Metro Outer Joint Development Assessment Panel Agenda

Meeting Date and Time: Monday, 31 August 2020; 9:30am

Meeting Number:MOJDAP/33Meeting Venue:Via Zoom

To connect to the meeting via your computer - https://zoom.us/j/91673649986

To connect to the meeting via teleconference dial the following phone number - +61 8 7150 1149

Insert Meeting ID followed by the hash (#) key when prompted - 916 7364 9986

This DAP meeting will be conducted by electronic means open to the public rather than requiring attendance in person.

1 Table of Contents

1.	Opening of Meeting, Welcome and Acknowledgement	2
2.	Apologies	2
3.	Members on Leave of Absence	2
4.	Noting of Minutes	2
5.	Declarations of Due Consideration	3
6.	Disclosure of Interests	3
7.	Deputations and Presentations	3
8.	Form 1 – Responsible Authority Reports – DAP Applications	3
	8.1 Lots 208 and 207 (122 and 124) Coolibah Drive, Greenwood	3
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval	3
	9.1 Lot 649 (No. 98) O'Mara Boulevard, Iluka	3
10	State Administrative Tribunal Applications and Supreme Court Appea	ls 4
	Nil	4
11	General Business	4
12	Meeting Closure	4



Attendance

DAP Members

Mr Ian Birch (Presiding Member)
Ms Sheryl Chaffer (Deputy Presiding Member)
Mr Jason Hick (Third Specialist Member)
Cr Philippa Taylor (Local Government Member, City of Joondalup)
Cr Suzanne Thompson (Local Government Member, City of Joondalup)

Officers in attendance

Mr Jeremy Thompson (City of Joondalup) Mr Chris Leigh (City of Joondalup)

Minute Secretary

Ms Megan Ventris (DAP Secretariat)

Applicants and Submitters

Item 8.1 Mr Finn Smith (Planning Solutions) Mr Alessandro Stagno (Planning Solutions)

Item 9.1
Mr Reegan Cake (Dynamic Planning)

Members of the Public / Media

Nil

1. Opening of Meeting, Welcome and Acknowledgement

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

In response to the COVID-19 situation, this meeting is being conducted by electronic means open to the public. Members are reminded to announce their name and title prior to speaking.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

Signed minutes of previous meetings are available on the <u>DAP website</u>.



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

Nil.

7. Deputations and Presentations

The City of Joondalup may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Lots 208 and 207 (122 and 124) Coolibah Drive, Greenwood

Development Description: New Child Care Premises

Applicant: Planning Solutions

Owner: Lot 208: Kevin Robert Trill and Leanne Doreen

Trill

Lot 207: Jennifer Greathead and Curtis Daniel

Aspden

Responsible Authority: City of Joondalup DAP File No: DAP/20/01803

9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

9.1 Lot 649 (No. 98) O'Mara Boulevard, Iluka

Development Description: Commercial development.

Proposed Amendments: Change of use of tenancies 1 - 3 to 'Tavern'.

Applicant: Dynamic Planning & Developments

Owner: AGEM PG33 Pty Ltd atf AGEM PG Trust.

Responsible Authority: City of Joondalup DAP File No: DAP/18/01543



10 State Administrative Tribunal Applications and Supreme Court Appeals

Nil

Current SAT Applications								
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged				
DAP/19/01702 DR 049/2020	City of Swan	Lot 11, 152 & 153 Talbot Road, Hazelmere	Industrial Warehouse and Ancillary Uses	18/3/2020				
DAP/19/01708 DR 138/2020	City of Kwinana	Lot 108 Kwinana Beach Road, Kwinana	Proposed Bulk Liquid Storage for GrainCorp Liquid Terminals	1/7/2020				
DAP/19/01575 DR 256/2019	City of Armadale	Lot 9007 (76) Southampton Drive Piara Waters	Proposed Park Home Park	10/12/2019				

11 General Business

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.

12 Meeting Closure

Form 1 - Responsible Authority Report

(Regulation 12)

Property Location:	Lots 208 and 207 (122 and 124) Coolibah
	Drive, Greenwood
Development Description:	New Child Care Premises
DAP Name:	Metro Outer JDAP
Applicant:	Planning Solutions
Owner:	Lot 208: Kevin Robert Trill and Leanne
	Doreen Trill
	Lot 207: Jennifer Greathead and Curtis
	Daniel Aspden
Value of Development:	\$2.07 million
LG Reference:	DA20/0469
Responsible Authority:	City of Joondalup
Authorising Officer:	Dale Page
	Director Planning and Community
	Development
DAP File No:	DAP/20/01803
Report Due Date:	21 August 2020
Application Received Date:	29 May 2020
Application Process Days:	97 days
Attachment(s):	1: Location plan
	2: Development plans and elevations
	3: Perspective drawings
	4: Landscaping plan
	5: Transport Impact Statement
	6: Noise Impact Assessment
	7: Environmentally sustainable design
	checklist
	8: Waste Management Statement
	9: Applicant's planning report
	10: Applicant's response to submissions

Officer Recommendation:

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Approve** DAP Application reference DAP/20/01803 and accompanying plans (Attachment 2) in accordance with the Metropolitan Region Scheme, Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Joondalup *Local Planning Scheme No. 3*, subject to the following conditions:

Conditions

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.

- 2. This approval relates to the Child Care Premises and associated works only and development shall be in accordance with the approved plan(s), any other supporting information and conditions of approval. It does not relate to any other development on the lot.
- 3. The lots included shall be amalgamated prior to occupancy certification.
- 4. The hours of operation for the centre shall be not more than between 7:00am to 6.30pm Monday to Friday. Child Care Centre staff shall not arrive at the centre before 6:30am and be off site by 7:00pm.
- 5. A Noise Management Plan, addressing the impact of noise on surrounding properties is to be submitted to, and approved by the City prior to occupation of the development. The Noise Management Plan is to incorporate all recommendations of the Noise Impact Assessment dated 18 June 2020 (Attachment 6) and incorporate, but not be limited to, the following noise mitigation measures:
 - a maximum of 20 kindergarten-aged (three years old or above) children and a total of 55 children that can participate in outdoor play at any one time.
 - outdoor play time shall be staggered and not consist of the entire morning and / or afternoon (suggested duration would be two hours in the morning and two hours in the afternoon).
 - communication provided to parents to consider neighbours when dropping off and picking up children.
 - fixed hollow metal structures or equipment to be filled with sand or expanding foam.
 - staff not to call out to children across play areas.

Operation of the Child Care Premises shall then be carried out in accordance with the approved Noise Management Plan.

- 6. 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 Standards (AS2890), prior to the occupation of the development. These bays are to be thereafter maintained to the satisfaction of the City.
- 7. The car parking bays shall be marked and permanently set aside as indicated on the approved plans, to the satisfaction of the City.
- 8. The bicycle parking spaces shall be designed and installed in accordance with the Australian Standard for Off-street Car parking Bicycles (AS2890.3-1993), prior to occupation of the development and thereafter maintained to the satisfaction of the City.
- 9. A full schedule of colours and materials for all exterior parts to the building is to be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule to the satisfaction of the City.
- 10. A Waste Management Plan indicating the method of rubbish collection is to be submitted prior to the commencement of development and approved by the

City prior to the development first being occupied and thereafter implemented to the satisfaction of the City.

- 11. A Construction Management Plan being submitted and approved prior to the commencement of development. The management plan shall detail how it is proposed to manage:
 - all forward works for the site:
 - the delivery of materials and equipment to the site;
 - the storage of materials and equipment on the site;
 - the parking arrangements for the contractors and subcontractors;
 - the management of dust during the construction process;
 - other matters likely to impact on the surrounding properties

and works shall be undertaken in accordance with the approved Construction Management Plan.

- 12. 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:
 - Provide landscaping that discourages the parking of vehicles within the verge:
 - ii. Provide landscaping screening adjacent to the front boundary, of a sufficient height and density to reduce the visibility of the access ramping from Coolibah Drive:
 - iii. Provide details of the play equipment and shade structures within the outdoor play area, incorporating minimum concrete or brick paved areas;
 - iv. Provide all details relating to paving and treatment of verges;
 - 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.
- 13. 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.
- 14. All external fixtures and utilities (e.g. air conditioning units, piping, ducting and water tanks) shall be located so as to minimise any visual and noise impact on surrounding landowners, and screened from view from the street or integrated with the building design. This includes placement of the air conditioning units within the basement car park as indicated on the approved plans. Details shall be submitted to and approved by the City prior to the commencement of development.
- 15. The signage shall:
 - not be illuminated;

- not include fluorescent, reflective or retro reflective colours;
- be established and thereafter maintained of a high standard

to the satisfaction of the City.

- 16. All external walls of the proposed building shall be of a clean finish and shall at all times be free of vandalism, to the satisfaction of the City.
- 17. All stormwater shall be contained on-site and disposed of in a manner acceptable to the City.
- 18. Development shall be contained within the property boundaries.

Advice Notes

1. Further to condition 1, the City of Joondalup *Local Planning Scheme No.* 3 defines 'Child Care Premises' as:

"premises where:

- (a) an education and care service as defined in the Education and Care Services National Law (Western Australia) section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) a child care service as defined in the Child Services Act 2007 section 4 is provided."
- 2. The City encourages the applicant/owner to incorporate materials and colours to the external surface of the development, including roofing, that have low reflective characteristics to minimise potential glare from the development impacting the amenity of the adjoining or nearby neighbours.
- 3. Any existing infrastructure/assets within the road reserve (e.g. footpath, kerbing and street trees) are to be retained and protected during construction of the development and are not to be removed or altered. Should any infrastructure or assets be damaged during the construction of the development, it is required to be reinstated to the satisfaction of the City.
- 4. Bin store and wash down area to be provided with a hose cock and have a concrete floor graded to an industrial floor waste connected to sewer.
- Laundry to be provided with a floor waste in accordance with the City's Local Laws. In addition to having mechanical ventilation it is recommended that laundry areas be provided with condensation dryers to minimise the likelihood of mould occurring.
- 6. Ventilation to toilets and any other room which contains a w/c must comply with the Sewerage (Lighting, Ventilation and Construction) Regulations 1971.
- 7. Development to be set up and run in compliance with the *Food Act 2008* and the *Australia New Zealand Food Standards Code*. Consideration should be given to having adequate number of sinks in the main kitchen including a dedicated food preparation sink. The applicant is encouraged to send detailed kitchen fit out plans to the City's Health Services for comment prior to lodging a

certified building permit. For further information please contact Health & Environmental Services on 9400 4933.

Details: outline of development application

Zoning	MRS:	Urban
	TPS:	Residential
Use Class:		Child Care Premises
Strategy Policy:		Not applicable
Development Scheme:		City of Joondalup Local Planning Scheme No. 3
Lot Size:		1,464.5m ²
Existing Land Use:		Single House

The proposed development consists of the following:

- A split-level building designed with a residential character, incorporating pitched roof, entrance feature, feature brickwork and cladding.
- A Child Care Premises catering for 83 children and 16 staff.
- An undercroft car parking arrangement including 24 parking bays. Fourteen bays are provided for staff and 10 bays are provided for visitors. An open style sliding gate provides access from Coolibah Drive.
- Landscaping proposed forward of the building at ground level (including four eucalypt trees) and at the front of the outdoor play area located above the basement car park.

The development plans, building perspectives and landscaping concept plans are provided in Attachments 2, 3 and 4 respectively.

Background:

The applicant seeks approval for a Child Care Premises at Lots 108 and 107 (124 and 126) Coolibah Drive, Greenwood.

The subject site is zoned 'Residential' under the City's *Local Planning Scheme No.* 3 (LPS3), is located in Housing Opportunity Area 4 and is coded R20/40. The land use 'Child Care Premises' is a discretionary ("D") use within the 'Residential' zone under LPS3.

Both lots that collectively make up the subject site are currently developed with single storey dwellings. The subject site has a considerably sloping topography, increasing in height by 3.5 metres from the verge to the rear of the site. The finished floor levels of the existing dwellings are approximately two metres above the verge level.

The site is bound by single storey residential developments to the south and west, and consulting rooms to the north (Attachment 1 refers). The site to the east, 20 Kanangra Crescent is currently vacant, but received development (planning) approval for 12 single storey aged persons' dwellings in May 2020. Coolibah Plaza Shopping Centre is located 50 metres north of the subject site along Coolibah Drive and West Greenwood Primary School is located 40 metres to the south, also on Coolibah Drive.

Legislation and Policy:

- Planning and Development Act 2005.
- Metropolitan Region Scheme (MRS).
- Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).
- City of Joondalup Local Planning Scheme No. 3 (LPS3).

State Government Policies

• State Planning Policy 7.0: Design of the Built Environment (SPP7)

Local Policies

- Child Care Premises Local Planning Policy (LPP)
- Signs Policy

Consultation:

Public Consultation

The proposal was advertised for 14 days, commencing on 13 July 2020 and concluding on 27 July 2020. Consultation was undertaken in the following manner:

- letters sent directly to 24 surrounding landowners and occupiers;
- a sign erected on-site;
- development plans and information provided by the applicant were made available for public viewing on the City's website and at the City's Administration Building.

Fifteen submissions were received, with 14 of these opposing the development and one neutral. In addition, one submission in support of the application and one submission opposing the application were received after the close of consultation. The concerns raised in the submissions and the City's response are included in the table below.

The applicant's response to the issues raised during public consultation is provided as Attachment 10.

Issue Raised	Officer comment
Traffic	
Two schools are in the area already, which cause parking issues in the verge and blocking of driveways during peak times. A child care premises will exacerbate these existing issues.	The traffic impact from the proposal is not considered to detrimentally impact the area as discussed in the Officer Comment section below.
Transport Impact Statement is inaccurate as it fails to mention the school's pedestrian peak and assumes that 3 staff will use alternate modes of transport.	

The availability of free car parking will not be visible from the road.

There is no allowance within the road reserve for safe passing for vehicles turning into the child care centre.

<u>Developer's information</u>

The developer's report states that the site is directly opposite a school, which it isn't. The site is opposite housing.

The applicant's planning report cannot be trusted as it includes a disclaimer that provides no warranty on the information, it has been prepared on their client's instructions and they accept no liability.

The site is in close proximity to a school and shopping centre as outlined in the Background section of this report. However, it is noted that these facilities are not located directly opposite the site.

The planning report submitted by the applicant is reviewed by the City as part of the process but is not relied upon by the City to form its recommendation. An independent assessment of the proposal is undertaken by the City and its recommendation is based on the outcome of this assessment.

Parking

Fourteen car parking bays for 16 staff is insufficient.

Turning around in the underground car parking with a singular entry/exit will be chaotic.

The parking proposed is considered adequate for the development as discussed in the Officer Comment section below.

Noise

The noise will impact surrounding uses, including the chiropractic clinic.

Noise report does not present reasonable or practical mitigation options other than to take the children inside, which is unsatisfactory. Additionally, there is no mention of cars revving when leaving, or trucks idling.

The elevation of the building will allow noise to travel further. The noise report makes no mention of talking parents or children using the ramps at the building entry.

Limiting the number of children able to play in the outdoor area to comply with

The predicted noise generated from the development is considered acceptable subject to ongoing noise management and mitigation measures as discussed in the Officer Comments section below.

	T
noise lowers the standard of service to the children enrolled at the centre.	
Operating hours	
6:30am opening time is too early and will cause increased noise early in the morning.	The City recommends restricting the hours of operation to between 7.00am and 6:30pm for the reasons outlined in the Officer Comments section below.
Hardship selling adjacent properties	
The placement of a childcare centre directly next to an approved site for over 55's dwellings, will result in hardship in finding potential buyers for the approved dwellings.	The impact on sale of adjoining property is not a relevant planning matter. The approved over 55's development was taken into consideration through the assessment of the application. The Noise Impact Assessment submitted with the application included modelling of 20-22 Kanangra Crescent, including the future retaining walls and fences included in the approved over 55's development. Refer to the Officer Comments section below in relation to noise.
Demand	
An existing Nido Child Care Centre has recently opened at 20 Coolibah Drive. Another centre is unnecessary.	The perceived demand for a particular land use is not a valid planning consideration.
<u>Waste</u>	
Concern that if rubbish pickup is to occur when the centre is closed, then pickup will have to occur after hours. Concern regarding smell from bins if collection is only occurring weekly.	The proposed method of waste collection by a low entry vehicle entering the site is considered appropriate as discussed in the Officer Comments section below.
Safety	
The child care centre will be unsafe for pedestrians using the surrounding path network and for people utilising the disabled parking bay onsite, having to exit via the sliding gate.	There is a separate access point from the basement car park that connects with the footpath and ramped entry to the building, which avoids use of the main vehicle access point for pedestrians.
Privacy	
Reduced privacy for adjacent and rear	The setbacks of the development meet

neighbours as well as overlooking into properties on the opposite side of Coolibah Drive.	the required setbacks under the Residential Design Codes in relation to visual privacy.
Design	
The design of the development does not fit with the surrounding area.	The Joondalup Design Reference Panel has reviewed the proposal and is generally supportive of the built form as
Limited shading (other than eaves) in the summer months for the children.	discussed in the Officer Comments section below.
Building height	
Ground level is going to be increased with the roof pitch towering above current buildings.	The proposed building height is not considered to detrimentally impact the area as discussed in the Officer Comment section below.
Concerns with the height of the retaining wall at the rear of the development.	
Land use	
It was never envisaged that a child care centre would be developed in this residential space abutting a chiropractor clinic and over 55s development.	The LPP allows for placement of a Child Care Premises adjacent to commercial uses within the Residential zone, including consulting rooms. The Child Care Premises is considered compatible
The building at 126 Coolibah Drive, should be regarded as a residential property as it is zoned 'Residential' and could be redeveloped in the future.	with the surrounding land uses as discussed in the Officer Comment section below.
Method of consultation	
Consultation was conducted during the school holiday period, likely resulting in fewer objections being raised.	Consultation was undertaken in accordance with the City's <i>Planning Consultation Local Planning Policy</i> .
The nearby primary school was not approached for comment prior to this occurring.	The timing of consultation, some of which occurred during the school holidays, was undertaken in order to meet statutory timeframes associated with the JDAP process.

Joondalup Design Reference Panel

The proposal was referred to the Joondalup Design Reference Panel (JDRP) on 17 June 2020.

The following table summarises comments made by the JDRP and a summary of the applicant's response.

JDRP comments	Summary of applicant's response
Building design	
The bulkiness of the ramps and stairs raises concern, and consideration should be given to reducing the level of the building so the pedestrian ramps etc are not so impactful.	Building bulk The bulk and scale of the proposed development is sympathetic to the surrounding properties. The proposed building height and setbacks at the rear of the property (western elevation) are compliant, therefore building bulk is not expected to be an issue. The bulk of the proposed early learning centre is unlikely to impact the adjoining rear property, noting substantial trees and vegetation located in the adjoining property will obscure the proposed development. Additionally, the level differences and boundary fence will further act to significantly screen the building from the adjoining rear property. Access ramps Due to the sloped topography of the subject site the split-level building format and design allows for the integration of the proposed development with the existing site levels. This approach facilitates stepped ramping and stairs that follow the contours of the land within the front setback area and provide the site with universal access. Approximately 37.31m² of landscaping, including four large eucalyptus trees and several medium level shrubs and hedges, have been provided to soften the visual impact and perceived bulk of the access ramp and stairs from the street frontage. Based on the above, the perceived bulkiness of the proposed early learning centre is not considered to be an issue for the adjoining property to the rear of the subject site or from the streetscape.
Investigation should be undertaken into a traffic management system that could be installed to notify incoming vehicles when the car park was full.	The Transport Impact Statement (TIS) prepared by GTA Consultants demonstrates that the proposed provision of parking will sufficiently cater for the needs of the facility, noting the provision of ten visitor bays, 14 staff bays and six bicycle parking bays.
Minimal detail on the design of the outdoor area has been provided in relation to equipment and shade structures.	Indicatively, the outdoor play areas will contain various recreational facilities, play equipment, high-quality soft and hard landscaping, shade structures and specialised areas for the education of children. The outdoor play area is required to meet a high level of standards under the National Childcare Legislation in order for the facility to obtain the necessary licences. Further details regarding the design and location of the recreational facilities and play equipment will be dealt

JDRP comments	Summary of applicant's response
	with at the detailed design stage of the development, which generally occurs post-approval.
There is potential for climbing plants on the car park grill.	To further enhance the visual amenity of the facility from Coolibah Drive, an additional 7.6m² of landscaping has been incorporated into the outdoor play area above the entrance to the undercroft parking area. The project designer considered the provision of climbing plants on the open fencing to the undercroft car park. The existing provision of landscaping has been deliberately designed to screen the access ramp within the front setback area as well as the southern 14.46m of the 21.72m long open style car parking fencing.
Treating the verge with planting is preferred instead of grass.	Verge planting is not considered necessary as the subject site contains significant planting. Furthermore, the verge will be reinstated with turf which is an enhancement on its current condition.
The purpose of the stairs connecting the car park to the outdoor play area is unclear. If the purpose is to provide a fire escape, then the gate needs to open in the opposite direction.	Advice has been received from a building surveyor, confirming that the proposed fire escape gate is compliant with the relevant requirements of AS1926.1.
The importance of landscaping was highlighted to soften the impact of the ramps and provide some shading and would be of benefit in times of inclement weather.	The proposed development comprises 376.44m² of landscaping which accounts for 25.73% of the subject site. This is 17.73% more than required by policy. Of this landscaping, approximately 37.31m² has been provided to obscure the perceived bulk of the access ramp and stairs and ultimately soften the visual impact from the street frontage.
Rear neighbours may be impacted by noise from the centre which could possibly be managed by planting hedges or some other plants to soften or lessen the impact.	The proposed development is supported by an acoustic assessment prepared by Lloyd George Acoustics, which demonstrates compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> . The outdoor play area adjoining the rear property at 26 Kanangra Crescent is designated for use by babies (0-2 years). As outlined in the acoustic assessment prepared by Lloyd George Acoustics, babies produce the least amount of noise and it is not anticipated to have an undue impact on the adjoining property. We explored the option of providing additional planting along the rear boundary to create the perception of a buffer and note the following: • Hedges and planting have not been demonstrated to mitigate noise impacts, instead they act to create the perception of a buffer.

JDRP comments	Summary of applicant's response			
	As outlined above, 26 Kanangra Crescent currently contains extensive vegetation that screens the western boundary of the subject site. This would effectively obscure any additional landscaping provided on the shared boundary of the subject site.			
The sliding gate to the car park may impact access to the car park during	The sliding gate to the car park will remain open during peak drop off and pick up periods and then closed during the day.			
busy periods.	This is an operational matter. Notwithstanding, the sliding gate to the carpark will be open and accessible to patrons.			

Whilst the majority of concerns raised by the JDRP have been satisfied, the City considers that there are some issues that are not fully addressed which are discussed below:

• Concern was raised regarding the visual impact of the access ramps at the front of the building. In response to this, additional landscaping has been added to the outdoor play area and in front of the ramps forward of the building. Whilst the increase in landscaping is acknowledged, the level of landscaping treatment proposed is not considered adequate in proportion to the amount of ramping required to navigate the 1.8 metre high level difference.

Ideally a reduction in the finished floor level, as suggested by the JDRP, or increased street setbacks would be a better design outcome for the universal access ramping, allowing for better integration between the entry and landscaped areas. However, given there is space available for soft landscaping in front of the ramping, it is considered that if a higher degree of landscape screening of the ramps could be provided, the visual impact of the ramping will be mitigated.

If the application is approved the City recommends that a condition is imposed requiring increased landscaping in front of the ramping to mitigate its visual impact.

 Turf landscaping as an extensive verge treatment is not permitted for Child Care Premises, as the LPP requires verge landscaping to discourage it from being used as car parking. Turf, as proposed by the applicant, is not considered to meet the LPP requirement.

If the application is approved the City recommends that a condition is imposed requiring a detailed landscaping plan to be prepared by the applicant and approved by the City. It is further recommended that this condition specifically requires that landscaping is designed to discourage vehicles parking on the verge.

The City investigated the potential for a system to notify visitors when the car
park is full. It is considered that the installation of such a system for this scale
of development is excessive and to impose such a requirement would be

unreasonable, given it has not been required for Child Care Premises developments of a similar scale within the City.

 Indication of the extent of shade and play equipment proposed within the outdoor play area.

If the application is approved the City recommends that a condition is imposed requiring a detailed landscaping plan to be prepared by the applicant and approved by the City. It is further recommended that this condition specifically provides details of the play equipment and shade structures provided within outdoor play areas and notes that concrete and brick paved areas are to be minimised.

Based on the additional information provided by the applicant, along with investigations undertaken by the City and recommended conditions, it is considered that the comments and recommendations of the JDRP have been adequately addressed.

Planning Assessment:

The City has completed an assessment of the proposal against the relevant provisions of the Regulations, LPS3, the City's *Signs Policy* and the City's *Child Care Premises Local Planning Policy*.

The key areas of assessment are provided under Officer Comments below.

Officer Comments

Land Use

The subject site is zoned 'Residential' under the City's *Local Planning Scheme No. 3* (LPS3), is located in Housing Opportunity Area 4 and is coded R20/40.

The land use 'Child Care Premises' is a discretionary ("D") use in the 'Residential' zone under LPS3.

The relevant objective of the Residential zone under LPS3 is to provide for a range of non-residential uses, which are compatible with and complementary to residential development.

The Child Care Premises Local Planning Policy (LPP) sets out further locational requirements. The LPP states that, where possible, it is preferred to locate child care premises next to non-residential uses to minimise the impact such centres will have on the amenity of residential areas. The LPP also states that child care premises should also be located on local distributor roads, given they are reasonably high traffic-generators.

Coolibah Drive is designated as a Local Distributor road and as such this policy requirement is met. The subject site is bound by consulting rooms to the north, with West Greenwood Primary School and Coolibah Plaza Shopping Centre also located within 50 metres of the subject site. Whilst the proposed child care premises does

abut some residential properties, it is considered the potential amenity impacts have been addressed and can be sufficiently managed, as discussed further below.

Car Parking

The LPP requires a total of 27 bays with 16 allocated to staff and 11 for visitors. The proposal includes a total of 24 bays resulting in a 3 bay shortfall.

Of the 24 bays proposed, 14 are allocated to staff with 10 bays (including a universal access bay) accessible to visitors. The applicant has provided a Transport Impact Statement (TIS) with the application which makes recommendations on the projected demand for car parking based on:

- The childcare is within walking distance of the nearby West Greenwood Primary School.
- Available census data for mode of transport for employment.
- Data obtained by the transport consultant regarding rate of trips per child during peak hour times.

The TIS recommends that, based on the maximum number of trips to the child care premises expected during peak periods, a total of 24 car parking bays is required comprising:

- Seven short term drop off bays (for dedicated use by parents);
- Sixteen longer term bays available to staff and/or visitors (including 3 tandem bays); and
- One universal access bay.

The proposal includes the recommended 24 bays, including:

- Seven bays dedicated to visitor parking;
- Fourteen bays dedicated to staff parking (including three bays in tandem);
- Two unmarked bays which can be utilised by staff or visitors; and,
- A universal access bay.

The City's technical officers have reviewed the TIS and agree with the recommendations relating to the number of parking bays and the parking arrangement provided.

Traffic

A Transport Impact Statement (TIS) was provided as part of the application (Attachment 5 refers) demonstrating that the additional traffic generated by the development can be adequately accommodated within the existing road network.

The TIS included modelling of the predicted increase in traffic flow into and out of the centre during both the morning and afternoon peak hour periods (9am and 3pm).

There are no set start or finish times for a child care premises (other than its operating hours) and, as such, the staggered nature of vehicles visiting the site during peak hours would result in a total increase to the traffic flow along Coolibah

Drive of 69 vehicles during the morning peak and 68 vehicles during the afternoon peak.

The WAPC *Transport Impact Assessment Guidelines* outline that a detailed Transport Impact Assessment is required where a development has the potential to have a 'moderate' impact of the existing transport network, which would equate to a traffic increase of 100 vehicles per hour for any lane. As the proposed development is predicted to result in a maximum increase of 69 vehicles during peak hours, the development does not meet the threshold for requiring a more detailed Transport Impact Assessment.

The City's technical officers have reviewed the Transport Impact Statement and agree with the recommendations relating to the impact of traffic. It is therefore considered that the additional traffic generated by the development will not have a material impact on the existing road network and is considered appropriate.

Building setbacks

The LPP requires street and lot boundary setbacks to be in accordance with the Residential Design Codes (R-Codes), except for requiring an average street setback of four metres for areas coded higher than R30, whereas the R-Codes allow for lesser setbacks at higher density codes. The development complies with this requirement, proposing a minimum street setback of 4.05 metres to the outdoor play area.

The side setbacks of the building meet the setback requirements of the R-Codes, except for a corner of the laundry as well as the setback of retaining walls associated with the development.

The R-Codes require a setback of 1.7 metres from the laundry wall to the southern boundary whereas a setback of 1.5 metres is proposed. Due to the angle of the boundary, the majority of the building meets or exceeds the setback requirement, except for a 0.7 metre long section of wall, being the corner of the laundry. It is noted that this portion of wall is not located adjacent to the windows of the neighbouring dwelling which are highlighted on the site survey (Attachment 2 refers).

Given that the reduced setback applies to a small section of wall, and on average exceeds the setback requirements, the building setbacks to the southern boundary are considered appropriate in this instance.

The R-Codes require retaining walls greater than 0.5 metres in height as measured from natural ground level, to be set back from lot boundaries. In this instance, the application proposes retaining walls that are 1 metre high along the southern boundary and 1.2 metres high along the northern boundary. Both retaining walls are located on the boundary, whereas the R-Codes require a 1.5 metre setback. Further retaining is proposed along the rear (western) boundary; however, this retaining is to support cutting into the site and therefore has no height above natural ground level and therefore is not required to be setback from the boundary.

Southern retaining wall

The retaining along the southern boundary is generally 0.8 metres in height, which, in the context of the scale of development, is considered minor. The section of retaining exceeding this, to a height of 1 metre, relates to a 4.8 metre length of terracing at the

front of the building required to accommodate the universal access ramping. Given the relatively short length and the stepped nature of the walls at this point, the retaining is not considered to detrimentally effect the neighbouring residential property and is therefore considered to be appropriate.

Northern retaining wall

A 9.8 metre long retaining wall, to a height of 1.2 metres, is proposed to the middle/rear of the subject site along the northern boundary. This retaining wall accommodates the level transition between the basement level car park and the outdoor play area on the northern side of the site. It is noted that the property to the north is also a commercial use (consulting rooms), with windows to a staff lunchroom and one of the consulting rooms facing the retaining wall. There is a separation distance of four metres between these windows and the proposed retaining wall, with existing vegetation on the neighbouring property also providing some screening of the wall. For these reasons and, given the overall level of fill is minimised through the split-level design, the height of the retaining wall is considered to be appropriate.

Hours of operation

The LPP permits opening hours between 7:00am and 6:00pm weekdays and 8:00am and 1:00pm Saturdays. The application proposes opening hours of 6:30am to 6:30pm weekdays only and closure on weekends. The earlier opening time is proposed to allow for earlier drop off of children with child's play outside proposed to be restricted before 7:00am.

Concerns were raised through the consultation period regarding the earlier opening time of 6:30am, and the potential for this to have an impact on the amenity of neighbouring properties regarding noise associated with parents and children arriving at the site. The City considers that staff arriving before 7:00am is reasonable as there is a lesser likelihood of noise disturbances occurring.

For this reason, it is recommended a condition of approval is applied to restrict the opening time to 7:00am, consistent with the LPP.

Noise

Concerns were raised during the consultation period regarding increased noise as a result of the child care premises. The applicant submitted an Environmental Noise Assessment (ENA) as part of the application, demonstrating that the development can meet the requirements of the *Environmental Protection (Noise) Regulations 1997* which require the centre to operate within a noise limit of 48dB. The ENA includes the following noise mitigation measures which are required to ensure that the centre operates within this limit:

- Staggered play times.
- A maximum of 55 children participating in outdoor play at any one time. Of the 55 children permitted for outdoor play, only 20 are permitted to be kindergarten-aged (three years or older).
- No amplified music outside.
- Soft finishes to be favoured in the outdoor play area to minimise impact noise.
- Air conditioning units to be located in the basement car park.

Whilst the above are generally satisfactory, there is not a clear 'recommendations' section in the report that could be easily followed by a future operator of the child care premises.

Additionally, through assessment of the ENA and from experience in managing noise related to other child care centres, the City has identified additional measures that are considered necessary to mitigate noise impacts, including that any fixed hollow metal structures or equipment is filled with sand or expanding foam.

A condition of approval is recommended requiring a noise management plan to be prepared to ensure that all necessary mitigation measures are outlined and implemented by the future operators of the premises.

Building Height

The LPP permits a maximum wall height of six metres and maximum roof pitch of nine metres. The application proposes an overall wall height of 6.557 metres and roof pitch of 6.927 metres above natural ground level. The development is single storey with typical wall heights measuring 2.7 metres above floor level. The proposed maximum wall height of 6.557 metres relates to the entry feature which, due to the higher eaves and gable end wall, exceed the height requirements.

Noting that this section of the building occurs centrally within the site and therefore is well set back from surrounding properties and acts as the building's feature entry, the increased building height is considered acceptable.

Waste

The applicant provided a Waste Management Statement (WMS) as part of the application (Attachment 8 refers). Waste collection is proposed to be undertaken onsite via private collection from the basement car park. The floor to ceiling clearance of the basement car park has been designed to accommodate a vehicle capable of manoeuvring in and out of the car park to access the bin store.

The City has reviewed the method of waste storage and collection proposed and is generally satisfied. Additional details regarding waste pickup times and number/type of bins need to be confirmed, however it is appropriate this level of detail is addressed as part of a Waste Management Plan, as recommended by the City.

Signage

The City of Joondalup *Signs Policy* permits a wall sign of 1.2m² for a non-residential building in the 'Residential' zone. The proposal includes a wall sign of 1.8m² located above the pedestrian entry to the building, displaying the name and logo of the business.

Given the development occurs over two lots, the size of the sign is considered proportionate to the size of the building. The development has also been designed with a higher roof pitch directly above the entry point, for the purpose of accommodating the signage, which ensures that the sign is integrated with the building design.

It is considered that the proposed size of the signage will not have a detrimental impact on the amenity of the streetscape or neighbouring properties and meets the objectives of the *Signs Policy*.

Landscaping

The development proposal generally satisfies the landscaping requirements of the LPP which requires a minimum of 8% of the total site area being provided as landscaping and that a 1.5 metre wide landscaping strip is provided adjacent to street verges.

The proposal includes a total of 25.73% of the site as landscaping and a continuous landscaping strip adjoining the verge measuring between 1.5 metres and two metres in width.

The level of landscaping proposed as shown on the landscaping plan is supported; however, further detail on how the ramping at the front of the building will be screened, as well as landscape design within the outdoor play area; including shade structures, play equipment and floor finishes, is required.

Given the above, it is recommended that a condition be included that requires the provision of a detailed landscaping plan for the City to review and approve prior to commencement of development addressing the above.

Options/Alternatives:

In accordance with clause 17(4) of the Regulations, the JDAP may determine an application by either approving the application with or without conditions or refusing the application.

As a result, the JDAP can amend or delete the conditions of approval recommended by the City and/or include additional conditions of approval should they be considered necessary to ensure the proposal complies with the relevant planning framework.

Should the JDAP resolve to refuse the application, this determination needs to be made based on valid planning considerations as outlined under clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and as set out in the *Development Assessment Panel Practice Notes: Making Good Planning Decisions*.

However, as outlined in the Planning Assessment and Officer Comments sections above, the City considers that the development meets the relevant provisions and/or objectives of the applicable planning framework and the application is therefore recommended for approval.

If the applicant is aggrieved by the decision or any aspect of the decision, the applicant has a right of review in accordance with the *State Administrative Tribunal Act 2004* and the *Planning and Development Act 2005*.

Council Recommendation:

Not applicable.

Conclusion:

The proposed child care premises is considered to meet the requirements of LPS3 and relevant planning policies, with the exception of those aspects outlined above. The City is satisfied that the child care premises within the 'Residential' zone is appropriate with impacts relating to car parking, traffic and noise able to be appropriately managed.

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





87-89 Guthrie Street, Osborne Park, Western Australia

SITE DEMO PLAN

Telephone: (08) 9446 7361 Facsimile: (08) 9445 2998 Email: perth@cottage.com.au Website: www.cottage.com.au J/N: DATE: SCALE: DRAWN: 466123 26 Feb 20 1:200 Weightman

DISCLAIMER:
Lot boundaries drawn on survey are
based on landgate plan only. Survey does not
include title search and as such may not show
easements or other interests not shown on plan.
Title should be checked to verify all lot details
and for any easements or other interests which
may affect building on the property. ▲ DISCLAIMER: DISCLAIMER:

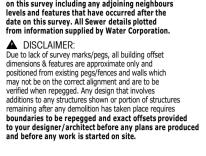
Survey does not include verification of cadastral boundaries. All features and levels shown are based on orientation to existing pegs and fences only which may not be on correct cadastral alignmen Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true boundary.

DISCLAIMER:
Survey shows visible features only and will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal and mains services

▲ DISCLAIMER:
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbours levels and features that have occurred after the date on this survey. All Sewer details plotted from information supplied by Water Corporation.

DISOLATIVIEY.

Due to lack of survey marks/pegs, all building offset dimensions & features are approximate only and positioned from existing pegs/fences and walls which may not be on the correct alignment and are to be verified when repegged. Any design that involves additions to any structures shown or portion of structures additions are the properties.

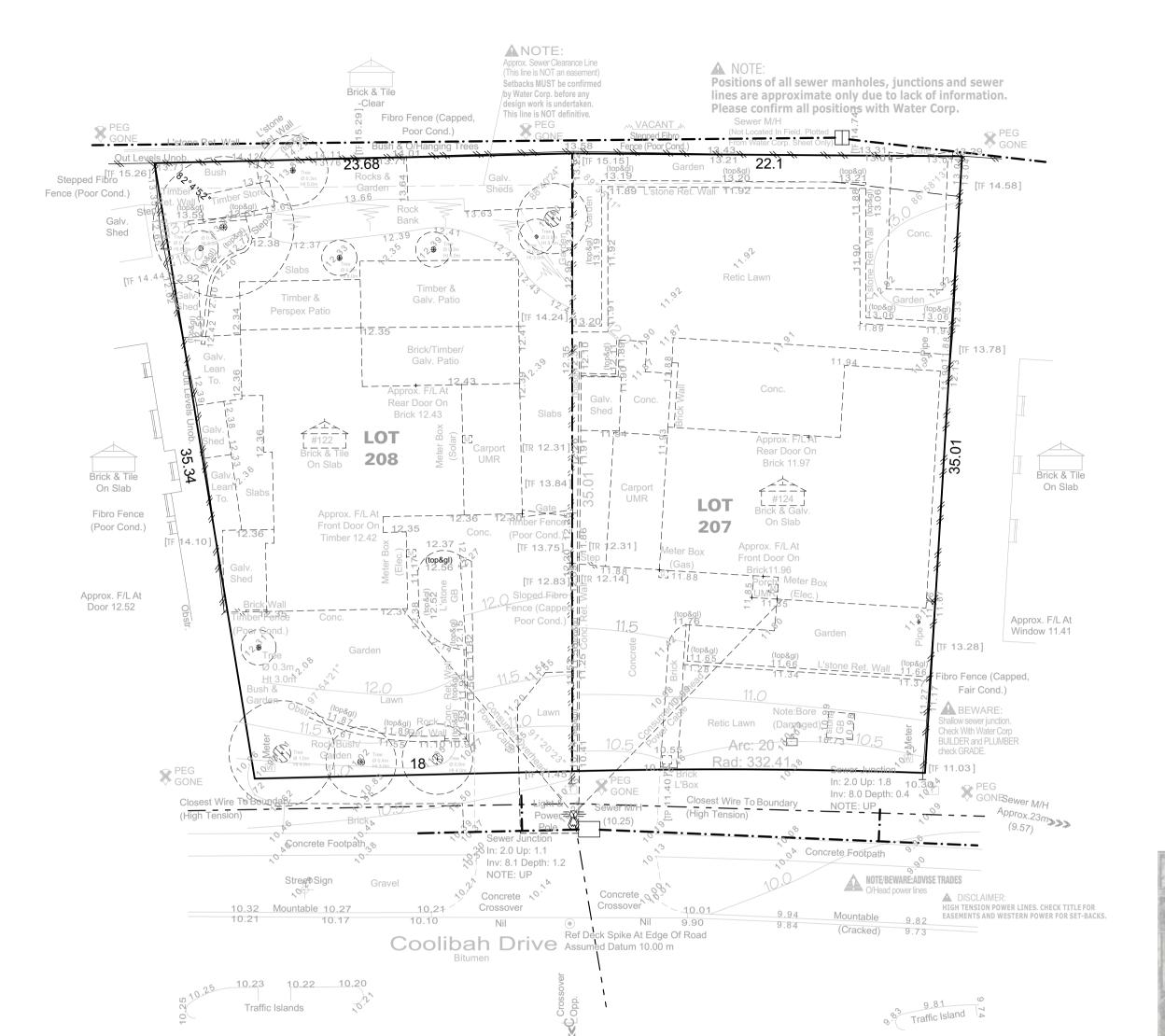




LOT 208 MISCLOSE 0.002 m LOT 207 MISCLOSE

SOIL DESCRIPTION

Scale 1:200 0 2 4 6



NOTE: **DEMOLITION BY BUILDER** ALL DEMOLITION INDICATED BY DASHED LINES TO BE REMOVED FROM SITE

> **NEW CHILDCARE** CENTRE OVER #122 & 124 COOLIBAH DRIVE

Attachment 2 - Development plans and elevations

PLANNING

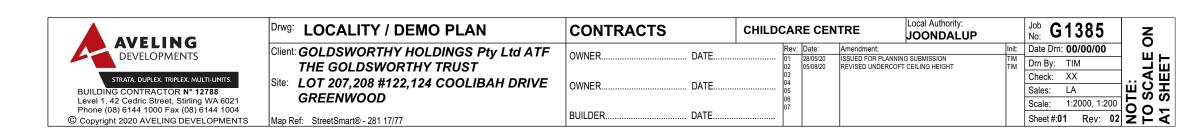
DRAWINGS

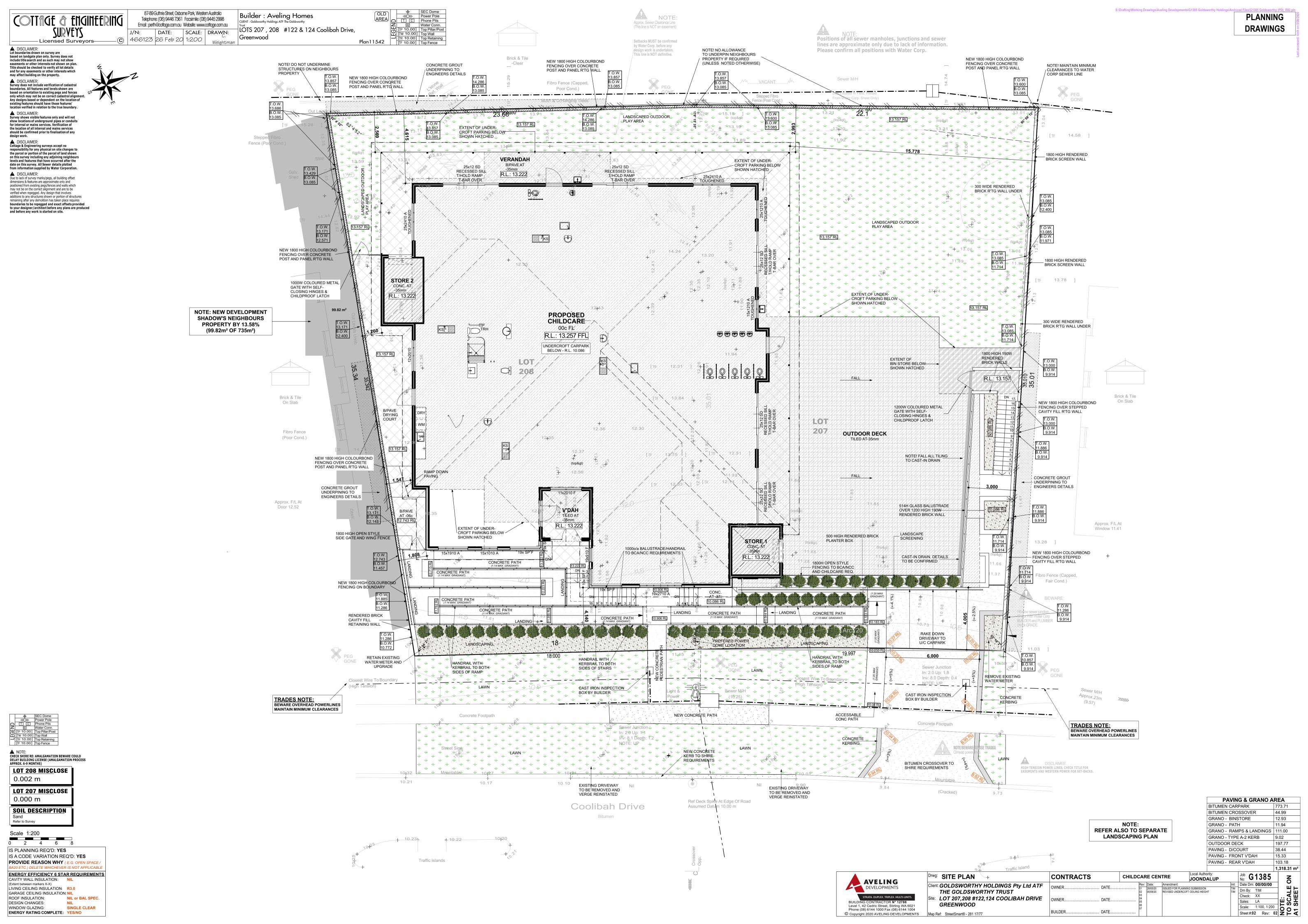
NEIGHBOURHOOD SHOPPING CENTRE



LOCALITY PLAN

WEST GREENWOOD PRIMARY SCHOOL





[TF 15.26

Galv. Shed

A1

Brick & Tile

On Slab

Fibro Fence

(Poor Cond.)

Approx. F/L At Door 12.52

BITUMEN CARPARK -FALL TO GRATE C.L. -03c

<u>/////CONCRETE BEAM OVER/////</u>

BITUMEN CARPARK -

FALL TO GRATE

ZZZZCONCRETE BEAM OVERZ

F.F.L. 10.086

BITUMEN CARPARK -

FALL TO GRATE

C.L. -03c

AIR CONDITIONING UNIT ON

CONCRETE BASE

RENDERED BRICK CAVITY

FILL RETAINING WALLS TO — UNDERCROFT CARPARK

LOT

WHEEL STOPS

REVERSING

reverse

in only

PLUMB. DUCT

1,547

Stepped Fibro Fence (Poor Cond.)

PLANNING DRAWINGS Approx. Sewer Clearance Line (This line is NOT an easement) NOTE! STRUCTURAL ENGINEER TO CONFIRM BUILDING Positions of all sewer manholes, junctions and sewer Setbacks MUST be confirmed MATERIALS COMPLY WITH lines are approximate only due to lack of information. by Water Corp. before any design work is undertaken. This line is NOT definitive. Please confirm all positions with Water Corp. CLASS 9b, TYPE B FRL REQUIREMENTS Brick & Tile -Clear ✓<u>VACANT</u> Fibro Fence (Capped, Bush & O/Hangi 13.21 22.1 (top&gl) FILL RETAINING WALLS TO UNDERCROET CARPARK [TF 14.58] PLUMB., DUCT **REVERSING BAY** C.L. -04c

> EXTENT OF GROUND FLOOR OVER SHOWN
> DOTTED

visitor

LOT

207

C.L. -04c

BOLLARD —

RENDERED BRICK CAVITY FILL RETAINING WALLS TO UNDERCROFT CARPARK

visitor

1200W O/A 1800H/

OPEN STYLE GATE

BITUMEN CARPARK -

FALL TO GRATE

C.L. -04c

CONCRETE BEAM OVER

LOUVRE STYLE INFILLS OVER RETAINING WALLS

TO U/CROFT CARPARK

KERBING

ONCRETE BEAM OVE

visitor

13.06

BIN STORE WITH CONC. FLOOR

GRADED TO TRAPPED FW

STORE GRANO

CONCRETE

13.06

[TF 13.78]

OPEN UNDER

STEPPED — CAVITY FILL

RTG WALL

1000H O/A BALUSTRADE TO BCA/NCC REQUIREMENTS

Brick & Tile

On Slab

Approx. F/L At

SEPARATE GAS AND ELECTRIC Window 11.41

METER BOX. 1886h

(U.N.O.) UNLESS NOTED OTHERWISE ON PLAN THE FOLLOWING SHALL APPLY: BRICKLAYER NOTE 6^{MM} RODS & 3° OF LONGREACH BRICK TO TOP OF INTERNAL WALLS BETWEEN Z-Z. EXTENT OF RENDER BETWEEN R-R. REFER TO CONSTRUCTION DETAIL SHEET & ENGINEER CERTIFIED DETAILS

REFER TO ENGINEERS TIE DOWN DETAILS ROOF CARPENTER NOTE REFER TO ENGINEERS TIE DOWN DETAILS

REFER TO BUILDERS ROOF CARPENTER SPECIFICATION. FIXING CARPENTER NOTE PROVIDE GALLOWS BRACKET SUPPORT TO SHELVES OVER 1800^{MM} LONG (MAX. 1800^{CTS})

ALL SHELVES 450 DEEP (U.N.O.)

HANG RAIL CENTRE TO BE 250^{MM} OFF WALL/ BACK OF SHELF. WIR/ROBE: SHELF & RAIL AT 1800^{MM} A.F.L. PANTRY: 4 SHELVES TOP SHELF AT 1800 MA.F.L. BOTTOM SHELF AT 600 MA.F.L. EQ. SPACE SHELVES BETWEEN

LINEN: 4 SHELVES TOP SHELF AT 1800^{MM} A.F.L. EQ. SPACE ALL SHELVES TO F.F.L. BROOM: 1 x SHELF AT 1800^{MM} A.F.L.

PROVIDE DRAFTPROOF SEAL TO ENTRY, GARAGE/ENTRY & LAUNDRY EXTERNAL DOORS WHERE APPLICABLE TOWEL RAILS FIXED AT 1100MM A.F.L.

CLIENT NOTE
NOTED DIMENSIONS WILL TAKE
PREFERENCE TO SCALE. DIMENSIONS SHOWN ON PLANS ARE TO BRICKWORK. INTERNAL SPACES WILL ALTER IN SIZE TO ACCOMODATE WALL FINISHES H/FLEX TO ALL EXTERNAL CEILINGS & EAVE LININGS U.N.O.

NUMBER AND SPACING OF RAIN WATER PIPES IS APPROXIMATE & GOVERNED BY ROOF STRUCTURE & ATTHE PLUMBERS DISCRETION.

ALL STRUCTURAL BEAMS IN ACCORDANCE WITH THE ENGINEERS SIGNED DETAILS AND SPECIFICATIONS LEGEND: REDUCED LEVEL FINISHED FLOOR LEVEL ABOVE FLOOR LEVEL NATURAL GROUND LEVEL GROUND FLOOR FIRST FLOOR SECOND FLOOR FLOOR LEVEL CEILING LEVEL PLUMBING DUCT WALL PLATE ALUMINIUM FRAME METAL FRAME TIMBER FRAME CAVITY SLIDING DOOR PRIVACY LOCK OBSCURE GLASS DOUBLE GLAZING **GLAZING BARS** PLASTERBOARD FIBRE CEMENT SKIM COAT(PLASTER) PAINT FINISH

DP DOWNPIPE SPRDR SPREADER RWH RAIN WATER HEAD NOT TO BOND FLOOR WASTE **ENERGY EFFICIENCY 6 STAR REQUIREMENTS** CAVITY WALL INSULATION: NIL (Extent between markers X-X) LIVING CEILING INSULATION: R3.0 GARAGE CEILING INSULATION: NIL ROOF INSULATION: NIL or BAL SPEC. DESIGN CHANGES: WINDOW GLAZING:

ENERGY RATING COMPLETE: YES/NO

PAINT FINISH RENDER ACRYLIC TEXTURE

EXPANDED POLYSTYREN

-GAVITY FILL RTG WALL ATH SELF-CLOSIVE LATCH A4 Fibro Fence (Capped, Fair Cond.) CONCRETE BEAM OVER STEPPED CAVITY FILL COW COLOURED METAL GATE RTG WALL - REFER TO SITE PLAN WITH SELF-CLOSING HINGES & CHILDPROOF LATCH STEPPED CAVITY FILL OPEN STYLE FENCING TO LOUVRE STYLE INFILLS CAVITY FILL SLIDING VEHICLE GATE Wis TEPPEO OVER RETAINING WALLS RTG WALL RTG WALL TO UICROFT CARPARK EXTENT OF PATH REFER TO G/F PLAN REFER TO G/F PLAN PEG PEG 10.30 Sewer Junction In: 2.0 Up: 1.8 Inv: 8.0 Depth: 0.4 Closest Wire To Boundary Inv: 8.0 Deptn: 0.4

(High Tension) Sewer M/H (10.25) (9.57)Concrete Footpath 600 2,239 25,700 2,239 39,339

WHEEL

STOPS

WHEEL

BITUMEN CARPARK -

FALL TO GRATE

C.L. -03c

PARKING FOR 6 OF BICYCLES

CONCRETE BEAM OVE

visitor

1000W COLOURED METAL GATE WITH SELF-CLOSING HINGES

12.30

CHILDCARE CENTRE Drwg: FLOOR PLAN UC CONTRACTS AVELING DEVELOP **JOONDALUP** Date Drn: 00/00/00 Client: GOLDSWORTHY HOLDINGS Pty Ltd ATF
 Rev:
 Date:
 Amendment:

 01
 28/05/20
 ISSUED FOR PLANNING SUBMISSION

 02
 05/08/20
 REVISED UNDERCOFT CEILING HEIGHT
 DEVELOPMENTS Drn By: TIM
Check: XX
Sales: LA
Scale: 1:100 THE GOLDSWORTHY TRUST LOT 207,208 #122,124 COOLIBAH DRIVE GREENWOOD Level 1, 42 Cedric Street, Stirling WA 6021 Phone (08) 6144 1000 Fax (08) 6144 1004 BUILDER..... ... DATE.... © Copyright 2020 AVELING DEVELOPMENTS

(U.N.O.) UNLESS NOTED OTHERWISE ON PLAN THE FOLLOWING SHALL APPLY:

BRICKLAYER NOTE
6^{NM} RODS & 3° OF LONGREACH
BRICK TO TOP OF INTERNAL WALLS
BETWEEN Z-Z.

EXTENT OF RENDER BETWEEN R-R.

REFER TO CONSTRUCTION DETAIL SHEET & ENGINEER CERTIFIED DETAILS

REFER TO ENGINEERS TIE DOWN DETAILS

ROOF CARPENTER NOTE

REFER TO ENGINEERS TIE DOWN

REFER TO BUILDERS ROOF CARPENTER SPECIFICATION.

FIXING CARPENTER NOTE

PROVIDE GALLOWS BRACKET SUPPORT TO SHELVES OVER 1800^{MM} LONG (MAX. 1800^{CTS})

ALL SHELVES 450 DEEP (U.N.O.)

HANG RAIL CENTRE TO BE 250MM

WIR/ROBE: SHELF & RAIL AT 1800^{MM} A.F.L.

PANTRY: 4 SHELVES TOP SHELF AT 1800^{MA} A.F.L. BOTTOM SHELF AT 600^{MA} A.F.L. EQ. SPACE SHELVES BETWEEN

LINEN: 4 SHELVES TOP SHELF AT 1800MM A.F.L. EQ. SPACE ALL SHELVES TO F.F.L.

PROVIDE DRAFTPROOF SEAL TO ENTRY, GARAGE/ENTRY & LAUNDRY EXTERNAL DOORS WHERE APPLICABLE

TOWEL RAILS FIXED AT 1100MM A.F.L.

CLIENT NOTE
NOTED DIMENSIONS WILL TAKE
PREFERENCE TO SCALE.

DIMENSIONS SHOWN ON PLANS

ARE TO BRICKWORK. INTERNAL SPACES WILL ALTER IN SIZE TO ACCOMODATE WALL FINISHES

H/FLEX TO ALL EXTERNAL CEILINGS & EAVE LININGS U.N.O. NUMBER AND SPACING OF RAIN WATER PIPES IS APPROXIMATE & GOVERNED BY ROOF STRUCTURE & ATTHE PLUMBERS DISCRETION.

ALL STRUCTURAL BEAMS IN ACCORDANCE WITH THE ENGINEERS SIGNED DETAILS AND SPECIFICATIONS

REDUCED LEVEL

FINISHED FLOOR LEVEL ABOVE FLOOR LEVEL NATURAL GROUND LEVEL GROUND FLOOR

FIRST FLOOR
SECOND FLOOR
FLOOR LEVEL
CEILING LEVEL
PLUMBING DUCT

CAVITY SLIDING DOOR PRIVACY LOCK OBSCURE GLASS DOUBLE GLAZING

PAINT FINISH RENDER ACRYLIC TEXTURE

SPREADER RAIN WATER HEAD

EXPANDED POLYSTYREN

GLAZING BARS

PLASTERBOARD
FIBRE CEMENT
SKIM COAT(PLASTER)
PAINT FINISH

WALL PLATE
ALUMINIUM FRAME
METAL FRAME
TIMBER FRAME

LEGEND:

DP SPRDR RWH

BROOM: 1 x SHELF AT 1800^{MM} A.F.L. 26,290

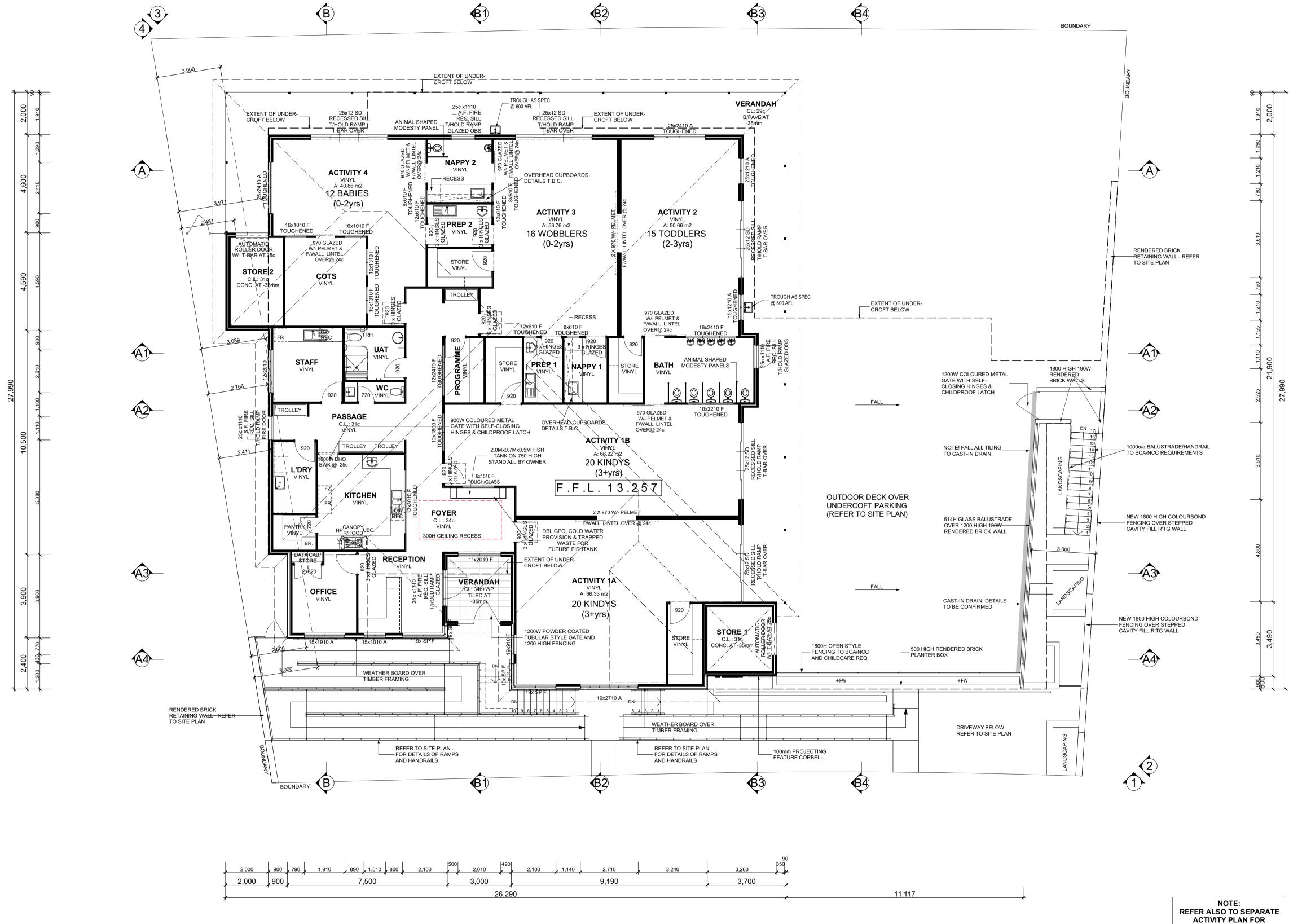
2,000
2,000
3,610
2,990
1,110
1,890
3,610
2,890
2,410
1,790
1,560
350

PLANNING

DRAWINGS

NOTE! STRUCTURAL ENGINEER
TO CONFIRM BUILDING
MATERIALS COMPLY WITH
CLASS 9b, TYPE B FRL REQUIREMENTS

7



AVELING
DEVELOPMENTS

STRATA DUPLEX. TRIPLEX. MULTI-LUNITS.
BUILDING CONTRACTOR N° 12788
Level 1, 42 Cedric Street, Stirling WA 6021
Phone (08) 6144 1000 Fax (08) 6144 1004

© Copyright 2020 AVELING DEVELOPMENTS

Drwg: FLOOR PLAN GF

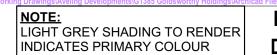
Client: GOLDSWORTHY HOLDINGS Pty Ltd ATF
THE GOLDSWORTHY TRUST

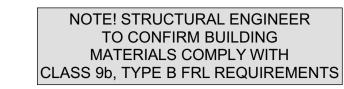
Site: LOT 207,208 #122,124 COOLIBAH DRIVE
GREENWOOD

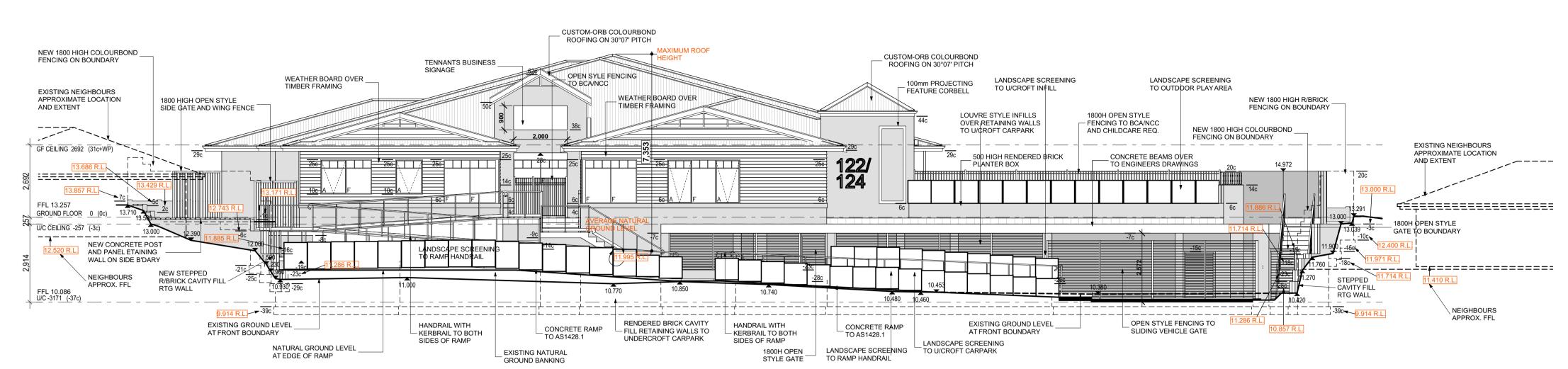
CHILDCARE BREAKDOWN

NTB NOT TO BOND
FW FLOOR WASTE

ENERGY EFFICIENCY 6 STAR REQUIREMENTS
CAVITY WALL INSULATION: NIL
(Extent between markers X-X)
LIVING CEILING INSULATION: NIL
ROOF INSULATION: NIL
ROOF INSULATION: NIL or BAL SPEC.
DESIGN CHANGES: NIL
WINDOW GLAZING: SINGLE CLEAR
ENERGY RATING COMPLETE: YES/NO



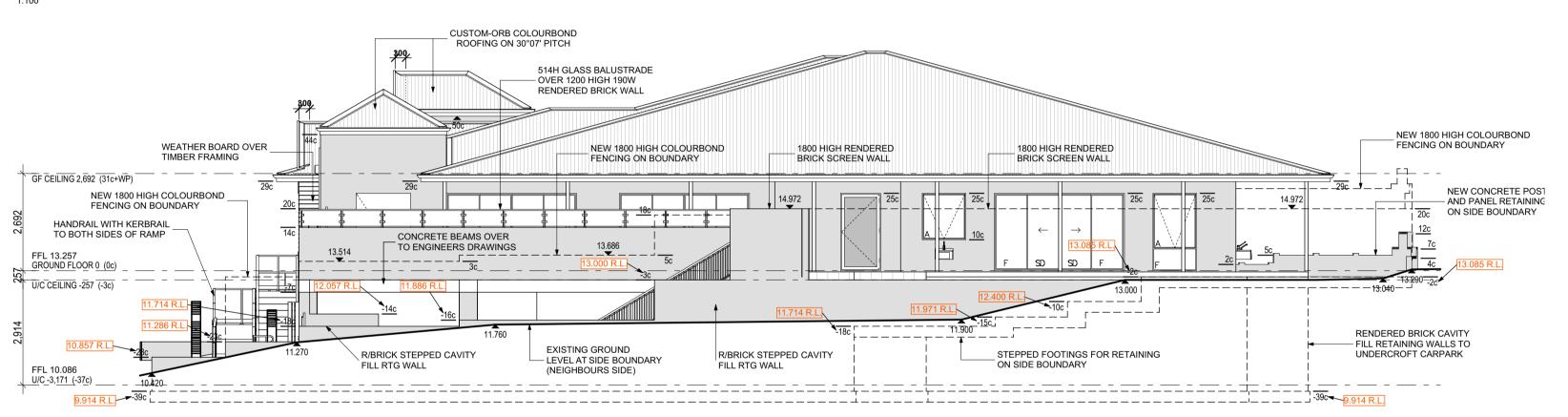




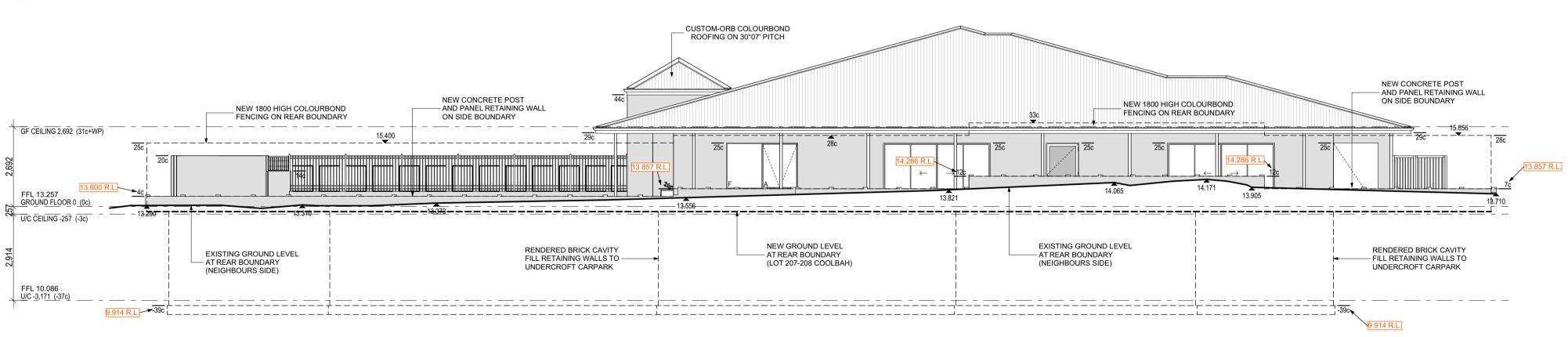
ELEVATION 1 (EAST)

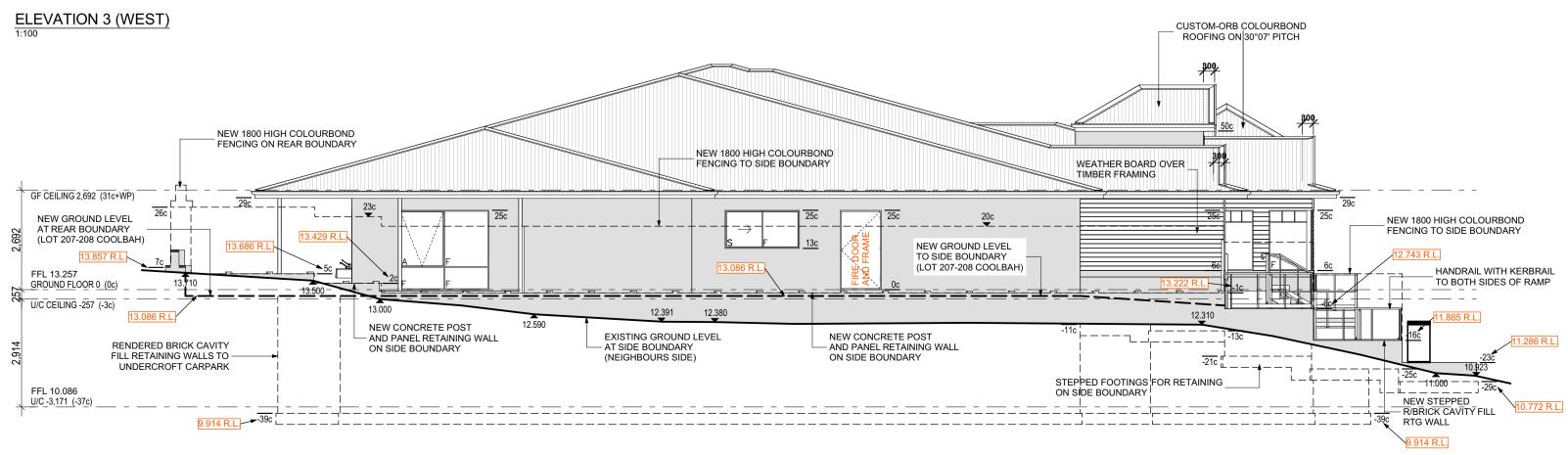
NOTE: CEILING 31c + WALL PLATE

AT 15°, EAVE 600MM EXTERNAL BWK UNLESS NOTED OTHERWISE.



ELEVATION 2 (NORTH)





ACRYLIC TEXTURE COAT (MAIN COLOUR)	HOG BRISTLE QUARTER (DULUX)
ROOF COVER	COLORBOND SURFMIST
GABLES, SCREENS AND DOWN PIPES	COLORBOND DUNE
WEATHERBOARD CLADDING	VIVID WHITE (DULUX)
INFILL PANELS & TUBULAR FENCING	COLORBOND DUNE
WINDOW FRAMES	COLORBOND EVENING HAZE
COLORBOND BOUNDARY FENCE	COLORBOND DUNE

PLANNING

DRAWINGS

NOTE! STRUCTURAL ENGINEER TO CONFIRM BUILDING MATERIALS COMPLY WITH CLASS 9b, TYPE B FRL REQUIREMENTS

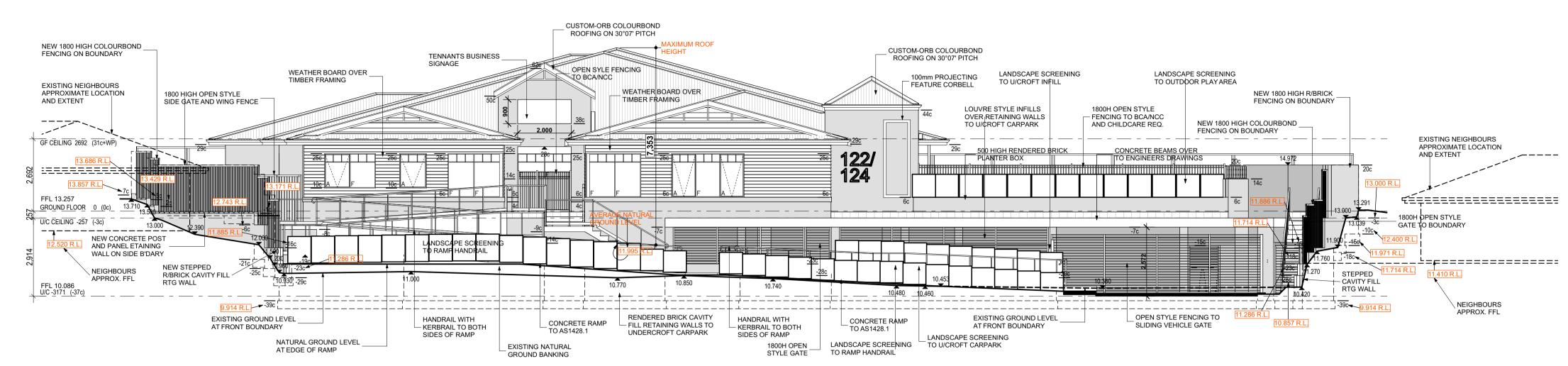
COLOURBOND FENCING

GLASS BALUSTRADE SCREEN

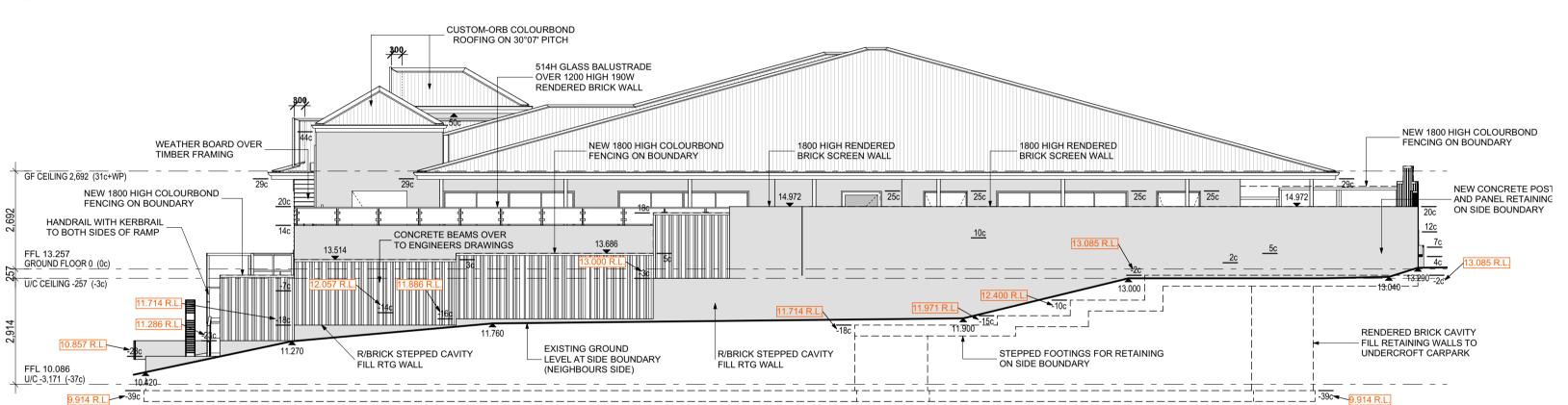
OVER RENDERED BRICK WALL

TUBULAR FENCING

UNDERCROFT INFILL

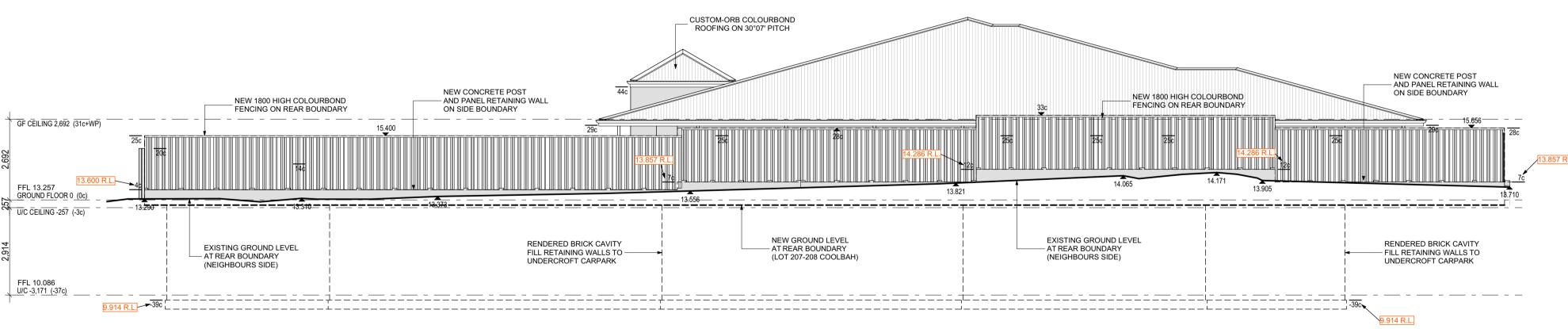


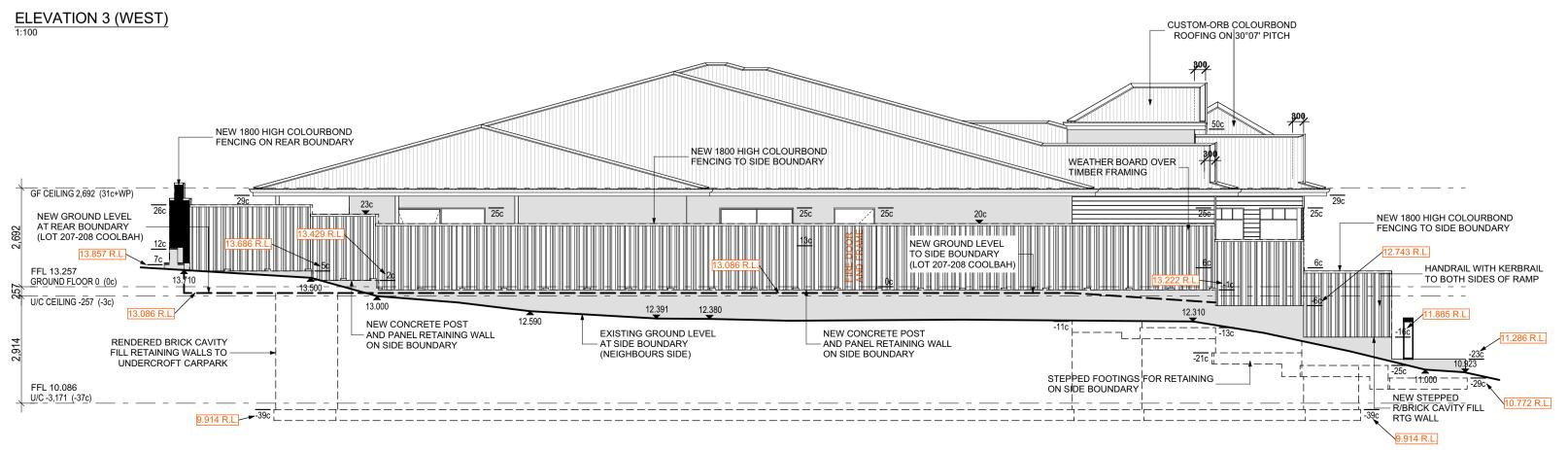
ELEVATION 1 (EAST)



ELEVATION 2 (NORTH)

ELEVATION 4 (SOUTH)







Building and Site Criteria

Activity Area:

Indoor:-Required: 269.75m² Provided: 278.21m²

Outdoor:-

Required: 581.00m² Provided: 618.29m²

Capacity:
28 Children 0-2 years (7 Staff)
15 Children 2-3 years (3 Staff)
40 children over 3 years (4 Staff)
Total: 83

Total staff: 16

(14 Educators + 2 Admin)

Parking Required: 27 16 Staff

11 Visitor (inc. 1 Accessible) Provided on-site: 24

On-site shortfall: 3



		Α	CTIVIT	Y	ARE	A'S	;		
	Α 6		66.3	5.33					
	ACTIVIT	В			66.22				
	ACTIVIT	Y 2				50.66			
	ACTIVIT	Y 3				53.7	76		
	ACTIVIT	TY 4		40.8			36		
	OUTDO	OR	1			600	.12		
						877	.95	m²	
Local Authority: JOONDALUP			Job No: G	13	385	,		NO	
		Init:	Date Drn	00/	00/0	0		Щŀ	
SUBMISSION CEILING HEIGHT		TIM	Drn By:	TIM	l			"!	_
			Check:	XX				χi	#
			Sales:	LA			Щ	g	S T
			Scale:	1:10	00		7	\sim	_
		1	Sheet #:0	_	Rev:	02	\simeq	<u>ب</u>	-

				OUTDOOF	₹ 1
AVELING	Drwg: ACTIVITY PLAN	CONTRACTS	CHILDCARE CENTRE	Local Authority: JOONDALUP	Job G1385
DEVELOPMENTS	Client: GOLDSWORTHY HOLDINGS Pty Ltd ATF THE GOLDSWORTHY TRUST	OWNER DATE	Rev: Date: Amendment:		Date Drn: 00/00/0 Drn By: TIM
STRATA. DUPLEX. TRIPLEX. MULTI-UNITS. BUILDING CONTRACTOR N° 12788	Site: LOT 207,208 #122,124 COOLIBAH DRIVE	OWNER DATE	03 04 05 05 05 05 05 05 05	TOLLENOTEIGHT	Check: XX Sales: LA
Level 1, 42 Cedric Street, Stirling WA 6021 Phone (08) 6144 1000 Fax (08) 6144 1004	GREENWOOD Man Ref: StreetSmart® - 281 17/77	BUILDER DATE			Scale: 1:100 Sheet #: 09 Rev:

Attachment 3 - Building perspectives Planning Prayings Aveling Developments (G1385 Goldsworthy Holdings Archical Files (G1385 Goldsworthy (PD)_R02.pl. PLANNING DRAWINGS

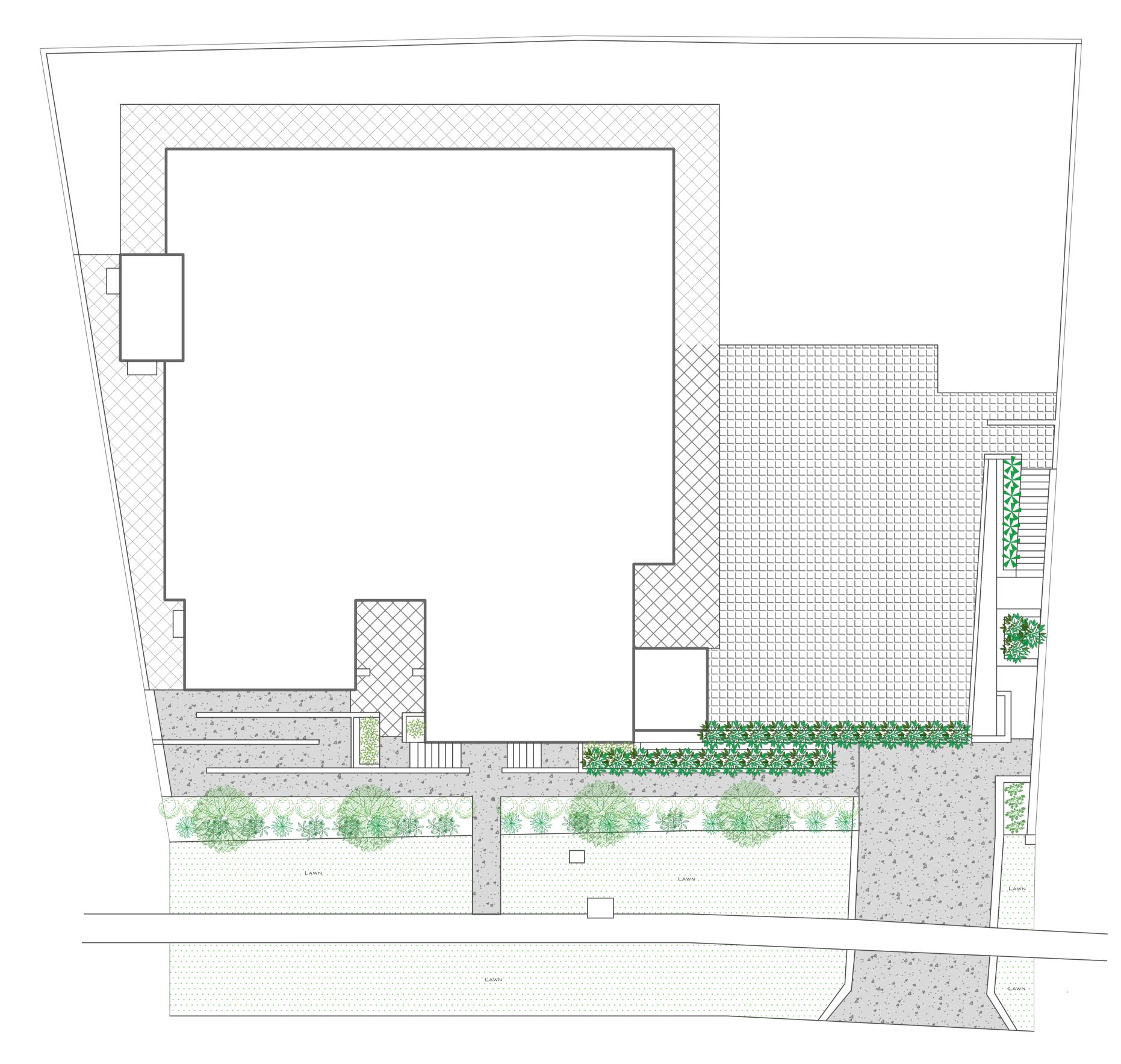












KEY	SPECIES	SIZE	QΤΥ	MATURE HEIGH
	EUGALYPTUS TODTIANA	45L	4	15м
樂	MELALEUCA LITTLE NESSIE	200	7	1 - 2м
	CONOSTYLIS CANDICANS	140	30	□.4м
**	HARDENBERGIA MINI HAHA	200	18	GROUND COVER
	HIBBERTIA RACEMOSA	140	4	□.1 - □.75м
	EREMOPHILA NIVEA SPRING MIST	200	30	□.8 - 2.□м
攀	CALLISTEMON GREAT BALLS OF FIRE	200	26	1.75м

ALL AREA'S SHOWN AS MULCH OR GRASS IS TO BE AUTOMATICALLY RETICULATED THIS PLAN TO BE READ IN CONJUNCTION WITH THE 'SITE PLAN' FOR ALL FINISHED AND GROUND LEVLES.

LANDSCAPING DETAILS LANDSCAPING: 369.61m² % OF SITE:

ID	LANDSCAPING	M ²
	LANDOCADINO DEAD	000 00
01	LANDSCAPING - REAR	308.62
01 02	LANDSCAPING - REAR LANDSCAPING - FRONT	60.99

CLIENT: AVELING HOMES DATE: 20/5/2020 Lot No: 207,208 STREET: 122 & 124 COOLIBAH DRIVE SUBURB: GREENWOOD nstant**Gardens** SCALE: 1:100 DRAWN: DM DRAWING: 1 OF 1

GARDEN LAYOUT AND PLANT SELECTION APPROVAL SIGNED: NORTH JOB NO:

NOTE: Changes to the garden layout or plant selection CANNOT BE MADE AFTER DATE OF APPROVAL.

AVELING	Drwg: LANDSCAPING PLAN
DEVELOPMENTS	Client: GOLDSWORTHY HOLDINGS Pty Ltd ATF THE GOLDSWORTHY TRUST
STRATA. DUPLEX. TRIPLEX. MULTI-UNITS.	Site: LOT 207,208 #122,124 COOLIBAH DRIVE
BUILDING CONTRACTOR N° 12788 Level 1, 42 Cedric Street, Stirling WA 6021 Phone (08) 6144 1000 Fax (08) 6144 1004	GREENWOOD
© Copyright 2020 AVELING DEVELOPMENTS	Map Ref: StreetSmart® - 281 17/77

	l	03 GF	RASS	- VERGE		200.	80	PAVING - I	KEA	R V'DAF	1	10	03.18	3	
						570	.41 m²					1,	318.	31 r	n
CONTRACTS		CHILD	CAR	RE CEN	TRE		Local Autho	•		Job No: G	1385		:	Z	
WNER DA	TE		_		Amendment:				Init:	Date Drn:	00/00/00		`	ш	
WNER DA	I E		101		ISSUED FOR PI REVISED UNDE			łT	TIM	Drn By:	TIM			ו ב	ī
			03							Check:	XX		9	∢ i	ī
WNER DA	TE		05							Sales:	LA		ЩŞ	၁၃	Į
			06							Scale:	1:200, 1:1		Ξ	<u> </u>	٠.
UILDER DA	TE		"							Sheet #:0	7 Rev:	02	ž	₽;	

PAVING & GRANO AREA

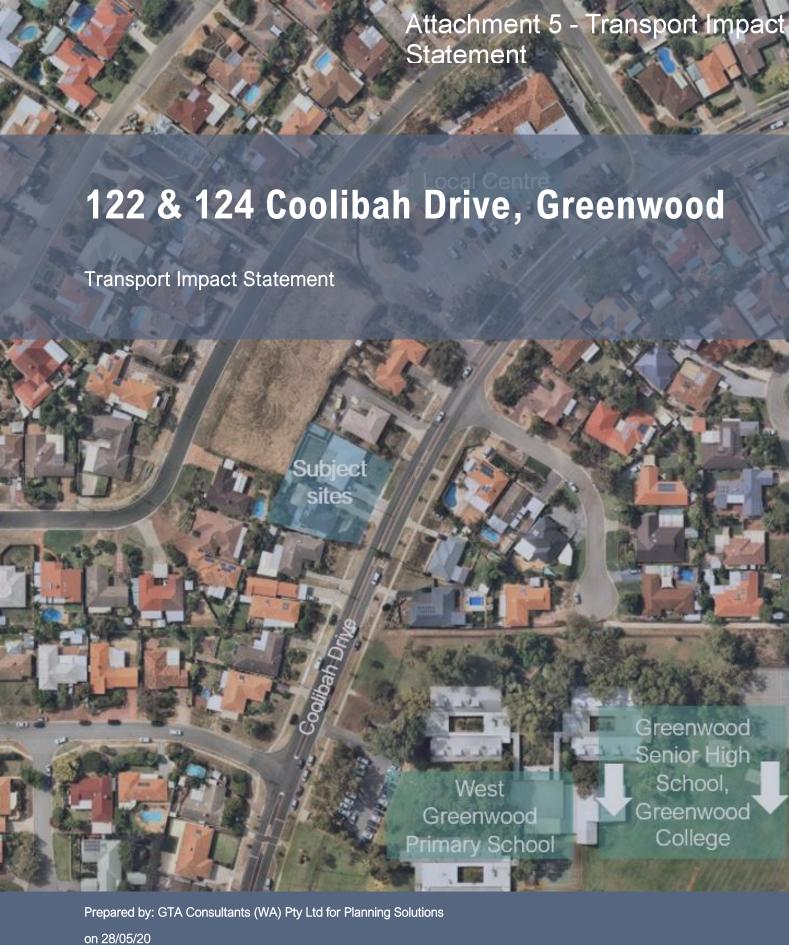
GRANO - RAMPS & LANDINGS 111.00

BITUMEN CARPARK BITUMEN CROSSOVER

GRANO - TYPE A-2 KERB

PAVING - FRONT V'DAH

OUTDOOR DECK PAVING - D/COURT



Reference: W189340

Issue #: A-Final



122 & 124 Coolibah Drive, Greenwood

122 & 124 Coolibah Drive, Greenwood Transport Impact Statement

Client: Planning Solutions

on 28/05/20

Reference: W189340

Issue #: A-Final

Quality Record

Issue	Date	Description	Prepared By	Checked By	Approved By	Signed
A-Dr	24/05/2020	Draft	AZ/RD	RD/TM		
A-Final	28/05/2020	A-Final	AZ/RD	TM	TM	Lefre.



CONTENTS

1.	Introduction	1
	1.1. Background	1
	1.2. Purpose of this Report	1
	1.3. Previous Studies	1
	1.4. References	1
2.	Proposed Development	3
	2.1. Subject Site	3
3.	Vehicular Access and Parking	5
	3.1. Access Arrangement	5
	3.2. Parking Provision	6
	3.3. Tandem Bay Management	8
	3.4. Public, Private, Disabled Parking Set Down / Pick Up	8
4.	Service Vehicles	9
	4.1. Rubbish Collection and Emergency Vehicle Access	9
5.	Traffic Volumes	10
	5.1. Daily or Peak Hour Traffic Volumes	10
	5.2. Types of Vehicles	11
6.	Traffic Management on Frontage Streets	12
7.	Pedestrian, Cyclist and Public Transport Access	13
	7.1. Pedestrian Access	13
	7.2. Cyclist Access	13
	7.3. Public Transport Access	14
8.	Site Specific Issues	15
9.	Safety Issues	16
10.	Conclusion	17

Appendices

- A. Development Plans
- B. WAPC Guidelines Checklist



Figure 2.1: Subject Site and its Environs 4 Figure 2.2: Land Zoning Map 4 Tables Table 5.1: Austroads Guidelines 10



1. INTRODUCTION

1.1. Background

A Development Approval is currently being sought for a proposed Childcare Centre at 122 & 124 Coolibah Drive, Greenwood. The proposed development is for a two storey Childcare Centre which will accommodate 83 children.

GTA Consultants was commissioned by Planning Solutions in March 2020 to undertake a transport impact assessment of the proposed development.

1.2. Purpose of this Report

Western Australian Planning Commission Transport Assessment Guidelines (WAPC Guidelines) provide direction on the level of assessment which is necessary to be carried out with respect to the likely traffic impact of a development proposal. Typically, any development which is expected to have a 'high' traffic impact, that is, generating more than 100 trips in the peak hour is satisfied by a TIA. Any development which is expected to generate less than 100 trips in the peak hour requires a Transport Impact Statement (TIS) to be undertaken. Both types of assessment consider the operation and layout of the site, but they differ in their assessment of external traffic impact.

In the context of this proposal, it is estimated there may be less than 100 trips generated in a given peak hour if applying 'typical' traffic generation rates. In this case a TIS is appropriate. This TIS briefly outlines the transport aspects surrounding the proposed development. The intent of a TIS, as per the WAPC Guidelines, is to provide the approving authority with sufficient transport information to confirm that the Applicant has adequately considered the transport aspects of the development and that it would not have an adverse transport impact on the surrounding area.

In accordance with the WAPC Guidelines, this TIS outlines:

- Existing transport conditions proximate to the site
- Suitability of the proposed parking provision within the site
- The adequacy of the proposed site layout
- The traffic generating characteristics of the proposed development
- The anticipated impact of the proposed development on the surrounding road network.

1.3. Previous Studies

There are no relevant previous studies related to the subject site.

1.4. References

In preparing this report, reference has been made to the following:

- City of Joondalup Local Planning Scheme No. 3 (LPS 3)
- WAPC Transport Assessment Guidelines for Development: Volume 4 Individual Developments



INTRODUCTION

- Australian Standard/ New Zealand Standard, Parking Facilities, Part 1: Off-Street Car Parking AS/NZS 2890.1:2004
- Australian Standard / New Zealand Standard, Parking Facilities, Part 6: Off-Street Parking for People with Disabilities AS/NZS 2890.6:2009
- plans for the proposed development prepared by Aveling Developments (Job number G1385), last access dated 27/05/2020
- various technical data as referenced in this report
- other documents as nominated.



2. PROPOSED DEVELOPMENT

2.1. Subject Site

The subject site is located at 122 & 124 (Lots 208 and 207) Coolibah Drive, Greenwood. The sites have an area of 729sqm and 735sqm and frontages of 18m and 20m to Coolibah Drive, respectively. Coolibah Drive is a Local Distributor Road.

There are two existing residential dwellings on the site which will be demolished for the proposed development. The sites are zoned "Residential" under the City's LPS 3 and "Urban" under the Metropolitan Region Scheme (MRS). The surrounding area is predominantly low to medium density residential, with the land west of Coolibah Drive (including the subject site) having a Residential Density Code (R-Code) of R20/40, whilst the land east of Coolibah Drive is coded R20.Land to the rear of the subject site is zoned "Residential - Restricted Uses - Aged and Dependent Persons' Dwellings" with an applicable density code of R40, whilst the lot to the north of the site (126) is approved for Medical Consulting Rooms. 132 Coolibah Drive is the Coolibah Shopping Complex. Within a short walk to the south is West Greenwood Primary School, Greenwood Senior High School and Greenwood College. The proposed Childcare Centre fits into the residential context of the neighbourhood, and is conveniently co-located near local educational facilities.

The anticipated operating hours of the Childcare Centre are 6.30am to 6.30pm, which allows for pick up and drop offs to be spread throughout this time.

The location of the subject site and the surrounding environs is shown in Figure 2.1, and the land zoning is shown in Figure 2.2. Development Plans are included at Appendix A.

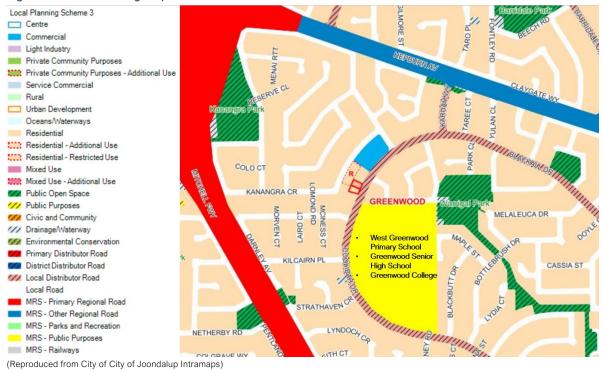


Figure 2.1: Subject Site and its Environs



(PhotoMap courtesy of NearMap Pty Ltd)

Figure 2.2: Land Zoning Map





W189340 // 28/05/20 Transport Impact Statement // Issue: A-Final 122 & 124 Coolibah Drive, Greenwood, 122 & 124 Coolibah Drive, Greenwood

3. VEHICULAR ACCESS AND PARKING

3.1. Access Arrangement

The proposal includes the construction of a Childcare Centre with an undercover car park. Vehicular access is proposed on the northern side of Lot 207 (124), close to the medical centre development. A pedestrian access path is proposed on the northern portion of Lot 208 (122).

The development's compliance with the relevant traffic and access provisions of the City's Local Planning Policy is demonstrated below.

LPP Design Element	LPF	P Development Requirement	Development Provision
	(i)	All car parking is to be provided on-site; verge parking is not permitted.	All parking is provided on site. Quantum also meets empirical parking demand (see Section 3.2).
Car Park Location	(ii)	Car parks must be clearly visible from the street to encourage parking on-site instead of on the road verge	Vehicular access location is in clear view from the street, suitably located at the end of the retaining wall and pedestrian path. There is an open style sliding vehicle gate. This is recommended to remain open during business hours and closed outside these times. Also suitably signed for Childcare parking.
Car Park Design	(i)	Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time.	GTA has checked the car parking layout of the Revision D Plans prepared by Aveling Developments (last access date 27/05/2020, also included at Appendix A) and carpark dimensions proposed are in accordance.
Vehicle Access	traff Dist wou wou	Childcare premises can be reasonably high fic-generators, they should be located on Local ributor Roads in such a manner that they ald not conflict with traffic control devices and ald not encourage the use of nearby Access ds for turning movements	Coolibah Drive is a Local Distributor Road, as defined in the Main Roads WA Road Information Mapping System.



VEHICULAR ACCESS AND PARKING

	(i)	Vehicle access should not be taken from District Distributor A Roads. Only under exceptional circumstances may vehicle access be considered from a District Distributor B or Access Road.	
	(ii)	Vehicle access with separate entry and exit points is preferred (Type 1 on Figure 1). Alternatively, 'two-way' vehicle access (Type 2 on Figure 1) is required.	Two way vehicle access, consistent with the Type 2 on Figure 1 diagram in the City's LPP is proposed.
	(iii)	Where practicable, existing vehicle access points should be utilised instead of proposing new access points.	A new vehicular access point is proposed on the site, however this will result in the overall reduction of crossovers (from two over two lots to one over two lots).
	(iv)	Vehicles are required to enter and exit the site in forward gear.	Two way vehicular access is permitted, and a reversing bay is proposed in the car park to allow vehicles to turn around and exit in forward gear.
Pedestrian Access	(i)	A footpath must be provided from the car park and the street to the building entrance.	The Childcare centre can be accessed via three separate paths from the carpark, with two sets of stairs and one access via a ramp.

Given the above demonstrated compliance with the City's Local Planning Policy, vehicular and pedestrian access to the site is adequate.

3.2. Parking Provision

The development proposes up to 83 children and 16 staff. Given this, and based on the City of Joondalup's Childcare Centres Policy/LPS3, a total of 27 bays comprised of 16 staff bays and 11 on-site bays for patrons are required. 1 bicycle bay is also required for every 8 employees. Therefore 2 bike bays are required, however 6 have been provided to encourage the use of sustainable modes of transport.

A total of 24 car parking and 6 bicycle parking bays are proposed on the site, with one reversing bay. Of these 24 car parking bays, six are tandem bays. These bays are assigned to staff, and therefore can be appropriately managed on site with the adoption of a management plan by the centre. A total of seven visitor bays plus one universal access bay is proposed. A copy of the development plans is contained at Appendix A.

GTA Consultants has developed its own database for both peak parking demand and traffic generation based on observations made at various sites for various land uses located throughout Australia. In terms of traffic generation for Childcare Centres, the expected peak traffic flows in the AM and PM peaks are (inclusive of parents and staff):



VEHICULAR ACCESS AND PARKING

AM Peak 0.83 trips per child

PM Peak
 0.82 trips per child

Based on the 83 children maximum expected to be on the site, this development is expected to generate approximately:

AM Peak 69 trips

PM Peak
 68 trips

Based on the GTA database, a Childcare Centre has a peak parking demand of 0.19 parked cars per child in both the AM and PM peak periods. Based on the 83 children expected on the site the peak parking demand is expected to be 16 cars parked on site (inclusive of staff and parents). These peaks are expected to occur at typically 9am and 3pm with demand decrease either side of these times.

During the day, with typically no children being picked up or dropped off, the parking demand would be based on the staff on the site. Census data for the City of Joondalup from 2016 indicated that the City of Joondalup residents used the following modes of transport to places of employment:

•	Car Driver	64.7%
•	Car Passenger	4.0%
•	Train/Bus	10.4%
•	Motorcycle	0.4%
•	Bicycle	0.6%
•	Walk (Only)	1.3%
•	Worked at Home	4.5%
•	Other (taxi/uber/dropped off)	2.5%
•	Did not go to work or note stated	11.4%

Based on the above (discounting "worked at home" and "did not go to work"), there is an expectation that of the 16 staff, approximately 13 vehicles will be parked on-site for staff members whilst there is expected to be 1 staff member expected to arrive by bicycle/motorcycle/walk. The remaining 2 staff are expected to take either train/bus to the centre and/or arrive via ride sharing/be dropped off.

The expected parking demand use should not exceed the proposed supply of parking on the site consisting of:

- 7 short term drop-off bays (for dedicated use by parents)
- 16 longer term parking bays (for use by staff and/or parents), inclusive of 3 tandem bays (for 6 spaces) for exclusive use by staff
- 1 universal access long term bay with shared area

Under the expected GTA database peak parking demand, the 16 cars expected on site will be able to park within the available 24 bays provided and there should not be any requirement for cars to be parked off-site.

A further mitigating factor is that the centre is located approximately a two-minute walk to West Greenwood Primary School. This may reduce number of vehicles entering the site, as parents link their trips and may park at the school to take one child to class and then walk to the childcare centre to drop off another child.

A further assessment was undertaken, this based on an M/M/c multi-server model queuing analysis for the car park with the parking bays acting as servers. Based on the 7 short term bays (with average parking estimated at 7½ minutes) and the balance of the available bays, excluding those used by staff, totalling 1 bay (with parking assumed to be for 15 minutes each time), the car park is expected to be able to cater for up to



VEHICULAR ACCESS AND PARKING

approximately 60 vehicles entering the site in the busiest peak hour and parking. Based on an arrival rate of 35 vehicles per hour the 95th percentile queue (this is typically the required design parameter for traffic engineering purposes) is expected to be up to 8 vehicles parked on the site at the busiest period (this excludes the expected 13 staff cars parked on-site) or 21 including staff. For an average period, there is expected to be approximately 4 cars parked on the site, excluding staff or 17 including staff.

If 3 of the above 16 staff bays were converted to long term parent bays (thus providing 7 short term bays and 4 long term bays including the universal access bay) the 95th percentile queue within the car park is expected to be 8 cars parked leaving 3 bays empty during the busiest parking periods.

For good car park design supply should be about 10% higher than the estimated peak demand for parking, in this case 23 bays (the expected 95th percentile of 8 parked parents plus 13 staff x 1.1).

With 24 parking bays proposed to be provided this in excess of the above 23 bays for the operation required for a good of the car park is expected be more than acceptable.

In addition to actual parked cars, the car park aisle and entry driveway will allow for up to approximately 2 cars to queue before impacting the Local Distributor Road, if there were to be rare instances (if any) to require such use.

3.3. Tandem Bay Management

With the operation of the tandem bays for staff, it is suggested that the management of their use be managed by the centre. The simple recommendation would be that staff arriving first should park in the end bay of these tandem bays, so that staff arriving afterwards, can then park behind these other parked cars.

If staff must leave during the day then arrangements would be made to allow cars to be moved and allow first parked cars to leave as required. The use and operation of the tandem bays will be pre-determined by rostering and bay allocation.

3.4. Public, Private, Disabled Parking Set Down / Pick Up

The expected parking demand use should not exceed the proposed supply of parking on the site consisting of:

- 7 short term drop-off bays (for dedicated use by parents)
- 16 longer term parking bays (for use by staff and/or parents), inclusive of 3 tandem bays (for 6 spaces) for exclusive use by staff
- 1 universal access bay with shared area

The 16 parking bays noted as staff bays will not be required in its entirety. As assessed above, 13 staff are expected to drive to work and park on site. The remaining 3 staff are expected to use other modes of transport to and from the centre.



4. SERVICE VEHICLES

4.1. Rubbish Collection and Emergency Vehicle Access

A 5.23m x 2.46m bin storeroom is proposed in the undercover car parking area.

It is proposed that these bins be moved to the road verge and collected by the City's waste collection vehicle on rubbish collection day. This is to be confirmed with the provision of a waste management plan, if required by the City.



5. TRAFFIC VOLUMES

5.1. Daily or Peak Hour Traffic Volumes

The childcare centre is proposed to cater for up to 83 children with 16 staff. GTA Consultants has developed a database for both peak parking demand and traffic generation based on observations made at various sites located throughout Australia. In terms of traffic generation, for Childcare Centres, the expected peak traffic flows in the AM and PM peaks are (inclusive of parents and staff):

AM Peak 0.83 trips per child PM Peak 0.82 trips per child

When compared to the ITE trip generation rates of 0.80 in the AM peak and 0.81 in the PM peak, GTA's data base (based on Australian Surveys) and adopted rates are slightly higher than the ITE rates, and as such this allows for a more robust assessment. Based on the 83 children maximum expected to be on the site, this development is expected to generate approximately:

AM Peak 69 trips
PM Peak 68 trips

These trips are expected to be evenly divided into 50% entering and 50% exiting over that peak period (approximately 34-35 entering the crossover and 34-35 exiting the crossover) and with the frontage road, this is further expected to be distributed 50% in each direction of Coolibah Drive.

Based on the current traffic flows on Coolibah Drive of approximately 3,500vpd and the expected traffic flows for the proposed development there is no requirement to undertake a further detailed intersection assessment. Under these traffic flows, the crossovers are expected to operate at close to a level of service A with low degrees of saturation, see below.

This conclusion is drawn from information previously part of, Table 2.4 from the Austroads publication, *Guide to Traffic Management Part 6 – Intersections, Interchanges and Crossings* provides advice as to intersection and crossover performance in peak flow conditions about possible further analysis. This is summarised in Table 5.1. If the calculated expected traffic flows for this development exceed those shown in Table 5.1 further assessment is typically required. However, unlike schools which have set start and finish times, childcare centre pick up and drop off times are generally spread out over a longer period of time, and therefore there is a lesser impact on the network than a school.

Table 5.1: Austroads Guidelines

Major Road Type	Major Road Flow (two-way, vph)	Minor Road Flow (two-way, vph)
	400	250
Two-lane	500	200
	650	100
	1,000	100
Four-lane	1,500	50
	2,000	25



TRAFFIC VOLUMES

The development is expected to generate two-way traffic flows of approximately 70 vehicles per hour (the "Minor" road) whilst traffic flows on Coolibah Drive (the "Major" road) are expected to be no more than approximately 350 vehicle per hour in the PM peak. The minor road flows are less than a third of the required trigger of 250 (referring to row one in the above table).

5.2. Types of Vehicles

The type of vehicles expected to access the site are solely private motor vehicles. There is not expected to be a vehicle larger than that, apart from a small delivery van or similar, delivering to the site, but a vehicle of this size would be very close in size to the largest expected private motor vehicle, typically a B99 as defined in Australian Standards.

No coaches or buses are expected to enter the site beneath the building.



6. TRAFFIC MANAGEMENT ON FRONTAGE STREETS

Coolibah Drive affords the site the only viable access to/from the development. This road is under the care and control of the City of Joondalup and is classified at a Local Distributor under Main Roads Western Australia Functional Road Hierarchy. It carries approximately 5,920¹ vehicles per day.

In the peak period the traffic flows consist of:

AM Peak (8am to 9am) 766 vehicles per hour

PM Peak (3pm to 4pm) 635 vehicles per hour

The road consists of two 4.0m wide carriageways either side of a 2.0m wide mixed painted/raised concrete median within a 26m wide road reserve. Full movements will be available at the proposed crossover location for the development.

On both sides of Coolibah Drive there are 1.2m wide footpaths set back approximately 3.5m from the edge of the road. East of the proposed development crossover there is an existing traffic island with a pedestrian gap and ramps.

Coolibah Drive is subject to the default built up area speed limit of 50km/h but there is a 40km/h school zone south of the site towards West Greenwood Primary School.

In the five-year period up to 31/12/2019 there had been no recorded crashes on Coolibah Drive in the vicinity of the proposed development suggesting this section of road is relatively safe.

¹ From Main Roads recorded for 2014/15



7. PEDESTRIAN, CYCLIST AND PUBLIC TRANSPORT ACCESS

7.1. Pedestrian Access

7.1.1. Existing and Proposed Pedestrian Facilities Within the Development

There are no existing pedestrian facilities within the development, given they are currently used for Residential purposes.

As part of the development, three pedestrian access points are proposed within the development, including two sets of stairs and one ramp. One ramp and one set of stairs lead to the front of the Childcare Centre and therefore path along Coolibah Drive and one set of stairs are on the northern boundary, providing access between the centre and the bin store area. All pedestrian access points service the Childcare area to/from the car parking area.

7.1.2. Existing Pedestrian Facilities on Surrounding Roads

There are 1.2m paths on both sides of the street along Coolibah Drive. There is a median island crossing opportunity directly in front of 126 Coolibah Drive, which is within close proximity to the subject site. There is another crossing opportunity just south of Garnkirk Road. The paths provide a connection between local residents, the schools and the local centre, supporting walking as a mode of transport for local trips.

7.1.3. Proposals to Improve Pedestrian Access

There are no plans or requirement to improve the pedestrian access network outside of the development site as part of this development.

7.2. Cyclist Access

7.2.1. Existing and Proposed Cycle Facilities Within the Development

There are no existing cycling facilities within the development site.

As part of this development, on-site bicycle parking facilities are proposed, including six (6) bike parking bays where only two (2) are required. Cyclist parking access (located in the underground car park) can be achieved through both the vehicle access point and the ramp.

7.2.2. Existing and Proposed Cycle Facilities on Surrounding Roads

There is no dedicated cycling facilities on the surrounding roads, and as mentioned above, there are only 1.2m wide paths on either side of Coolibah Drive.

On April 27 2016, WA's laws were changed to allow cyclists of all ages to use footpaths, unless otherwise signed. The amendment to the *Road Traffic Code 2000* brought WA's bicycle laws into line with the rest of Australia, making it legal for parents to cycle alongside their children on footpaths, improving safety.



PEDESTRIAN, CYCLIST AND PUBLIC TRANSPORT ACCESS

7.2.3. Proposals to Improve Cycle Access

There are no proposal or requirement to improve the cycling access to the site in the wider network as part of this development.

7.3. Public Transport Access

Bus route 445 runs between Warwick Station and Whitfords Station, with the closest bus stop northbound located 75m from the site and southbound approximately 115m from the site. Southbound bus route 445 operates every 15 minutes in the peak hours, and hourly off peak. There are paths on both sides of the road connecting to the bus stops.



8. SITE SPECIFIC ISSUES

There are no site specific issues requiring special attention as part of this assessment.



9. SAFETY ISSUES

No safety issues have been identified and thus there are no proposed mitigations. The proposed development is not expected to adversely affect the operation of Coolibah Drive nor the operation of the footpath on the side of Coolibah Drive fronting the proposed development.



CONCLUSION

As a result of the traffic analysis undertaken for proposed Childcare development at 122 & 124 Coolibah Drive in Greenwood, the following findings have been made:

- The proposed development is not expected to generate significant vehicular trips.
- Therefore, the impacts of the traffic volumes associated with the development on the road network are considered acceptable.
- Expected parking peak demand should be all contained on-site and no requirement for off-site parking.
- As part of the development, three pedestrian access points are proposed within the development, including two sets of stairs and one ramp.
- There are 1.2m wide paths on both sides of the street along Coolibah Drive and the median island directly in front of 126 Coolibah Drive provides crossing opportunity within close proximity to the subject site
- As part of this development, on-site bicycle parking facilities are proposed, including six (6) bike parking bays where only two (2) are required.

The required WAPC checklist for this transport impact statement is at **Appendix B**.





Lloyd George Acoustics

PO Box 717 Hillarys WA 6923 T: 9401 7770 www.lgacoustics.com.au

Environmental Noise Assessment

Childcare Centre, Lots 207 and 208 (#122 and #124) Coolibah Drive, Greenwood

Reference: 20035418-01B

Prepared for: Planning Solutions



Report: 20035418-01B

Lloyd George Acoustics Pty Ltd

ABN: 79 125 812 544

PO Box 717 Hillarys WA 6923

www.lgacoustics.com.au

T: 9401 7770

Contacts	Daniel Lloyd	Terry George	Matt Moyle	Olivier Mallié	Ben Hillion	Rob Connolly
E:	daniel@lgacoustics.com.au	terry@lgacoustics.com.au	matt@lgacoustics.com.au	olivier@lgacoustics.com.au	ben@lgacoustics.com.au	rob@lgacoustics.com.au
M:	0439 032 844	0400 414 197	0412 611 330	0439 987 455	0457 095 555	0410 107 440

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.

Date:	Rev	Description	Prepared By	Verified
26-May-20	0	Draft Issued to Client	Rob Connolly	Matt Moyle
28-May-20	Α	Issued to Client	Rob Connolly	Matt Moyle
18-June-20	В	Updated to include additional receivers and earthworks/retaining data	Rob Connolly	Matt Moyle

Table of Contents

1	INTRODUCTION	1
2	CRITERIA	2
3	METHODOLOGY	6
3.1	Meteorological Information	6
3.2		
3.3		
3.4		
3.5		
3.6		
4	RESULTS	
4.1		
4.2		
4.3		
5	ASSESSMENT	
5.1	Outdoor Child Play	
5.2		
6	CONCLUSIONS	
List	of Tables	
	2-1 Adjustments Where Characteristics Cannot Be Removed	3
	2-2 Baseline Assigned Noise Levels	
	2-3 Influencing Factor Calculation	
	2-4 Assigned Noise Levels	
	3-1 Modelling Meteorological Conditions	
	3-2 Source Sound Power Levels, dB	
	4-1 Predicted Noise Levels of Child Play, dB L _{A10}	
	4-2 Predicted Noise Levels of Mechanical Plant, dB L _{A10}	
	5-1 Assessment of Outdoor Child Play Noise Levels, dB L _{A10}	
		 _

List of Figures

Figure 1-1 Project Locality (PlanWA Aerial)	2
Figure 2-1 Land Use Map	5
Figure 3-1 3D Noise Model	8
Figure 4-1 Outdoor Child Play Noise Contour Plot, dB L _{A10}	10
Figure 4-2 Mechanical Plant Noise Contour Plot, dB L _{A10}	12

Appendices

- A Development Plans
- B Noise Terminology

1 INTRODUCTION

It is proposed to develop the land located at Lots 207 and 208 (#122 and #124) Coolibah Drive in Greenwood (refer *Figure 1-1*) into a childcare centre. The proposed childcare centre development will consist of the following:

- Five internal play spaces capable of accommodating up to 83 children, grouped as follows:
 - o Activity areas 1A and 1B (3 years or over), 20 children in 2 groups (Kindy),
 - o Activity area 2 (2 to 3 years old), 15 children in each group (Toddlers),
 - o Activity area 3 (0-24 months), 16 children (Wobblers), and
 - o Activity area 4 (0-24 months), 12 children (Babies).
- One landscaped outdoor play area located to the north of the building.
- One decked outdoor play area located to the north-east of the building.
- Amenities and associated mechanical plant such as:
 - o One kitchen with range-hood and exhaust fan assumed to be located on the roof above,
 - Various exhaust fans (toilets, laundry, nappy room) assumed to be located on the roof above, and
 - o AC plant located at ground level on the south side of the building near Store 2.
- Basement level covered car parking in the building with 24 bays comprising both dedicated staff and visitor bays.

This report presents the assessment of the noise emissions from child play, car doors closing in the covered car park and mechanical plant associated with the childcare centre against the *Environmental Protection (Noise) Regulations 1997* (the Regulations) based on the development drawings shown in *Appendix A*.

The proposed hours of operation are 6.30am to 6.30pm Monday to Friday. Therefore, staff and visitors can arrive and park before 7.00am, which is during the night-time period of the Regulations. It is assumed outdoor child play would not occur until after 7.00am.

Appendix B contains a description of some of the terminology used throughout this report.



Figure 1-1 Project Locality (PlanWA Aerial)

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 Er	nission 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		Assigned Level (dB)			
Noise	Time Of Day	L _{A10}	L _{A1}	L _{Amax}	
	0700 to 1900 hours Monday to Saturday (Day)	45 + influencing factor	55 + influencing factor	65 + influencing factor	
Noise sensitive premises: highly	0900 to 1900 hours Sunday and public holidays (Sunday)	40 + influencing factor	50 + influencing factor	65 + influencing factor	
sensitive area ¹	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	
Commercial	All hours	60	75	80	
Industrial	All hours	65	80	90	

^{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 3 dB, as shown in *Table 2-3*. The transport factor has been calculated as 2 dB, due to either the Mitchell Freeway or Hepburn Avenue being considered a major road (> 15,000 vehicles per day – WA Traffic Maps (Hepburn Ave 32,430 VMPD 2018/2019) & (Mitchell Freeway SB 54,376 VMPD 2018/2019) within 450 metres of the residences. Lot 132, the location of the Coolibah Plaza Shopping centre is within 100 metres and is zoned commercial, based on the City of Joondalup shown on *Figure 2-1*. The property at # 126 Coolibah Drive is currently being used for commercial purposes and we understand will be re-developed as a medical centre in the future, as such this lot is treated as commercial for the purposes of this assessment.

Table 2-3 Influencing Factor Calculation

Description	Within 100 metre Radius	Within 450 metre Radius	Total		
Industrial Land	0 %	0 %	0 dB		
Commercial Land	11 %	1 %	0.6 dB		
	Transport Factor				
	Total				

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		Assigned Level (dB)		
Noise	Time Of Day	L _{A10}	L _{A1}	L _{Amax}
	0700 to 1900 hours Monday to Saturday (Day)	48	58	68
Noise sensitive	0900 to 1900 hours Sunday and public holidays (Sunday)	43	53	68
premises: highly sensitive area ¹	1900 to 2200 hours all days (Evening)	43	53	58
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays (Night)	38	48	58
Commercial	All hours	60	75	80

^{1.} highly sensitive area means that area (if any) of noise sensitive premises comprising —

It is noted the assigned noise levels are statistical levels and therefore the period over which they are determined is important. The Regulations define the Representative Assessment Period (RAP) as a period of time of not less than 15 minutes, and not exceeding 4 hours, which is determined by an inspector or authorised person to be appropriate for the assessment of a noise emission, having

⁽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.

regard to the type and nature of the noise emission. An *inspector* or *authorised person* is a person appointed under Sections 87 & 88 of the *Environmental Protection Act 1986* and include Local Government Environmental Health Officers and Officers from the Department of Environment Regulation. Acoustic consultants or other environmental consultants are not appointed as an *inspector* or *authorised person*. Therefore, whilst this assessment is based on <u>a 4 hour RAP</u>, which is assumed to be appropriate given the nature of the operations, this is to be used for guidance only.



Figure 2-1 Land Use Map

3 METHODOLOGY

Computer modelling has been used to predict noise levels at each nearby receiver.

The software used was *SoundPLAN 8.1* with the CONCAWE (ISO 171534-3 improved method) algorithms selected. These algorithms have been selected as they 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.

Parameter	Night (1900-0700)	Day (0700-1900)
Temperature (oC)	15	20
Humidity (%)	50	50
Wind Speed (m/s)	3	4
Wind Direction*	All	All
Pasquil Stability Factor	F	E

Table 3-1 Modelling Meteorological Conditions

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

Topographical data was based on that publicly available from *GoogleEarth* in the form of spot heights, noting the topography is relatively flat with no significant natural/manmade features between sources and receivers.

It is understood that adjacent to the west is a future residential development (at #20, #22 and #24 Kanangra Cres), which has planned retaining wall (up to 3m high) and boundary fence construction

^{*} Note that the modelling package used allows for all wind directions to be modelled simultaneously.

currently undergoing building permit application. These future ground heights and fences have been incorporated into the noise model – as shown in *Figure 3-1*.

3.3 Ground Absorption

Ground absorption varies from a value of 0 to 1, with 0 being for an acoustically reflective ground (e.g. water or bitumen) and 1 for acoustically absorbent ground (e.g. grass). In this instance, a value of 0.6 has been used as an average across the study area.

3.4 Buildings and Receivers

Surrounding existing buildings were included in the noise model, as these can provide noise shielding as well as reflection paths.

All adjacent houses are single storey and were modelled as 3.5 metre high buildings and with receivers located 1.5 metres above local ground level

3.5 Source Sound Levels

The sound power levels used in the modelling are provided in *Table 3-2*.

Description		Octave Band Centre Frequency (Hz)						Overall	
		125	250	500	1k	2k	4k	8k	dB(A)
Child Play 2-3 years old (15 kids), L ₁₀	49	58	68	75	81	80	73	65	85
Child Play 3 years old or over (20 kids) x 2, L ₁₀	54	63	73	80	86	85	78	70	90
AC plant, 22 kW unit (3 off), each, L ₁₀	83	85	79	80	74	72	64	58	81
Toilet/Laundry Exhausts, each, L ₁₀	60	65	62	63	60	61	56	53	67
Kitchen Exhaust Rangehood, L ₁₀	50	64	61	70	69	66	62	50	73

Table 3-2 Source Sound Power Levels, dB

The following is noted in relation to the source levels above:

- Child play source levels represent the group of children playing outside at the same time. Where child numbers differ slightly the levels were scaled logarithmically. It is noted that based on observations and measurements, the noise levels tend to increase with the children's age and therefore children 3 years or over were considered noisier than children aged 2-3 years. Noise from infant 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:
 - o 3 year old or over 1.0 metre above ground plane; and
 - o 2-3 year old 0.9 metre above ground plane.
- Based on the drawings, three AC units were assumed to be required for the various spaces.
 Each was modelled as a point source located 1.0 metres above ground level. These are

positioned on the south east corner of the undercroft parking area mounted on concrete plinths, as per the plans.

- Other mechanical plant includes five exhaust fans (toilets and laundry) and one kitchen exhaust fan/range hood fan. All were modelled as point sources approximately 0.5 metre above roof level and generally above the area serviced.
- The air conditioner condenser outdoor units are to be located in the basement car-park area.

3.6 Walls and Fences

The existing boundary fences of the residences generally consist of 1.8 metre high sheet metal fence. As discussed, the future *colorbond* fencing and retaining walls for #20-#24 Kanangara are also included in the noise model.

As per the proposed plans, no solid fencing is assumed to be present to the front of the decked play area towards Coolibah Road, as open slat style fencing is proposed. A brick base with glass balustrade is proposed for the northern side boundary.

Figure 3-1 shows a view of the 3D model based on the information above in relation to topography and building and fence heights. Also shown are the outdoor play areas and point sources (e.g. mechanical plant) as dots.

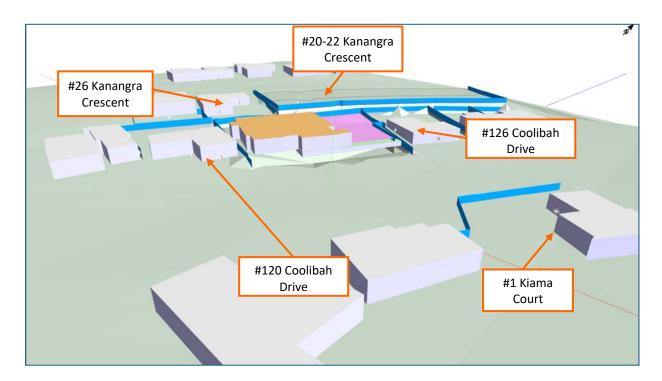


Figure 3-1 3D Noise Model

4 RESULTS

4.1 Outdoor Child Play

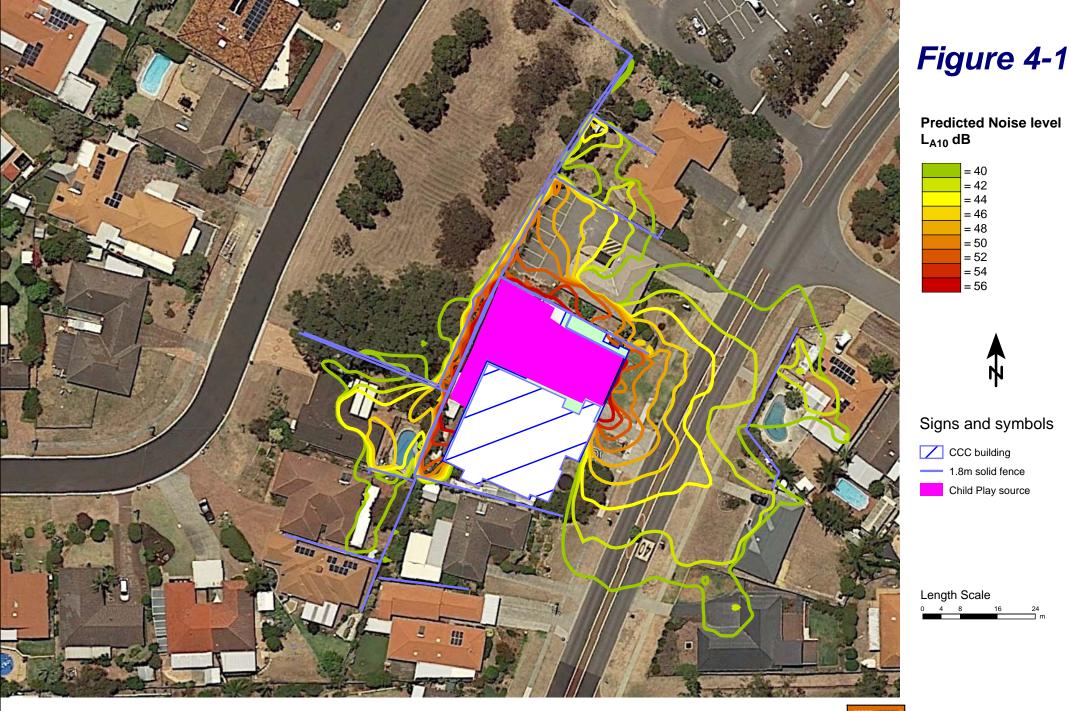
The childcare development will host up to 83 children with 55 children above the age of two and considered to make noise during child play i.e. babies and wobblers are not considered to make significant or prolonged noise during play. It is noted play time is generally staggered and therefore not all 55 children would be playing outside at once for extended periods of time. However, noise levels were predicted for the following worst-case scenario:

• 55 children are playing outside simultaneously for extended period of time.

Table 4-1 presents the predicted noise levels at each receiver, noting the predicted noise levels are from child play only i.e. mechanical plant noise is not included. *Figure 4-1* also shows the predicted noise levels as noise contour maps at ground level (1.5 metres AGL).

Table 4-1 Predicted Noise Levels of Child Play, dB LA10

Receiver	Façade Facing	55 Children Outside L _{A10} dB
1 Kiama Court	NW	40
1 Kiama Court SW	SW	42
19 Kanangra Crescent	SE	32
20-22 Kanangra Crescent	E	40
21 Kanangra Crescent	SE	35
23 Kanangra Crescent	SE	35
25 Kanangra Crescent	E	33
26 Kanangra Crescent	E	49
28 Kanangra Crescent	E	41
119 Coolibah Drive	N	39
120 Coolibah Drive	W	39
121 Coolibah Drive	W	41
126 Coolibah Drive	NW	47



Lots 207 and 208 (#122 and #124) Coolibah Drive, Greenwood CCC **Development - Predicted Noise Levels**

 $\mathsf{L}_{\mathsf{A10}}$ Noise Level Contours - Children Playing Only - Ground Floor



Lloyd George Acoustics by Rob Connolly rob@lgacoustics.com.au (61) 410 107 440

Predicted Noise level

= 42 = 44 = 46 = 48 = 50 = 52 = 54 = 56

CCC building 1.8m solid fence Child Play source

Length Scale

4.2 Mechanical Plant

Mechanical plant consists of AC plant and extraction fans for the kitchen, toilets and laundry. The AC plant is shown to be located in the basement car park area. The exhaust fans were assumed to be located on the roof and above the room being serviced.

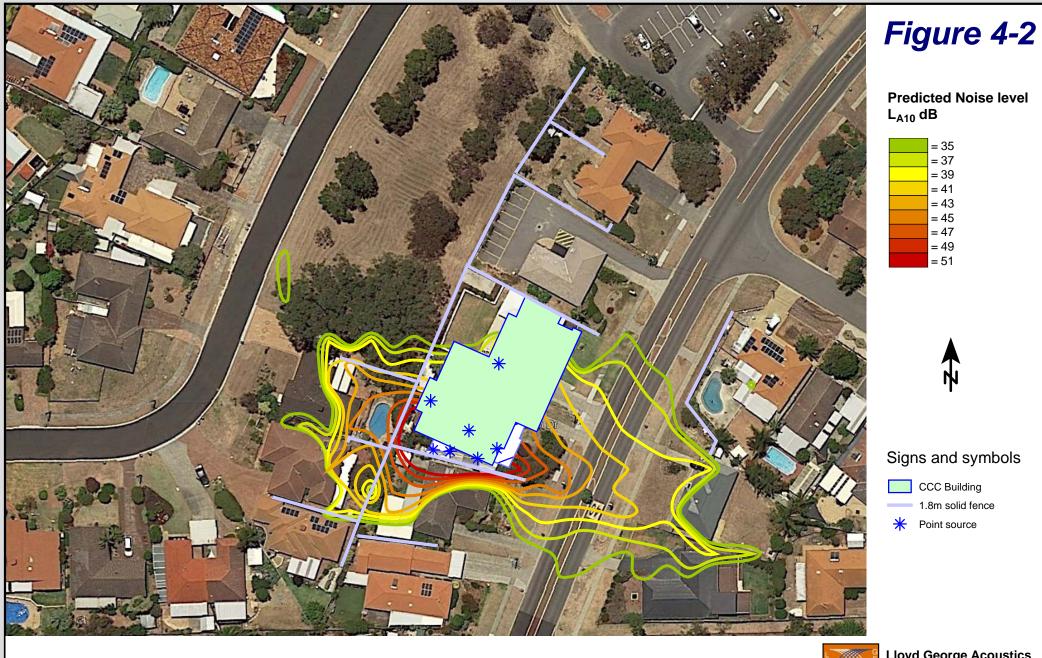
Since the childcare centre opens from 6.30am, it was considered that all plant could be operating simultaneously at night-time (i.e. before 7.00am). The predicted mechanical plant noise levels are presented in *Table 4-2*.

Table 4-2 Predicted Noise Levels of Mechanical Plant, dB LA10

Receiver	Façade Facing	All Mechanical Plant Operating L _{A10} dB
1 Kiama Court	NW	25
1 Kiama Court SW	SW	26
19 Kanangra Crescent	SE	27
20 Kanangra Crescent	E	32
21 Kanangra Crescent	SE	28
23 Kanangra Crescent	SE	30
25 Kanangra Crescent	E	30
26 Kanangra Crescent	E	37
28 Kanangra Crescent	E	36
119 Coolibah Drive	N	28
120 Coolibah Drive	W	33
121 Coolibah Drive	W	25
126 Coolibah Drive	NW	29

It can be seen that at most receivers, the predicted mechanical plant noise is lower than the child play noise levels (*Table 4-1*). Therefore, child play noise would dominate the noise levels at most receivers except prior to 7.00am, when child play noise is not present.

The overall mechanical plant only noise levels are also shown on Figure 4-2.



Lots 207 and 208 (#122 and #124) Coolibah Drive, Greenwood CCC Development - Predicted Noise Levels

 $\mathsf{L}_{\mathsf{A}10}\,$ Noise Level Contours - Mech Plant Only - Ground Floor



Lloyd George Acoustics by Rob Connolly rob@lgacoustics.com.au (61) 410 107 440

4.3 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; and,
- Any music played within the internal activity areas would be 'light' music with no significant bass content and played at a relatively low level.

5 ASSESSMENT

5.1 Outdoor Child Play

Although the childcare centre opens from 6.30am, outdoor child play will only occur after 7.00am, when the assigned noise levels are 48 dB $L_{\rm A10}$. Noise from child play is not considered to contain annoying characteristics within the definition of the Regulations and therefore no adjustments are made to the predicted noise levels.

Table 5-1 presents the assessment of the highest predicted noise levels from 55 children above the age of 2 playing outside against the L_{A10} assigned noise level at each receiver. It is noted that at the receivers shown in *Table 5-1*, that in general the child play noise is dominant. There are no locations where both source types contribute significantly to each other and therefore have been assessed separately. Mechanical plant noise is specifically addressed in *Section 5-2*.

Table 5-1 Assessment of Outdoor Child Play Noise Levels, dB LA10

Receiver	Façade Facing	Assigned Noise Level L _{A10} dB	Children Playing Outside	Exceedence dB
1 Kiama Court	NW	48	40	Complies
1 Kiama Court SW	SW	48	42	Complies
19 Kanangra Crescent	SE	48	32	Complies
20-22 Kanangra Crescent	E	48	40	Complies
21 Kanangra Crescent	SE	48	35	Complies
23 Kanangra Crescent	SE	48	35	Complies
25 Kanangra Crescent	E	48	33	Complies
26 Kanangra Crescent	E	48	49	+1
28 Kanangra Crescent	E	48	41	Complies
119 Coolibah Drive	N	48	39	Complies

Receiver	Façade Facing	Assigned Noise Level L _{A10} dB	Children Playing Outside	Exceedence dB
120 Coolibah Drive	W	48	39	Complies
121 Coolibah Drive	W	48	41	Complies
126 Coolibah Drive	NW	60	47	Complies

From *Table 5-1* it can be seen that exceedences are predicted at those receivers on the north, east and south side of the proposed development, with a exceedence of +1 dB predicted at #26 Kanangra Crescent the rear of development.

Based on the modelling assumptions and results, the following mitigation options are required to achieve compliance:

Limit the number of children playing outside for those above the age of two. Of the three
groups (one toddler group and two kindy groups), only up to two groups should play in the
outdoor space at any one time. Note that children under the age of 2 can be outside without
this restriction.

5.2 Mechanical Plant

Given the proposed opening hours of the childcare centre, the night-time period (i.e. before 7.00am) is most critical. The overall noise levels are generally attributed with a +5 dB adjustment for tonality (refer *Table 2-1*) is to be made to the predicted noise levels. After 7.00am, tonality is not considered likely and therefore no adjustment is made for the daytime period.

Based on the predicted noise levels in *Table 4-2*, the highest assessable night-time noise levels are therefore 42 dB L_{A10} (including the tonality adjustment), at the receiver at #26 Kanangra Crescent. As such, the night-time L_{A10} assigned noise level of 38 dB would be exceeded by up to 4 dB.

It must be noted this assessment is based on assumptions in relation to the size and type of exhaust fans. Therefore, mechanical plant noise must be reviewed by a qualified acoustical consultant during detailed design, when plant selections and locations become known. However, based on the modelling carried out, compliance can be achieved by implementing the following:

- Allow for silencers or interior duct lining in the duct design of exhaust fans.
- Orient the exhausts away from each nearest noise sensitive receiver.
- All plant to be mounted on suitable anti-vibration mounts.

6 CONCLUSIONS

The noise impacts from the proposed childcare centre to be located at Lots 207 and 208 (#122 and #124) Coolibah Drive in Greenwood have been assessed against the relevant criteria of the *Environmental Protection (Noise) Regulations 1997*.

Based on the modelling and assessments above in relation to the noise emissions from child play, mechanical plant it is concluded that compliance can be achieved provided that the following are implemented:

- Limit the number of children playing outside for those above the age of two. Of the three groups (one toddler group and two kindy groups), only up to two groups should play in the outdoor space at any one time. Note that children under the age of 2 can be outside without this restriction.
- Mechanical plant that runs prior to 7am to be selected to have a quiet noise output mode (subject to review and verification during detailed design) or to be attenuated to achieve a 4 dB reduction.

It is noted that the assessment of the mechanical plant is based on assumptions in relation to the size and type of exhaust fans. Therefore, mechanical plant noise should be reviewed by a qualified acoustical consultant during detailed design, when plant selections and locations become known.

Finally, the following best practices should be implemented:

- 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,
- Favour soft finishes in the outdoor play area to minimise impact noise (e.g. soft grass, sand pit(s), rubber mats) over timber or plastic,
- Favour soft balls and rubber wheeled toys,
- Crying children should be taken inside to be comforted,
- No amplified music to be played outside,
- External doors and windows to be closed during indoor activity / play, and
- Any music played within the internal activity areas to be 'light' music with no significant bass content and played at a relatively low level.

Reference: 20035418-01B Page 15

Appendix A

Development Plans

COTTROE & ENGINEERING SURVEYS SIRVEYS

87-89-Guffnis Sinset, Oscome Park, Wieslem Australia | lieigsprane (08) 9446 7561 | Fossimier (08) 9445 2988 | Email: pethilikotalogacomasu Websile www.cotalogacomasu | J/N: | DATE: | SCALE: | DRAWN: | 466123 | 26 Feb 20 | 1:200 | Welgattman

Builder: Aveling Homes
CIDET: Collaborative Holdings ART the Collaborative
LOTS 207, 208 #122 & 124 Coolibah Drive,
Greenwood

OLD SEC Dome

SE

PLANNING DRAWINGS

conducing forms on survey are form and and the first survey are form and a fel first survey due in the first survey due and first first survey due to the first survey due tou

obinidaries. All restricts and seems point are not based on niverstation to existing page and fence have dear niverstation to existing page and fence have designed and ye designed have designed to the location of existing features should have these features location varieties in relation to the true boundary.

DISCLAMER:
Survey above visible features only and will not also related to the properties of underground piece or conditions.

should be confirmed prior to finalisation of any design work.

DISCLAIMER:
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the pancel or portion of the parcel of land shown on this survey in calding any adjoining neighbours levels and features that have occurred after the date on this survey in comment of the parcel of the date on this survey in the parcel of the

The instruments in spiges or year at the experience.

Does Date of starvey marks (spiges, all building offset dimensions is facilities are approximate only and positioned from easing page), there are walls which positioned from easing page, there are walls which positioned from easing page, there are walls with market were desired from the easing page. Any oxing that the movies addition to larry structures where or portion of structures remarking after any devention has based paint on experience to be repopped and exact offsets provided to your designant, or where the other pages are provided to your designant, or where the other pages are provided as the provided and the pages of the

LOT 208 MISCLOSE
0.002 m

LOT 207 MISCLOSE
0.000 m

SOIL DESCRIPTION
Sand

LOT 208 Brick & Tile On Slab SITE DEMO PLAN NOTE: DEMOLITION BY BUILDER ALL DEMOLITION INDICATED BY DASHE LINES TO BE REMOVED FROM SITE

NEIGHBOURHOOD SHOPPING CENTRE

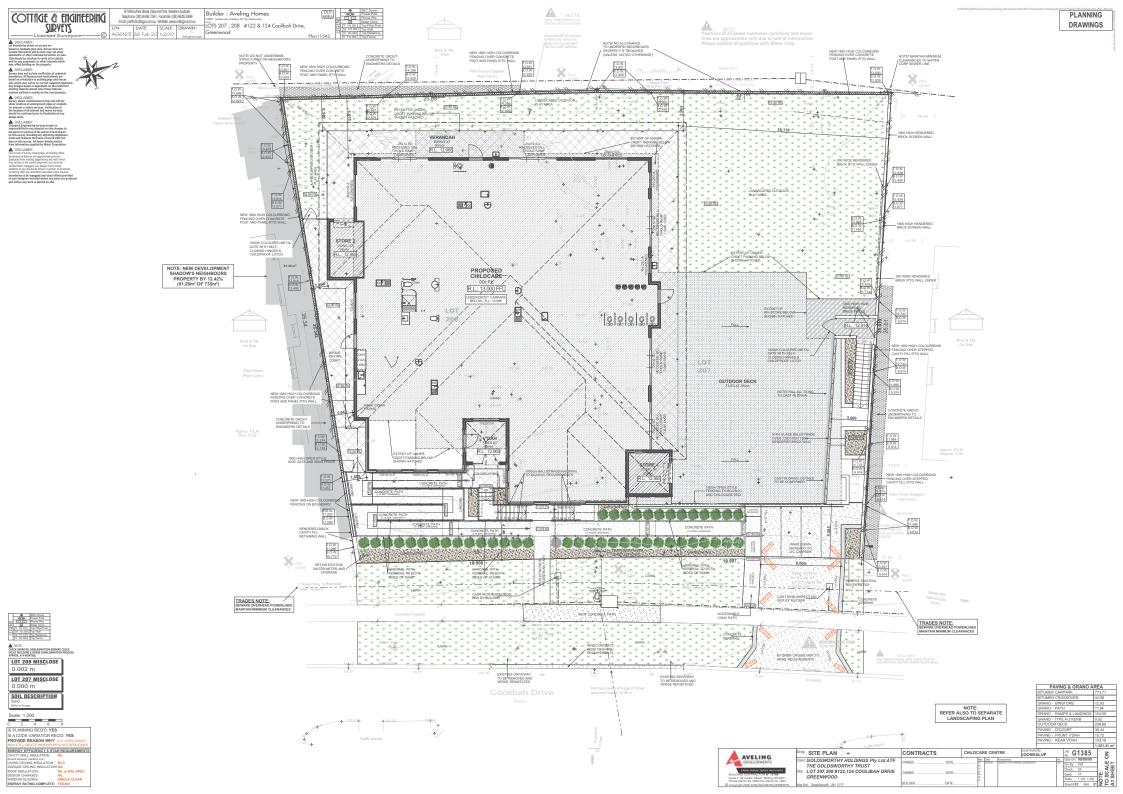


WEST GREENWOOD PRIMARY SCHOOL

AVELING

NEW CHILDCARE CENTRE OVER #122 &-124 COOLIBAH DRIVE

LOCALITY PLAN





10,050 NOTE:
Positions of all sewer manholes, junctions and sewer lines are approximate only due to lack of information Please confirm all positions with Water Corp. NOTE! STRUCTURAL ENGINEER TO CONFIRM BUILDING MATERIALS COMPLY WITH CLASS 9b, TYPE B FRL REQUIREMENTS PEG 22.1 A -**(A**) FALL TO GRATI FALL TO GRATI **-**♠ PLUMB. DUCT STORE OF NO LOT 208 **1** COONDRETE BEAR OVER C staff F.F.L. 10.086 LL'TO GRATE 207 BITUMEN CARPARK FALL TO GRATE CL: -03c G.L., 04c **A3**— -A3 SEPARATE GAS AND ELECTRIC Window 11.41 METER BOX. 1888h **A** STEPPED CAVITY FILL RTG WALL - REFER TO SITE PLAN 18 PEG GONE , 2,239 2,239 4,650 6,750 25,700

CLIENT NOTE NOTED DMENSIONS WILL TAKE PREFERENCE TO SCALE DMENSIONS SHOWN ON PLANS ARE TO BRICKWORK, INTERNAL SPACES WILLALTER IN SIZE TO ACCOMMONTE WALL FINISHES HFLEX TO ALL EXTERNAL CEILINGS & EAVEL NINGS UNIO NUMBER AND SPACING OF RAIN WATER PIPES IS APPROXIMATE & GOVERNED BY POOF STRUCTUR & ATTHE PLUMBERS DISCRETION THE STATE OF THE S REDUCED LEVEL FRISHED FLOOR LEVEL ABOVE FLOOR LEVEL ABOVE FLOOR FLOOR SECOND FLOOR FLOOR FLOOR LEVEL CELING LEVEL PLUMENG DUCT WALL PLATE WHY MAN WATERHEAD

NE SOLT BEADS

ALCON MARKE

MEDICAL TO BEADS

M

(U.N.O.) UNLESS NOTED OTHERWISE ON PLAN THE FOLLOWING SHALL APPLY BRICKLAYER NOTE 6⁵⁰ RODS 8.3° OF LONGREACH BRICK TO TOP OF INTERNAL W BETWEEN 2-Z.

REFER TO CONSTRUCTION DETAIL SHEET & ENGINEER CERTIFIED DETAILS

REFER TO ENGINEERS TIE DOWN DETAILS

ROOF CARPENTER NOTE REFER TO ENGINEERS TIE DOWN DETAILS

REFER TO BUILDERS RO CARPENTER SPECIFICATION

ALL SHELVES 450 DEEP (U.N.O.) HANG RAIL CENTRE TO BE 250** OFF WALLI BACK OF SHELF.

WIRROBE SHELF & RAIL AT 1800^{MA} A.F.L. PANTRY 4 SHELVES
FANTRY 4 SHELVES
TOP SHELP AT 1800*** A.F.L.
BOTTOM SHELP AT 800*** A.F.L.
EC. SPACE SHELVES SETWIEN
LINEN 4 SHELVES
TOP SHELP AT 1800*** A.F.L.
EC. SPACE ALL SHELVES TO F.F.L.
EC. SPACE ALL SHELVES TO F.F.L.

BROOM: 1 x SHELF AT 1800*** A.F.L. PROVIDE DRAFTPROOF SEAL TO BYTRY, GARAGEBYTRY & LAUNDRY EXTERNAL DOORS WHERE APPLICABLE

TOWEL RALS FIXED AT 1100MA.

FIXING CARPENTER NOTE PROVIDE GALLOWS BRACKE SUPPORT TO SHELVES OVER 1800***LONG (MAX. 1800***)

> | 799.71 m² | 162.48 m | 160.48 m | 160.50 m CHILDCARE CENTRE FLOOR PLANTIC CONTRACTS AVELING COLDSWORTHY HOLDINGS Pty Ltd ATF THE GOLDSWORTHY TRUST LOT 207,208 #122,124 COOLIBAH DRIVE GREENWOOD

PLANNING DRAWINGS (U.N.O.) UNLESS NOTED OTHERWISE ON PLAN THE FOLLOWING SHALL APPLY BRICKLAYER NOTE 6⁵⁰ RODS 8.3° OF LONGREACH BRICK TO TOP OF INTERNAL W BETWEEN Z.Z.

REFER TO CONSTRUCTION DETAIL SHEET & ENGINEER CERTIFIED DETAILS

REFER TO ENGINEERS TIE DOWN DETAILS ROOF CARPENTER NOTE

REFER TO ENGINEERS TE DOWN DETAILS REFER TO BUILDERS RO CARPENTER SPECIFICATION FIXING CARPENTER NOTE

PROVIDE GALLOWS BRACKE SUPPORT TO SHELVES OVER 1800***LONG (MAX. 1800***)

ALL SHELVES 450 DEEP (U.N.O.) HANG RAIL CENTRE TO BE 250** OFF WALLI BACK OF SHELF.

WRIROBE SHELF & RAIL AT 1800^{MA} A.F.L. PANTRY 4 SHELVES
TOP SHELP AT 1800*** A.F.L.
BOTTOM SHELP AT 1800*** A.F.L.
ECL SPACE SHELVES BETWEEN
LINEN 4 SHELVES
TOP SHELP AT 1800*** A.F.L.
ECL SPACE ALL SHELVES TO F.F.L.
ECL SPACE ALL SHELVES TO F.F.L.

BROOM: 1 x SHELF AT 1800*** A.F.L.

PROVIDE DRAFTPROOF SEAL TO BUTRY, GARAGEBUTRY & LAUNDRY EXTERNAL DOORS WHERE APPLICABLE

TOWEL RALS FIXED AT 1100PM A.F. CLIENT NOTE NOTED DMENSIONS WILL TAKE PREFERENCE TO SCALE

DMENSIONS SHOWN ON PLANS ARE TO BRICKWORK, INTERNAL SPACES WILLALTER IN SIZE TO ACCOMMONTE WALL FINISHES

HFLEX TO ALL EXTERNAL CELLINGS & EAVELININGS UNIO

NUMBER AND SPACING OF RAIN WATER PIPES IS APPROXIMATE & GOVERNED BY POOF STRUCTUR & ATTHE PLUMBERS DISCRETION

SECOND STATEMENT OF THE SECOND

PROJECTO LEVEL
PROSED FROM PROPERTY PRO

22,290

NOTE! STRUCTURAL ENGINEER TO CONFIRM BUILDING MATERIALS COMPLY WITH CLASS 9b, TYPE B FRL REQUIREMENTS PLANNING

DRAWINGS

43 €4 ₿ €2 €3 EXTENT OF UNDER-CROFT BELOW **A**--**A ACTIVITY 4** VINYL A: 40.86 m2 42 BABIES **11 0** ACTIVITY 3 ACTIVITY 2 PREP 2 A: 53.76 m2 16 WOBBLERS 15 TODDLERS (2-3yrs) (0-2yrs) RENDERED BRICK

RETAINING WALL - REFER
TO SITE PLAN EXTENT OF UNDER-CROFT BELOW **A**D--A) **A** -PASSAGE SON SHIP. (3+yrs) KITCHEN OUTDOOR DECK OVER UNDERCOFT PARKING (REFER TO SITE PLAN) **43**-OVER 1200 HIGH 190W RENDERED BRICK WALL -A3 ACTIVITY 1A OFFICE 20 KINDYS FENCING OVER STEPPED CAVITY FILL R'TG WALL **A A** 36 RETAINING WALLS
TO SITE PLAN WEATHER BOARD OVER TIMBER FRAMING REFER TO SITE PLAN
FOR DETAILS OF RAMPS
AND HANDRAILS 1 €4 2,000 900 790 1919 889 1,010 800 2,160 900 2,160 1,140 2,710 3,240 2,000 900 7,500 3,000 9,190 643

WHY MAN WATERHEAD

NE SOLT BEADS

ALCON MARKE

MEDICAL TO BEADS

M

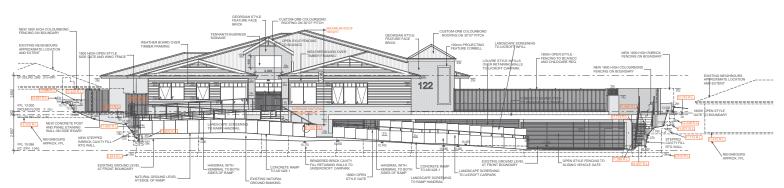
FLOOR PLANGE AVELING EGOLDSWORTHY HOLDINGS Pty Ltd ATF THE GOLDSWORTHY TRUST LOT 207,208 #122,124 COOLIBAH DRIVE GREENWOOD

CHILDCARE CENTRE CONTRACTS | Acc | G1385 | No: 001001010 | One Orice 001001010 | One Orice 001001010 | One Orice | On JOONDALUP

NOTE: REFER ALSO TO SEPARATE ACTIVITY PLAN FOR CHILDCARE BREAKDOWN

NOTE: PLANNING INDICATES PRIMARY COLOUR PLANNING DRAWINGS

NOTE! STRUCTURAL ENGINEER
TO CONFIRM BUILDING
MATERIALS COMPLY WITH
CLASS 9b, TYPE B FRL REQUIREMENTS



ELEVATION 1 (EAST)



ELEVATION 2 (NORTH)



ELEVATION 3 (WEST)	CUSTOM-ORS COLOURSOND ROOFING ON/SOVERTICH
INCH 180 HOL COLUMBOUR FEXCHS TO SEE BOURDAY FEXCHS TO SEE BOURDAY FEXCHS TO SEE BOURDAY	WEATHER SCAMED OVER
NEW GROUND LEFE TO THE TOTAL TO	NEW 1800 110H COLOURSOND FENCHO TO Suide GOLOURO FENCH
TO CLEER SE TO THE PROPERTY OF	TENTEL TOTAL
	9914RL

ACRYLIC TEXTURE COAT (MAIN COLOUR)	ASTOR WHITE (SOLVER)	
ROOF COVER	COLORBOND SURFMIST	
GABLES, SCREENS AND DOWN PIPES	COLORBOND DUNE	
WEATHERBOARD CLADDING	ASTOR WHITE (SOLVER)	
WINDOW FRAMES	COLORBOND EVENING HAZE	
INFILL PANELS & TUBULAR FENCING	COLORBOND DUNE	
FEATURE FACE BRICK	GERTRUDIS BROWN 50mm (AUSTRAL BRICKS)	m
COLORBOND BOUNDARY FENCE	COLORBOND DUNE	

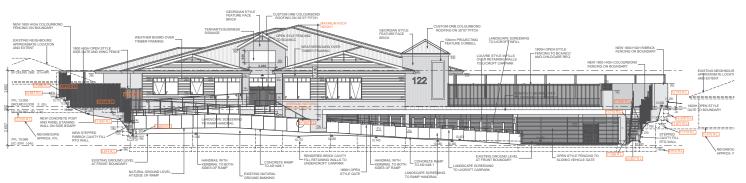
ELEVATION 4	(SOUTH)

AVELING	Drwg: ELEVATIONS	CONTRACTS	CHILDCARE CENT	TRE JOONDALUP	^{Job} G1385	Z
DEVELOPMENTS	Client GOLDSWORTHY HOLDINGS Pty Ltd ATF	OWNER DATE		Amendment Init SSUED FOR PLANNING SUBMISSION INIT	Date Drn: 00/00/00 Dm By: TIM	ALE (
BUILDING CONTRACTOR Nº 12788	Sinc. LOT 207,208 #122,124 COOLIBAH DRIVE GREENWOOD	OWNER	00 04 05		Check: XX Sales: LA	SCA SHE
Level 1, 42 Cedric Street, Stirling WA 6021 Phone (08) 6144 1000 Fax (08) 6144 1004 © Copyright 2020 AVELING DEVELOPMENTS	Map Ref: StreetSmart8 - 281 17/77	BUILDER DATE			Scale: 1:100, 1:10 Sheet #.05 Rev: 01	A 18

NOTE: LIGHT GREY SHADING TO RENDER INDICATES PRIMARY COLOUR

PLANNING DRAWINGS

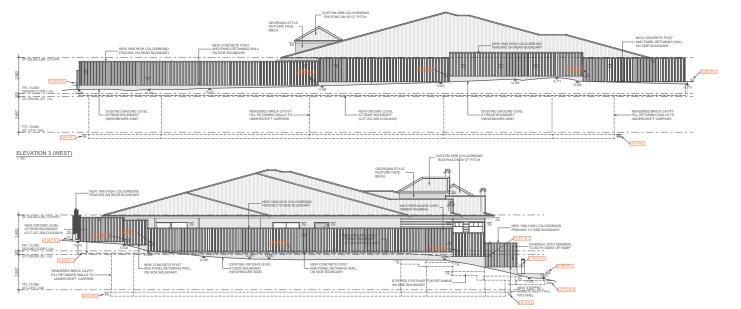
NOTE! STRUCTURAL ENGINEER TO CONFIRM BUILDING MATERIALS COMPLY WITH CLASS 9b, TYPE B FRL REQUIREMENTS



ELEVATION 1 (EAST)

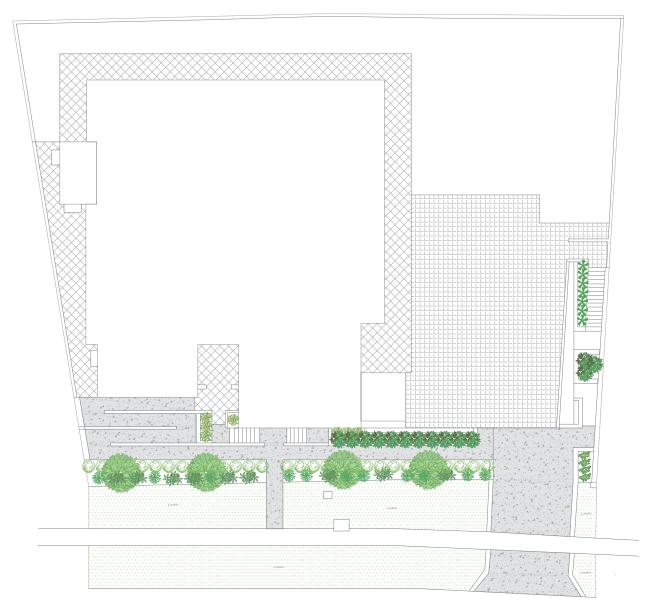


ELEVATION 2 (NORTH)



The Case	COLOURBOND FENCING
	GLASS BALUSTRADE SCREEN OVER RENDERED BRICK WALL
	TUBULAR FENCING
	UNDERCROFT INFILL

PAVING & GRANO AREA



NOTE: CHANGES TO THE GARDEN LAYOUT OR PLANT SELECTION

ANNOT BE MADE AFTER DATE OF APPROVAL.

KEY	SPECIES	SIZE	DTY	MATURE HEIGH
	EUCALYPTUS TODTIANA	45L	4	15M
鬱	MELALEUGA LITTLE NESSIE	200	7	1 - ZM
*	CONDSTYLIS CANDICANS	140	30	□.4м
縧	MARDENBERGIA MINI HAHA	200	1.03	GROUND COVER
4	MIRRERTIA RACEMORA	140	4	D.1 - D.75M
0	EREMOPHILA NIVEA SPRING MIST	200	30	D.B - 2.DM
*	CALLISTEMON GREAT BALLS OF FIRE	200	1.4	1.75м

LANDSCAPING DETAILS

LANDSCAPING PLAN -- #122 Coolibah Drive, Greenwood

	CLIENT: AVELIN	g Homes			GARDEN LAYOUT AND PLANT SELECT	ION APPROVAL
	LOT NO: 207,2	18	DATE: 20/5/2020		DATE APPROVED:	/
	STREET: 122 &	124 COOLIBAH D	RIVE		NAME:	
	 SUBURB: GREEN	VOOD			SIGNED:	
InstantGardens (SCALE: 1:100	DRAWN: DM	DRAWING: 1 OF 1	NORTH	Јов но:	

AVELING DEVELOPMENTS
BUILDING CONTRACTOR Nº 127
Level 1, 42 Cedric Street, Stirling V Phone (06) 5144 1000 Fax (06) 51

	l		02	GRASS -			190.98	PAVING - D	/CC	URT	13	38.44		î
	% OF SITE: 25.73%		02				86.48	PAVING - F	ROI	NT V'DAH	\Box	15.72		
				GRASS -			200.84	PAVING - R		DARRALL	-		_	-
			03	PLAYAR	EA		589.41	PAVIIVO - R		N V DAM				
							1,356.33 m²	1			- 11	1,321.	.41	п
٦	Drwg: LANDSCAPING PLAN	CONTRACTS	СН	LDCAR	E CEN	TRE	JOOND			^{Job} _{No:} G138		\Box	ž	
	Client: GOLDSWORTHY HOLDINGS Pty Ltd ATF THE GOLDSWORTHY TRUST LOT 207,208 #122,124 COOLIBAH DRIVE GREENWOOD	OWNER		00 00 00 00 00 00 00 00 00 00 00 00 00		Amendment ISSUED FOR P	LANNING SUBMISSION		182	Date Dm: 00/00 Dm By: TiM Check: XX Sales: LA Scale: 1:200,	1:1	OTE:	O SCALE (-
	May Dat - Departments - 201 (7/77	BUILDER DATE								Shoot #87 Re	v: 01	12 i	⊆.	4

Appendix B

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 (Lw)

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_n)

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 (Slow) time weighting as specified in IEC 61672-1:2002. 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 (Fast) time weighting as specified in IEC 61672-1:2002. This is used when assessing the presence of modulation only.

LAPeak

This is the greatest absolute instantaneous sound pressure in decibels using the A frequency weighting as specified in IEC 61672-1:2002.

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 $L_{A peak}$ and $L_{A Max slow}$ 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)

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.

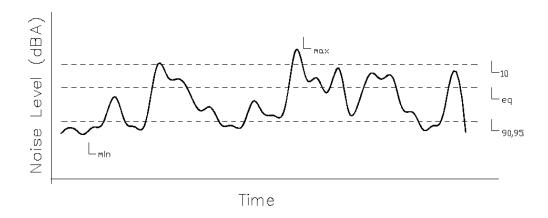
Ambient Noise

Means the level of noise from all sources, including background noise from near and far and the source of interest.

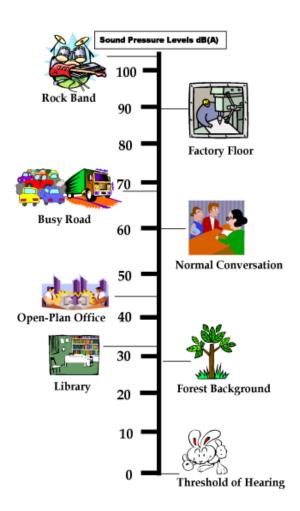
Specific Noise

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.

Chart of Noise Level Descriptors



Typical Noise Levels



Attachment 7 - Environmentally sustainable design checklist



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

existing vegetation; and/or

advanced glazing solutions

Does your development retain:

Environmentally sustainable design seeks to affect siting and structure design efficiency through site selection, and passive solar design.

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

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

	fficiency entally sustainable design aims to reduce energy use through energy efficiency measures that le the use of renewable energy and low energy technologies.
Do you int	end to incorporate into your development:
\bigcirc	renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
\bigcirc	low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
\bigcirc	natural and/or fan forced ventilation
	entally sustainable design aims to reduce water use through effective water conservation measures recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient
Does your	development include:
	water reuse system(s) (e.g. greywater reuse system); and/or
	rainwater tank(s)
Do you int	end to incorporate into your development:
Ø	water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)
Environme Considera	entally sustainable design aims to use materials efficiently in the construction of a building. tion is given to the lifecycle of materials and the processes adopted to extract, process and transport e 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)
0	rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
\bigcirc	recyclable materials (e.g. timber, glass, cork, etc)
	natural/living materials such as roof gardens and "green" or planted walls
Environme	r quality enhancement ntally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic ls (VOCs) and other air impurities such as microbial contaminants.
Do you inte	end to incorporate into your development:
\bigcirc	low-VOC products (e.g. paints, adhesives, carpet, etc)
'Green' R Has your p	ating roposed development been designed and assessed against a nationally recognised "green" rating tool? Yes No
If ves. plea	se 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 design into your development, can you tell us v	o incorporate any of the principles of environmentally sustainable why:
	·
ls there anything else you wish to tell us about sustainable design into your development:	how you will be incorporating the principles of environmentally
When you have checked off your checklist, necessary to determine your application.	sign below to verify you have included all the information
Thank you for completing this checklist to e	ensure your application is processed as quickly as possible.
Applicant's Full Name: Tim Hudd	Contact Number: 6144 1000
Applicant's Signature:	Contact Number: 6144 1000 Date Submitted: 28/05/20
Accepting Officer's Signature:	
Checklist Issued: March 2011	

City of Joondalup Boas Avenue Joondalup WA 6027 PO Box 21 Joondalup WA 6919 T: 9400 4000 F: 9300 1383 www.joondalup.wa.gov.au

ANNING SOLUTIONS URBAN & REGIONAL PLANNING

(08) 9227 7970 GPO Box 2709 Cloisters Square PO 6850

_evel 1, 251 St Georges Tce, Perth WA (08) 9227 7970

Planning Solutions (Aust) Pty Ltd

Attachment 8 - Waste Managemer Statement

PS Ref: 6495

City's Ref: DA20/0469 DAP Ref: DAP/20/01803

7 August 2020

City of Joondalup PO Box 21 JOONDALUP WA 6919

Attention: Tim Thornton - Senior Urban Planner

Dear Tim,

LOT 207 & 208 (124 & 122) COOLIBAH DRIVE GREENWOOD
PROPOSED CHILD CARE PREMISES
RESPONSE TO THE SCHEDULE OF SUBMISSIONS, MODIFIED PLANS AND SWEPT PATHS
DEMONSTRATING ON SITE WASTE COLLECTION

Planning Solutions acts on behalf of Goldsworthy Holding Investments Pty Ltd ATF the Goldsworthy Family Trust, the proponent of the proposed early learning centre development at Lot 207 & 208 (124 & 122) Coolibah Drive, Greenwood (**subject site**).

The following additional information package addresses public advertising submissions received by the City during community consultation and addresses waste management matters raised by the City's waste department in correspondence.

MODIFIED PLANS

Please find enclosed in **Appendix 1**, a set of modified development plans. The plans have been modified in accordance with feedback received from the City and the proponent's waste consultant, to facilitate the satisfactory onsite waste collection.

The following key changes are noted:

- A 0.257m increase in clearance of undercroft car park to 2.572m (three brick courses).
- Increase in height of the Finished Floor Level (FFL) of the building and the pad level of the outdoor play area by the same amount (0.257m).
- Increase in retaining wall height by the same amount (0.257m) along relevant site boundaries.

INCREASED UNDERCROFT CLEARANCE

The development plans have been modified to depict a minor increase in clearance to the undercroft car park by 0.257m (three brick courses), which will allow on-site waste collection to occur rather than verge collection.

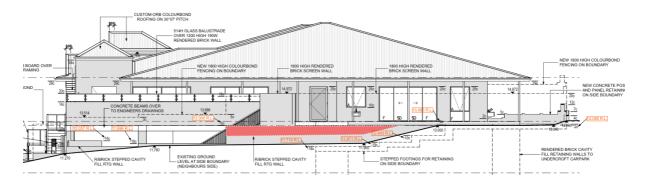
The increase in clearance has necessitated a proportionate increase in design levels for the facility, with the FFL of the building, the pad level of the outdoor play area, and the retaining walls all increasing by a minor 0.257m.

The effect of this minor change is considered below.

Retaining Walls:

Along the northern boundary, the western section of the retaining wall is below ground level. The section of wall which is perceptible to the adjoining non-residential property ranges between approximately 0.2m-1.2m.

We note that of the 30.44m frontage, only 9m comprises of retaining wall with a perceptible height of 1.2m – this is depicted in the below extract, with the relevant section of wall shaded in red.

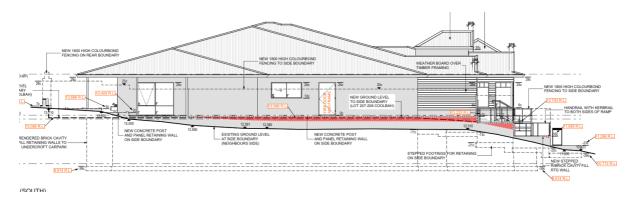


The proposed retaining wall along the northern boundary is acceptable for the following reasons:

- The wall partially interfaces with the side setback area of a non-residential land use, which contains significant screening vegetation (ie a non-habitable space).
- The boundary treatment contains an existing retaining wall with fencing atop the proposed boundary treatment will not be dissimilar to this.
- The wall enhances privacy to the non-residential land use.
- The wall also partially interfaces will have an interface with an existing car park, reducing the likelihood of amenity impacts.

Along the western boundary, the retaining wall achieves TOW heights of 13.6-14.286. It is noted the adjoining site currently has spot levels in the range of 13.2-14.22 – therefore, there will be no significant perceptible retaining based on current site conditions.

Along the southern boundary, the retaining wall TOW heights are increased by 0.257m, resulting in a perceptible TOW height of approximately 0.3m -0.9m. The section of the retaining wall which exceeds 0.5m is depicted in the following extract:



The proposed retaining wall along the southern boundary is appropriate for the following reasons:

- This boundary already contains existing retaining with fencing atop.
- The section of the retaining wall exceeding 0.5m interfaces with a side setback area of the adjoining property, which does not appear to be used for active purposes.
- The section of retaining wall exceeding 0.5m does not interface with any outdoor living areas.

- Due to the fairly significant slope of Lot 208, any development would likely require a level of retaining in
 order to provide suitable/functional design levels. An outcome with site works and retaining would be
 unavoidable.
- Relevant overshadowing and privacy requirements are both complied with.

Building Heights

The 0.257m increase in the undercroft car parking area has resulted in a corresponding increase to the top of wall and pitch roof heights for the proposed child care building. The proposed development remains significantly complaint with the building height requirements contained in the City's Child Care Premises Local Planning Policy (**Child Care Policy**).

A minor variation to external wall height is proposed, which relates to two architectural features along the primary building façade. The entrance feature and tower feature on the eastern elevation propose a minor top of wall height variation of up to 0.6m.

This variation is minor in magnitude and warrants approval, as the two feature elements are provided to enhance the design quality of the building and give the facility an individual identity.

The variation would not create undue building bulk, noting the two architectural features do not create bulk and scale impacts in the same manner as an oversized wall of an entire building. The two features provide varying roof pitches and ridges which create a distinct built form response and offer a unique and attractive design outcome. The articulation and variation in external treatment are positive elements to the appearance of the facility.

The height of these built form features distinguishes them from the remainder of the building and attract visual interest, with the entry feature in particular drawing patrons toward the entrance to the building and contributing toward a 'sense of arrival'.

The proposed minor variation to external wall height is therefore appropriate and warrants approval.

Overshadowing

The increased height of the child care building results in a minor 1.16% increase to the overshadowing of the southern property. The modified overshadow diagram demonstrates that the shadowing cast by the building affects 13.58% of the adjoining southern property, which is significantly lower than that allowed under the R-Codes.

RESPONSE TO SUBMISSIONS

Planning Solutions' response to submissions received during public advertising is provided at **Appendix 2** of this submission.

WASTE MANAGEMENT

TALIS Consultants have carried out a waste review of the proposed development and confirmed the waste management requirements for the centre. The following section provides an overview of waste management considerations.

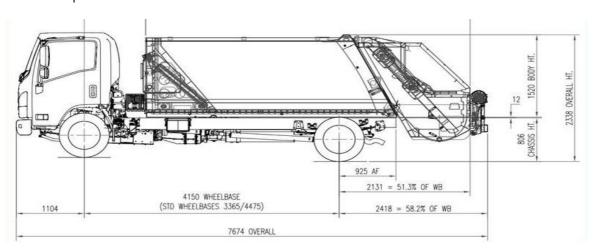
It is noted that a full Waste Management Plan (**WMP**) can be prepared and submitted to the City in accordance with a condition of planning approval, which confirms the finer details of the centre's waste management practices.

Based on the expected waste generation of the centre, TALIS have provided a breakdown of the quantity and size of bins which could service the facility based on the frequency of collection. The below extract contains a variety of options for refuse and recyclables, based on size of waste receptacle and frequency of collection.

Table 3-2: Bin Requirements

Collection Frequency	240L	660L	1,100L					
REFUSE								
One / Week	5	2	1					
Two / Week	3	1	1					
Three / Week	2	1	1					
Four / Week	2	1	1					
Five / Week	1	1	1					
	RECY	CLABLES						
One / Week	5	2	1					
Two / Week	3	1	1					
Three / Week	2	1	1					
Four / Week	2	1	1					
Five / Week	1	1	1					

The following Low Profile Rear Lift Waste Collection Vehicle (**LPV**) will be utilised to collect waste on-site. Please refer to the specific dimensions of the LPV below:



A swept path analysis of the waste collection vehicle has been undertaken by GTA Consultants to demonstrate that there is sufficient space within the undercroft car parking area to allow for a waste collection vehicle to enter and exit the subject site in forward gear. Please refer to **Appendix 3** for the swept path diagrams.

Waste collection will occur at an agreed time when the facility is closed, which ensures the vehicle can utilise the entire car park to manoeuvre as required. This also ensures waste collection does not result in a disturbance to the operation of the facility or use of the car park by visitors.

CONCLUSION

We trust this additional information package addresses the comments raised through the assessment process, and we look forward to the City's favourable recommendation to the Metro Outer Joint Development Assessment Panel.

Should you have any queries or require further clarification in regard to the above matter please do not hesitate to contact the writer.

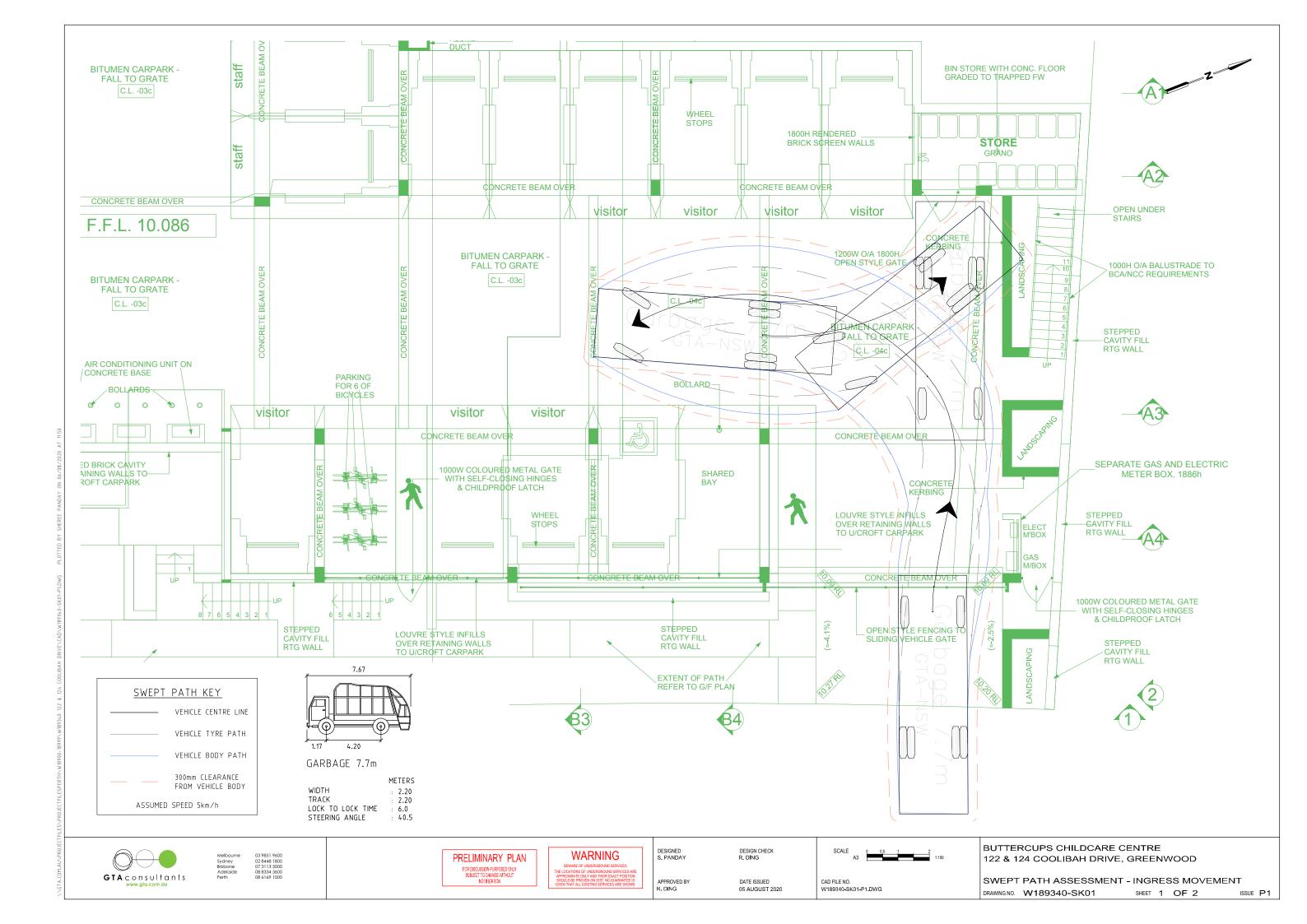
Yours faithfully

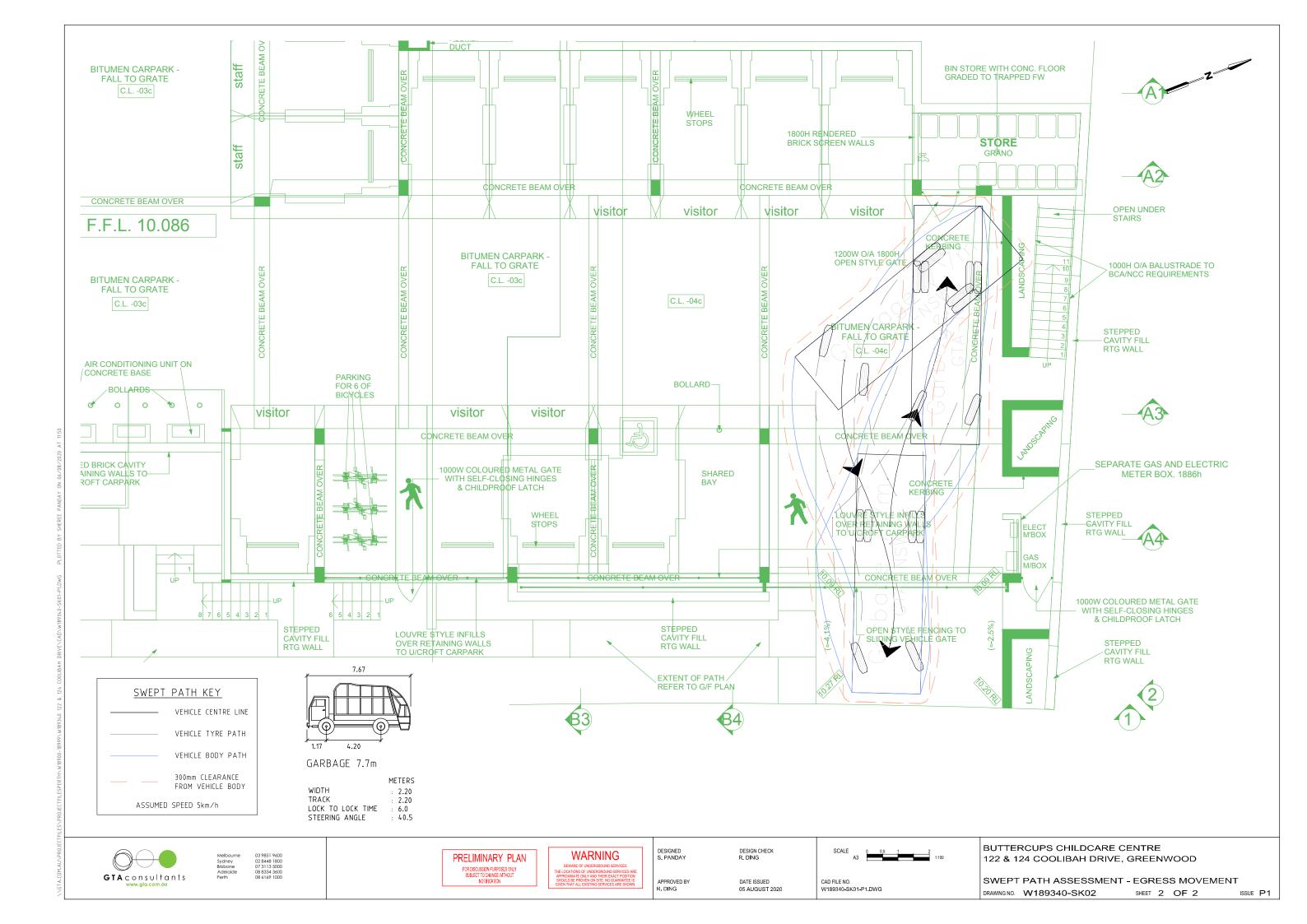
FINN SMITH

PLANNING CONSULTANT

200807 6495 Letter to City - Modified plans and waste collection

Appendix 3 Waste Collection Vehicle Swept Paths





Attachment 9 - Applicant's planning report

Development Application Report

Proposed Child Care Premises Lot 207 & 208 (124 & 122) Coolibah Drive, Greenwood

ING SOLUTIONS URBAN & REGIONAL PLANNING



Prepared for

Goldsworthy Holding Investments Pty Ltd ATF the Goldsworthy Family Trust

May 2020

Copyright Statement 2020

© Planning Solutions (Aust) Pty Ltd

All rights reserved. Other than for the purposes of and subject to the conditions prescribed under the *Copyright Act 1968* (Cth), no part of this report may be reproduced, stored in a retrieval system or transmitted in any form or by any means, electronic or otherwise, without the prior written permission of Planning Solutions (Aust) Pty Ltd.

No express or implied warranties are made by Planning Solutions (Aust) Pty Ltd regarding the information and analysis contained in this report. In particular, but without limiting the preceding exclusion, Planning Solutions (Aust) Pty Ltd will not verify, and will not assume responsibility for, the accuracy and completeness of information provided to us.

This report has been prepared with particular attention to our Client's instructions and the relevant features of the subject site. Planning Solutions (Aust) Pty Ltd accepts no liability whatsoever for:

- 1. a third party's use of, or reliance upon, this report;
- 2. use of, or reliance upon, this report in relation to any land other than the subject site; or
- 3. the Client's implementation, or application, of the strategies recommended in this report.

Direct all inquiries to:

Planning Solutions Level 1, 251 St Georges Terrace Perth, WA 6000

All correspondence to: GPO Box 2709 Cloisters Square PO 6850

Phone: 08 9227 7970 Fax: 08 9227 7971

Email: admin@planningsolutions.com.au
Web: www.planningsolutions.com.au

Project details

Job number	6495			
Client	Goldsworthy Holding Investments Pty Ltd ATF the Goldsworthy Family Trust			
Prepared by	Planning Solutions			
Consultant Team	Town Planning Architecture and Design Traffic Engineering Acoustic Engineering	Planning Solutions Aveling Developments GTA Consultants Lloyd George Acoustics		

Document control

Revision number	File name	Document date
Rev 0	200529 6495 DA Report - Greenwood	29 May 2020

Contents

5	Conclusion	23
4.4.2	Signs Local Planning Policy	22
4.4.1	Child Care Premises Local Planning Policy	
4.4	Local Planning Policies	
4.3.4	Matters to be considered	
4.3.3	Development Standards	
4.3.2	Land Use and Permissibility	
4.3.1	Zoning	
4.3	City of Joondalup Local Planning Scheme No. 6	
4.2.1	State Planning Policy 7.0 - Design of the Built Environment	
4.2	State Planning Policies	
4.1	Metropolitan Region Scheme	
4	Statutory planning framework	
3.3	Waste considerations	10
3.2	Acoustic considerations	
3.1	Traffic and access	
3	Proposed development	
2.2.2	Local context, land use and topography	2
2.2.1	Regional context	
2.2	Location	
2.1	Land description	
2	Site details	
1.2	Background	1
1.1	Introduction	
1	Preliminary	

Figures

Figure 1: Aerial Photograph Figure 2: Zoning Map

Appendices

Appendix 1: Certificate of Title and Deposited Plan

Appendix 2: Development Plans

Appendix 3: Transport Impact Statement
Appendix 4: Environmental Noise Assessment



1 Preliminary

1.1 Introduction

Planning Solutions acts on behalf of Goldsworthy Holding Investments Pty Ltd ATF the Goldsworthy Family Trust, the proponent of the proposed development at Lot 207 & 208 (124 & 122) Coolibah Drive, Greenwood (**subject site**). Planning Solutions has prepared the following report in support of an Application for Development Approval for an 83 place early learning centre on the subject site.

This report will discuss various matters pertaining to the proposal, including:

- Background.
- Site details.
- Proposed development.
- Town planning considerations.

The proposal involves the demolition/removal of existing buildings and the subsequent development of a childcare centre providing early learning services for up to 83 children, which will be operated by an established and reputable early learning and childcare services provider.

The facility will offer a positive contribution to the established Greenwood community by contributing towards the locality's demand for essential early learning services.

The proposed childcare premises is suitably located on Coolibah Drive in close proximity to a number of educational institutions, medical/heath facilities, and a shopping centre in the immediate area. The proposal has been informed through expert acoustic and traffic input to address site-specific considerations.

The design of the building achieves a high visual standard and is comprised of various residential design features which allow it to integrate with its surrounding suburban context. The development responsively addresses the sloping nature of the subject site by utilising a split-level design which manages cut and fill.

Overall, the proposed development will offer a substantial community benefit.

Planning Solutions respectfully requests the Metro Outer Joint Development Assessment Panel (MOJDAP) grant approval for the application.

1.2 Background

Planning Solutions attended a pre-lodgement meeting with officers of the City of Joondalup (City) on 20 May 2020.

Various aspects of the development were discussed, and the City's feedback was used to inform finalisation of the subject application.



2 Site details

2.1 Land description

Refer to Table 1 below for a description of the lots comprising the subject site.

Table 1 - Lot details

Lot	Number	Plan	Volume	Folio	Area (m²)
207	124	11542	1434	432	735
208	122	11542	2076	559	729
				Total site area	1,464

No encumbrances are on the Certificate of Title for the lots forming the subject site which affect the proposed development.

Refer to **Appendix 1** for the Certificates of Title and Deposited Plan.

2.2 Location

2.2.1 Regional context

The site is located approximately 18 kilometres north west of the Perth City Centre, 11 km south of the Joondalup City Centre and 10km west of Wangara Industrial Estate.

The subject site is located in the suburb of Greenwood, which is generally bounded by Hepburn Avenue (north), Wanneroo Road (east), Warwick Road (south), and Mitchell Freeway (west).

The subject site fronts Coolibah Drive, which offers access to Mitchell Freeway via Hepburn Avenue and Warwick Road. These key transport routes connect the subject site to the wider north-western corridor. Coolibah Drive is a Local Distributor Road which is a key arterial route for the Greenwood community.

The subject site is accessible by bus route 445 that runs along Coolibah Drive and provides a key public transport connection from the subject site to Warick Station and Whitfords Station. The Greenwood Station is located less than 800m north-west of the site.

2.2.2 Local context, land use and topography

The subject site is located within the north western section of Greenwood. Greenwood is an established suburban locality generally comprising R20 density residential development, with some pockets progressively undergoing infill development at R40 (in accordance with split density coding).

The locality includes a number of integrated neighbourhood shopping facilities, two of which front Coolibah Drive. Directly opposite the subject site is an education and community precinct which includes West Greenwood Primary School, Greenwood Senior High School, and Greenwood College with associated ovals and parks/recreation. Onstreet parking embayments are provided along the entire Coolibah Drive frontage of the precinct, which are 30m-250m from the subject site.

The subject site currently contains two single storey dwellings (one on each lot). Both dwellings are both provided with access to Coolibah Drive via single crossovers.



The subject site can currently be accessed by pedestrians via an existing pedestrian footpath network that runs the entire extent of Coolibah Drive. Sections of central raised median strips allow pedestrians to safely cross the road.

In terms of its surrounds, the subject site is located along a section of Coolibah Drive which contains a mixture of residential and non-residential land uses. Notable land uses within close proximity to the subject site include the following:

- O-Shot Australia consulting rooms (adjoining the northern boundary of the subject site)
- West Greenwood Primary School (60m south east)
- Greenwood Senior Highschool and Greenwood College (450m south east)
- Coolibah Plaza Shopping Centre (160 north)
- Greenwood train station (800m north west)
- Glengarry Primary School (750m west)
- All Saints Catholic Church (900m south)

In terms of its immediate vicinity, the subject site adjoins:

- An established consulting room facility to the north
- Coolibah Drive to the east
- A residential dwelling to the south
- A residential dwelling to the southern half of the western boundary and a large vacant lot to the northern half of the western boundary.

Coolibah Drive is a single carriageway road separated by a central median with raised crossings and is classified as a Local Distributor Road with a traffic flow of approximately 3,500 vehicles per day (**vpd**) according to Main Roads records for 2014/15. A "school zone" with a reduced speed limit of 40km/h is immediately south of the subject site.

In terms of topography, the subject site slopes from east to west by approximately 3.5m. The site's existing level along Coolibah Drive is approximately 10.5 AHD and slopes upwards to approximately 13.5m at the western lot boundary.

Refer Photographs 1 – 8 below and Figure 1 – Aerial Photograph, depicting the subject site and surrounds.



Photograph 1: Lot 208 (122) Coolibah Drive, Greenwood as viewed from Coolibah Drive





Photograph 2: Lot 207 (124) Coolibah Drive, Greenwood as viewed from Coolibah Drive.



Photograph 3: Western boundary with adjoining residential dwelling as viewed from Lot 208.



Photograph 4: Retaining and western lot boundary from Lot 207.





Photograph 5: Northern boundary with adjoining non-residential consulting rooms as viewed from Lot 207.



Photograph 6: Coolibah Drive, looking north from the subject site.

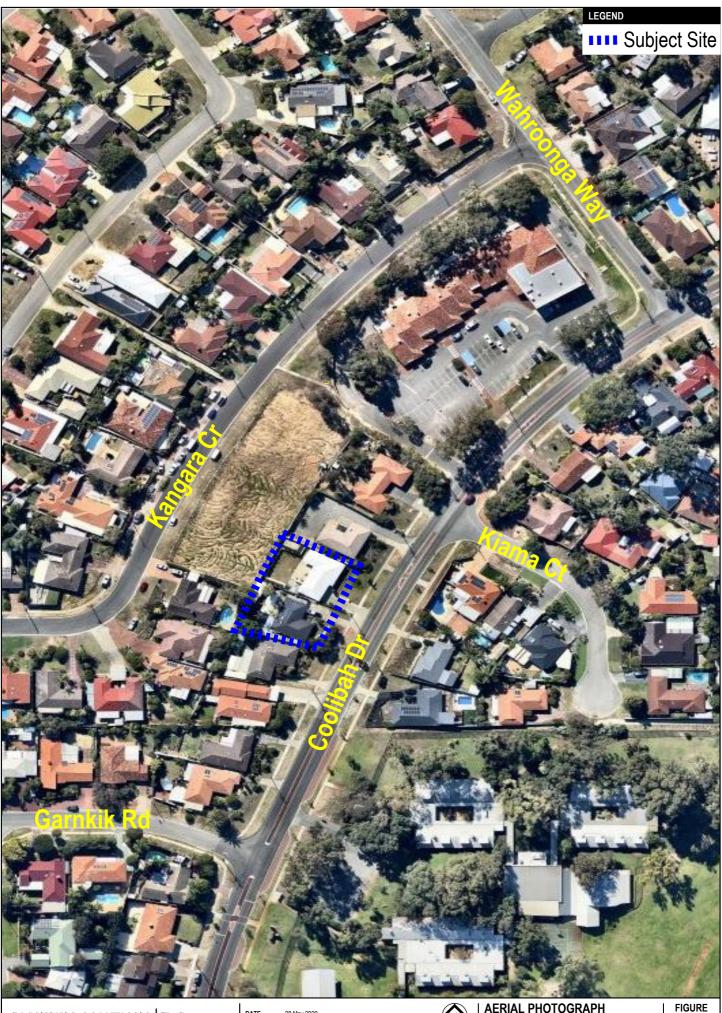


Photograph 7: Coolibah Drive, looking south from the subject site.





Photograph 8: Existing pedestrian crossing immediately north of the subject site.



PLANNING SOLUTIONS PS

DATE FILE REVISION

28 May 2020 01 200528 6495 Aerial Photograph 1/DR/First Draft/20.12.2019



AERIAL PHOTOGRAPH

122 &124 Coolibah Drive GREENWOOD, WA

FIGURE 01



3 Proposed development

The proposal involves the demolition of the existing single storey residential dwellings and associated structures on the subject site and the subsequent development of a child care premises with associated parking, landscaping, and access to Coolibah Drive.

The proposed facility will provide early learning services for up to 83 children, with 16 staff comprising of 14 educators and two administrative staff. The development will contribute to the provision of much needed early learning services intended to meet the well-established childcare demand of the locality.

The development features a responsive architectural design style allowing it to integrate with the largely residential character of the local area and contribute positively to the streetscape. The facility is anticipated to co-exist harmoniously with adjoining properties and integrate with the surrounding area, noting its relatively mixed local context.

The facility has been designed with suitable acoustic and traffic input, which have informed the layout and design to maximise functionality and mitigate potential impacts which could potentially be received by adjoining properties or the general area.

The outdoor play areas have been deliberately designed in a manner which minimises amenity impacts to sensitive receivers. The majority of the outdoor play area is sited to the north of the site, where all children aged 3+ will play. This area adjoins a non-residential land use, limiting the potential for unacceptable impact. A smaller outdoor play area is located to the west of the building, where the youngest children (babies) will play – these children are reported to make the least amount of noise.

The child care premises is proposed to operate from 6.30am and 6.30pm Monday to Friday. The proposed development will cater for the care of up to 83 children, of the following age demographics:

- 28 places for children aged 0-2 years
- 15 places for children aged 2-3 years
- 40 places for children aged 3+ years

Market analysis undertaken by the operator identified a lack of childcare availability for children between the ages of 0-2 years within Greenwood and the surrounding suburbs. As such, the proposed facility provides a higher number of places for children between 0-2 years to meet demand in the market and optimise the facility's community benefit.

The proposed development comprises the following elements:

- A split level building designed in a predominantly residential manner, incorporating the following built form characteristics:
 - Variation in the pitched roof form to provide visual interest.
 - An entrance feature with a distinct pitch roof which draws patrons toward the entrance of the building.
 - Georgian Style feature brickwork.
 - Astor white weatherboard cladding.
 - Varied front setbacks to provide an articulated and stepped built form response to Coolibah Drive.
 - Integrated landscape planting along the frontage and within smaller pockets.
 - A number of windows with feature frames to create a "hamptons" style.
- The entrance feature contains a covered verandah which provides shelter and creates an inviting feel as patrons enter the reception area.



- The following minimum setbacks:
 - 4.14 metres to Coolibah Drive (Activity 1A room).
 - 1.26m setback (upper level) and 1.547m (lower level) to southern boundary
 - 4.61m setback to western boundary.
 - 15.7m setback (upper level) to the northern boundary
- An internal floor layout comprising of:
 - Reception desk and waiting area.
 - A staff office and staff room.
 - Kitchen and pantry.
 - Five group activity rooms and associated children's toilets, prep rooms and sleeping rooms for children aged 0-2.
 - Staff and internal programming rooms.
 - Laundry and storerooms.
- Two outdoor play areas along the northern and western sides of the building. The activity spaces have been deliberately designed so that toddlers (the louder kids) will play in the northern area (away from residential properties), and that the babies (the quieter kids) will play in the western area. This will ensure that the amenity of adjoining properties is maintained.
- A full movement 6.0m wide crossover linking an under-croft car parking area to Coolibah Drive, which contains:
 - 8 visitor bays, including one ACROD bay with adjoining shared space near the entrance access path.
 - o 16 staff bays.
 - Six bicycle parking bays.
- A defined and legible pedestrian path linking the under-croft car parking area to the entrance of the building comprising of stairs and an accessible ramp which leads to the entrance of the facility.
- A fully internalised bin storage area located in the north east corner of the under-croft garage.
- An approximate 1.5m wide landscaping buffer strip along the Coolibah Drive frontage, comprising of four large trees and a number of smaller shrubs. A planting area is also provided immediately adjacent the external walkway from the driveway to the entrance. These landscape areas provide a form of screening to the undercroft to soften and obscure the interface.
- Domestic style fencing will be provided along the northern, southern and western lot boundaries, comprising a mixture of rendered brickwork or colorbond atop retaining. Fence heights are typically 1.8m.
 The fencing fronting Coolibah Drive is an open style of tubular fencing consistent with the residential character of the area.
- An attractive and engaging outdoor play area, high-quality landscape planting as well as a fire escape to the north of the outdoor play area.

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



3.1 Earthworks solution

The proposed facility features a responsive earthworks design which works with the existing constraints of the land and minimises impacts on adjoining properties.

The split-level building format addresses the sloped topography of the subject site by siting the childcare building on Lot 208, where the proposed finished level of approximately 13.0 integrates with the existing site levels in the range of approximately one metre. This approach allows the childcare building to provide stepped pathways and ramping which follow the contours of the front setback area where they meet the verge for accessibility.

The development provides an undercroft parking area located beneath the childcare building which requires a level of underground excavation, but allows the efficient use of land to provide a partially subterranean car parking area which is not visible to the street or impactful on neighbouring sites.

The finished level of the car park is 10.086, which corresponds with the existing levels at the proposed entry point to the car park and allows a compliant transition from Coolibah Drive to the carpark for vehicles.

The outdoor play area is designed with a general level of 12.9, which is partially located above the carpark (efficiently utilising space for functional purposes). The rear section of the outdoor play area will require some cut and fill, which is expected to be available as a result of overall earthworks being carried out on the site.

Retaining walls of varying heights will be required along site boundaries, as part of the earthworks solution.

Along the northern boundary, the eastern section of the retaining wall is largely subterranean with a perceptible top of wall (**TOW**) height of approximately 0.2m-0.6m. The TOW heights along the northern boundary range from 10.857-12.828. It is noted this area interfaces with the side setback of a non-residential building which appears to contain substantial screen landscaping and a car park.

Along the western boundary, the retaining wall achieves TOW heights of 13.6-14.286. It is noted the adjoining site currently has spot levels in the range of 13.2-14.22.

Along the southern boundary, the retaining wall achieves TOW heights of 11.286-13.686. It is noted the adjoining site currently has spot levels in the range of 11.5-13.35.

3.2 Traffic and access

The proposed childcare premises is supported by a Transport Impact Statement (**TIS**) conducted by GTA Consultants (refer to **Appendix 3**).

The TIS carries out an assessment in accordance with WAPC guidelines and demonstrates that the trip generation resulting from the proposed facility will have an insignificant impact on the surrounding road network.

In particular, the TIS concludes:

- The AM peak and PM peak traffic generation is well below 100 trips, meaning traffic impact is moderate and entirely capable of being accommodated by the local road network.
- Proposed access to Coolibah Drive is acceptable, meeting relevant technical standards and requirements and the new vehicle access point will result in an overall reduction to the number of crossovers to Coolibah Drive.
- The proposed parking provision is expected to sufficiently cater for the needs of the facility, noting the placement of 83 children and 16 staff.
- The proposed facility has good connectivity with the existing road network and access to ample public transport coverage through nearby bus stations including bus route 445



Overall, the proposed development is demonstrated to be acceptable from a traffic and access point of view.

3.3 Acoustic considerations

The subject site adjoins residential properties along the southern lot boundary and the western boundary. Accordingly, an Environmental Noise Assessment has been conducted by Lloyd George Acoustics (**Appendix 4**) in accordance with statutory requirements.

The assessment has modelled and assessed potential noise sources associated with the proposed development, and the resultant impact on the adjoining and nearby sensitive uses namely to the south and west of the subject site.

The report concludes that the operation of the proposed childcare premises will comply with the *Environmental Protection (Noise) Regulations 1997* at all times, subject to limiting the use of the outdoor play area to no more than 20 children above the age of 3 at any given time, in addition to all other children being outside simultaneously.

The above measure is acceptable to the proponent.

3.4 Waste considerations

The proposed development provides a fully internalised bin storage area within a segregated part of the building, where bins will be stored.

The staff will transport the bins through the under-croft car parking garage and out to the Coolibah Drive verge as required, allowing collection from the verge.

Waste collection may occur by a private contractor. The frequency of waste collections would be dependent upon the needs of the childcare premises and can be addressed between the operator and private contractor.

4 Statutory planning framework

4.1 Metropolitan Region Scheme

Both the subject site and adjoining roads are zoned Urban under the provisions of the Metropolitan Region Scheme (MRS).

The proposed development is consistent with the MRS and may be approved accordingly.

4.2 State Planning Policies

4.2.1 State Planning Policy 7.0 - Design of the Built Environment

State Planning Policy 7.0 – Design of the Built Environment (**SPP7.0**) addresses the importance of design quality, and sets out the principles, processes and considerations which apply to the design of the built environment in Western Australia, across all levels of planning and development.

SPP7.0 establishes a set of ten (10) 'Design Principles', providing a consistent framework to guide the design, review and decision-making process for planning proposals. An assessment of the proposed development against the 10 Design Principles of SPP7.0 is provided in **Table 2** below.

Table 2: SPP7.0 Design Principles Statement

SPP7 DESIGN PRINCIPLE	DESIGN RESPONSE
1. Context and character Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.	The proposed early learning centre is located within an established suburban area and is located in proximity to existing residential, educational and commercial land uses.
or place.	The subject site and adjoining properties are characterised by sloping topographical features with some retaining. Development is generally single story scale, although some residential buildings are double storey and other commercial/institutional buildings comprise accentuated height.
	The proposed facility has been designed with numerous domestic design features and integrates with its suburban context, whilst maintaining a distinct community/institutional feel for individual character.
	The development provides a responsive earthworks design which addresses topographical features and maintains congruity with the scale and height of dwellings forming the streetscape. The building presents as single storey from the street.
2. Landscape quality Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.	A concept landscaping plan has been prepared which depicts native landscape planting sourced from the City's recommended species list of Karakatta soils, which apply in this part of the municipality.
	The front setback area is landscaped with four Eucalyptus Todtiana trees as well as a range of smaller flowering shrubs and plants which will create an attractive landscaped street edge.
	The undercroft car parking area is screened by further planting which will achieve heights up to 1.75m.



SPP7 DESIGN PRINCIPLE

3. Built form and scale

Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

DESIGN RESPONSE

The massing and scale of the development is consistent with other buildings in the vicinity.

The building is proposed on the southern portion of the site where finished levels are broadly consistent with existing levels, and the building presents as a single storey pitch roof which integrates with the streetscape.

The undercroft carpark which is partially subterranean is largely invisible from the street due to the combination of tiered/ramped walkways, landscaping, and built form.

4. Functionality and build quality

Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.

The facility is designed in compliance with the National Childcare Regulations which require a baseline level of functionality and build quality to be achieved for childcare facilities.

The facility will be constructed to a high standard with quality materials which are intended to last the full life-cycle of the development and require minimal maintenance, allowing educators to focus on providing childcare services.

Landscape planting is comprised of native species which are climatized to the area and suited to the soil types of Greenwood.

The facility will be constructed by a proven and significantly experienced child care builder.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes. In terms of social and economic impact, the proposed child care premises is likely to result in net benefits as it will actively contribute to meeting the demand for childcare places in the area, allow the establishment of a new business, and create employment opportunities.

From an environmental point of view, the building includes various design features which seek to achieve a suitable sustainability outcome by reducing dependence on resources (ie north-facing activity spaces, many windows and large openings providing cross-ventilation).

6. Amenity

Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive. The achievement of a high level of amenity for children, nearby residents, visitors and staff have been central to the design of the child care premises.

Amenity for users has been enhanced through the provision of spacious internal rooms and outdoor play area, easy pedestrian and bike access, accessible vehicle parking and high-quality landscaping.

The amenity of the neighbourhood has been preserved through the use of a residential building design, a sympathetic scale of built form, various built form treatments to obscure of the under croft car parking areas, and the use of landscaping to soften the boundary interface.

The adjoining properties have been demonstrated to receive compliant noise levels as a result of the development, by the supporting acoustic report.



SPP7 DESIGN PRINCIPLE	DESIGN RESPONSE
7. Legibility Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.	The proposed child care premises provides a clear and legible vehicle access to the Coolibah Drive, which directs staff and patrons to the car park.
	A defined pedestrian path offers pedestrian access from the street and the parking area to the entrance of the building to ensure universal ease of movement and safe navigation throughout the site.
	The entrance structure is highly visible and draws patrons to the entry via ramped and staired walkways.
8. Safety Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.	The facility will be constructed in accordance with regulatory standards which optimise safety and security for occupants.
9. Community Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.	The early learning centre will be a community focal point. Local families will be likely to place their children in the centre, and are likely to interact as a result of this. It is likely the community fabric will be strengthened as a result of the centre being established.
10. Aesthetics Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.	The proposed development has been designed to integrate with the prevailing suburban character of the area, with distinct design features intended to ensure the development is highly accessible and inviting for patrons of the childcare premises, incorporating a variety of high quality materials/finishes and landscaping treatments.

The proposed development suitably responds to the SPP7.0 design principles and warrants approval accordingly.

4.3 City of Joondalup Local Planning Scheme No. 6

4.3.1 Zoning

The subject site is zoned 'Residential' with an applicable density coding of R20/40 under the City of Joondalup (**City**) Local Planning Scheme No. 3 (**LPS3**). Pursuant to Table 2 – Zone objectives of LPS3, the objectives of the Residential zone are:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

The proposed development is consistent with the objectives of the Residential zone, noting:

 The proposal will facilitate the provision of a necessary childcare service to the Greenwood locality, for which there is a high demand and clear need. The facility is consistent with a number of other similar activities within a 1km radius of the subject site along Coolibah Drive. This contributes towards establishing Greenwood as a sustainable suburb which offers a range of community facilities which meet the needs of its working population.



- A childcare premises is a non-residential use that is commonly established within residentially zoned
 areas. The facility is designed in a residential manner with a range of key design elements which
 create consistency with the established suburban streetscape character of Coolibah Drive and the
 wider Greenwood locality.
- The supporting traffic and acoustic reports demonstrate that the amenity of adjoining property owners and the surrounding area is not likely to be adversely affected.

4.3.2 Land Use and Permissibility

The proposal involves the use and development of a childcare premises on the subject site, for the placement of up to 83 children.

Pursuant to the provisions of Part 6 – Terms Referred to in Scheme – Division 2 of LPS3, the proposed uses are:

1. 'Child Care Premises' defined as:

child care premises mean premises where

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

Under Table 3 – Zoning Table of LPS3, a 'Child Care Premises' is a 'D' Discretionary land use within the Residential zone meaning it is capable of approval on the subject site. The proposed child care premises use are entirely appropriate and suitable for establishment on the subject site for the following reasons:

- 1. The proposed development will provide an important community facility which will contribute to meeting the established demand and growing need of Greenwood.
- 2. The subject site is suitably located on Coolibah Drive and near key transport routes including Hepburn Avenue and Warwick Road, which allows the facility to be highly accessible for parents within the immediate and wider areas.
- 3. The proposed development is located in close proximity to a number of educational establishments contributing to the agglomeration of such facilities within the area.
- 4. The proposed development features sound access arrangements which are supported by a traffic report, demonstrating the facility will integrate with the surrounding road network.
- 5. The proposed development is supported by an acoustic assessment which demonstrates it can co-exist harmoniously with existing and future residences in accordance with statutory requirements.
- 6. The proposed child care premises responds to the residential character of the locality through the use of an attractive façade, pitched roof, incorporating a range of materials and textures which provide an attractive built form outcome.
- 7. The facility is designed to a high standard, offering a high level of amenity for children through immersive outdoor play areas and generous spaces.
- 8. The earthworks and retaining solution for the site is responsive to existing topographical features and results in a built form response which is not out of character with the surrounding area.

The proposed use is demonstrated to be suitable for the site and warrants approval accordingly.

Refer to Figure 2 zoning map.



4.3.3 Development Standards

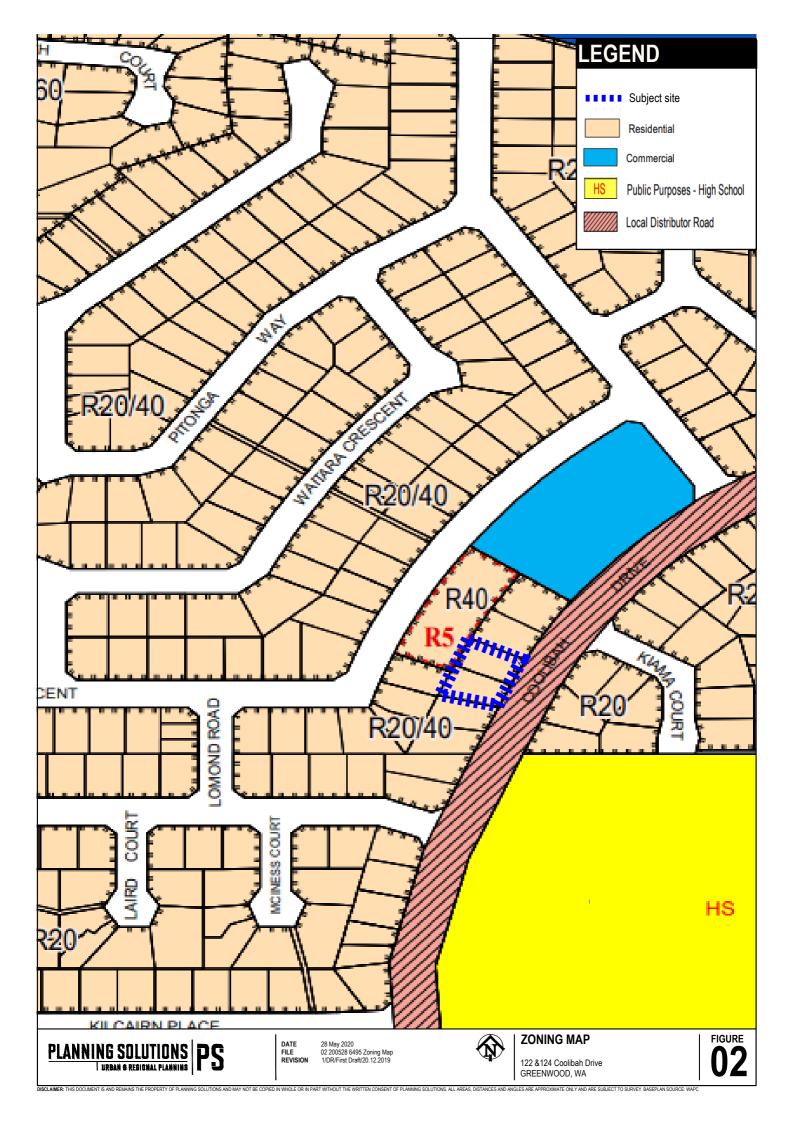
Part 4 – General Development Requirements of LPS3 sets out the general development standards and requirements for all development in the scheme area. It is noted that there are no LPS3 standards directly applicable to the propose development.

4.3.4 Matters to be considered.

Clause 67 of the Deemed Provisions sets out the matters for which due regard shall be given when considering an application for development approval. The relevant considerations are addressed in **Table 3** below.

Table 3 - Matters to be considered

Matt	er to be considered	Provided
(a)	the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The aims and provisions of LPS3 are considered and addressed in this report.
(c)	any approved State planning policy;	State planning policies are addressed in this report. Refer to Section 4.2 of this report
(g)	any local planning policy for the Scheme area;	Local planning policies are addressed in this report. Refer to Section 4.4 of this report.
(h)	any structure plan, activity centre plan or local development plan that relates to the development;	No structure plan applies to the subject site.
(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;	Strong emphasis has been placed on the design of the building ensuring the built form responds to the prevailing residential suburban character of the locality, including other buildings along Coolibah Drive. The proposed building comprises an attractive façade with a number of residential built form treatments and will present attractively to the street. There are also a defined entry statement and varying pitched roof features that further work to enhance the facility's appearance. The building is proposed at single storey scale with a relatively high pitch roof, consistent with typical suburban development and the scale of other buildings in the immediate area.
		Overall, the scale, height, orientation and appearance of the development is consistent with the character of the locality.





Matt	er to be considered	Provided
(n)	the amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	As detailed above, the proposed development responds to the character of the area by providing a domestic style design response. The built form character of the facility integrates with the domestic design style in the immediate area as well comprising a particular institutional character consistent with the built form character of the West Greenwood Primary School and Greenwood College on the opposite side of Coolibah Drive.
		It has been demonstrated in the Environmental Noise Assessment that the proposal will not unacceptably affect the amenity of the adjacent residential properties to the south and west. In this regard, the noise generated by the proposed development will comply at all times with the <i>Environmental Protection (Noise) Regulations 1997</i> . Refer Appendix 4 subject to mitigation measures which can be enforced through a condition of planning approval.
		There will be no detrimental social impact resulting from the proposed development. Conversely, the proposal will positively contribute to the locality, through the creation of 16 or more jobs and the provision of essential child care services for families which will indirectly contribute to further local employment opportunities.
(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;	The proposed development incorporates significant landscaped areas, including a landscaped buffer obscuring the under croft carpark from Coolibah Drive and an outdoor play area. A conceptual landscape plan detailing high level planting arrangements is included in the development plans.
(s)	the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading,	A TIS has been prepared to address access and egress to and from the development site, including waste collection and parking. Refer to Appendix 3 .
	unloading, manoeuvring and parking of vehicles;	The bin storage area has been appropriately located in the under-croft car parking area to allow easy transportation to the verge by staff and subsequent collection.
<i>(t)</i>		A TIS has been prepared demonstrating traffic generation associated with the proposal will have minimal impacts on the surrounding road network. Refer to Appendix 3 .
(u)	the availability and adequacy for the development of the following — (i) public transport services;	Availability of transport options near the subject site is considered in the TIS prepared for the proposed development – refer Appendix 3 .
	(ii) public utility services;(iii) storage, management and collection of waste;	The details of the storage and collection of waste are provided in Section 3 of this report.
	(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and	One accessible car parking space has been provided for the proposed development. Further, a segregated footpath (accessible path of travel) is provided to create a legible link from the building entry, under croft car parking and the street.
	people with disability;	



Mat	ter to be considered	Provided
(v)	the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;	The proposed development will not result in the loss of any community services. Conversely, the proposed development will contribute to the delivery of a critically important community service which there is a demand for in the immediate area. In particular, it is noted there is a specific undersupply of childcare places for children between 0-2 years in the locality. The proposed facility offers a higher number of places for this age groups, which will provide a clear community benefit.
(x)	the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	It is noted the proposed development will provide full-time employment for over 16 people, and provide care and early learning services for up to 83 children, increasing employment opportunities for residents in the Greenwood locality. Additionally, the proposed operator is heavily community outcomes focused organisation with proven community benefits resulting from the services offered. There is a positive social outcome resulting from this development.

4.4 Local Planning Policies

4.4.1 Child Care Premises Local Planning Policy

The City's Child Care Premises Local Planning Policy (**Child Care Policy**) applies to all proposed childcare premises developments within the City. The Child Care Policy stipulates the specific development standards applicable to the proposed development. **Table 4** provides an assessment against the relevant requirements of the policy.

Table 4 - Planning assessment against the provisions of Child Care Premises Local Planning Policy

Required	Proposed
5.1 Location	
To minimise potential adverse impacts such premises may have on the amenity of residential properties, particularly as a result of noise and/or increased traffic, it is preferable to locate child care premises adjacent to non-residential uses such as shopping centres, medical centres or consulting rooms, schools, parks and community purpose buildings.	The proposed development is adjacent to an existing medical consulting rooms facility (a non-residential use) along its northern boundary. The eastern side of Coolibah Drive contains an educational precinct. It is noted the proposed development also adjoins residential properties to the west and south, however the interface with these premises is demonstrated to be appropriate for the following reasons: The development is supported by an acoustic assessment demonstrating compliance with statutory requirements at all times. A traffic report has been prepared demonstrating the proposed development will not result in detrimental impacts to the local road network. The subject site is strategically located where it contributes towards the agglomeration of educational establishments in the area and is highly accessible.



Required Proposed

Where a child care premises is proposed to be located next to a residential property, the applicant must demonstrate that the proposal will not have an undue impact on residential amenity.

As noted earlier in this report, the proposed facility adjoins residential properties to the west and south. It is demonstrated that there will be no undue amenity impacts on these properties for the following reasons:

- With regard to the western property, the strategic location of outdoor spaces ensures noise is minimised and levels are demonstrated to be compliant at all times.
- With regard to the southern property, an overshadowing diagram demonstrates compliant overshadowing and noise levels are demonstrated not to be an issue due to responsive built form layout.

As child care premises can be reasonably high traffic-generators, they should be located on Local Distributor Roads in such a manner that they would not conflict with traffic control devices and would not encourage the use of nearby Access Roads for turning movements.

The proposed child care premises is located on Coolibah Drive which is classified as a Local Distributor Road.

Furthermore, the Transport Impact Statement prepared by GTA consultants demonstrates that the traffic generation associated with the proposal will have minimal impacts on the surrounding road network.

5.2 Parking and Access

Car parking bays are to be provided at a rate of: 1 per employee plus 11 per 81-88 children.

The proposed development technically requires a total of **27 bays** comprising of 11 visitor bays in addition to 16 employee bays (at a rate of 1 per employee plus 11 per 81-88 children).

The proposed facility provides a total of 24 car parking bays comprising of 16 staff bays and 7 visitor bays and 1 universal access bay with an associated shared space located adjacent to the pedestrian footpath.

The proposed car parking arrangements will meet the expected demand of the facility for the following reasons:

- GTA Consultants have closely considered the expected parking demand for this centre based on the outcome of their traffic assessment and sitespecific considerations. The outcome of the parking demand assessment has demonstrated that the provision of 16 staff bays and 7 visitor bays will adequately cater for the facility under the worst case scenario.
- It is essential to note that parents/carers do not attend the site at the same time during pick-up and drop-off times. This usually occurs during a staggered AM and PM period, meaning each bay has a high turnover – this is strengthened by the fact that pick-ups and drop-offs are quick, noting there is no reason for parents to remain onsite for longer than necessary.
- The use of public transport as a means of accessing the proposed child care premises is considered a viable and attractive option for staff. Bus route 445 provides public transport along Coolibah Drive, with the northbound bus stop located approximately 75 metres from the subject site. Furthermore the subject site is located within the 800m catchment of the Greenwood train station.
- The facility can cater for up to 8 staff to park their bicycles after cycling to work.
- It is likely that most staff would originate from the local area, and therefore
 would be more inclined to utilise alternative modes of transport or car
 pooling to attend the premises.
- The proposed development has access to substantial onstreet car parking along the eastern extent of Coolibah Drive within approximately 250 of the subject site. The spaces are in easy walkable distance and could be used by visitors who may have children that attend both the school and the centre.



Required	Proposed
Bicycle Parking 1 per 8 employees	The child care premises technically requires 2 bicycle parking facilities. The proposed development provides 8 bicycle parking facilities where only 2 are required. The additional bicycle facilities have been provided as it is anticipated that staff will ride their bikes to the facility in lieu of driving. The additional bicycle parking bays have been provided given there is a high demand for staff bicycle parking at the other facilities operated by Buttercups. As such, it is anticipated that a comparable number of staff will ride to work at the proposed facility.
Location i. All car parking is to be provided onsite; verge parking is not permitted. ii. Car parks must be clearly visible from the street to encourage parking onsite instead of on the road verge.	The 24 car parking bays are all fully contained on-site within the under-croft car parking area. A full movement crossover to Coolibah Drive will provide vehicle access to the undercroft car park. The access will provide a legible and clearly visible entrance to the onsite car parking.
Design i. Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time.	The proposed car parking bays have been designed in accordance with the relevant Australian Standards and requirements.
Vehicle Access i. Vehicle access should not be taken from District Distributor A Roads. Only under exceptional circumstances may vehicle access be considered from a District Distributor B or Access Road.	The centre does not take access from a District Distributor or access road.
 ii. Vehicle access with separate entry and exit points is preferred (Type 1 on Figure 1). Alternatively, 'two- way' vehicle access (Type 2 on Figure 1) is required. 	The proposed access comprises of a two way vehicle access arrangement, consistent with the Type 2 on Figure 1 of the Child Care Policy.
iii. Where practicable, existing vehicle access points should be utilised instead of proposing new access points.	The proposed child care premises seek to consolidate the number of access points on the subject site with proposal resulting in an overall reduction of crossovers to Coolibah Drive from two to one.
iv. Vehicles are required to enter and exit the site in forward gear.	The provision of turnaround and reversing bays in the car park in conjunction with two-way vehicle access ensure vehicles can enter/exit in forward gear.
Pedestrian Access i. A footpath must be provided from the car park and the street to the building entrance.	The proposed child care premises provides three pedestrian access points from the undercroft car parking area. One set of stairs and one universally accessible ramp can be accessed by a legible pedestrian footpath connecting the under croft parking to the entrance of the building. A second set of stairs are provided at the northern boundary of the under-croft parking area.



Required	Proposed
5.3 Building Height	
 The following building heights apply: Top of wall height = 6m (two storey) Top of wall height (concealed roof) = 7m 	 Eastern elevation (front) Top of wall height (concealed roof) = 6.3m Top of pitched roof= 8.3m
 Top of pitched roof= 9m 	 Southern Eastern elevation (side) Top of wall height (concealed roof) = 4.0m Top of pitched roof= 6.6m
	Western elevation (rear) ■ Top of wall height = 2.2m ■ Top of pitched roof= 5.3m
	Northern elevation (side) Top of wall height = 5.5m Top of pitched roof= 7.1m
	The proposed development contains a slight variation to the top of wall height by 0.3m on the eastern (front) elevation.
	This variation is minor in magnitude, representing only 30cm. The variation would not create undue building bulk, noting the building comprises a number of varying roof pitches and ridges which create a distinct "hamptons" style built form response which results in a unique and attractive design outcome.
5.4 Building Design	
5.4.1 Building Setbacks	
Primary Street: 4m	The minimum building setback is 4.14m from Coolibah Drive.
Side / Rear Setback: as per the R-codes:	
Southern elevation (side): Office: length: 3.9m - height: 3.3m = 1m setback Ldry - staff: MO - length: 10.56m - height: 3.3 = 1.5m setback Store: length 4.6m - height: 2.9m = 1m setback Activity 4: MO length 4.6m - height: 2.7m = 1.5m setback	Southern elevation (side): Office setback: 1.8m Ldry – staff setback: 1.5m Store setback: 1.2m Activity 4 setback: 3.9m
Western elevation (rear): Activity 4 – Activity 2: MO length: 22.4m – Height: 2.1m = 1.5m setback	Western Elevation (rear): Activity 4 – Activity 2: 4.6m
Northern Elevation (side): Activity 2 – 1A: MO length 26m - height: 3.8m = 5m setback Store 1: length 3.5m – height 5.4m = 1.2m setback	Northern Elevation (side): Activity 2 – 1A: 16.6m Store 1: - 14.71m



Required Proposed

5.4.2 Noise Attenuation

The layout and design of child care premises must consider noise attenuation measures to reduce the noise impact on adjacent properties. Noise-generating activities such as outdoor play areas, vehicle accessways, car parking areas and any plant and equipment are to be located away from noise-sensitive land uses (such as residences).

The layout and design of the childcare premises was considered by an Environmental Noise Assessment prepared by Lloyd George Acoustics (**Appendix 4**) in accordance with statutory requirements.

All of the car parking bays are located within the under-croft car parking area where the opening and closing of car doors will not impact on adjoining properties.

The layout of the facility has been deliberately designed to minimise amenity impact on adjoining properties. This is achieved by outdoor play areas being located where their potential for impact is reduced. The northern play area which will be used by toddlers (the louder kids) will interface with a non-residential property, whilst the western outdoor play area will be used by babies (the quieter kids).

Additionally, the proponent accepts an acoustic recommendation requiring a limit on how many children aged 3+ can play outside simultaneously.

The design and construction of child care premises must also consider measures to reduce the impacts of noise from external sources, to achieve acceptable indoor noise limits. These measures should include consideration of the size and placement of windows and doors, the use of double-glazing, fencing, landscaping and the location of vehicle accessways, car parking areas and any plant and equipment.

The acoustic assessment demonstrates compliant indoor noise levels.

An acoustic report prepared by a suitably qualified person must be submitted with the application for development approval. A noise management plan is also required where identified by the acoustic report.

The Environmental Noise Assessment prepared by Lloyd George Acoustics (**Appendix 4**) demonstrates that the proposal will comply with the Environmental Protection (Noise) Regulations 1997 during operating hours.

The report does not identify the need for a noise anagement plan.

5.5 Landscaping

The following landscaping provisions apply:

- Minimum landscaping: 8%
- Minimum landscaping strip along the street boundary: 1.5m.
- Minimum landscaping width: 1m
- The verge area is required to be suitably landscaped.

The proposed development comprises of at least 376.44m² of landscaping which accounts for 25.73% of the subject site (not including the outdoor plat area, which significantly increases this number).

The landscape planting is comprised of native species derived from the City's recommended species list for Karakatta soils.

A landscaping strip with a minimum width of 1.5m is provided at the street boundary to Coolibah Drive in addition to the verge area being landscaped with lawn.

Furthermore, an extensive landscaping buffer comprising of 11, 1.75m high Callistemon is proposed to screen the under-croft car parking area from the street interface.



Required	Proposed
5.6 Hours of Operation	
Monday – Friday = 7:00 am to 6:00 pm Saturday = 8:00 am to 1:00 pm	The proposed development is intended to operate from 6:30am to 6:00pm Monday – Friday.
	The proposed extended hours of operation account for an additional 30 minutes at the beginning of the day for the drop-off of children only and opening of the centre. Given that all car parking for the centre is located below in the undercroft area, vehicular noise is not considered to have an undue impact on neighbouring properties during this period. Child's play will not commence until after 7am, therefore no additional acoustic impacts will be created by these arrangements.

4.4.2 Signs Local Planning Policy

The City's Signs Local Planning Policy applies to any signage forming proposals throughout the municipality.

The proposal includes one wall sign which is integrated on the face of the entry feature. The sign is 2m wide by 0.9m high.

The proposed sign face area is 1.8m², which represents a 0.6m² variation to the City's policy standard within the Residential zone of LPS3.

The proposed sign is not likely to result in a detrimental impact to the character or amenity of the area, noting:

- The sign is integrated into the entry feature of the building and will comprise colours and insignia consistent with the prevailing design style of the facility.
- The size of the sign is consistent with the scale of the building, and therefore does not present out of place.
- The sign is not illuminated and not positioned in a visually prominent location where it could dominate the streetscape.



5 Conclusion

This application seeks approval for an 83 place child care premises on the subject site. This report and its appendices comprehensively demonstrate the proposed development is consistent with the City's local planning framework and is therefore acceptable.

The proposal warrants approval for the following reasons:

- 1. The proposed child care premises will provide a necessary service to residents and workers of the surrounding Greenwood locality, meeting an established need for childcare services.
- 2. The proposed child care premises is responsive to the topography of the site, is complementary to the surrounding suburban character of the locality and integrates with adjoining residential properties.
- 3. The proposed childcare facility is of an appropriate bulk and scale, with high-quality contemporary materials, built form and articulation.
- 4. The proposal is supported by substantial co-consultant and expert input demonstrating its suitability from a design, traffic, bushfire and acoustic point of view.
- 5. This report demonstrates that the development is significantly compliant with the requirements of the planning framework and has substantial merit for approval.

Having regard to the above, we respectfully request the proposal be considered on its merits and the Metro Outer Joint Development Assessment Panel grant approval.

Attachment 10 - Applicant response to submissions

Appendix 2
Response to Schedule of Submissions

Issue Raised

Traffic

Two schools are in the area already, which cause parking issues in the verge and blocking of driveways during peak times. The City is aware of the issue and has erected signs to restrict parking during peak times, however this has no deterred people parking in the verge and along nearby Kiama Court. A child care will exacerbate these existing issues.

The design fails to take into account these existing traffic challenges in the street.

Transport Impact Statement is inaccurate as it fails to mention the school's pedestrian peak and assumes that 3 staff will use alternate modes of transport.

The available car parking in the proposed car park will not be visible from the road.

There is no allowance within the road reserve for safe passing for vehicles turning into the child care centre.

Applicant's response

The proposed childcare facility is subject to a Transport Impact Statement (**TIS**) prepared by a suitably qualified traffic engineer in accordance with the WAPC Transport Impact Assessment Guidelines.

The TIS demonstrates that the proposed childcare facility will generate less than 100 vehicles in both the AM and PM peak hour, and therefore will have an insignificant impact on the surrounding road network.

The facility is proposed along Coolibah Drive, which is classified as a Local Distributor Road (the preferred type of road under the City's Child Care Premises Policy).

The TIS assesses parking demand for this centre based on assessed trip generation, parking space utilisation/turnover and peak hour operational characteristics of the car park. Based on this assessment, the TIS demonstrates parking provision will sufficiently cater for the needs of the centre. The availability of alternate modes of transport is just one factor which is commonly accepted to reduce the demand for car parking.

The Coolibah Drive crossover and associated entry to the car park are both in clear view from the street, and will be appropriately accessible to car park users.

Developer's information

The developer's report states that the site is directly opposite a school, which it isn't. The site is opposite housing.

The report also includes the following disclaimer:

"No express or implied warranties are made by Planning Solutions (Aust) Pty Ltd regarding the information and analysis contained in this report. In particular, but without limiting the preceding exclusion, Planning Solutions (Aust) Pty Ltd will not verify, and will not assume responsibility for, the accuracy and completeness of information provided to us.

The DA report accurately states the subject site is directly opposite an existing education and community precinct.

The purpose of the DA report is to provide the responsible authority with an assessment of the proposed development against the applicable planning framework.

This report has been prepared with particular attention to our Client's instructions and the relevant features of the subject site. Planning Solutions (Aust) Pty Ltd accepts no liability whatsoever for: 1. a third party's use of, or reliance upon, this report:

- 2. use of, or reliance upon, this report in relation to any land other than the subject site; or
- 3. the Client's implementation, or application, of the strategies recommended in this report."

Its hard to know if the information in the applicant's report can be relied upon.

Parking

14 parking bays for 16 staff.

Turning around in the underground car parking with a singular entry/exit will be chaotic.

Refer to comments above regarding parking supply.

The car park is designed in accordance with the requirements of relevant Australian Standards for off-street car parking. The car park includes a turnaround bay which allows vehicles to perform satisfactory turnaround movements if necessary.

Noise

Noise report does not present reasonable or practical mitigation options other than to take the children inside, which is unsatisfactory. Additionally there is no mention of cars revving when leaving, or trucks idling.

The elevation of the building will cause a heightened noise source. The noise report makes no mention of talking parents or children using the ramps at the building entry.

By limiting the number of children in the outdoor play area to comply with noise requirements, this lowers the standard of service to the children enrolled at the centre.

The noise level (56dB) will impact the existing chiropractic clinic. Chiropractic care requires immense concentration which will be affected by background noise from children.

The acoustic assessment was prepared by a suitably qualified and experienced acoustic engineer.

The noise emissions considered by the report are entirely consistent with those required to be assessed by the *Environmental Protection (Noise)* Regulations 1997.

The assessment is carried out an a conservative "worst case" scenario of all noise-generating children being outside at the same time. It is essential to note that child's play is staggered and 55 children would not be outside at the same time except for changeovers/rotation. Therefore, the realistic acoustic impact is likely to be lower than that which is assessed. This would be the case irrespective of the acoustic assessment.

The adjoining northern site is correctly assessed as a commercial premises in accordance with the applicable Noise Regulations.

Operating hours

6:30am opening time is too early and will cause increased noise early in the morning. This will allow enrolments from 6:30am which will effect the amenity of the surrounding area.

The acoustic assessment demonstrates that the facility will comply with the Noise Regulations at all times.

It is noted that whilst the facility will operate from 6:30am, outdoor child's play will not commence until after 7am (when the assessable "day-time" period commences).

Property value

The placement of a childcare centre directly next to an approved site for over 55s dwellings, will result in hardship in finding potential buyers for the approved dwellings.

Perceived impacts on property value or the saleability of land are not valid planning considerations and do not relate to the planning merit of this proposed development.

Demand

An existing Nido Child Care Centre has recently opened at 20 Coolibah Drive. Another centre is unnecessary.

The perceived demand or oversupply of a land use is not a valid planning consideration and does not relate to the planning merit of this proposed development on the subject site. Child Care Premises is a use capable of approval on the subject site, and has been appropriately assessed against the relevant requirements of the planning framework.

Waste

Concern that if rubbish pickup is to occur when the centre is closed, then pickup will have to occur after hours.

Concern regarding smell from bins if collection is only occurring weekly.

Waste collection will occur outside of operating hours, but within the established periods required by the *Environmental Protection* (Noise) Regulations 1997.

The bin storage area is located within the undercroft car park, will be enclosed, and designed in accordance with the relevant standards.

The frequency of waste collection is yet to be confirmed, and will be dependent upon the waste generation and particular needs of the centre.

Safety

The child care centre will cause crossing the road for children to be increasingly unsafe in relation to the pedestrian crossover adjacent to 126 Coolibah Drive. This is in close proximity to the proposed Child Care Centre entrance.

The location of the development is at the bottom of a steep hill on a bend, which is

As noted earlier, the TIS demonstrates that the proposed childcare facility will generate an insignificant amount of traffic.

It is noted that the childcare facility is in close proximity to a school zone, where a reduced speed limit applies during peak traffic periods and pedestrian crossings are controlled to properly manage safety for children.

ill-advised for a us accommodating young children.

People utilising the disabled parking bay onsite will need to exit the car parking area via the main vehicle sliding gate. The proponent's building surveyor and universal access consultant has confirmed that the facility complies with relevant universal access standards in accordance with the Building Codes of Australia (BCA).

Privacy

Reduced privacy for adjacent and rear neighbours.

Elevated floor level will allow overlooking into properties over the road on Coolibah Drive and Kiama Court.

The perimeter of the childcare facility includes solid fencing (free of gaps) atop retaining walls, at heights of at least 1.8m. This ensures privacy of neighbours will be unaffected.

The Coolibah Drive façade will be screened with landscaping, which diminishes the ability for overlooking.

It is also essential to note that the purpose of this facility is to provide care to children. The normal operation of the facility is not likely to result in privacy impacts.

Design

The design of the development does not fit with the surrounding area.

The development drawings show glass balustrade across the front of the outdoor play area, which highlights a privacy concern given the raised topography of the site will then allow overlooking into the back/front gardens of properties on the opposite side of Coolibah Drive.

Limited shading (other than eaves) in the summer months.

The facility is designed in a residential manner, incorporating various design elements, materials and treatments consistent with other residential buildings in the locality.

Refer to comments above regarding privacy.

The outdoor play area design has not yet been completed. The outdoor play area will contain recreational equipment, trees, and shading devices which must comply with the stringent requirements of the national Child Care Regulations for licensing.

Building height

Ground level is going to be increased with the roof pitch towering above current buildings. The roof pitch appears to be higher than the odd two storey in the area. Houses in Greenwood are generally single storey.

Concerns with the height of the retaining wall at the rear of the development.

The pitch roof heights are less than 9m when measured from natural ground level and therefore comply with the R-Codes requirements which apply to the subject site and surrounding lots.

The retaining wall proposed at the rear of the site (western boundary) is irrelevant, noting that the recently approved (and imminent) Over 55s development comprises retaining walls exceeding 2m.

Land use

It was never envisaged that a child care centre would be developed in this residential space.

Child Care Premises is a use capable of approval in the Residential zone, at the discretion of the decision maker.

Inappropriate for a large commercial child care centre to be located adjacent to a small chiropractor business, single storey residential development including the approved over 55s dwellings to the rear of the site.

The building at 126 Coolibah Drive, should be regarded as a residential property as it is zoned 'Residential' and could be redeveloped in the future.

The location of the proposed childcare facility is entirely appropriate for the following reasons:

- The facility is opposite an established education and community precinct which contains educational uses of a similar nature
- The adjoining site to the north is also a nonresidential land use which offers an important community service
- The approved Over 55s development will sit at a significantly higher level than the childcare facility with a retaining wall exceeding 2m in height, which mitigates potential impacts
- The development is consistent with the requirements of the established planning framework and has been purpose designed to prevent impacts on the adjoining residential properties, through the concentration of noise generating areas away from residential properties

Form 2 - Responsible Authority Report

(Regulation 17)

	ommercial development.
Proposed Amendments: C	hange of use of tenancies 1 - 3 to 'Tavern'.
DAP Name:	letro Outer JDAP.
Applicant: D	ynamic Planning & Developments.
Owner: A	GEM PG33 Pty Ltd atf AGEM PG Trust.
Value of Amendment: N	o additional cost.
LG Reference: D	A20/0452
Responsible Authority: C	ity of Joondalup.
Authorising Officer: D	ale Page
D	irector Planning and Community
D	evelopment
DAP File No:	AP/18/01543
Report Date: 19	9 August 2020
Application Received Date: 28	8 May 2020
	3 days
2 3 4 5 6	 Location plan. Proposed development plans. Applicant's DA report. Summary of issues received during consultation and applicant's response. Full summary of submissions. Letter from Thomson Geer (legal opinion) Noise Impact Assessment.

Officer Recommendation:

That the Metro Outer JDAP resolves to:

- 1. **Accept** that the DAP Application reference DAP/18/01543 as detailed on the DAP Form 2 dated 28 May 2020 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011;*
- 2. Refuse the DAP Application reference DAP/18/01543 as detailed on the DAP Form 2 date 28 May 2020 and accompanying plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes) Regulations 2015 and the provisions of the City of Joondalup Local Planning Scheme No. 3, and pursuant to clause 24(1) and 26 of the Metropolitan Region Scheme for the following reasons:

Reasons

1. The proposed change of use to 'Tavern' does not satisfy the matters to be considered under clause 67(a), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* Specifically, the

use will have a detrimental impact on the amenity of the adjoining owners and residential properties in the locality and, therefore, does not meet the objectives under Table 2, 'Commercial' zone objectives of *Local Planning Scheme No. 3.*

- 2. The proposed change of use to 'Tavern' does not satisfy the matters to be considered under clause 67(h), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* Specifically, the proposal does not meet the objectives under clause 6.1 of the Iluka Structure Plan as the proposal is considered to;
 - a) have a detrimental impact on the amenity of the adjoining owners and residential properties in the locality; and
 - b) is not reflective of the local scale of the centre which is to primarily serve the needs of the local community.
- 3. The proposal does not satisfy the matters to be considered under clause 67(n), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 201*5 as the proposal will detrimentally impact the amenity of the locality, specifically in relation to the character of the location and the social impacts of the development.
- 4. The proposal does not satisfy the matters to be considered under clause 67(m), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the scale of the 'Tavern' use is not compatible with the setting of the locality, being a local centre.

Details: outline of development application

Zoning MRS:	Urban
LPS3:	Urban Development
Iluka LSP:	Commercial, R80
Use Class:	Tavern
Strategy Policy:	Not applicable
Development Scheme:	City of Joondalup Local Planning Scheme No. 3
Lot Size:	5,552m ²
Existing Land Uses:	Commercial development (various land uses)

The application proposes the change of use of tenancies 1 - 3, as shown in Attachment 2, from 'Restaurant/Café' or 'Shop' to 'Tavern' (total floor area of $875m^2$).

Tavern is defined under City of Joondalup Local Planning Scheme No. 3 (LSP3) as "premises the subject of a tavern licence granted under the Liquor Control Act 1988".

A 'tavern' licence under the *Liquor Control Act 1988* is a form of 'hotel' licence that does not require the provision of accommodation. The licence permits the sale of liquor for consumption on site but does not allow the sale of packaged liquor for consumption off site (unless a 'tavern restricted' licence is granted). The consumption of liquor does not need to be ancillary to a meal supplied.

The proposed operating hours for the tavern are 6.00am to midnight Monday to Saturday and 10.00am to midnight on Sunday.

No information has been provided as part of the application regarding the anticipated staff or patron numbers for the proposed use.

Background:

The development site is bound by Burns Beach Road to the west, Calis Avenue to the east, O'Mara Boulevard to the south and the remaining portion of the subject site to the north. The location of the development site is identified in Attachment 1.

The site is located in the area covered by the Iluka Structure Plan (ISP).

Iluka Structure Plan

The Iluka Structure Plan (ISP) first came into effect in 2002. In 2017, an amendment to the ISP was undertaken to provide greater detail for the local centre to guide future development. The amendment to the ISP was also supported by two local development plans (LDPs).

In progressing the ISP amendment, provisions were inserted into the structure plan document (clause 6.2.8) to provide specific guidance to assist with decisions in relation to discretionary land uses. The structure plan identifies which land uses are considered to be incompatible with the local centre and the amenity of the surrounding locality.

The ISP amendment and supporting LDPs were adopted by Council in February 2018 and approved by the Western Australian Planning Commission in June 2018.

Commercial development within local centre

In December 2018 a development (planning) application for the site was lodged for a two-storey commercial development, comprising a range of non-residential land uses.

On 11 March 2019, the Metro North-West Joint Development Assessment Panel (JDAP) considered the development plans and deferred a decision on the matter, instead requesting the applicant to further consider pedestrian and vehicle access for the development and building setbacks to Calis Avenue.

On 18 March 2019, the applicant sought a review of the JDAP's decision via the State Administrative Tribunal (SAT).

On 13 May 2019, the JDAP considered revised development plans and approved the application, subject to conditions, which included, among other conditions, a restriction of the operating hours of the supermarket.

As part of the same ongoing SAT process, the applicant sought review of the operating hours condition. The JDAP subsequently reconsidered its decision of 13 May 2019 and on 28 June 2019 approved the development with revised conditions. Following this decision, the applicant withdrew their SAT appeal.

The development is approved with a range of land uses including:

- Shop
- Restaurant / Café (food and beverage)
- Supermarket
- Liquor store
- Consulting room
- Office
- Recreation Private (gym)
- Child care premises

The tenancies the subject of this change of use application are approved as Shop or Restaurant / Café - food and beverage (tenancies 1 and 2) and Restaurant / Café - food and beverage (tenancy 3).

The development is currently under construction and nearing completion.

Legislation and Policy:

Legislation

- Planning and Development Act 2005.
- Metropolitan Region Scheme.
- Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).
- Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations).
- City of Joondalup Local Planning Scheme No.3.

State Government Policies

- State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7).
- State Planning Policy 4.2: Activity Centres for Perth and Peel (SPP4.2)

Local Structure Plan/Local Development Plan

- Iluka Structure Plan (ISP).
- Iluka Local Centre Local Development Plan No.1 (LDP No. 1).

Local Planning Policies

Commercial, Mixed Use and Service Commercial Local Planning Policy.

Consultation:

Public Consultation

The application was advertised for a period of 14 days from 24 June 2020 to 9 July 2020. Consultation was undertaken in the following manner:

• a letter was sent to owners and occupiers of 218 properties in the vicinity of the site. The letters were sent to the same people consulted on the original commercial development proposal currently under construction.

 development plans were made available for public viewing on the City's website and at the City's Administration building.

A total of 261 valid submissions were received during the advertising period, including two neutral submissions, 135 objections and 124 submissions supporting the development.

The key issues raised in the objections to the proposal include:

- The land use is not appropriate and not compatible with the planning framework.
- The operation of a 'family bistro' is not relevant and can be changed without planning approval.
- The location of the tavern will result in impacts on surrounding land uses, including the approved child care premises and residential uses.
- Insufficient car parking and impacts from increased traffic.
- Increased noise impacts.
- Anti-social behaviour associated with a tavern land use.
- Proposed operating hours are inappropriate.
- Development does not meet the requirements of other applicable legislation.
- Consultation was insufficient.
- There are enough similar establishments in the area.

The reasons provided in the submissions supporting the proposal include:

- The use provides an entertainment / hospitality experience that is currently lacking in the local area.
- Provides a casual and community friendly atmosphere.
- Provides employment opportunities and supports the local economy.
- Accessible to the community, particularly for walking access.
- Its location will not affect neighbouring properties or residents.
- It does not reflect a significant change to the original application.

A more detailed summary of the concerns raised in submissions along with the applicant's response is provided in Attachment 4. A full list of other submissions is included in Attachment 5.

Consideration of the issues raised during consultation forms part of the discussion in the Officer Comments section of this report.

Consultation with other Agencies or Consultants

Not applicable.

Joondalup Design Reference Panel (JDRP)

Not applicable.

Planning Assessment:

The application proposes to amend the existing approval, through application of regulation 17(1)(c) of the DAP Regulations. In line with regulation 17(1)(c), an owner of land may submit an application in the form of a Form 2 for the DAP to amend an aspect of the approved development which, if amended, would not substantially

change the development approved. In considering an application under regulation 17(1)(c), the JDAP must determine:

- if the amendments proposed via the Form 2 application can be considered under regulation 17 of the DAP Regulations
- if the JDAP determines that the amendments proposed via the Form 2 application can be considered under regulation 17 of the DAP Regulations, whether the amendments should be approved or not.

In considering the preliminary matter as to whether the amendments proposed via the Form 2 application can be considered under regulation 17 of the DAP Regulations, consideration must be given to whether the proposed development is essentially or materially the same as currently approved.

The proposed change of use is not considered to substantially change the development approved in terms of built form modifications, and the need to exercise greater discretion to development standards (such as parking, setbacks, landscaping etc) than already approved. Also, whilst altering the land use mix, the proposal does not fundamentally change the broader purpose of the development as a commercial development incorporating a range of land uses.

It is also appropriate to consider the proposed change of use as an amendment to the existing approval as the development is not complete and remains under construction.

For these reasons it is considered that the application is materially the same as currently approved, meets the relevant criteria under regulation 17 and can therefore be considered under regulation 17(1)(c) of the DAP Regulations.

In considering the substantive matter as to whether the proposed amendment should be approved, the proposed change of use has been assessed against the requirements of LPS3, ISP and Iluka LDP 1.

The consideration of the proposed land use, assessment against the objectives of the zone and recommendation regarding its consistency with the relevant planning instruments is discussed in the Officer Comment section below.

Officer Comments

Land use

Clause 6.2.8 of the ISP identifies that 'Tavern', among other uses, is unlikely to meet the relevant objectives of both the ISP and LPS3 for the Commercial zone.

The application is not considered to meet the relevant objectives of the Commercial zone under ISP or LPS 3 for the reasons set out below.

Iluka Structure Plan

Clause 6.1 – Objectives	Officer Comment
To ensure that development is not	The 'Tavern' land use, along with other uses such as 'Liquor Store – Large', 'Night Club' and 'Restricted Premises', whilst

detrimental to the amenity of adjoining owners or residential properties in the locality; potentially suitable in other 'Commercial' zoned areas, are land uses that are not considered appropriate for the Iluka local centre due to potential negative amenity impacts arising from their nature, size and scale.

The structure plan's intent for the Iluka local centre is to create a mixed-use local centre complementary to but smaller in size than nearby coastal developments such as Sorrento, Hillarys and Mindarie.

Coastal developments such as those referred to in the structure plan (ie. Sorrento, Hillarys and Mindarie) may be more suited to land uses of this nature as there is greater separation between these uses and surrounding residents thereby reducing potential amenity impacts. However, in this instance, the Iluka local centre is surrounded on three sides by established, single detached housing. The local centre also includes apartment development (under construction) and a (proposed) townhouse development within the centre itself and next door to the proposed tavern.

The nature, size and scale of the proposed tavern, coupled with its proximity to adjoining and surrounding housing, has the potential to be detrimental to the amenity of these adjoining residential properties.

The applicant notes that the only difference between a 'Tavern' (which is a use that is not considered to be compatible to the locality) and a 'Small Bar' (which is a use that is considered to be compatible to the locality) is the number of patrons each can accommodate. Whilst both land uses can serve liquor without a meal, a 'Small Bar' can only have up to 120 patrons at a time. This limits the scale and potential impacts of a 'Small Bar' to a level that is appropriate for the context of the Iluka local centre and it is for this reason that a 'Small Bar' is considered to be a compatible land use.

To ensure any commercial uses are reflective of the local scale of the centre, primarily serving the needs of the local community.

The site is located within a local centre, the function of which is to provide for the main daily to weekly household shopping and community needs.

The approved land use mix is made up of uses that cater to the daily and weekly shopping, medical, health and childminding needs of the local community and is therefore consistent with the intended function of the local centre.

Conversely, the operation of a tavern at the scale proposed is considered to be a destination land use, serving a much broader catchment than just the local community.

As such, the size of the proposed tavern would result in the premises operating beyond the intended function of a local

centre, is not reflective of the local scale of the centre and
therefore is not considered to meet this objective.

Local Planning Scheme No. 3

Table 2 – Zone Objectives	Officer Comment
To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.	The proposal reduces the diversity of land uses by consolidating three separate tenancies that currently provide for a range of land use opportunities and diversity of business operators.
	The proposed change of use reduces this diversity to a single use, single tenancy that occupies approximately 24% of the net lettable area permitted for the commercial development and therefore does not meet this objective.
To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades or improve the existing streetscape.	There is no material change to the façade of the building as a result of this proposal and as such this objective is not considered relevant or applicable to this application.
To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.	This has been discussed in detail above in response to the objectives for the ISP. For the same reasons, the proposed change of use is not considered to meet this objective of LPS3.

In considering the above, the applicant has not satisfactorily demonstrated that the proposal complies with the objectives of the ISP or LPS3. Specifically, it is considered that the proposal will have a detrimental impact on the amenity of the adjoining properties, is not of an appropriate scale for the local centre and will function in a way that is contrary to the intended purpose of the local centre.

Operation as a 'Family Bistro'

Feedback received during consultation raised concern regarding the potential modification of the proposed 'family bistro' operation to a sports bar, which the feedback contends results in late night operation.

The applicant's justification indicates that the operation of the tavern will be more akin to a 'family bistro' than a traditional tavern, with the change of use only required to provide for the sale of liquor without a meal.

As the defined land use does not relate to the style of tavern premises, the impact from all potential tavern operations, such as a sports bar or music venue, should be considered, notwithstanding the intent of the applicant.

The definition of 'Tavern' under both LPS3 and the *Liquor Control Act 1988* is broad and there is no appropriate mechanism through the planning framework that could be used to bind the nature of the tavern operation to that of a 'family bistro' now and into the future.

To attempt to do so under a planning approval would result in a range of conditions that would be invalid in some instances, unmanageable for the business operator and difficult to enforce from a compliance point of view. It is also likely that the level of control and restriction imposed would essentially require the business to operate in a way that is more akin to a different land use which would revert the land use from 'Tavern' to something else (like a 'Restaurant').

As outlined above, the applicant's stated need for a 'Tavern' land use stems from the need to obtain a corresponding liquor licence to enable the service of liquor without a meal. It is noted that in some instances it is possible to serve liquor without a meal under a 'restaurant' licence. This could be an alternative way for the applicant to provide a 'family bistro' offering and serve liquor without a meal.

Impacts on surrounding land uses

Objections received during advertising identified concerns regarding the impact of the tavern on immediately surrounding land uses, including the child care premises on site, the proposed aged care development to the south and residential development located next to the subject site.

It is considered that the child care premises and tavern uses would not conflict and peak usage of the tavern and any resulting impacts would occur at weekends and evenings when the child care premises is not in operation.

Conversely, surrounding residential development will be occupied during all operating hours proposed by the tavern use and are therefore potentially more impacted, as described above.

Noise impacts

Submissions received during public consultation noted the difference in the land use with no information being provided about location of any entertainment or how this would be managed.

The applicant contends that the noise impacts of a tavern would be similar to that of a restaurant (as approved) and therefore initially did not provide an updated noise report to assess the potential impact of a 'Tavern' use.

Upon completion of consultation, a Noise Impact Assessment (NIA) was provided by Herring Storer Acoustics on behalf of the applicant, identifying that the proposed development would comply with *Environmental Protection (Noise) Regulations* 1997.

The report has been reviewed by the City and the findings are agreed. However, a number of other elements were identified to reduce the impact on the surrounding residential properties including:

- Doors and any openable windows to the tavern to be kept closed.
- Music inside the tavern to be ambient in nature only and any live performances to be prohibited.
- No music to be played in the outdoor area.

Notwithstanding the other elements that are considered to negatively impact the surrounding area, if the application is approved, it is recommended that the above elements be incorporated in an updated noise management plan to reduce the noise impact from the tavern on surrounding land uses.

Car parking/traffic

Concerns were raised during public consultation regarding the provision of car parking and impact of traffic associated with the 'Tavern' use.

One submission recommended that, as the development is not considered a compatible use under the ISP, the standard non-residential rate of one bay per 20m² net lettable area (NLA) should not be applicable and that instead a 'Tavern' parking rate of 1 bay per 5m² bar and dining area as per the City's *Commercial, Mixed Use and Service Commercial Local Planning Policy* should be used.

Whilst the ISP identifies some land uses that are not considered to be appropriate in the local centre, the ISP includes a separate provision (clause 6.2.7) which states 'for all non-residential land uses, parking shall be provided on-site at a ratio of 1 bay per 20 sqm of net lettable floor area'.

In view of clause 6.2.7, it is considered that <u>all</u> non-residential land uses, whether they are identified as being suitable uses or not, have the same parking ratio in the Iluka local centre.

The current development approval includes a condition which limits the total amount of floorspace for the entire development to 2,991m² NLA.

No change to this existing condition of approval or additional floorspace for the development is sought as part of this application and, as such, there is no change to the amount of parking required for the development. If approved, the tavern, along with all other land uses in the development would be subject to the floorspace imposed on the original approval.

Submissions received during consultation are also of the view that a 'Tavern' use should incorporate dedicated taxi or ride sharing parking bays. No taxi or ride sharing parking bays are proposed; however, there is no requirement under the planning framework for these to be provided.

In relation to traffic, submissions raised concerns that vehicles leaving the area late at night would be either unsafe (under the influence of alcohol) or too loud for the residential area. Driver behaviour and vehicle noise cannot be regulated under the planning framework and are therefore not considered to be relevant planning matters that should be taken into account as part of decision-making.

It is also considered that the traffic generated by the proposed tavern will not have a materially greater impact on the existing road network than the current approved land uses.

Conduct of owners

Submissions raised concerns that the conduct of the owners of the subject site was questionable, including;

- the construction of keg rooms
- generally progressing on the tavern use prior to approval to meet their leasing strategy
- distributing flyers to surrounding residents encouraging supporting emails to be sent to the City's assessing officer.

The conduct of the owners as outlined above is not a valid planning matter that should be taken into account as part of decision-making.

Public consultation

Some submissions raised concerns that the public consultation process was insufficient by way of timing, the number of people that were sent direct mail and that public consultation occurred over the school holiday period.

Consultation was undertaken in accordance with the City's *Planning Consultation Local Planning Policy*, including sending letters to 218 residents within the locality and making the development proposal available on the City's website for the entire public to view and provide feedback on.

The timing of consultation, some of which occurred during the school holidays, was undertaken in order to meet statutory timeframes associated with the JDAP process.

It is considered that that the public consultation process undertaken was adequate as demonstrated by the size of the response received, being 261 valid submissions.

Operating hours

Submissions received raised concerns that the hours of operation (6.00am – midnight Monday to Saturday and 10.00am to midnight on Sunday) are excessive, not appropriate for the surrounding residential context and will exacerbate issues of noise, traffic and antisocial behaviour.

There is no specific legislative planning requirement that directly restricts operating hours for the land use. Whilst there are no specific planning controls, consideration needs to be given to the potential amenity impact of the proposed tavern given it is operating in close proximity to residential properties.

The potential amenity impacts of the proposal have been discussed earlier in the report by virtue of the nature, scale and size of the proposed land use. It is considered that the extent of operating hours proposed has the potential to further exacerbate these amenity impacts associated with the proposed tavern.

Need for a tavern

Some submissions received are of the view that there is no need for a tavern on the site given the availability of other existing taverns in the area. Submissions also contend that more licenced premises are likely to occur when the Ocean Reef Marina development proceeds in the future, further reducing the need for a tavern in this location.

The existence of other taverns in the vicinity, or ones that may arise in the future, is not a valid planning matter that should be taken into account as part of decision-making.

Options/Alternatives:

In accordance with clause 17(1)(c) of the DAP Regulations the JDAP may elect to:

- consider that the proposed amendments substantially change the development approved and are therefore not able to be considered under regulation 17(1)(c) of the DAP Regulations; or
- consider that the proposed amendments do not substantially change the development approved and are therefore able to be considered under regulation 17(1)(c) of the DAP Regulations.

In the event the JDAP considers that the application does substantially change the approved development, then the applicant will need to lodge a separate, fresh application for the 'Tavern' land use.

In the event the JDAP considers that that the application does not substantially change the approved development then, in accordance with clause 17(4) of the Regulations, the JDAP may approve (with or without conditions) or refuse the application.

Should the JDAP resolve to approve the application, this determination needs to be made based on valid planning considerations as outlined under clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and as set out in the *Development Assessment Panel Practice Notes: Making Good Planning Decisions*.

If the applicant is aggrieved by the decision or any aspect of the decision, the applicant has a right of review in accordance with the *State Administrative Tribunal Act 2004* and the *Planning and Development Act 2005*.

Council Recommendation:

Not applicable.

Conclusion:

As outlined in the Planning Assessment and Officer Comments sections of the report, the City considers that the development is appropriate to consider under regulation 17 of the DAP Regulations. However, the City considers that the proposal does not meet the relevant objectives of the planning framework, including the Iluka Structure

Plan and *Local Planning Scheme No.* 3 and the application is therefore recommended for refusal.



NOTE. Contractor to check and verify all dimensions,

levels, and angles on site before commencing. All construction work to be in accordance with the

building code of Australia, approved documents and

MECO LANE



telephone +61 8 9212 8888 | facsimile +61 8 9212 8822 info@dmgaustralia.com.au | www.dmgaustralia.com.au

LM	LA
	LM

TOTAL AREA:

TENANCY 1	190sqm
TENANCY 2	195sqm
TENANCY 3	490sqm
TOTAL COMBINED	875sqm

PROPOSED GENERAL ARRANGEMENT:

INTERNAL SEATING 490sqm
ALFRESCO 125sqm
BACK OF HOUSE 310sqm

AMENITIES:

FEMALE

6 CLOSET PANS 4 WASH BASINS

MALE

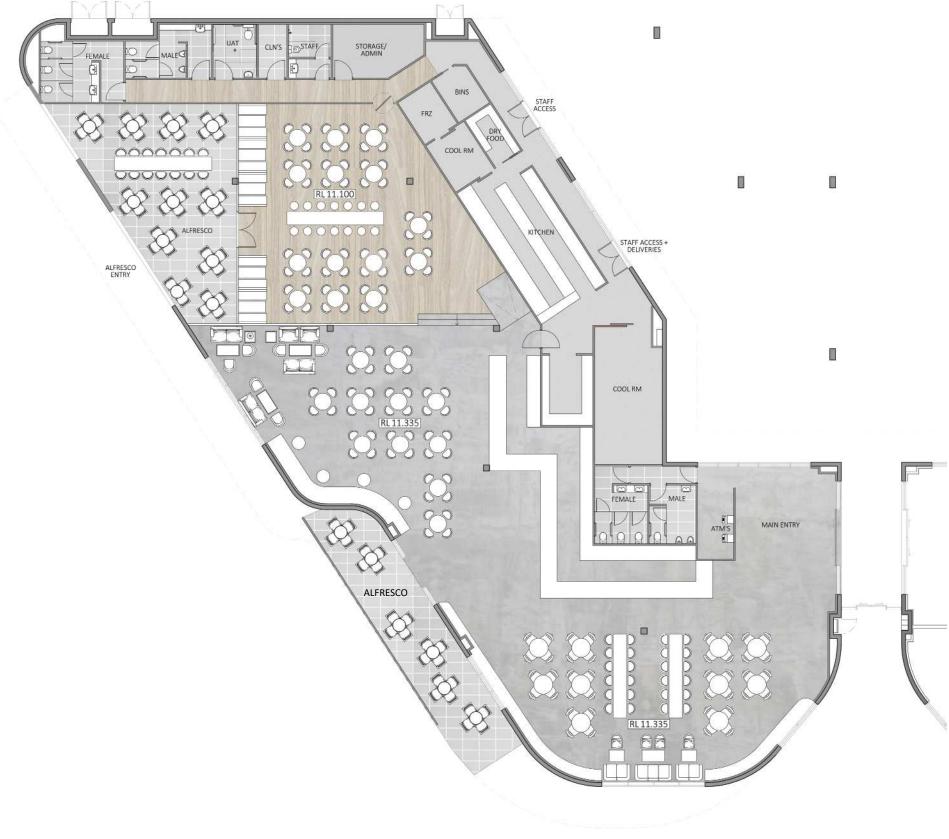
3 CLOSET PANS 2 WASH BASINS 4 URINALS

<u>UAT</u>

1 PROVIDED

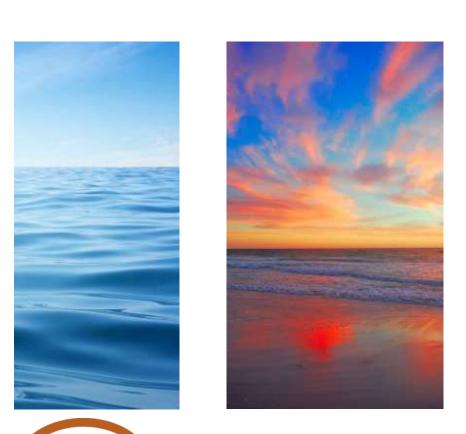
<u>STAFF</u>

DEDICATED STAFF EOT FACILITY



GENERAL ARRANGEMENT PLAN 1:200@A3

ILUKA











PROJECT NO: 1914 | ISSUED: 27.04.2020















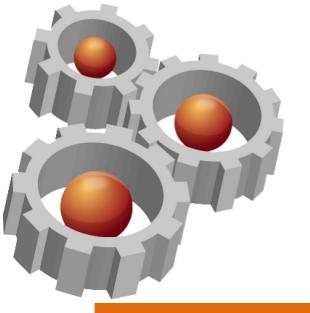












DYNAMIC PLANNING

Planning Report FORM 2 - Development Application

Lot 649 (No. 98) O'Mara Boulevard, Iluka



Prepared for AGEM Property Group



Project No: 840 May 2020 Prepared for AGEM Property Group 1/10 Geddes Street BALCATTA WA 6021

History and Status of this Document

Revision	Date issued	Prepared by	Reviewed by	Revision type
Rev A	21/5/20	Reegan Cake	Neil Teo	DA Lodgement

Document Printed 21/05/20

File Name 200518 Planning Report for Lodgement.doc

Author/s Regan Cake, Neil Teo

Project Manager Neil Teo

Name of Document Town Planning Development Application Report

Document Version Rev A

© Dynamic Planning & Developments Pty Ltd

Except as permitted under the Copyright Act 1968 (Cth), the whole or any part of this report may not be reproduced by any process, electronic or otherwise, without the specific written permission of the copyright owner, Dynamic Planning and Developments. This includes the adaptation, microcopying, photocopying or recording of the report.

Neither may the information contained in this report be reproduced, transmitted or stored electronically in any form, such as in a retrieval system without the specific prior written permission of Dynamic Planning and Developments

This report has been exclusively drafted. No express or implied warranties are made by Dynamic Planning and Developments regarding the research findings and data contained in this report. All of the information details included in this report are based upon the existent land area conditions, research provided and obtained, and so forth as Dynamic Planning and Developments conducted its analysis into the subject proposal and/or project. Dynamic Planning and Developments will not be responsible for the application of its recommended strategies by the Client.

Please note that the strategies devised in this report may not be directly applicable towards another Client. We would also warn against adapting this report's strategies / contents to another land area which has not been researched and analysed by Dynamic Planning and Developments. Instead, please contact Dynamic Planning and Developments to provide a customised report for your specific needs. Otherwise, Dynamic Planning and Developments accepts no liability whatsoever for a third party's use of, or reliance upon, this specific report.



TABLE OF CONTENTS

<u>1.0</u>	INTRODUCTION	5
<u>2.0</u>	SITE DETAILS	5
2.1	LEGAL DESCRIPTION	5
	LOCATIONAL AND LAND USE CONTEXT	5
	REGIONAL AND LOCAL CONTEXT	5
<u>3.0</u>	BACKGROUND	7
4.0	PROPOSED DEVELOPMENT	7
<u>5.0</u>	TOWN PLANNING CONSIDERATIONS	14
5.1	METROPOLITAN REGION SCHEME	14
5.2	CITY OF JOONDALUP - LOCAL PLANNING SCHEME NO. 3	14
5.2.1	ZONING	14
5.3	CITY OF JOONDALUP — ILUKA STRUCTURE PLAN	14
5.3.1	ZONING	14
5.3.2	USE CLASS PERMISSIBILITY	15
<u>6.0</u>	DEVELOPMENT STANDARDS	18
6.1	CAR PARKING	18
7.0	CONCLUSION	19



FIGURES

Figure 1: Regional Context Plan Figure 2: Local Context Plan

Figure 3: Location of Tenancies 1, 2 and 3

Figure 4: Proposed Floor Plan

TABLES

Table 1: Zone Objectives Compliance

APPENDICES

Appendix 1: Certificate of Title
Appendix 2: Development Plans



1.0 INTRODUCTION

Dynamic Planning and Developments Pty Ltd (DPD) acts on behalf of AGEM Property Group, the proponent of Lot 649 (No. 98) O'Mara Boulevard, Iluka (herein referred to as the 'subject site).

DPD has prepared the following report in support of a JDAP Form 2 application to amend an existing approval (DAP/18/01543) for a mixed use commercial development at the subject site. The amendment relates to Tenancies 1, 2 & 3 and seeks to change the approved uses of these tenancies to 'Tavern', in order to facilitate the establishment of a family bistro.

For submission purposes, we provide the following information to assist the City and the Metro North West JDAP in determining the application:

- Certificate of Title (Appendix 1);
- Proposed development plans (Appendix 2); and
- This concise report providing the details of the proposal and its compliance with the applicable planning framework.

2.0 SITE DETAILS

2.1 Legal Description

Lot 649 (No. 98) O'Mara Boulevard, Iluka is legally described as 'Lot 649 on Plan 416319' and is wholly contained on Volume 2964; Folio 524.

A copy of the Certificate of Title pertinent to the subject site is contained in Appendix 1.

2.2 Locational and Land Use Context

2.2.1 Regional and Local Context

The subject site is located within the City of Joondalup municipal area, approximately 30 kilometres north of the Perth Central Business District and 5 kilometres west-north-west of the Joondalup City Centre.

The subject site is serviced via Burns Beach Road which provides further connections to other regional roads such as Marmion Avenue and the Mitchell Freeway. These road networks ensure that the subject site has excellent regional road access and egress which is essential for a vibrant Local Centre.

At a local level, the subject site fronts Burns Beach Road, O'Mara Boulevard, Calis Avenue and Mykonos View. Access to proposed commercial centre will occur from Burns Beach Road and Calis Avenue.

Figures 1 and 2 depicts the subject site in its regional and local context, respectively.

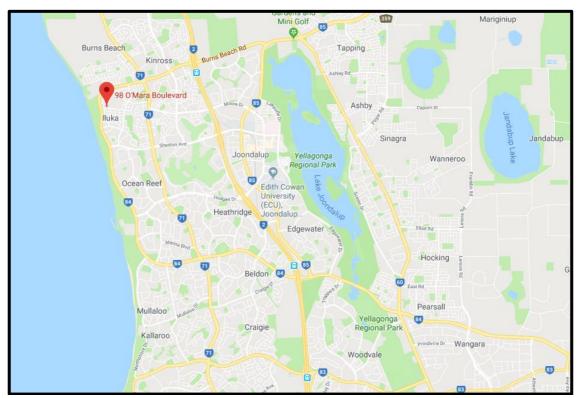


Figure 1 – Regional Context (Source: Google Maps)



Figure 2 – Iluka Plaza Local Context

3.0 BACKGROUND

Prior to this application the site was the subject of a JDAP Form 1 application for a local centre which consisted of the following:

- A total of nine commercial tenancies across two (2) storeys;
- A mixture of commercial land uses including:
 - Restaurant/Café;
 - Shop;
 - Liquor Store Small;
 - Consulting Rooms;
 - Office;
 - o Private Recreation; and
 - o Childcare Premises.
- A total of 143 on-site car bays hidden from the street and 8 on-street car bars; and
- An active street frontage along O'Mara Boulevard with access and egress occurring from Burns Beach Road and Calis Avenue.

Approval was granted Metro North-West JDAP on the 13 May 2019, since that data construction on the centre has commenced and is nearing completion. The owners have undertaken a deliberate leasing strategy from the outset to ensure an appropriate mix of tenants are established to best service the needs of the local community. As part of this leasing strategy, the focus has been on securing a strong food and beverage operator to compliment other tenants already secured. After months of discussion and negotiation, the owners have secured an operator with a proven track record to establish a family bar and bistro in Tenancies 1, 2 and 3 (see below Figure 3). In order to allow this proposed tenant to occupy theses tenancies a change of use to 'Tavern' is required which has led to the preparation and lodgement of this Form 2 application.

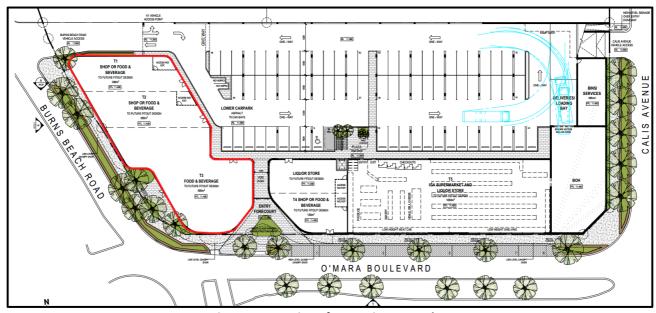


Figure 3 – Location of Tenancies 1, 3 and 3

4.0 PROPOSED DEVELOPMENT

As previously mentioned, the proposed JDAP Form 2 application seeks to amend an existing active planning approval at the subject site (DAP/18/01543) to change the approved use of Tenancies 1, 2 & 3 from 'Restaurant/Café' to 'Tavern'. The two applicable use class definitions have been outlined below for clarity:



Restaurant/Café - 'means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licensed under the Liquor Control Act 1988.'

Tavern – 'means premises the subject of a tavern licence granted under the Liquor Control Act 1988.'

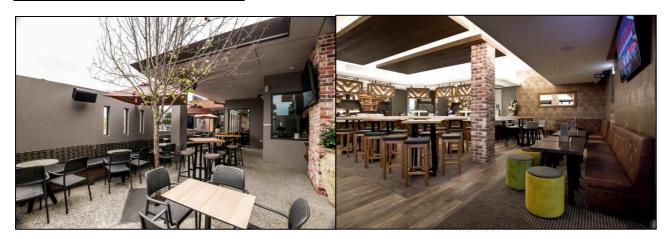
Unfortunately the City of Joondalup LPS3, and wider Model Scheme Text issued by Department of Planning, Lands and Heritage, provides little guidance in relation to the definition of a tavern, other than a simplistic reference to the type of Liquor Licence that shares the same name.

By way of reference, the City of Bayswater, City of Perth and City of Stirling provides only minimal additional information that can be considered useful in assessing the planning merit of a tavern land use, as it defines a Tavern as a premises the subject of a tavern licence under the Liquor Control Act 1988, and "that is used to sell liquor for consumption on the Premises."

LPS3, and majority of Schemes across WA, doesn't provide any guidance/reference on the nature of the use of the Premises or differentiate the type of facility and therefore by process of elimination, we are left with no choice but to categorise the subject premises as a 'Tavern', despite the nature of the venue's operation. The *Liquor Control Act 1988* also provides no reference to the nature of the use, and simply deals with the procedure for obtaining a Restricted Tavern Liquor Licence.

This change of use application will enable the operation of a new family bar and bistro that will provide a casual and community-friendly dining experience for the local residents. The proposed tenant who will be operating the family bar and bistro is experienced in this sector and has several other well run and well respected family-friendly 'tavern' operations, including The Duke, The Kingsley, and the Woodvale Tavern. The tenant has also engaged experienced hospitality architects, Evolve Architects, who designed the recently opened Royal Perth

The Duke – 2 Innesvale Way, Carramar







The Royal Perth



With regard to the proposed venue in Iluka, it will be similar to the abovementioned existing operations in that it will be a restaurant focused family style bar and bistro. This is evident in the proposed layout and reference imagery for the facility which is depicted below in Figure 4 and shows a clear priority to sit down dining.



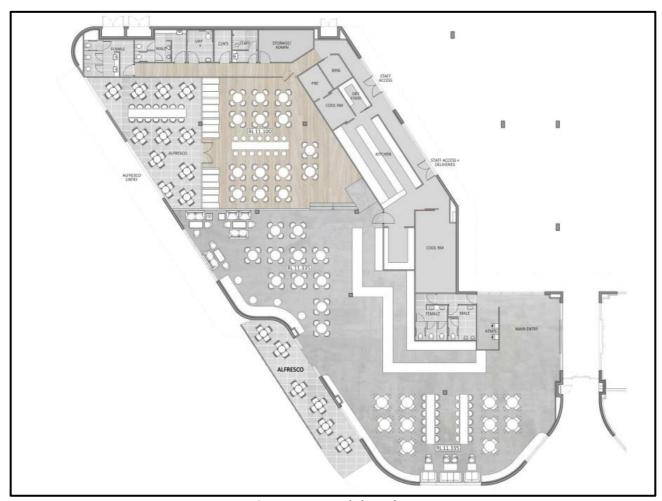
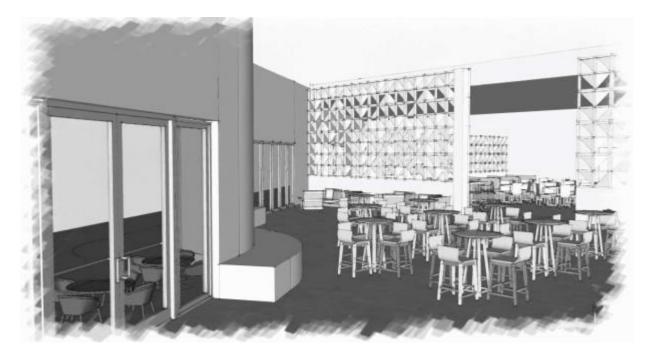


Figure 4 – Internal Floor Plan









It is intended that the casual venue will cater to the local community well into the future with the tenant investing significant capital on the fitout works. Inspiration for the facility will be drawn from other similar coastal venues such as:

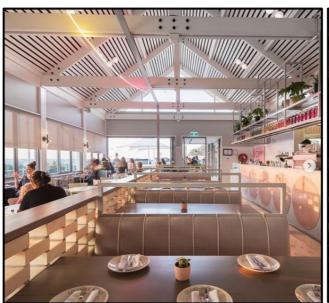


Hamptons City Beach





Island Market Trigg





Shorehouse Swanbourne







The Beach House Eden Beach





Ordinarily the 'Restaurant/Café' land use would be an appropriate classification for the type of operation proposed for Tenancies 1, 2 & 3, however, in accordance with the *Liquor Control Act 1988* the planning approval must align with the intended liquor license being sought which is why approval is being sought for a 'Tavern' land use. A similar arrangement is applicable to all of the previously mentioned restaurant/dining establishments as, whilst they appear as a 'Restaurant/Café', they all operate under a 'Tavern' land use/liquor license.

Regarding the operational characteristics of the proposed facility, much of this is outlined in the applicable development plans provided in **Appendix 2**, however, in summary the below is applicable:

- Total floor area of 875sqm across three (3) existing tenancies;
- The vast majority being internal seating and alfresco seating area;
- One (1) bar area servicing the facility;
- Breakfast, lunch and dinner services will be available;
- A large commercial kitchen to cater to the large amount of food production;
- Multiple entry points, including along Burns Beach Road, to encourage walk-in diners; and
- Separate amenities provided for patrons and staff.

It is noted that as this application is simply a change of use there will be no increases to the applicable floor area of other changes to the approved built form, and in fact through construction, the tenancy has gotten slightly smaller from the 900sqm originally approved.

Should approval be granted, this facility will provide an high quality, casual family bar and bistro that will draw on its coastal location for design inspiration.



5.0 TOWN PLANNING CONSIDERATIONS

5.1 Metropolitan Region Scheme

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS).

The proposed development is consistent with the 'Urban' MRS zoning and warrants approval accordingly.

5.2 City of Joondalup – Local Planning Scheme No. 3

5.2.1 Zoning

The subject site falls within the area covered by the City of Joondalup Local Planning Scheme No. 3 (LPS No. 3). Under the provisions of LPS No. 3, the subject site is zoned 'Urban Development'.

Part 3, Clause 16 of LPS No. 3 outlines the objectives of the 'Urban Development' zone as follows;

- (a) To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme;
- (b) To provide for a range of residential densities to encourage a variety of residential accommodation; and
- (c) To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.

In accordance with the abovementioned objectives, the City of Joondalup have adopted the Iluka Structure Plan which provides detailed guidance for subdivision and development in the area. The proposals compliance with the Iluka Structure Plan has been addressed below.

5.3 City of Joondalup – Iluka Structure Plan

5.3.1 Zoning

As mentioned above, the subject site falls within the area covered by the Iluka Structure Plan. Under the provisions of the Iluka Structure Plan the subject site is zoned 'Commercial'. The objectives of the 'Commercial' zone, as outlined in Clause 6.1 of the Iluka Structure Plan, are in addition to those outlined in LPS No. 3. As such, the 'Commercial' zone objectives affecting the property are as follows:

Iluka Structure Plan

- To provide efficient and safe access arrangements with pedestrian/cycle priority;
- To promote buildings with active street frontages, which properly address the street and public spaces;
- To encourage high standards of built form and streetscape;
- To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality; and,
- To ensure any commercial uses are reflective of the local scale of the centre, primarily serving the needs of the local community.

LPS No. 3

• To provide for a range of shops, office, restaurants and other commercial outlets in defined town sites or activity centres;



• To maintain the compatibility with the general streetscape, for all new building in terms of scale, height, style, materials, street alignment and design of facades or improve the existing streetscape.

The proposed change of use is considered to meet the abovementioned objectives as it will result in a development that:

- Provides an active frontage to both O'Mara Boulevard and Burns Beach Road;
- It will provide alfresco dining which will enhance the development's engagement with the streetscape and will improve the standards of built form along O'Mara Boulevard and Burns Beach Road.
- The location of the tenancy and the distance to the surrounding residential properties will ensure that no detrimental noise or traffic impacts will result from the development; and
- It will provide a family style bar and bistro that will service the local residents of Iluka and other local coastal suburbs west of Marmion Avenue.

5.3.2 Use Class Permissibility

The Iluka Structure Plan also outlines that the uses permitted within the 'Commercial' zone will be as per the 'Commercial' zone in LPS No. 3. Under LPS3, under the 'Commercial' zone a Tavern is a "D" land use, which indicates the Local Government has the discretion to approve the land use.

However, the Iluka Structure Plan specifies a number of land uses that are not encouraged within the local centre as they are unlikely to meet the relevant objectives of the Structure Plan (these objectives are outlined above in section 5.3.1 of this report and addressed in the table below). These land use definitions include:

- Liquor Store Large;
- Night Club;
- Restricted Premises;
- Tavern;
- Vehicle Sales/Hire Premises; and
- Veterinary Hospital.

It is acknowledged that the 'Tavern' land use, for which approval is sought, is listed in the abovementioned uses and should consequently not be contemplated for approval in accordance with the structure plan. However, it is considered that the 'Tavern' land use remains capable of, and warrants approval, for the following reasons:

- 1. The proposed 'Tavern' land use is classified as 'Discretionary' use in the 'Commercial' zone in accordance with LPS No. 3. Given LPS No. 3 has much greater force and effect in the relevant hierarchy of planning legislation, the land use permissibility of LPS No. 3 should be referred to in the assessment of appropriateness of the 'Tavern' land use.
- 2. Whilst approval is being sought for a 'Tavern' land use which is simply defined as a 'premises the subject of a tavern licence granted under the Liquor Control Act 1988, the operation of this particular facility is more consistent with the 'Restaurant/Café' land use definition which is outlined below:

'means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988.'

The only difference between the 'Restaurant/Café' land use and the 'Tavern' land use is to do with the applicable liquor licence granted under the *Liquor Control Act 1988*. In this instance a 'Tavern – Restricted' license will be sought as this enables the consumption of alcohol without food but limits it to on the premises only (i.e. no take away alcohol sales). The only difference between this and the



Restaurant liquor licence is that the Restaurant licence requires the serving of food with alcohol. Whilst the focus of the facility will certainly be the service of food, as demonstrated by the layout plan above, the tenant does not want to restrict patrons from consuming alcohol without food. From an amenity perspective there should be no difference and in fact more restrictions are placed on the operating hours of the 'Tavern –Restricted' liquor licence as they have to be closed by midnight whereas the Restaurant liquor licence has no restrictions to the operating hours.

In light of the above, whilst a 'Tavern' land use is being sought, the proposed family bar and bistro will operate in a manner consistent with the 'Restaurant/Café' land use definition which is capable of approval in accordance with the Iluka Structure Plan.

- 3. The reasoning provided within the Iluka Structure Plan for why the 'Tavern' land use is not encouraged relates to incompatibility with the local centre, the amenity of the surrounding locality and the applicable 'Commercial' zone objectives. It is considered that the proposed family bistro achieves compliance with these three elements for the following reasons:
 - The proposed facility will be complementary to the other land uses within the land designated for the local centre (land zoned 'Commercial' within the Iluka Structure Plan). It will provide a place for residents in the adjoining developments (One Iluka Beach and Odyssey Residences) to meet up, have a drink and a nice meal with family, friends and neighbours. It will provide a place for local residents shopping at or frequenting the IGA, the childcare premises, the medical tenants, or the gym to take a break and have a coffee, some breakfast, lunch or dinner. All of these uses, including the family bar and bistro will appeal to the local residential catchment and will support and sustain the already strong community in the area. Further to this, it will attract people to the local centre who will inevitably utilise other tenancies (and vice versa) within the development which will contribute to the ongoing viability and success of the centre.
 - There will be no negative impacts on the amenity of the adjoining residential development over and above what would result from the existing approved 'Restaurant/Café' land use as the family style bar and bistro will operate in a manner consistent with the 'Restaurant/Café' land use definition. In addition, the facility will be located on the ground floor at the corner of O'Mara Boulevard and Burns Beach Road which achieves a significant degree of separation (60m) from the adjoining residents beyond the land zoned 'Commercial' in the Iluka Structure Plan.

In addition to the above, it is considered that a number of other uses capable of approval in the 'Commercial' zone would have a much greater negative impact on the amenity of the adjoining residential development than the proposed family bar and bistro. These uses are as follows:

- Fast Food Outlet;
- Industry Service;
- Motor Vehicle Repairs;
- Motor Vehicle Wash;
- Reception Centre; and
- Service Station.

Ordinary operations of the abovementioned uses result in considerable traffic and noise impacts to adjoining developments. In addition the general appearance of such uses would negative impact the amenity of the streetscape. In contrast the family bar and bistro will be an aesthetically pleasing development for an upmarket clientele that will have no negative impacts on amenity.



• The proposed family style bar and bistro achieves compliance with the applicable 'Commercial' zone objectives as illustrated in the below table:

Zone Objectives	Development Compliance
To provide efficient and safe access arrangements with pedestrian/cycle priority;	Access to the development has already been approved with no modifications proposed as part of the development.
To promote buildings with active street frontages, which properly address the street and public spaces;	The proposed development includes alfresco dining and considerable amounts of glazing on the external façade which encourages an active street frontage that address the public domain.
To encourage high standards of built form and streetscape;	The built form and appearance to the streetscape has already been addressed as part of the original approval. However, the proposed development includes fitout works of around \$2.4 million dollars which will result in a high quality family style bar and bistro with alfresco dining that will contribute positively to the streetscape.
To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality	The impacts on amenity have been addressed above and have been demonstrated to be consistent with and less than other similar land use capable of being approved.
To ensure any commercial uses are reflective of the local scale of the centre, primarily serving the needs of the local community	The proposed family bar and bistro is reflective of the scale for the proposed local centre as it will only occupy 16% of the overall Iluka Plaza development at the subject site and this is considered to also be consistent with the intended local centre catchment area being the coastal suburbs west of Marmion Avenue.
To provide for a range of shops, office, restaurants and other commercial outlets in defined town sites or activity centres	The proposed development will contribute to the diversity of uses within the mixed use commercial development. In addition the subject site has been identified for commercial development for many years through the applicable and endorsed planning framework.
Table 1 – Object	As previously noted the approved development has already demonstrated compatibility with the streetscape in terms of scale, height and materials etc. The proposed modifications simply acts to improve the development's engagement with the streetscape, especially from a human scale perspective by promoting natural surveillance of the public realm through the alfresco area.

Table 1 – Objectives Compliance

As a result of the above three points, it is considered that the proposed family style bar and bistro and 'Tavern' land use is compatible with the local centre, the amenity of the surrounding locality and the applicable 'Commercial' zone objectives. This suggests that the discouragement of the 'Tavern' land use through the Iluka Structure Plan is unnecessary and in fact, the proposed family bar and bistro would be preferred to other non-compatible land uses such as those listed above, all of which are capable of approval.



In light of the points that have been raised above, it is evident that not only is the 'Tavern' land use capable of approval, it warrants approval as the proposed family bar and bistro will provide a quality food and beverage offering to the local community with no anticipated negative impacts on the surrounding residential community.

It is acknowledged that there is some concern that an inferior operator or tenant will be able to utilise the 'Tavern' approval, should it be granted and run a business that may have a negative impact on the amenity of the surrounding residential community as planning approvals run with the land as opposed to a particular business. In this regard we note that the executed lease arrangement for the proposed tenant is for 30 years which emphasises that they intend to occupy and are committed to the site and the area for the long term. In addition, should the City and JDAP want further piece of mind that any approval that is granted relates to the proposed business only, it is possible for a planning approval to be granted and tied to an existing business. This has been enforced through the Tribunal in SAT matter DR79 of 2019.

6.0 DEVELOPMENT STANDARDS

6.1 Car Parking

As the proposed development simply relates to a change of land use — the only relevant development requirement relates to car parking. In accordance with the Iluka Structure Plan, the applicable parking requirement for non-residential land uses is 1 bay per 20sqm of NLA area. As this requirement relates to all commercial uses and the proposed NLA area for tenancies 1, 2 & 3 is not being increased, and has actually decreased through construction, there is no change to the required parking.



7.0 CONCLUSION

In light of the above, the proposed development warrants favourable consideration and approval, as appropriate planning investigations, design and compliance with development standards are achieved.

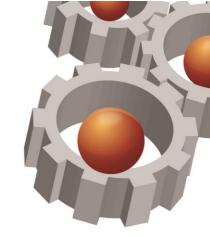
Specifically, the proposed development warrants approval for the following reasons:

- 1. The proposal is consistent with the provisions of the MRS;
- 2. The proposed development is consistent with the 'Urban Development' zoning and associated objectives in accordance with the City of Joondalup LPS3;
- 3. The proposed development is consistent with the objectives of the Iluka Structure Plan and the 'Commercial' zoning it prescribes for the subject site;
- 4. The proposed development, whilst proposing a land use that isn't in strict compliance with the applicable Iluka Structure Plan provisions, remains capable of approval as detailed above.
- 5. It is considered that the proposed family bar and bistro proposed to occupy tenancies 1, 2 & 3 will be of the highest quality and will provide a restaurant experience that all patrons will be able to enjoy.

In light of the above, we consider that the proposed change of use warrants favourable consideration and subsequent approval by the Metro North West JDAP.







Our Ref: 840

28 May 2020

Chief Executive Officer City of Joondalup PO Box 21 Joondalup WA 6919

Attention: Mr. Jeremy Thompson (via email - Jeremy.Thompson@joondalup.wa.gov.au)

Dear Sir,

ILUKA PLAZA – FORM 2 APPLICATION SUPPLEMENTARY INFORMATION

This letter is in response to a request for additional information to complete the lodgement package of the recently lodged Form 2 application. The additional information requested by the City has been summarised below:

- Further details on the application including proposed staff numbers and operating hours.

The proposed operating hours will be from 6am to Midnight Monday to Saturday and 10am to Midnight on Sunday. These hours are in accordance with the permitted operated hours for a 'Tavern – Restricted' liquor license.

Staff numbers are unknown at this stage and will fluctuate based on demand. An estimate is between 10 and 15 staff but as this will not have a bearing on parking it isn't considered a crucial element of the lodgement package and may be subject to clarification later on.

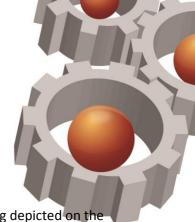
BAL information

See attached BAL assessment that remains applicable to the Form 2 application.

 Any modifications to elevations proposed as part of this change of use. This will also need to note any signage associated with the application (noting the separate application currently with the City).

Suite 15/29 Collier Road Morley WA 6062 | P.O. Box 688 Inglewood WA 6932 + (08) 9275 4433 + (08) 9275 4455





No modifications are proposed to the elevations at this stage. The opening or glazing depicted on the internal floor plan are existing. Whilst the internal floor plan states 'alfresco' area, this will effectively be within the applicable tenancy.

- Any modifications to landscaping proposed as part of the change of use.

No modification are proposed to the landscaping – whilst not depicted on the internal floor plan the landscaping within the alfresco area will be provided as per the site plan.

In addition to the above information, we have also provided a copy of the approved internal floor plan as a reference point.

Should you have any queries or require any clarification in regard to the matters raised, please do not hesitate to contact the undersigned on 9275-4433.

Yours faithfully,

NEIL TEO DIRECTOR

Suite 15/29 Collier Road Morley WA 6062 | P.O. Box 688 Inglewood WA 6932 + (08) 9275 4433 + (08) 9275 4455

Submission Comments	Applicant response
Land Use	Applicant response
The proposed land use is not considered compatible with the surrounding centre and general residential setting. It is identified as 'incompatible' and 'not contemplated within the local centre' under the Local Structure Plan (LSP 26). The presumption of LSP 26 is that the land use would have an impact on the amenity of the surrounding area. The land use identified under LPS 3 as 'D' is not applicable as the LSP	We refer to the attached letter from Thompson Geer Lawyers dated 17 July 2020 which addresses the proposed 'Tavern' land use within its statutory planning context and respectfully request the City absorb the contents of this correspondence in its completeness as a component to the Applicant's response. It is clear from this correspondence that the primary document to
 26 specifically identifies the land use. The application does not meet the objectives of the commercial zone and LPS 3 as; The proposed development will amalgamate 3 tenancies and therefore reduce the range of commercial tenancies. The development will detrimentally impact by way of noise and 	guide decision making of the proposal is LPS3. The LSP 26 is to be given due regard but the planning authorities are not bound by LSP 26. As such, a Tavern is required to be considered as a 'D' use under LPS3 which prevails over the LSP 26.
 traffic with nothing from the applicants demonstrating otherwise. The scale of the development (about 16% of overall NLA and capacity of people and staff is not keeping within the local scale. 	Furthermore, a 'Small Bar' is a permitted 'P' use in the applicable 'Commercial' land use designation under LSP 26 and that the only difference between the proposed 'Tavern' and a 'Small Bar' relates to the number of patrons. As there are no additional
The argument that other uses are permitted (i.e. fast food) is not a relevant consideration. The site already has a proposed bottle shop which will lead to potential issues.	parking and traffic requirements which the proposed 'Tavern' initiates and there are no acoustic concerns (refer attached acoustic report from Herring Storer Acoustics), the consideration of the proposed 'Tavern' on its individual merits must be
Given the information in LSP 26 it would be reasonable for people buying in the area to expect a tavern would not be installed in the area.	undertaken. The amalgamation of 3 tenancies into one is not a valid planning consideration as there is no statutory requirement which controls the range or size of land uses. Claims that the amalgamation of the 3 tenancies does not meet the 'Commercial' zone objectives are without basis as the objective for this zone promotes a range of commercial uses in defined townsites or activity centres. The subject site has been planned for a significant period of time as a 'Commercial' centre and has been approved as such.

By virtue of the proposed development being a change of use application, no additional floor area is proposed and as such, the applicable parking requirements do not alter from the parent approval granted. Accordingly, there is no parking considerations for assessment and consequently, there are no traffic impacts to consider.

With respect to noise, an acoustic report has been prepared and submitted which demonstrates compliance with the *Environmental Protection (Noise) Regulations 1997 (as amended)*. It is important to note that the floor plan does not propose any stage for concerts (e.g., Rosemount Hotel in North Perth). By virtue of the floorplan, it is clear that the layout is akin to that of a family bistro style tavern whereby seated dining is the focus.

Operation as a 'Family Bistro'

The use of 'Family Bistro' with upmarket clientele is not an appropriate tool to consider the impacts of the application. Operators will change and nothing is compelling the applicant to have this type of operation or even remove the seating all together.

If the matter is to be considered 'Family Bistro' why is a Tavern licence required? Could the use of Restaurant not suffice?

Other family bistros that were quoted were not applicable as they were standalone venues, not within shopping centres or abutting residential properties.

All photos provided did not include anything specific for children and leads to the question of how family friendly it will be?

The reference to a 'Family Bistro' is entirely relevant, as the definition of a 'Tavern' under LPS 3 does not offer much in the way of a descriptive definition, and ultimately simply relates to the type of licence sought through the provisions of the Liquor Licence Act. The intent of the operator is to provide a family style bistro which is targeted to family household structures, groups of friends, and the like. This is evident through the floor plan's depictions of many seated areas. It is noted that the proposed Tavern operator is entering into a long term lease (i.e. 10+ years).

It is however important from a commercial operation that a 'Tavern' licence (through the Liquor Licence) is sought, without it, liquor can only otherwise be served with a meal and such a restriction would otherwise render the venture as impractical. The Tavern Licence would enable people waiting for a table to have drinks at the bar, or have a light meal and a drink, or a casual drink without the need for substantial food, and this is exactly the intent of the venue.

The proposed Tavern within a commercial complex or being isolated has no planning relevance. What is of relevance is that amenity impacts have been considered and as there are no traffic/parking or acoustic impacts/considerations, the proposed Tavern is appropriate. With respect to the photos provided and reference that there was nothing specific for children, it must be appreciated that the intent of the photos were to help all constituents considering the proposal visualise the type and style of the 'Tavern' proposed. It is noted that a 'Restaurant' use (which is in fact an existing approved use) also does not have specific equipment for children yet it is appreciated that a 'Restaurant' can be for family dining amongst other forms of patron dining. The proposed 'Tavern' does not differ in this regard, as it is a venue to accommodate persons to have a dining experience. Impacts on surrounding land uses The location of the Tavern close to a Child Care Premises is not The WAPC's Planning Bulletin 72/2009 advocates for child care appropriate and could lead to safety impacts and other conflicts. This is centres to be located within activity centres and in line with State Planning Policies about Child Care Centres. commercial/community nodes such as the subject site. Peak periods of pick up and use of the tavern could lead to conflict. There is no evidence to suggest that a proposed Tavern and Childcare operating on the same parent lot results in safety concerns or conflict. It is noted the child care centre is located on The site is within 10m from proposed residential apartments, not 60m as stated in the application. This will exacerbate impacts from noise, the upper floor of the commercial complex and the proposed traffic etc. Tavern is on the ground floor, with each level containing its own carparking and independent access points. As such, issues of purported conflict of parking is without basis. Issues concerning noise have been adequately addressed by the acoustic report prepared by Herring Storer Acoustics confirming the proposal's compliance with the *Environmental Protection* (Noise) Regulations 1997 (as amended).

Car Parking/Traffic

The Tavern land use is deemed as 'incompatible' under LSP 26 and therefore the parking ratio of 1 bay per 20sqm of net lettable floor area should not be applied. As such the parking requirement of 1 bay per 5m ² of bar and dining area should be applied. Any development will	The applicable parking requirement of 1 bay per 20m ² NLA for non-residential uses applies under LSP 26. As there is no increase to NLA, parking is not a matter to be considered in the determination of the proposal.
exacerbate the existing shortfall of car parking with no provision for taxi parking.	
The closure of the upper car park will be an issue at night-time and no information has been provided on how many staff or where they would park.	
Having one large site, compared to three individual sites, will lead to more traffic with the potential impact of 'hoons' and noise to the surrounding residents, including those in the apartments close to the access to the parking.	
Noise Impacts	
No revised acoustic report was provided. Tavern and Restaurant are different and will have different impacts. The site is located in an amphitheatre setting which will make the noise impacts worse.	Issues concerning noise have been adequately addressed by the acoustic report prepared by Herring Storer Acoustics confirming the proposal's compliance with the <i>Environmental Protection</i> (Noise) Regulations 1997 (as amended).
No information was provided about live music/entertainment which	
would not normally occur within a restaurant.	
Anti-Social Behaviour	
The serving of alcohol without a meal will lead to increased intoxication and potential for anti-social behaviour. This will occur off site where any security will not have any impact.	There is no evidence to suggest that serving alcohol without a meal will result in anti-social activities.
security will not have any impact.	Should the proposal be approved under the applicable planning
There is no surveillance over the car parking areas and will lead to increased rubbish including from the alfresco area.	system, a 'Tavern – Restricted Licence' will be applied for and consider under the provisions of the Liquor Control Act. It is noted the abovementioned licence allows for consumption on a licenced
People will be walking through the streets intoxicated, resulting in surrounding residents' outdoor areas not being used on popular nights.	premise but does not allow the sale of packaged liquor or consumption off the licenced premise.
Any extended licence (i.e. sporting events) will exacerbate these issues.	
Operating Hours	

The operating hours of 6am till 12pm is not appropriate and excessive in relation to the surrounding residential context. These hours will exacerbate the issues of noise, traffic and anti-social behaviour.	There is no explanation as to why such hours are inappropriate. A 'Restaurant' which is already an approved use can operate on the site without restriction in its operating hours and could reasonably host breakfast, lunch and dinner services such as that intended for the proposed 'Tavern'. Noise and traffic issues have been commented in preceding sections and claims of anti-social behaviour are without any basis. In fact, the WAPC's <i>Designing Out Crime Guidelines</i> promotes uses which will achieve passive/natural surveillance of the public realm. The proposed Tavern's hours of operation will assist in this regard.
Other applicable legislation	
The development does not meet external policies including <i>Health</i> (<i>Public Building</i>) <i>Regulations 1992</i> , Department of Local Government, Sport and Cultural Industries (DLGSC) licenced premises policies and the Liquor Control Act.	The matter before the planning authorities is a 'Change of Use' planning application to be determined under the relevant provisions of the Planning and Development Act 2005 and the City's LPS3.
No harm minimisation plan has been provided to demonstrate how this would be applied.	Other approvals required under separate legislation such as the Liquor Control Act shall be considered through separate processes from the subject planning application.
The proposal does not meet the City of Joondalup 2022 Strategic and Community Plan, specifically the Quality Urban Environment, Economic Prosperity, Vibrancy and Growth and Community Wellbeing objectives.	processes from the subject planning applications
The Planning and Development Act 2005 requires that all applicable legislation is to be considered when determining the impact of a development.	
Consultation	
Insufficient consultation was undertaken. More letters should have been sent around, longer time given, and the matter should not have been consulted over school holiday periods. The consultation was also not sent to the new owners of the apartment units immediately adjacent.	This is not for the Applicant to comment on as formal consultation is undertaken by the City.

Revised reports, including noise reports and traffic reports were not available for review by the public.	
All support for the development is expected to be from outside the affected area.	
No consultation with the WA Police was undertaken.	
Conduct of the Owners (AGEM)	
AGEM knew they would be building a Tavern and have constructed the	This is not a relevant planning consideration.
building accordingly, including keg rooms and associated services (i.e.	
plumbing). They invested in significant fit out (as per their report) and want a return on their capital. This is demonstrated by their 'deliberate leasing strategy' before planning approval has been granted.	However, the only reason why a 'Tavern' is being proposed as the lease was only secured a few weeks prior to the subject application being submitted, which is a considerable time from when construction of the holistic Iluka Plaza development commenced.
	What has been physically constructed within the subject tenancies is actually 3 independent services zones to cater for 3 tenancies, as per the building permit plans approved by the City. The developer has simply put on hold the inter-tenancy walls to minimise abortive works in the event the tenancies get amalgamated.
Provision of establishments in the area	
There are sufficient tenancies within the area and new venues are not required. New venues will only reduce the viability of other places, including community organisations hosting function events such as JSA.	Commercial competition is not a valid planning consideration, especially when the subject site adopts a 'Commercial' land use designation has the right to consider permissible uses within the 'Commercial' zone.
Three tenancies would provide for diversity of establishments rather than one large business.	However we reiterate that this is not a Currambine Tavern style venue. The proposed venue will have an offering that is currently not available in the area.
Approximately 60% of Iluka residences are within 1km of the Currambine Tavern.	
The future Ocean Reef Marina will also increase the number of venues.	

Insufficient information	
The following information was not provided;	Traffic/Parking and acoustic considerations have been addressed in preceding sections.
 Updated traffic/parking report. Updated noise report. Number of patrons that can be catered for. Number of staff. Has the childcare tenants been made aware of the proposal? 	Other comments regarding numbers of patrons/staff will be governed through other regulations but are not of consequence for the subject planning application as no applicable development standards are based on patron/staff numbers.
	Knowledge of the proposal to the other businesses within Iluka Plaza is not a relevant planning consideration and that is addressed through relevant Strata Management provisions.
Other/General	
The proposal will not have any benefit to the surrounding residents and is for the purpose of making money only.	This is not a relevant planning consideration.
The design is not appropriate and will push smokers onto the street causing safety issues.	This is not a relevant planning consideration.
A Tavern will reduce the property values of surrounding residential properties.	There is no evidence to suggest that a Tavern would have any impact to property values.
The development would increase the risk on surrounding environmental areas (Bush Forever 325) with intoxicated people littering and trespassing on recovering dunes.	The proposed development is contained within zoned land which encourages commercial development.
The proposal is not transparent. This amendment should go through the City and not the JDAP.	This submission is unclear and the planning system enables the Applicant to elect the JDAP as the determining authority.
The development will negatively impact on bicycle riders who use the area.	This submission is unclear. The proposed development does not cause any interruption to any bicycle path networks. On the contrary, the proposed 'Tavern' intends to offer a breakfast offering which may encourage bicycle riders to frequent the site and provide secondary positive economic impacts to other businesses within Iluka Plaza.

Attachment 5 - Full schedule of submissions

The Responsible Authority Report includes the substantive concerns raised during consultation. The below table provides a complete summary of comments that were made which have been either addressed in the RAR or not relevant planning matters. In addition, the table includes submissions in support of the proposal.

Issue/Objection

Land Use

A tavern is identified as 'incompatible' and 'not contemplated within the local centre' under the Local Structure Plan (LSP 26).

While identified as a 'Family Bistro' the land use is Tavern and does not compel the applicant to develop in this way. There is no ability to guarantee that the 'upmarket clientele' will be maintained. Operators will change to where the income is.

The presumption in the LSP 26 is that the use would have an impact on the amenity of the surrounding locality.

The land use identified under LPS3 as D is not applicable as the LSP 26 specifically identifies the land use.

The application does not meet the objectives of the commercial zone and LPS3 as;

- The proposed development will amalgamate 3 tenancies and therefore reduce the range of commercial tenancies.
- The development will detrimentally impact by way of noise and traffic with nothing from the applicants demonstrating otherwise.
- The scale of the development (about 16% of overall NLA and capacity of people and staff is not keeping within the local scale.

If they are looking for a 'Family Bistro' why can the applicant not use a 'Restaurant'.

The other 'family bistros' quoted were stand-alone venues, not within a shopping centre. These are also not abutting residential properties.

The location of the tavern close to a Child Care Premises is not appropriate and could lead to safety impacts and other conflicts. This is in line with State Planning Policies about Child Care Centres.

The peak pick up of child care could conflict when people arrive to the tavern after work.

The land use will impact the proposed retirement village.

Tavern is not appropriate in a suburban area and more appropriate in a larger centre.

The applicant's argument that other land uses are permitted (ie. fast food) is not relevant.

The location of a tavern abutting a bottle shop will increase the impacts of both uses.

With the Ocean Reef Marina coming in more venues will be provided within the locality.

The site is not within a tourism area and therefore do not need to bring in people from surrounding suburbs.

The images provided supporting the application are not family friendly. There is nothing specific for children.

Car Parking/Traffic

The Tavern land use is deemed as 'incompatible' under LSP 26 and therefore the parking ratio of 1 bay per 20sqm of net lettable floor area should not be applied. As such the parking requirement of 1 bay per 5sqm of bar and dining area should be applied.

The current application already has a shortfall of car parking.

No taxi parking has been provided for.

Closing off the upper parking area will exacerbate parking issues at night.

No information is provided on where the staff members are going to park.

The areas shown on the plan (875sqm) compared to approved plans bring into question the accuracy of the plans and therefore the accuracy of the parking requirements.

Tavern is not consistent with land use classification category 5 which excluded taverns, hotels and pubs within shopping centres.

The site is not on a bus route and no other public transport in the area.

The local streets will be used as rat runs for those wanting to avoid random breath testing.

The Tavern will cater for trade workers and there is no capacity for trailer parking in the centre.

No revised traffic/parking report was provided.

Noise and Amenity impact

No revised acoustic report was provided. Tavern and Restaurant are different and will have different impacts.

The proposal states that residential development is 60m away, however apartments are proposed within 10m for the site.

The site is located in an amphitheatre setting which will make the noise impacts worse to surrounding residents.

No information has been provided about live music/entertainment which would not normally occur in a Restaurant.

The serving of alcohol without a meal will lead to increased intoxication and potential for anti-social behaviour. This will occur off site where any security will not have any impact.

The outdoor areas of surrounding residents will not be usable given drunk people walking past.

The operating hours of 6am til 12pm is not appropriate and excessive relation to the surrounding residential context.

There is no surveillance over the car parking area.

Increased rubbish/littering in the surrounding area.

Special events (sporting events etc) will exacerbate all of the issues (noise/anti-social behaviour/parking etc).

Other Legislation

The development does not meet external policies including *Health (Public Building)* Regulations 1992, Department of Local Government, Sport and Cultural Industries (DLGSC) licenced premises policies and the Liquor Control Act.

The Planning and Development Act 2005 requires that all applicable legislation is to be considered when determining the impact of a development.

No harm minimisation plan has been provided.

The proposal does not meet the City of Joondalup 2022 Strategic and Community Plan.

Consultation

Insufficient consultation undertaken with not enough letters being sent around. More should have been done.

No reports provided for comment (Noise/Traffic report).

Consultation was during school holidays meaning some families were away. Consultation should have been for a longer period.

No consultation to the apartment development.

No information from the WA Police was provided.

All support for the development will come from outside the area who are not impacted by the proposal.

Other

The landowner knew they would be building a tavern and have constructed the building, accordingly, including keg rooms and associated services (ie. plumbing). They invested in significant fit out (as per their report) and want a return on their capital. This is demonstrated by their leasing strategy.

The development has the capacity for up to 700 patrons.

There is no benefit of the tavern to the area over that of a Restaurant and/or Café owners/tenants.

The design of the building is not appropriate. Smokers will be pushed out onto the street causing nuisance and safety issues.

No information is provided about the number of patrons and numbers of staff. Also, nothing prevents the development from removing all seating.

Given the information in the LSP it would be reasonable for people buying in the area to expect a tavern would not come later down the line.

A tavern will reduce the property values of the surrounding properties. Iluka residents paid higher prices to live in the area.

There are sufficient facilities within 5km of the site and additional premises are not warranted. 60% of Iluka live within 1km of the Currambine tavern.

Tavern may impact surrounding licenced premises and function spaces. They will reduce the viability of the Joondalup Sport Association which may increase funding required.

The development would negatively impact on bicycle riders who use the area.

The proposal is not transparent. This amendment should go through the City and not the JDAP.

Alcohol consumption is linked to the use of other illicit drugs.

A tavern will have an impact on the surrounding environmental area (Bush Forever 325).

The Mayor advised that a tavern would never be included as part of the development.

Comment/Support

The proposal is supported/will be a great idea.

The Tavern provides an entertainment/hospitality experience that is currently lacking in the local area.

The commercial development will be a good community hub; a place to meet and socialise.

Provide a casual and community friendly atmosphere.

Increase vibrancy and amenity of the neighbourhood.

Provides employment opportunities and supports the local economy.

Its beach location is desirable and unique.

Accessible to the community, particularly for walking access.

Its location will not affect neighbouring properties or residents.

It does not reflect a significant change to the original application.



I AWYERS

Level 27, Exchange Tower 2 The Esplanade Perth WA 6000 Australia

PO Box Z5025, St Georges Terrace Perth WA 6831

T +61 8 9404 9100 F +61 8 9300 1338

Our ref JS:19182777

17 July 2020

chris@agem.com.au

Mr Chris Harman Agem Property Group Unit 1, 10 Geddes Street BALCATTA WA 6021 **Electronic**

Dear Chris

Iluka Plaza - Proposed 'Tavern' use

- I refer to your email on 1 July 2020 seeking advice regarding the planning framework applicable to the Iluka Plaza shopping centre development at the corner of Burns Beach Road and O'Mara Boulevard, Iluka (**Property**), particularly with reference to an application for development approval recently lodged with the Metro Outer Joint Development Assessment Panel (**MOJDAP**) seeking approval for a Tavern use for a tenancy within the shopping centre.
- The Property is zoned Urban Development under the City of Joondalup Local Planning Scheme No.3 (**Scheme**).
- Table 3 of the Scheme provides that the development and use of land within this zone "is to be in accordance with an approved structure plan prepared and adopted under Part 4 of the Deemed Provisions" with the reference to "Deemed Provisions" being a reference to the provisions of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (WA).
- The Iluka Structure Plan No.26 (**Iluka Structure Plan**), was prepared and adopted under Part 4 of the Deemed Provisions and while it continues in force under the Scheme, it is important to note that the Iluka Structure Plan was prepared under the former (now revoked) City of Joondalup District Planning Scheme No.2 (**Former DPS2**).
- The Property is also subject to the Iluka Local Centre Local Development Plan No.1, but this contains no provisions relating to land use.
- The primary document in the planning framework applicable to the Property is the Scheme.
- Pursuant to clause 27(1) of the Deemed Provisions, the MOJDAP is required to have due regard to, but is <u>not bound by</u>, the provisions of the Iluka Structure Plan, in determining any application for development approval.
- By way of contrast, the MOJDAP is bound by and is required to apply the provisions of the Scheme as a local planning scheme under the *Planning and Development Act 2005 (WA)*.

THOMSON GEER 2

As to the notation in Table 3 of the Scheme, the Supreme Court in **S & L Lenz Pty Ltd v Shire of Serpentine-Jarrahdale** [2017] WASC 191 (**Lenz**) at [163]-[166] made it clear that, in accordance with clause 27(1) of the Deemed Provisions, a structure plan does not amend the zoning of land under a local planning scheme, or amend a local planning scheme in any other way. As such, the notation in Table 3 of the Scheme does not have the effect that the provisions of the Iluka Structure Plan are "read into" the Scheme as if those provisions formed part of the Scheme.

- Subject to the above, the Structure Plan "identifies" the Property as a Commercial zone.
- 11 Under the Scheme -
 - (a) The objectives of the Commercial zone are set out in clause 16(2) and include "To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres", as well as "To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality".
 - (b) A Tavern is identified in Table 3 as a "D" use in the Commercial zone, which is defined in clause 18(2) as meaning a use that is not permitted, but is able to be approved by the exercise of discretion.
- 12 Under the Iluka Structure Plan -
 - (a) The objectives for the Commercial zone are set out in clause 6.1 and are described as being those contained in the Former DPS2, together with further objectives including "To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality" (which is now contained as one of the objectives of the Commercial zone in the Scheme, as set out above), and "To ensure any commercial uses are reflective of the local scale of the centre, primarily serving the needs of the local community".
 - (b) Clause 6.2.8 provides as follows –

Notwithstanding the land use permissibility for the Commercial zone under the City's District Planning Scheme No,2, the following uses are considered incompatible with the local centre and the amenity of the surrounding locality as they are unlikely to meet the relevant objectives of clause 6.1 and therefore are not contemplated within the local centre:

- i. Liquor Store Large
- ii. Night Club
- iii. Restricted Premises;
- iv. Tavern;
- v. Vehicle Sales/Hire Premises; and
- vi. Veterinary Hospital
- 13 I make the following 6 observations regarding the provisions of clause 6.2.8.
- First, as a provision of the Iluka Structure Plan, in accordance with clause 27(1) of the Deemed Provisions, the provisions of clause 6.2.8 do not bind the MOJDAP.
- 15 Second, clause 6.2.8 refers to the provisions of the Former DPS2, not the current Scheme.
- Third, insofar as the opening words of clause 6.2.8 purport to apply in place of the land use permissibility provisions for the Commercial zone under Former DPS2, the decision of the Supreme Court in *Lenz* makes it clear that it has no such effect.
- Fourth, the language used in clause 6.2.8 is that a Tavern use, together with the other uses listed, is "considered incompatible" with the amenity of the surrounding locality, because it is "unlikely" to meet the objectives of clause 6.1 (see above), and is therefore "not contemplated"

within the local centre. In addition to the fact that the MOJDAP is not bound by the provisions of clause 6.2.8, words such as "unlikely and "not contemplated" are also clearly not words of "absolute" effect. The words require consideration of the circumstances and characteristics of a particular proposal, to determine whether that particular proposal does or does not meet the objectives of clause 6.1 and whether that particular proposal is or is not compatible with the amenity of the surrounding locality, in order to be contemplated within the local centre.

- Fifth, applying the provisions of clause 6.2.8 to the provisions of the Scheme, the definition of Tavern under clause 38 of the Scheme is "premises the subject of a tavern licence granted under the Liquor Control Act 1988" and under the Liquor Control Act a tavern licence is the licence applicable to any premises where liquor is sold for consumption on the licensed premises, without the provision of accommodation for guests, and may also include the sale of packaged liquor for consumption off the licensed premises. A tavern licence under the Act is a very general form of licence, applicable to a very broad scope of potential venues and operations and, in particular, includes no restriction on the size of a venue or the number of patrons that may be accommodated. It follows that a Tavern use as defined in the Scheme is similarly broad, and in addition to the fourth observation above, this highlights the need to consider the circumstances and characteristics of each particular Tavern proposal, rather than a blanket application of the provisions of clause 6.2.8 to all such proposals.
- Finally, the Scheme contains a separate use-class of Small Bar, which is defined in clause 38 to mean "premises the subject of a small bar licence granted under the Liquor Control Act 1988".

 Under the Liquor Control Act, a small bar licence is a type or sub-set of a tavern licence, being one that does not include the sale of packaged liquor for consumption off the licensed premises and is subject to a limit of 120 patrons. A Small Bar, despite otherwise sharing all of the same characteristics as a Tavern, is not mentioned in clause 6.2.8 of the Iluka Structure Plan and, furthermore, is a "P" use in the Commercial zone under Table 3 of the Scheme. As an illustration of the fifth observation above, this clearly demonstrates that a Tavern which is similar to a Small Bar (even though it is not licensed as a Small Bar under the Liquor Control Act) is likely to be compatible with the objectives of clause 6.1 of the Iluka Structure Plan, notwithstanding that other forms of a Tavern may not be.
- In the present case, I understand that the operator of the tenancy will be seeking a Tavern Restricted licence under the *Liquor Control Act*, which allows the sale of liquor for consumption on the licensed premises, but does not allow the sale of packaged liquor for consumption off the licensed premises. Importantly, <u>only</u> difference between a Tavern Restricted licence and a Small Bar licence under the *Liquor Control Act* is the size of the venue and the number of patrons that may be accommodated.
- In summary, despite what a superficial or initial consideration of the provisions of clause 6.2.8 of the Iluka Structure Plan might suggest, in my view it is clear for all of the reasons set out above that
 - (a) clause 6.2.8 does not operate as any form of prohibition of a Tavern use at the Property;
 - (b) it is necessary under the provisions of the Scheme and Iluka Structure Plan, to have regard to the circumstances and characteristics of any particular proposed Tavern use, as a discretionary use; and
 - (c) it is open to the MOJDAP, having regard to the merits of a particular Tavern proposal, to grant development approval under the Scheme for a Tavern use at the Property.

THOMSON GEER 4

If you have any queries regarding the above, please contact me.

Yours faithfully THOMSON GEER

Julius Skinner

Partner

T +61 8 9404 9127

M +61 402 836 551 E jskinner@tglaw.com.au



ILUKA PLAZA CHANGE OF USE FROM RESTAURANT TO TAVERN

NOISE IMPACT ASSESSMENT

ACOUSTIC ASSESSMENT

JULY 2020

OUR REFERENCE: 26129-1-20206



DOCUMENT CONTROL PAGE

ACOUSTIC ASSESSMENT

ILUKA PLAZA TAVERN

Job No: 20206

Document Reference: 26129-1-20206

Author:	Tim Reynolds		Checked By:	George Watts	5
Date of Issue:	03 August 2020)		·	
	•				
		REVISIO	N HISTORY		
Revision	Description		Dat	te Author	Checked
		DOCUMENT	DISTRIBUTION		
Copy No.	Version No.	Destination		Hard Copy	Electronic Copy
		Dynamic Planning			
1	1	Attn : Neil Teo Email : neil.teo@dyna			√
-					

CONTENTS

1.0	INTRODUCTION	2
2.0	SUMMARY	2
3.0	CRITERIA	2
4.0	NOISE MODELLING AND RESULTS	4
5.0	ASSESSMENT	5

APPENDICIES

A Development Plans

Herring Storer Acoustics Our ref: 26129-1-20206

1.0 INTRODUCTION

Herring Storer Acoustics have been commissioned to carry out an acoustical assessment of noise emissions associated with the proposed Tavern to be located within the Iluka Shopping Centre, being Lot 649 (#98) O'Mara Boulevard, Iluka.

This is understood that council have requested an acoustic report to show compliance with the Requirements of the Environmental Protection (Noise) Regulations 1997.

The objectives of the study were to:

- Construct a predictive noise model for noise levels associated with the proposed tavern.
- Assess the predicted noise levels received at the closest neighbouring noise sensitive premises, for compliance with the *Environmental Protection (Noise) Regulations* 1997.
- If exceedances are predicted, investigate possible noise control options that will reduce noise emissions to achieve compliance with the regulations.

2.0 SUMMARY

Based on the assessment undertaken, noise level emissions associated with the proposed tavern are calculated to comply with the Assigned Noise Level stipulated by the *Environmental Protection (Noise) Regulations 1997* at all times. However, it is noted that any music is to be limited to background music within the internal area of the tavern.

3.0 CRITERIA

The Environmental Protection (Noise) Regulations 1997 stipulate the allowable noise levels at any noise sensitive premises from other premises. For noise sensitive premises, the allowable noise level is determined by the calculation of an influencing factor, which is added to the baseline criteria set out in Table 1 of the Regulations. For commercial premises, the assigned noise levels are fixed for all times. The baseline assigned noise levels are listed in Table 2.1.

TABLE 2.1 – ASSIGNED NOISE LEVELS

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
Premises Receiving Noise	Time of Day	L _{A 10}	L _{A 1}	L _{A max}
	0700 - 1900 hours Monday to Saturday	45 + IF	55 + IF	65 + IF
Noise sensitive premises	0900 - 1900 hours Sunday and Public Holidays	40 + IF	50 + IF	65 + IF
within 15 metres of a dwelling	1900 - 2200 hours all days	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	35 + IF	45 + IF	55 + IF
Commercial Premises	All Hours	60	75	80

Note:

The L_{A10} noise level is the noise that is exceeded for 10% of the time.

The L_{A1} noise level is the noise that is exceeded for 1% of the time.

The $L_{\mbox{\scriptsize Amax}}$ noise level is the maximum noise level recorded.

It is a requirement that noise from the site be free of annoying characteristics (tonality, modulation and impulsiveness) at other premises, defined below as per Regulation 9.

"impulsiveness"

means a variation in the emission of a noise where the difference between L_{Apeak} and $L_{Amax\;Slow}$ is more than 15dB when determined for a single representative event;

"modulation"

means a variation in the emission of noise that -

- (a) is more than 3dB $L_{A\ Fast}$ or is more than 3dB $L_{A\ Fast}$ in any one-third octave band;
- (b) is present for more at least 10% of the representative assessment period; and
- (c) is regular, cyclic and audible;

"tonality"

means 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.

Where the above characteristics are present and cannot be practicably removed, the following adjustments are made to the measured or predicted level at other premises.

TABLE 2.2 – ADJUSTMENTS FOR ANNOYING CHARACTERISTICS

Where tonality is present	Where modulation is present	Where impulsiveness is present	
+ 5 dB	+ 5 dB	+ 10 dB	

Where the noise emission is music, then any measured level is adjusted according to Table 2.3 below.

TABLE 2.3 – ADJUSTMENTS TO MEASURED MUSIC NOISE LEVELS

Where impulsiveness is not present	Where impulsiveness is present	
+10 dB(A)	+15 dB(A)	

The nearest neighbouring noise sensitive premises considered in our assessment are as shown in Figure 1 below.



FIGURE 1 – DEVELOPMENT LOCATION AND SURROUNDS

From the previous noise assessment of the shopping centre, the influencing factor at the existing and future neighbouring residential premises have been determined to be +2. Thus, the assigned noise levels would be as listed in Table 3.3.

TABLE 3.3 - ASSIGNED OUTDOOR NOISE LEVEL - NEIGHBOURING RESIDENCE

Premises Receiving	Time of Day	Assigned Level (dB)		
Noise	Time of Day		L _{A 1}	L _{A max}
	0700 - 1900 hours Monday to Saturday	47	57	67
Noise sensitive	0900 - 1900 hours Sunday and Public Holidays	42	52	67
premises	1900 - 2200 hours all days	42	52	57
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays	37	47	57

Note: L_{A10} is the noise level exceeded for 10% of the time.

L_{A1} is the noise level exceeded for 1% of the time.

L_{Amax} is the maximum noise level.

4.0 NOISE MODELLING AND RESULTS

From information provided, a noise model was developed of the proposed outdoor areas associated with the proposed tavern, with the details of the space attached in Appendix A.

From information provided, we understand that the base construction of the tavern are concrete walls, with the glazing to the windows being 6mm Glass. Based on these constructions, the internal noise levels, assuming a noise level of 85 dB(A) throughout, would be contained by the building structure. Thus, noise received at the neighbouring residences would be via open doors and the alfresco area.

Noise levels within the external areas has been assumed to be 66 dB(A)/m² sound power level. This noise level is representative of beer garden noise levels, which given the furniture and likely clientele is considered to be an over-estimation of noise levels in these areas, and therefore ensures a conservative assessment.

Any music in these areas have been considered to be ambient only and not significantly contributing to the noise received at neighbouring premises.

Noise levels at the identified noise sensitive premise associated with the tavern are listed below in Table 3.1. It is noted that noise received at multiple locations on the neighbouring premises, including the different levels have been calculated, however, to simplify the analysis only the worst case noise levels have been listed.

TABLE 3.1 – CALCULATED NOISE LEVELS AT NEIGHBOURING COMMERCIAL PREMISES

Location	Calculated Noise Level dB(A)
Residences to North	23
Possible Residences to South	36

Note: For information, noise received at the existing residence on Calis Avenue and Santos Vista have been calculated at less than 20 dB(A). Thus, compliance at these residences would easily be achieved at all times.

5.0 ASSESSMENT

Noise levels associated with the externals area are to be limited to patron noise only, with background music to be restricted to a level such that it does not significantly contribute to the noise emissions of the development.

As voices are broadband, no adjustment to the calculated noise levels are applicable in accordance with the *Environmental Protection (Noise) Regulations 1997*. Therefore, Table 4.1 summarises the assessment of the calculated noise levels against the pertinent Assigned Noise Levels.

TABLE 4.1 – ASSESSMENT – NO NOISE CONTROL

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable L _{A10} Assigned Level (dB)	Exceedance to Assigned Noise Level (dB)
	23	Day	47	Complies
Residences to North		Sundays	42	Complies
NOTH		Evening	42	Complies
		Night	37	Complies
Possible Residences to South	36	Day	47	Complies
		Sundays	42	Complies
		Evening	42	Complies
		Night	37	Complies

Notes:

- Noise received at the possible residences to the south would be dominated by noise received from the alfresco area.
- With the main entry door to the tavern, generally closed (ie only opened for patrons to enter and exit the premises), we believe that noise received at the neighbouring residences to the north would occur for less than 10% of the time and would be assessable under the $L_{\rm A1}$ criteria. However, to be conservative, we have assessed noise received at the neighbouring residences under the $L_{\rm A10}$ criteria.

As can be seen from the above tables, noise associated with the proposed tavern have been found to comply with the allowable noise levels stipulated by the Environmental Protection (Noise) Regulations 1997 at all times.

APPENDIX A

Development Plans

TOTAL AREA:

TENANCY 1	190sqm
TENANCY 2	195sqm
TENANCY 3	490sqm
TOTAL COMBINED	875sqm

PROPOSED GENERAL ARRANGEMENT:

INTERNAL SEATING 490sqm
ALFRESCO 125sqm
BACK OF HOUSE 310sqm

AMENITIES:

FEMALE

6 CLOSET PANS 4 WASH BASINS

MALE

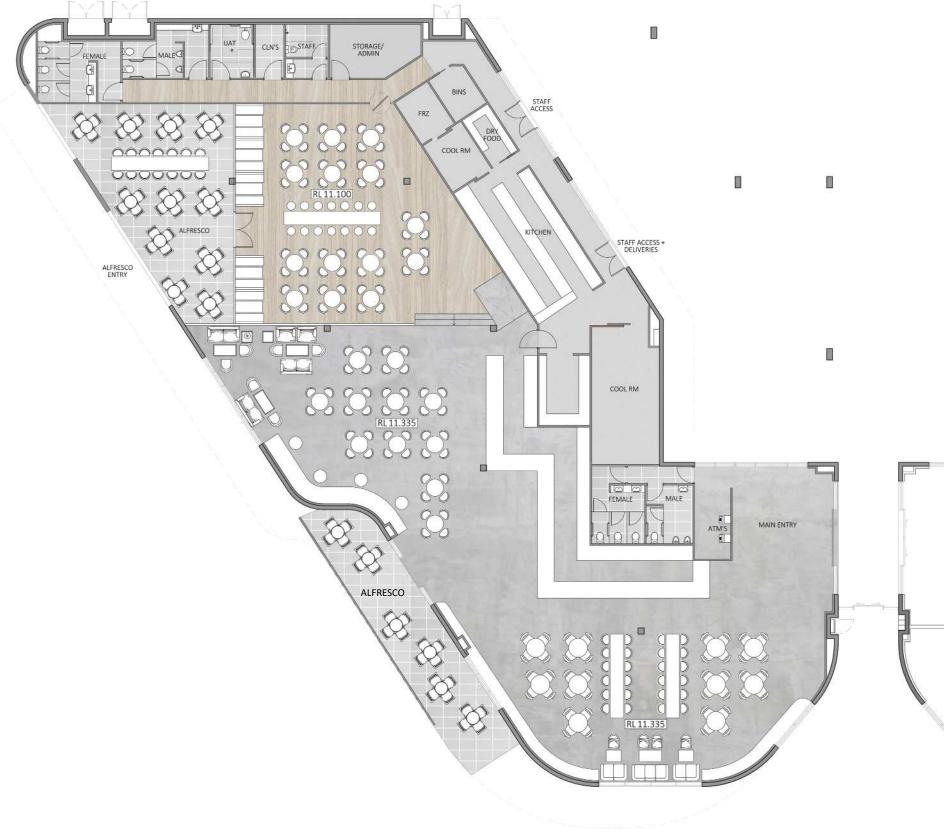
3 CLOSET PANS 2 WASH BASINS 4 URINALS

<u>UAT</u>

1 PROVIDED

<u>STAFF</u>

DEDICATED STAFF EOT FACILITY



GENERAL ARRANGEMENT PLAN 1:200@A3