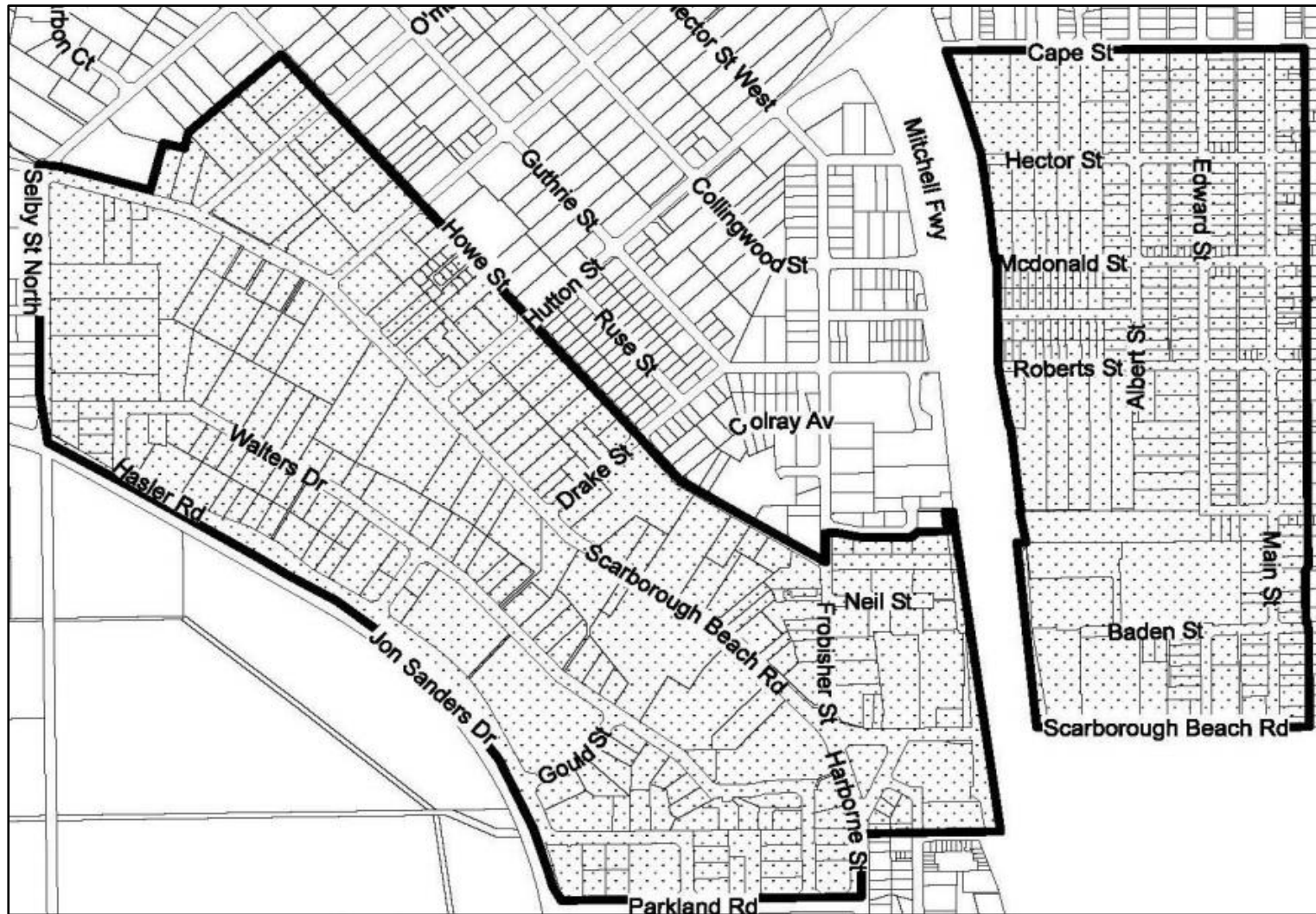
SCHEME A.3



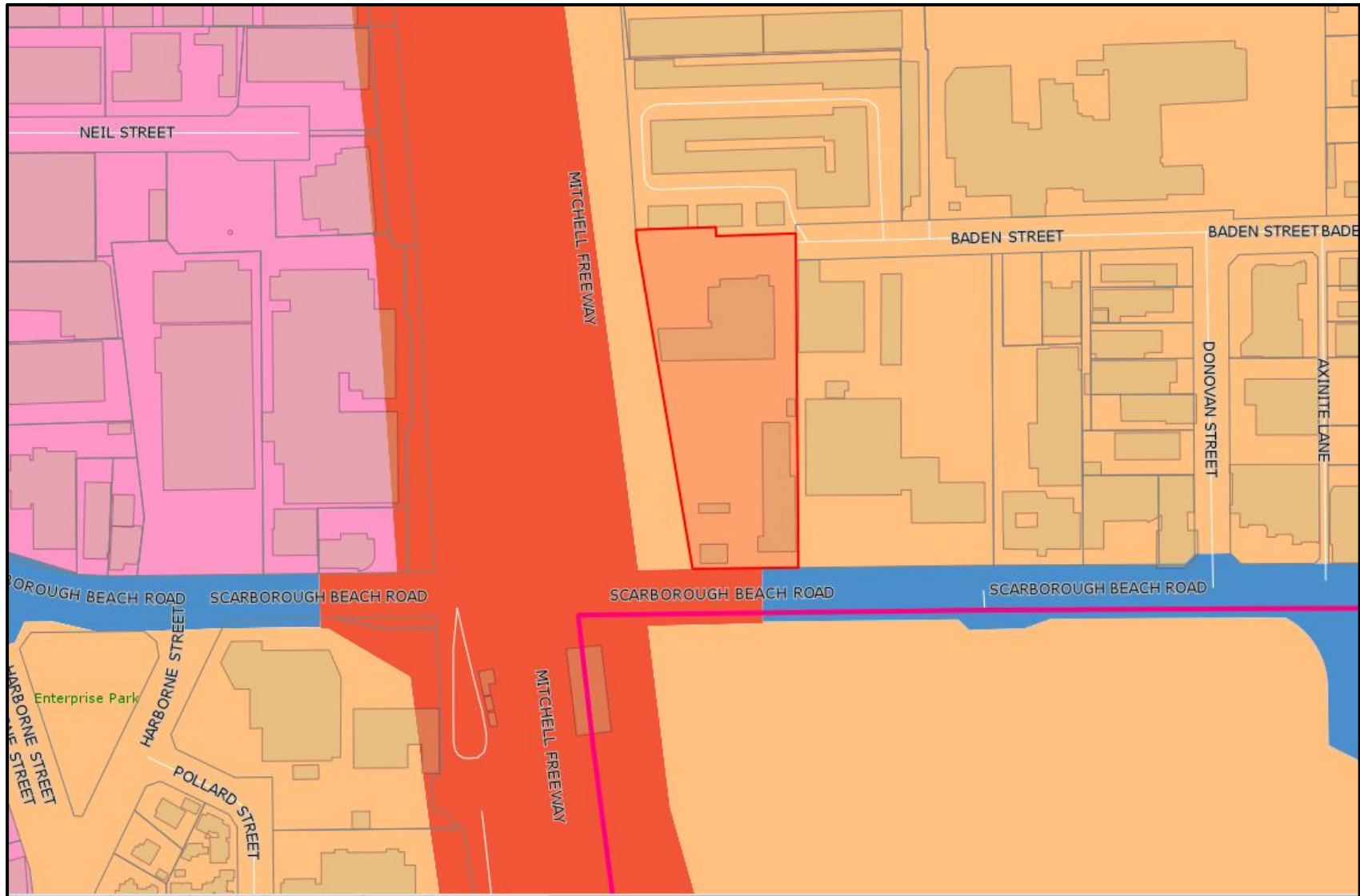
Attachment 2 – Aerial Location Plan



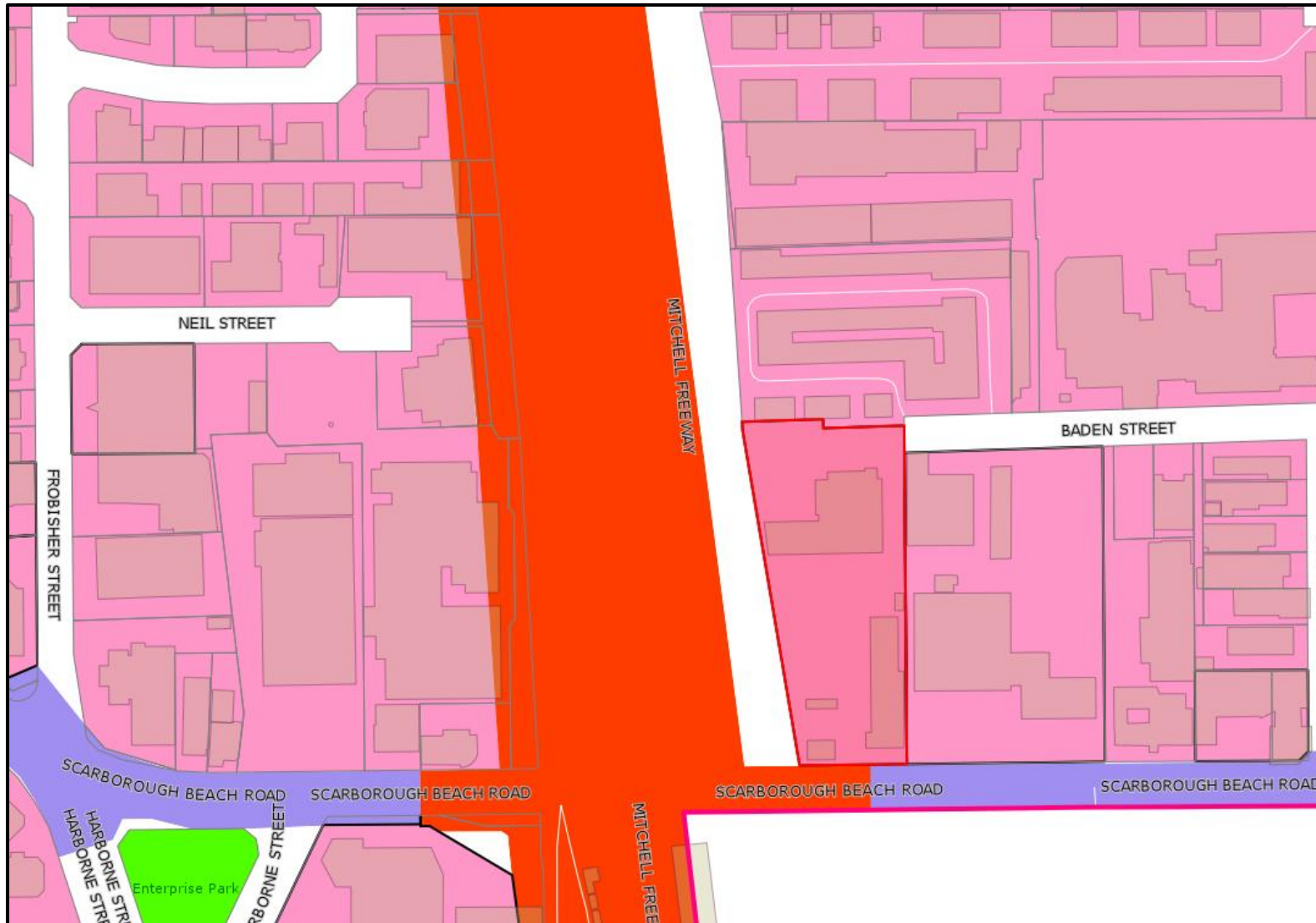
Attachment 3 – Herdsman Glendalough Area

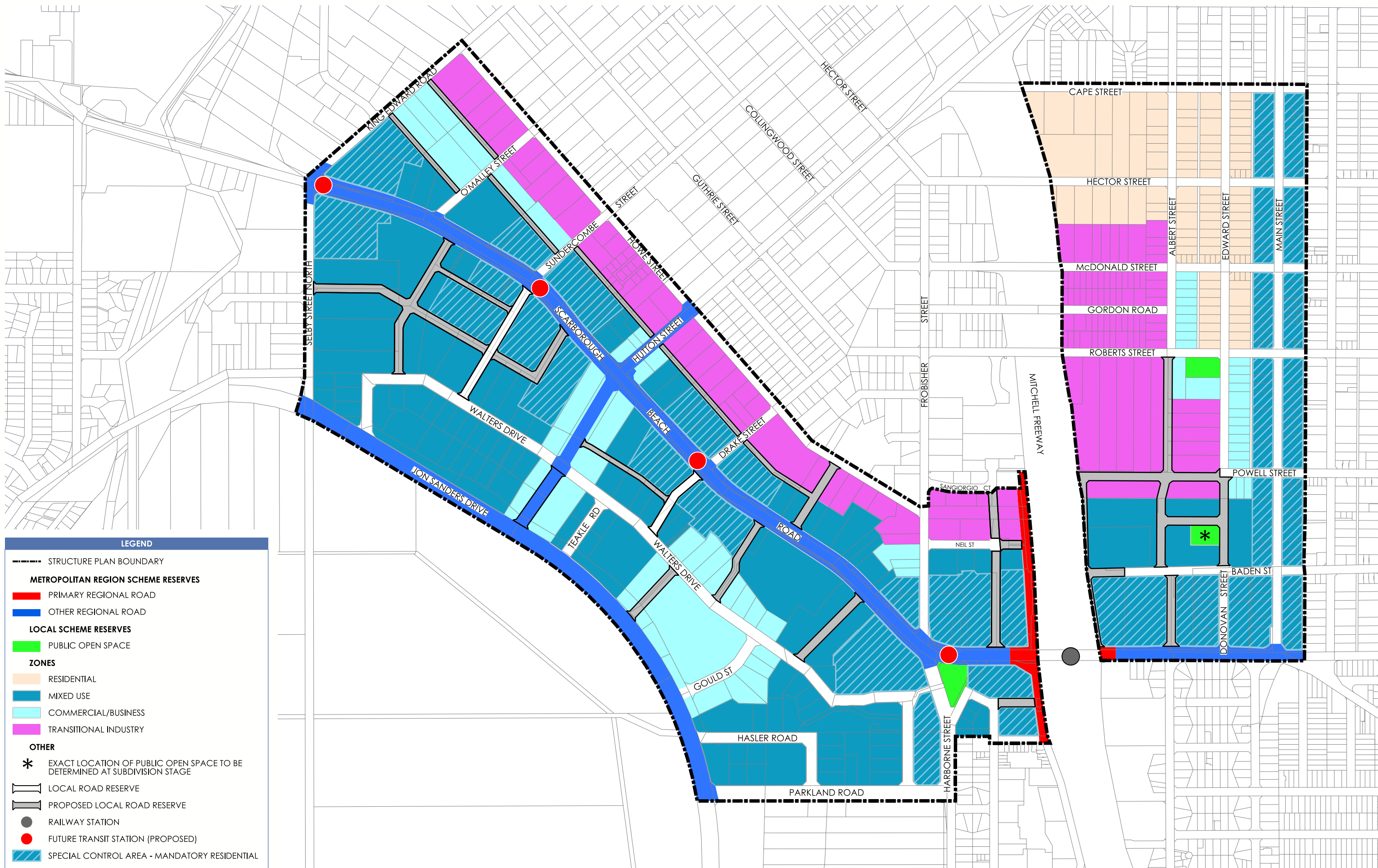


Attachment 4 – Metropolitan Region Scheme (MRS) Zoning Map



Attachment 5 – Local Planning Scheme No. 3 Zoning Map





STRUCTURE PLAN

Herdsman Glendalough Area Structure Plan

A City of Stirling Project

0m 40 80 120m
 s: 1:4000@A1
 d: 15 Jul 2014
 p: 12/065/119C



Proposed Redevelopment of the Existing Car Yard

**Lot 100 (304) Scarborough Beach
Road, Osborne Park**

Transport Impact Statement

**PREPARED FOR:
Regent Motors Pty Ltd**

December 2017

Document history and status

Author	Revision	Approved by	Date approved	Revision type
Ali Rasouli	r01	B Bordbar	20/11/2017	Draft
Ali Rasouli	r01a	B Bordbar	8/12/2017	Final

File name: t17296arr01a.docx

Author: Ali Rasouli

Project manager: Behnam Bordbar

Client: Regent Motors Pty Ltd

Project: Proposed Redevelopment of the Existing Car Yard

Document revision: r01a

Project number: t17.296

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APPENDIX A: PROPOSED DEVELOPMENTSITE PLAN

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1.0 Introduction

This Transport Impact Statement (TIS) has been prepared by Transcore on behalf of Regent Motors. The subject of this report is the proposed redevelopment of the existing car yard at Lot 100 (304) Scarborough Beach Road, Osborne Park in the City of Stirling. A map showing the subject site in context of the surrounding area is included in Figure 1.

The Transport Impact Assessment Guidelines for Developments (WAPC, Vol 4 – Individual Developments, August 2016) states: “A *Transport Impact Statement* is required for those developments that would be likely to generate moderate volumes of traffic¹ and therefore would have a moderate overall impact on the surrounding land uses and transport networks”. Section 6.0 of Transcore’s report provides details of the estimated trip generation for the proposed development. Accordingly, as the total peak hour vehicular trips are estimated to be less than 100 trips, a Transport Statement is deemed appropriate for this development.

The subject site is bounded by Scarborough Beach Road to the south, Baden Street to the north, Mitchell Freeway road reserve to the west and other existing car yard to the immediate east.

The site is currently occupied by an existing car yard and two vehicle body repair facilities.

¹ *Between 10 and 100 vehicular trips*

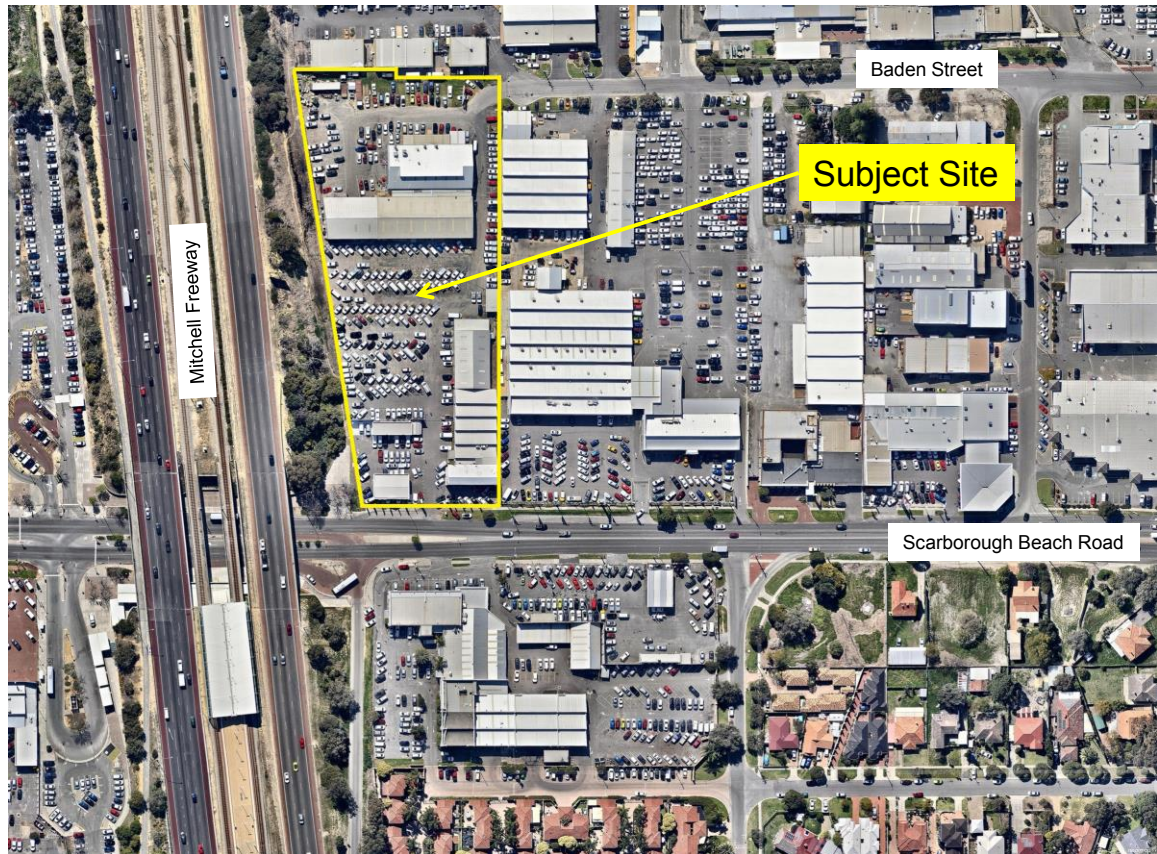


Figure 1: Location of the subject site

An existing left in/left out crossover with a short left turn lane and a full movement crossover on Baden Street comprises the existing access and egress system for the subject site which is shown in Figure 2.



Figure 2: Existing access/egress arrangements

Key issues that will be addressed in this report include the traffic generation and distribution of the proposed redevelopment and the proposed access and egress arrangement.

2.0 Redevelopment Proposal

The proposal for the subject site is the redevelopment of the existing car yard at 304 Scarborough Beach Road.

According to the proposed redevelopment site plan attached in Appendix A the proposal entails demolishing of the existing amenities on the subject site and construction of a new showroom and workshop in two levels. The ground level will include the proposed showroom and workshop plus car display bays and the basement level will be used for storage area.

Deliveries and waste collection will be accommodated within the site. The proposed site plan is designed to accommodate the required service and waste collection vehicles.

Pedestrians will access the site via the existing footpaths provided along Scarborough Beach Road.

3.0 Vehicle Access and Parking

3.1 Access

It is proposed to relocate the existing left in/ left out crossover (and the short left turn lane) on Scarborough Beach Road slightly to the west to service the proposed redevelopment. The existing Baden Street full movement crossover is proposed to be retained with no changes as part of this proposal.

3.2 Parking

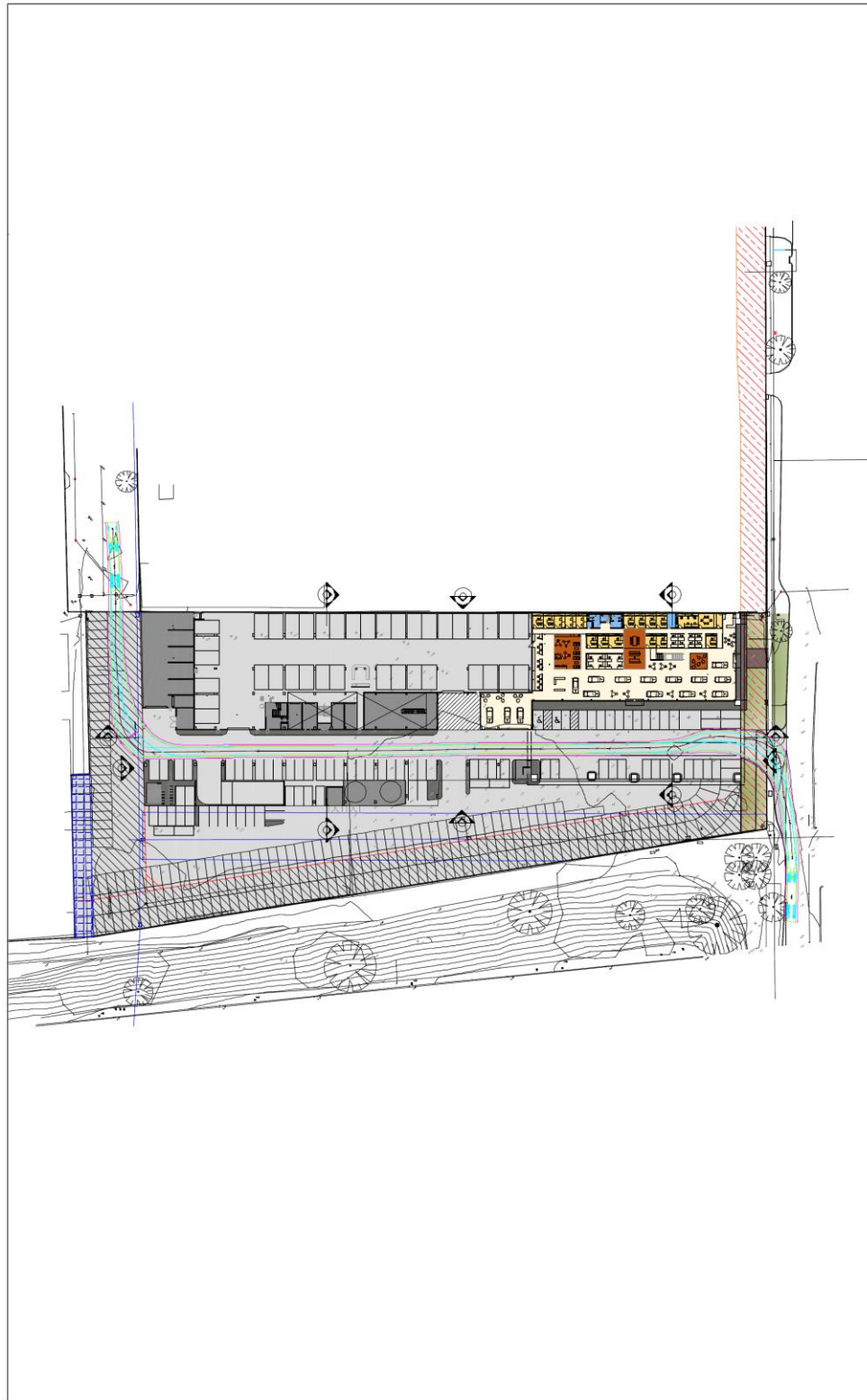
According to the information provided to Transcore the proposed parking supply of 90 bays associated with the proposed redevelopment meets the requirements of the Town Planning Scheme for the proposal.

4.0 Provision for Service Vehicles

It is proposed that deliveries and waste collection activities occur within the site.

Turn path analysis undertaken for the largest size truck expected for the proposed redevelopment confirms that a 19.0m semitrailer (vehicle transporter) can enter the site from Scarborough Beach Road via a left turn, circulate within the site and turn right out onto Baden Street (refer Figure 3).

According to the advice provided to Transcore there would be no internal height restriction issues for semitrailers to traverse within the site.



Lot 100 (304) Scarborough Beach Rd, Osborne Park
Ausroads 2013: 19.0m Semitrailer

LEGEND
Vehicle Body
Wheel Path
500mm Clearance



t17_296.sk01a
17/11/2017
Scale: 1:500 @ A3



Figure 3: Turn path analysis for 19.0m semitrailer

5.0 Hours of Operation

The hours of operation for the proposal will be the same as the existing uses on the subject site.

6.0 Traffic Assessment

6.1 Assessment Period

A review of the existing traffic counts for the surrounding road network suggests that Scarborough Beach Road traffic is heaviest during a typical weekday morning and afternoon peak hour periods between 7:30–8.30AM and 4:30–5:30PM.

The only trip rates available for this type of land use is the weekday evening trip rate provided in RTA New South Wales.

6.2 Trip Generation and Distribution

Existing traffic generation of the site:

For a purpose of a robust assessment, the existing traffic generation of the site has not been encountered.

Post Redevelopment Traffic Generation

RTA trip generation rates for Motor Showroom are used to estimate the post redevelopment trip generation.

3.6.3 Motor Showroom

✚ Evening peak hour vehicle trips = 0.7 per 100m² site area

Note: According to the Landgate data provided by Peter Webb & Associates (PW&A) the subject site includes a total of 1.4179 hectares.

Accordingly, it is estimated that the proposed redevelopment would generate about 99vph during the evening peak hour. Assuming that 50% of the evening peak hour traffic generation occurs during the road network PM peak hour it is estimated that during the road network PM peak hour the proposal is likely to generate about 50vph (both inbound and outbound).

Assuming 50% in and out distribution it is expected that 25vph would be inbound and 25vph would be outbound.

6.3 Impact on Surrounding Roads

The WAPC Transport Assessment Guidelines for Developments (2016) provides guidance on the assessment of traffic impacts:

“As a general guide, an increase in traffic of less than 10 per cent of capacity would not normally be likely to have a material impact on any particular section of road, but increases over 10 per cent may. All sections of road with an increase greater than 10 per cent 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 per cent of capacity. Therefore any section of road where the structure plan traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”

The proposed redevelopment of the subject site will not increase traffic flows anywhere near the quoted WAPC threshold to warrant further detailed analysis. The proposed redevelopment will not increase traffic on any lanes on the surrounding road network by more than 100vph, therefore the impact on the surrounding road network is considered to be insignificant.

7.0 Traffic Management on the Frontage Streets

As shown in Figure 4, **Scarborough Beach Road** in this vicinity is currently constructed to a four-lane carriageway standard with concrete footpaths along both sides of it.



**Figure 4: Scarborough Beach Road in the vicinity of the subject site –
Looking west**

Scarborough Beach Road is classified as a Distributor A road in the Main Roads WA *Metropolitan Functional Road Hierarchy* and is covered by Other Regional Roads reservation in the MRS (Blue Road). According to the redevelopment site plan attached in Appendix A, the proposal acknowledges the future MRS road widening on Scarborough Beach Road and has set aside land (in the form of landscaping) to facilitate this potential future widening.

Scarborough Beach Road operates under a speed limit of 60km/h in the vicinity of the subject site.

The latest traffic count data from Main Roads WA website indicates that Scarborough Beach Road carried average weekday traffic volume of approximately 24,240 vehicles per day (vpd) west of Main Street in March 2016.

Baden Street in the vicinity of the subject site is a two lane undivided road with a trafficable pavement width of about 7.5m. Pedestrian footpaths are not provided along Baden Street and it terminates at a cul-de-sac in the immediate vicinity of the subject site and the subject site has a full movement crossover at this cul-de-sac which is secured via an existing fence and gate (refer Figure 5).

Baden Street is classified as an *Access Road* in the Main Roads WA *Metropolitan Functional Road Hierarchy* and operates under a default speed limit of 50km/h.

According to the available traffic count data provided by the City of Stirling, Baden Street 30m west of Main Street carried an average weekday traffic volume of 2,933vpd in August 2016.



Figure 5: Baden Street – Looking west

8.0 Public Transport

Existing public transport facilities including bus and train lines in this area are shown in Figure 6. Bus routes number 406, 414 and 990 which pass along Scarborough Beach Road service the subject site. These bus routes provide connectivity to the Perth CBD, surrounding suburbs and Scarborough Beach. A bus stop is located on Scarborough Beach Road about 200m to the east of the subject site.

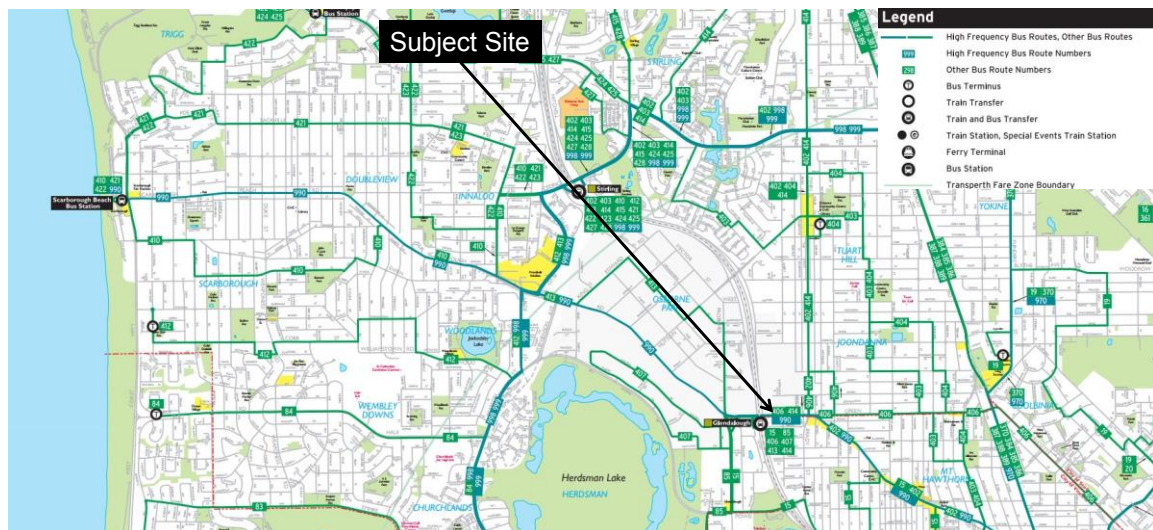


Figure 6: Public transport services (Transperth Maps)

Furthermore, Glendalough train station and a bus transfer station are located in the immediate vicinity of the subject site which provides excellent public transport accessibility for the subject site and the proposed redevelopment.

9.0 Pedestrian and Cyclist Access

Pedestrian access to the subject site is available via existing footpaths along Scarborough Beach Road. Pedestrian can also access the site from Baden Street landscaped verge.

The Department of Transport's *Perth Bike Map* series (see Figure 7) shows cyclist connectivity in the vicinity of the subject site. As shown in Figure 7, Scarborough Beach Road and Baden Street (in this vicinity) are not classified as a cyclist route.

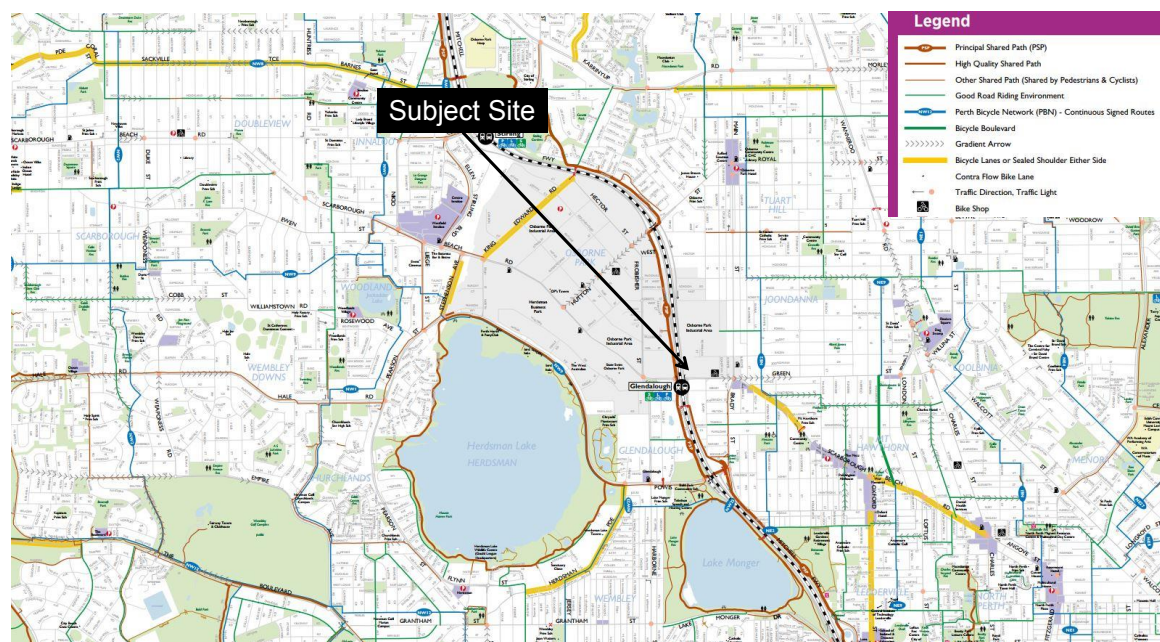


Figure 7: Bike map (source: Department of Transport)

10.0 Site Specific Issues

No specific issues were identified within the scope of this assessment.

11.0 Safety Issues

No safety issues were identified within the scope of this assessment.

12.0 Conclusions

This Transport Impact Statement (TIS) has been prepared by Transcore on behalf of Regent Motors. The subject of this report is the proposed redevelopment of the existing car yard at Lot 100 (304) Scarborough Beach Road, Osborne Park in the City of Stirling.

The proposal seeks to relocate the existing left in/ left out crossover (and the short left turn lane) on Scarborough beach Road further west and retains the existing full movement crossover on Baden Street as per the existing situation to service the proposed redevelopment.

The proposal entails demolishing of the existing amenities on the subject site and construction of a new showroom and workshop in two levels. The ground level will include the proposed showroom and workshop plus car display bays and the basement level will be used for storage area.

The proposed redevelopment site plan allows for the future potential road widening on Scarborough Beach Road.

The subject site features good accessibility to the existing road network and the existing public transport services.

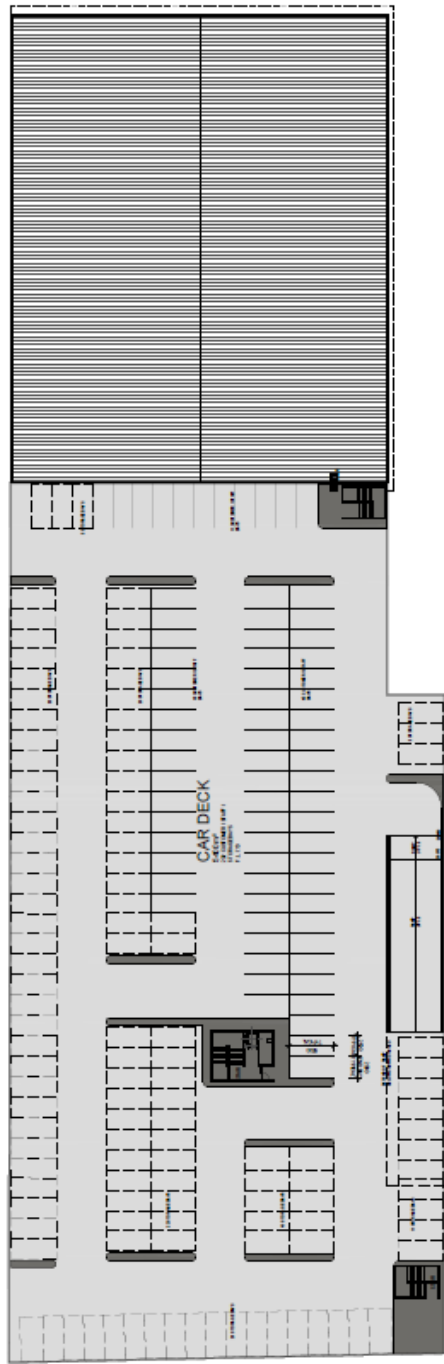
The traffic generation calculations undertaken suggest that the traffic generation as a result of the proposed redevelopment will be minimal and will have insignificant impact on the surrounding road network.

Turn path analysis undertaken for t a 19.0m vehicle transporter shows that these vehicles can enter the site from Scarborough Beach Road via a left turn, circulate within the site and turn right out onto Baden Street.

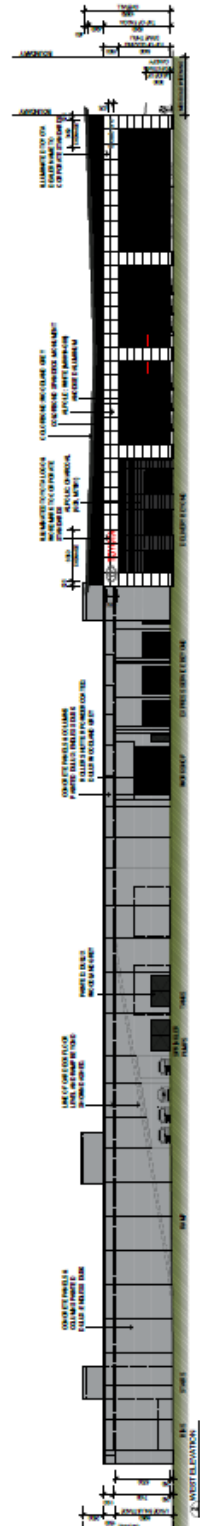
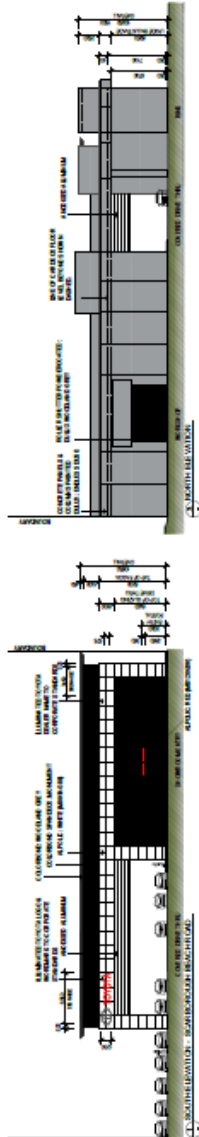
In conclusion, the findings of this TIS are supportive of the proposed redevelopment and demonstrate that the traffic resulting from the proposal is minimal can be accommodated satisfactorily by the surrounding transport network.

Appendix A

PROPOSED REDEVELOPMENT PLANS



OVERVIEW PLAN



SECTION 1: BUILDING ELEVATION AND PARKING LOT

SECTION 2: BUILDING ELEVATION AND PARKING LOT



SCALE BAR



mainroads
WESTERN AUSTRALIA

Enquiries: Byron McKie on (08) 9323 6436
Our Ref: 17/1455 (D18#95011)
Your Ref: DA17/2495

7 February 2018

Chief Executive Officer
City of Stirling
PO Box 1533
OSBOURNE PARK WA 6916
Email: stirling@stirling.wa.gov.au (via email)

ATTENTION: GISELLE ALLIEX

Dear Madam

**PROPOSED MOTOR SALES AND VEHICLE REPAIR – LOT 100 (304)
SCARBOROUGH BEACH ROAD, OSBOURNE PARK**

Thank you for your correspondence dated 10 January 2018 requesting Main Roads comments on the above proposal.

Main Roads has now had the opportunity to review the information provided and **does not** support the application due to the following:

- 1) The development proposes to relocate the existing left in/left out access and short slip lane on Scarborough Beach Road to the west of its existing location within the Mitchell Freeway Primary Regional Road reservation. This is inconsistent with Development Control Policy (DCP) 5.1 (*Vehicular Access*) Section 3.3 regarding driveway access and Main Roads intent to rationalise vehicle access.
- 2) As per Main Roads Driveways Policy Section 3.3.7 regarding auxiliary lanes, the whole left turn auxiliary lane shall be located within the property frontage, unless written approval from the affected property owner is provided.

As the modified access and slip lane is proposed within the Primary Regional Road reserve, Main Roads is the affected property owner. As such Main Roads does not agree to the relocation of the access and slip lane due to it being in contravention of DCP 5.1 and its potential impact on future widening works for the Mitchell Freeway and construction of a bridge for the future Pedestrian Shared Pathway (PSP) link at this location.

- 3) SWEPT path diagrams provided in the Transport Impact Statement prepared by Transcore use the incorrect car carrier design vehicle. SWEPT path diagrams indicating site access for a 25 metre car carrier design vehicle as per Austroads Design Vehicles and Turning Path Templates Guide should be used for this type of development. The 19 metre semi-trailer depicted in the Transport Impact Statement is not typical of the vehicle used for the purposes of car transport for the proposed land use.



mainroads
WESTERN AUSTRALIA

- 4) The proposed development has sufficient vehicular access from Baden Street to the rear of Lot 100. Baden Street is included in the Restricted Access Vehicle Network for a 25 metre car carrier design vehicle and as such the access to Scarborough Beach Road is not required. An example of a similar access arrangement has been successfully achieved for the same land use at Melville Toyota where all access to the site is achieved from a Local Road (Carr Place).

Advice Notes:

- A) The project for the PSP link at this location is currently in the design stage, with works commencing within the foreseeable future.
- B) Main Roads trigger to rationalise existing and proposed access arrangements is at the Development Application stage and as such any revised plans submitted to Main Roads for consideration will need to indicate that all access and egress to and from the site is via Baden Road.

Should the City disagree with or resolve not to include as part of its conditional approval any of the above conditions or advice, Main Roads requests an opportunity to meet and discuss the application prior to a final determination being made.

Also, would you please forward a copy of the City's final determination on this proposal quoting file reference 17/1455 (D18#95011).

If you require any further information please contact Planning Information Officer Byron McKie on (08) 9323 6436 or via email at byron.mckie@mainroads.wa.gov.au.

Yours faithfully

Zeljko Zagorac
A/Statutory Planning Manager



61 York Street
Subiaco WA 6008
P.O.Box 42 Subiaco WA 6904
Phone: +61 (08) 9382 4199
Fax: +61 (08) 9382 4177

Email: admin@transcore.net.au



transport planning • traffic engineering • transport modelling

TRANSCORE PTY LTD ACN 094 951 318 ABN 19 094 951 318

t17.296.bb.l01

1 March 2018

Peter Webb & Associates
PO Box 920
Subiaco WA 6904

Attention: Nik Hidding

Dear Nik,

**RE: Lot 100 (304) Scarborough Beach Road, Osborne Park
Proposed Redevelopment of the Existing Car Yard**

As requested, we have undertaken a review of Main Roads WA's letter dated 7 February 2018 to City of Stirling with respect to the abovementioned project and provide our responses as follows. These responses are provided in the same numerical order as in Main Roads' letter.

- 1) The Scarborough Beach Road crossover is an existing crossover. It is acknowledged that the existing location and the proposed relocation of the proposed crossover are within the Primary Regional Road reservation, however the operation of this crossover has no impact on the Primary Regional Road as Mitchell Freeway at this location bridges over Scarborough Beach Road. The proposed development cannot realistically and practically function with just one crossover on Baden Street which is a back street and access to the subject site from Baden Street is inconvenient, unintuitive and convoluted for customers. Further, it is not agreed that the proposal is contrary to the objectives of WAPC Policy DC 5.1.
- 2) The Scarborough Beach Road crossover and the associated left turn slip lane is already within the Primary Regional Road reservation. The crossover and the left turn slip lane is proposed to be relocated further west by about 6m to line up with the new development proposal. The new location remains within the Primary Regional Road reservation.

Due to relatively short frontage of the subject site on Scarborough Beach Road, it is not practical for the whole left turn auxiliary lane to be located within the property frontage. As such, the existing left turn auxiliary lane is not entirely within the property frontage. As the crossover and left turn auxiliary lane is existing, is already within the Primary Regional Road reservation, is not entirely

within the property frontage, the proposal is a minor modification to the existing intersection and Scarborough Beach Road is not a road which is controlled by Main Roads WA, arguably approval of Main Roads is not required with respect to Clause 3.3.7 of Main Roads WA driveway policy. Section 3.1 of the Main Roads WA driveway policy states that "this guideline applies to routes designated as State roads" but Scarborough Beach Road is not a State road.

- 3) The size of the car carriers used for the purpose of the turn path analysis has been advised by the Client. Main Roads WA has no knowledge of the type of car carriers which are being used at the subject site.

Austrorads Design Vehicle and Turning Path Design Template Guide does not stipulate that car carriers are 25m. In fact, this document does not provide any information on car carriers but simply provide design templates for various sized vehicles.

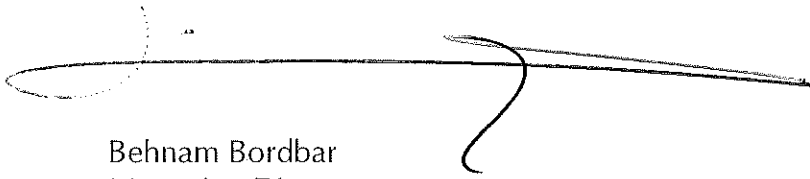
- 4) As outlined in Item 1), due to the nature of the land uses on the subject site and the proposed development, it is unreasonable to suggest that all access and egress for the proposed development, including all service vehicles, all staff and all customers, should be from Baden Street which is a back street and the access route to Baden Street crossover is inconvenient, unintuitive and convoluted.

Melville Toyota is located at the corner of the signalised intersection of Leach Highway and North Lake Road. Leach Highway is a Primary Regional Road under care and control of Main Roads WA. It is acknowledged that Melville Toyota has no direct access onto Leach Highway however, other car yards to the immediate west of this site include Melville Subaru, Melville Mitsubishi, Melville Volkswagen, Magic Nissan and Melville Renault which all have direct access points onto Leach Highway as well as access points from the side roads and back streets.

Advice Notes

- A) No design plans for the PSP have been provided as design is not complete and therefore, the relevance to the proposed development is not apparent at this stage.
- B) Main Roads WA is not the approval authority and is only a referral agency. Further, as outlined earlier Scarborough Beach Road is not a road which comes under care and control of Main Roads WA.

Yours truly,

A handwritten signature in black ink, consisting of a long horizontal stroke with a large loop on the left and a smaller loop on the right.

Behnam Bordbar
Managing Director

1 THE STRUCTURE PLAN

1.1 STRUCTURE PLAN AREA

The Herdsman Glendalough Local Structure Plan shall apply to all land parcels and reserves contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map (**Plan 1**).

1.2 STRUCTURE PLAN CONTENT

The Herdsman Glendalough Structure Plan comprises:

- a) Statutory Section (Part 1) – This section contains the Structure Plan (**Plan 1**), the Additional Uses Plan (**Plan 2**) and statutory planning provisions and requirements.
- b) Explanatory Report (Part 2) – This section is to be used as a reference guide to interpret and justify the implementation of Part One.
- c) Appendices – This section contains the detailed technical reports that have been prepared to support the structure plan.

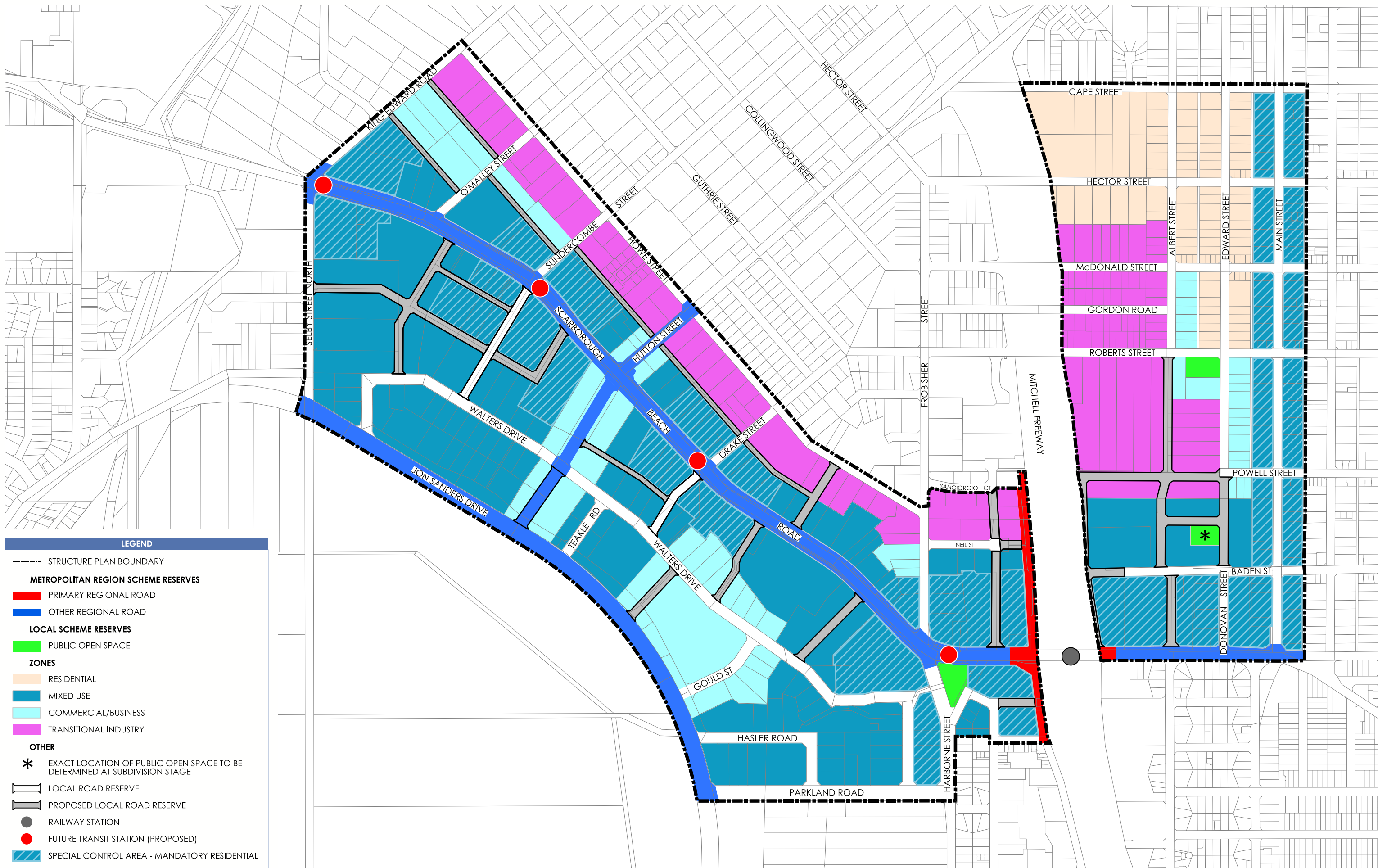
1.3 INTERPRETATIONS

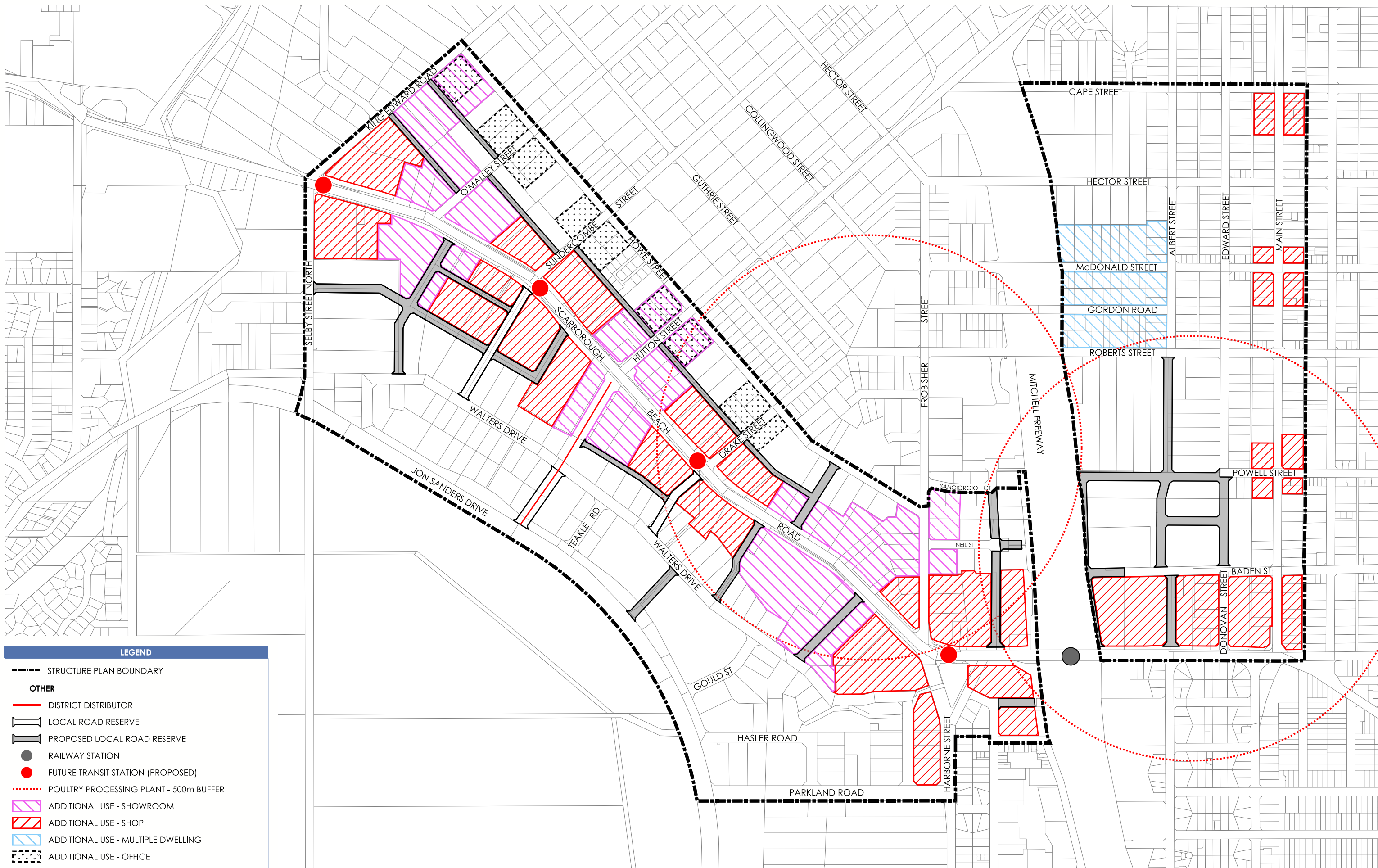
Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the City of Stirling's *Local Planning Scheme No. 3* (the Scheme) including any amendments gazetted thereto.

The structure plan area is zoned 'Development Area' under the provisions of *Local Planning Scheme No. 3*, which under clause 6A.3 of the Scheme requires that a structure plan be prepared and adopted prior to subdivision or other development being commenced or carried out within the subject area. This document has been drafted to satisfy the requirements of clause 6A.3 and Part 6A of the Scheme, in order to facilitate subdivision and development of the structure plan area.

Pursuant to clause 6A.12.2 of the Scheme:

- a) The provisions, standards and requirements specified under Part 1 of this Structure Plan shall have the same force and effect as if they were a provision, standard or requirement of the Scheme. In the event of there being a variation or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this structure plan, then the provisions, standards or requirements of the Scheme shall prevail;
- b) Any other provisions, standards or requirements of Part 1 of the Structure Plan that are not otherwise contained in the Scheme shall apply to the subject area as though they are incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and
- c) Part 2 of this Structure Plan and the Appendices – Technical Reports are to be used as a reference only to clarify and guide interpretation and implementation of Part 1.





1.4 OPERATION

In accordance with clause 6A.12 of the Scheme, this Structure Plan shall come into operation when it is certified by the Western Australian Planning Commission (WAPC) pursuant to clause 6A.12.1a) of the Scheme or adopted, signed and sealed by the Council pursuant to clause 6A.12.1b) of the Scheme, whichever is the latter.

1.5 DEVELOPMENT REQUIREMENTS

1.5.1 HERDSMAN GLENDALOUGH DETAILED AREA PLAN

Any development application (including change of use applications) proposed within the Structure Plan area, where the overall resultant net leasable area is greater than 0.7 plot ratio, is to be compliant with the built form standards and development requirements outlined within the Herdsman Glendalough Area Detailed Area Plan, approved for the subject area under Clause 6A.16 of *Local Planning Scheme No. 3*.

1.6 LAND USE AND SUBDIVISION REQUIREMENTS

1.6.1 LAND USE ZONES

The Structure Plan area is classified into the zones shown on the Structure Plan Map (Plan 1). The zones are delineated and depicted on the Structure Plan map according to the legend on Plan 1.

The objectives of each of the zones are as follows, and are intended to provide the context for development within the respective zones.

MIXED USE ZONE

- a) *To provide for a variety of land uses and activities which contribute to a vibrant and active street front;*
- b) *To provide a high density, multi-storey built form outcome with vertical integration of land uses;*
- c) *To facilitate the creation of employment within the area so as to reduce the demand for travel and enhance the level of self-sufficiency; and*
- d) *To ensure a high standard of design that negates issues such as noise, smell and vibration that are related to mixed use developments.*

COMMERCIAL/BUSINESS ZONE

- a) *To facilitate a development of a mixture of high employment generating activities in a high density, multi-storey built form outcome;*
- b) *To ensure a high standard of design that negates issues such as noise, smell and vibration that are related to mixed use developments.*
- c) *To ensure that traffic management, road safety, site access, onsite parking, building design and streetscape appearance are not compromise by built form development.*

TRANSITIONAL INDUSTRY ZONE

- a) *To provide for a range of industrial and business development, as well as facilities for the storage and distribution of goods.*

- b) To ensure a high standard of development appropriate to a modern commercial/industrial area and which is conducive to safe and convenient access by all clientele.
- c) To enable cottage and service industrial development that does not adversely impact the amenity of the locality.

RESIDENTIAL ZONE

- a) To provide for residential development at a range of densities with a variety of housing types, sizes and tenures to meet the current and future needs of the community.
- b) To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

1.6.2 LAND USE PERMISSIBILITY

The permissibility of individual land use classifications within the zones delineated on **Plan 1** are outlined within **Table A** (Permissibility Table) below. The symbols used in the cross reference in **Table A** are defined under clause 4.3.2 of *Local Planning Scheme No. 3*, and the uses referenced are defined within 1.7 of *Local Planning Scheme No. 3*.

TABLE A: USE CLASS PERMISSIBILITY TABLE

Use Classifications/Zone	Mixed Use	Commercial/ Business	Transitional Industry	Residential
Aged or Dependent Persons Dwelling	P	X	X	P
Amusement Parlour	P	X	X	X
Bed and Breakfast	D	X	X	A
Betting Agency	D	D	X	X
Boarding House	D	X	X	A
Car Park	D	P	P	X
Caravan Park	X	X	X	X
Caretakers Dwelling	P	P	P	D
Child Care Premises	A	D	D	A
Cinema / Theatre	D	X	X	X
Civic Use	P	D	D	A
Club Premises	P	D	A	X
Community Purposes	P	X	X	A
Consulting Rooms	P	P	X	D
Convenience Store	P	D	D	X
Drive through Fast Food Outlet	X	X	X	X
Educational Establishment	D	D	X	X
Exhibition Centre	D	D	X	X
Family Day Care	D	X	X	A
Fast Food Outlet	P	D	X	X
Fuel Depot	X	X	X	X

Use Classifications/Zone	Mixed Use	Commercial/ Business	Transitional Industry	Residential
Grouped Dwelling	D	X	X	P
Hardware Showroom	D	X	X	X
Home Business	D	X	P ²	A
Home Occupation	D	X	P ²	D
Home Office	P	X	P ²	P
Home Store	D	X	X	A
Hospital	X	X	X	X
Hotel	A	A	X	X
Hostel	A	X	X	A
Industry – Cottage	X	X	P	X
Industry – Extractive	X	X	X	X
Industry – General	X	X	X	X
Industry – Light	X	X	X	X
Industry – Mining	X	X	X	X
Industry – Noxious	X	X	X	X
Industry – Rural	X	X	X	X
Industry – Service	X	X	X	X
Institutional Building	A	X	X	X
Institutional Home	X	X	X	X
Market	P	D	X	X
Media Establishment	P	D	X	X
Medical Centre	P	D	X	X
Motel	D	X	X	X
Motor Vehicle Repair	X	X	P	X
Motor Vehicle Wash	X	X	P	X
Motor Vehicle, Boat or Caravan Sales	D	X	X	X
Multiple Dwelling	P	X	X ¹	P
Night Club	A	X	X	X
Nursing Home	X	X	X	A
Office	P	P	X ¹	X
Park Home Park	X	X	X	X
Personal Care Services	P	X	D	X
Personal Services	P	X	D	X
Place of Worship	A	D	D	A
Reception Centre	P	P	X	X
Recreation – Private	P	P	X	X
Residential Building	D	X	X	D
Restaurant	P	D	X	X
Restricted Premises	A	X	X	X

Use Classifications/Zone	Mixed Use	Commercial/ Business	Transitional Industry	Residential
Retirement Complex	X	X	X	A
Rural Pursuit	X	X	X	X
Salvage Yard	X	X	X	X
Service Station	D	X	X	X
Shop	X ¹	X ¹	X ¹	X ¹
Short Stay Accommodation	D	X	X	P
Showroom	X ¹	X ¹	X ¹	X ¹
Single Bedroom Dwelling	P	X	X	P
Single House	D	X	X	P
Storage (Outdoor)	X	X	D	X
Tavern	A	A	X	X
Telecommunications Infrastructure	A	A	A	A
Trade Display	D	D	D	X
Transport Depot	X	X	X	X
Veterinary Centre	D	D	X	X
Warehouse	X	D	P	X
Wrecking	X	X	X	X

¹ Permissibility subject to location specific and design criteria outlined within Section 1.6.3.

² Permissible only when residential development is constructed.

1.6.3 ADDITIONAL USE CLASSIFICATIONS

The use class permissibility outlined within **Table A** is supplemented with the following Additional Use classifications for identified areas outlined within Plan 2.

SHOP

The use classification of 'Shop' is an 'X' Use (Not Permitted) within any zone of the structure plan area outside of those areas identified within the 'Additional Use – Shop' classification.

Where a development is proposed within an area noted on Plan 1 as 'Additional Use – Shop', the use classification of 'Shop' will be considered as a 'D' Use (Discretionary), with the approval of the use subject to Council's discretion. Development shall comply with the development controls associated with Additional Uses, as outlined in the Detailed Area Plan.

SHOWROOM

The use classification of 'Showroom' is an 'X' Use (Not Permitted) within any zone of the structure plan area outside of those areas identified within the 'Additional Use – Showroom' classification.

Where a development is proposed within an area noted on Plan 2 as 'Additional Use – Showroom', the use classification of 'Showroom' will be considered as a 'D' Use (Discretionary), with the approval of the use subject to Council's discretion. Development shall comply with the development controls associated with Additional Uses, as outlined in the Detailed Area Plan.

OFFICE

The use classification of 'Office' is an 'X' Use (Not Permitted) within the 'Transitional Industry' zone of the structure plan area with the exception of those areas identified with an 'Additional Use – Office' classification.

Where a development is proposed within an area noted on Plan 2 as 'Additional Use – Office', the use classification of 'Office' will be considered as a 'D' Use (Discretionary), with the approval of the use subject to Council's discretion taking into consideration the following criteria:

- a) The office use will be accommodated within a built form development with a minimum podium height of four storeys;
- b) The built form is to be designed such that the office use presents to any primary or secondary street(s) at both ground level and upper storeys through the use of non-opaque glazing, articulation and signage;
- c) Primary pedestrian access to the office use is to occur from the Primary Street but vehicular access and vehicle parking is to occur from a secondary street or shared access point wherever possible; and
- d) The provision and development of a suitable public space (either ceded as public open space or private open space with agreed public access) that is equal to or greater than 100m² in area.

MULTIPLE DWELLING

The use classification of 'Multiple Dwelling' is an 'X' Use (Not Permitted) within the 'Transitional Industry' zone of the structure plan area with the exception of those areas identified with an 'Additional Use – Multiple Dwelling' classification.

Where a development is proposed within an area noted on Plan 2 as 'Additional Use – Multiple Dwelling', the use classification of 'Multiple Dwelling' will be considered as a 'D' Use (Discretionary), with the approval of the use subject to Council's discretion taking into consideration the following criteria:

- a) The multiple dwellings are to be occupied exclusively by proprietors or employees of an operational and registered business or enterprise occurring on the subject site; and
- b) The built form of the subject site is to be designed such that the multiple dwellings front the primary street and are developed above the ground floor level.

Where multiple dwellings are proposed, a minimum of 60% of the plot ratio area shall be developed for industrial uses in accordance with **Table A**.

1.6.4 SPECIAL CONTROL AREA – MANDATORY RESIDENTIAL

The areas identified on Plan 1 as 'Special Control Area – Mandatory Residential' represent areas where a development proposed on any lot is to incorporate a minimum of 20% of the plot ratio area on site for residential dwellings as a component of a mixed use, multi storey development.

Any development approval granted within the identified 'Special Control Area – Mandatory Residential' precinct will be subject to a condition of development approval requiring the preparation of plans, construction and delivery of a minimum of 20% of the plot ratio area on site for multiple dwellings.

1.6.5 PUBLIC OPEN SPACE

LOCAL RESERVE – PUBLIC OPEN SPACE

The areas identified on Plan 1 as 'Local Reserve – Public Open Space' represent existing or proposed Local Reserves to be set aside for the provision of local public open space.

These areas are to be developed and improved by the private sector and under the provisions of *Local Planning Scheme No. 3* as specified in the Detailed Area Plan. A developer contributions Scheme may be implemented by the City to provide for additional regional level open space and improvements to existing which will be required as a result of the urban regeneration program.

1.6.6 PUBLIC ROAD CONNECTIONS

LOCAL ROAD RESERVE

The areas identified on Plan 1 as 'Local Road Reserve' represent proposed local reserves to be set aside for the provision of local road connections. The Detailed Area Plan provides additional development potential to sites where these local reserves are provided. These areas are to be ceded free of cost and constructed by the landowner.

PROPOSED LOCAL ROAD RESERVE

The areas identified on Plan 1 as 'Proposed Local Road Reserve' represent desired local road connections to improve the overall connectivity within the Structure Plan area. The Detailed Area Plan provides additional development potential to sites where these local reserves are provided. These road connections are subject to detailed design, including location, alignment and road reserve width, as a component of adjacent subdivision and/or development approvals. These roads are to be ceded free of cost and constructed by the landowner.

1.7 GENERAL REQUIREMENTS

1.7.1 AFFORDABLE DWELLINGS

Within the 'Mixed Use' and 'Residential' zones, any new development with a residential component of 10 or more 'Multiple Dwelling' is required to incorporate a minimum of 12% of dwellings constructed on site as Affordable Dwellings for disposal as either shared equity, social housing or the equivalent (including student accommodation and long term rental). Affordable dwellings shall be sold by the developer to a recognised affordable housing provider at construction cost.

When more than one affordable dwelling is required to be provided within a development, a range of dwelling types (a mix of one, two and three bedroom units) and sizes shall be provided.

The affordable dwellings shall be externally finished to the same standard, quality and level of detail as other housing within the development. Internal finishes may be of a lower specification than other dwellings within the development.

The affordable dwellings shall be integrated and dispersed throughout a development to achieve a mix of building orientation and to avoid the affordable dwellings being located in one part of a development.

Any development approval granted for 'Multiple Dwellings' within the 'Mixed Use' or 'Residential' zones will be subject to a condition of development approval requiring the preparation of plans, construction and delivery of a minimum number of affordable dwellings equivalent to 12% of the total dwellings proposed onsite.

1.7.2 VEHICLE PARKING

NON-RESIDENTIAL VEHICLE PARKING

Where land is approved to be developed or used under this structure plan for a non-residential or non-short stay accommodation use the landowner shall provide, as a condition of development approval, onsite parking at a rate of a maximum of 250 bays per net site hectare (to be confirmed). The supplied parking bays shall be constructed in accordance with the approved plans to the satisfaction of the local government.

RESIDENTIAL VEHICLE PARKING

For the purpose of this section the term 'Residential Use' shall incorporate the use classifications of 'Single House', 'Grouped Dwelling' and 'Multiple Dwelling'.

Where land is approved to be developed or used under this structure plan for a residential use, onsite parking shall be provided at a maximum average of 1.25 bays per approved dwelling unit (to be confirmed).

Parking bays provided for residential uses shall be occupied exclusively by the vehicles of bona fide residents of the approved dwelling units in the development or by vehicles of bona fide visitors to the approved dwelling units.

CASH IN LIEU

Pending Stirling City Centre parking review

PUBLIC PARKING ON PRIVATE LAND

Pending Stirling City Centre parking review

1.7.3 RETAIL FLOORSPACE

The Herdsman Glendalough Retail Needs Assessment demonstrates that an additional 16,815m² of net retail leasable area can be developed within the Structure Plan area. The spatial distribution of this additional floorspace is outlined below and identified on **Plan 2**:

- Main St – 3,815m² NLA
- Glendalough District Activity Centre (surrounding Railway Station) – 10,000m² NLA
- Scarborough Beach Road (west of Harborne St) – 3,000m² NLA

A Retail Sustainability Assessment will be required where a significant increase to the NLA is proposed in a specific geographic location.

1.7.4 ROAD RESERVE WIDTH REQUIREMENTS

Proposed Local Road Reserves are identified on the Structure Plan. These roads provide for a permeable local street pattern. These roads are to be provided for and constructed by the private sector as development occurs. All local street connections within the Structure Plan area, with and without bicycle lanes or Copenhagen paths, are 20 metres and laneways are 10m and should be allowed for in development applications. The required road reservation and cross-section details shall be agreed to with the City of Stirling at the development application stage and should be allowed for in development applications.

Other Local Road Reserves have different road reservation and cross-section requirements in order to achieve specific movement network objectives. These roads are as follows:

- Main Street (no cycle facilities) – 25 metres
- Edward Street parallel to Main Street (with bike paths) - 20 metres
- Harborne Street – 32.4 metres
- Frobisher Street (with bike paths) – 25 metres
- Walters Drive (no cycle facilities) – 25 metres
- Selby Street and King Edward Road (with bike paths) – 25 metres

The required road reservation and cross-section details shall be agreed to with the City of Stirling at the development application stage and should be allowed for in development applications.

Primary Regional and Other Regional Roads have a regional function and are reserved under the MRS

- Hutton Street (no bicycle paths or lanes) – 30 metres
- Jon Sanders Drive – 40.5 metres
- Scarborough Beach Road - 42 metres

1.8 OTHER REQUIREMENTS

1.8.1 DEVELOPMENT CONTRIBUTIONS

The Structure Plan area may be subject to development contribution requirements under Part 6B of *Local Planning Scheme No. 3* for the infrastructure items listed. Any development within the Structure Plan area may be subject to a condition of approval requiring compliance with the relevant development contributions plan.

1.8.2 NOISE MITIGATION

The development of sensitive land uses within the Structure Plan area may be subject to a requirement for a noise assessment prior to planning approval being granted. The consideration of existing noise generating activities within proximity to a proposed development may necessitate conditions of planning approval being imposed, including but not limited to:

- Requirements for noise attenuation measures to be incorporated in construction; and

- Notifications being placed on the certificate of title to ensure future landowners are informed.

1.8.3 ODOUR MANAGEMENT

The development of sensitive land uses within the areas identified as 'Odour Management Area' on Plan 1 may be subject to a requirement for an odour assessment prior to planning approval being granted.

The consideration of the odour impact associated with the existing poultry processing plants may necessitate conditions of planning approval being imposed on applications for sensitive development, including but not limited to:

- Requirements for odour attenuation measures to be incorporated in construction; and
- Notifications being placed on the certificate of title to ensure future landowners are informed.

1.8.4 DWMS

All sites and development applications shall be drained and designed to be in accordance with the DWMS for this Area. The DWMS is attached to this Structure Plan. Proposed Road Cross sections are to be referred to as contained in the Detailed Area Plan for this Area. An Urban Water Management Plan will need to be prepared and accompany the submission of Development Applications covering elements typically addressed in a Local Water Management Strategy and are not covered in the DWMS.

1.8.5 STORMWATER MANGEMENT

All sites and development applications shall be drained and designed to be in accordance with the DWMS for this Area and the Detailed Area Plan. An Urban Water Management Plan will need to be prepared and accompany the submission of Development Applications covering elements typically addressed in a Local Water Management Strategy and are not covered in the DWMS.

1.8.6 ELEMENTS OF CULTURAL AND HERITAGE SIGNIFICANCE

Items listed on the City or State Heritage Inventory shall be retained. Other features of cultural and heritage significance shall be retained and incorporated into development where ever possible, as specified within the Detailed Area Plan.

Councillor Bianca Sandri disclosed an Impartial Interest in Item 10.1/CP2 as a landowner is known to her.

10.1/CP2 LOCAL PLANNING SCHEME NO.3 AMENDMENT NO.39 - HERDSMAN GLENDALOUGH AREA - OUTCOMES OF ADVERTISING

Report Information

Location: Osborne Park and Glendalough
Applicant: Not Applicable
Reporting Officer: Manager City Planning
Business Unit: City Planning
Ward: Osborne
Suburb: Osborne Park and Glendalough

Authority/Discretion

Definition

- | | | |
|-------------------------------------|----------------------|---|
| <input type="checkbox"/> | Advocacy | <i>when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i> |
| <input type="checkbox"/> | Executive | <i>the substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i> |
| <input checked="" type="checkbox"/> | Legislative | <i>includes adopting local laws, town planning schemes and policies. Review when Council reviews decisions made by Officers.</i> |
| <input type="checkbox"/> | Quasi-Judicial | <i>when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i> |
| <input type="checkbox"/> | Information Purposes | <i>includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').</i> |

Council Resolution

1117/011

Moved Councillor Italiano, seconded Councillor Proud

- 1. That pursuant to the Planning and Development (Local Planning Scheme) Regulations 2015, Council ADOPTS in a modified form Amendment No.39 to Local Planning Scheme No.3 as shown in Attachment 1.**

2. That **AUTHORITY** be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to Local Planning Scheme No.3 Amendment No.39 documents, and that the Amendment be **REFERRED** to the Western Australian Planning Commission and the Minister for Planning for determination.
3. That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council **RESOLVES** that, in its opinion, Local Planning Scheme No.3 Amendment No.39 is a Complex Amendment.

The motion was put and declared **CARRIED (13/0)** by exception resolution (page 208 refers).

For: Councillors Boothman, Caddy, Guilfoyle, Irwin, Italiano, Lagan, Migdale, Perkov, Proud, Re, Sandri, Sargent and Spagnolo.

Against: Nil.

Committee Recommendation

1. That pursuant to the Planning and Development (Local Planning Scheme) Regulations 2015, Council **ADOPTS** in a modified form Amendment No.39 to Local Planning Scheme No.3 as shown in Attachment 1.
2. That **AUTHORITY** be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to Local Planning Scheme No.3 Amendment No.39 documents, and that the Amendment be **REFERRED** to the Western Australian Planning Commission and the Minister for Planning for determination.
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Officer's Recommendation

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2. That **AUTHORITY** be given to the Mayor and Chief Executive Officer to sign and affix the Common Seal to Local Planning Scheme No.3 Amendment No.39 documents, and that the Amendment be **REFERRED** to the Western Australian Planning Commission and the Minister for Planning for determination.
3. That pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council **RESOLVES** that, in its opinion, Local Planning Scheme No.3 Amendment No.39 is a Complex Amendment.

Report Purpose

To consider the outcomes of advertising of Local Planning Scheme No.3 (LPS3) Amendment No.39 – Herdsman Glendalough Development Zone.

Relevant Documents

Attachments

- Attachment 1 - Local Planning Scheme No.3 - Amendment No.39 (to be adopted)
- Attachment 2 - Local Planning Scheme No.3 - Amendment No.39 (to be adopted version with track changes)
- Attachment 3 - Local Planning Scheme No.3 - Amendment No.39 (as advertised)
- Attachment 4 - Schedule of Submissions

Available for viewing at the meeting

1. Herdsman Glendalough Structure Plan (as advertised)
2. Herdsman Glendalough Detailed Area Plan (as advertised)

Background

Project Summary

The City is currently in the process of preparing a planning framework for the Herdsman Glendalough Area. This planning framework is consistent with State planning strategies such as Perth and Peel @ 3.5 Million and Directions 2031. The planning framework will facilitate the transformation of the area over time into a vibrant mixed used area with a strong focus on public transport, walkability and improved amenity. The proposed planning framework consists of the following planning instruments:-

- Herdsman Glendalough Structure Plan
- Herdsman Glendalough Detailed Area Plan, now known as the 'Herdsman Glendalough 'Local Development Plan' following the gazettal of the Planning and Development (Local Planning Schemes) Regulations 2015
- Local Planning Scheme No.3 Amendment No.39
- Metropolitan Region Scheme Amendment 1291/41
- Herdsman Glendalough Development Contribution Plan

This report recommends that Council adopts LPS3 Amendment No.39.

Project History

In May 2008 the City commenced the 'Scarborough Beach Road Activity Corridor Study' in conjunction with the then Department of Planning and Infrastructure, Public Transport Authority, Main Roads WA and the City of Vincent. The purpose of this was to create a vibrant and well connected activity corridor linking several key centres from Charles Street, North Perth to Scarborough Beach (Figure 1).

Within the City of Stirling, the Scarborough Beach Road Activity Corridor is comprised of four project areas including the Herdsman Glendalough Area, Stirling City Centre, Scarborough Beach Road West, and Scarborough Beach. The Herdsman Glendalough Area covers two of these key centres being Osborne Park and Glendalough Station (Figure 1) and forms an integral part of the Scarborough Beach Road Activity Corridor. Herdsman Glendalough is an area of future intensification and growth and by 2031 will facilitate an additional 3,072 dwellings and an additional 7,346 jobs.

The Herdsman Glendalough Area is located approximately 5.5km north-west of the Perth Central Business District and approximately 6.0km east of the coast. The Herdsman Glendalough Area (Figure 2) is the subject of LPS3 Amendment No.39. The area is broadly bound by Howe Street and Cape Street to the north, Garner Lane to the east, Scarborough Beach Road, Parkland Road and Jon Sanders Drive to the south, and Selby Street and King Edward Road to the west.

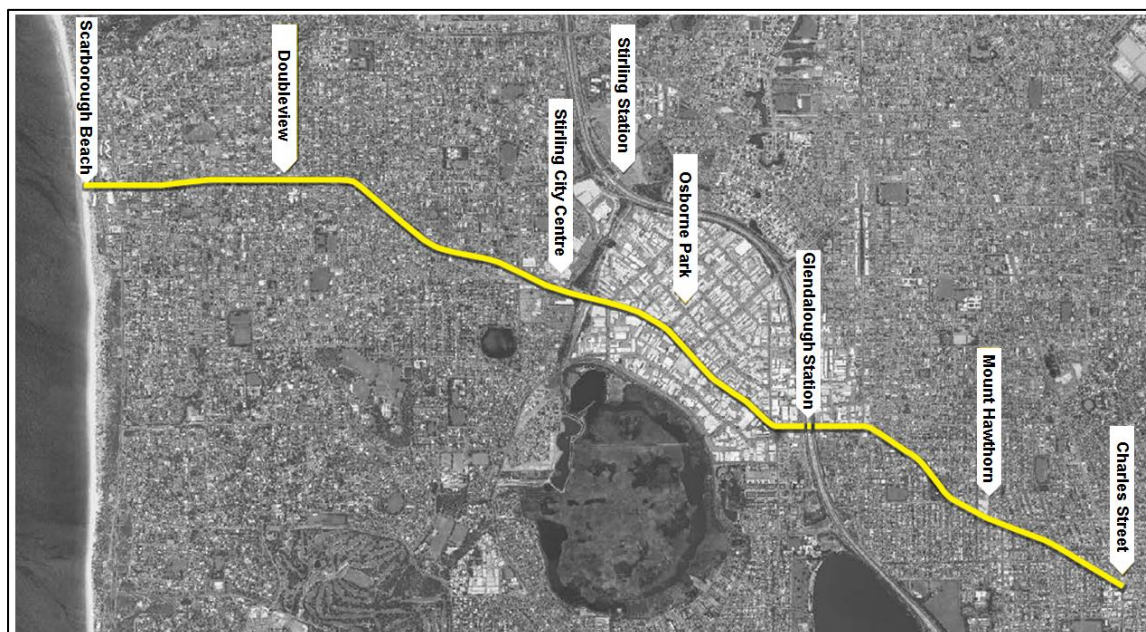


Figure 1: Scarborough Beach Road Activity Corridor – Key Centres (From Scarborough Beach Road Activity Corridor Framework 2013)

As a long established industrial area, Herdsman Glendalough has been traditionally characterised by showrooms, industrial activities and office uses. To the east of the Mitchell Freeway the area is characterised by both industrial and residential development.

Given the area's proximity to Glendalough Station, Herdsman Lake and due to its high level of employment generation, the Herdsman Glendalough Area is recognised as a key strategic location in terms of the City's future economic and residential growth. The opportunity to transform the area to one which is more intense, more pedestrian friendly and focuses on mixed use, has been recognised and forms a major component of the City's Local Planning Strategy.

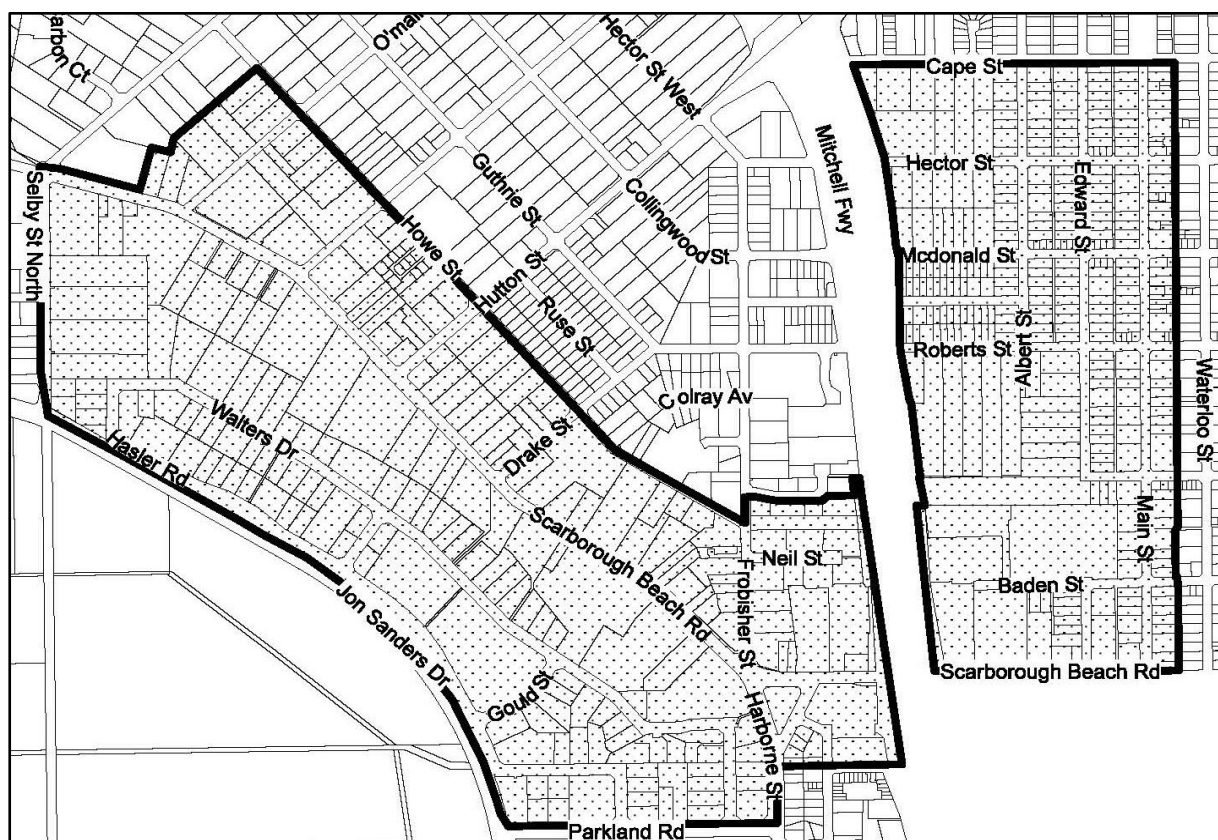


Figure 2: Herdsman Glendalough Area

Following private sector interest in redeveloping the area, in May 2009 the City commenced preparation of the Herdsman Glendalough Concept Structure Plan.

At its meeting held 22 March 2011, Council resolved (Council Resolution Number 0311/060) as follows:-

1. *"MODIFY the draft Herdsman-Glendalough Concept Structure Plan to:*
 - a. *Incorporate reworded Vision to include references to residential development, high pedestrian amenity and light rail;*
 - b. *Identify the need to include the northern Glendalough industrial precinct and Main Street in the future Structure Plan;*
 - c. *Remove the cul-de-sac treatment to Hasler Road, and Approve the modified draft Herdsman-Glendalough Concept Structure Plan (as shown in Attachment 1 and incorporating the modifications above) and the draft Herdsman Business Park and Glendalough Station Transport Strategy for public advertising;*
2. *Support the preparation of technical studies and plans required to support a Structure Plan and associated Scheme Amendment to ensure that the Infrastructure Australia Submission can be implemented;*
3. *ENDORSE the investigation of funding possibilities for the 2011/2012 Financial Year to cover the cost of the additional studies to the value of \$650,000 with the final decision on this matter to be determined by Council as part of the 2011/12 Budget deliberations.*

4. *NOTE that the scale and form of development proposed in the draft Herdsman-Glendalough Concept Structure Plan is contingent on approval of a subsequent Structure Plan and Scheme Amendment and the provision of enabling infrastructure including light rail."*

The Herdsman Glendalough Concept Structure Plan was advertised for public comment from 6 June 2011 until 15 July 2011. During this period, three community consultation sessions were held to gain further community input. Council considered the outcomes of advertising of the Herdsman Glendalough Concept Structure Plan, and at its meeting held 13 December 2011 Council resolved (Council Resolution Number 1211/014) as follows:-

1. *"That Council NOTES the submissions received during advertising of the Herdsman-Glendalough Concept Structure Plan and Transport Strategy.*
2. *That Council MODIFIES the Concept Structure Plan by:-*
 - a. *Modifying the study area of the Concept Structure Plan by including properties fronting Main Street, northwards to Cape Street;*
 - b. *Modifying the study area of the Concept Structure Plan by including the area broadly bounded by Powell Street in the south, Cape Street in the north, Main Street in the east and the Mitchell Freeway in the west;*
 - c. *Including wording clearly highlighting the Hutton Street extension to Jon Sanders Drive; and*
 - d. *Including a statement in section 2.3.3 to point out the importance of showrooms in the area.*
3. *That Council ENDORSES the preparation of an Amendment to Local Planning Scheme No. 3 to create a Development Zone over the Concept Structure Plan Area, to be subject of a separate report to Council in 2012.*
4. *That Council ENDORSES the preparation of a Consultant Project Brief, for the development of a final Structure Plan and Detailed Area Plans, to be submitted to Council for Approval in early 2012."*

In order to progress the planning framework for the area, at its meeting held 16 October 2012, Council resolved (Council Resolution Number 1012/044) as follows:-

"That Council APPROVE the project brief to tender for the appointment of a consultant for the following planning services for the Herdsman Glendalough Concept Structure Plan Area:-

- a. *Herdsman Glendalough Structure Plan;*
- b. *Design Guidelines and Detailed Area Plans;*
- c. *Retail Needs Assessment; and*
- d. *Urban Design and Landscaping Masterplan."*

Between May and November 2013, five community consultation sessions were held to guide the preparation of these documents. Council considered the draft Herdsman Glendalough Structure Plan and the draft Herdsman Glendalough Local Development Plan, and at its meeting held 14 October 2014, Council resolved (Council Resolution 1014/015) as follows:-

“That Council INITIATES advertising of the following documents in accordance with Part 6A of Local Planning Scheme No.3:-

- a. Herdsman Glendalough Structure Plan*
- b. Herdsman Glendalough Detailed Area Plan.”*

The Herdsman Glendalough Structure Plan and the Herdsman Glendalough Local Development Plan were advertised for public comment between 20 January 2015 and 3 March 2015.

Before the Structure Plan and Local Development Plan can be adopted and its provisions applied, the introduction of a ‘Development’ zone over the area is also required. To give this effect, at its meeting held 18 June 2013, Council resolved (Council Resolution 0613/048) as follows:-

“That pursuant to Section 75 of the Planning and Development Act 2005, Council INITIATES an Amendment to Local Planning Scheme No.3 as outlined in the Manager City Planning’s report to:

- a. Include Herdsman Glendalough into Schedule 10 of the Scheme Text and on the Scheme Maps;*
- b. Rezone various lots within the Herdsman Glendalough Area from ‘Industrial’, ‘Residential’, ‘Special Use’, ‘Hotel’, ‘Local Centre’ and ‘Business’ to ‘Development’ Zone;*
- c. Remove Clause 6.4 ‘Glendalough Station Special Control Area’ from the Scheme Text and Scheme Maps;*
- d. Introduce the Herdsman Glendalough Special Control Area into the Scheme Text and Scheme Maps; and*
- e. Remove from the Scheme Text and Scheme Maps all references to Special Uses and Additional Uses in the Herdsman Glendalough Area;”*

This Amendment became known as Scheme Amendment No.39. Before advertising of Amendment No.39 could commence, the approval of the Western Australian Planning Commission (WAPC) was required. This approval was sought on 23 September 2013 but was not granted until 3 August 2015, which significantly delayed the project. Advertising of Amendment No.39 commenced on 29 September 2015 and concluded on 10 November 2015.

To realise the vision for the area, the Metropolitan Region Scheme needed to be amended. The main reason for this is that residential land uses, which are a key component of the planning framework, cannot be approved on land zoned ‘Industry’ by the Metropolitan Region Scheme. It is common for Local Governments to propose amendments to the Metropolitan Region Scheme where required to align State and Local Planning Frameworks.

A Metropolitan Region Scheme Amendment document was prepared by the City and submitted to the WAPC on 3 April 2014. This Metropolitan Region Scheme Amendment proposed to rezone the portion of the Herdsman Glendalough Area to the west of the Mitchell Freeway from ‘Industry’ to ‘Urban’ to allow the vision for the area to be achieved.

Public advertising of this Metropolitan Region Scheme Amendment No.1291/41 was delayed by the WAPC, but commenced from 15 December 2015 and closed on 18 March 2016.

However, the WAPC modified Metropolitan Region Scheme Amendment 1291/41 and advertised it showing areas of land with an 'Urban Deferred' zone. The Metropolitan Region Scheme Amendment (Amendment 1291/41) advertised by the WAPC was not what the City requested as this modified version proposed that this area be rezoned to both 'Urban' and 'Urban Deferred'.

The proposed 'Urban Deferred' zoning was proposed to serve as a 500m buffer around a poultry processing facility located at House Number 112, Howe Street, Osborne Park. In response to the advertising of Metropolitan Region Scheme Amendment 1291/41, Council considered the endorsement of a submission to the WAPC which did not support the 'Urban Deferred' zoning. At its meeting held on 19 April 2016, Council resolved (Council Resolution Number 0416/034) as follows:-

"That Council ENDORSES the submission to the Western Australian Planning Commission for Metropolitan Region Scheme Amendment No.1291/41: Herdsman Glendalough Precinct as per Attachment 1."

The City's submission did not support the 'Urban Deferred' zoning as any concerns regarding environmental impacts that the poultry processing facility may have upon sensitive land uses can be addressed through the provisions of Herdsman Glendalough Structure Plan. Furthermore, preventing residential and mixed use development through the introduction of an 'Urban Deferred' zone is inconsistent with various state government planning strategies which advocate increases in residential densities in close proximity to Glendalough Station. The 500m 'Urban Deferred' buffer is located within an 800m walkable catchment of Glendalough Station. The introduction of residential land uses within this walkable catchment is critical to achieving the vision for the area.

As Metropolitan Region Scheme Amendment 1291/41 was a major amendment, a hearing was held on 12 September 2016 where the City's officers presented the City's submission to the Hearing Committee of the WAPC. Following the hearings, the WAPC recommended that the Minister for Planning present a modified Metropolitan Region Scheme Amendment 1291/41 to Her Excellency the Governor for consideration and approval and subsequently commend Metropolitan Region Scheme Amendment 1291/41 to both Houses of Parliament.

This modified Metropolitan Region Scheme Amendment 1291/41, replaces the 'Urban Deferred' zone with an 'Urban' zone, and is therefore consistent with the Metropolitan Region Scheme Amendment originally requested by the City which proposed an 'Urban' zone for the portion of the Herdsman Glendalough Area to the West of the Mitchell Freeway.

The modified Metropolitan Region Scheme Amendment 1291/41 has been endorsed by the Minister for Planning and approved by the Governor. Metropolitan Region Scheme Amendment 1291/41 has been tabled for consideration for 12 sitting days in each house of State Parliament, concluding on 7 December 2017. During this time either House may, by resolution, disallow Metropolitan Region Scheme Amendment 1291/41.

As the likely outcome of Metropolitan Region Scheme Amendment 1291/41 was, until recently, unknown, the City's officers had considered that proceeding with Amendment No.39 was premature, as there may be further implications.

Metropolitan Region Scheme Amendment 1291/41 is sufficiently progressed to allow Council to consider the outcomes of advertising of Amendment No.39, and there is no statutory impediment preventing Council from adopting Amendment No.39 to apply a 'Development' zone and Special Control Area over the Herdsman Glendalough Area.

The progression of the Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan were also delayed until the outcome of Metropolitan Region Scheme Amendment 1291/41 was known. Work on progressing these planning documents will now proceed.

The City continues to receive development applications which are consistent with the current planning framework but which are inconsistent with the objectives of the Herdsman Glendalough Special Control Area. The approval of these applications will jeopardise the vision of creating a vibrant, pedestrian friendly, mixed use area. It is therefore now recommended that Amendment No.39 be considered for adoption.

Key Components of Local Planning Scheme No.3 - Amendment No.39

The major components of LPS3 - Amendment No.39 are the introduction of a 'Development' zone, and the introduction of the 'Herdsman Glendalough Special Control Area.'

1. Introduction of Development Zone in Local Planning Scheme No.3

LPS3 currently zones the Herdsman Glendalough Area 'Industrial', 'Residential', 'Special Use', 'Hotel', 'Local Centre' and 'Business'. Amendment No.39 proposes to replace these zones with a single 'Development' zone and introduce a 'Development' area into Schedule 10 of LPS3.

Clause 4.2.3 of Local Planning Scheme No.3 states that the objectives of a 'Development' zone are to:-

- a) *To provide for coordinated development through the application of a comprehensive structure plan to guide subdivision and development.*
- b) *To avoid the development of land for purposes likely to compromise its future development for purposes, or in a manner likely to detract from the amenity or integrity of the area.*

Amendment No.39 proposes that a 'Development' Area be inserted into Schedule 10 of LPS3. The purpose of this 'Development' Area is to:-

To facilitate development within the Herdsman Glendalough Structure Plan Area in a manner consistent with the objectives in Clause 6.5.1.

Clause 6.5.1 proposes objectives for the Herdsman Glendalough Special Control Area (discussed below).

The introduction of a 'Development' zone over the Herdsman Glendalough Area will require a Structure Plan to be prepared and adopted. The Herdsman Glendalough Structure Plan was advertised for public comment from 20 January 2015 until 3 March 2015 and is also discussed further in this report.

2. Introduction of Herdsman Glendalough Special Control Area into Local Planning Scheme No.3

The Herdsman Glendalough Special Control Area covers the same area as the 'Herdsman Glendalough Area' (Figure 1) and will replace the existing smaller Glendalough Station Special Control Area.

The Planning and Development (Local Planning Schemes) Regulations 2015 states that the purpose of a Special Control Areas is to:-

“Identify areas which are significant for a particular reason and where special provisions in the Scheme may need to apply. These provisions would typically target a single issue or related set of issues often overlapping zone and reserve boundaries. The special control areas should be shown on the Scheme Map as additional to the zones and reserves. If a special control area is shown on the Scheme Map, special provisions related to the particular issue would apply in addition to the provisions of the zones and reserves. These provisions would set out the purpose and objectives of the special control area, any specific development requirements, the process for referring applications to relevant agencies and matters to be taken into account in determining development proposals.)”

The objectives of the Herdsman Glendalough Special Control Area are:-

- a) *To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles;*
- b) *To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists;*
- c) *To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses;*
- d) *To ensure the development of a diverse range of housing types;*
- e) *To ensure the development of a convenient network of public open space;*
- f) *To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area;*
- g) *To ensure the development of a range community facilities;*
- h) *To create a more permeable transport network through the provision of additional road connections;*
- i) *To ensure the conservation and appropriate use of natural resources.*
- j) *To enable developer contributions to help fund key infrastructure*

3. Proposed Clause 6.5.7

To ensure that road widening and new road connections are secured, the following provisions are proposed for the Special Control Area:-

“6.5.7 Road Widening Requirements

The owner of any site affected by a road widening reservation under the Metropolitan Region Scheme shall cede such road widening free of cost on the date on which, in the opinion of the City, the development, subdivision or strata subdivision of the lot the subject of the road widening requirement, is commenced.

The owner of any site affected by a right of way widening under the Local Planning Policy relating to Right of Ways shall cede such a right of way widening free of cost as a condition of development approval or subdivision or strata title approval recommended by the City.”

This requirement is significant as it requires landowners when developing to cede land free of cost. This will allow for future road widening to facilitate improved public transport infrastructure which is fundamental to the success of the planning framework for the area. Also, development to the scale envisaged by the planning framework will not be possible without an enhanced and more efficient public transport system and new road connections.

Owners ceding land for road widening purposes free of charge will be compensated through significant increases in development potential afforded through the provisions of the Herdsman Glendalough Structure Plan, and Herdsman Glendalough Local Development Plan.

Planning Framework

1. Regional Context

Metropolitan Region Scheme

The Metropolitan Region Scheme is a State planning instrument which provides high-level / broad land use zones for the Perth Metropolitan Area.

As mentioned previously in this report, a modified version of Metropolitan Region Scheme Amendment No.1291/41 was recently endorsed by the Minister for Planning, approved by the Governor, and is currently being tabled for consideration for a period of 12 days in each house of State Parliament. This period concludes on 7 December 2017.

This modified version of Metropolitan Region Scheme Amendment 1291/41 identifies an ‘Urban’ zone for the portion of the Herdsman Glendalough Area to the West of the Mitchell Freeway. The modified version of Metropolitan Region Scheme Amendment 1291/41 also indicates that the road reserve for Scarborough Beach Road is to be widened to 42.0m which will allow for the provision of future transit and cycling lanes.

Directions 2031

Directions 2031 and Beyond is a State planning instrument prepared by the WAPC dealing with Metropolitan Subregional planning issues. The area around Glendalough Station is identified as a District Centre in the Directions 2031 Activity Centres hierarchy, whilst Osborne Park is recognised as an Existing Industrial Centre under the Industrial Centres hierarchy.

Perth and Peel @ 3.5 Million

Perth and Peel @ 3.5 Million is a State planning instrument guiding development of the Perth and Peel metropolitan areas, providing a framework for urban growth and consolidation. Glendalough is recognised as a District Centre in the Perth and Peel @ 3.5 Million Sub-Regional Framework Activity Centres Hierarchy and covers land in both the City of Stirling and the City of Vincent.

The Herdsman Glendalough Area is also a key component of the Scarborough Beach Road Activity Corridor. This corridor is identified within Perth and Peel @ 3.5 Million Sub-Regional Framework as one of several corridors *“that should be the focus for investigating increased densities and a greater mix of suitable land uses.”* The objectives of Amendment No.39 and the broader planning framework are consistent with the principles of Perth and Peel @ 3.5 Million which are to focus future residential growth on major corridors and around activity centres.

Scarborough Beach Road Activity Corridor Framework

The Scarborough Beach Road Activity Corridor Framework is a strategic planning document adopted by the WAPC in 2012.

The document establishes a vision for the Scarborough Beach Road Activity Corridor and provides high level guidance for future growth and development from Scarborough Beach to Charles Street, North Perth. The document identifies Glendalough Station as a future transit oriented centre and identifies mixed use development and increased density for Osborne Park and Herdsman.

Currently there is no residential development along Scarborough Beach Road within the Herdsman Glendalough Area. The new planning framework including Amendment No.39 will require residential development within the Herdsman Glendalough Area of the Scarborough Beach Road Activity Corridor.

Adoption of both Metropolitan Region Scheme Amendment 1291/41 and Amendment No.39 will complete a significant part of the necessary planning framework for the Scarborough Beach Road Activity Corridor.

2. Local Context

Local Planning Scheme No.3

The majority of the Herdsman Glendalough area is zoned ‘Industry’ and contains a number of ‘Special Use’ zones and ‘Additional Use’ zones for car yards and showrooms. The implications for these sites are discussed further in this report. The north eastern part of the area bounded broadly by the Mitchell Freeway, Garner Lane, Cape Street and Baden Street has ‘Residential’ zoned land with R40 and R50 density codes. A small part of the Herdsman Glendalough Area, being six lots located between Harborne Street and Pollard Street, are zoned ‘Residential’ R60.

Development within a small section of the Herdsman Glendalough Area is currently controlled by LPS3 Clause 6.4: Glendalough Station Special Control Area. Local Planning Policy 4.3 ‘Industrial Design Guidelines’ also regulates development within the majority of the area that is currently zoned ‘Industry’.

Local Planning Strategy (Draft)

The City's Draft Local Planning Strategy aims to protect and enhance employment opportunities in Herdsman/Glendalough and recognises it as a key employment area. It also focuses future development around centres and on major corridors. Amendment No.39 and the broader planning framework will facilitate an increase in employment generating uses, and focuses residential and commercial development within the Scarborough Beach Road Activity Corridor, in keeping with the Draft Local Planning Strategy.

Consultation/Communication Implications

Advertising of Amendment No.39 was undertaken for a period of 42 days in accordance with the Town Planning Regulations 1967 and the City's Planning Consultation Procedure. Prior to the adoption of the Planning and Development (Local Planning Scheme) Regulations 2015, advertising of all Scheme Amendments was required for a period of 42 days. Since the adoption of the Planning and Development (Local Planning Scheme) Regulations in August 2015, Scheme Amendments are now categorised by 'Amendment type' with the required advertising period varying depending on the 'Amendment type'. Amendment No.39 would now be considered a Complex Amendment (discussed later in this report). Following the adoption of the Planning and Development (Local Planning Scheme) Regulations 2015 all Scheme Amendments initiated and considered to be Complex Amendments require an advertising period of 60 days.

Advertising commenced on 29 September 2015 and concluded on 10 November 2015. An advertisement was placed in local community newspapers on 29 September 2015 and 6 October 2015. A notice was placed on the City's website and upon the notice board in the City's Administration Centre. In addition, all affected landowners and residents within 200m of the Herdsman Glendalough Area and relevant public authorities were notified in writing of the proposal.

At the completion of advertising, 14 submissions were received. A summary of the issues raised and response to those comments is outlined in Table 1 below:-

SUBMISSIONS RECEIVED	Within the Scheme area or within 100m of Scheme area	Beyond 100m of Scheme area	All Submissions
SUPPORT	5	1	42%
OBJECT	3	0	21%
OTHER (Not Stated/ No Opinion/ Conditional)	1	4	37%

Table 1: Submissions Received

1. Key Issues

The key issues raised during the advertising period relate to:-

- Concern that development cannot be approved on lots greater than 2,000m² until a Local Development Plan is adopted;
- Only the Council may prepare a Structure Plan and/or a Local Development Plan (Local Development Plan);
- Compensation for landowners who are ceding land for road widening purposes.

Each of these key issues is discussed in detail in the comment section below.

2. Summary of Issues Raised

Attachment 4 to this report summarises the submissions received and the officer's response to each issue raised.

Comment

Issues Arising from Advertising

The following comments are made in relation to the key issues raised during the advertising period. It should be noted that some of the submissions received also relate to the Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.

Comments which relate to those two documents, but have been submitted to the City as part of the advertising of Amendment No.39, will be considered as part of the Outcomes of Advertising report for the Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development. This report will be presented to the Planning and Development Committee at a later date once a Development Contribution Plan is prepared, and Metropolitan Region Scheme Amendment 1291/41 has been determined.

1. Clause 6.5.4c: Approvals of Development with Greater than 2,000m² of Net Leasable Area

Clause 6.5.4c of Amendment No.39 proposes that development with a Net Leasable Area greater than 2,000m² cannot be approved within the Herdsman Glendalough Special Control Area unless a Local Development Plan for the lot has been adopted. Concern was raised by several submitters that development on larger lots may be unreasonably constrained in the absence of an approved Local Development Plan.

The intent of this clause was to prevent developments with a Net Leasable Area of greater than 2,000m² until a detailed planning framework was in place.

This clause was proposed as it was anticipated that the 'Development' zone would be approved prior to the adoption of a Structure Plan and Local Development Plan. As proposed, irrespective of clause 6.5.4c, major developments could be approved under clause 6A.4.2 of LPS3 in the absence of a draft Herdsman Glendalough Structure Plan and draft Herdsman Glendalough Local Development Plan. Clause 6A.4.2 states that Council may approve development within a 'Development' area prior to a Structure Plan coming into effect if it is satisfied that this will not prejudice the specific purposes and requirements of the 'Development' area.

A similar clause to 6.5.4c was incorporated into LPS3 for the Stirling City Centre where the ability to restrict development without a planning framework was necessary. This was introduced because the Local Development Plans for the Stirling City Centre were not prepared at the time that the 'Development' zone was adopted and could not be considered for assessment purposes.

The Scheme requirements for the Stirling City Centre contained this requirement as the planning framework for the Scheme area did not include a Local Development Plan or Structure Plan. The advertised planning framework for the Herdsman Glendalough area differed as it contained of a Scheme Amendment, the Herdsman Glendalough Local Development Plan and Herdsman Glendalough Structure Plan.

The Planning and Development (Local Planning Schemes) Regulations 2015 state that development may be approved in "*an area for which a Local Development Plan may be prepared, but for which no Local Development Plan has been approved by the local government.*" The Planning and Development (Local Planning Schemes) Regulations 2015 also states that the local government is to have due regard to "*any other proposed instrument that the local government is seriously considering adopting or approving.*" A decision maker (including the Joint Development Assessment Panel and the State Administrative Tribunal) can give consideration to the draft Herdsman Glendalough Local Development Plan and draft Herdsman Glendalough Structure Plan when assessing development applications as they have been advertised and are seriously considered for adoption.

Given the introduction of the Planning and Development (Local Planning Schemes) Regulations 2015, the City's officers consider that proposed Clause 6.5.4c is redundant. Furthermore it may have the undesirable effect of constraining developments that comply with the advertised Herdsman Glendalough Local Development Plan.

It is therefore recommended that Clause 6.5.4c of Amendment No.39 be removed.

2. Clause 6.5.7: Compensation for the Ceding of Land for Road Widening Purposes

Several submitters expressed concern regarding Clause 6.5.7 of Amendment No.39 which requires land for road widening purposes to be ceded to the City free of cost without compensation.

Road widening and new road connections are essential to allow the Herdsman Glendalough Area to be redeveloped in a manner consistent with the area's vision. As neither the City nor the State Government has funding available to purchase the land required for new road connections, ceding of land free of cost is fundamental to the successful implementation of the plan for the area.

To offset the cost of land ceded by owners, development potential is proposed to be increased under the Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan by allowing increased building heights, increased plot ratio, and greater land use flexibility. The Herdsman Glendalough Local Development Plan also offers additional height and plot ratio bonuses for the ceding of land for road widening and new road connections, for providing residential units, and for ceding land for public open space.

The additional transport movements generated by the proposed increase in development will require additional road connections, public transit lanes, improved pedestrian infrastructure and cycling lanes. If the ceding of the land free of cost does not happen, the planning framework for the area will be jeopardised. The City has consistently advised landowners since 2011 that without the ceding of land free of cost and the construction of local roads, the increase in development potential that is proposed by the planning framework cannot occur.

The increases in development potential, facilitated through the Structure Plan and Local Development Plan provisions, will result in a large increase in the number of trips generated. The inclusion of transit lanes on Scarborough Beach Road and the introduction of new road connections are critical to allow for this increase in development intensity.

Accommodating the level of development envisaged by the Herdsman Glendalough Structure Plan is not possible without the ceding of land for road widening and new roads. This has been confirmed by the Department of Transport which undertook an extensive transport model of the Stirling City Centre and Herdsman Glendalough Area.

The City has implemented similar provisions to Clause 6.5.7 of the Herdsman Glendalough Special Control Area which require land is ceded free of cost for road widening purposes in other areas of the City. These areas include the Scarborough Beach Road West Activity Corridor (via Scheme Amendment 65), the Tuart Hill Local Centre (via Scheme Amendment 58) and the Scarborough Special Control Area. In appropriate circumstances, ceding part of a development site is a legitimate requirement when approving development. It is therefore recommended that of Clause 6.5.7 of Amendment No.39 requiring landowners to cede land for road widening at the time of either development subdivision, be retained. The only change recommended for Clause 6.5.7 is to include a reference to Planning Control Areas which is discussed later in this report.

3. Clause 6.5.4: Preparation of a Structure Plan and Local Development Plan

Several submitters expressed concern surrounding proposed Clauses 6.5.4d and 6.5.4e of Amendment No.39 which proposed that only Council could prepare a Structure Plan and Local Development Plan for the Herdsman Glendalough Area.

Since Amendment No.39 was drafted, the Planning and Development (Local Planning Schemes) Regulations 2015 were gazetted. Clauses 6.5.4d and 6.5.4e of Amendment No.39 are now inconsistent with the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as the Regulations allow other parties to submit Local Development Plans. It is therefore recommended that these clauses be removed. The preparation of Structure Plans and Local Development Plans is discussed further in the 'Implementation Implications' section of this report.

Changes Resulting from the Gazettal of the Planning and Development (Local Planning Schemes) Regulations 2015

The gazettal of Planning and Development (Local Planning Schemes) Regulations 2015 has implications concerning the status of Structure Plans and Local Development Plans. Before these Regulations came into effect, Structure Plans and Local Development Plans were given far more weight in decision making. However, decision makers are no longer bound by the provisions within these documents, but are required to give them due regard.

In the advertised version of Amendment No.39, Clause 6.5.3 'Development', stated that:-

"The development of all land within the Herdsman Glendalough Special Control Area shall comply with any adopted Structure Plan, Detailed Area Plan, Local Planning Policy, Development Contribution Plan and the Scheme for this area."

It is recommended that this clause is modified to reflect the Planning and Development (Local Planning Schemes) Regulations 2015 to read:-

"The development of all land within the Herdsman Glendalough Special Control Area shall have due regard to any adopted Structure Plan, Local Development Plan, Local Planning Policy, Development Contribution and the Scheme for this area."

Administrative Modifications

The following minor administrative changes to Amendment No.39 are recommended:-

- Paragraph 1 of Clause 6.5.7 'Road Widening Requirements' be reworded as per below to include the words "relevant Planning Control Area". This is in order to specify that the road widening proposed under Planning Control Area 104 is applied:-

The owner of any site affected by a road widening reservation under the Metropolitan Region Scheme or relevant Planning Control Area shall cede such road widening to the Crown, free of cost on the date on which, in the opinion of the City, the development, subdivision or strata subdivision of the lot the subject of the road widening requirement, is commenced.

- Clauses 6A.8.3, 6A.9.4, 6A.16.2a proposed in the advertised version of Amendment No.39 have subsequently been adopted by Council adopted as part of LPS3 Amendment 1 – Stirling City Centre. These clauses are therefore no longer required as part of Amendment No.39.

Options

The following options are available to Council:

Option 1 - Not Adopt Local Planning Scheme No.3 Amendment No.39

This option involves not adopting LPS3 Amendment No.39.

Costs

- The adoption of a 'Development' zone is the first step in a comprehensive plan for the area. The planning framework for the area cannot be implemented without a 'Development' zone.
- The vision for the area to be transformed over time into a high intensity mixed used centre will be jeopardised.
- The community may lose confidence in the City's ability to deliver projects in light of the extensive consultation undertaken.
- Inconsistent with State planning framework.

Benefits

- No further use of the City's resources will be required to implement Scheme Amendment 39, the Herdsman Glendalough Structure Plan and the Herdsman Glendalough Local Development Plan.

This option is not recommended as a detailed planning framework has been developed for the area which is based upon State planning policies. Not progressing Amendment No.39 would be contrary to State planning policies.

Option 2 – Adopt Scheme Amendment No.39 with Modifications

This option involves adopting a modified version of LPS. Amendment No.39 (Attachment 1).

Costs

- Financial costs associated with the implementation of Amendment No.39, Herdsman Glendalough Structure Plan and Local Development Plan, and Metropolitan Region Scheme Amendment 1291/41.
- An additional Scheme Amendment will be required to incorporate the provisions of the Herdsman Glendalough Structure Plan into LPS3.

Benefits

- Will enable the adoption of the Herdsman Glendalough Structure Plan.
- Will allow the implementation of the vision for the Herdsman Glendalough Area to progress.
- Satisfies State planning policies.
- Will support the progression of Metropolitan Region Scheme Amendment 1291/41 which will facilitate future road widening thus allowing transit lanes, cycle lanes and improved landscaping of streetscapes.
- Will facilitate the ceding of land for both road widening and new road connections which will improve traffic flow and allow for development intensification.

This option is recommended as it would allow the completion of a significant part of the necessary planning framework for the Herdsman Glendalough Area. This will allow for the vision of the Herdsman Glendalough Area as a vibrant mixed use area with an improved transport network and a focus on pedestrian amenity, to be achieved.

Adopting Amendment No.39 in an unmodified form is not recommended, as the advertised version of Amendment No.39 (which was initiated by Council in June 2013) must be modified in order to comply with the Planning and Development (Local Planning Schemes) Regulations 2015, which were gazetted by the WAPC on 25 August 2015.

Amendment Type

Regulation 35 of the Planning and Development (Local Planning Scheme) Regulations 2015 require a resolution of a Local Government to prepare or adopt an Amendment to a Local Planning Scheme. The resolution must:-

- (a) *Specify whether, in the opinion of the local government, the Amendment is a complex Amendment, a standard Amendment or a basic Amendment; and*
- (b) *Include an explanation of the reason for the local government forming that opinion.*

Regulation 34 of the Planning and Development (Local Planning Scheme) Regulations 2015 identifies the various Amendment types. City Planning has determined that the proposed Amendment to LPS3 is a Complex Amendment, as:-

- i) *It is an amendment relating to development that is of a scale, or will have an impact, that is significant relative to the development in the locality*

It is recommended that the proposed Scheme Amendment No.101 be considered a Complex Amendment.

Amendment No.39 was initiated by Council 18 June 2013 prior to the adoption of the Planning and Development (Local Planning Scheme) Regulations 2015. At this time Council was not required to specify whether, in the opinion of the local government, the Amendment is a Complex Amendment, a Standard Amendment or a Basic Amendment.

Implementation Implications

The following implementation implications will result from the gazettal of Amendment No.39:-

Incorporation of Structure Plan Provisions into a Future Amendment to Local Planning Scheme No.3

The gazettal of Planning and Development (Local Planning Schemes) Regulations 2015 on 25 August 2015 has implications concerning the status of Structure Plans and Local Development Plans. Decision makers are no longer bound by the provisions within these documents, but are required to give them due regard.

The Herdsman Glendalough Structure Plan was prepared prior to the introduction of this legislation with the intention that any decision made on development applications in the Herdsman Glendalough Area would be bound by its provisions. The City's officers

recommend that each provision the City requires decision makers to be legally bound by, be incorporated into LPS3 as decision-makers are no longer bound by Structure Plans.

These provisions however cannot be incorporated into LPS3 until a Development Contribution Plan specifying infrastructure funding provisions has been adopted by the WAPC. The Development Contribution Plan must be incorporated into LPS3 via a Scheme Amendment process.

The City's officers are currently preparing a Development Contribution Plan for the Herdsman Glendalough Area which will be presented to Council before the end of the 2017/2018 financial year. The provisions within the Herdsman Glendalough Structure Plan in which the City desires decision makers to be legally bound by will be incorporated into LPS3 via a future Scheme Amendment once the Development Contribution Plan is finalised.

Applying the Herdsman Glendalough Structure Plan and Local Development Plan Prior to Gazettal of a 'Development' Zone

Should Amendment No.39 be adopted by Council, it is likely that it will be gazetted prior to the Herdsman Glendalough Structure Plan and Local Development Plan being adopted. This is because adoption of both the Structure Plan and Local Development Plan first requires the adoption of a Development Contribution Plan.

In the interim period where a 'Development' zone has been adopted by Council but is yet to be gazetted, the Herdsman Glendalough Structure Plan and Local Development Plan can be given 'due regard' in determining an application under the Planning and Development (Local Planning Schemes) Regulations 2015. This is because the Herdsman Glendalough Structure Plan and Local Development Plan have been advertised for public comment and are seriously considered for adoption.

Inability to Approve Residential Uses until the Metropolitan Region Scheme Zoning is Amended

Upon adopting Amendment No.39, although the Herdsman Glendalough Structure Plan and Local Development Plan can be given 'due regard', land uses that are not compatible with a Metropolitan Region Scheme 'Industrial' zoning cannot be approved until Metropolitan Region Scheme Amendment 1291/41 is determined (assuming it is gazetted in the manner sought by the City).

The main implication for implementing the planning framework for the area is that residential uses would not be supported in an area with a Metropolitan Region Scheme 'Industrial' zoning. However, it is considered that changes to the Metropolitan Region Scheme to rezone the portion of the Herdsman Glendalough Area to the west of the Mitchell Freeway from 'Industry' to 'Urban' are imminent and therefore it is now appropriate to introduce a 'Development' zone for the Herdsman Glendalough Area into Local Planning Scheme No.3

Special and Additional Use Zones

Amendment No.39 proposes to remove a number of 'Special Use' and 'Additional Use' zones to be replaced with a 'Development' zone. Uses on these lots which have been granted approval consistent with the 'Special Use' and 'Additional Use' zone are able to continue in accordance with the Non-Conforming use provisions of LPS3.

Non-Conforming Uses

If a 'Development' zone is adopted for the Herdsman Glendalough area, all uses which have been granted approval consistent with the current zoning are able to continue in accordance with Clause 4.8, Non-Conforming Uses, of LPS3.

Policy and Legislative Implications

If a Development Zone is gazetted prior to a Structure Plan and Local Development Plan being adopted, development in the area will be guided by LPS3 and the Metropolitan Region Scheme. Due regard will be given to the Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.

Part 5 of the *Planning and Development Act 2005*, together with the Planning and Development (Local Planning Scheme) Regulations 2015, outlines the procedure for amending an existing Town Planning Scheme.

Financial Implications

The costs associated with process Amendment No.39 are covered within the City Planning Operational Budget.

If Amendment No.39 is adopted, all costs associated with processing the Herdsman Glendalough Structure Plan, Herdsman Glendalough Local Development Plan and Herdsman Glendalough Development Contribution Plan will be borne by the City Planning Operational Budget.

Costs of future Scheme Amendments for the incorporation of specific Herdsman Glendalough Structure Plan provisions and a Development Contribution Plan into Local Planning Scheme will require consideration in future City Planning budgets.

Strategic Implications

Theme 5: Prosperous City

Objective 5.1: Great Place to Work, Invest and Do Business

Sustainability Implications

The following tables outline the applicable sustainability issues for this proposal:-

ENVIRONMENTAL	
Issue	Comment
Energy consumption	Resource depletion will be minimised due to reduced dependency on automobiles facilitated improved public transport and improved walkability.

SOCIAL

Issue	Comment
Equity	New residential development will aid to increase the supply of affordable and diverse housing.

ECONOMIC

Issue	Comment
Dvlpmnt of key business sectors	Permitted increases in development intensity and greater land use flexibility will facilitate greater economic opportunities.
Transport and infrastructure	A greater intensity of economic development will be facilitated by appropriate parking provisions, new sustainable transport infrastructure and enhanced amenity.

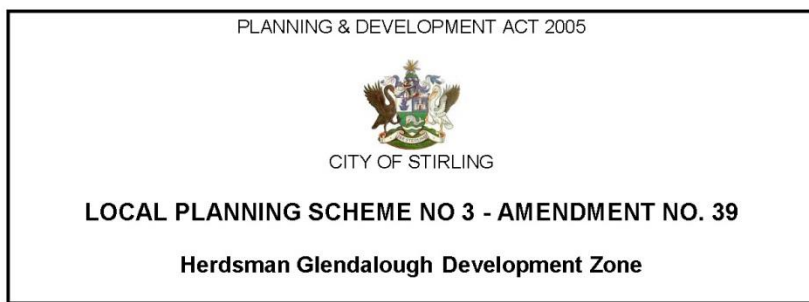
Conclusion

In order to further progress the planning work for the Herdsman Glendalough Area carried out since 2009, the adoption of Amendment No.39 is required. The document has been modified to take into account the submissions received during the formal advertising period, and the recent change in the Planning and Development (Local Planning Scheme) Regulations 2015.

Without the adoption of Amendment No.39, the vision for the Herdsman Glendalough Area, to transform over time into a vibrant mixed use area, cannot be achieved. Adopting Amendment No.39 will see the completion of a significant component of the planning framework for the Herdsman Glendalough Area. It is therefore recommended that Scheme Amendment 39 be adopted in a modified form as shown in Attachment 1.

**ATTACHMENT TO ITEM 10.1/CP2 - LOCAL PLANNING SCHEME NO.3 AMENDMENT
NO.39 - HERDSMAN GLENDALOUGH AREA - OUTCOMES OF ADVERTISING**

Attachment 1 - Local Planning Scheme No.3 - Amendment No.39 (to be adopted)



Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act, 2005* amends the above Town Planning Scheme by:

- Deleting the Glendalough Station Special Control Area.
- Inserting a new Herdsman Glendalough Special Control Area.
- Inserting a new Herdsman Glendalough Development Area and Zone.

Dated this day of .

CHIEF EXECUTIVE OFFICER

PLANNING & DEVELOPMENT ACT 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

The City of Stirling Council under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act, 2005* hereby amends the above Town Planning Scheme by:

1. Amending the Scheme Text by:

1.1 Deleting the following bullet point in Clause 6.1.1:

"• Glendalough Station"

1.2 Inserting a new bullet point in Clause 6.1.1, as follows:

"• Herdsman Glendalough"

1.3 Deleting Clauses 6.4, 6.4.1, 6.4.2 and 6.4.3

1.4 Inserting a replacement Clause 6.4, as follows:

"6.4 Herdsman Glendalough Special Control Area

6.4.1 Objectives

- a) To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles;
- b) To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists;
- c) To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses;
- d) To ensure the development of a diverse range of housing types;

- e) To ensure the development of a convenient network of public open space;
- f) To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area;
- g) To ensure the development of a range community facilities;
- h) To create a more permeable transport network through the provision of additional road connections;
- i) To ensure the conservation and appropriate use of natural resources.
- j) To enable developer contributions to help fund key infrastructure

6.5.2 Special Control Area

The Herdsman Glendalough Special Control Area is the land delineated as such on the Scheme Maps.

The Herdsman Glendalough Special Control Area is shown on the Scheme Maps.

6.5.3 Development

The development of all land within the Herdsman Glendalough Special Control Area shall have due regard to any adopted Structure Plan, Detailed Area Plan, Local Planning Policy, Development Contribution Plan and the Scheme for this area.

6.5.4 Structure Plan and Detailed Area Plan

- a) For the purpose of promoting the highest standard of development within the Herdsman Glendalough Special Control Area the Council shall adopt an appropriate Structure Plan for the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.
- b) The Structure Plan will define precincts within the Special Control Area.

6.5.5 Residential Design Codes

- a) The Residential Design Codes apply only to residential development on land within the Herdsman Glendalough Special Control Area which has been designated with a residential density code by a Structure Plan made under Part 6A of the Scheme.

- b) The development of land referred to in paragraph (a) for any of the residential purposes dealt with by the Residential Design Codes is to have due regard to the provisions of those Codes.
- c) Residential development of land within the Herdsman Glendalough Special Control Area which has not been designated with a residential density code shall be subject to the development requirements specified in any local planning policy adopted under Part 2 of the Scheme for the purpose of guiding the Council in determining applications for approval of such residential development.
- d) Clause 5.3.2 shall not apply to residential development in the Herdsman Glendalough Special Control Area.

6.5.6 Subdivision

The subdivision and development of land within the Herdsman Glendalough Special Control Area is to generally be in accordance with the adopted Structure Plan and Detailed Area Plan that applies to that land.

6.5.7 Road Widening Requirements

The owner of any site affected by a road widening reservation under the Metropolitan Region Scheme or relevant Planning Control Area shall cede such road widening free of cost on the date on which, in the opinion of the City, the development, subdivision or strata subdivision of the lot the subject of the road widening requirement, is commenced.

The owner of any site affected by a right of way widening under the Local Planning Policy relating to Right of Ways shall cede such a right of way widening free of cost as a condition of development approval or subdivision or strata title approval recommended by the City."

and re-numbering the subsequent sub-clauses accordingly.

- 1.5 Deleting all Additional Uses contained within the Herdsman Glendalough Development Zone Area from Schedule 2.
- 1.6 Deleting all Special Use Zones contained within the Herdsman Glendalough Development Zone Area from Schedule 4.
- 1.7 Inserting the following text in Schedule 10 - Development (Structure Plan) Areas:

Name of Structure Plan	Purpose	Requirements
Herdsman Glendalough Structure Plan	To facilitate development within the Herdsman Glendalough Structure Plan Area in a manner consistent with the objectives in Clause 6.4.1.	As per Clause 6.4 and the Herdsman Glendalough Structure Plan

2. Amending the Scheme Maps by:

2.1 Deleting the Glendalough Station Special Control Area from the Scheme Map and Legend.

2.2 Modifying the Scheme Map and Legend to include the:

- Herdsman Glendalough Special Control Area; and
- Herdsman Glendalough Development Area; and
- Development Zone as shown on the maps below:

PLANNING & DEVELOPMENT ACT, 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

Adopted by resolution of the Council of the City of Stirling at the Meeting
of the Council held on the day of 20

MAYOR

CHIEF EXECUTIVE OFFICER

Adopted for final approval by resolution of the City of Stirling at the
Meeting of the Council held on the day of 20 and
the Common Seal of the City of Stirling was hereunto affixed by the
authority of a resolution of the Council in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for
Final Approval

Delegated under S.16 of PD Act 2005

Date _____

Final Approval granted

MINISTER FOR PLANNING

Date _____

Attachment 2 - Local Planning Scheme No.3 - Amendment No.39 (to be adopted version with track changes)

PLANNING & DEVELOPMENT ACT 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act, 2005* amends the above Town Planning Scheme by:

- Deleting the Glendalough Station Special Control Area.
- Inserting a new Herdsmen Glendalough Special Control Area.
- Inserting a new Herdsmen Glendalough Development Area and Zone.

Dated this day of .

CHIEF EXECUTIVE OFFICER

PLANNING & DEVELOPMENT ACT 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsman Glendalough Development Zone

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act, 2005* amends the above Town Planning Scheme by:

- Deleting the Glendalough Station Special Control Area.
- Inserting a new Herdsman Glendalough Special Control Area.
- Inserting a new Herdsman Glendalough Development Area and Zone.

Dated this day of .

CHIEF EXECUTIVE OFFICER

PLANNING & DEVELOPMENT ACT 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

The City of Stirling Council under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act, 2005* hereby amends the above Town Planning Scheme by:

1. Amending the Scheme Text by:

1.1 Deleting the following bullet point in Clause 6.1.1:

"• Glendalough Station"

1.2 Inserting a new bullet point in Clause 6.1.1, as follows:

"• Herdsman Glendalough"

1.3 Deleting Clauses 6.4, 6.4.1, 6.4.2 and 6.4.3

~~1.4 Renumbering Clause 6.5 to Clause 6.4.~~

1.45 Inserting a ~~replacement~~^{new} Clause 6.45, as follows:

"6.45 Herdsman Glendalough Special Control Area

6.45.1 Objectives

- a) To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles;
- b) To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists;
- c) To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses;
- d) To ensure the development of a diverse range of housing types;

- e) To ensure the development of a convenient network of public open space;
- f) To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area;
- g) To ensure the development of a range community facilities;
- h) To create a more permeable transport network through the provision of additional road connections;
- i) To ensure the conservation and appropriate use of natural resources.
- j) To enable developer contributions to help fund key infrastructure

6.5.2 Special Control Area

The Herdsman Glendalough Special Control Area is the land delineated as such on the Scheme Maps.

The Herdsman Glendalough Special Control Area is shown on the Scheme Maps.

6.5.3 Development

The development of all land within the Herdsman Glendalough Special Control Area shall have due regard to ~~comply with~~ any adopted Structure Plan, Detailed Area Plan, Local Planning Policy, Development Contribution Plan and the Scheme for this area.

6.5.4 Structure Plan and Detailed Area Plan

- a) For the purpose of promoting the highest standard of development within the Herdsman Glendalough Special Control Area the Council shall adopt an appropriate Structure Plan for the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.
- b) The Structure Plan will define precincts within the Special Control Area.
- c) ~~Notwithstanding clause 6A.4.2 development with a Net Leasable Area greater than 2000m² shall not be approved within the Herdsman Glendalough Special Control Area unless a detailed area plan for the lot or lots on which the development is proposed is first adopted under clause 6A.16.~~

~~d) Notwithstanding Clause 6A.5.1, only the Council shall prepare a Structure Plan for the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.~~

~~e) Notwithstanding Clause 6A.16.1, only the Council shall prepare a Detailed Area Plan for each precinct within the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.~~

6.5.5 Residential Design Codes

- a) The Residential Design Codes apply only to residential development on land within the Herdsman Glendalough Special Control Area which has been designated with a residential density code by a Structure Plan made under Part 6A of the Scheme.
- b) The development of land referred to in paragraph (a) for any of the residential purposes dealt with by the Residential Design Codes is to have due regard to the provisions of those Codes.
- c) Residential development of land within the Herdsman Glendalough Special Control Area which has not been designated with a residential density code shall be subject to the development requirements specified in any local planning policy adopted under Part 2 of the Scheme for the purpose of guiding the Council in determining applications for approval of such residential development.
- d) Clause 5.3.2 shall not apply to residential development in the Herdsman Glendalough Special Control Area.

6.5.6 Subdivision

The subdivision and development of land within the Herdsman Glendalough Special Control Area is to generally be in accordance with the adopted Structure Plan and Detailed Area Plan that applies to that land.

6.5.7 Road Widening Requirements

The owner of any site affected by a road widening reservation under the Metropolitan Region Scheme or relevant Planning Control Area shall cede such road widening free of cost on the date on which, in the opinion of the City, the development, subdivision or strata subdivision of the lot the subject of the road widening requirement, is commenced.

The owner of any site affected by a right of way widening under the Local Planning Policy relating to Right of Ways shall cede such a right of way widening free of cost as a condition of development approval or subdivision or strata title approval recommended by the City."

1.6 ~~Inserting a new Clause 6A.8.3, as follows:~~

~~"6A.8.3 A structure plan may be prepared and advertised in accordance with the provisions of Part 6A prior to an amendment to the Scheme, which designates the area the subject of the Structure Plan as a Development Area, being published in the Government Gazette. Upon publication of the amendment in the Government Gazette, the provisions of Clause 6A.9 onwards shall apply to that Structure Plan, with the exception that the 60 day period referred to in Clause 6A.9.1 shall commence on the day on which the amendment is published in the Government Gazette."~~

1.7 ~~Replacing Clause 6A9.4 with the following new Clause 6A9.4, as follows:~~

~~"If within the period referred to in clause 6A.8.3 or clause 6A.9.1 (as the case may be) or such further time as may be agreed in writing between the owner who submitted the proposed Structure Plan and the Council, the Council has not made a determination under clause 6A.9.1, the Council is deemed to have refused to adopt the proposed structure plan."~~

1.8 ~~Inserting a new sub-clause in Clause 6A.16.2, as follows:~~

~~"a) Land Uses including residential densities;"~~

and re-numbering the subsequent sub-clauses accordingly.

1.59 Deleting all Additional Uses contained within the Herdsman Glendalough Development Zone Area from Schedule 2.

1.640 Deleting all Special Use Zones contained within the Herdsman Glendalough Development Zone Area from Schedule 4.

1.744 Inserting the following text in Schedule 10 - Development (Structure Plan) Areas:

Name of Structure Plan	Purpose	Requirements
Herdsman Glendalough Structure Plan	To facilitate development within the Herdsman Glendalough Structure Plan Area in a manner consistent with the objectives in Clause 6.45.1.	As per Clause 6.45 and the Herdsman Glendalough Structure Plan

2. Amending the Scheme Maps by:

2.1 Deleting the Glendalough Station Special Control Area from the Scheme Map and Legend.

2.2 Modifying the Scheme Map and Legend to include the:

- Herdsman Glendalough Special Control Area; and
- Herdsman Glendalough Development Area; and
- Development Zone as shown on the maps below:

PLANNING & DEVELOPMENT ACT, 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

Adopted by resolution of the Council of the City of Stirling at the Meeting
of the Council held on the day of 20

MAYOR

CHIEF EXECUTIVE OFFICER

Adopted for final approval by resolution of the City of Stirling at the
Meeting of the Council held on the day of 20 and
the Common Seal of the City of Stirling was hereunto affixed by the
authority of a resolution of the Council in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for
Final Approval

Delegated under S.16 of PD Act 2005

Date _____

Final Approval granted

MINISTER FOR PLANNING

Date _____

Attachment 3 - Local Planning Scheme No.3 - Amendment No.39 (as advertised)

PLANNING & DEVELOPMENT ACT 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act, 2005* amends the above Town Planning Scheme by:

- Deleting the Glendalough Station Special Control Area.
- Inserting a new Herdsmen Glendalough Special Control Area.
- Inserting a new Herdsmen Glendalough Development Area and Zone.

Dated this day of .

CHIEF EXECUTIVE OFFICER

PLANNING & DEVELOPMENT ACT 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39**Herdsmen Glendalough Development Zone**

The City of Stirling Council under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act, 2005* hereby amends the above Town Planning Scheme by:

1. Amending the Scheme Text by:

1.1 Deleting the following bullet point in Clause 6.1.1:

"• Glendalough Station"

1.2 Inserting a new bullet point in Clause 6.1.1, as follows:

"• Herdsman Glendalough"

1.3 Deleting Clauses 6.4, 6.4.1, 6.4.2 and 6.4.3

1.4 Renumbering Clause 6.5 to Clause 6.4.

1.5 Inserting a new Clause 6.5, as follows:

"6.5 Herdsman Glendalough Special Control Area**6.5.1 Objectives**

- a) To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use environment based on main street design principles;
- b) To enable the provision of an effective, efficient integrated and safe transport network which is accessible to pedestrians, cyclists, public transport users and motorists;
- c) To ensure greater utilisation of Glendalough Train Station through increased density of both residential and commercial uses;
- d) To ensure the development of a diverse range of housing types;
- e) To ensure the development of a convenient network of public open space;

- f) To ensure the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area;
- g) To ensure the development of a range community facilities;
- h) To create a more permeable transport network through the provision of additional road connections;
- i) To ensure the conservation and appropriate use of natural resources.
- j) To enable developer contributions to help fund key infrastructure

6.5.2 Special Control Area

The Herdsman Glendalough Special Control Area is the land delineated as such on the Scheme Maps.

The Herdsman Glendalough Special Control Area is shown on the Scheme Maps.

6.5.3 Development

The development of all land within the Herdsman Glendalough Special Control Area shall comply with any adopted Structure Plan, Detailed Area Plan, Local Planning Policy, Development Contribution Plan and the Scheme for this area.

6.5.4 Structure Plan and Detailed Area Plan

- a) For the purpose of promoting the highest standard of development within the Herdsman Glendalough Special Control Area the Council shall adopt an appropriate Structure Plan for the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.
- b) The Structure Plan will define precincts within the Special Control Area.
- c) Notwithstanding clause 6A.4.2 development with a Net Leasable Area greater than 2000m² shall not be approved within the Herdsman Glendalough Special Control Area unless a detailed area plan for the lot or lots on which the development is proposed is first adopted under clause 6A.16.
- d) Notwithstanding Clause 6A.5.1, only the Council shall prepare a Structure Plan for the Herdsman

Glendalough Special Control Area in accordance with Part 6A of the Scheme.

- e) Notwithstanding Clause 6A.16.1, only the Council shall prepare a Detailed Area Plan for each precinct within the Herdsman Glendalough Special Control Area in accordance with Part 6A of the Scheme.

6.5.5 Residential Design Codes

- a) The Residential Design Codes apply only to residential development on land within the Herdsman Glendalough Special Control Area which has been designated with a residential density code by a Structure Plan made under Part 6A of the Scheme.
- b) The development of land referred to in paragraph (a) for any of the residential purposes dealt with by the Residential Design Codes is to have due regard to the provisions of those Codes.
- c) Residential development of land within the Herdsman Glendalough Special Control Area which has not been designated with a residential density code shall be subject to the development requirements specified in any local planning policy adopted under Part 2 of the Scheme for the purpose of guiding the Council in determining applications for approval of such residential development.
- d) Clause 5.3.2 shall not apply to residential development in the Herdsman Glendalough Special Control Area.

6.5.6 Subdivision

The subdivision and development of land within the Herdsman Glendalough Special Control Area is to generally be in accordance with the adopted Structure Plan and Detailed Area Plan that applies to that land.

6.5.7 Road Widening Requirements

The owner of any site affected by a road widening reservation under the Metropolitan Region Scheme shall cede such road widening free of cost on the date on which, in the opinion of the City, the development, subdivision or strata subdivision of the lot the subject of the road widening requirement, is commenced.

The owner of any site affected by a right of way widening under the Local Planning Policy relating to Right of Ways shall cede such a right of way widening free of cost as a condition of development approval or subdivision or strata title approval recommended by the City."

- 1.6 Inserting a new Clause 6A.8.3, as follows:

"6A.8.3 A structure plan may be prepared and advertised in accordance with the provisions of Part 6A prior to an amendment to the Scheme, which designates the area the subject of the Structure Plan as a Development Area, being published in the Government Gazette. Upon publication of the amendment in the Government Gazette, the provisions of Clause 6A.9 onwards shall apply to that Structure Plan, with the exception that the 60 day period referred to in Clause 6A.9.1 shall commence on the day on which the amendment is published in the Government Gazette."

- 1.7 Replacing Clause 6A9.4 with the following new Clause 6A9.4, as follows:

"If within the period referred to in clause 6A.8.3 or clause 6A.9.1 (as the case may be) or such further time as may be agreed in writing between the owner who submitted the proposed Structure Plan and the Council, the Council has not made a determination under clause 6A.9.1, the Council is deemed to have refused to adopt the proposed structure plan."

- 1.8 Inserting a new sub-clause in Clause 6A.16.2, as follows:

"a) Land Uses including residential densities;"

and re-numbering the subsequent sub-clauses accordingly.

- 1.9 Deleting all Additional Uses contained within the Herdsman Glendalough Development Zone Area from Schedule 2.

- 1.10 Deleting all Special Use Zones contained within the Herdsman Glendalough Development Zone Area from Schedule 4.

- 1.11 Inserting the following text in Schedule 10 - Development (Structure Plan) Areas:

Name of Structure Plan	Purpose	Requirements
Herdsman Glendalough Structure Plan	To facilitate development within the Herdsman Glendalough Structure Plan Area in a manner consistent with the objectives in Clause 6.5.1.	As per Clause 6.5 and the Herdsman Glendalough Structure Plan

2. Amending the Scheme Maps by:

2.1 Deleting the Glendalough Station Special Control Area from the Scheme Map and Legend.

2.2 Modifying the Scheme Map and Legend to include the:

- Herdsman Glendalough Special Control Area; and
- Herdsman Glendalough Development Area; and
- Development Zone as shown on the maps below:

PLANNING & DEVELOPMENT ACT, 2005



CITY OF STIRLING

LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO. 39

Herdsmen Glendalough Development Zone

Adopted by resolution of the Council of the City of Stirling at the Meeting
of the Council held on the day of 20

MAYOR

CHIEF EXECUTIVE OFFICER

Adopted for final approval by resolution of the City of Stirling at the
Meeting of the Council held on the day of 20 and
the Common Seal of the City of Stirling was hereunto affixed by the
authority of a resolution of the Council in the presence of:

MAYOR

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for
Final Approval

Delegated under S.16 of PD Act 2005

Date _____

Final Approval granted

MINISTER FOR PLANNING

Date _____

Attachment 4 - Summary of Issues Raised in Submissions

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
1	Streetscape Improvements	No Change.
	Supports streetscape improvements	Noted.
1	Traffic Speed	No Change.
	Supports reductions to traffic speeds and increased tree planting.	Noted.
1	Traffic on Cape Street	No Change.
	Believes that traffic speed reductions and streetscape improvements will result in increased traffic on Cape Street.	<p>Clause 6.5.1 of the Herdsman Glendalough Special Control Area specifies the following objective:</p> <p><i>“To enable the provision of an effective integrated and safe transport network which is accessible to pedestrians cyclists, public transport users and motorists.”</i></p> <p>Clause 6.5.7 of Herdsman Glendalough Special Control Area requires that land is ceded for road widening and the creation of new road connections as a condition of development approval. This will facilitate an improved and more permeable traffic network in the Herdsman Glendalough Area.</p> <p>The Planning and Development (Local Planning Schemes) Regulations 2015 states that a Structure Plan must set out the extent to which the plan provides for the coordination of key transport infrastructure.</p> <p>Specific provisions facilitating transport improvement are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
1		This comment will be given further consideration when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.
	<p>Public Open Space</p> <p>Suggests that an increase in Public Open Space and community gardens is required.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no specific provisions relating to open space.</p> <p>Provisions relating to land use, built form, transport and the public realm (i.e. open space) are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.</p>
2	<p>General Support</p> <p>Supports the general intent of the document.</p>	<p>No Change</p> <p>Noted</p>
1	<p>Regulations Change</p> <p>The recent introduction of the Planning and Development (Local Planning Schemes) Regulations 2015 means that a number of the Amendment provisions will no longer be able to be inserted into the Scheme and therefore will have to be reworded.</p>	<p>Change.</p> <p>Scheme Amendment 39 is recommended to be amended to adhere to the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. This is reinforced in this report which outlines a recommended modification to clause 6.5.3 to specify that the development of all land within the Herdsman Glendalough Special Control Area shall have 'due regard' to any adopted Structure Plan, Local Development Plan, Local Planning Policy, Development Contribution and the Scheme for this area.</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
1		In keeping with the Planning and Development (Local Planning Schemes) Regulations 2015, it is recommended in this report that clauses 6.5.4d and 6.5.4e of Scheme Amendment No.39 (which proposed that only Council could prepare a Structure Plan and Local Development Plan for the Herdsman Glendalough Area) be removed.
	Sewerage/Drainage States that increased development density will cause a need to upgrade the current system.	No Change Noted
1	New and Existing Pipes Definition of new pipe routes and protection of existing services will be required via easements.	No Change Noted
1	Pump Stations Upgrade of wastewater pump stations may lead to an increase in odour buffer size.	No Change Noted
1	Infrastructure Review Watercorp. Infrastructure Scheme reviews will be conducted when the Structure Plan is approved and rezoning complete.	No Change Noted
1	Subdivision Funding States that the funding of water and sewerage upgrades, when resulting from subdivision or development, are on a user-pays basis.	No Change Noted
1	Readvertising Recommends the Structure Plan and Local Development Plan to be readvertised in light of the Planning and Development (Local Planning Schemes) Regulations 2015.	No Change. The Herdsman Glendalough Structure Plan and Local Development Plan were advertised in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 and the City's Planning Consultation Procedure. Further advertising of

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
2	<p>Adoption of Provisions Through Other Scheme Amendments</p> <p>Points out that some of the provisions contained in the Scheme Amendment 39 have now been adopted through other Amendments, specifically Clauses 6A.8.3, 6A.9.4, 6A.16.2a.</p>	<p>these documents is not required.</p> <p>Change.</p> <p>Clauses 6A.8.3, 6A.9.4, 6A.16.2a which were proposed in the advertised version of Scheme Amendment 39 and have since been adopted via Scheme Amendment No.1 – Stirling City Centre are recommended to be removed from Scheme Amendment 39.</p>
1	<p>Freight Transport</p> <p>States that consideration should be given to State Planning Policy 5.4 'Road and Rail Transport and Freight Consideration in Land Use Planning.</p>	<p>No Change</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no specific provisions relating to freight transport.</p> <p>The Planning and Development (Local Planning Schemes) Regulations 2015 states that a Structure Plan must set out the extent to which the plan provides for the coordination of key transport infrastructure. Provisions relating to transport (including freight routes) are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.</p>
2	<p>No Comment</p> <p>Has no comment on the Scheme Amendment 39. States that input will be provided at subsequent stages in accordance with regulatory requirements.</p>	<p>No Change</p> <p>Noted</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
1	<p>Status of Structure Plan and Local Development Plan</p> <p>Believes that the Structure Plan and Local Development Plan are “Policy documents” and therefore, the wording of Clause 6.5.3 should be amended such that the Structure Plan and Local Development Plan should be given “due regard”.</p>	<p>Change.</p> <p>Scheme Amendment 39 is recommended to be amended to adhere to the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. This is reinforced in this report which outlines a recommended modification to clause 6.5.3 to specify that the development of all land within the Herdsman Glendalough Special Control Area shall have ‘due regard’ to any adopted Structure Plan, Local Development Plan, Local Planning Policy, Development Contribution and the Scheme for this area.</p>
1	<p>Non-advertisement of Clauses</p> <p>States that Clause 6.5.4 c) and 6.5.4 e) do not appear to have been included in the Scheme Amendment 39 documentation when given approval by Council to initiate advertising.</p>	<p>No change.</p> <p>Both Clause 6.5.4 c) and 6.5.4 e) as advertised, were included in the version of the Scheme Amendment 39 Document which was initiated by Council in May/June 2013.</p>
6	<p>Development on Sites Greater than 2000m²</p> <p>Believes that Clause 6.5.4 c) will place a moratorium on development for sites greater than 2000m² until all relevant documents are approved.</p>	<p>Change.</p> <p>It is considered that retaining Clause 6.5.4 c) is unnecessary as it may have the undesirable effect of constraining developments that comply with the advertised Herdsman Glendalough Local Development Plan. Scheme Amendment 39 is therefore recommended to be amended to remove Clause 6.5.4 c).</p> <p>This matter is outlined in detail in this report.</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
7	<p>Landowner Permissibility to Prepare a Structure Plan or Local Development Plan</p> <p>States that a landowner is not permitted to submit a Local Development Plan (Clause 6.5.4 e) but still requires such a plan be prepared/approved before a development application can be considered. Accordingly questions what would happen in the event where the proposed Herdsman Glendalough Local Development Plan is not adopted?</p>	<p>Change.</p> <p>In keeping with the Planning and Development (Local Planning Schemes) Regulations 2015, it is recommended in this report that Clauses 6.5.4d and 6.5.4e of Scheme Amendment No.39 (which proposed that only Council could prepare a Structure Plan and Local Development Plan for the Herdsman Glendalough Area) be removed.</p>
1	<p>Density Increase</p> <p>Supports the increase in density in Glendalough as it will aid in combating urban sprawl and reducing long commute times to the City from outer suburbs.</p>	<p>No Change.</p> <p>Noted</p>
1	<p>Connection to Scheme Water</p> <p>Informs that all developments are required to connect to scheme water and be reticulated as required by the State Government Sewerage Policy – Perth Metropolitan Region.</p>	<p>No change.</p> <p>Noted.</p>
1	<p>Noise Mitigation</p> <p>Suggests that the City minimise potential negative impacts of mixed use development through sound proofing, double glazing and design aspects.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no specific provisions relating to noise mitigation.</p> <p>Provisions relating to land use, built form (including noise mitigation), transport and the public realm are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
3	<p>Residential Landuses</p> <p>Objects to the residential zoning of land as residential uses are sensitive to commercial landuses.</p>	<p>Glendalough Structure Plan Local Development Plan are presented to Council.</p> <p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no specific provisions relating to residential landuses.</p> <p>Provisions relating to land use, (including residential land uses) built form, transport and the public realm are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.</p>
6	<p>Compensation for Ceding of Land for Road-Widening</p> <p>Insists that compensation must be paid for land ceded for public purposes. Believes that Clause 6.5.7 is contrary to with the Planning and Development Act 2005 and the Metropolitan Region Scheme which provides compensation for landowners whose land is impacted.</p>	<p>No Change.</p> <p>The significant increases in development intensity (facilitated through Structure Plan provisions) will result in a large increase in trips generated. The widening of Scarborough Beach Road and the introduction of new road connections is critical to accommodate transport demands resulting from this increase in development intensity. Accommodating the proposed level of new development is not possible without the ceding of land for road widening and new road connections.</p> <p>This clause is similar to the previous Clause 6.9.12 "Road Widening Requirements" of the Scarborough Special Control Area, and Clause 5.11 "Ceding of Rights-Of-Way Widening" under Local Planning Scheme No.3.</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
		<p>Legal advice sought by the City regarding clauses of this nature has indicated that in appropriate circumstances, ceding part of a development site can be a legitimate requirement when approving development.</p> <p>This matter is addressed in detail in this report.</p>
3	<p>Additional and Special Uses not Indicated During Advertising</p> <p>Believes that Scheme Amendment 39 was not advertised correctly in that clauses 1.9 and 1.10 do not specify which lots currently have a 'Special Use' or an 'Additional Use' zone.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone over the Herdsman Glendalough Area which will replace all 'Special Use' and 'Additional Use' zones.</p> <p>The advertised version of Scheme Amendment 39 states that all 'Special Use' and 'Additional Use' zones which are contained within the Herdsman Glendalough 'Development' zone will be deleted. The Scheme Amendment 39 Documentation is not required to specify each lot which currently has a 'Special Use' or 'Additional Use' zone.</p> <p>The Herdsman Glendalough Structure Plan and Local Development Plan were advertised in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 and the City's Planning Consultation Procedure.</p> <p>Implications of removing all 'Special Use' and 'Additional Use' zones are addressed in this report. Uses on lots which have been granted approval consistent with the 'Special Use' and 'Additional Use' zone are able to continue in accordance with the</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
3		Non-Conforming use provisions of Local Planning Scheme No.3.
	<p>Supports Proposed Zoning</p> <p>Does not object to the zoning provisions of the Herdsman Glendalough Structure Plan which proposes that a Commercial/Business zone be applied to the site in question.</p>	<p>No change.</p> <p>Noted.</p>
3	<p>Affordable Dwellings</p> <p>Believes that the affordable dwelling provision in the Structure Plan should be included on an incentive basis and not mandated.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no provisions relating to affordable dwellings.</p> <p>Provisions relating to land use (including affordable dwellings), built form, transport and the public realm are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.</p>
3	<p>Parking Ratio</p> <p>Objects to the maximum parking rate of 250 bays per hectare proposed under Clause 1.7.2 of the Structure Plan on the grounds that it will result in an undersupply of parking.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no provisions relating to parking.</p> <p>Provisions relating to parking are contained within the Herdsman Glendalough Parking Policy, Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>The Herdsman Glendalough Parking Policy was advertised as</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
		<p>a combined document with the Stirling City Centre Parking Policy from 28 April 2015 to 1 June 2015.</p> <p>On 17 November 2015 Council resolved to adopt the Stirling City Centre Parking Policy and resolved that the draft Herdsman-Glendalough Parking Policy be referred back to Council for consideration after the final adoption of Local Planning Scheme Amendment No.39.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Parking Policy, Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan are presented to Council.</p>
3	<p>Building Height.</p> <p>Believes that the base building height proposed in the Local Development Plan should be increased for a specific site.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no provisions relating to noise mitigation.</p> <p>Provisions relating to land use, built form (including building height), transport and the public realm are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.</p>

NUMBER OF SUBMISSIONS TO RAISE ISSUE	SUBMISSION COMMENT	OFFICER COMMENT
3	<p>Plot Ratio</p> <p>Believes that the base plot ratio for a specific site should be increased to at least 3.0, and non-residential car parking should be excluded from the plot ratio calculation.</p>	<p>No Change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no provisions relating to noise mitigation.</p> <p>Provisions relating to land use, built form (including plot ratio), transport and the public realm are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan are presented to Council.</p>
3	<p>Building Setbacks</p> <p>Suggests that the building setback requirements under Clause 4.1.4 are unduly restrictive and suggests that these Clauses are subjected to a peer review by industry representatives.</p>	<p>No change.</p> <p>Scheme Amendment 39 introduces a 'Development' zone and a Special Control Area and has no provisions relating to noise mitigation.</p> <p>Provisions relating to land use, built form (including building setbacks), transport and the public realm are contained within the proposed Herdsman Glendalough Structure Plan and Herdsman Glendalough Local Development Plan.</p> <p>This comment will be considered when the outcomes of advertising of the Herdsman Glendalough Structure Plan and Local Development Plan) are presented to Council.</p>



Form 1 - Responsible Authority Report (Regulation 12)

Property Location:	Lot 100 (No. 304) Scarborough Beach Road, Osborne Park
Development Description:	Motor Vehicle Sales and Motor Vehicle Repair
DAP Name:	Metro North West Joint Development Assessment Panel
Applicant:	Mr Nik Hidding, Peter Webb & Associates
Owner:	Ryder Pty Ltd and Mechanical Holdings Pty Ltd
Value of Development:	\$9 million
LG Reference:	DA 17/2495
Responsible Authority:	Western Australian Planning Commission
Authorising Officer:	Assistant Director General - Land Use Planning
DAP File No:	DAP/17/10353
Report Due Date:	12 April 2018
Application Received Date:	2 January 2018
Application Process Days:	90 days
Attachment(s):	1 - Development plans and perspectives 2 - Aerial plan 3 - Zoning Plan 4 - Planning Control Area No. 127

Officer Recommendation:

That the Metro North-West JDAP resolves to:

1. **Refuse** DAP Application reference DAP/17/01353 and accompanying plans date stamped 2 January 2018 in accordance with Clause 30(1) of the Metropolitan Region Scheme for the following reasons:

Refusal reasons

1. The proposal is contrary to the intent of clause 32 resolution 2015/01, as it is inconsistent with Transit Oriented Development principles and provides no ability for adaptive re-use of the site in the future.
2. The application does not comply with *Development Control Policy 1.6 – Planning to Support Transit Use and Transit Oriented Development*, as the proposed land use is inconsistent with the delivery of a transit oriented development surrounding Glendalough train station.
3. The application does not comply with *Development Control Policy 5.1 - Regional Roads Vehicular Access*, as access along Scarborough Beach Road has not been appropriately rationalised.

Details: outline of development application

Zoning	MRS:	Urban
	TPS:	Industry (Additional Use 48 - Motor Vehicle, Boat and Caravan Sales)
Use Class:		Motor Vehicle, Boat and Caravan Sales
Strategy Policy:		N/A
Development Scheme:		Metropolitan Region Scheme
Lot Size:		14,179m ²
Existing Land Use:		Motor Vehicle Sales, Motor Vehicle repair, Smash repairs - Use not listed.

Summary

The development proposed for 304 Scarborough Beach Road, Osborne Park (the site) is shown in **Attachment 1 - Development Plans and Perspectives** and can be briefly summarised as follows:

- Demolition of all existing development on the lot.
- Showroom for motor vehicle sales and administration on the south eastern corner of the lot, which includes a mezzanine level with a lunch room, meeting room and administrative storage facilities.
- A workshop service centre, including motor vehicle repair, is proposed along the eastern boundary. This comprises a floor area of 3,253m² and will provide for 44 vehicle service bays, and 4 express bays. The workshop also includes parts storage warehouses for the dealership, and stairways and lifts to the upper level which also includes staff amenities.
- A car deck of 5,400m² for 202 customer/staff/storage bays is proposed.
- The remainder of the site comprises of outdoor vehicle display and customer bays.
- Access to the site is proposed to be modified through the relocation of the existing slip lane and subsequent crossover to the site. This access arrangement is not supported.

The development has been designed to provide some architectural interest on the south eastern corner through the use of substantial glazed windows, complemented by anodised aluminium and white cladding. The remainder of the site is occupied by a significant workshop area and car deck constructed in concrete panels, as well as significant vehicle display/car parking bays. Considering the extent of development, and building materials used, there is considered to be inadequate opportunity for adaptive reuse of the site in conjunction with the strategic intent for the area. Access to the site is also considered to be unacceptable given the proposed changes within the Scarborough Beach Road Primary Regional Road (PRR) reserve.

Background:

The subject site is located on the northern side of Scarborough Beach Road in Osborne Park, adjacent to the Glendalough Bus Interchange. The lot is bound by Mitchell Freeway to the west, Baden Street to the north-east, and Scarborough Beach Road to the south (refer **Attachment 2 - Aerial**).

The site is currently occupied by the Isuzu/Renault car dealership and the surrounding area is characterised by a mix of land uses which are undergoing a transition from light industrial uses to mixed business uses. Existing land uses in the locality include industrial and office land uses, showrooms for bulky goods and motor vehicle sales/repairs premises.

The subject land is zoned Urban under the Metropolitan Region Scheme (MRS), and abuts PRR and Other Regional Road (ORR) reservations to the south. The site is zoned Industry under the City of Stirling Local Planning Scheme No. 3 (LPS 3) (refer **Attachment 3 - Zoning plan**). The land is also subject to an additional use (A48) under LPS 3 for Motor vehicle, boat, or caravan sales.

The land is located within the Glendalough Station Special Control Area under LPS 3 which requires development of land to comply with an approved Structure plan and/or LDP. The current Special Control Area (SCA), however, is in the process of being replaced by the Herdsman-Glendalough SCA, with finalisation anticipated in the second half of this year.

The land is also affected by clause 32 resolution 2015/01 (No. 5 - Stirling and Glendalough Station Precincts) under the MRS, and the proposal requires Western Australian Planning Commission (WAPC) determination as it comprises non-residential development. As such, this application is to be considered by the Joint Development Assessment Panel (JDAP) under a dual reporting process whereby the City of Stirling (City) and the WAPC both submit independent Responsible Authority Reports (RARs) relating to LPS 3 and the MRS, respectively.

The site is also affected by Planning Control Area 127, which has been declared in order to protect land for the potential widening of Scarborough Beach Road. The JDAP is not empowered to determine development applications within a PCA. As a result, all proposed works within the PCA are subject to a separate decision of the WAPC.

Legislation & policy:

Legislation

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (P&D Regulations)

Schemes

Metropolitan Region Scheme (MRS) - Clause 32 - Resolution 2015/01 (No. 5 - Stirling and Glendalough Station Precincts)

City of Stirling Local Planning Scheme No. 3 (LPS 3)

State Government Policies

Perth and Peel @ 3.5million

Central Sub-Regional Planning Framework

Development Control Policy - General Principles (DC 1.2)

Development Control Policy - Transit Oriented Development (DC 1.6)

Development Control Policy - Regional Roads (Vehicular Access) (DC 5.1)

Consultation:

Public Consultation

No public consultation was undertaken by the Department of Planning, Lands and Heritage (DPLH) on behalf of the WAPC.

Consultation with other Agencies or Consultants

The City has advised that that it does not support the proposal, as detailed in its RAR report.

The METRONET Taskforce advise that the proposal is not within a METRONET Stage 1 location and as such, has no objection to the proposal other than to advise that a car saleyard is not considered a preferred use in such close proximity to a train station.

The Department of Water and Environmental Regulation has no objection to the proposal.

Main Roads Western Australia (MRWA) is not supportive of the proposal for the following reasons:

- The development proposes to relocate the existing left in/left out access and short slip lane on Scarborough Beach Road to the west of its existing location within the Mitchell Freeway PRR reserve. This is inconsistent with DC Policy 5.1 and MRWA's intent to rationalise vehicle access onto PRR reserves.
- As per MRWA Driveways Policy, section 3.3.7 regarding auxiliary lanes, the whole left turn auxiliary lane shall be located within the property frontage, unless written approval from the affected property owner is provided. As the modified access and slip lane is located within the PRR reserve, MRWA is the affected property owner. MRWA does not agree to the relocation of the access and slip lane due to it being in contravention of DC 5.1, and its potential impacts on future road widening works for Mitchell Freeway and construction of a bridge for the future PSP link at this location. It is noted that the PSP link for this location is currently in the design stage with works commencing in the foreseeable future.
- SWEPT path diagrams provided in the Transport Impact Assessment (TIA) prepared use the incorrect car carrier design vehicle. SWEPT path diagrams indicating site access for a 25 metre car carrier design vehicle as per Austroads Design Vehicles and Turning Path Templates Guide should be used for this type of development. The 19 metre semi-trailer depicted in the TIA is not typical of the vehicle used for the purposes of car transport for the proposed land use.
- The proposed development has sufficient vehicular access from Baden Street to the rear of Lot 100. Baden Street is included in the Restricted Access

Vehicle Network for a 25m car carried design vehicle and as such, the access to Scarborough Beach Road is not required.

The Department of Transport advise that it concurs with MRWA's comments, and are not supportive of the proposal.

Planning assessment:

Clause 30(1) of the MRS states that the WAPC is to consider the following matters when determining a development application:

- the purpose for which the land is zoned or reserved under the MRS;
- the orderly and proper planning of the locality; and
- the preservation of the amenities of the locality.

The application proposes to construct a car sales building and associated service and repair workshop facilities, as well as motor vehicle parking and display across the balance of the site. There is also an upper level car deck proposed.

It is important to acknowledge that there is a current disconnect between the strategic intent for the area and existing statutory provisions. The subject site was recently rezoned to Urban under the MRS to facilitate mixed use development of the wider Herdsman Glendalough area, but is still zoned Industrial under LPS 3. Amendment 39 to LPS 3 proposes to introduce a Development zone and Special Control Area over the land and is currently being assessed by DPLH on behalf of the WAPC. The use permissibility under the current LPS 3 and proposed local planning scheme amendment and structure plan are as follows:

Land Use Class	Current Local Planning Scheme provision	Proposed Structure Plan/Scheme provision
Motor Vehicle Repair	'P' Permitted	'X' Not permitted
Motor Vehicles Sales	Additional Use 48	'D' Discretionary

Table 1 - Current vs proposed scheme provisions

The subject site is also affected by the Glendalough Station SCA which requires a structure plan and local planning policy to be adopted for this area. This includes a note within the Scheme which reads as follows:

Note: The Glendalough Station Special Control Area is zoned Industry, however it is the intention of Council to rezone this area in the future to enable the transformation to a Transit Orientated Development with a mixture of uses.

Clause 32

The MRS clause 32 area was established surrounding the Glendalough Train Station in 1990. The primary objectives of the clause 32 resolution were to control development generally within an 800 metre radius from the station, so as not to:

- prejudice the structure planning for the area;
- ensure development is consistent with the station precincts concept; and

- protect the potential for value capture or other innovations applicable to the area.

It was recognised during the establishment of the clause 32 resolution for the area that the scheme provisions for the Stirling City Centre and Herdsman-Glendalough train station areas were not sufficient to achieve the strategic objectives for the area. The clause 32 mechanism allows the WAPC to ensure that the desired TOD outcome is considered in the assessment of development applications, in line with state planning objectives for strategically significant locations, while work is being undertaken to progress both structure plan areas.

The WAPC rationalised the clause 32 Area in 2003 to encourage the intensification and development of land uses that are compatible with the station precinct and to include areas where changes in land use are likely to occur in the future. In the absence of an adopted structure plan, the objectives for the station precinct as stipulated under the clause 32 resolution are being considered in conjunction with the draft Herdsman-Glendalough Structure Plan and the broader State planning framework.

Perth and Peel @ 3.5 Million and Central Sub-Regional Planning Framework

The State Government recently released the Perth and Peel @ 3.5 million suite of land use planning and infrastructure frameworks, including the Central Sub-Regional Planning Framework (the Framework). The suite aims to accommodate 3.5 million people across the Perth and Peel regions by 2050.

The Glendalough Herdsman area is recognised as an activity centre under the Framework. In conjunction with SPP 4.2, the primary objective is place a focus on increasing residential, commercial and mixed use development in and surrounding activity centres linked by a robust movement network. The subject lot also abuts Scarborough Beach Road, which is identified as an Urban Corridor. Urban Corridors operate not just as roads for the movement of vehicles, but provide locations for increased and diversified places for people to live and work.

It is recognised that the area is in transition to a mixed business and mixed use area, with statutory and strategic planning in progress. This includes the recently gazetted MRS amendment 1291/41, which rezoned the lots within the Herdsman-Glendalough area to Urban, and Amendment 39 to LPS 3 which is currently under assessment and seeks to establish a Development zone and provide a new SCA over the area.

Development Control Policy 1.6 - Planning to Support Transit Use and Transit Oriented Development (DC 1.6)

Section 4.4.1 of DC 1.6 specifies that land uses should promote interest, interaction and activity so as to animate frontages along the principal pedestrian routes leading to and from the transit facility. Uses should be oriented to the street and the public domain, and should include activities at ground floor level that promote interaction and surveillance, provide interest for pedestrians, enhance security, and increase the attractiveness of walking to access transit facilities. Section 4.2.6 of DC 1.6 also states that the greater use of transit services for journeys to work is an important policy objective. However, land-extensive, low development and low employment activities such as some general industrial uses, bulky goods retailing, business parks, and warehousing should not be located within transit-oriented precincts unless it can

be demonstrated that the particular circumstances of a development will favour transit use.

Whilst there is currently an Additional Use for Motor Vehicle, Boat or Caravan Sales over the subject site under LPS 3, motor vehicle sale and repair operations are generally not conducive to TOD development given the extensive area required for car parking/vehicle display, the daytime nature of the businesses and the inherent car based operations.

One of the fundamental aspects of the proposal that needs to be addressed is its adaptability to facilitate the intended TOD, and the mandatory residential component for developments stipulated under the draft Herdsman-Glendalough Structure Plan (HGSP).

Draft Herdsman Glendalough Structure Plan

The draft HGSP acknowledges the subject site as imperative for facilitating a TOD. In conjunction, the site is envisioned for development from 10 to 14 storeys and is to comprise a mix of uses. Furthermore, the subject site falls within the draft HGSP 'Mandatory Residential' category where a development is to incorporate a minimum of 20 percent plot ratio for multiple dwellings as a component of the mixed use, multi-storey development. Whilst the details of the provision are subject to assessment through the structure planning and scheme amendment process, the intent of the residential component, in conjunction with state strategic objectives, is clear.

Given the abundance of car dealerships in the area, the City proposes a pragmatic approach whereby showrooms and car yards can be considered as discretionary use in the draft structure plan, provided the development can satisfy the remainder of the development provisions that pertain to the site, including the mandatory residential component. However, the servicing and panel beating components are not considered acceptable in this area.

As mentioned above, the subject proposal comprises of a showroom, large workshop, significant vehicle display bays, and a substantial car deck. Whilst the showroom towards the front of the site provides some architectural interest through the use of glazing, anodised aluminium, and alpolic white cladding, the workshop and car deck takes up a significant portion of the site and is proposed to be constructed in concrete panels. As such, there does not appear to be any possibility for incorporating a residential component, and there is seemingly very limited capacity to retrofit the proposed building to anything other than its proposed use as car sales and workshop. This results in a building structure with an indefinite lifespan that will sterilise the use of this site for genuine TOD purposes.

Given the draft HGSP is not yet seriously entertained, it is considered inappropriate to mandate construction in this regard. However, in keeping with the clause 32 resolution, the development should be able to demonstrate how it is in keeping with the station vision, and ensure the structure plan for the area is not prejudiced through this proposal.

The current proposal, with no scope for adaptive re-use of the site, is considered to be contrary to the intent of the clause 32 objectives and is not supported. The WAPC would be willing to consider the proposal should the proponent modify the development and demonstrate that the site could be retrofitted to facilitate land uses and future development that was more in keeping with a TOD.

Access

Access to the site is currently gained via a central crossover and slip lane from Scarborough Beach Road, with a secondary access option from Baden Street. The access off Scarborough Beach Road is proposed to be modified by relocating the crossover approximately 6m west of its current location. This would result in subsequent modifications to the existing slip lane servicing the property which is located within the PRR reserve.

The merit in retaining a crossover onto Scarborough Beach Road in this instance is acknowledged. The land uses proposed and subsequent viability of the businesses is to a large degree predicated on ease of access to the site. The proposed business could be significantly impacted should the only access to the site be established via Baden Street. However, this further validates the inappropriateness of the use in the current location. This site is more appropriate for the purpose of creating a more walkable, pedestrian friendly TOD environment (ie: offices, restaurants, residential units).

Notwithstanding this, the relocation of the crossover and slip lane within the PRR is not considered to be acceptable. MRWA is the authority responsible for the care and management of this section of road and does not agree to the relocation of the access and slip lane. The reasons for this include it being in contravention of (DC 5.1) with respect to rationalisation of crossovers on regional roads, its potential impacts on future road widening works for Mitchell Freeway, and the construction of a bridge for the future pedestrian shared pathway (PSP) link at this location. It is noted that the PSP link for this location is currently in the design stage with works commencing in the foreseeable future. In the event that the proposal is approved by the JDAP, the applicant will be required to make application to MRWA to undertake works in the road reserve, and MRWA have advised that a future application would not be supported.

Planning Control Area 127

The portion of Scarborough Beach Road abutting the subject land is affected by the revised PCA 127 (refer **Attachment 4 - Planning Control Area No. 127**), ORR reserve and PRR reserve. The PCA forms an interim measure to protect upgrading opportunities for Scarborough Beach Road until more permanent measures, such as reservation under the MRS, are finalised.

It is standard practice for the WAPC to not support construction of any permanent structures within the PCA reservation. The plans show landscaping, a walkway, and minor sections of roof canopy in the PCA area. This component of the development is subject to a separate determination by the WAPC.

Metropolitan Region Scheme (MRS)

As mentioned above, Clause 30(1) of the MRS states that the WAPC is to consider the following three aspects when determining a development application:

- the purpose for which the land is zoned or reserved under the MRS;
- the orderly and proper planning of the locality; and
- the preservation of the amenities of the locality.

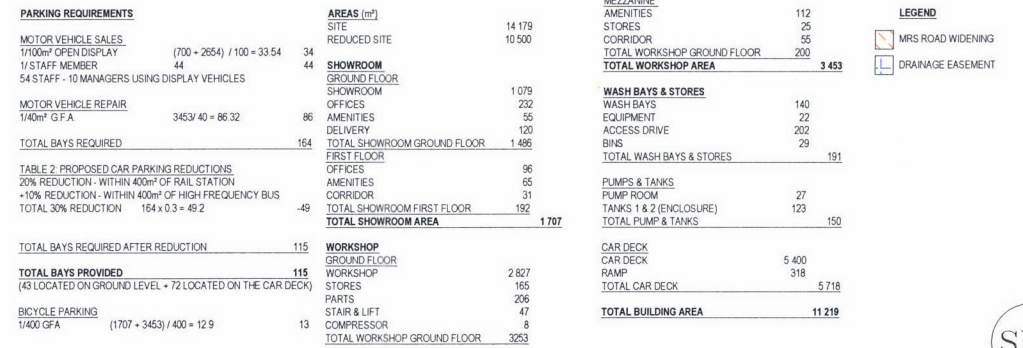
It is considered that the application is consistent with the current zoning of the land as Urban under the MRS. However the proposed modifications to access arrangements within the PRR reserve are not acceptable.

The proposal does not represent orderly and proper planning as the proposed land use is not conducive to the intended TOD surrounding Glendalough station, with no scope for adaptive reuse of the building or the site.

Finally, the amenity of the site will be upgraded due to the construction of a new building. However the envisioned amenity of the locality will be compromised due to the facilitation of a building which is constructed of materials which suggest a long life span, and sterilise the use of the site for its intended vision indefinitely.

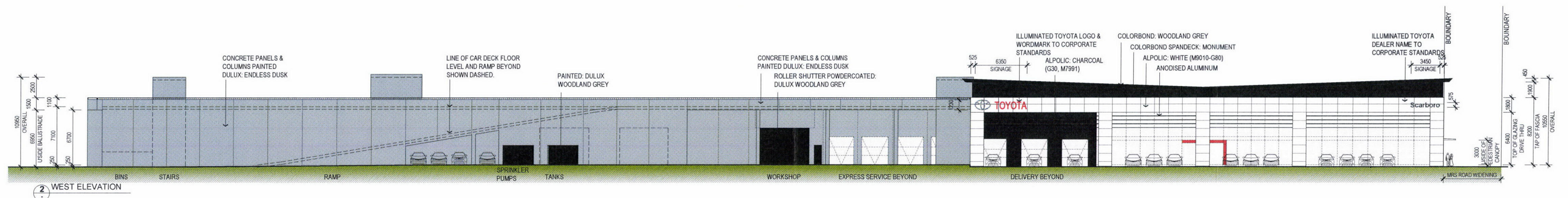
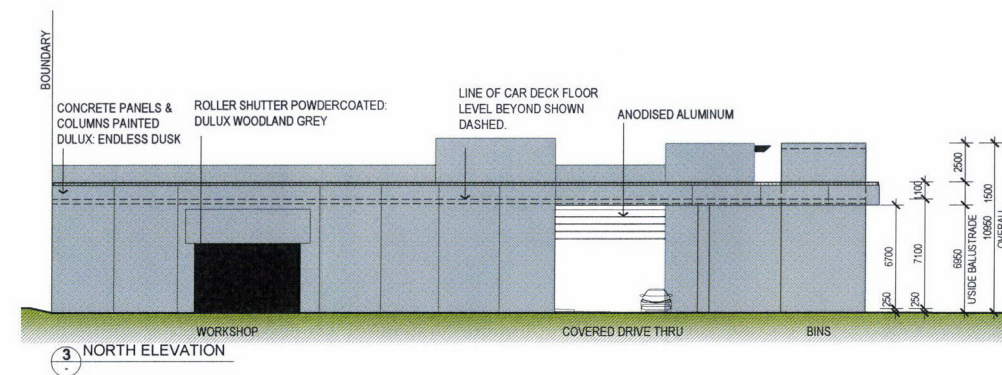
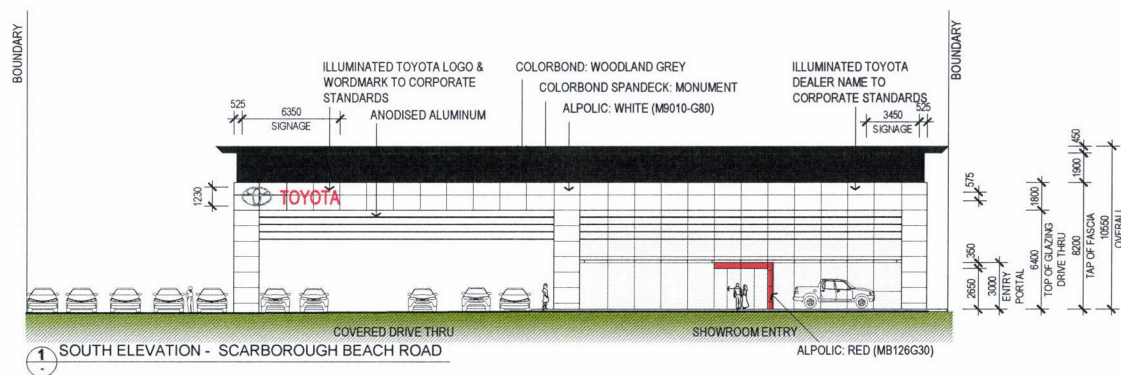
Conclusion:

The application does not accord with the requirements for approval under clause 30 of the MRS or the intent of the clause 32 resolution. The proposal is inconsistent with the strategic intent for the station precinct as specified under Perth and Peel @ 3.5 million and the draft HGSP, with no ability for adaptive re-use of the site. Access to the site through a modified slip lane within the PRR reserve is also considered unacceptable. Therefore, refusal is recommended.



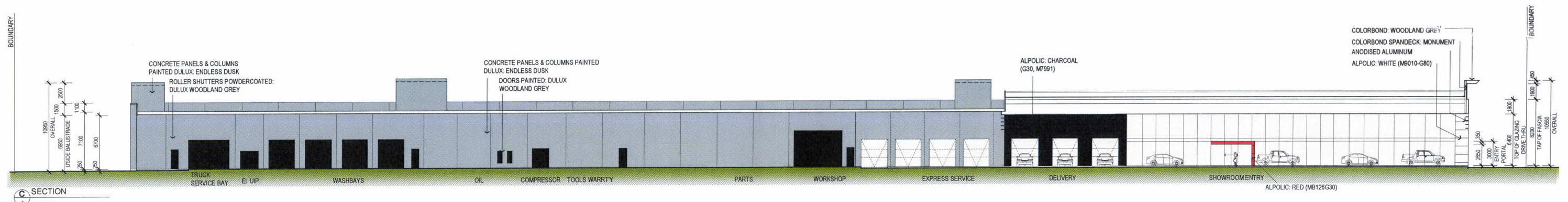
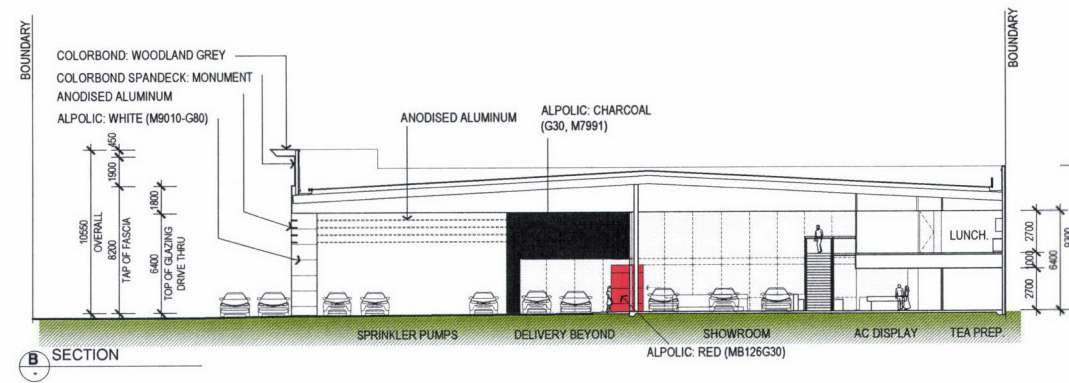
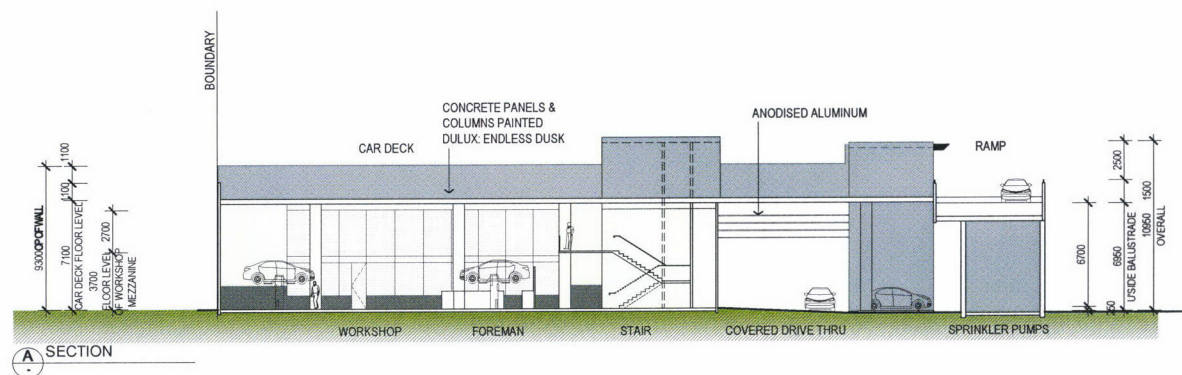
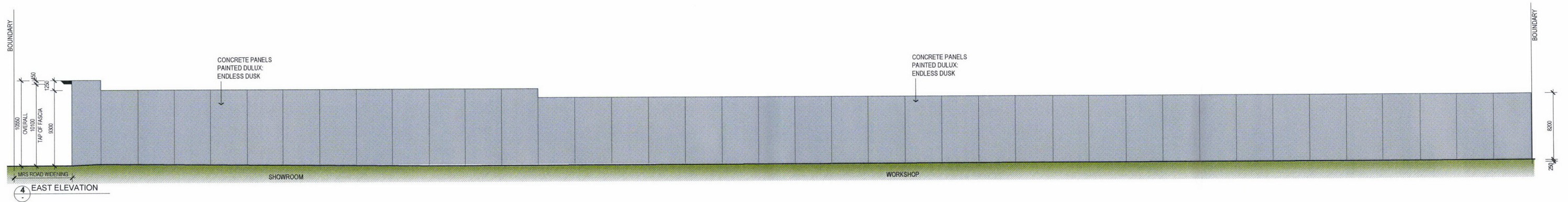
FIRST FLOOR SHOWROOM PLAN
AREA 192m²





SCHEME A.6





SCARBORO TOYOTA
LOT 100, NO 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean
Architects. Interior Designers
2/43 Oxford Close West Leederville WA 6007
Telephone 9382 3133 Facsimile 9382 3144
Email admin@brucecleanarchitects.com.au

8 DECEMBER 2017

SCHEME A.6

SCALE 1:200

0m 2m 5m 10m 15m 20m

SK4



SCARBORO TOYOTA

LOT 100, No. 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean

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2/43 Oxford Close West Leederville
Telephone +61 8 9382 3133 Facsimile 9382 3144
E-mail admin@brucemcleanarchitects.com.au
November 2017
SCHEME A.3



SCARBORO TOYOTA

LOT 100, No. 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

Bruce McLean

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2/43 Oxford Close West Leederville

Telephone +61 8 9382 3133 Facsimile 9382 3144

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November 2017

SCHEME A.3



SCARBORO TOYOTA

LOT 100, No. 304 SCARBOROUGH BEACH ROAD, OSBORNE PARK

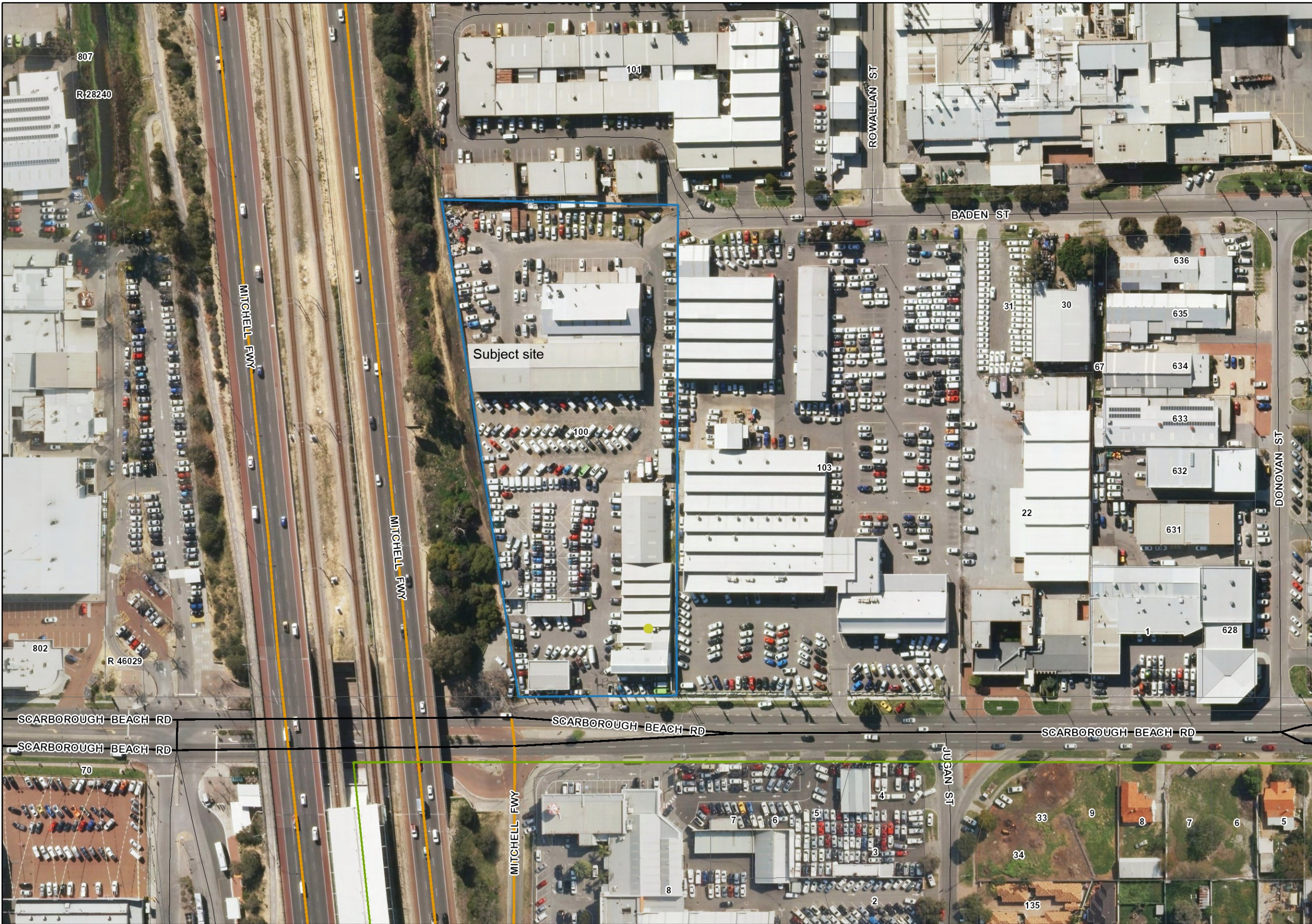
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November 2017
SCHEME A.3



Legend

- Local Government Area
- Cadastre (View 1)
- Roads
 - Freeway
 - Main
 - Minor



Notes:

The data that appears on the map may be out of date, not intended to be used at the scale displayed, or subject to license agreements. This information is stored in the relevant layers metadata. For these reasons the map should not be distributed outside of the Department.

Map was produced using DPLH's PlanViewWA.

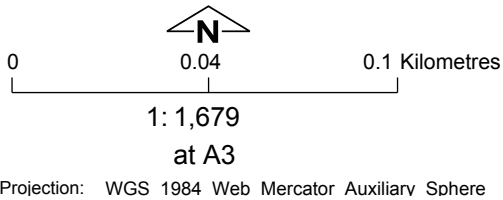
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Date produced: 09-Apr-2018

PlanViewWA Map

INTERNAL USE ONLY

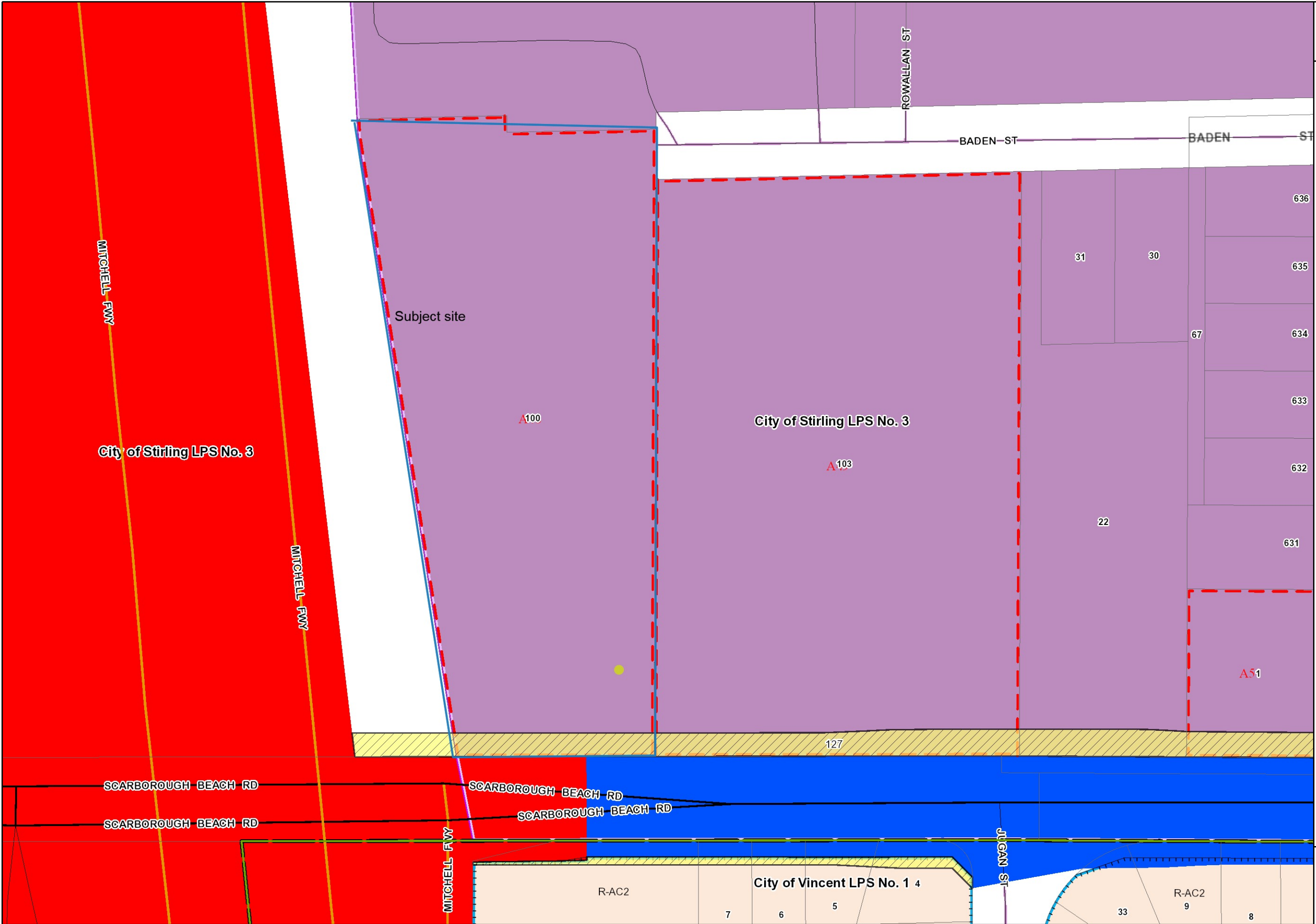
Internal Spatial Viewer
[Link to website](#)





Legend

- Local Government Area
- Cadastre (View 1)
- Roads
 - Freeway
 - Main
 - Minor
- Planning Control Area
- Local Planning Scheme Boundar
- Restricted and Additional Uses
- Other Categories - Areas (SCA, I
- R-Code Boundary
- Region Scheme Reserves
 - Other regional roads
 - Primary regional roads
- LP Scheme Zones and Reserves
 - Industry
 - Residential - commercial



Notes:

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Map was produced using DPLH's PlanViewWA.

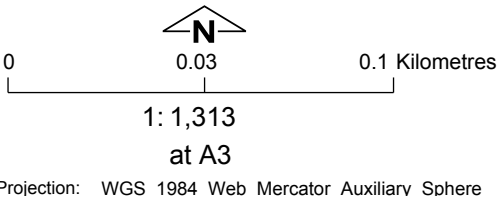
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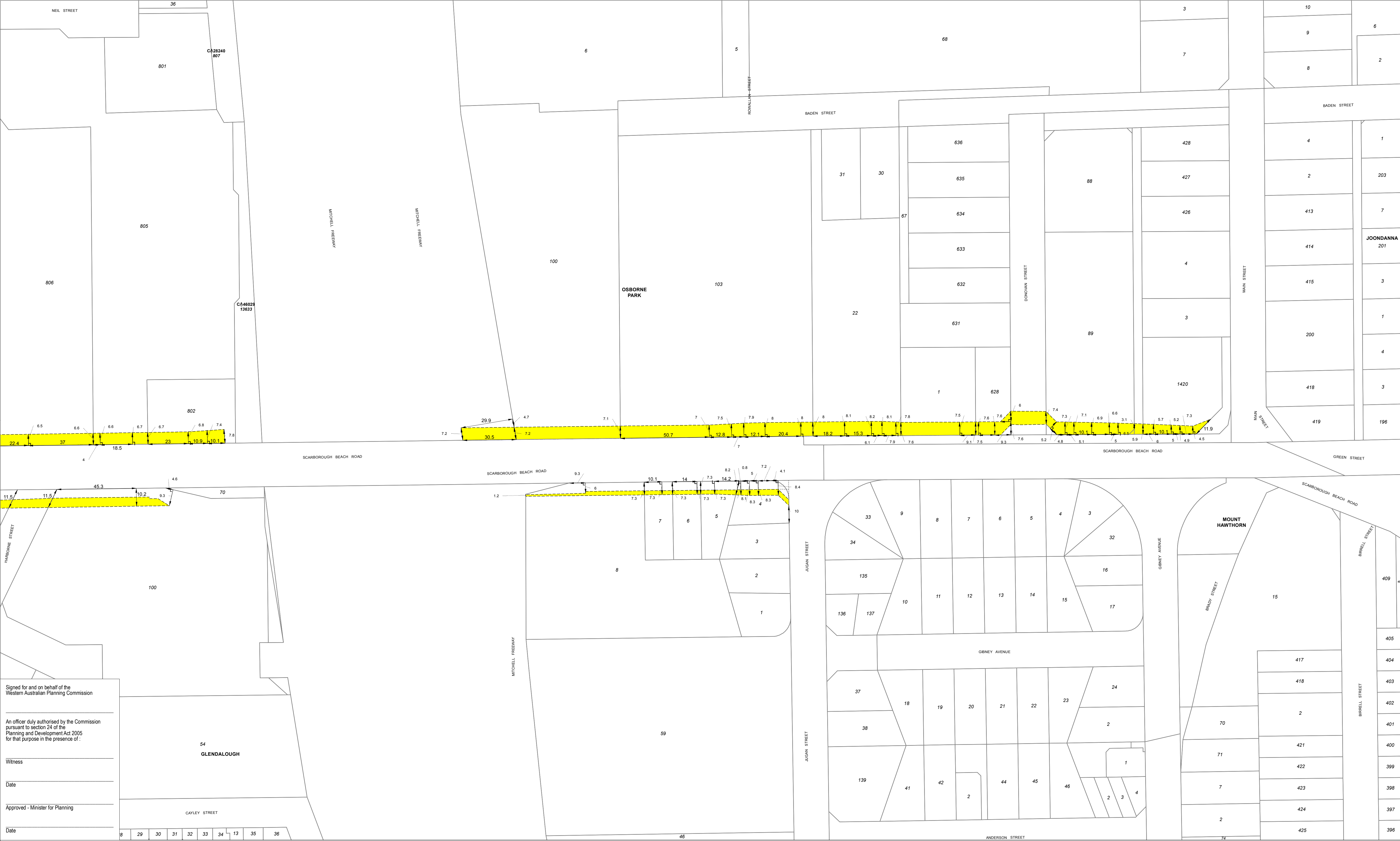
Date produced: 09-Apr-2018

PlanViewWA Map

INTERNAL USE ONLY

Internal Spatial Viewer
[Link to website](#)





Planning control area No. 127

Planning Control Area No. 127 - Scarborough Beach Road - Main Street to King Edward Road



State Administrative Tribunal Reconsideration

Responsible Authority Report

(Regulation 12)

Property Location:	Lot 1 (248) Camberwarra Drive, Craigie
Development Description:	Child Care Centre - DR400/2017 ALT GP Pty Ltd v Presiding Member of Metro North West Joint Development Assessment Panel
DAP Name:	Metro North-West JDAP
Applicant:	Planning Solutions
Owner:	The Roman Catholic Archbishop of Perth
Value of Development:	\$2,100,000.00
LG Reference:	DA17/0495
Responsible Authority:	City of Joondalup
Authorising Officer:	Dale Page, Director Planning and Community Development
DAP No:	DAP/17/01210
Report Date:	13 April 2018
Application Received Date:	5 May 2017
Application Process Days:	Not applicable
Attachment(s):	Attachment 1: Location plan. Attachment 2: Amended development plans. Attachment 3: Original development plans. Attachment 4: Applicant's report Attachment 5: Crossover design model Attachment 6: Parking management plan. Attachment 7: Detailed landscape planting plan Attachment 8: Northern wall treatment and management Attachment 9: Environmental noise assessment Attachment 10: Environmentally sustainable design checklist

Officer Recommendation:

That the Metro North-West Joint Development Assessment Panel (JDAP), pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 400/2017, resolves to:

Reconsider its decision dated 29 November 2017 and **approve** DAP Application reference DAP/17/01210 and accompanying plans included as Attachment 2 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the *City of Joondalup District Planning Scheme No. 2*, subject to the following conditions:

Conditions

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially

commenced within the 2 year period, the approval shall lapse and be of no further effect.

2. This approval relates to the new child care centre, car parking and associated works only, as indicated on the approved plans. It does not relate to any other development on the lot.
3. All development shall be contained within the property boundaries.
4. Detailed engineering design drawings of the proposed crossovers and works within the road reserve shall be submitted to the City for approval prior to the commencement of development.
5. The car parking bays, driveways and access points shown on the approved plans are to be designed, constructed, drained and marked in accordance with the Australian Standard for Off-street Car Parking (AS/NZS2890.1 2004) and Off-street Parking for People with Disabilities (AS/NZS2890.6 2009), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
6. Bicycle parking facilities shall be provided in accordance with the Australian Standard for Offstreet Carparking – Bicycles (AS2890.3-1993 as amended) prior to the development first being occupied. Details of bicycle parking area(s) shall be provided to the City for approval prior to the commencement of construction. Works shall be undertaken in accordance with the approved details.
7. A refuse management plan indicating the method of rubbish collection is to be submitted to the City prior to the commencement of development, and approved by the City prior to the development first being occupied. Refuse management shall be undertaken in accordance with the approved refuse management plan.
8. Detailed landscaping plans shall be submitted to the City for approval prior to the commencement of development. These landscaping plans are to indicate the proposed landscaping treatment(s) of the subject site and the adjoining road verge(s), and shall:
 - i. Provide all details relating to paving, treatment of verges and tree planting in the car park;
 - ii. Provide screening of a sufficient height and density to the northern building facade to soften the visual impact of the development from the nearby properties and public roads;
 - iii. Provide minimum concrete or brick paved areas within outdoor activity areas;
 - iv. Provide landscaping that discourages the parking of vehicles within the verge;
 - v. Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;
 - vi. Show spot levels and/or contours of the site;
 - vii. Be based on water sensitive urban design principles to the satisfaction of the City;
 - viii. Be based on Designing out Crime principles to the satisfaction of the City;
 - ix. Show all irrigation design details.

9. Landscaping and reticulation shall be established in accordance with the approved landscaping plans, Australian Standards and best trade practice prior to the development first being occupied and thereafter maintained to the satisfaction of the City.
10. The car parking areas shall be provided with shade trees in accordance with the submitted detailed landscape planting plan dated 12 March 2018. The trees shall be located within tree wells protected from damage by vehicles and maintained to the satisfaction of the City.
11. A full schedule of colours and materials for all exterior parts to the building and retaining walls is to be submitted and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and shall be completed to the satisfaction of the City prior to occupation of the development.
12. All external walls and retaining walls of the development shall be of a clean finish, and shall at all times be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.
13. Lighting shall be installed along all pedestrian pathways and along the northern building façade having regard to the requirements of *AS4282 – 1997 Control of the obtrusive effects of outdoor lighting* prior to the development first being occupied, to the satisfaction of the City. A lighting plan shall be submitted to the City for approval prior to the commencement of construction.
14. Any proposed external building plant, including air conditioning units, piping, ducting and water tanks, being located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street, and where practicable from adjoining buildings, with details of the location of such plant being submitted for approval by the City prior to the commencement of development. Works shall be undertaken in accordance with the approved details.
15. All stormwater shall be contained on-site and disposed of in a manner acceptable to the City.
16. The hours of operation for the centre shall be between 6:30am to 6.30pm Monday to Friday.
17. Car parking bays shall be used and marked in accordance with the parking management plan dated 13 March 2018.
18. No amplified outdoor sound/music is permitted.

Advice Notes

1. The applicant is advised that the premises is to comply in all respects with the Food Act 2008, Australia New Zealand Food Standards Code and Standard 3.3.1 which relates to Food Safety Programs for Food Service to Vulnerable Persons. The City's Health Department is to be contacted to arrange for a final inspection of the food premises fit out prior to commencement of operations.

2. The applicant is advised that verge treatments are required to comply with the City's Street Verge Guidelines. A copy of the Guidelines can be obtained at <http://www.joondalup.wa.gov.au/Live/Streetscapes.aspx>.
3. The existing footpath and kerbing shall be retained and protected during construction of the development and shall not be removed or altered for the purposes of a vehicle crossover. Should the footpath/kerb be damaged during the construction of the development, it shall be reinstated to the satisfaction of the City.
4. All commercial premises within the City of Joondalup are required to store bins within a bin store that incorporates wash-down facilities. Minimum specification is a 1.5m x 1.5m concrete pad graded to a floor waste connected to sewer and a hose cock.

Details: outline of development application

Zoning	MRS:	Urban
	TPS:	Private Clubs / Recreation, R20/R40.
Use Class:		Child Care Centre.
Strategy Policy:		Not applicable.
Development Scheme:		District Planning Scheme No. 2.
Lot Size:		3,960m ² .
Existing Land Use:		Vacant site.

The amended child care centre proposal consists of the following:

- A building to accommodate a maximum of 82 children and 14 staff at any one time;
- Vehicle and pedestrian access from Camberwarra Drive and Dromana Place;
- A total of 25 car parking bays on-site; with 11 bays being available to visitor/parents and 14 bays allocated to staff.
- A 577m² outdoor play area for children;
- Associated landscaping along the northern facade of the development and within the car parking area;
- Internal paths linking the existing public footpath within the Camberwarra Drive road reserve; and,
- One freestanding 5.88m² pylon sign.

The development plans and perspective drawings are provided at Attachments 2.

Background:

This report is for the reconsideration of an application for a child care centre at Lot 1 (248) Camberwarra Drive, Craigie.

The subject site is currently vacant and is bound by Barradine Way/Dromana Place to the north, Whitford Catholic Primary School to the west, a convent associated with an adjacent church to the south and Camberwarra Drive to the east (Attachment 1 refers).

The subject site is zoned 'Private Clubs / Recreation' under the City's *District Planning Scheme No. 2* (DPS2) and is coded R20/R40. The land use 'Child Care Centre' is a discretionary ("D") use within the 'Private Clubs / Recreation' zone under DPS2.

The Metro North-West JDAP previously considered the proposed child care centre (original plans included at Attachment 3) at its meeting held on 29 November 2017 and resolved to refuse the application for the following reasons:

- 1 *In accordance with Schedule 2, Clause 67(g) of the Planning and Development (Local Planning Schemes) Regulations 2015 the proposed development does not comply with the provisions of the City's Child Care Centre Policy and Height of Non-Residential Buildings Local Planning Policy as the proposed development:*
 - 1.1 *Does not provide adequate onsite parking and will disrupt the existing traffic flow by creating poor vehicle circulation.*
 - 1.2 *Impacts the amenity of the streetscape and surrounding area due to the proposed design and height of the northern building façade, considering the siting of the building and the topography of the land.*
- 2 *In accordance with Schedule 2, Clause 67(m) of the Planning and Development (Local Planning Schemes) Regulations 2015, the development is not compatible with its setting and relationship to other development/land within the locality, as the northern elevation of the building facing Barradine Way will impact on the amenity of the streetscape and surrounding landowners due to its height, length, design and level from natural ground level at the street.*
- 3 *In accordance with Schedule 2, Clause 67(n) of the Planning and Development (Local Planning Schemes) Regulations 2015, the development will impact on the character of the locality and the amenity of surrounding properties due to the following:*
 - 3.1 *The lack of landscaping proposed between the street and the development.*
 - 3.2 *The proposed building height, design, levels and orientation which is not in keeping with the character of the area and the surrounding land.*
- 4 *In accordance with Schedule 2, Clause 67 (a) and (p) of the Planning and Development (Local Planning Schemes) Regulations 2015, the development does not achieve the minimum three metre landscaping strip required under clause 4.12.2 of the City's District Planning Scheme No. 2, and therefore does not include adequate landscaping between Camberwarra Drive and the car parking proposed on-site.*
- 5 *In accordance with Schedule 2, Clause 67(s) of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed means of vehicle access and parking is not adequate in respect to the following:*
 - 5.1 *Crossover orientation.*
 - 5.2 *Location of proposed on-street parking bays.*
 - 5.3 *Car parking bay shortfall.*

- 6 *In accordance with Schedule 2, Clause 67(zb) of the Planning and Development (Local Planning Schemes) Regulations 2015, the issues raised by the Joondalup Design Reference Panel on 22 September 2017 have not been adequately addressed by the applicant to ensure the design of the development contributes to the streetscape and incorporates environmentally sustainable design features.*

The applicant subsequently sought a review of this decision through the State Administrative Tribunal (SAT), and through this process has provided amended plans (refer to Attachment 2) and further information which is the subject of this report.

Legislation & policy:

Legislation

- *Planning and Development Act 2005.*
- *Metropolitan Region Scheme (MRS).*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).*
- *City of Joondalup District Planning Scheme No. 2 (DPS2).*

State Government Policies

- *State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP3.7).*

Local Policies

- *Child Care Centres Policy (CCCP).*
- *Height of Non-Residential Buildings Local Planning Policy (HNRBLPP).*
- *Signs Local Planning Policy (SLLP).*
- *Environmentally Sustainable Design Local Planning Policy.*

Consultation:

Public Consultation

The previously determined proposal was advertised by way of letter to 17 surrounding landowners/occupiers, an on-site advertising sign, advertisement in the local newspaper for two consecutive weeks and information placed on the City's website. A total of 12 submissions were received, all being objections to the proposal.

The amended plans were advertised by way of letter to the same 17 surrounding landowners/occupiers for a period of 14 days. A total of four submissions were received within the advertising period, three being objections and one be a non-objection.

A summary of the comments raised during advertising of the amended proposal is included below:

No.	Issue Raised	Officer's comments
1	Not enough car parking proposed.	The applicant has modified the plans to ensure the amount of car parking on-site complies with the City's <i>Child Care</i>

		<i>Centres Policy.</i>
2	Safety issue with additional crossover being close to intersection and other entrance from Camberwarra Drive.	The proposed location, width and design of the additional crossover from Dromana Place has been assessed by the City's traffic engineers and is considered to meet relevant standards and found to be acceptable. Additionally, the proposed parking area is limited to staff use which will limit the timing and frequency of traffic movements.
3	Noise from the child care centre.	The applicant has previously provided an Environmental Noise Assessment (Attachment 9 refers) which demonstrates that noise can be managed to meet the requirements of the <i>Environmental Protection (Noise) Regulations 1997</i> and limit any impact on surrounding landowners.
4	Landscaping/trees on the boundary have been removed and affects our amenity.	The amended plans will necessitate removal of vegetation to accommodate parking and site works. It is noted that the applicant has increased the amount of landscaping in the northern half of the lot to mitigate the impact of the northern elevation as viewed from the street. Additional landscaping is also proposed elsewhere on site and within the parking areas as included at Attachment 7. A more detailed landscape plan is also recommended as a condition of approval. With the amendments proposed by the applicant, it is considered that the design, setback and height of the proposed building will not unduly impact on the amenity of adjoining/surrounding landowners.
5	Existing parking and traffic issue associated with the adjacent school and church.	<p>The amended proposal provides acceptable vehicle egress/ingress, meets the parking requirements of the City's CCCP and will result in traffic volumes that can adequately be accommodated by the surrounding road network.</p> <p>The school is separately seeking to address this issue and is currently implementing approval for additional parking and pick-up/drop-off areas within the school.</p>
6	No need for another child care centre in the area.	Market demand is not a valid planning consideration.

Consultation with other Agencies or Consultants

Not applicable.

Joondalup Design Reference Panel

The original proposal was presented to the City's Joondalup Design Reference Panel (JDRP) at its meeting held on 22 September 2017. The amended plans were not referred to the JDRP for further comment, however the key issues raised by the JDRP, and the City's response to the amended plans provided by the applicant are outlined below:

No.	JDRP comment	City Response
1	Northern elevation is worrying as it is bland and imposing on surrounding landowners and the street.	<p>The applicant has modified the plans to mitigate the visual impact of the northern wall by including additional landscaping and battering the land in the northern half of the lot. This batter increases the ground level by up to 3.7 metres from natural ground level to reduce the appearance of the wall from the street.</p> <p>The height of the northern wall has also been reduced by between 0.12 metres to 0.4 metres to further reduce the bulk and scale of the wall.</p> <p>By the including the above modifications, the northern wall will be 4 metres in height as viewed from the street.</p> <p>It is considered that the additional modifications to the plans address the concern raised by the JDRP.</p>
2	No natural light within corridor and rooms. More natural light is required.	<p>The highlight windows to the northern elevations will provide some natural light into the building. The applicant has also noted the large amounts of glazing in the southern elevation of the building and internal to the building to provide light into the corridor.</p>
3	There does not appear to be any sustainable design aspects included in the proposal.	<p>The applicant has indicated an intention to include low-energy and water efficient technologies at the detailed design stage. Additionally, the applicant has indicated that underground rainwater storage tanks will be installed (depicted on the floor plan within the outdoor play area), and recycled materials are likely to be included at the construction stage of the development. An Environmentally Sustainable Design (ESD) checklist has been provided by the applicant and is included as Attachment 10.</p> <p>The above is considered satisfactory in addressing the requirements of the City's environmentally sustainable design</p>

		checklist.
4	Due to the design of the roof, it appears stormwater will need to be drained onto the northern (vacant) portion of the lot, outside of the development area.	Additional detail has been provided on the elevations drawings to depict guttering to the northern wall. A condition of approval is also recommended that stormwater is retained onsite.
5	Play spaces for children could be relocated to northern side of site to gain winter sun.	The proposed design of the building ensures shade is provided during summer, however very minimal outdoor play space is provided which has a northern aspect for the winter sun. This would require a significant re-design of the proposal which is not contemplated by this proposal.
6	Building layout/design orientated the wrong way.	The main concerns with the orientation of the building was the fact that it created level issues due to the sloping nature of the site from south to north. The applicant has modified the plans by lowering the level of the development site by transitioning the internal finish floor level (FFL) 33.10 to 31.80 RL. The level of the outdoor play areas have also been split by up to 0.6 metres.
7	Only six pick-up and drop off bays is questionable as up to 82 children are proposed to be accommodated onsite.	The applicant now proposes 11 visitor car parking bays onsite to ensure compliance with the City's CCCP.

As outlined above, the applicant has modified the plans to respond to the majority of concerns raised by the JDRP.

Planning assessment:

The key issues with the original proposal raised by the JDAP as its meeting on 29 November 2017 are summarised below:

1. The bulk and scale of the northern elevation of the building;
2. The proposed car parking shortfall of four bays; and,
3. The reduced landscaping strip to Camberwarra Drive.

The applicant has provided amended plans (Attachment 2 refers) and justification as part of the mediation process through SAT in order to address these concerns (Attachment 4 refers).

An assessment of the amended plans has been undertaken by the City against the relevant provisions of the Regulations, DPS2, CCCP and HNRBLLP as outlined below:

Item	Requirement	Proposal	Compliance
Clause 4.7 of DPS2 – Building Setbacks	Three metre setback to the southern (side) lot boundary.	A 1.5 metre setback from proposed store to the southern lot boundary. *Note that the building is setback a minimum of five metres from the southern lot boundary.	<u>Does not comply.</u> 1.5 metre setback variation.
Clause 4.8 of DPS2 – Car Parking.	14 staff car bays and 11 visitor/customer bays based on the number of staff/children proposed.	14 staff bays and 11 visitor/customer bays provided onsite.	Complies.
Clause 4.12 of DPS2 – Landscaping.	Minimum 8% landscaping of the development site.	18.9% of development site landscaped.	Complies
	Three metre landscaping strip between car parking and the street.	Proposed footpath/pavement within the first three metres from the Camberwarra Drive street boundary. Between 0.3m to 5.5m landscaping strip proposed.	<u>Does not comply.</u> Minimal landscaping on site in the vicinity of the proposed path, however the balance of the landscaped areas generally exceed three metres in width.
	One shade tree per four car bays. Six shade trees required in total.	Nine shade trees provided for parking areas on-site.	Complies.
Clause 4.14 of DPS2 – Storage and Rubbish Accumulation.	All storage and rubbish accumulation shall be confined within a building or enclosed and street from the public realm and adjoining landowners.	Bin enclosure integrated within building and screened from view.	Complies.
Clause 5.1 of CCCP - Location	Located adjacent to non-residential buildings.	Located adjacent to school and convent.	Complies.
	Vehicle access via a Local Distributor	Camberwarra Drive – Local Distributor	Complies.

	road.		
Clause 5.2 of CCCP – Parking and traffic	Minimise disruption of existing traffic safety measures and traffic flow, and safe access to on-site parking areas.	The access and traffic flow arrangements have been assessed by the City's engineers and are considered acceptable	Complies.
	Car parking circulation as per City's CCCP.	Car parking on-site is considered acceptable and circulation is considered adequate in accordance with the requirements of the City's CCCP.	Complies.
	Car parking bays required as per clause 5.2.3 (as mentioned under clause 4.8)	The amount of on-site car parking bays meets the City's CCCP.	Complies.
Clause 5.3 of CCCP – Building Design and Outdoor Play Area	Setbacks as per DPS2, may be reduced as discretion of City.	Store 1.5m setback to southern lot boundary in lieu of three metres.	<u>Does not comply.</u> Does not meet the requirements of DPS2.
	Noise mitigation measures included to limit impact on adjoining landowners.	Noise report provided. Major openings located away from lot boundaries. Any noise issues can be managed.	Complies.
Clause 5.4 of CCCP – Landscaping	Landscaping as per provisions of DPS2.	Does not provide three metre landscaping strip between car parking and street.	<u>Does not comply.</u> Minimal landscaping on-site in the vicinity of the proposed path, however the balance of the landscaped areas generally exceed three metres in depth.
	Verge suitably landscaped.	Indicative verge landscaping depicted on the site plan.	Complies.
Clause 5.5 of CCCP – Operating Hours.	7am to 6pm weekdays and 8:00am to 1:00pm Saturdays.	Proposed to operate from 6:30am to 6:30pm Monday to Friday.	<u>Does not comply.</u> Proposed to operate 30 minutes

			earlier and 30 minutes later than stipulated by CCCP.
Clause 6 of HNRBLPP – Building Height	Six metre wall height. Seven metre concealed roof. Nine metre pitched roof.	Maximum concealed wall height of 7.5 metres.	<u>Does not comply.</u> Portion of the building has 0.5 metre variation in the external wall (concealed roof) height.
Table 1 of SLPP – Pylon Sign	Maximum area of 6m². Maximum height of six metres	5.88m² in area 2.7 metres high	Complies.
Clause 67(m) of the Regulations - Building Design	Compatibility of the development and its relationship/impact on the locality including height, bulk, scale, orientation and appearance.	The design, setbacks and height of the proposed development is not considered to impact the amenity of the locality.	Complies.
Clause 67(s)(i) of the Regulations - Crossover location	The adequacy of the proposed means of access to and egress from the site. Crossover to be positioned at 90 degrees (perpendicular) to the street.	Crossover locations and orientation have been assessed by the City's engineers and are considered acceptable. Detailed Design can be provided as a condition of approval.	Complies.
Clause 67(s)(ii) of the Regulations – On-street bays	The adequacy of arrangements for manoeuvring and parking of vehicles. On-street bays along Camberwarra Drive not supported.	The three on-street bays originally proposed as part of the application have been removed by the applicant.	Complies.

Officer Comments

Access and Car Parking

The applicant is considered to have adequately addressed previous concerns relating to access and car parking. The development now complies with the number of on-site parking bays required by the City's CCCP. Additionally the applicant has provided a crossover design model (Attachment 5 refers) to demonstrate to the City

that the crossover to Camberwarra Drive, whilst not at 90 degrees to the road, can be constructed to the City's satisfaction. A Parking Management Plan (Attachment 6 refers) has also been provided by the applicant to detail the proposed use and marking of bays within the parking areas. It is recommended that conditions of approval are included to require detailed engineering design drawings of works within the road reserve, and also separately to ensure appropriate marking and use of the parking bays.

Building Design

The applicant has modified the northern elevation of the building to address the concerns of the JDAP as outlined in its resolution dated 29 November 2017.

Northern Elevation

The issue associated with the original design of the building related to the bulk and scale of the wall as viewed from the street, as it was considered to be excessively high (maximum of seven metres), blank and included no articulation or openings, and its impact was not mitigated through the use of sufficient landscaping within the northern half of the lot.

The applicant has made the following modifications to the proposal to mitigate the impact of the northern wall:

- The finish floor level of the building has been reduced by 0.12m to 33.1 RL.
- The external height of the facility's northern façade (split level) has been reduced to 34.78 RL and 36.10 RL (reduced by 0.12m to 0.4m respectively compared with the previously considered plans).
- A landscaped batter is proposed on the northern half of the site which provides a level of fill up to 32.00 RL. This equates to an increase in fill of up to four metres from natural ground level and reduces the height of the retaining wall (as viewed from the street) by up to 3.7 metres.
- Extensive landscaping in the northern half of the lot including thirteen trees, combined with the planting of shrubs and various ground cover planting.

Due to the above, the northern wall presents to Barradine Way and Dromana Place at a height of four metres. A landscaped batter is considered to be a response that is in keeping with design responses to significant level changes on nearby and adjoining sites. The additional landscaping proposed by the applicant will also assist further in mitigating the impact of the wall on the streetscape and surrounding landowners. Although the height of the wall has been reduced, it is still considered appropriate to include a condition of approval which requires the applicant to submit for approval to the City a schedule of colours and materials to ensure the finish of the wall is acceptable.

Building Height

Although the building includes a maximum building height of 7.5 metres in lieu of seven metres from natural ground level, this part of the building is centrally located within the development site and only represents a minor variation to the remaining compliant building height. This is not considered to impact the streetscape or adjoining landowners.

Summary

The modified design and height of the northern wall is now considered to be compatible with other walls and development within the locality, and is not considered to impact on the amenity of the street or surrounding landowners. The landscaped batter proposed by the applicant is also considered compatible with similar design responses to level changes on other nearby sites. The applicant has submitted details of proposed wall treatment and management (Attachment 8 refers). The proposed treatment is considered acceptable to the City. A condition of approval is recommended which requires the applicant to submit for approval a schedule of colours and materials of the building to ensure the overall finish of the development (including the northern facade) is acceptable. A condition relating to lighting is also recommended in order to discourage anti-social behaviour and provide a safe environment for users of the facility.

Landscaping

In accordance with clause 4.12 of DPS2, a three-metre landscaping strip is required between a car parking area and the street. The intent of this provision is to include vegetation to provide a green buffer which improves the streetscape and subsequently softens the building's appearance from the street. However, the applicant has included a landscaping strip between Camberwarra Drive and the onsite car parking area which is between 0.3 metres and 5.5 metres in width.

The reduced landscaping width is due to the inclusion of an onsite pedestrian footpath (linking the car park to the building entry) which is approximately 28m² in area. However, this section of the landscaping strip is compensated by an additional 52m² of landscaping outside of the three metre wide strip which assists in buffering the car park from the street. The previously proposed on-site pedestrian path south of the Camberwarra Drive vehicle entry has been modified in order to increase the amount of landscaping reduce the overall impact of hard surfaces in this location. Therefore, it is considered that although the minimum of three metres is not achieved for a portion of the lot frontage, an average landscaping strip of greater than three metres is achieved. Additional planting is also now proposed within the car parking areas to provide shade trees in accordance with DPS2 requirements.

As a result, the proposed development includes appropriate landscaping space to enable the planting of vegetation which will improve the streetscape as viewed from Camberwarra Drive.

A detailed planting plan has been provided by the applicant, however further details of landscaping including verge treatment to discourage verge parking is recommended as a condition of approval.

Hours of operation

The hours proposed by the applicant, being 6:30am to 6:30pm Monday to Friday were considered acceptable by the JDAP at its meeting of 29 November 2017. The City's Policy limits operating hours to between 7:00am and 6:00pm. The parking management plan recommends no use of the secondary car parking area prior to 7:00am, and a recommended condition of approval requires use of parking bays in accordance with the management plan. As a result it is anticipated that potential impacts on residents of Dromana Place as a result of operating times will be minimal. The City also notes that the Environmental Noise Assessment submitted with the original application demonstrates that compliance with the *Environmental Protection (Noise) Regulations 1997* can be achieved and that the child care centre will need to

ensure compliance with the *Environmental Protection (Noise) Regulations 1997* regardless of the proposed operating hours.

Building setbacks

The proposed development generally complies with the relevant setback provisions outlined under Clause 4.7 of DPS2, however the proposed outbuilding (“store”) is setback 1.5 metres to the southern lot boundary in lieu of three metres. This is unchanged from the original proposal considered by the JDAP, however the City did not consider it as a reason for refusal

No elevations of the proposed store have been provided by the applicant, and therefore the height is unknown. However, a typical store (due to its height and size) is not considered to impact on the adjoining landowners. Any issues associated with the setback of the store are also mitigated due to the level difference between the development site and the adjoining property which is approximately 1.8 metres lower.

As a result, it is recommended that a condition of approval is included which restricts the proposed outbuilding to a maximum wall height of 2.4 metres in accordance with a typical outbuilding so as to ensure compatibility with surrounding development.

Bushfire risk

The applicant has provided a bushfire management plan as part of the application in accordance with State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP3.7). This assessment demonstrates that the site will be located within a BAL-12.5 once development occurs, which therefore satisfies the relevant requirements of SPP3.7.

Options/Alternatives:

Not applicable.

Conclusion:

The amended proposal is considered to address the reasons for refusal as outlined by the JDAP at its meeting on 29 November 2017.

The bulk and scale of the northern elevation has been reduced due to additional landscaping, battering of the land and reduction in the height of the wall. It is also noted that the amended plans include an additional four on-site car parking bays to ensure compliance with the City’s CCCP.

It is therefore recommended that the application is approved subject to conditions.

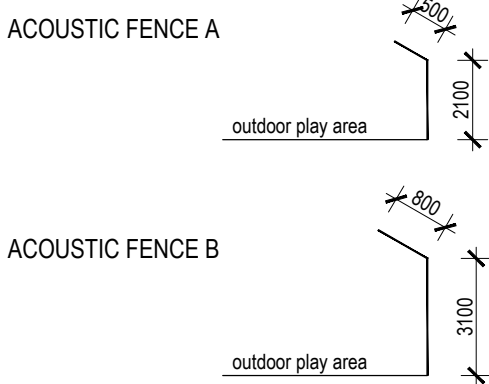


LEGEND

- 29.00
RL 31.00
+ (RL 30.00)
- EXISTING REDUCED LEVEL OF CONTOUR.
- PROPOSED LANDSCAPE BATTER
CONTOUR REDUCED LEVEL.
- PROPOSED DESIGN REDUCED
LEVEL MARKER.
- MASON 'BOLLARD 700' 6W LED
ILLUMINATED BOLLARD.
- MASON 'NHF20 20W NIGHTHAWK'
WALL MOUNTED LED BAFFLED
DIRECTIONAL LIGHT.
- MASON 'EYE LID STEP LIGHT' 4W
LED WALL MOUNTED BUNKER LIGHT.

- UNENCUMBERED
PLAYSPACE
- LANDSCAPING
- BUILDING AREA
- CARPARK
- PAVING
(OR SIMILAR)

ACOUSTIC FENCE DETAIL



NOTE - ACOUSTIC FENCING TO FURTHER
DESIGN OF ACOUSTIC ENGINEER

PARKING SCHEDULE

VISITOR PARKING	11 SPACES
INCLUDING 1 ACROD SPACE	
STAFF PARKING	14 SPACES
TOTAL	25 SPACES

AREA SCHEDULE

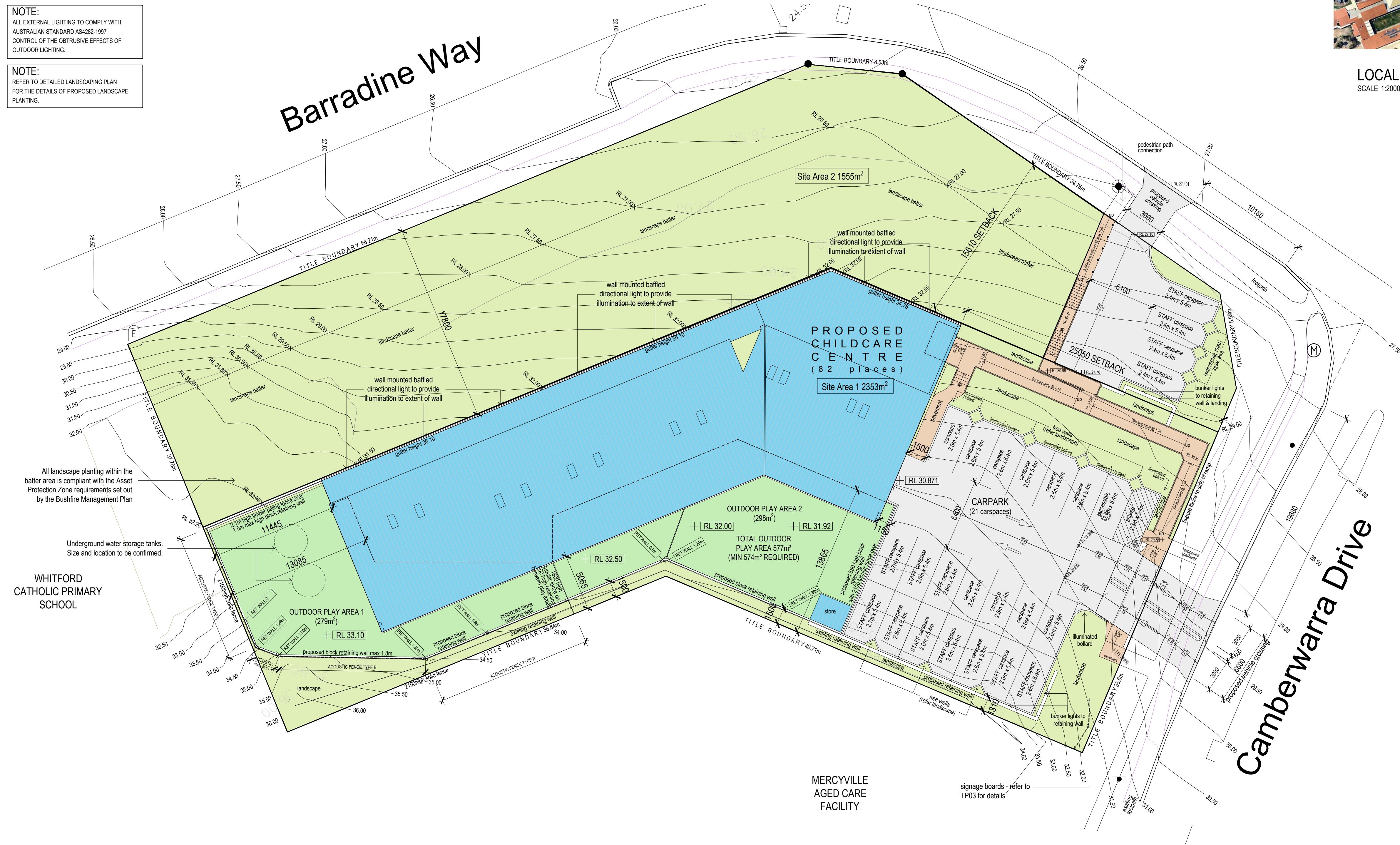
OVERALL SUBJECT SITE	3959m ²
DEVELOPMENT SITE	2353m ²
BUILDING FOOTPRINT	699m ² 29.7% (of development site)
OUTDOOR STORE	7m ²
CARPARK/PAVING	717m ² 30.4% (of development site)
LANDSCAPING	1911m ² 48.2% (of overall subject site)
PLAYSPACE	577m ² 24.5% (of development site)

NOTE:
ALL EXTERNAL LIGHTING TO COMPLY WITH
AUSTRALIAN STANDARD AS4282:1997
CONTROL OF THE OBTUSIVE EFFECTS OF
OUTDOOR LIGHTING.

NOTE:
REFER TO DETAILED LANDSCAPING PLAN
FOR THE DETAILS OF PROPOSED LANDSCAPE
PLANTING.

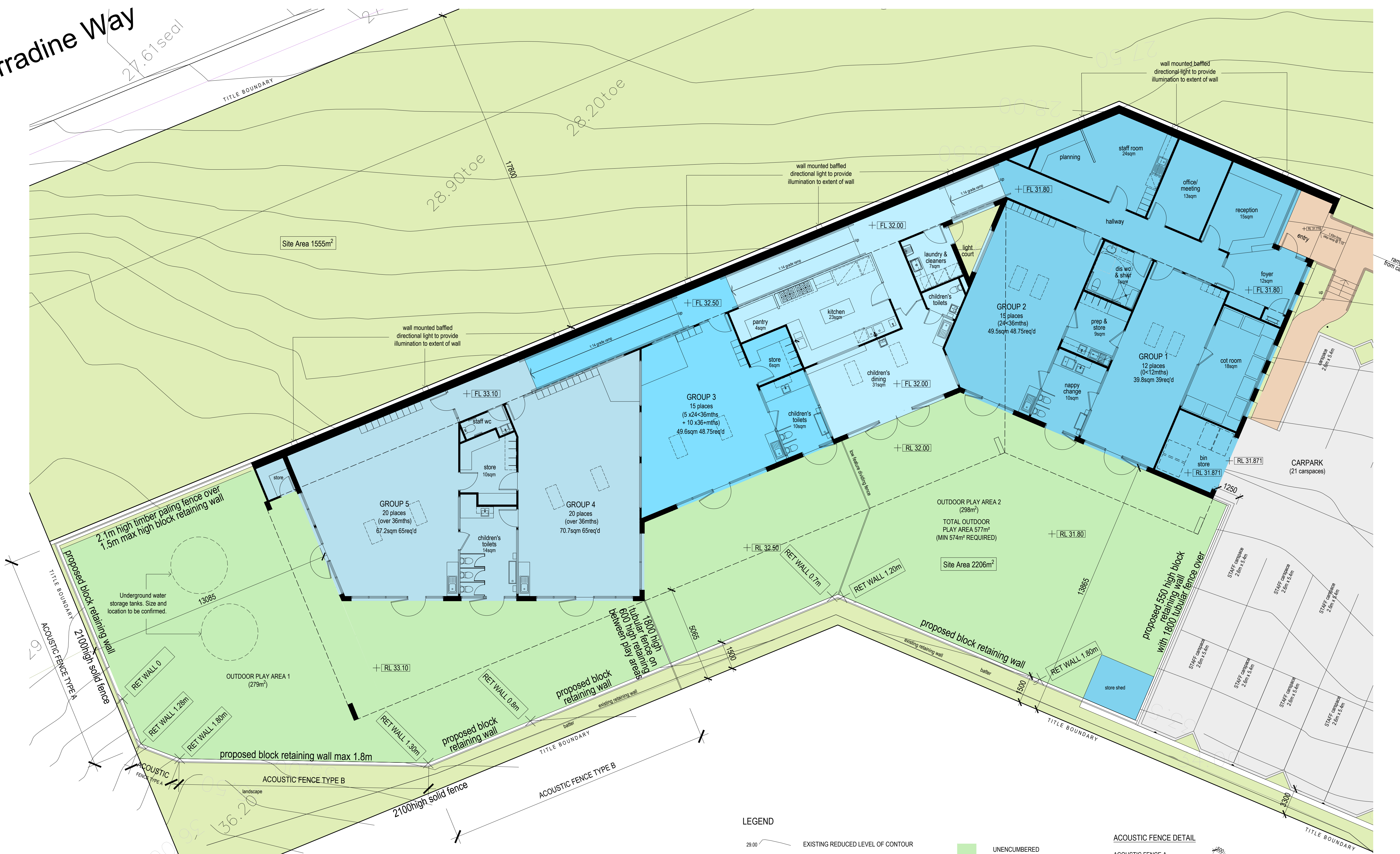


LOCALITY PLAN
SCALE 1:2000 @ A1



01 Site Context Plan 1:200 @ A1

Barradine Way



01 Floor Plan
- only part site shown
1:100 @ A1

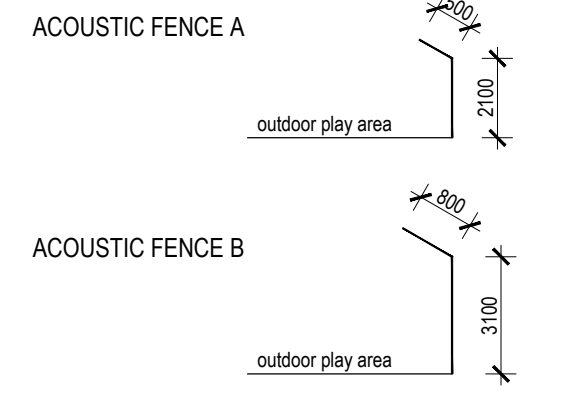
CHILDCARE CENTRE			
GROUP 1	12 PLACES	3 STAFF	
GROUP 2	15 PLACES	3 STAFF	
GROUP 3	15 PLACES	2 STAFF	
GROUP 4	20 PLACES	2 STAFF	
GROUP 5	20 PLACES	2 STAFF	
TOTAL	82 PLACES	14 STAFF	

LEGEND

- EXISTING REDUCED LEVEL OF CONTOUR
- PROPOSED LANDSCAPE BATTER CONTOUR REDUCED LEVEL
- PROPOSED DESIGN REDUCED LEVEL MARKER
- MASON 'BOLLARD 700' 6W LED ILLUMINATED BOLLARD
- MASON 'NHF20 20W NIGH-TAWK' WALL MOUNTED LED BAFFLED DIRECTIONAL LIGHT
- MASON 'EYE LID STEP LIGHT' 4W LED WALL MOUNTED BUNKER LIGHT

- UNENCUMBERED PLAYSPACE
- LANDSCAPING
- BUILDING AREA
- CARPARK
- PAVING

ACOUSTIC FENCE DETAIL



NOTE - ACOUSTIC FENCING TO FURTHER DESIGN OF ACOUSTIC ENGINEER

insite
ARCHITECTS

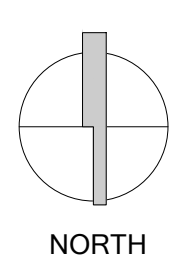
77 upper heidelberg road ivanhoe
p.o box 288 ivanhoe 3079
(03) 9499 8174
www.insitearchitects.com.au

DRAWING TITLE: FLOOR PLAN
PROJECT: Proposed Childcare Centre (82 places)
ADDRESS: 248 Camberwarra Drive Craigie, Western Australia
CLIENT: TAL GP

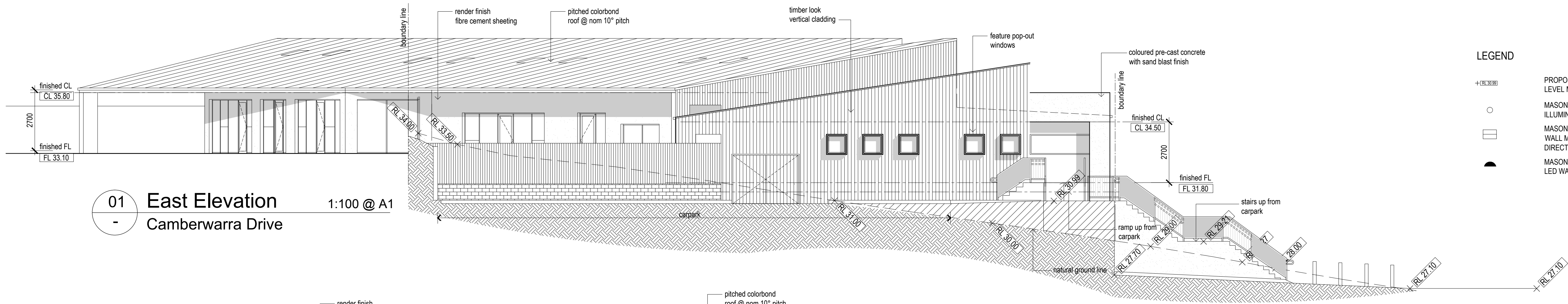
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NOTE: THIS DRAWING IS COPYRIGHT. UNAUTHORIZED USE OF THIS DESIGN IS PROHIBITED AND MAY ONLY BE REPRODUCED WITH THE EXPRESS WRITTEN CONSENT OF THE ARCHITECTS.

DATE: MARCH 2017
DRAWN: AH/CW
CHECKED: AH
JOB NO: A16-080
SIZE: A1
PRINTED: 13/03/2018

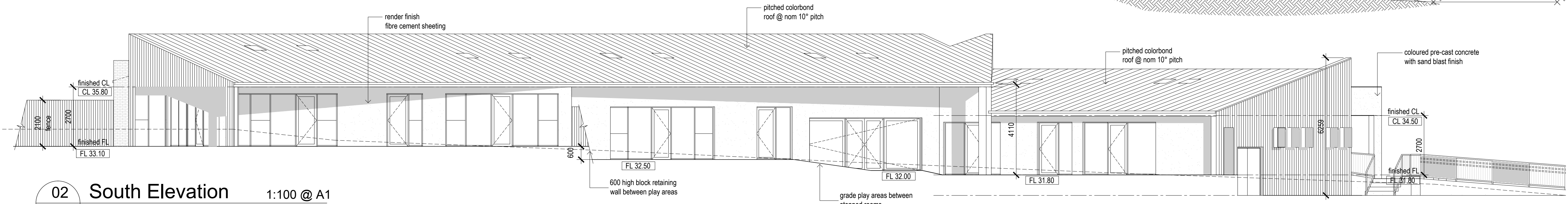
ISSUE	DESCRIPTION	DATE
04	CAR PARK & LANDSCAPE REVISION	08.02.18
03	CAR PARK & LANDSCAPE REVISION	23.01.18
02	PLANNING ISSUE REVISED	14.11.17
01	PLANNING ISSUE	24.08.17



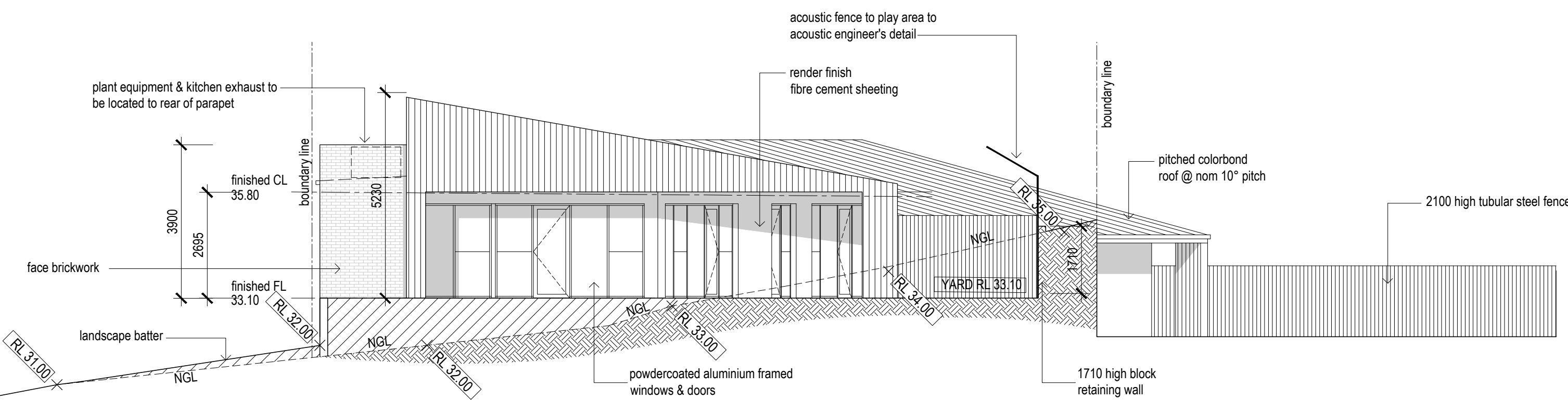
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TP02



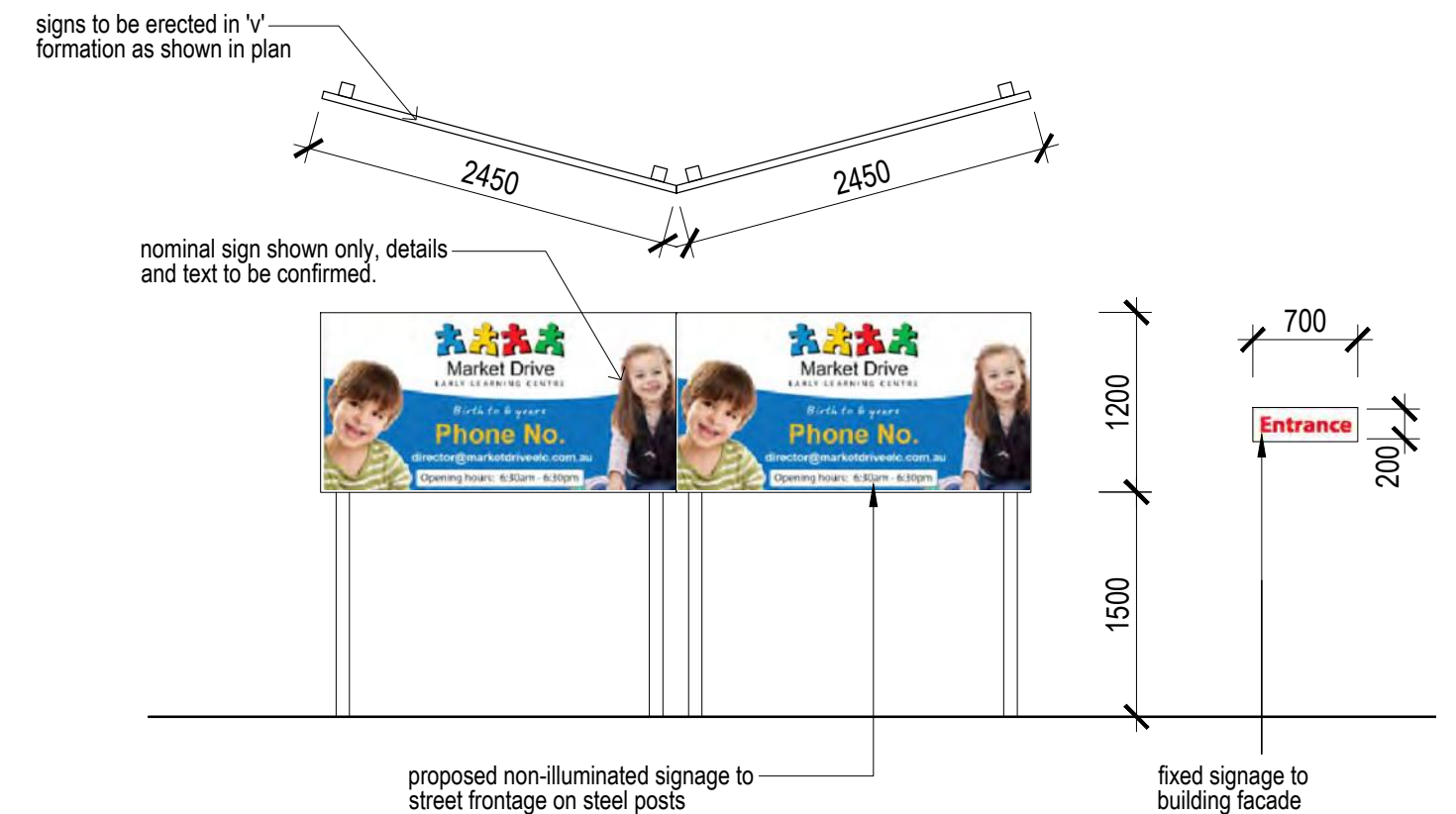
01 East Elevation
- Camberwarra Drive
1:100 @ A1



02 South Elevation
- playspaces
1:100 @ A1



03 West Elevation
- playscape
1:100 @ A1

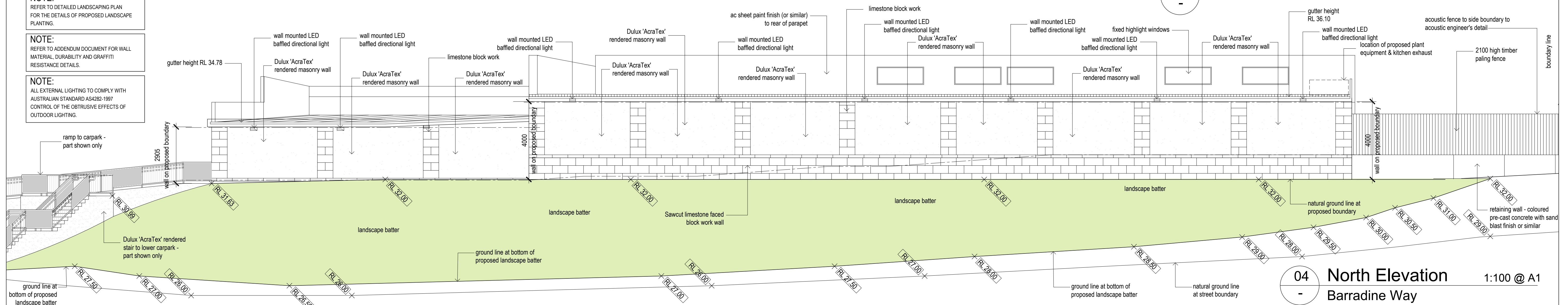


05 Signage Elevation
-
1:50 @ A1

NOTE:
REFER TO DETAILED LANDSCAPING PLAN
FOR THE DETAILS OF PROPOSED LANDSCAPE
PLANTING.

NOTE:
REFER TO ADDENDUM DOCUMENT FOR WALL
MATERIAL DURABILITY AND GRAFFITI
RESISTANCE DETAILS.

NOTE:
ALL EXTERNAL LIGHTING TO COMPLY WITH
AUSTRALIAN STANDARD AS4282-1997
CONTROL OF THE OBTRUSIVE EFFECTS OF
OUTDOOR LIGHTING.



04 North Elevation
- Barradine Way
1:100 @ A1

insite
ARCHITECTS

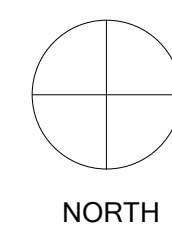
77 upper heidelberg road ivanhoe
p.o box 288 ivanhoe 3079
(03) 9499 8174
www.insitearchitects.com.au

DRAWING TITLE: ELEVATIONS
PROJECT: Proposed Childcare Centre (82 places)
ADDRESS: 248 Camberwarra Drive Craigie, Western Australia
CLIENT: TAL GP

FILE: T:\PROJECTS\Child Care Central\TAL GPA16080 Craigie Camberwarra Drive WA\05 Architectural Drawings\03 Planning Drawings\TAL GPA16_080_TP03_ELEV.dwg
NOTE: THIS DRAWING IS COPYRIGHT. UNAUTHORIZED USE OF THIS DESIGN IS PROHIBITED AND MAY ONLY BE REPRODUCED WITH THE EXPRESS WRITTEN CONSENT OF THE ARCHITECTS.

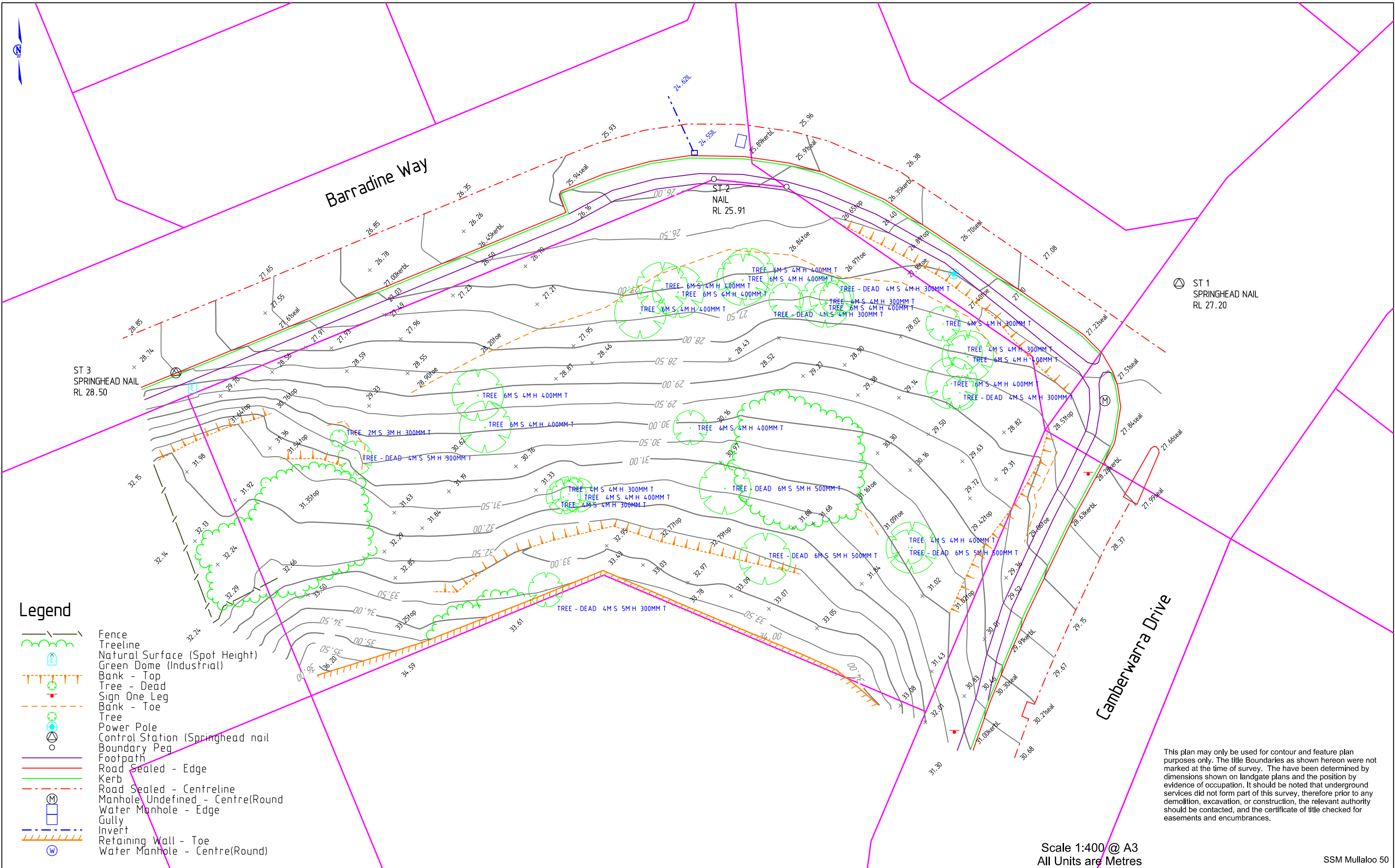
DATE: MARCH 2017
DRAWN: PR/CW
CHECKED: AH
JOB NO: A16-080
SIZE: A1
PRINTED: 13/03/2018

05	CAR PARK & LANDSCAPE REVISION	08.03.18
04	CAR PARK & LANDSCAPE REVISION	25.01.18
03	CAR PARK REVISION	09.01.18
02	PLANNING ISSUE REVISED	14.11.17
01	PLANNING ISSUE	24.08.17
ISSUE	DESCRIPTION	DATE



DRAWING NO:

TP03

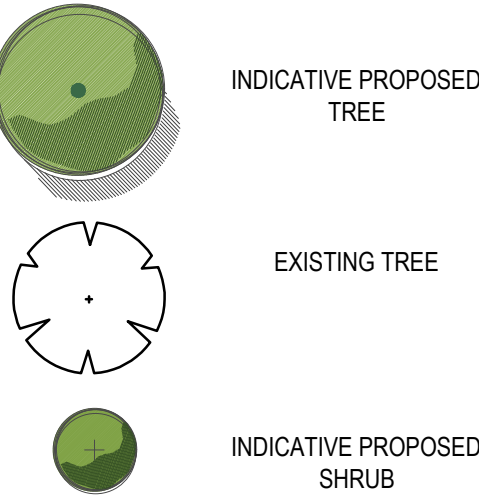


This plan may only be used for contour and feature plan purposes only. The title Boundaries as shown hereon were not marked at the time of survey. The have been determined by dimensions shown on landgate plans and the position by evidence of occupation. It should be noted that underground services did not form part of this survey, therefore prior to any demolition, excavation, or construction, the relevant authority should be contacted, and the certificate of title checked for easements and encumbrances.

Scale 1:400 @ A3
All Units are Metres
SSM Mullaloo 50

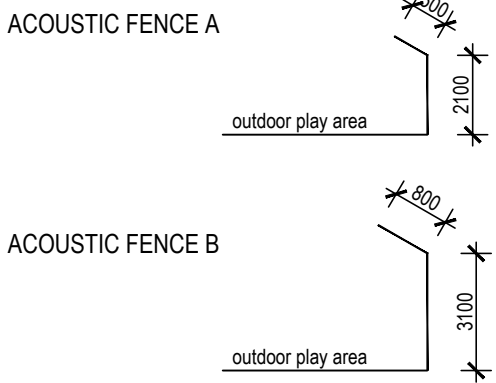
 <div>7A Rothschild Place Midvale, WA 6056 (08) 9374 7777 info@wkc.com.au www.wkc.com.au ABN 68 074 363 741</div>						ATL GP Pty Ltd ATFT ATL GP Unit Trust	Surveyed	D.Espinoza	5/10/2016	Datum / Grid PCG94			
							Drawn	D.Espinoza	7/10/2016	Height Datum AHD			
							Contour & Feature Survey 248 Camberwarra Drive Craigie	Approved	N.Kitscha	7/10/2016	Revision 0	Size A3	
								Drawing Number 33041-D001					
	0	7/10/16	Approved & Issued to Client	DE	DE								NK
	Rev	Date	Description	Surveyor	Drawn								Approved

LEGEND



- UNENCUMBERED PLAYSPACE
- LANDSCAPING
- BUILDING AREA
- CARPARK
- PAVING (OR SIMILAR)

ACOUSTIC FENCE DETAIL



NOTE - ACOUSTIC FENCING TO FURTHER DESIGN OF ACOUSTIC ENGINEER

PARKING SCHEDULE	
VISITOR PARKING	6 SPACES
STAFF PARKING	14 SPACES
ACCESSIBLE PARKING	1 SPACE
ON STREET PARKING	3 SPACES
TOTAL	24 SPACES

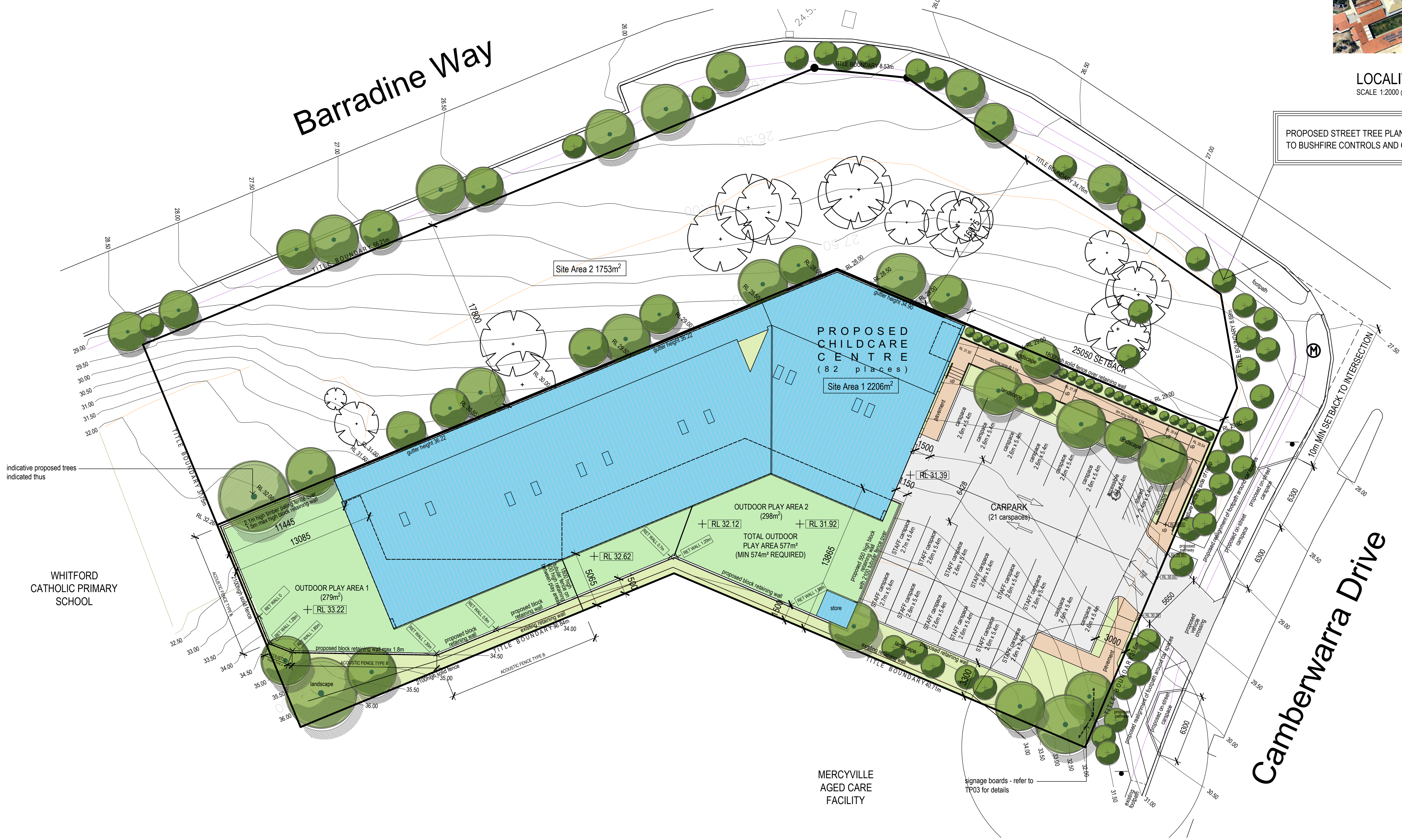
AREA SCHEDULE	
OVERALL SUBJECT SITE	3957m ²
DEVELOPMENT SITE	2206m ²
BUILDING FOOTPRINT	699m ² 31.6%
OUTDOOR STORE	7m ²
CARPARK/PAVING	570m ² 25.8%
LANDSCAPING/PLAYSCAPE	960m ² 43.5%

PROPOSED PLANTING PALETTE	
BOTANICAL NAME	COMMON NAME
TREES/LARGE SHRUBS:	
BANKSIA ATTENUATA	CANDLE BANKSIA
CORYMBIA CITRIFLORA	BABY CITRO
EUCALYPTUS TOOTIANA	COASTAL BLACKBUTT
MELALEUCA PREISSIANA	STOUT PAPERBARK
SHRUBS:	
ACACIA CYCLOPS	RED EYE WATTLE
ACACIA SALIGNA	ORANGE WATTLE
ALLOCASTURNUM HUMILLIS	DIWARF SHEOAK
CAUSTEMON	KINGS PARK SPECIAL
HAKEA TRIFURCATA	TWO-LEAF HAKEA
GRASSES/GROUND COVERS:	
ANGIOZANTHOS MANGLESII	KANGAROO PAW
HARDENBERGIA COMPTONIANA	NATIVE WISTERIA
ORTHOSANTHUS LAXUS	MORNING IRIS
PATERSONIA OCCIDENTALIS	PURPLE FLAG



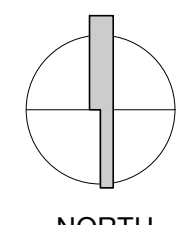
LOCALITY PLAN
SCALE 1:2000 @ A1

PROPOSED STREET TREE PLANTING SUBJECT TO BUSHFIRE CONTROLS AND COUNCIL ADVICE



01 Site Context Plan 1:200 @ A1

ISSUE	DESCRIPTION	DATE
03	PLANNING ISSUE REVISED	14.11.17
02	PLANNING ISSUE REVISED	13.10.17
01	PLANNING ISSUE	24.08.17



Barradine Way



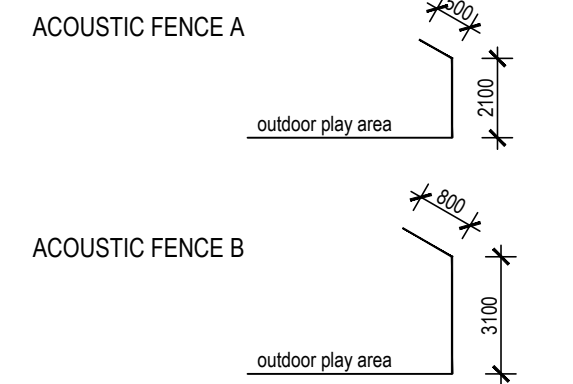
01 Floor Plan
only part site shown
1:100 @ A1

CHILD CARE CENTRE			
GROUP 1	12 PLACES	3 STAFF	
GROUP 2	15 PLACES	3 STAFF	
GROUP 3	15 PLACES	2 STAFF	
GROUP 4	20 PLACES	2 STAFF	
GROUP 5	20 PLACES	2 STAFF	
TOTAL	82 PLACES	14 STAFF	

LEGEND

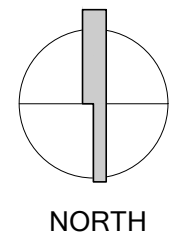
- INDICATIVE PROPOSED TREE
- EXISTING TREE 4M S 4M H 300MM T
- INDICATIVE PROPOSED SHRUBS
- UNENCUMBERED PLAYSPACE
- LANDSCAPING
- BUILDING AREA (DIFFERENT SHADES REPRESENT CHANGE IN LEVELS)
- CARPARK
- PAVING (OR SIMILAR)

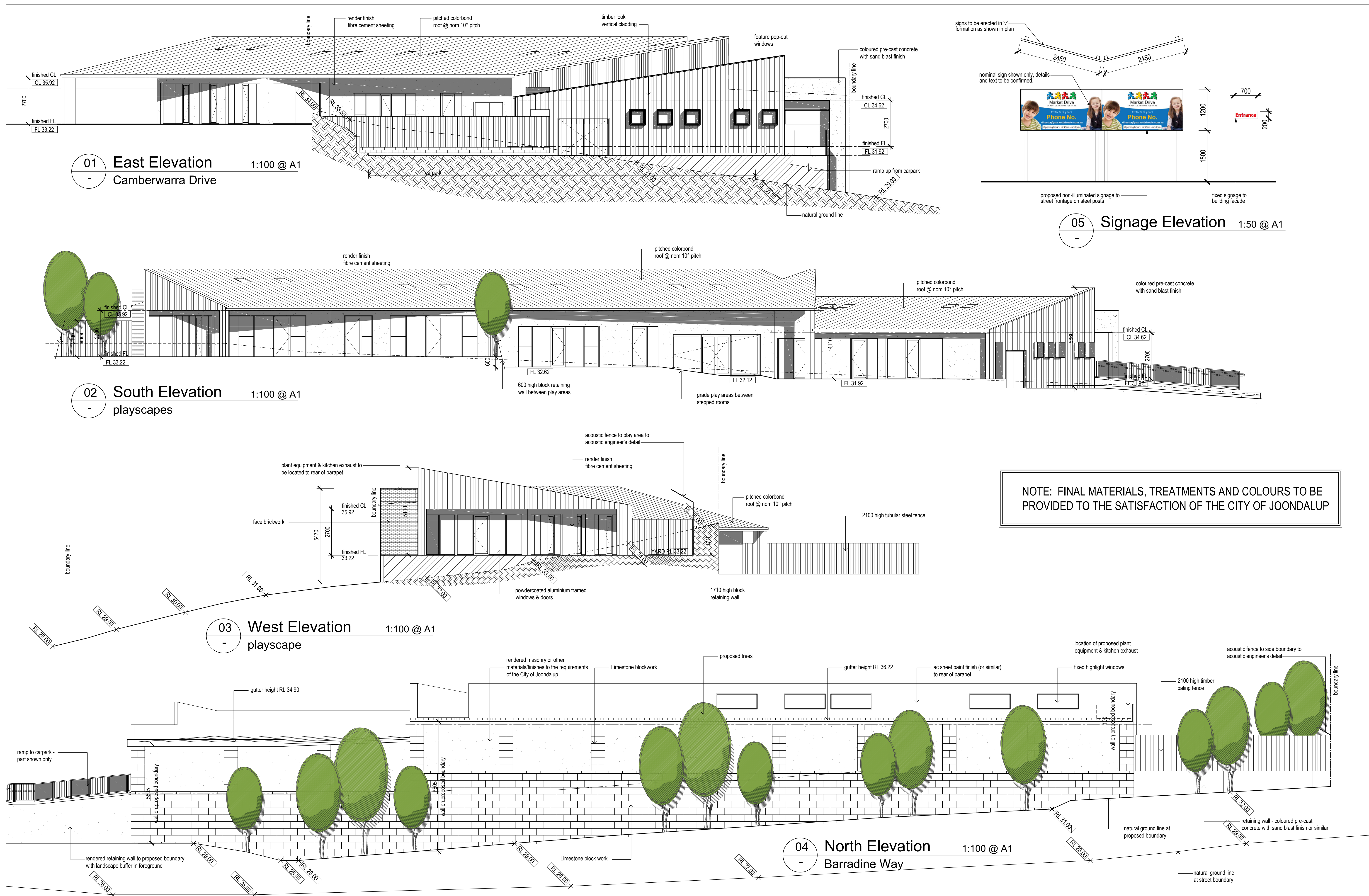
ACOUSTIC FENCE DETAIL

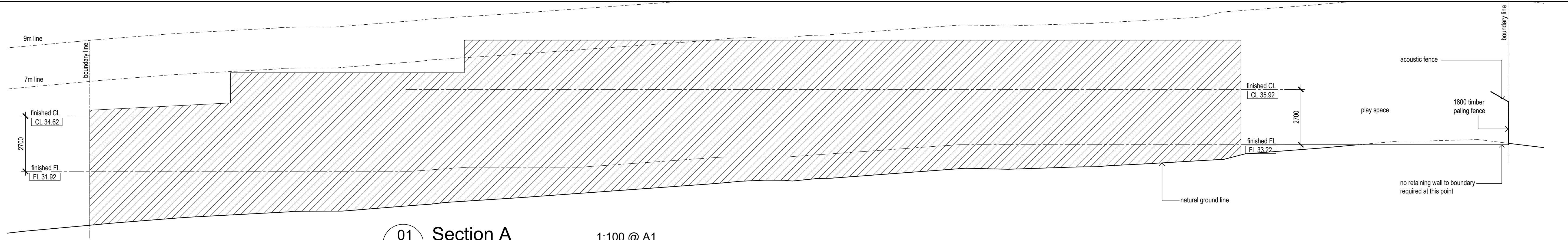


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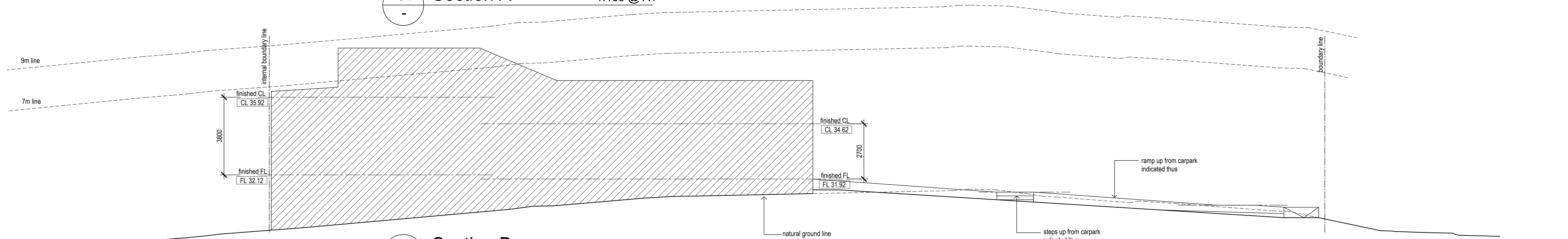
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02	PLANNING ISSUE REVISED	14.11.17
01	PLANNING ISSUE	24.08.17



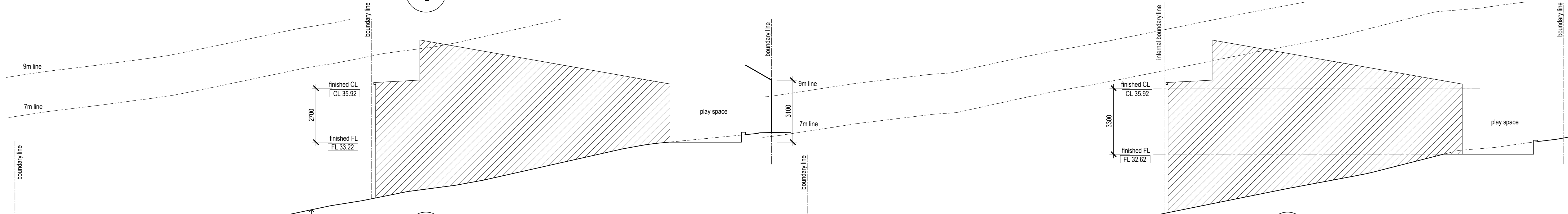




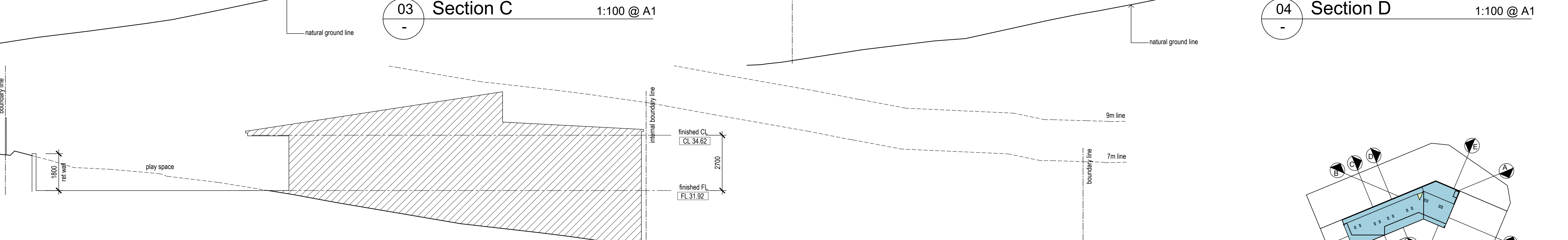
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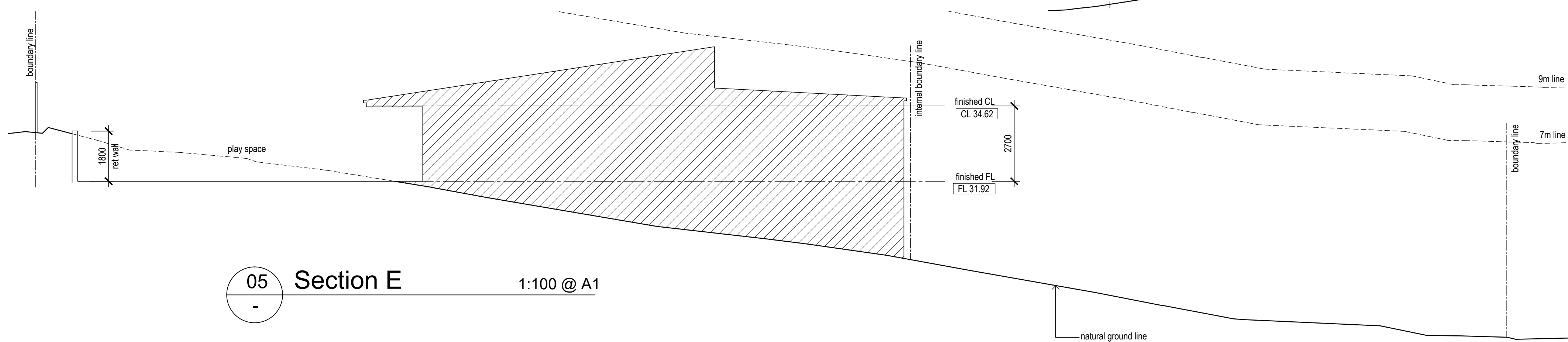
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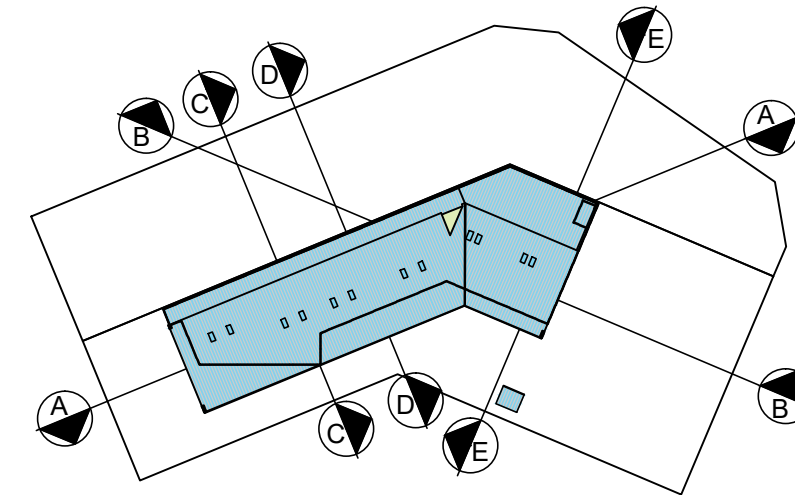


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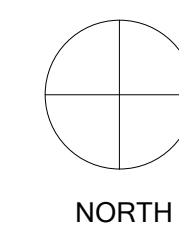
77 upper heidelberg road ivanhoe
p.o box 288 ivanhoe 3079
t (03) 9499 8174
www.insitearchitects.com.au

DRAWING TITLE: **SECTIONS**
PROJECT: **Proposed Childcare Centre (82 places)**
ADDRESS: **248 Camberwarra Drive Craigie, Western Australia**
CLIENT: **TAL GP**

FILE: T:\PROJECTS\Child Care Central\TAL GPA16080 Craigie Camberwarra Drive WA\05_Architectural Drawings\03_Planning Drawings\TAL GPA16_080_TP04_SECT.dwg
NOTE: THIS DRAWING IS COPYRIGHT. UNAUTHORIZED USE OF THIS DESIGN IS PROHIBITED AND MAY ONLY BE REPRODUCED WITH THE EXPRESS WRITTEN CONSENT OF THE ARCHITECTS.

DATE: MARCH 2017
DRAWN: CW
CHECKED: AH
JOB NO: A16-080
SIZE: A1
PRINTED: 21/04/2017

ISSUE	DESCRIPTION	DATE
01	PLANNING ISSUE	20.04.17



DRAWING NO:
TP04

PS ref: 5021
SAT ref: DR 400/2017
DAP ref: DAP/17/01210
City ref: DA17/0495

13 March 2018

Development Assessment Panels Secretariat
Locked Bag 2506
PERTH WA 6001

Attention: Karen Hyde – Presiding Member, Metro North-West Joint Development Assessment Panel

Dear Madam,

**ALT GP PTY LTD V PRESIDING MEMBER OF METRO NORTH-WEST JOINT DEVELOPMENT
ASSESSMENT PANEL
SECTION 31 RECONSIDERATION REQUEST**

Planning Solutions acts on behalf of ALT GP Pty Ltd, the proponent of the proposed child care centre development at Lot 1 (248) Camberwarra Drive, Craigie (**subject site**).

Further to orders issued by Member Marie Connor of the State Administrative Tribunal (**SAT**) on 13 February 2018 in relation to the above matter, the following additional information and amended plans are provided to inform the Respondent's reconsideration this development application, in accordance with section 31 of the State Administrative Tribunal Act 2004.

BACKGROUND

On 29 November 2018, the Metro North-West JDAP refused an application for the development of a child care centre on the subject site for the following reasons:

1. *In accordance with Schedule 2, Clause 67(g) of the Planning and Development (Local Planning Scheme) Regulations 2015 the proposed development does not comply with the provisions of the City's Child Care Centre Policy and Height of Non-Residential Buildings Local Planning Policy as the proposed development:*
 - 1.1 *Does not provide adequate onsite parking and will disrupt the existing traffic flow by creating poor vehicle circulation.*
 - 1.2 *Impacts the amenity of the streetscape and surrounding area due to the proposed design and height of the northern building façade, considering the siting of the building and the topography of the land.*
2. *In accordance with Schedule 2, Clause 67(m) of the Planning and Development (Local Planning Scheme) Regulations 2015, the development is not compatible with its setting and relationship to other development/land within the locality, as the northern elevation of the building facing Barradine Way will impact on the amenity of the streetscape and surrounding landowners due to its height, length, design and level from natural ground level at the street.*

3. *In accordance with Schedule 2, Clause 67(n) of the Planning and Development (Local Planning Scheme) Regulations 2015, the development will impact on the character of the locality and the amenity of surrounding properties due to the following:*
 - 3.1 *The lack of landscaping proposed between the street and the development.*
 - 3.2 *The proposed building height, design, levels and orientation which is not in keeping with the character of the area and the surrounding land.*
4. *In accordance with Schedule 2, Clause 67 (a) and (p) of the Planning and Development (Local Planning Scheme) Regulations 2015, the development does not achieve the minimum three metre landscaping strip required under clause 4.12.2 of the City's District Planning Scheme No. 2, and therefore does not include adequate landscaping between Camberwarra Drive and the car parking proposed on-site.*
5. *In accordance with Schedule 2, Clause 67(s) of the Planning and Development (Local Planning Scheme) Regulations 2015, the proposed means of vehicle access and parking is not adequate in respect to the following:*
 - 5.1 *Crossover orientation.*
 - 5.2 *Location of proposed on-street parking bays.*
 - 5.3 *Car parking bay shortfall.*
6. *In accordance with Schedule 2, Clause 67(zb) of the Planning and Development (Local Planning Scheme) Regulations 2015, the issues raised by the Joondalup Design Reference Panel on 22 September 2017 have not been adequately addressed by the applicant to ensure the design of the development contributes to the streetscape and incorporates environmentally sustainable design features.*

An application for review was subsequently lodged with the SAT, with the proposal being the subject of a mediation held on 13 February 2018. Following mediation the SAT made the following orders:

1. *"ALT GP Pty Ltd" is substituted as applicant in place of "Planning Solutions".*
2. *The applicant is to provide additional information as discussed at the mediation to the respondent by 13 March 2018.*
3. *Pursuant to s 31 of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision on or before 26 April 2018.*
4. *The matter is listed for directions hearing on 4 May 2018 at 9:30am.*

Pursuant to order 2 above, the following additional information and amended plans are provided to address the JDAP's reasons for refusal.

AMENDED PLANS

Refer to **Appendix 1**, which contains amended development plans depicting the following changes to address the JDAP reasons for refusal:

- (a) Removal of all landscape planting details from the site plan, which are now captured within a separate detailed landscape planting plan which confirms the location, pot size, species type, density, and size at maturity of proposed landscape planting (note overall landscaped area has increased substantially to 1,911m²).
- (b) Reconfiguration of the development's primary car parking area as follows:
 - Shift entire car park southwards by 1.99m (resulting in a 4m wide landscape area at the northern side of the car park) to allow a more regularised/perpendicular alignment with the Camberwarra Drive crossover.
 - Reduced car park level to RL 30.871 (reduced by approximately 0.519), with a crossover ramp ascent of 1:20 from the Camberwarra Drive crossover to the western end of the car park.
 - Reposition easternmost parking bay at southern end of car park to create a regularised tandem parking arrangement.

- Remove pavement/footpath adjacent to tandem parking bays, resulting in an enhanced 5.5m wide soft landscaping strip adjacent to Camberwarra Drive.
 - Inclusion of shade trees within the parking area.
 - Allocation of ten staff parking bays and eleven visitor bays within the primary car parking area.
- (c) Reconfiguration of the proposed crossover to Camberwarra Drive as follows:
- Widened from 5.65m to 6.6m, with crossover splays provided where the driveway meets Camberwarra Drive.
 - Crossover repositioned relative to the primary car parking area's central accessway, which in addition to the increased driveway width, achieves a more 'right angled' and regularised driveway alignment in relation to Camberwarra Drive.
 - Crossover length increased from 9.3m to 14m, allowing for the provision of six upward ramps providing access into the site at gentle grades to address the sloping nature of the site.
 - A painted central splitter island provided within the crossover to encourage coordinated traffic flows in and out of the site.
 - Internal and external footpaths integrated with the crossover's ramps to allow safe and uninterrupted pedestrian movements within the site and along Camberwarra Drive.
- (d) Removal of on-street parking spaces along Camberwarra Drive.
- (e) Inclusion of a secondary staff-only car parking area at the north-eastern corner of the subject site, with the following features:
- Four staff parking bays with three shade trees.
 - A 3.66m wide vehicle crossover to Barradine Way, separated from the Camberwarra Drive tangent point by 10.18m.
 - A car park RL of 27.70, with a car park ramp ascent of 1:20 from the Barradine Way crossover to the southern end of the car park.
 - A walkway/staircase at the western side of the car park, providing staff access to the child care centre's entrance point. The walkway also connects to the Barradine Way footpath.
- (f) The extent of landscaping between the proposed car parking areas and the Camberwarra Drive boundary increasing from approximately 65m² to 104m².
- (g) The inclusion of a landscape batter within the vacant northern portion of the subject site, ranging in width between 8m and 12m. The batter generally achieves an RL of 32.00 at its highest point, reducing the appearance of the (exposed) northern wall height to 2.9m – 4m.
- (h) Reduction in height of the northern elevation as follows:
- North-eastern portion of the wall comprising a gutter height of 34.78 (reduced by 0.12).
 - North-western portion of the wall comprising a gutter height of 36.10 (reduced by 0.40).
- (i) Slight reduction in design levels throughout the site, resulting in the following levels:
- Internal – transitioning from FFL 33.10, to FFL 32.50, to FFL 32.00, to FFL 31.80 (split level).
 - Outdoor play area 1 – transitioning from RL 33.10 to RL 32.50 (split level).
 - Outdoor play area 2 – transitioning from RL 32.00 to RL 31.92 (split level).
- (j) Inclusion of details of render type along northern elevation (Dulux 'AcraTex').
- (k) Location, specification and details of the following external lighting to be provided throughout the development:

- Wall mounted baffled directional lights along the northern elevation.
- Wall mounted baffled bunker lights within the both car parking areas.
- Illuminated bollards within the primary car park.

The following additional information discusses and further clarifies the above changes in the context of the JDAP's reasons for refusal.

CAR PARKING PROVISION

Under the City of Joondalup's (**City**) District Planning Scheme No. 2 (**DPS2**) and Child Care Centres Policy, parking is to be provided at the rate of 1 bay / staff member and 11 bays for centres with a capacity of 81-88 children.

The proposed child care centre will accommodate 82 children and 14 staff at any one time, resulting in a total requirement of 14 staff parking bays and 11 visitor parking bays. The proposed development provides 14 staff parking bays (10 bays within the primary car park and 4 bays within the secondary car park), and 11 visitor bays within the primary car park. The amended plans do not propose any on-street parking bays along Camberwarra Drive.

Having regard to the above, the proposed car parking complies with the City's scheme and policy requirements. The JDAP's listed reasons for refusal 1.1 and 5.3 are therefore addressed.

TRAFFIC, ACCESS AND PARKING MANAGEMENT

Section 5.2 Parking and Traffic of the City's Child Care Centres Policy requires child care centres to provide safe access to onsite car parking areas, with parking areas arranged in a manner that enables a free flow of traffic movement and which allows vehicles to ingress/egress in forward gear.

The amended development plans contained in **Appendix 1** depict the following traffic, access and circulation arrangements:

- A more 'right angled' and perpendicular primary car park crossover in relation to Camberwarra Drive, which now contains a painted central splitter island to separate ingress/egress vehicle movements. Refer to **Appendix 2**, which contains a 3D model providing an indication of gradients and levels for the Camberwarra Drive crossover.
- The primary car park featuring a regularised layout with a generous 6.4m wide internal accessway and a 1.15m-1.5m wide turnaround bay for a high level of manoeuvrability and sound two-way access.
- Seven visitor parking bays provided at the primary car park's northern side, and four visitor parking bays provided at the car park's southern side in a tandem arrangement with ten staff bays (visitor bays are positioned closest to Camberwarra Drive for maximal visibility and functionality).
- The secondary staff only car park providing four parking bays on its eastern side, serviced by a 6.1m wide accessway and 3.66m wide crossover to Barradine Way. The car park is connected to the wider child care development via a ramped walkway.

In further support of the proposal, Transcore has prepared a Parking Management Plan (**PMP**) contained in **Appendix 3** of this submission. In summary, the PMP demonstrates the proposed child care centre will function effectively through the following:

- An outline of the proposed development's car parking arrangements (function of primary and secondary car parks, how staff and visitor tandem bays operate).
- The function and intended use of tandem parking bays, including the use of colour coding to distinguish the bays from one another for a high level of centre functionality.

- The management of parking, including how/when the parking bays are to be occupied through the course of regular child care centre operations to ensure traffic conflicts are prevented.
- Details on the closure of car parking areas, and how they are to be closed, to deter/prevent anti-social behaviour.
- Confirmation that the management plan's principles and procedures will be communicated to both staff and clients through a leaflet and an initial induction session.

Having regard to the above, the proposed development is sound from a traffic, access and parking management perspective. Reason 5 of the JDAP's listed reasons for refusal is therefore addressed.

LANDSCAPING

Landscaping provisions have been increased substantially to 1,911m² for the development. **Appendix 4** contains a professionally prepared detailed landscape planting plan, which confirms the location, pot size, species type, density, and size at maturity of proposed landscape planting. The proposed species are native to the City of Joondalup and planting is compliant with the 'Asset Protection Zone' requirements of the supporting bushfire management plan prepared for the development.

Clause 4.12 of the City's DPS2 stipulates the following landscaping requirements for non-residential development:

- *Minimum 8% of a development site to be landscaped, and in addition, the verges adjoining a site are also to be landscaped.*
- *Where a car parking area abuts a street, a minimum 3m wide landscaping strip between the car park and the lot boundary is to be provided.*
- *Shade trees to be planted within car parking areas at a rate of 1 tree / 4 parking bays.*

In summary, the proposed development includes the following landscaping:

- A total 1,911m² of soft landscaped areas throughout the subject site, which equates to approximately 48.2% of the overall 3,959m² site area. Additionally, all adjoining verges are proposed as landscaping, as confirmed on the detailed landscape planting plan contained in **Appendix 4**.
- Landscaping strips up to 5.5m wide are proposed between the site's car parking areas and Camberwarra Drive. It is noted there is approximately 28m² of pavement/footpath occupying the 3m wide Camberwarra setback area - however, when this is compared to the additional 52m² of landscaping area provided outside of the 3m wide strip but still within the car park's Camberwarra Drive setback area, the average landscaping setback is achieved.
- The proposed development provides a total of 10 shade trees, which exceeds the 7 required by the provision of 25 car parking bays. The shade trees are dispersed evenly throughout both car parking areas to achieve a high level of presentation and 'greener outcome'.

Having regard to the above, the proposed landscaping arrangements have been demonstrated to be of a high quality, meeting the intent of the City's DPS2. When considered holistically and having regard to the quality of planting demonstrated by the detailed landscape planting plan, the proposed landscaping arrangements along provide a substantial 'green buffer' and enhance the overall presentation of the development.

Reasons 3.1, 4 of the JDAP's listed reasons for refusal 3.1 and 4 are therefore addressed.

BUILDING HEIGHT, DESIGN AND INTERFACE

In order to appropriately respond to the site's steeply sloping topographical features, the proposed child care centre is innovatively designed as a 'split level' development in the following layout/configuration:

- Outdoor play area 1: RL 33.10 – RL 32.50.

- Outdoor play area 2: RL 32.00 – RL 31.92.
- Primary car parking area: RL 30.871 – RL 29.99.

In terms of the centre's internal layout, the facility is configured in a similar manner with FFLs for internal areas being stepped with split levels from 33.10, to 32.50, to 32.00, to 31.80. The proposed design levels and site layout were informed through the involvement of civil and structural engineering consultants, to minimise the extent of levelling throughout the site.

With respect to the northern elevation, the external gutter height of the facility's northern facade shifts from RL 34.78 to RL 36.10 (reduced by 0.12 – 0.40). A landscape batter is proposed within the vacant portion of the site, which provides a level of fill up to RL 32.00 at the lowest visible point of the northern wall. Consequently, the exposed portion of the wall presents to Barradine Way and Dromana Place at a height of 2.9m – 4m (single storey), which is entirely consistent with the scale of existing built form in the locality. This height is compliant with the 7.5m maximum external wall height (concealed roof) required by the City's *Height of Non-Residential Buildings Local Planning Policy*.

The detailed landscape planting plan contained in **Appendix 4** depicts thirteen mature trees up to 8m in height, combined with the planting of shrubs up to 4m in height and various groundcover plants within the vacant northern portion of the site. This will result in significant screening of the northern elevation, and will substantially soften the visual appearance of the development throughout the area.

The northern elevation is to be constructed using a mixture of limestone blockwork, with infill sections treated with Dulux 'AlcaTex' render. The materials are of a high quality and are entirely consistent with existing development in the locality. We provide the below photographic examples of existing development in the locality which utilises design features and construction materials similar to those proposed:



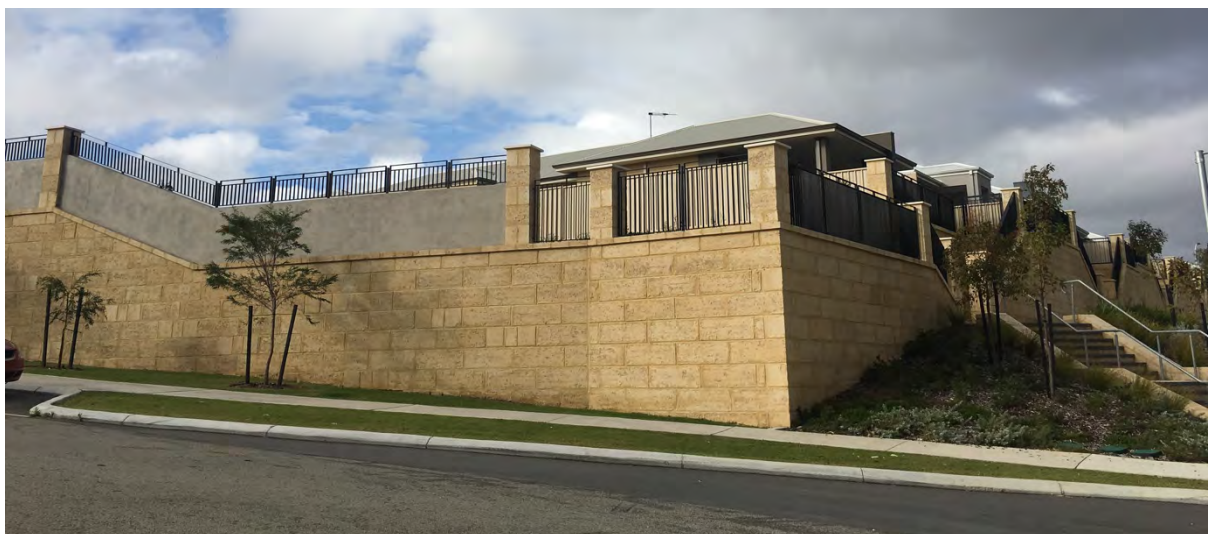
Photograph 1 – the Barradine Way frontage of the Whitford Catholic Primary School adjoining the subject site. Note the scale of the building, its integration with the site's topographic features, and the use of a landscape batter to screen building bulk (design features generally consistent with those proposed).



Photograph 2 – the Barradine Way frontage Whitford Catholic Primary School adjoining the subject site. Note the extent of battering used. Again, this is generally consistent with what is proposed.



Photograph 3 – the Camberwarra Drive frontage of the adjoining Mercyville Hostel. Note the use of limestone blockwork and the distinct pitched roof form of buildings, consistent with the proposed child care centre.



Photograph 4 – ‘The Rise’ estate recently constructed within 400m of the subject site. Note the use of limestone blockwork, rendered panelling and landscaping (design features generally consistent with those proposed).

Having regard to the above, it has been comprehensively demonstrated that the proposed development is entirely consistent with the existing character and amenity of the locality, noting the materials colours, materials and treatments. Additionally, the physical appearance of the development (particularly the northern elevation) has been enhanced substantially through the use of various design features and high quality landscaping.

In summary, we consider the proposed development is acceptable from a design and interface perspective, addressing reasons 1.2, 2, 3.2, and 4 of the JDAP's listed reasons for refusal.

WALL MANAGEMENT AND ANTI-SOCIAL BEHAVIOUR

To provide the decision-maker, local authority and community with further comfort, the project architects have prepared an addendum to the development plans confirming treatment and management measures for the northern building façade (contained in **Appendix 5**). In summary, the addendum confirms:

- Specifications and details regarding the type of render to be used for the northern facade, including a colour sample, and recommended management measures to preserve the render.
- Specifications and details regarding the type of limestone to be used for the northern facade, including a colour sample, and recommended management measures to preserve the limestone.
- Specifications and details on the type of "anti-graffiti" coating to be applied to the northern wall, to ensure the wall is protected from
- Technical sheets and manufacturer's recommended management brochures for all of the above.
- Confirmation that all graffiti will be removed within a period of 7 days.

In addition to the above, the following measures will be implemented to deter anti-social behaviour:

- The physical closure of all parking areas after-hours, as confirmed in the PMP contained in **Appendix 3**.
- The illumination of parking areas and the northern vacant portion of the site during night time hours through a combination of external lighting affixed to walls, bunkers and bollards (all lighting is to be baffled and orientated internally to prevent offsite light spill). The details and specifications of proposed external lighting is detailed on the development plans contained in **Appendix 1**. Note all external lighting must comply with *Australian Standard AS4282-1997 Control of the Obtrusive Effects of Outdoor Lighting*.

ENVIRONMENTALLY SUSTAINABLE DESIGN

An updated Environmentally Sustainable Design (**ESD**) checklist has been prepared in support of the application, contained in **Appendix 6**. ESD features of the development include:

- The retention of natural landforms and topography as much as possible through a 'stepped' development – utilising a cut and fill approach where necessary.
- A child care centre is not a normal residential or traditional commercial building and must be purpose built having regard to its end users. Accordingly, the passive shading of outdoor play areas is achieved (and removing the need for additional bulky shade structures to be erected on the site), through the northern orientation of the building and the pitched roof form.
- Low energy technologies (e.g. energy efficient lighting, heating and cooling) and water efficient technologies (e.g. dual-flush toilets) are likely to be incorporated at detailed design, as this has become an industry standard.
- The use of rainwater tanks which are located underground, beneath Outdoor Play Area 1. The tanks will be fed through a roof catchment on the child care centre building.
- The use of recycled and recyclable materials has also become an industry standard and likely to be incorporated at detailed design and construction stage.

In summary, the principles of ESD have been considered and incorporated into the development to the extent possible noting detailed design has not yet occurred. The extent of ESD incorporated into the development is considered to be an appropriate response – the development warrants approval accordingly.

CONCLUSION

We respectfully request the Respondent reconsider its decision pursuant to section 31 of the *State Administrative Tribunal Act 2004* and approve the proposed child care centre development for the following reasons:

- The proposed provision of car parking is compliant with Scheme and Policy requirements. The proposed traffic, access and circulation arrangements are appropriately designed to facilitate effective internal movements, safe pedestrian accessibility, and a high level of functionality and manoeuvrability for vehicles.
- The proposed child care centre provides extensive high quality landscaping (including a landscape batter within the northern portion of the site), which provides substantial visual relief and enhances the overall presentation of the facility to the surrounding streetscape.
- The proposed child care centre has been designed having regard to its constraining topography, using design features, materials and finishes which are entirely consistent with those existing in the locality – including recently constructed estates.
- The proposed child care centre's northern wall height has been reduced by up to 0.4m, and through the use of landscape battering, presents to Barrdine Way and Dromana Place as a 2.9m-4m high single storey development.
- It has been demonstrated that the quality of the building will be appropriately maintained through the use of high quality materials and various management measures, including measures taken to deter/prevent anti-social behaviour.
- The principles of ESD have been considered and incorporated into the development to the extent possible.

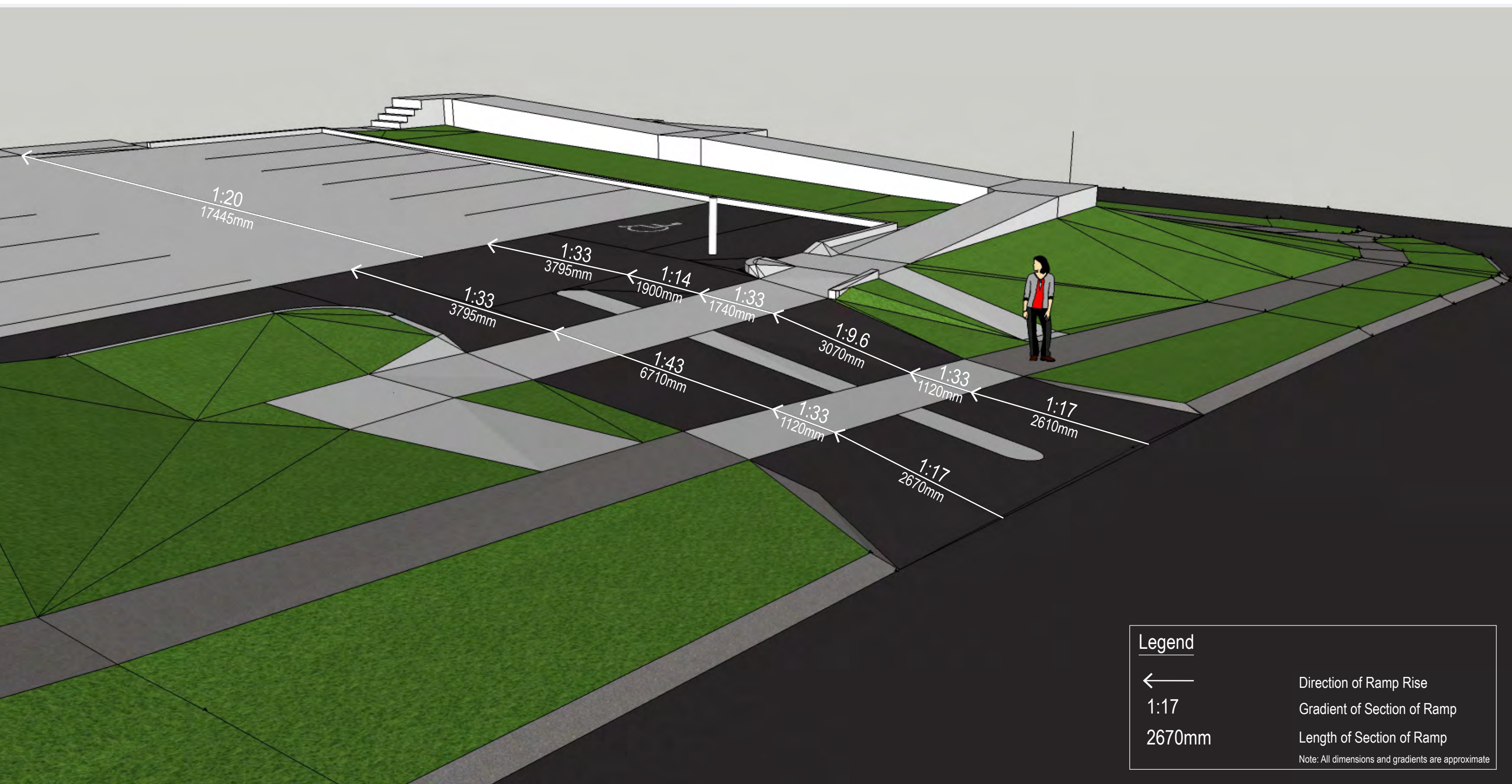
Having regard to the above, the amended proposal addresses the JDAP reasons for refusal and a reconsideration for **approval** pursuant to section 31 of the *State Administrative Tribunal Act 2004* is warranted.

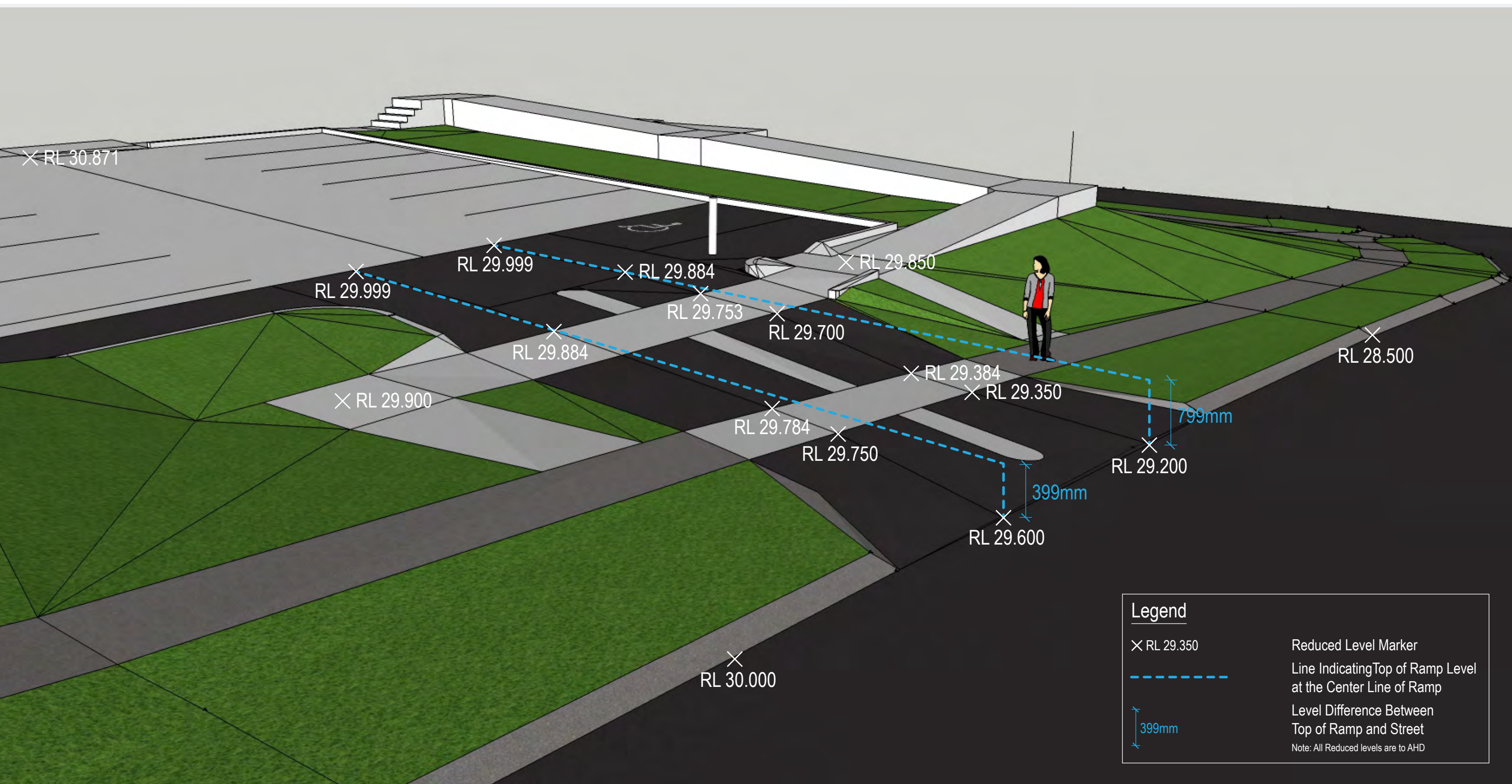
Yours faithfully,

ALESSANDRO STAGNO
PLANNING CONSULTANT

Copy to: City of Joondalup

180312 5021 s31 submission - Craigie.docx





13 March 2018

ALT GP Group Pty Ltd
C/- Planning Solutions
Lvl 1, 251 St Georges Terrace
PERTH, WA 6000

Attention: Alessandro Stagno

Dear Alessandro,

RE: PROPOSED CHILDCARE CENTRE 248 CAMBERWARRA DRIVE – PARKING MANAGEMENT PLAN

INTRODUCTION

Transcore has been engaged by ALT GP Group Pty Ltd to prepare a Parking Management Plan (hereafter PMP) for the proposed childcare centre to be located at 248 Camberwarra Drive in Craigie, City of Joondalup (refer **Figure 1**).



Figure 1: Location of the subject site

MISSION

The objective of the PMP is to ensure safe, convenient and orderly access and egress of vehicles to/from the car park, use of the car park and circulation within it. In particular, this PMP aims to provide effective management of the different types of car parking related to employees and visitors/parents through the application of pavement markings, signage and communication/education.

PROPOSED DEVELOPMENT

The development proposal is for a single-storey childcare centre proposed to cater for about 82 children between the hours of 6:30AM – 6:30PM, Monday to Friday. The centre is proposed to be serviced by 14 staff.

The development plan shows the CCC building and the outdoor play area occupying the western portion of the subject site. The total on-site car parking provision for the development entails 25 parking bays (inclusive of one ACROD bay). The parking is provided via two mutually independent modules:

- 🚗 **Primary car park**, located at the SE part of the site and accessed via Camberwarra Drive crossover comprising 10 staff and 11 visitor/parent bays (one of which is ACROD bay); and,
- 🚗 **Secondary car park**, located at the NE part of the site and accessed via Barradine Way crossover comprising four staff bays.

The southern section of primary car park is accommodating 14 tandem bays of which six are staff-only bays (three tandem bays) and eight are staff and visitor bays. The mixed tandem bays are intended to have staff parking at the back and visitor parking at the front.

Refer **Appendix A** for plans of the proposed development.

MANAGEMENT PLAN

The parking associated with this development is to serve employees and visitors/parents of the childcare centre including occasional service/waste collection vehicles as needed.

The accesses to respective car park modules are located so to ensure good view of the car park (on entry), vehicles on abutting roads (on exit) and pedestrian paths.

The development proposes a total of 25 parking bays out of which 11 bays are allocated to visitors and 14 to staff, which is compliant with City of Joondalup DPS 2 requirements. All visitor bays are directly fronting car park driveway to ensure unobstructed and convenient access and egress.

All bays in the car parks will be pavement-marked and colour coded to indicate specific use (i.e. staff bays as yellow, parent bays as green and ACROD bay as per AS 2890.1). Refer **Appendix B** for parking allocation plan.

The following management plan is proposed to be implemented for the childcare centre car parking:

- All entry and exit in and out of the car parks should be undertaken in forward gear;
- The first four morning shift staff arriving at the site are instructed to park in the first four rear tandem bays marked as staff bays nearest to Camberwarra Drive;
- The next four morning shift staff arriving at the site are instructed to park at the secondary car park;
- The secondary car park should not be used before 7:00AM;
- The remainder of staff arriving subsequently are instructed to occupy the remaining marked staff bays at the primary car park except the staff bay closest to the building which is to function as a turnaround bay;
- Once all but one primary car park staff bays are occupied, staff should proceed to use the secondary car park for parking until it is fully occupied;
- When all staff bays (except the one closest to the building) are occupied the remaining free bay can then be used by staff. It is however anticipated that due to shift work some staff parking bays are likely to be available at any one time and therefore the "turn around" bay is likely to remain available during these periods;
- Visitor/parent parking is to occur within the appropriately marked bays as intended. Due to staggered nature of arrival of children at the CCC during both drop-offs and pick-ups, it is anticipated that at least some of the visitor bays will be available at any one time;
- In odd cases where additional temporary parking for parents is required, when the turn-around bay/(closest to the building) is likely to remain available most of the time for visitor/parents use;
- The first four afternoon shift staff leaving the site should be the staff parked at the secondary car park;
- The secondary car park should not be used after 6:00PM;
- Any out of hours staff parking should occur at the primary car park; and,
- The secondary car park should be closed off (chain or boom gate installation) after 6:00PM to prevent unintended use of this car park.

As the proposed development entails only childcare land use, minimal traffic associated with service and delivery vehicles would be expected. Small service and delivery vehicles are instructed to arrive outside the peak drop off/pick up times and only use visitor parking bays as required.

COMMUNICATION/EDUCATION

It is proposed that all staff and visitors (parents) be introduced to the PMP principles. This should be done at the time of children enrolment/staff hire by providing a suitable leaflet summarising the PMP and including car park map and induction session.

Childcare centre management will monitor the operation of car park and propose improvements and changes to the PMP if required.

I trust the information documented in this letter will assist in the current deliberations.

Yours truly,

A handwritten signature in blue ink, appearing to read 'V. Baltić', with a stylized flourish at the end.

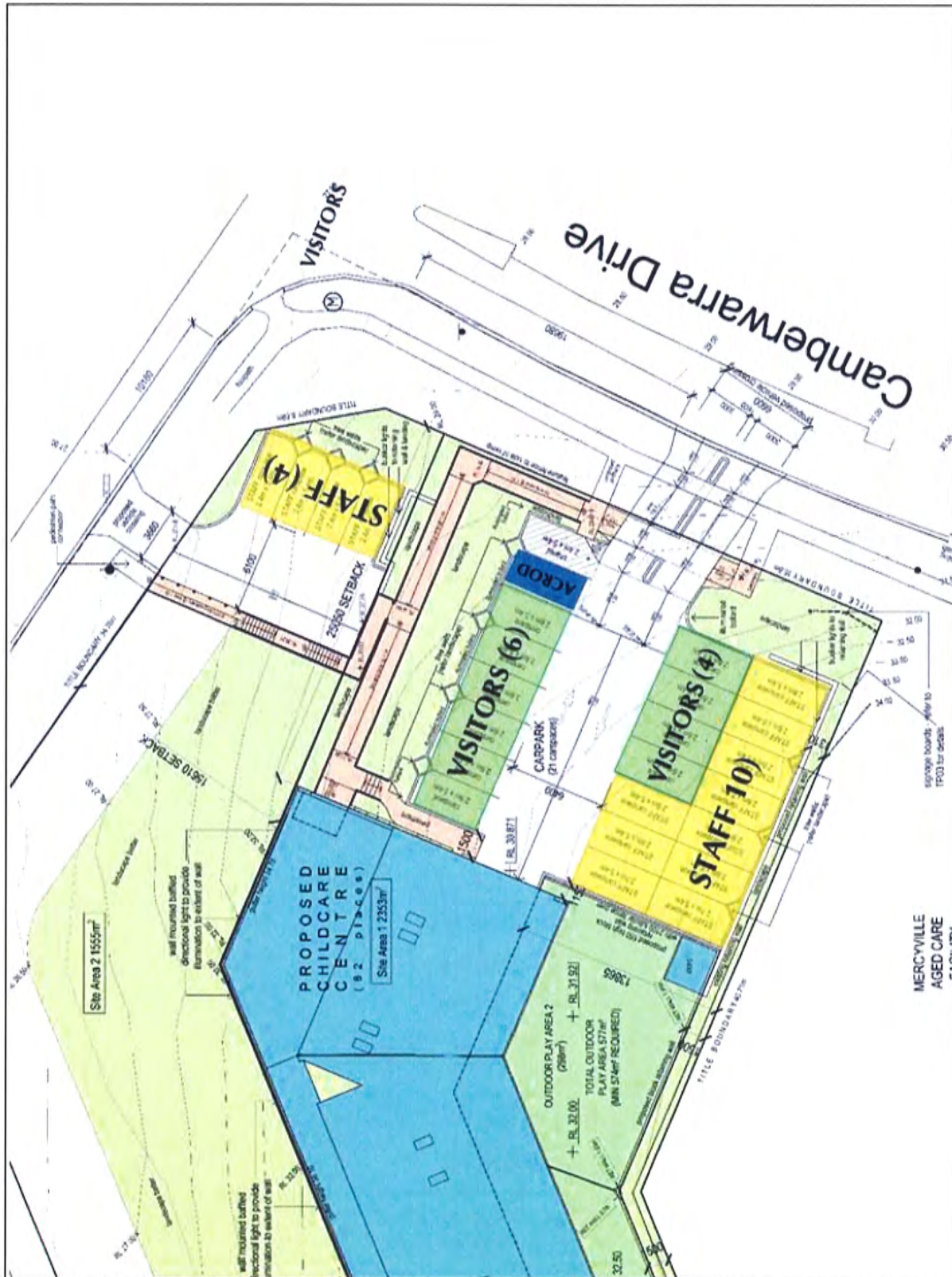
Vladimir Baltić
Traffic and Transport Engineer

APPENDIX A

SITE PLAN

APPENDIX B

PARKING ALLOCATION PLAN





REV	DATE	ISSUE
A	07.03.2018	FOR APPROVAL
B	12.03.2018	FOR APPROVAL

LEGEND

- EXTENT OF WORKS
- TREES PROPOSED
- GROUNDCOVERS (3 PLANTS/M²)
- SHRUBS (2 PLANTS/M²)
- MULCH ONLY



NOTES

ALL COMPLETED WORKS TO BE PROTECTED AND MAKE GOOD ANY DAMAGE TO EXISTING WORKS CAUSED AS PART OF THIS CONTRACT. ALL WORK WITHIN DRIP LINES OF EXISTING TREES IS TO BE DONE BY HAND.

ALL SET OUT IS TO BE DONE BY A LICENSED SURVEYOR. THESE DRAWINGS WILL BE MADE AVAILABLE DIGITALLY TO THE SURVEYOR UPON REQUEST.

FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. INSETS AND DETAIL DRAWINGS TAKE PRECEDENCE & NOTIFY SUPERINTENDENT OF ANY IDENTIFIED DISCREPANCIES PRIOR TO UNDERTAKING WORK.

WRITTEN NOTIFICATION TO THE SUPERINTENDENT IS REQUIRED WITHIN TEN (10) WORKING DAYS OF TENDER ACCEPTANCE TO CONFIRM PLANT STOCK AVAILABILITY IN SPECIFIED SIZES AND NUMBERS AND DEPOSIT PAID. AFTER THIS TIME NO PLANT SUBSTITUTIONS WILL BE ACCEPTED. AFTER TEN WORKING DAYS, THE SUPERINTENDENT RESERVES THE RIGHT TO CHARGE THE CONTRACTOR \$100.00/HR FOR SOURCING, PLANT SUBSTITUTIONS, AND/ OR REDESIGN.

WHERE MIXED PLANTING IS PROPOSED PLANT IN GROUPS OF 3, 5 OR 7 OF THE SAME SPECIES.

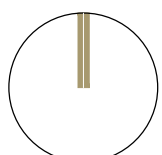
ecoscape

9 Stirling Highway, North Fremantle WA 6159
(08) 9430 8955, www.ecoscape.com.au

AUTHOR: TK CHECKED: PJ PROJECT NO: 4138-18

CRAIGIE CHILD CARE
CLIENT: PLANNING SOLUTIONS

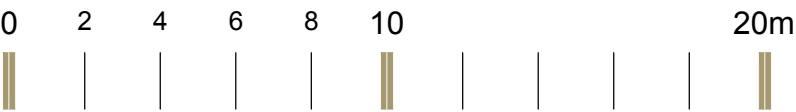
PLANTING PLAN



L1-1

REV: B

SCALE 1:200 @ A1



TREES



Agonis flexuosa



Eucalyptus utilis



Melaleuca lanceolata

SHRUBS



Callistemon



Grevillea evanescens



Oleria axillaris

GROUNDCOVERS



Acacia lasiocarpa



Eremophila glabra



Kennedia prostrata

CRAIGIE CHILD CARE PLANT SCHEDULE

SYMBOL	SPECIES	COMMON NAME	MATURE HEIGHT	POT SIZE
TREES				
Afl	Agonis flexuosa	Peppermint Tree	8m	45L
Eut	Eucalyptus utilis	Coastal Moort	8m	45L
Mla	Melaleuca lanceolata	Rottnest Tea Tree	8m	45L
SHRUBS				
Cal	Callistemon	Kings Park Special	3-4m	130mm
Cqu	Calothamnus quadrifidus	Common Net Bush	2m	130mm
Gev	Grevillea evanescens	Olde & Marriott	4m	130mm
Gol	Grevillea olivacea	Olive Grevillea	2-3m	130mm
Msy	Melaleuca systena	Coastal Honey Myrtle	2m	130mm
Oax	Oleria axillaris	Coastal Daisybush	2m	130mm
Lgl	Lepidosperma gladiatum	Coastal Sedge	1.5	130mm
GROUNDCOVERS				
Ala	Acacia lasiocarpa	Coastal Moses	0.4m	130mm
Cvi	Carpobrotus virescens	Coastal Pig Face	0.3m	130mm
Dre	Dianella revoluta	Diana	0.4m	130mm
Egl	Eremophila glabra	Emu Bush	0.3m	130mm
Gob	Grevillea obtusifolia	Gin Gin Gem	0.4m	130mm
Kpr	Kennedia prostrata	Running Postman	0.1m	130mm
Lhe	Lomandra hermaphrodita	Lomandra	0.3m	130mm
Apr	Acanthocarpus preissii	Prickle Lily	0.3m	130mm
Cca	Conostylis candicans	Grey Cottonhead	0.3m	130mm
Lma	Lomandra maritima	Maritime Mat-Rush	0.3m	130mm
Mpa	Myoporum parvifolium	Creeping Boobialla sp	0.3m	130mm

Planning Addendum: *Northern Wall Treatment and Management* Proposed Childcare Centre 248 Camberwarra Drive Craigie, WA

'Dulux AcraTex' Acrylic Rendered Masonry

Four part acrylic render system comprised of:

Dulux 'Renderwall'

Dulux 'Acraprime'

Dulux 'AcraTex Trowel On Tuscany Super Fine'

Dulux 'Acrasheid' with Dulux 'Warm Neutral' colour finish.



Warm Neutral

In addition to this 4 part acrylic render system a coating of Dulux 'Acrathane IF' two pack polyurethane clear coat finish will be used for increased durability and graffiti resistance. 'Acrathane IF' provides an excellent anti-graffiti coating, good abrasion resistance and toughness, excellent weathering and chemical resistance. It can be recoated with itself after simply ensuring the surface is clean and has been lightly abraded.

Recoating is recommended after a minimum of 7-10 years. Owner responsible for the cleaning and maintenance of the render system on an annual basis according to manufacturer's Care and Maintenance Guide as attached. Further information regarding any part of the above system can be found in the product manufacturers Technical Data Sheet's attached.

Saw cut 'Shell' Limestone Cladding

Saw cut limestone faced block work wall. Sawcut lime stone provides the below benefits:

- Aesthetic appeal
- Strong thermal properties ensuring limited heat conduction
- Reduction of noise transfer
- Sound clarity enhancement in public spaces
- Fire retardant qualities
- Colour consistency
- Unique varied texture



Limestone to be sealed and coated with a clear non-sacrificial graffiti resistant coating. Owner responsible for the cleaning and maintenance of the limestone cladding on an annual basis using Crommelin HD Cleaner as described below. Further information can be found in the product manufacturers Technical Data Sheet attached.

Crommelin Barricade NS

Barricade® NS is a waterborne non-sacrificial anti-graffiti coating incorporating a specialized polymer system that provides a clear barrier against graffiti and other pollutants on dense substrates. Graffiti can be removed by the use of Crommelin HD Cleaner. Barricade® NS is UV and weather resistant and contains a highly effective dry film fungicide to inhibit biological growth. After removal check substrate for damage. After several removals it may be necessary to recoat. Further information can be found in the product manufacturers Technical Data Sheet attached.

Barricade NS provides the following benefits:

- Does not alter the surface appearance of suitable substrates
- Resistant to a wide range of graffiti
- Non-toxic, environmentally friendly system – low VOC Provides antimicrobial protection for the treated surface
- Excellent UV stability and weather resistance
- Long term biocidal protection
- Ease of application and removal
- Excellent water repellence

Graffiti Removal

Owner responsible for the removal of graffiti within a maximum period of 7 days using Crommelin HD Cleaner to manufacturer's instructions in the Technical Data Sheet attached. After removal the substrate should be checked for damage and after several removals it may be necessary to recoat with Crommelin Barricade NS.

Environmental Noise Assessment

#248 Camberwarra Drive, Craigie

Reference: 17033911-01.docx

Prepared for:

TAL GP Pty Ltd C/- Planning Solutions

Report: 17033911-01.docx

Lloyd George Acoustics Pty Ltd ABN: 79 125 812 544 PO Box 717 Hillarys WA 6923 T: 9300 4188 / 9401 7770 F: 9300 4199				
Contacts	Daniel Lloyd	Terry George	Matt Moyle	Olivier Mallié
E:	daniel@lgacoustics.com.au	terry@lgacoustics.com.au	matt@lgacoustics.com.au	olivier@lgacoustics.com.au
M:	0439 032 844	0400 414 197	0412 611 330	0439 987 455

This report has been prepared in accordance with the scope of services described in the contract or agreement between Lloyd George Acoustics Pty Ltd and the Client. The report relies upon data, surveys, measurements and results taken at or under the particular times and conditions specified herein. Any findings, conclusions or recommendations only apply to the aforementioned circumstances and no greater reliance should be assumed or drawn by the Client. Furthermore, the report has been prepared solely for use by the Client, and Lloyd George Acoustics Pty Ltd accepts no responsibility for its use by other parties.


Prepared By:	Olivier Mallié 
Position:	Project Director
Date:	20 April 2017

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Appendices

A	Site Plans
B	Noise Model Overview
C	Influencing Factor Map
D	Terminology

1 INTRODUCTION

A childcare centre (CCC) single storey development is proposed at #248 Camberwarra Drive in Craigie - refer *Figure 1-1*. The site is located within a residential area and adjacent to the Mercyville Aged Care facility.

The proposed CCC will accommodate up to 82 children distributed across various groups as follows:

- Group 1 - Babies (0-12 months), 12 children;
- Group 2 - Pre-Kindy (2 - 3 years), 15 children;
- Group 3 - Pre-Kindy (2 - 3 years), 5 children + Kindy (3 years and over), 10 children; and,
- Groups 4 and 5 - Kindy (3 years and over), 20 children in each group.

The proposed hours of operation are 06.30am to 6.30pm and therefore staff arriving and children drop-offs can occur at night-time.

Ground level car parking facilities are provided for staff and parents to the east of the childcare building. Air-conditioning plant and other services are located on the north side of the building.

This report assesses noise emissions from the proposed site against the *Environmental Protection (Noise) Regulations 1997* (the Regulations).



Figure 1-1 Project Locality

Appendix C contains a description of some of the terminology used throughout this report.

2 CRITERIA

Environmental noise in Western Australia is governed by the *Environmental Protection Act 1986*, through the *Environmental Protection (Noise) Regulations 1997* (the Regulations).

Regulation 7 defines the prescribed standard for noise emissions as follows:

“7. (1) Noise emitted from any premises or public place when received at other premises –

- (a) Must not cause or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind; and
- (b) Must be free of –
 - i. tonality;
 - ii. impulsiveness; and
 - iii. modulation,
 when assessed under regulation 9”

A “...noise emission is taken to significantly contribute to a level of noise if the noise emission ... exceeds a value which is 5 dB below the assigned level...”

Tonality, impulsiveness and modulation are defined in Regulation 9. Noise is to be taken to be free of these characteristics if:

- (a) The characteristics cannot be reasonably and practicably removed by techniques other than attenuating the overall level of noise emission; and
- (b) The noise emission complies with the standard prescribed under regulation 7 after the adjustments of *Table 2-1* are made to the noise emission as measured at the point of reception.

Table 2-1 Adjustments Where Characteristics Cannot Be Removed

Where Noise Emission is Not Music			Where Noise Emission is Music	
Tonality	Modulation	Impulsiveness	No Impulsiveness	Impulsiveness
+ 5 dB	+ 5 dB	+ 10 dB	+ 10 dB	+ 15 dB

Note: The above are cumulative to a maximum of 15dB.

The baseline assigned levels (prescribed standards) are specified in Regulation 8 and are shown in *Table 2-2*.

Table 2-2 Baseline Assigned Noise Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor
	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor
	1900 to 2200 hours all days (Evening)	40 + influencing factor	50 + influencing factor	55 + influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	35 + influencing factor	45 + influencing factor	55 + influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80

1. **highly sensitive area** means that area (if any) of noise sensitive premises comprising —
- (a) a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
 - (b) any other part of the premises within 15 metres of that building or that part of the building.

The influencing factor, applicable at the noise sensitive premises has been calculated as 2 dB, as shown in Table 2-3, which includes a transport factor of 2 dB due to Marmion Avenue being considered a major road (> 15,000 vehicles per day, MRWA count north of Whitfords Avenue, 2014/15) within 450 metres of the sensitive receivers.

Table 2-3 Influencing Factor Calculation

Description	Within 100 metre Radius	Within 450 metre Radius	Total
Industrial Land	0 %	0 %	0 dB
Commercial Land	0 %	0 %	0 dB
Transport Factor			2 dB
Total			2 dB

Table 2-4 shows the assigned noise levels including the influencing factor and transport factor at the receiving locations.

Table 2-4 Assigned Noise Levels

Premises Receiving Noise	Time Of Day	Assigned Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises: highly sensitive area ¹	0700 to 1900 hours Monday to Saturday (Day)	47	57	67
	0900 to 1900 hours Sunday and public holidays (Sunday)	42	52	67
	1900 to 2200 hours all days (Evening)	42	52	57
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	37	47	57
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80

1. **highly sensitive area** means that area (if any) of noise sensitive premises comprising —
- a building, or a part of a building, on the premises that is used for a noise sensitive purpose; and
 - any other part of the premises within 15 metres of that building or that part of the building.

It must be noted the assigned noise levels above apply outside the receiving premises and at a point at least 3 metres away from any substantial reflecting surfaces. Given the close proximity of existing buildings and fences, the noise emissions were assessed at a point 1 metre away from building facades and a -2 dB adjustment was made to the predicted noise levels to account for reflected noise.

3 METHODOLOGY

Computer modelling has been used to predict the noise impacts from the CCC at all nearby receivers. The advantage of modelling is that it is not affected by background noise sources and can provide the noise level for various weather conditions and operating scenarios if necessary.

The software used was *SoundPLAN 7.4* with the ISO9613 algorithms selected. These algorithms have been selected due to the relatively short source-receiver distances nonetheless, they also include the influence of wind and atmospheric stability. Input data required in the model are:

- Meteorological Information;
- Topographical data;
- Ground Absorption; and
- Source sound power levels.

3.1 Meteorological Information

Meteorological information utilised is provided in *Table 3-1* and is considered to represent worst-case conditions for noise propagation. At wind speeds greater than those shown, sound propagation may be further enhanced, however background noise from the wind itself and from local vegetation is likely to be elevated and dominate the ambient noise levels.

Table 3-1 Modelling Meteorological Conditions

Parameter	Day (0700-1900)	Night (1900-0700)
Temperature (°C)	20	15
Humidity (%)	50	50
Wind Speed (m/s)	Up to 5 m/s	Up to 5 m/s
Wind Direction*	All	All

* Note that the modelling package used allows for all wind directions to be modelled simultaneously.

It is generally considered that compliance with the assigned noise levels needs to be demonstrated for 98% of the time, during the day and night periods, for the month of the year in which the worst-case weather conditions prevail. In most cases, the above conditions occur for more than 2% of the time and therefore must be satisfied.

3.2 Topographical Data

Based on the various site plans provided and *Google Earth* publicly available elevation data, a 3-dimensional model was developed, which included ground elevations and the existing and future dwellings nearby.

It was assumed the Mercyville Aged Care facility building immediately to the south was at 35m above Australia Height Datum.

3.3 Buildings and Receivers

Surrounding existing buildings were included in the noise model as these can provide noise shielding but also reflection paths.

Single storey buildings were modelled as 3.5 metres high with the receiver at 1.5 metres above local ground and double storey buildings modelled as 6.5m high with receivers at 4.3m high.

3.4 Fences and Boundary Walls

The following fences were included in the model based on the development plans:

- Steel tubular fencing 1.8 metres as noted on the plans; and,
- Solid fences (timber paling) of types A and B along west and south boundaries as per details.

An overview of the noise model is shown in *Appendix B*.

3.5 Ground Absorption

Ground absorption varies from a value of 0 to 1, with 0 being for an acoustically reflective ground (e.g. asphalt, concrete) and 1 for acoustically absorbent ground (e.g. grass). In this instance, a value of 1.0 has been used for the outdoor grassed area and 0.0 for the surroundings.

3.6 Source Sound Levels

The sound power levels used in the modelling are provided in *Table 3-2*

Table 3-2 Source Sound Power Levels, dB

Description	Octave Band Centre Frequency (Hz)								Overall dB(A)
	63	125	250	500	1k	2k	4k	8k	
General Child Play Pre-Kindy (5 kids), L_{10}	44	53	63	70	76	75	68	60	80
General Child Play Pre-Kindy (15 kids), L_{10}	49	58	68	75	81	79	73	65	85
General Child Play Kindy (10 kids), L_{10}	51	60	70	77	83	82	75	67	87
General Child Play Kindy (20 kids), L_{10}	54	63	73	80	86	85	78	70	90
AC plant, each (2 off), L_{10}	95	87	80	78	78	72	67	63	82
Kitchen Exhaust Fan, L_{10}	76	80	75	84	82	77	71	62	86
Toilet Exhaust Fans, each (2 off), L_{10}	63	64	70	64	67	63	55	50	70
Closing Car Door, L_{max}	79	81	86	90	86	81	78	71	91

The following is noted in relation to the source levels above:

- General Child Play source levels represent the full group of children playing outside at the same time. It is noted that based on observations and measurements, the noise levels tend to increase with the children's age and therefore Kindy children (3 years and above) were considered noisier than Pre-Kindy children (2-3 years). Noise from babies play was considered negligible. Outdoor child play was modelled as area sources at various heights to account for the slight difference in height between age groups as follows:
 - Kindy - 1.0 metre above ground plane; and
 - Pre-Kindy - 0.9 metre above ground plane.
- Car doors closing were modelled as a point source 1.0 metre above ground level. Since noise from a car door closing is a short term event, only the L_{Amax} level is applicable;
- The AC plant and kitchen exhaust were modelled as point sources at 37m AHD (above small roof on north side). Only the AC units are assumed to operate during night-time e.g. before 07.00;
- The toilet exhaust fans were modelled as point sources 0.5m above roof level and located above the toilets; and,

- Outside child play is generally restricted in duration to 1-2 hours. Therefore noise is likely to be present for more than 10% of a representative assessment period and hence the L_{A10} is applicable.

4 RESULTS

4.1 Outdoor Child Play

The CCC will host up to 82 children and of these, 70 children are above the age of two and therefore considered to make noise during child play. Play times will staggered and therefore not all 70 children will be playing outside at once for more than 24 minutes. As such, the following worst-case scenarios were considered:

- Scenario 1 - Group 3 and Groups 4 or 5 playing outside simultaneously; and,
- Scenario 2 - Groups 2 and Group 4 or 5 playing outside simultaneously.

The above assumption results in up to 35 children playing outside simultaneously for more than 24 minutes.

The predicted noise levels from Child Play at each receiver are presented in *Table 4-1*.

Table 4-1 Predicted Noise Levels of Child Play

Receiver	Floor Level	Scenario 1, dB L_{A10}	Scenario 2, dB L_{A10}
R1	GF	40	42
R1	F 1	44	46
R2	GF	40	39
R2	F 1	45	47
R3	GF	40	39
R3	F 1	45	47
R4	GF	40	40
R4	F 1	47	46
R5	GF	41	40
R5	F 1	47	46
R6	GF	40	40
R6	F 1	45	45
R7	GF	39	35

Receiver	Floor Level	Scenario 1, dB L _{A10}	Scenario 2, dB L _{A10}
R7	F 1	42	40
R8	GF	38	34
R8	F 1	42	40
R9	GF	40	23
R10	GF	33	21
R11	GF	40	37
R12	GF	22	18
R13	GF	22	21
R14	GF	36	37
R15	GF	27	31

The results above show the noise emissions from child play are highest at the elevated receivers to the south.

Figures 4-1 and 4-2 also present the noise levels as noise contours to the south receivers and at the upper level (4.3m AGL) for both scenarios.

4.2 Indoor Child Play

An assessment of noise levels from indoor child play was carried out and the resulting noise levels at all locations were predicted to be well below that of outdoor child play considered in *Section 4.1*. This assessment was carried out based on the following considerations:

- External doors and windows will be closed during indoor activity / play;
- Internal noise levels within activity rooms would not exceed those from outdoor play for each age group;
- Any music played within the internal activity areas would be 'light' music with no significant bass content and played at a relatively low level; and,
- External glazing is assumed to be minimum 6mm thick.

Proposed Childcare Centre - Scenario 1 Child Play Levels At Upper Levels (4.3m AGL)
#248 Camberwarra Drive, Craigie



20 April 2017

Length Scale 1:904



Proposed Childcare Centre - Scenario 2 Child Play Levels At Upper Levels (4.3m AGL)
#248 Camberwarra Drive, Craigie



Noise Levels
dB LA10



Signs and symbols

- Receiver
- Point Sources e.g. car doors, AC plant, etc.
- Site Outline
- Children Play Area



20 April 2017

Length Scale 1:904



Lloyd George Acoustics
by Olivier Maille
olivier@lgacoustics.com.au
0439 987 455

4.3 Mechanical Plant

The mechanical plant consists of AC units, and the toilet and kitchen exhaust fans. During the daytime, all plant is assumed operational however, at night-time i.e. before 7am, only the AC plant is assumed to operate.

Table 4-2 presents the predicted noise levels for both group of plant.

Table 4-2 Predicted Noise Levels of Mechanical Plant

Receiver	Floor Level	Night-time, AC Plant Only, dB L _{A10}	Daytime, All Plant, dB L _{A10}
R1	GF	27	36
R1	F 1	34	39
R2	GF	29	37
R2	F 1	35	40
R3	GF	35	39
R3	F 1	36	41
R4	GF	36	40
R4	F 1	37	42
R5	GF	35	40
R5	F 1	36	41
R6	GF	36	42
R6	F 1	37	43
R7	GF	33	37
R7	F 1	33	38
R8	GF	33	38
R8	F 1	34	38
R9	GF	39	43
R10	GF	37	42
R11	GF	35	38
R12	GF	33	37
R13	GF	32	36

Receiver	Floor Level	Night-time, AC Plant Only, dB L _{A10}	Daytime, All Plant, dB L _{A10}
R14	GF	11	19
R15	GF	25	25

4.4 Car Parking Bays

The model includes noise from car doors closing in either of the proposed parking bays, noting the 14 bays to the south side of the car park are allocated to staff.

Table 4-3 presents the predicted noise levels from the car doors closing at the most exposed receivers.

Given the layout of the proposed site and surrounding premises, it is noted that individual receivers are affected by different source's location.

Table 4-3 Predicted Car Doors Closing Noise Levels

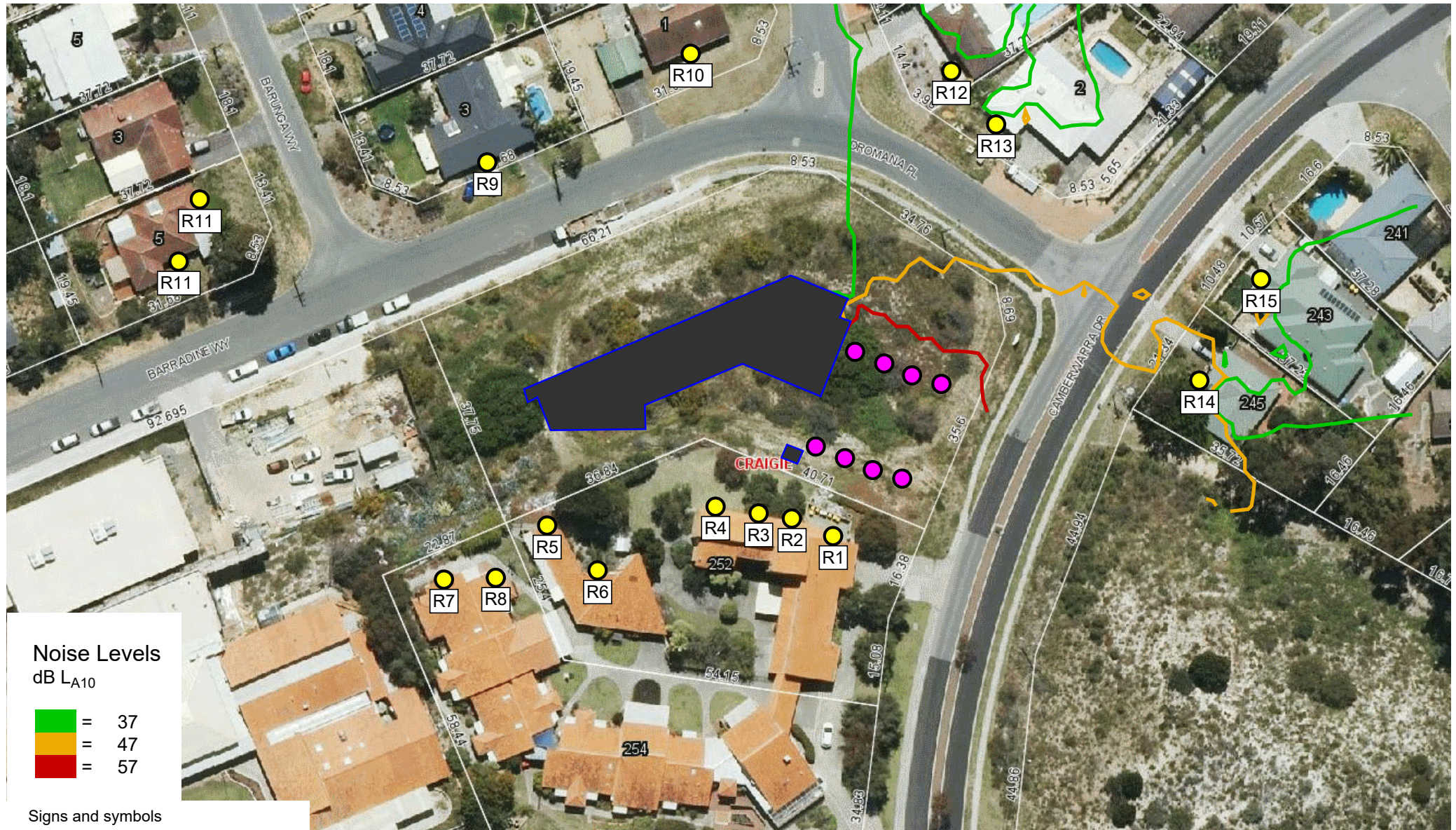
Receiver	Floor Level	Customer Car Park, dB L _{Amax}	Staff Car Park, dB L _{Amax}
R1	GF	51	48
R1	F 1	54	54
R2	GF	48	48
R2	F 1	51	53
R3	GF	41	44
R3	F 1	50	48
R4	GF	39	42
R4	F 1	47	48
R5	GF	35	39
R5	F 1	39	40
R6	GF	36	39
R6	F 1	39	41
R7	GF	27	33
R7	F 1	29	35
R8	GF	22	22
R8	F 1	28	24

Receiver	Floor Level	Customer Car Park, dB L_{Amax}	Staff Car Park, dB L_{Amax}
R9	GF	18	19
R10	GF	37	20
R11	GF	< 15	< 15
R12	GF	40	36
R13	GF	42	38
R14	GF	45	44
R15	GF	42	41

The car park noise levels are also presented as noise contours in *Figure 4-3* at ground level (1.5m AGL), and *Figure 4-4* at the upper level south receivers (4.3m AGL).

Proposed Childcare Centre - Car Doors Closing At Ground Level (1.5m AGL)

#248 Camberwarra Drive, Craigie



Noise Levels
dB L_{A10}



Signs and symbols

- Receiver
- Point Sources e.g. car doors, AC plant, etc.
- Site Outline
- Children Play Area



20 April 2017

Length Scale 1:904



Lloyd George Acoustics
by Olivier Maille
olivier@lgacoustics.com.au
0439 987 455

Proposed Childcare Centre - Car Doors Closing At Upper Level (4.3m AGL)
#248 Camberwarra Drive, Craigie



Noise Levels
dB L_{A10}



Signs and symbols

- Receiver
- Point Sources e.g. car doors, AC plant, etc.
- Site Outline
- Children Play Area



20 April 2017

Length Scale 1:904



Lloyd George Acoustics
by Olivier Maille
olivier@lgacoustics.com.au
0439 987 455

5 ASSESSMENT

5.1 Child Play

Child play will only occur during the daytime only, when the L_{10} assigned noise level is 47 dB.

From *Table 4-1*, the highest predicted noise level from child play is 47 dB L_{A10} for either scenarios 1 or 2 at the elevated receivers south of the proposed childcare.

Noise from child play is not considered to contain annoying characteristics within the definition of the Regulations e.g. tonality present for more than 24 minutes, and therefore compliance with the daytime assigned noise levels will be achieved at the receivers to the south.

It is noted that at times when more than 35 children are outside because of the staggered play times, noise levels would increase by 2-3 dB however, these would have to comply with the L_{A1} assigned noise levels and therefore will be compliant as well.

5.2 Mechanical Plant

During the daytime, all plant may be operated simultaneously for more than 24 minutes and therefore compliance with the L_{A10} assigned noise level is required.

From *Table 4-2*, the highest predicted noise level from mechanical plant during daytime is 43 dB L_{A10} at receiver R6. With the short source to receiver distances and the nature of the sources, tonality could be present even during the daytime, resulting in an assessable level of 48 dB L_{A10} . This would result in a marginal exceedence of 1 dB.

At night-time, only the AC units would be operating and the highest predicted noise levels are 37 dB L_{A10} . Tonality is likely to be present at night-time resulting in an assessable level of 42 dB L_{A10} , which exceeds the L_{10} night-time assigned level by 5 dB.

It must be noted this assessment is based on preliminary information in relation to plant source level and location and, therefore the above should be reviewed during mechanical design and plant selection phase. Typical noise control options which will reduce overall noise emissions and remove tonality include:

- Quieter pieces of plant, and in the case of AC units, plant that can be operated at variable speed at night-time,
- Localised noise barriers around plant, or
- Duct silencers.

5.3 Car park

Car doors closing noise are short duration events and were therefore assessed against the L_{Amax} assigned noise level. Given the hours of operation, the L_{Amax} night-time assigned noise level of 57 dB is applicable. It is noted car doors closing are not considered to contain any annoying characteristics within the definition of the Regulations and therefore no penalties were included.

From *Table 4-3* the highest predicted car door noise is 54 dB L_{Amax} , which complies with the night-time assigned noise level.

6 CONCLUSIONS

Based on the noise modelling and the assessment carried out, the noise emissions from the proposed childcare centre to be located at #248 Camberwarra Drive can comply with the Regulations at all receivers based on the proposed design and the following operational practices:

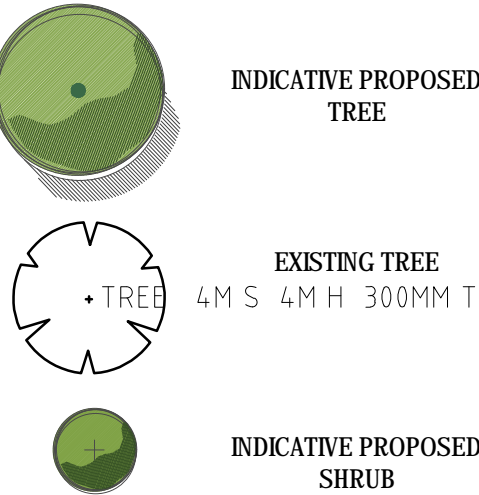
- Plan duration of play and stagger play times so that the oldest age groups i.e. groups 4 and 5, do not play simultaneously in the open for an extended period of time;
- The behaviour and 'style of play' of children should be monitored to prevent particularly loud activity e.g. loud banging/crashing of objects, 'group' shouts/yelling;
- Crying children should be taken inside to be comforted; and,
- No amplified music should be played outside.

Finally, it is noted the noise emissions from the mechanical plant and the recommendations within this report are based on preliminary information and assumptions from previous projects. These should therefore be reviewed once final equipment selection is available.

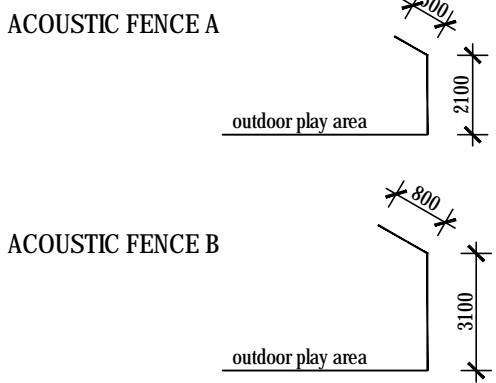
Appendix A

Site Plans

LEGEND



ACOUSTIC FENCE DETAIL



NOTE - ACOUSTIC FENCING TO FURTHER DESIGN OF ACOUSTIC ENGINEER

PARKING SCHEDULE

VISITOR PARKING	6 SPACES
STAFF PARKING	14 SPACES
ACCESSIBLE PARKING	1 SPACE
ON STREET PARKING	3 SPACES
TOTAL	24 SPACES

AREA SCHEDULE

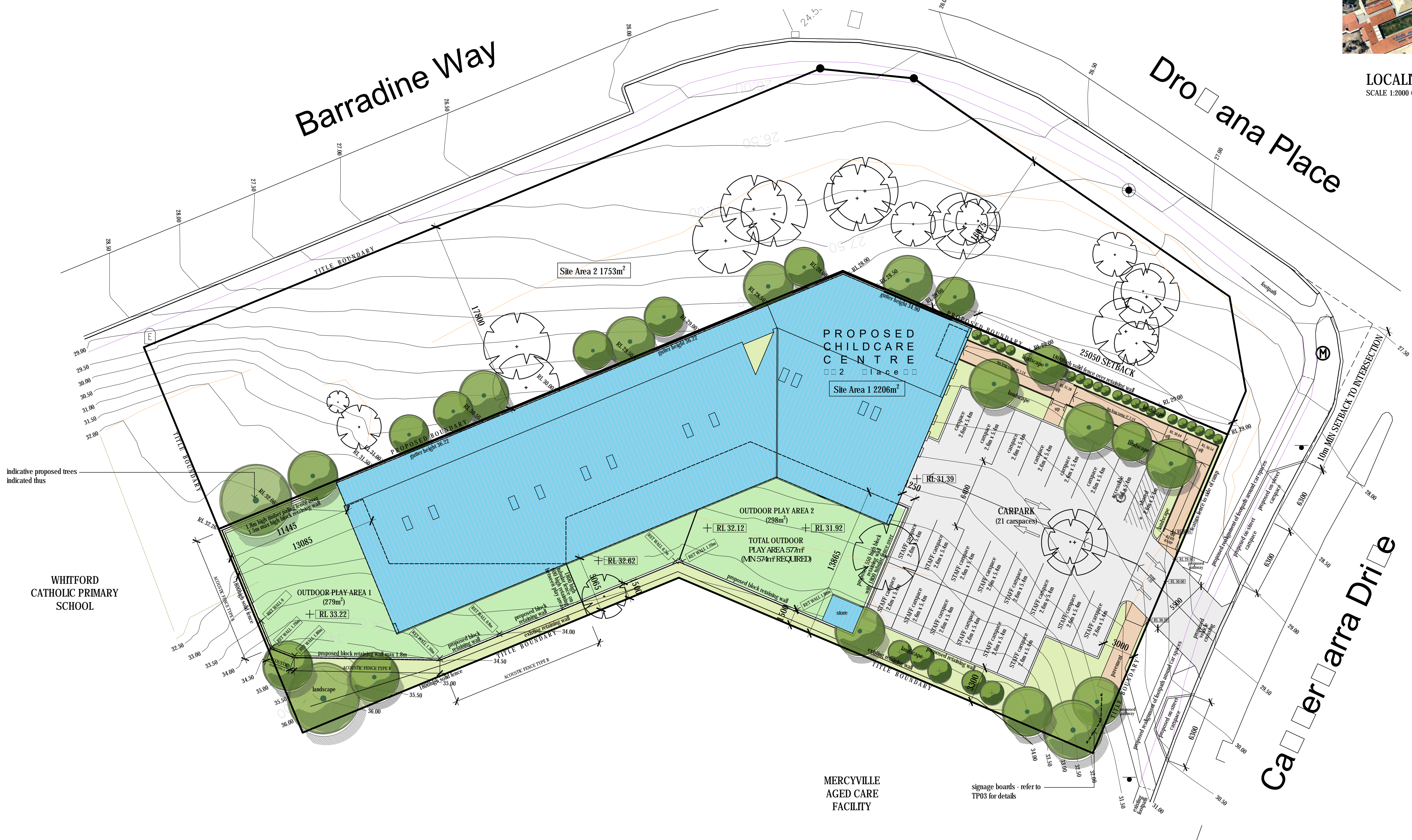
OVERALL SUBJECT SITE	3057m ²
DEVELOPMENT SITE	2206m ²
BUILDING FOOTPRINT	634m ² 31.0%
OUTDOOR STORE	7m ²
CARPARK/PAVING	570m ² 25.8%
LANDSCAPING/PLAYSCAPE	920m ² 43.3%

PROPOSED PLANTING PALETTE

BOTANICAL NAME	COMMON NAME
TREES/LARGE SHRUBS:	
BANKSIA ATTENUATA	CANDLE BANKSIA
CORYMBIA CITRIODORA	BABY CITRO
EUCALYPTUS TODDIANA	COASTAL BLACKBUTT
MELALEUCA PRESSIONA	STOUT PAPERBARK
SHRUBS:	
ACACIA CYCLOPS	RED EYE WATTLE
ACACIA SALICINA	ORANGE WATTLE
ALLOCASUARINA HUMILIS	DWARF SHEOAK
CAUSTEMON	KINGS PARK SPECIAL
HAKEA TRIFURCATA	TWO LEAF HAKEA
GRASSES/GROUND COVERS:	
ANGIOZANTHOS MANGLESII	KANGAROO PAW
HARDENBERGIA COMPTONIANA	NATIVE WISTERIA
ORTHROSANTHURUS LAXUS	MORNING IRIS
PATERSONIA OCCIDENTALIS	PURPLE FLAG



LOCALITY PLAN
SCALE 1:2000 @ A1



01 Site Context Plan 1:200 @ A1

Barradine Way



01 Floor Plan
- only part site plan

1:100 @ A1

CHILDCARE CENTRE			
GROUP 1	12 PLACES	3 STAFF	
GROUP 2	15 PLACES	3 STAFF	
GROUP 3	15 PLACES	2 STAFF	
GROUP 4	20 PLACES	2 STAFF	
GROUP 5	20 PLACES	2 STAFF	
TOTAL	82 PLACES	14 STAFF	

LEGEND

- INDICATIVE PROPOSED TREE
- EXISTING TREE 4M S 4M H 300MM T
- INDICATIVE PROPOSED SHRUBS
- UNENCUMBERED PLAYSPACE
- LANDSCAPING
- BUILDING AREA (DIFFERENT SHADINGS REPRESENT CHANGE IN LEVELS)
- CARPARK
- PAVING (FOR SIMILAR)

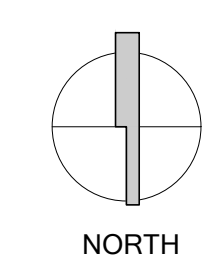
insite
ARCHITECTS

77 upper heidelberg road ivanhoe
p.o box 288 ivanhoe 3079
(03) 9499 8174
www.insitearchitects.com.au

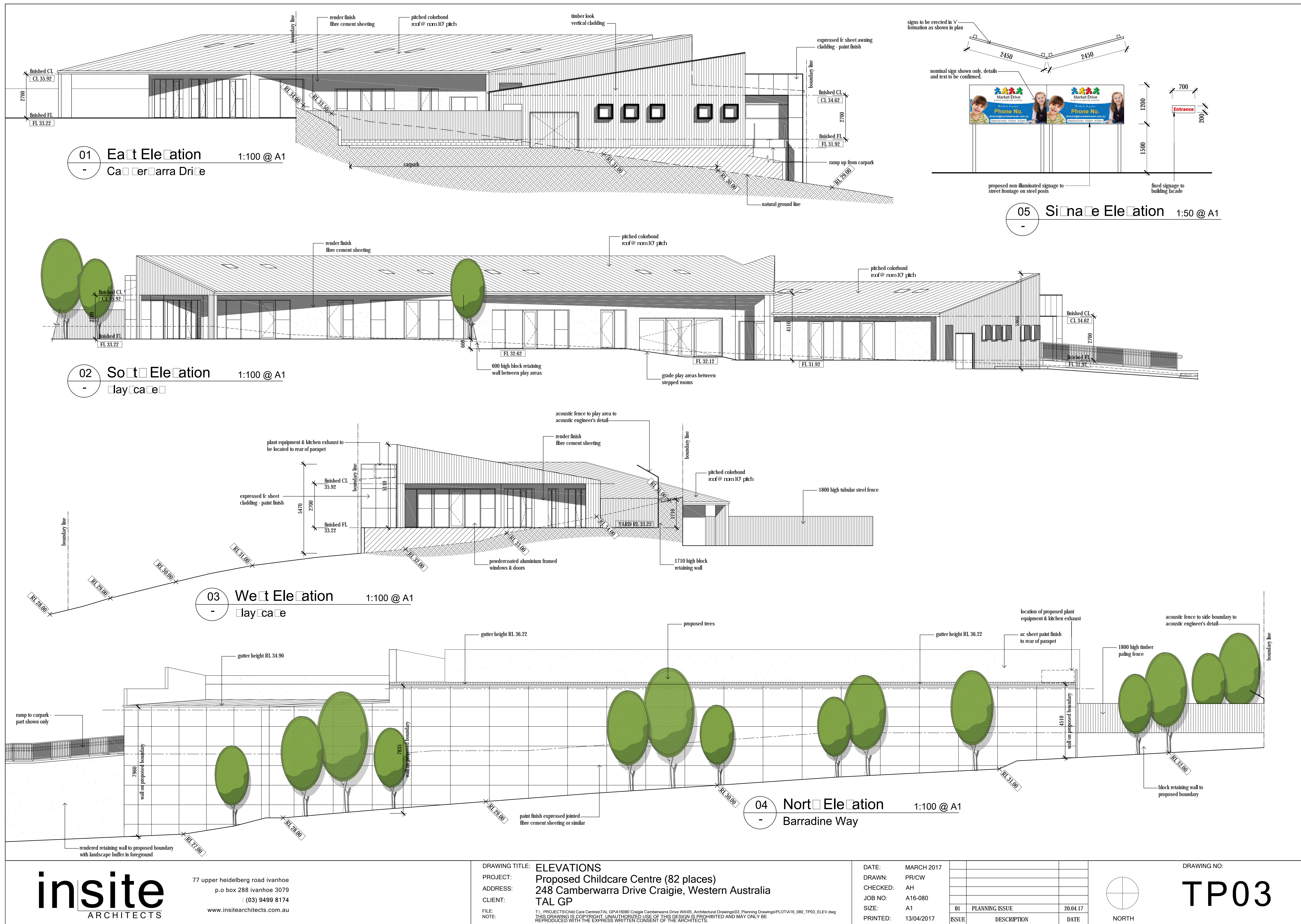
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PROJECT: Proposed Childcare Centre (82 places)
ADDRESS: 248 Camberwarra Drive Craigie, Western Australia
CLIENT: TAL GP
FILE: T:\PROJECTS\Child Care Central\TAL GPA16080 Craigie Camberwarra Drive WA\05 Architectural Drawings\03 Planning Drawings\LOT1A16_080_TP02_PLAN.dwg
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01	PLANNING ISSUE	20.04.17
ISSUE	DESCRIPTION	DATE



DRAWING NO:
TP02



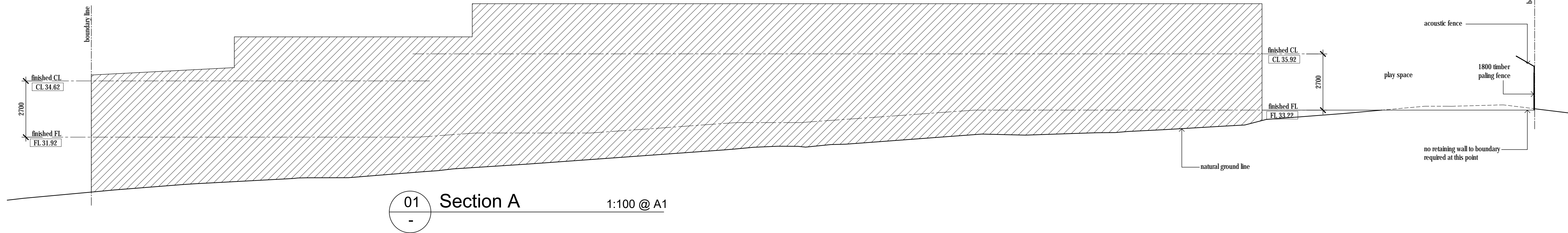
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- Camberwarra Drive
1:100 @ A1

02 South Elevation
- Playcare
1:100 @ A1

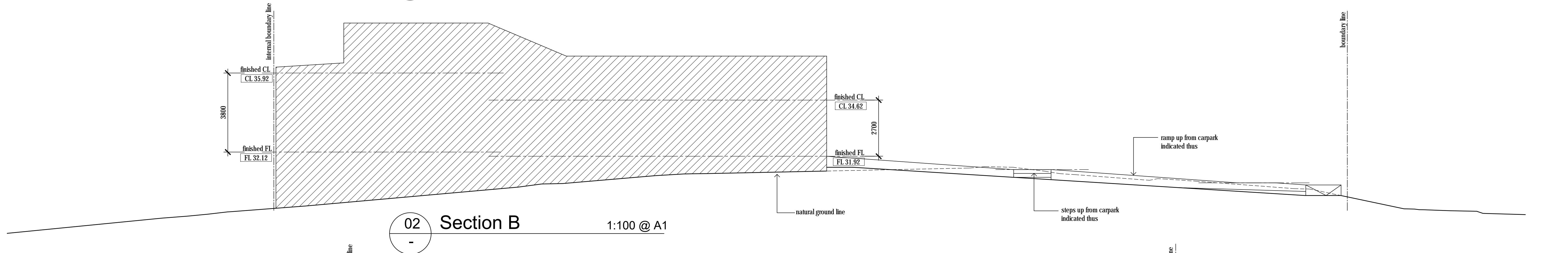
03 West Elevation
- Playcare
1:100 @ A1

04 North Elevation
- Barradine Way
1:100 @ A1

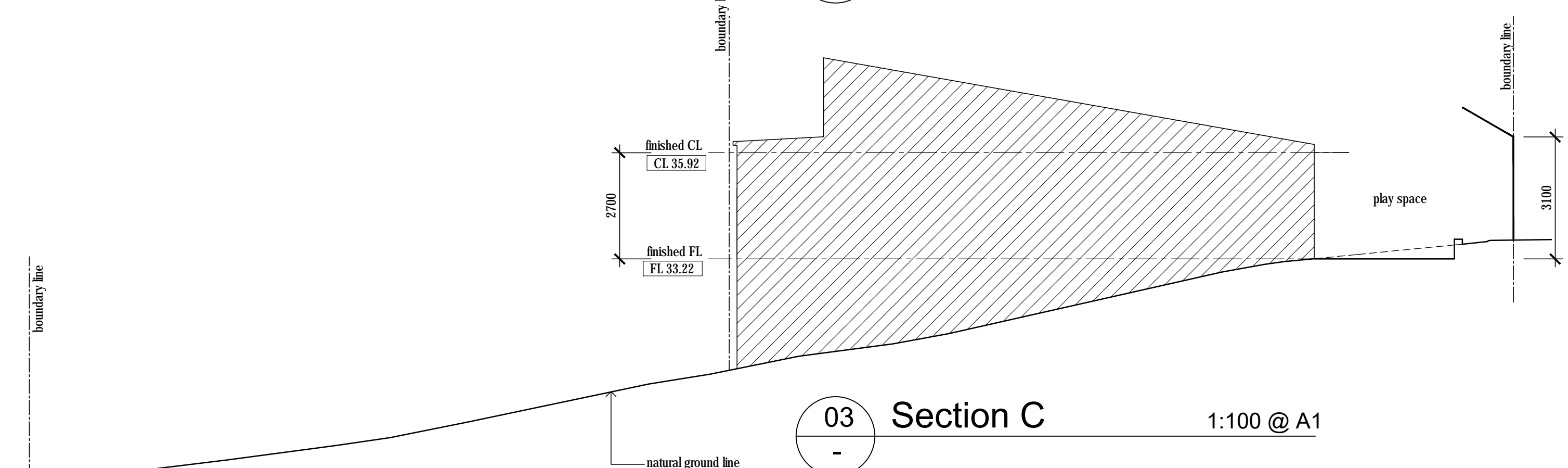
05 Signage Elevation
-
1:50 @ A1



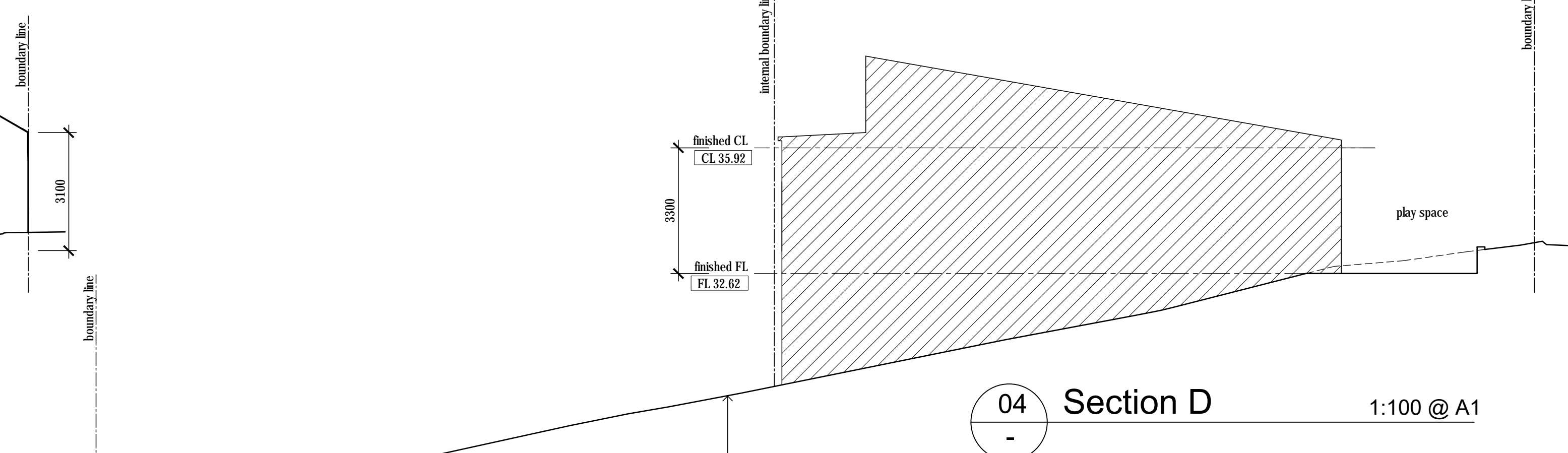
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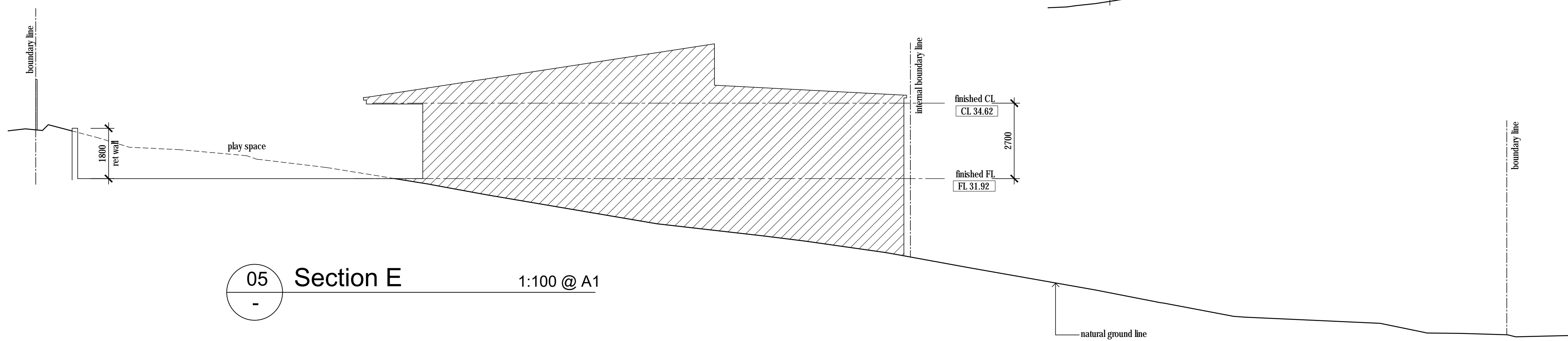
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- 1:100 @ A1



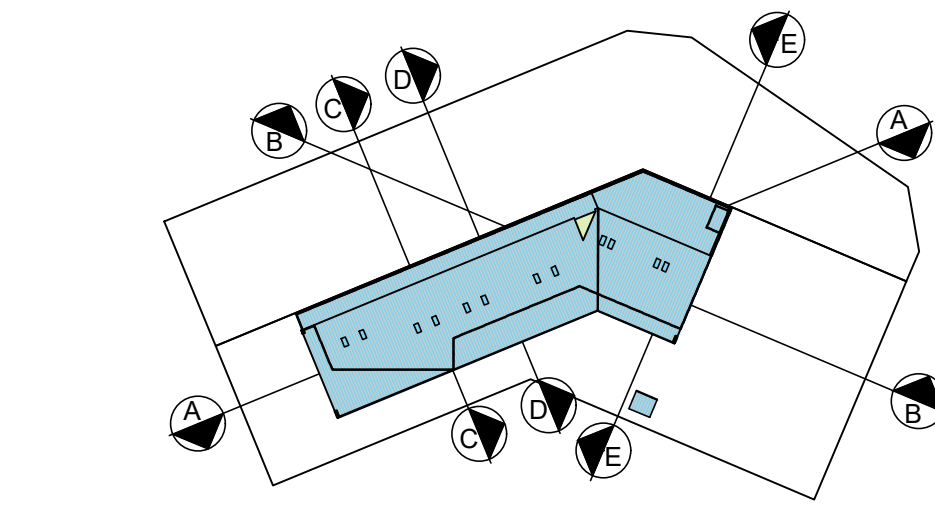
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04 Section D
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05 Section E
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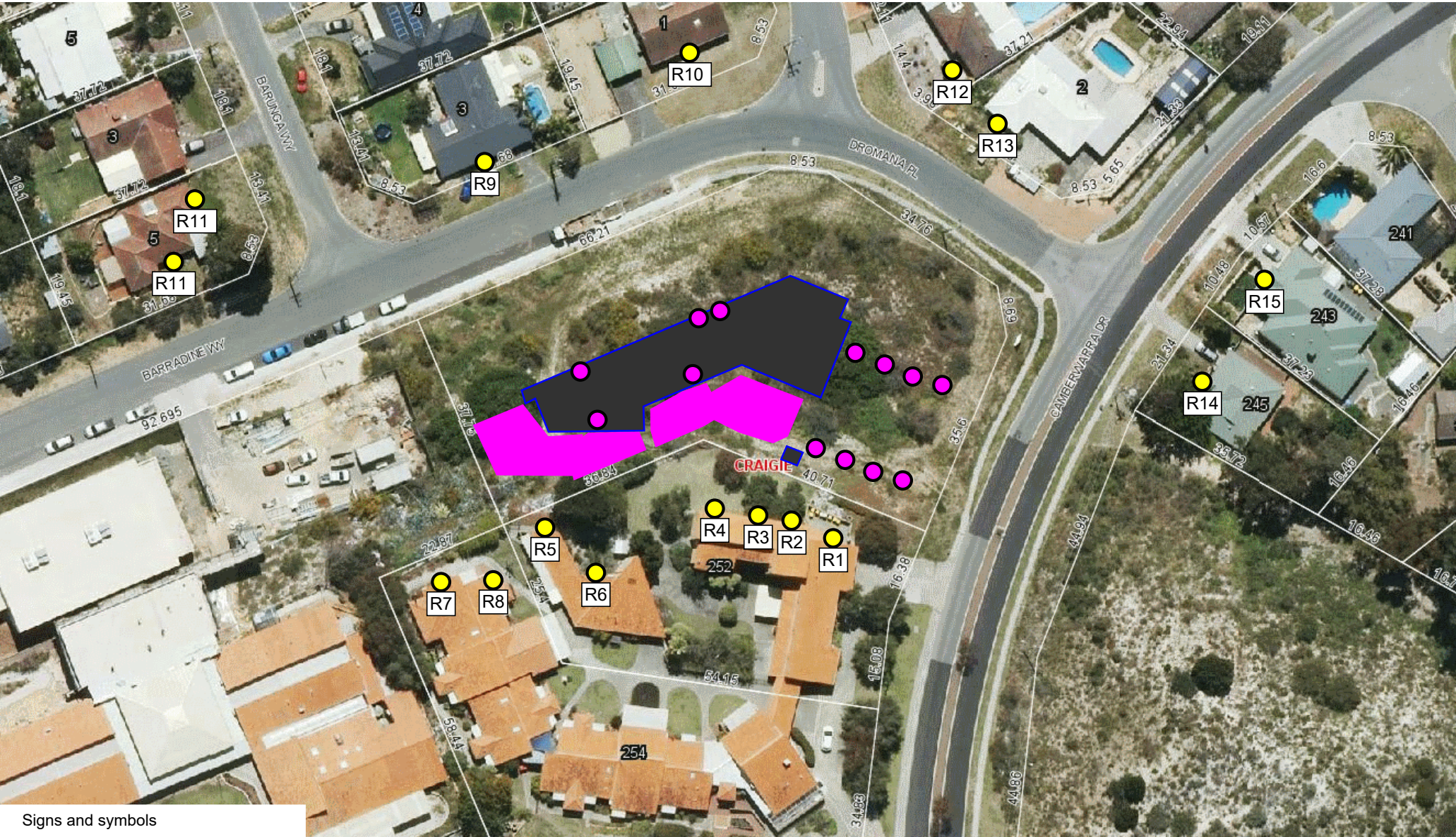


06 Key Plan
- 1:1000 @ A1

Appendix B

Noise Model Overview

Proposed Childcare Centre - Noise Model Overview
#248 Camberwarra Drive, Craigie



Signs and symbols

- Receiver
- Point Sources e.g. car doors, AC plant, etc.
- Site Outline
- Children Play Area



20 April 2017

Length Scale 1:904



Lloyd George Acoustics
by Olivier Mallé
olivier@lgacoustics.com.au
0439 987 455

Appendix C

Influencing Factor Map



City of
Joondalup

DISCLAIMER: While every care is taken to ensure the accuracy of this data, the City of Joondalup makes no representations or warranties about its accuracy, completeness or suitability for any particular purpose and disclaims all liability for all expenses, losses, damages and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

6/04/2017

1:6500



Appendix D

Terminology

The following is an explanation of the terminology used throughout this report.

Decibel (dB)

The decibel is the unit that describes the sound pressure and sound power levels of a noise source. It is a logarithmic scale referenced to the threshold of hearing.

A-Weighting

An A-weighted noise level has been filtered in such a way as to represent the way in which the human ear perceives sound. This weighting reflects the fact that the human ear is not as sensitive to lower frequencies as it is to higher frequencies. An A-weighted sound level is described as L_A dB.

Sound Power Level (L_w)

Under normal conditions, a given sound source will radiate the same amount of energy, irrespective of its surroundings, being the sound power level. This is similar to a 1kW electric heater always radiating 1kW of heat. The sound power level of a noise source cannot be directly measured using a sound level meter but is calculated based on measured sound pressure levels at known distances. Noise modelling incorporates source sound power levels as part of the input data.

Sound Pressure Level (L_p)

The sound pressure level of a noise source is dependent upon its surroundings, being influenced by distance, ground absorption, topography, meteorological conditions etc and is what the human ear actually hears. Using the electric heater analogy above, the heat will vary depending upon where the heater is located, just as the sound pressure level will vary depending on the surroundings. Noise modelling predicts the sound pressure level from the sound power levels taking into account ground absorption, barrier effects, distance etc.

L_{ASlow}

This is the noise level in decibels, obtained using the A frequency weighting and the S time weighting as specified in AS1259.1-1990. Unless assessing modulation, all measurements use the slow time weighting characteristic.

L_{AFast}

This is the noise level in decibels, obtained using the A frequency weighting and the F time weighting as specified in AS1259.1-1990. This is used when assessing the presence of modulation only.

L_{APeak}

This is the maximum reading in decibels using the A frequency weighting and P time weighting AS1259.1-1990.

L_{Amax}

An L_{Amax} level is the maximum A-weighted noise level during a particular measurement.

L_{A1}

An L_{A1} level is the A-weighted noise level which is exceeded for one percent of the measurement period and is considered to represent the average of the maximum noise levels measured.

L_{A10}

An L_{A10} level is the A-weighted noise level which is exceeded for 10 percent of the measurement period and is considered to represent the “intrusive” noise level.

L_{Aeq}

The equivalent steady state A-weighted sound level (“equal energy”) in decibels which, in a specified time period, contains the same acoustic energy as the time-varying level during the same period. It is considered to represent the “average” noise level.

L_{A90}

An L_{A90} level is the A-weighted noise level which is exceeded for 90 percent of the measurement period and is considered to represent the “background” noise level.

One-Third-Octave Band

Means a band of frequencies spanning one-third of an octave and having a centre frequency between 25 Hz and 20 000 Hz inclusive.

L_{Amax} assigned level

Means an assigned level which, measured as a $L_{A\ Slow}$ value, is not to be exceeded at any time.

L_{A1} assigned level

Means an assigned level which, measured as a $L_{A\ Slow}$ value, is not to be exceeded for more than 1% of the representative assessment period.

L_{A10} assigned level

Means an assigned level which, measured as a $L_{A\ Slow}$ value, is not to be exceeded for more than 10% of the representative assessment period.

Tonal Noise

A tonal noise source can be described as a source that has a distinctive noise emission in one or more frequencies. An example would be whining or droning. The quantitative definition of tonality is:

the presence in the noise emission of tonal characteristics where the difference between -

- (a) the A-weighted sound pressure level in any one-third octave band; and
- (b) the arithmetic average of the A-weighted sound pressure levels in the 2 adjacent one-third octave bands,

is greater than 3 dB when the sound pressure levels are determined as $L_{Aeq,T}$ levels where the time period T is greater than 10% of the representative assessment period, or greater than 8 dB at any time when the sound pressure levels are determined as $L_{A\ Slow}$ levels.

This is relatively common in most noise sources.

Modulating Noise

A modulating source is regular, cyclic and audible and is present for at least 10% of the measurement period. The quantitative definition of modulation is:

a variation in the emission of noise that —

- (a) is more than 3 dB $L_{A\ Fast}$ or is more than 3 dB $L_{A\ Fast}$ in any one-third octave band;
- (b) is present for at least 10% of the representative.

Impulsive Noise

An impulsive noise source has a short-term banging, clunking or explosive sound. The quantitative definition of impulsiveness is:

a variation in the emission of a noise where the difference between $L_{A \text{ peak}}$ and $L_{A \text{ Max slow}}$ is more than 15 dB when determined for a single representative event;

Major Road

Is a road with an estimated average daily traffic count of more than 15,000 vehicles.

Secondary / Minor Road

Is a road with an estimated average daily traffic count of between 6,000 and 15,000 vehicles.

Influencing Factor (IF)

$$= \frac{1}{10} (\% \text{ Type A}_{100} + \% \text{ Type A}_{450}) + \frac{1}{20} (\% \text{ Type B}_{100} + \% \text{ Type B}_{450})$$

where :

% Type A₁₀₀ = the percentage of industrial land within
a 100m radius of the premises receiving the noise

% Type A₄₅₀ = the percentage of industrial land within
a 450m radius of the premises receiving the noise

% Type B₁₀₀ = the percentage of commercial land within
a 100m radius of the premises receiving the noise

% Type B₄₅₀ = the percentage of commercial land within
a 450m radius of the premises receiving the noise

+ Traffic Factor (maximum of 6 dB)

= 2 for each secondary road within 100m

= 2 for each major road within 450m

= 6 for each major road within 100m

Representative Assessment Period

Means a period of time not less than 15 minutes, and not exceeding four hours, determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having regard to the type and nature of the noise emission.

Background Noise

Background noise or residual noise is the noise level from sources other than the source of concern. When measuring environmental noise, residual sound is often a problem. One reason is that regulations often require that the noise from different types of sources be dealt with separately. This separation, e.g. of traffic noise from industrial noise, is often difficult to accomplish in practice. Another reason is that the measurements are normally carried out outdoors. Wind-induced noise, directly on the microphone and indirectly on trees, buildings, etc., may also affect the result. The character of these noise sources can make it difficult or even impossible to carry out any corrections.

Ambient Noise

Means the level of noise from all sources, including background noise from near and far and the source of interest.

Specific Noise

Relates to the component of the ambient noise that is of interest. This can be referred to as the noise of concern or the noise of interest.

Peak Component Particle Velocity (PCPV)

The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and in one of the three orthogonal directions (x, y or z) measured as a peak response. Peak velocity is normally used for the assessment of structural damage from vibration.

Peak Particle Velocity (PPV)

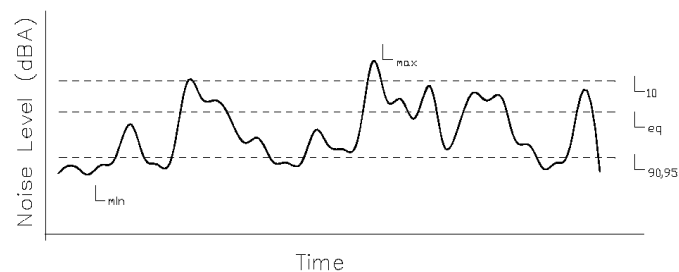
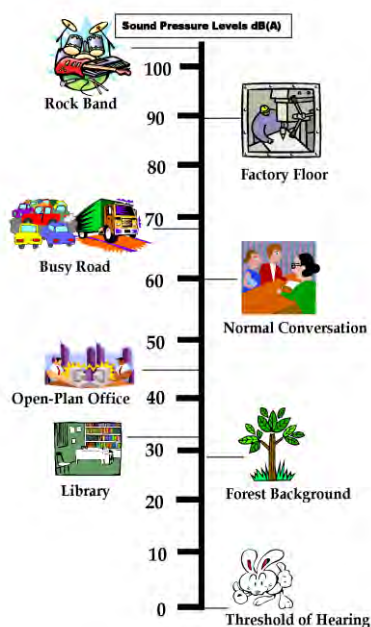
The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and is the vector sum of the PCPV for the x, y and z directions measured as a peak response. Peak velocity is normally used for the assessment of structural damage from vibration.

RMS Component Particle Velocity (PCPV)

The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and in one of the three orthogonal directions (x, y or z) measured as a root mean square (rms) response. RMS velocity is normally used for the assessment of human annoyance from vibration.

Peak Particle Velocity (PPV)

The maximum instantaneous velocity in mm/s of a particle at a point during a given time interval and is the vector sum of the PCPV for the x, y and z directions measured as a root mean square (rms) response. RMS velocity is normally used for the assessment of human annoyance from vibration.

Chart of Noise Level Descriptors**Typical Noise Levels**

Environmentally Sustainable Design – Checklist

Under the City's planning policy, *Environmentally Sustainable Design in the City of Joondalup*, the City encourages the integration of environmentally sustainable design principles into the construction of all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

Environmentally sustainable design is an approach that considers each building project from a 'whole-of-life' perspective, from the initial planning to eventual decommissioning. There are five fundamental principles of environmentally sustainable design, including: siting and structure design efficiency; energy efficiency; water efficiency; materials efficiency; and indoor air quality enhancement.

For detailed information on each of the items below, please refer to the *Your Home Technical Manual* at: www.yourhome.gov.au, and *Energy Smart Homes* at: www.clean.energy.wa.gov.au.

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

Siting and structure design efficiency

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

Does your development retain:

- ☐ existing vegetation; and/or
- ☐ natural landforms and topography

Does your development include:

- ☐ northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- ☐ passive shading of glass
- ☐ sufficient thermal mass in building materials for storing heat
- ☐ insulation and draught sealing
- ☐ floor plan zoning based on water and heating needs and the supply of hot water; and/or
- ☐ advanced glazing solutions

Energy efficiency

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- ☐ renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- ☐ low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- ☐ natural and/or fan forced ventilation

Water efficiency

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- ☐ water reuse system(s) (e.g. greywater reuse system); and/or
- ☐ rainwater tank(s)

Do you intend to incorporate into your development:

- ☐ water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

Materials efficiency

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- ☐ recycled materials (e.g. recycled timber, recycled metal, etc)
- ☐ rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
- ☐ recyclable materials (e.g. timber, glass, cork, etc)
- ☐ natural/living materials such as roof gardens and “green” or planted walls

Indoor air quality enhancement

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- ☐ low-VOC products (e.g. paints, adhesives, carpet, etc)

‘Green’ Rating

Has your proposed development been designed and assessed against a nationally recognised “green” rating tool?

- ☐ Yes
- ☐ No

If yes, please indicate which tool was used and what rating your building will achieve:

If yes, please attach appropriate documentation to demonstrate this assessment.

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.

Thank you for completing this checklist to ensure your application is processed as quickly as possible.

Applicant's Full Name: _____ Contact Number: _____

Applicant's Signature: _____ Date Submitted: _____

Accepting Officer's Signature: _____

Checklist Issued: March 2011