



## Metro Outer Joint Development Assessment Panel Agenda

**Meeting Date and Time:** Monday, 28 February 2022; 9:30am  
**Meeting Number:** MOJDAP/155  
**Meeting Venue:** Electronic Means

To connect to the meeting via your computer - <https://zoom.us/j/98924538890>

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

**Insert Meeting ID followed by the hash (#) key when prompted - 989 2453 8890**

*This DAP meeting will be conducted by electronic means (Zoom) 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 .....	3
4.	Noting of Minutes .....	3
5.	Declarations of Due Consideration .....	3
6.	Disclosure of Interests.....	3
7.	Deputations and Presentations.....	3
8.	Form 1 – Responsible Authority Reports – DAP Applications .....	5
	Nil.....	5
9.	Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval .....	5
	Nil.....	5
10.	State Administrative Tribunal Applications and Supreme Court Appeals ..	5
	10.1 Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way, Kingsley .....	5
11.	General Business .....	6
12.	Meeting Closure .....	6



## **Attendance**

### **DAP Members**

Mr Ian Birch (Presiding Member)  
Mr Tony Arias (A/Deputy Presiding Member)  
Mr Jason Hick (Third Specialist Member)  
Cr Nige Jones (Local Government Member, City of Joondalup)  
Cr Tom McLean (Local Government Member, City of Joondalup)

### **Officers in attendance**

Mr Tim Thornton (City of Joondalup)  
Mr Chris Leigh (City of Joondalup)

### **Minute Secretary**

Ms Adele McMahon (DAP Secretariat)  
Ms Sam Hansen (DAP Secretariat)

### **Applicants and Submitters**

Mr Michael Willcock (Taylor Burrell Barnett)  
Mr Trent Fleskens (Strategic Property Group)  
Ms Bianca Sandri (Urbanista Town Planning)  
Mr Brett Dorney  
Mr Eddie Legg  
Mr Drew Templar  
Ms Suzanne Apps  
Ms Anna Holloway (Insite Architecture)  
Mr Tim Reynolds (Herring Storer)  
Mr Walt Coulston (CK Group)  
Mr Craig Wallace (Lavan)  
Mr Trent Will (Taylor Burrell Barnett)  
Mr David Wilkins (i3 Consulting)  
Mr Chris Lawrence (Nature Play Solutions)

### **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 (Zoom) open to the public. Members are reminded to announce their name and title prior to speaking.

## **2. Apologies**

Ms Sheryl Chaffer (Deputy Presiding Member)





### 3. Members on Leave of Absence

DAP Member, Ms Sheryl Chaffer has been granted leave of absence by the Director General for the period of 16 February 2022 to 2 March 2022 inclusive.

### 4. Noting of Minutes

Signed minutes of previous meetings are available on the [DAP website](#).

### 5. Declarations of Due Consideration

The Presiding Member notes an addendum to the agenda was published to include details of a DAP request for further information and responsible authority response in relation to Item 10.1, received on 23 February 2022.

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

### 6. Disclosure of Interests

Member	Item	Nature of Interest
Mr Ian Birch	10.1	Impartiality Interest – Mr Ian Birch participated in a State Administrative Tribunal process in relation to the application at item 10.1. Under section 2.1.3 of the DAP Code of Conduct 2017, Mr Birch acknowledges that he is not bound by any confidential discussions that occurred as part of the mediation process and will undertake to exercise independent judgment in relation the DAP application before him, which will be considered on its planning merits.
Cr Tom McLean	10.1	Impartiality Interest – Mr Tony Arias, the A/Deputy Presiding Member, is known to me as he was the CEO of the Tamala Park Regional Council when I was the City of Joondalup representative on the same council(TPRC).

In accordance with Section 2.4.6 of the DAP Code of Conduct 2017, DAP members have been invited to participate in a site visit for the application at Item 10.1 prior to the DAP Meeting.

### 7. Deputations and Presentations

- 7.1** Mr Eddie Legg presenting in support of the recommendation but against the application at Item 10.1. The presentation will address the adverse impact that this development will have on our home (directly adjacent to the proposed plan) as well as the other local residence. This proposal fails to meet the new guidelines regarding Childcare premises laid out by the Joondalup council, which seeks to better protect the local residence from large scale commercial buildings being built in residentially zoned areas.



- 7.2** Mr Drew Templar presenting in support of the recommendation but against the application at Item 10.1. The presentation will address non-compliance of the development with the City of Joondalup's CCPLPP and the adverse impact that the proposed development will have on the amenity of the residents in the surrounding area.
- 7.3** Mr Brett Dorney presenting in support of the recommendation but against the application at Item 10.1. The presentation will address The adverse impact that the proposed development will have on the amenity of the residents in the surrounding area and in particular its failure to comply with the policy.
- 7.4** Ms Suzanne Apps in support of the recommendation but against the application at Item 10.1. The presentation will address CCP LPP policy consideration and summary of reasons for refusal.
- 7.5** Mr Trent Fleskens (Strategic Property Group) presenting against the recommendation but in support of the application at Item 10.1. The presentation will address the City's Child Care Premises Local Planning Policy is so restrictive that, for all intents and purposes, eliminates the opportunity for commercially-viable childcare centre development in the City. This policy should be given little to no regard as it is too restrictive and reflects a politically-charged council with no consideration for future provision of this essential service in the community
- 7.6** Ms Bianca Sandri (Urbanista Town Planning) presenting against the recommendation but in support of the application at Item 10.1. The presentation will address why the proposed child care premises is an appropriate use for the site and will not result in adverse impact to the adjacent properties or the locality generally.
- 7.7** Ms Anna Holloway (Insite Architects) presenting against the recommendation but in support of the application at Item 10.1. The presentation will address support of the proposed development, Anna will provide an overview of the modifications to the refused plans, how the Design Review Panel considerations have been addressed and will discuss the design response to adjoining properties.
- 7.8** Mr Tim Reynolds (Herring Storer) presenting against the recommendation but in support of the application at Item 10.1. The presentation will address support of the proposed development, it will also discuss the improvements to acoustic levels from the revised design and will respond to the reasons for refusal relating to noise.
- 7.9** Mr Walt Coulston (CK Group) presenting against the recommendation but in support of the application at Item 10.1. The presentation will address support of the proposed development, it will also discuss the proponent's approach, the community need for child care within the locality and operational aspects of the development.
- 7.10** Mr Craig Wallace (Lavan) presenting against the recommendation but in support of the application at Item 10.1. The presentation will provide a legal submission on the weight to be applied to the draft local planning policy referred to in the RAR.



- 7.11** Mr Trent Will (Taylor Burrell Barnett) presenting against the recommendation but in support of the application at Item 10.1. The presentation will address support of the proposed development, it will also provide a response to the reasons for refusal, detail the planning rationale for the proposed development and discuss how the amenity of adjoining properties has been considered.

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**

Nil.

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

Nil.

**10. State Administrative Tribunal Applications and Supreme Court Appeals**

**10.1 Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way, Kingsley**

Development Description: Child Care Premises

- Summary of Modifications:
- Removal of the roof over the carpark resulting in a seven metre reduction in the length of the building facing Kingsley Drive.
  - Change from a flat roof design to a pitched roof, incorporating two roof pitches.
  - Modification of solid panelling on the upper floor northern elevation, to translucent panelling.
  - Reduction in the wall height from 7.6 metres to a maximum of 7.3 metres.
  - Relocation of the bin store to the southern side of the carpark, incorporated into the main building.
  - A reduction of children capacity onsite to 78 children (from 82 children).
  - Increase to the fence height abutting the northern and western sides of the carpark to 2.1 metres (from 1.8 metres).
  - Hours of operation reduced to 7.00am - 6.30pm Monday to Friday (from 6.30am – 6.30pm Monday to Friday).
  - Reduction in the number of tandem parking bays from three to two.
  - Updated technical reports.

Applicant:

Taylor Burrell Barnett

Owner:

Regina Michelle Fisher and Sharon Leanne Reid

Responsible Authority:

City of Joondalup

DAP File No:

DAP/21/02016



Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/21/02000 DR203.2021	City of Joondalup	Lot 642 (104) Mullaloo Drive & Lot 643 (20) Stanford Road, Kallaroo	Proposed Child Care Centre	28/09/2021
DAP/21/2047 DR	City of Swan	Lots 136 (26) & 3235 (34) Asturian Drive and Lots 137 (238) & 138 (230) Henley Street, Henley Brook	Proposed education facility	03/12/2021

## 11. General Business

In accordance with Section 7.3 of the DAP Standing Orders 2020 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



## Direction for Further Services from the Responsible Authority

Regulation 13(1) and DAP Standing Orders 2020 cl. 3.3

### Guidelines

A DAP Member who wishes to request further services (e.g. technical information or alternate recommendations) from the Responsible Authority must complete this form and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au).

The request will be considered by the Presiding Member and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query and response will published on the DAP website** as an addendum to the meeting agenda.

### DAP Application Details

DAP Name	Metro Outer JDAP
DAP Application Number	DAP/21/02016
Responsible Authority	City of Joondalup
Property Location	Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way &, Kingsley

### Presiding Member Authorisation

Presiding Member Name	Mr Ian Birch
Signature	<i>Mr Ian Birch</i>
Date	17 February 2022
Response Due	<b>23 February 2022; 2:00pm</b>

### Nature of technical advice or information required\*

1	DAP query	Please provide Alternate Recommendation for approval
	Response	<p>Alternate Recommendation</p> <p>That the Metro Outer JDAP, pursuant to section 31 of the <i>State Administrative Tribunal Act 2004</i> in respect of SAT application DR207 of 2021, resolves to:</p> <p><b>Reconsider</b> its decision dated 14 September 2021 and <b>SET ASIDE the decision and substitute a new</b> decision to approve DAP Application reference DAP/21/02016 and amended plans (Attachment 2) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and the provisions of the City of Joondalup <i>Local Planning Scheme No. 3</i>, subject to the following conditions:</p> <p><b>Conditions:</b></p>

\* Any alternate recommendation sought does not infer a pre-determined position of the panel.  
Any legal advice, commercially confidential or personal information will be exempt from publication.

		<ol style="list-style-type: none"> <li>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.</li> <li>2. This decision constitutes planning approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.</li> <li>3. 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.</li> <li>4. The lots included shall be amalgamated prior to occupancy certification.</li> <li>5. A maximum of 78 children and 13 staff on the premises at any one time.</li> <li>6. The hours of operation for the centre shall be between 7:00am to 6.00pm Monday to Friday, and 8:00am to 1:00pm Saturdays. Staff are permitted on site up to 30 minutes before and after these operating hours.</li> <li>7. Any parking prior to 7.00am shall be restricted to staff parking bays 14, 16, 22 and 23 in accordance with the recommendations of the Environmental Acoustic Assessment to the satisfaction of the City.</li> <li>8. An Operations 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 operation of the Child Care Premises shall then be carried out in accordance with the approved Operations Management Plan.</li> <li>9. 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.</li> <li>10. A Construction Management Plan shall be submitted to and approved by the City prior to the commencement of development. The management plan shall include details regarding mitigation measures to address impacts associated with construction works and shall be prepared to the specification and satisfaction of the City. The construction works shall be undertaken in accordance with the approved Construction Management Plan.</li> <li>11. A full schedule of colours and materials for all exterior parts to the development (including retaining walls and fencing) shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with the approved schedule and all external materials and finishes shall be maintained to a high standard, including being free of vandalism, to the satisfaction of the City.</li> </ol>
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		<p>12. Any proposed building plant and equipment, including the 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, and where practicable from adjoining buildings. Details shall be submitted to and approved by the City prior to the commencement of development. Development shall be in accordance with these approved details.</p> <p>13. 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:</p> <ul style="list-style-type: none"> <li>a. Provide landscaping that discourages the parking of vehicles within the verge;</li> <li>b. Include a tree within the landscaping strip between car bay 23 and the verge;</li> <li>c. Provide details of the play equipment and shade structures within the outdoor play area, incorporating minimum concrete or brick paved areas;</li> <li>d. Provide all details relating to paving and treatment of verges;</li> <li>e. Be drawn at an appropriate scale of either 1:100, 1:200 or 1:500;</li> <li>f. Show spot levels and/or contours of the site;</li> <li>g. Be based on water sensitive urban design principles to the satisfaction of the City;</li> <li>h. Be based on Designing out Crime principles to the satisfaction of the City;</li> <li>i. Show all irrigation design details.</li> </ul> <p>14. 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.</p> <p>15. 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.</p> <p>16. Car bays 5, 6 and 7 (or others as approved by the City) shall be signposted as 'loading zones' between the hours of 10.00am and 2.00pm for the purpose of providing manoeuvring space for waste collection vehicles.</p> <p>17. Two (2) 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.</p> <p>18. All street fencing shall be visually permeable (as defined in the Residential Design Codes) above 1.2 metres from natural ground level.</p>
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		<p>19. No solid walls, fences or other structures higher than 0.75 metres shall be constructed within 1.5 metres of where the driveway meets the street boundary.</p> <p>20. The signage shall:</p> <ul style="list-style-type: none"> <li>a. not be illuminated;</li> <li>b. not include fluorescent, reflective or retro reflective colours;</li> <li>c. be established and thereafter maintained of a high standard</li> </ul> <p style="padding-left: 40px;">to the satisfaction of the City.</p> <p>21. All stormwater shall be collected on-site and disposed of in a manner acceptable to the City.</p> <p>22. All development shall be contained within the property boundaries.</p> <p><b>Advice Notes:</b></p> <ol style="list-style-type: none"> <li>1. The City of Joondalup <i>Local Planning Scheme No. 3</i> defines ‘Child Care Premises’ as: <p style="padding-left: 40px;"><i>“premises where:</i></p> <ul style="list-style-type: none"> <li><i>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</i></li> <li><i>b. a child care service as defined in the Child Services Act 2007 section 4 is provided.”</i></li> </ul> </li> <li>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.</li> <li>3. Any existing infrastructure/assets within the road reserve 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.</li> <li>4. The Construction Management Plan shall be prepared using the City’s Construction Management Plan template which can be provided upon request.</li> <li>5. The Residential Design Codes define visually permeable as: <p style="padding-left: 40px;"><i>In reference to a wall, gate, door or fence that the vertical surface when viewed directly from the street or other public space has:</i></p> <ul style="list-style-type: none"> <li><i>a. continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area;</i></li> </ul> </li> </ol>
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		<p><i>b. continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or</i></p> <p><i>c. a surface offering equal or lesser obstruction to view.</i></p> <p>6. Any lighting to the centre is to be designed to minimise light spillage onto the surrounding residential properties and be in accordance with the requirements of Australian Standard AS1158.</p> <p>7. 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.</p> <p>8. The laundry is 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.</p> <p>9. Ventilation to toilets and any other room which contains a w/c must comply with the <i>Sewerage (Lighting, Ventilation and Construction) Regulations 1971</i>.</p> <p>10. Development to be set up and run in compliance with the <i>Food Act 2008</i> and the <i>Australia New Zealand Food Standards Code</i>. 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 &amp; Environmental Services on 9400 4933.</p> <p>11. There is an obligation to design and construct the development to meet compliance with the requirements of the <i>Environmental Protection Act 1986</i> and the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
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## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

### Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Eddie Legg
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

### Meeting Details

DAP Name	Metro Outer Joint Development Assessment Panel
Meeting Date	28 February 2022
DAP Application Number	MOJDAP/155
Property Location	Lot 667 (73 Kingsley drive) and Lot 666 (22 Woodford Wells Place)
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i>  <b>The adverse impact that this development will have on our home (directly adjacent to the proposed plan) as well as the other local residence. This proposal fails to meet the new guidelines regarding Childcare premises laid out by the Joondalup council, which seeks to better protect the local residence from large scale commercial buildings being built in residentially zoned areas.</b>
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

See attachment

I wish to lodge an objection to the proposal of the building of a childcare facility on Kingsley Drive and support the City Of Joondalup's rejection of the application. I thank you for the opportunity to make a statement as our property is directly adjacent to the North (71 Kingsley Drive) of the proposal and we will be dramatically affected if this goes forward.

While some consideration for the safety and privacy of our home, which is directly adjacent to the North of the proposed plan has been made, little to no change has been made to combat the dramatically increased noise due to 11 parking bays being directly adjacent to all of our bedrooms. While it is stated that staff will not be able to park in those bays, with an opening time of 7 am parents will be arriving before then and using them. A "standard" fence, even with an increase in height does little to nothing to combat or dull the noise of 80+ cars directly next to your bedrooms.

The yellow shows the windows to where are bedrooms are located and the close proximity of the parking lot to them. This will greatly impact the amenity of our home and the increased noise of people coming from early in the morning until the evening (which the current closing time is outside of allowable time as well). This doesn't even take into consideration people coming outside of hours to clean.



While they have slightly reduced the bulk and scale of the building it is still not in keeping with the location. Of the 134 homes, and several business properties that open onto Kingsley Drive there are only 3 that are double stories, and none of the businesses in the area are double stories. This development even in it's currently plan would not fit in with the other homes and businesses in the area. Having a development of this size greatly affects the local amenity of our area.

The point was made as a rebuttal for this proposal that no childcare with fewer children could be financially viable. This is not the case. There are multiple single story childcare facilities within a 5 k radius that accommodate much fewer children than 78 so they must be financially soluable. They are all recently built and have taken much more consideration for the local residence who live around them.

The current Childcare Policy that was adopted by Joondalup city council doesn't negate childcare in the area, there are several hundred residential properties that would still qualify, and many commercial properties that qualify, it just protects the residents who bought into a residential area from being way over shadows by these massive, multi-lot facilities. I acknowledge that yes it might mean that they have a reduced profit, but this

new policy gives more consideration to the local community. This plan has been refused multiple times, and I urge you to stand by the cities decision for refusal and support their new policy for development.



## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

### Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Drew Templar
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

### Meeting Details

DAP Name	Metro Outer Joint Development Assessment Panel
Meeting Date	28 February 2022
DAP Application Number	MOJDAP/155
Property Location	Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way Kingsley
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> Non-compliance of the development with the City of Joondalup's CCPLPP and the adverse impact that the proposed development will have on the amenity of the residents in the surrounding area.
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

- The residents of Kingsley have been fighting for our residential Zoning for almost 12 Months.
- This proposal has been rejected by Council twice.
- This proposal has been rejected unanimously at JDAP (5 Votes to Nil) on 5 important points.
- The proposal still does not meet the Planning Policy.



Figure 1: Refused design viewed from Kingsley Drive



# State of Play:



- The CCPLPP was voted on and adopted by the council (11 votes “For” 2 “against”) on the 15<sup>th</sup> of February 2022.
- We received Notification on the 17<sup>th</sup> of February 2022 via email that:
  - The revised local planning policy will become effective when published on the City’s website on 17 February 2022. A copy of the minutes can be viewed on the City’s website after 5pm Friday 18 February 2022 .
- This policy change has come after consultation with the community. It was overwhelmingly supported by the residents of the City of Joondalup. Out of the 68 Submissions 66 of these were in favour, neutral of the new draft policy or wanting measure put in place to make it harder for Child Care developments to be built in “Residential zones”.



# Policy Change

I draw your attention to the new CCPLPP. The points below are critical in protecting the amenity of our residents and residential zones in the City of Joondalup.

5.1. Location: The appropriate location of childcare premises is crucial in avoiding adverse impacts on surrounding properties, particularly in terms of additional traffic, car parking and noise. (All these issues have been raised as a concern for this development by local residence and council. 49 submissions were received during the community consultation process with 43 opposing this development)

a. Childcare premises are most appropriately located within the 'Mixed Use', 'Commercial', 'Service Commercial' or 'Private Community Purposes' zone. (Clearly the proposal for the Kingsley Child Care Centre does not meet this CCPLPP.)

# CHILD CARE PREMISES LOCAL PLANNING POLICY:

b. In order to minimise potential adverse impacts a child care premises may have on the amenity of residential properties, particularly as a result of noise, increased traffic, and building scale, a child care premises will only be considered in the 'Residential' zone where it:

- i. directly adjoins non-residential uses such as shopping centres, medical centres or consulting rooms, schools, parks or community purpose buildings on at least one boundary.

The proposal does not meet this requirement. You can see from the picture attached that this property “directly adjoins” 3 residential properties. Let me be clear.... The Kingsley parkland does not “directly adjoin” this development and should not be considered. It was discussed at the council meeting on the 15<sup>th</sup> of Feb 2022 that there are over 300 possible locations that do meet the CCPLPP requirements within the city of Joondalup. Developers need to be looking for more appropriate locations to not negatively impact the residence of the City of Joondalup.



# CHILD CARE PREMISES LOCAL PLANNING POLICY:



- ii. accommodates a maximum of 50 children.

It is obvious that the Kingsley development does not meet this CCPLPP. The current proposal is for 78 students this is 56% over the recommended “maximum”. Only a minimal attempt was made to reduce the numbers from the original proposal. The idea that this was going to reduce noise on surrounding residents is perplexing.



# CHILD CARE PREMISES LOCAL PLANNING POLICY:

c. Where a proposed child care premises adjoins a residential property, the applicant is required to demonstrate how the proposal will not have an undue impact on residential amenity in terms of noise, location of car parking, increased traffic and building scale.

This statement is not to be taken lightly. It is the developers that need to prove that this will NOT have an undue impact on residence and their amenity. Today you will have heard from, or be hearing from, residence of the Kingsley area talking about the impact this will have on our community (Residence and the Amenity). These residence are alerting you of the impact of Traffic, Noise, Privacy, Bulk and Scale. We are taking time away from our families to fight for our rights to live in a residential area. To protect our privacy, our children from traffic hazards, our elderly and young families from the noise of a business in their yards and homes.

The developers have indicated that they are having operational hours of 7am to 6.30pm Monday to Friday which does not comply with the policy. On top of this the local residence will need to live with weekends of noise and traffic.

Clearly from these statement we (the people of the City of Joondalup) will be negatively impacted from this development.

# CHILD CARE PREMISES LOCAL PLANNING POLICY:

Finally I ask for my family. Please find a more appropriate location. Please leave the residence of Kingsley to live in the homes free of the fear of business surrounding their residential properties. We are tired, we have taken time away from our families and love ones to represent the City of Joondalup residence. The New CCPLPP was written to help the residence for this purpose and we hope this will be the case here.



# FAMILY



## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

### Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **5 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Brett Dorney
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

### Meeting Details

DAP Name	Metro Outer Joint Development Assessment Panel
Meeting Date	28 February 2022
DAP Application Number	MOJDAP/155
Property Location	Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Wells Way, Kingsley
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please attach



### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> The adverse impact that the proposed development will have on the amenity of the residents in the surrounding area and in particular its failure to comply with the policy.
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

Refer attached document



Development (Planning) Application for a Child Care premises at Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Wells Way, Kingsley.

With reference to the MOJDAP/155 item 10.1, I wish to lodge an objection to the proposal and support the City Of Joondalup's rejection of the application. I thank you for the opportunity to make a submission in regard to the planning application for a new child care premises at the above address.

While appreciative/supportive of the need for urban renewal and that the composition of suburbs should be able to change over time to reflect demonstrated community needs, the proposal clearly contravenes the recently approved Child Care Premises Local Planning Policy - effective 17/2/2022.

Interestingly after the consultation period, approximately 88% of submissions received by the City Of Joondalup were in favour of the new policy – demonstrating that the residents of Joondalup were in favour of nuanced and considered child care development occurring within the City of Joondalup precincts.

I would like to express my concerns in regard to the proposal and how it interacts with the City of Joondalup's Child Care Premises Local Planning Policy (CCPLPP).

#### 5.1. Location:

The appropriate location of child care premises is crucial in avoiding adverse impacts on surrounding properties, particularly in terms of additional traffic, car parking and noise.

a. Child care premises are most appropriately located within the 'Mixed Use', 'Commercial', 'Service Commercial' or 'Private Community Purposes' zone.

While recognising that the area is zoned R20 (R20/R40 zoning is north of the proposed site) and that other commercial activity has been approved within the Kingsley locale, these buildings have primarily been of single storey. An application by DOME Kingsley to build a two storey extension, at the shopping centre, has been rejected and I think reinforces the need to have considered development.

b. In order to minimise potential adverse impacts a child care premises may have on the amenity of residential properties, particularly as a result of noise, increased traffic, and building scale, a child care premises will only be considered in the 'Residential' zone where it:

i. directly adjoins non-residential uses such as shopping centres, medical centres or consulting rooms, schools, parks or community purpose buildings on at least one boundary.

The proposed development does not have any connection to non-residential uses but in fact connects to three residential properties.

ii. accommodates a maximum of 50 children.

After the proposal was unanimously rejected by the JDAP, 14 September 2021, and after two mediation sessions the developer has reduced numbers from 82 to 78. This is some 56% more than allowed under the CCPLPP.

c. Where a proposed child care premises adjoins a residential property, the applicant is required to demonstrate how the proposal will not have an undue impact on residential amenity in terms of noise, location of car parking, increased traffic and building scale.

Three residences impacted, given that the issue of noise has been raised by the developer and noise mitigation strategies have been identified it is uncertain how realistic these are (crying children will be taken inside to be comforted – if they are an educator this will breach child care supervisory ratio numbers) and these will quite clearly directly impact residential neighbours.

The proposed fencing is not in keeping with the existing streetscape in Woodford Wells Way (but it is acknowledged that high fencing is accepted on Kingsley Drive) and impacts the visuals for the southern residents of Woodford Wells Way.

#### 5.6 Hours of Operation:

This is quite clearly in breach of the required 7am – 6pm limit, as per the City's CCPLPP.

The operator has revised its hours of operation to run from 7.00am - 6.30pm and has suggested that staff may be there half an hour before to set up and a half hour after close of business. This will be particularly intrusive for the neighbours as light intrusion from the proposed development will spill over – particularly in the winter months.

Additionally, the hours of external/specialist cleaning staff have been overlooked. Will they clean prior to 7am or after 6.30pm – whilst not impacting 'official' operating hours this does have the potential to impact resident amenity.

#### Bulk and Scale

Whilst the site coverage is stated at 43%, this is based on the building footprint and does not include the open car park, which from a residential prospect would see the building well over what would be considered aesthetically pleasing (large open parking lot next to your home)

The bulk and scale is still dominate to the residents at 20 Woodford Wells Way, the double storey commercial building will run nearly the whole length of their western boundary, which is their main outdoor area.

The building still is clearly a large commercial child care centre, that makes use of the whole site, which is an amalgamation of two standard size blocks, no other building of this size is located in the Kingsley and is incompatible with Kingsley's streetscape.

While considering these matters in isolation they appear acceptable, but looking at the total number of failures to comply with planning policy, as outlined below, it simply does not pass the pub test.

#### Failure to Comply

- Location – is directly adjoining three residential properties
- Maximum number 50 – 78 proposed (56%) over what is allowed
- Hours of operations – outside what is allowed
- Top of wall – permitted 7M – has a wall 7.3M
- Minimum Primary setback 6M – however proposes a minimum setback of 5.26M
- Solid Street Fencing a height of 1.2M – 2.3M solid brick
- Noise sensitive land use – car park directly adjacent to active spaces on adjoining properties - considered potential for this to impact on the amenity of the adjoining properties.
- A minimum strip of 1.5metres wide adjacent to all street boundaries – 1.2metres wide between bay 23 and street boundary
- Signage 1 wall sign -1.2m2- three proposed all over 1.2m2

Thank you for considering the adverse impact the proposed development will have on the amenity of the residents. Given these concerns it does not appear that the Developer is able to demonstrate that this will not have an adverse impact on the amenity of surrounding areas.

On this basis I would request that you support the City of Joondalup's refusal of the revised development application.

Yours sincerely,  
Brett Dorney



## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

### Presentation Request Guidelines

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Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Suzanne APPS
Company (if applicable)	Click or tap here to enter text.
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: Click or tap here to enter text.

### Meeting Details

DAP Name	Metro Outer JDAP
Meeting Date	28 February 2022
DAP Application Number	DAP/21/02016
Property Location	73 Kingsley Drive and 22 Woodford Wells Way
Agenda Item Number	7

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>Detail the impact of the development to adjoining neighbour on the western boundary</i> <i>Address CCP LPP policy consideration</i> <i>And Summary of reasons for refusal:</i> Click or tap here to enter text.
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

DAP presentation

Suzanne APPS

Resident / 20 Woodford Wells Way/ WEST of proposed development

Beryl is the owner of this property. Her husband Kevin is in hospital, her companion is the family dog

### Changes

It is noted the applicant has made some changes to the development and relocated the air-conditioning units which mean the cement sound wall is now no longer required.

The applicant also proposes to relocate the **baby's (Age 0-24)** room to the area nearest to Beryl home, this is noted to be where the reduction of **4 places** has come from (**4% reduction** in what is the type of places that are most sort after). This age group is the quietest in terms of outside play, however the location could be altered or switch back.

*(Inconsistency in the acoustic report states 10 age 0-24, rather than 8 specified proposal)*

### Bulk / Scale

Whilst the bulk and scale may have been reduced on Kingsley drive, for Beryl, there is no change in her view, in fact it feels even more claustrophobic.

The pitched roof height is at just under **9m**, which makes it daunting and emphasises the bulk and scale

The fence is at **2.1m** (over the standard height of 1.8m) to mitigate the noise from the vehicles and people using the large commercial car park.

The extent of building still runs along the fence line with a massive blank panel for the upper floor play area, a total of **26 metre long**, about 80-85% of Beryl's fence line.

The facade is grey, overpowering, commercial looking and would not be something that would even be built as residential home in the area (except for one on Kingsley Drive, which is considered an eyesore, even the Dome could not get approval for a 2<sup>nd</sup> story)

The ugly commercial kitchen flue is situated on the west side and there are no details of how fumes will be managed, or whether they will create an issue for Beryl

### Hours of operation

Proposal states **7am to 6.30pm** operating, with **30min before and after**

However, every other **Nido centre opens at 6am**,

**The previous operation manual date May 2021** stated clearly that staff would need to be on site for **1 hour** after closure **i.e., 7.30pm**. This we gather from the operation document is for cleaning, as this cannot be done whilst children are in attendance.

This brings into question the acoustic report, **as staff will be on site after 7pm**

This highlights a concern whether the application will seek to extend the hours to full in line with other centres

## Noise

The general noise, from what is a commercial business with a huge concentration of **78 children, 18 adults and on a busy day, another 78 adults** coming and goings, is, regardless of what any report says, NOT normal, nor would it be considered reasonable to live next to, who would choose this?

At a stretch 3 average homes could fit on the sites, it is **R20**, (I'm not convinced you could split the corner block into 2), but let's say you can, **that's still 6 adults and 6 children and 2 dogs and one 1 cat. And 6 cars**, with maybe one visitor a day or delivery a day. The combined noise of these 3 families pales in comparison to what is reasonably expected from this proposal, this regardless of the highly litigious narrow view of daily life as presented in the acoustic report.

The noise report is assessed against the EPA legislation which does not take into consideration the other average everyday noise generating activities. The policy does require the proponent to demonstrate that the proposal will not have an undue impact, so whilst the acoustic assessment is valuable it is only a limited compliance tool.

The report misses the cumulative noise from everyday activities in car park of a childcare centre, e.g., listening to the radio in the car, talking on their phones in their cars, children screaming because they do not want to go to day care, chatting with the other parents in the car park, doors banging, trucks reversing, people using a lift and so on,

As the residents to the north have confirmed,

The car movement (not EPA consideration) in the car park will generate noise episodes, similar to a car pulling into a very long driveway: -

(Based on just care givers only)

78 cars = **156 car movements** per drop off or pick up

Therefore, as an example between **7am and 9am**, a car would be pulled in and pulled out of your driveway every **1 minute and 3 seconds**, so a continuous vehicle noise right next to your bedroom.

Car doors being slammed shut (partially considered under EPA), will occur: -

(Based on just care givers only)

78 cars = **234** car doors being slammed per drop off or pickup

Therefore between **7am and 9am**, a car door will be closed **every 30 seconds**

So, whilst one incident does not breach any noise thresholds, how about continuous noise

It is noted that some car bays are restricted from use before 7am,

I assume this would also be for **after 7pm as well \*see hours of operation**

It is noted that turning bay, whilst located next to the Western boundary, and adjacent to the restricted parking bays is not restricted from being used before this time,

## Parking

Beryl is concerned that her front verge will be used as an overflow car park or an easy place for quick drop off/pickup. It is noted that the car parks are standard size and whilst compliant, doesn't actually provide the type of provisions that people with children and babies need. Larger bays are needed, to enable children and babies to safely exist and enter the car, doors need to be opened as wide as possible. It is noted that other residents near other centre observe this issue and so Beryl believes this is a valid concern that her amenity will be impacted by caregivers using her front verge to park, as the car park will have limited space at drop off and pick up time, and that parents will prefer an easy parking option. Regardless of any operation manual, this is not an issue that can be resolved without it already having impacted on the resident.

## Clarification of the CCCP LPP

The LPP is consistent with the Scheme, this has been confirmed by the Director of Planning for the City of Joondalup. Yes, a child care centre can be built in the a residential area if it follows what the City of Joondalup have determined is the best design standards, hence the threshold of 50 places, as this guides development to a medium scale which has been the community acceptable standard within residential areas., The location is critical i.e. adjoining a non-residential lot, this is so noise creating areas i.e. car park/outside play, can be located away from homes. As the City of Joondalup is nearly all established, the policy directs centre to be of a residential appearance, i.e., to blend in. Location on a cul de sac generates issues of unsafe turning, hence why this location is restricted. All the aspects included in the LPP are there to spell out clearly what works well in the community.

To clarify, the policy review was conducted in a planned non-reactive process, as the following information confirms

- **Nov 20** After DA20/0828 was approved despite the City's recommendation to refuse, discussion occurred around the functionality of the policy
- **Feb 21** Community member contacted councillor and City's administration about the policy
- **Mar 21** The Director of Planning provided the following response

The following summarised questions were submitted verbally at the Council meeting:

Ms S Apps, Woodvale:

Re: CJ023-03/21 - Development in Housing Opportunity Areas Local Planning Policy.

Q1 Why is the City's planning policy worded that developments, such as the child care centre in Tara Court, Woodvale, are considered even when the development is adjoining three residential properties?

A1 The Director Planning and Community Development advised the planning policy has been in place for some time and the rationale behind the wording was an acknowledgement that at the time the policy was developed, child care centres can form part of a residential area if they are designed well with no undue amenity impacts to adjoining neighbours.

Q2 When will the Child Care Premises Local Planning Policy be reviewed to ensure it is a robust document that sees commercial developments in residential areas not given any consideration?

A2 The Director Planning and Community Development advised due to the large number of child care applications being received, a review of the policy has been identified, although an exact date when the review will be finalised cannot be provided.

- **Mar/Apr 21** the community petition was compiled and lodged in April
- **Jun/Jul 21** the community did seek via its councillors to request the City of Joondalup hold a special electors meeting, this was not provided
- **Aug 21** The report to council to consider the draft policy was set for consideration at the November meeting, however it could have been reviewed in **October**, it was deferred to November due to the local government election
- **Nov 21** The draft policy was approved for community consultation at time
- **Jan 21** No council meeting was held in January. The report following the community consultation could have been present in January, if not for the summer break
- **Feb 21** The Council voted 11/2 to endorse the updated policy

### **Community Need and Benefit**

In the WPC bulletin 2009, Item 2 (page 2) Supply and Demand for childcare services, it states: -

“It is important to emphasize that the need for a service does not justify the development in an **inappropriate** location “

The City of Joondalup has always provided the criteria through the CCP LPP of appropriate locations and have now provided a clearer, more prescriptive definition through the updated policy. In essence, large commercial childcare centres are not appropriate in a residential area, it is only due to the influx of the large centre, has it become apparent that the policy needed to be updated, the intention of the policy is still the same.

The applicant has asked that you consider the so-called lack of vacancies as a reason under community benefit to warrant approval.

The other centres in Kingsley have spaces

**Care for Kids** Spaces in all rooms except babies Tue/Wed/Fri

**Good start early learning** Space in all rooms except babies Mon/Thu/Fri

There are many family day-care locations in the area and numerous childcare centres in Marangaroo, Madeley, Greenwood (one due for completion later this year) that have spaces. Often finding a vacancy is like Tetras, most definitely effected by when you call, with waitlists often clearing quickly. It should be noted, the waitlist numbers quoted would be based on the total number for a centre, which is goes across 4 ages groups over 5 days.

**Us** mum's, will always be after the best days (no one wants Monday as you pay for public holidays) at the best prices, with your friends, at the closest location to where you want it, and you'll change what you want, from term to term! The static waitlist number is not an accurate picture. However, it is agreed, there is an issue with spaces available in the 0-24m room's, this is a larger issue within the childcare sector, around funding, care ratios and profit.



A recent SAT decision found that negatives of proposal outweighed any perceived community benefits

[2021] WASAT 63

398 In making this decision, we are mindful that the Proposed Development will provide an important community service in the form of additional childcare. The provision of a new child care centre in an inner city location would provide an important community service and function. However, in this instance, we are not satisfied that the community benefit arising from the Proposed Development outweighs its negative impacts such that approval should be granted.

It also needs to be determined what part of the community is benefited, a childcare centre doesn't benefit the whole community, only a proposition.

This proposal is not supported by the community due to its negative impacts, as demonstrated in the community consultation

### Community Support

Original development community consultation

54 Submission	44 objected (82%)	10 supported (18%)
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Updated development community consultation

<b>49 Submissions</b>	<b>43 objected (87%)</b>	<b>6 supported (8%)</b>
-----------------------	--------------------------	-------------------------

The objections received focused on noise, bulk/scale, parking, impact on the residential amenity, hours of operation, vehicle access close to bus stop and the *reduction in the value of people home/assets*

Those few that supported where all of the perception of a childcare shortage or that the organisation is great.

## Summary

The applicant states that the panel would need to approve the development using discretionary approval, as the proposal exceeds the policy standards. It is the resident's consideration that the proposal doesn't provide any valid reasons for providing any discretions

The applicant has only made minor changes in the size of the development (

- **Reduction 4 places**      **4%,**
- **56% over the policy** threshold

Only a **total of 39sqm less gross floor space 4%** reduction in bulk

These are minor, and the reduction of place is in the baby's room, the least noise generating and the places that are most sort after!

The site is not suitable for a Childcare Centre,

- it is in a wholly residential area, over 300 m from the centre of local shops
- it adjoins 3 residential lots,
- it does not adjoin a non-residential lot,
- being opposite a park or similar, is not stated in the policy, it is not considered an acceptable location to afford discretionary approval

The residents do not consider this a sensitive design, or that the bulk and scale is acceptable, or that it blends in with the other homes, the community feedback fully supports these statements. The car park is located adjoining 2 residential lots (one back on to bedrooms), directly in opposition to what the policy states. The legislative acoustic report does not address the noise issues from car movements and the general everyday noise in a commercial busy car park, or take in account that car door slamming, a single door is fine, but on mass, as predicted will be at 1 per 30 seconds in the 7am to 9am or 4.30pm to 6.30pm extended drop off/pickup times.

The applicant has asked that you consider that so called lack of vacancies as a reason under community benefit to warrant approval, this has not been proven.

It is clear that childcare centres can co-exist within a residential setting as evident with Care for Kids in Woodvale), this centre adjoins a non-residential lot, has 2-way entrance, blends in with the other homes, has 52 kids, with the car park located away from the homes etc

The development being considered would cause a significant loss to the resident's amenity:

-

- in regard to noise outside of the limited EPA standards
- the bulk and scale of the building,
- the locations within a residential area
- the development isn't supported by the community
- and does not fulfill a wider community benefit
- and is a commercial business operating within a purely residential area

Beryl and her fellow residents ask that you exercise good decision making and refuse this application

**Beryl,**  
The adjoining resident

# DAP Presentation Kingsley Drive/ Woodford Wells Way Child care Centre

Presented by Suzanne APPS - 28 Feb 22  
On Behalf of the adjoining residents  
20 Woodford Wells Way





## Changes

Relocation of Age 0-24 to play area closest to #20

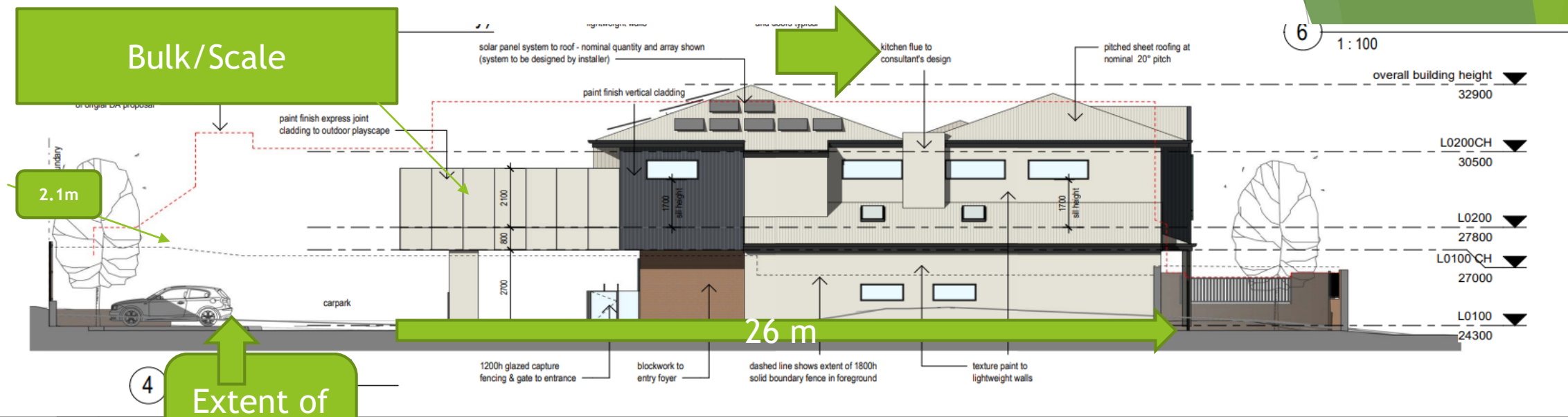
4 less places in Age 0-24 -  
4% reduction

\* The quietest noise makers\*

Relocation of air condition unit,  
so no need for 2m cement fence

39sqm less floor space - 4% reduction





Building extends to just under 80% of fence line



Large double storey commercial building not of a residential appearance in a single storey residential area  
 2.1 m boundary fence (due to car park noise)      Roof pitched to 8.6m      And Grey

## Hours of business

### *Proposed*

7am to 6.30pm plus staff 30 min before and after

### Question

Nido centre's locally open at 6.30am, so will this be changed later?

### Question

JDRP recommended 7am to 6pm, why was this disregarded ?

### *Operating Manual*

\*May 21\*

Confirms 1 hour is required at the end of the day to close down

### Question

If the centre is occupied after 7pm, does this affect the acoustic report?

### Question

How and when is the child care centre cleaned?

### Question

Will the restricted car bays be restricted after 7pm?

## Expected Noise

Locations is R20 = 3 average size homes

= 6 Adults, 6 offspring, 2 dogs, 1 cat,  
1 deliver and visitor a day  
and 6 cars

Location is R20 = large commercial child care centre

= 78 children, 13 adults, 78 visitors twice a day,  
1 deliver/refuse truck a day  
and 78 + cars per day

# Car Park Noise

## ▶ Car Noise

- ▶ Car movement (not considered in EPA assessment)
- ▶ 78 cars = 156 car movements per drop off and pick up
- ▶ Between 7am and 9am = 1 car movement ever 1 minute and 3 seconds
- ▶ Car doors (partially EPA assessed)
- ▶ 78 cars = 234 car doors
- ▶ Between 7am and 9am = 1 per every 30 seconds will be slammed shut

## ▶ Other car park noise

- ▶ Trucks reversing
- ▶ Care givers talking in the car park
- ▶ Children screaming or crying or laughing
- ▶ People talking on their phones or listening to the radio in their cars
- ▶ People smoking

# Child Care Premises Local Planning Policy

## The LPP is consistent with the Scheme

The policy acknowledges the land use permissibility of childcare premises prescribed in the City's scheme and does not seek to prohibit or remove the ability to develop childcare premises in the Residential zone (which would result in an inconsistency between the City's scheme and the policy). Rather, the approach taken in developing the policy aims to support the development of childcare premises throughout the City, including in the Residential zone, recognising that they are an important service for the community. The policy aims to achieve this whilst ensuring the size and scale of child care developments are appropriate to their location and, consistent with the objectives for the Residential zone, which requires non-residential development to be compatible with and complementary to surrounding residential development.

- **Nov 20** After DA20/0828 was approved despite the City's recommendation to refuse, discussions occurred around the functionality of the policy
- **Feb 21** Community member contacted councillor and City's administration about the policy
- **Mar 21** The Director of Planning provided the following response to a question **Mar/Apr 21** the community petition was compiled and lodged in April

Q2 When will the Child Care Premises Local Planning Policy be reviewed to ensure it is a robust document that sees commercial developments in residential areas not given any consideration?

A2 The Director Planning and Community Development advised due to the large number of child care applications being received, a review of the policy has been identified, although an exact date when the review will be finalised cannot be provided.

## Good Policy Planning

- **Jun/Jul** The community did seek via its councillors to request the City of Joondalup to hold a special electors meeting, this was **not** provided
- **Aug 21** The report to council to consider the draft policy was set for consideration at the November meeting, however it could have been reviewed in **October**, it was deferred to November due to the local government election
- **Nov 21** The draft policy was approved for community consultation at time
- **Jan 21** No council meeting was held in January. The report following the community consultation could have been present in January, if not for the summer break
- **Feb 21** The Council voted 11/2 to endorse the updated policy



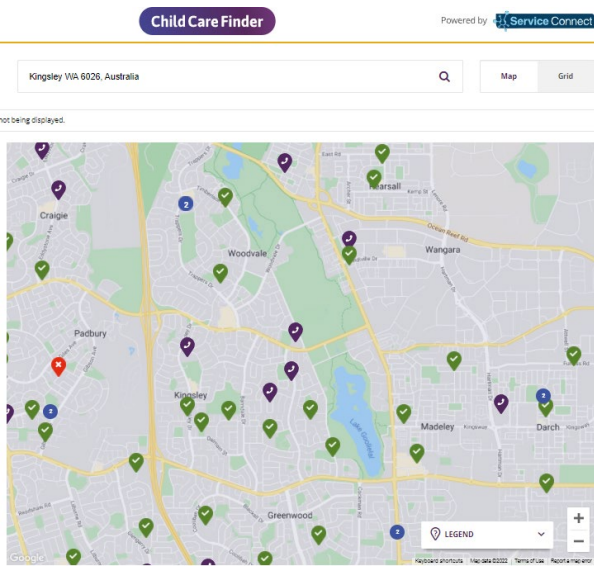
# Community Need

WPC Bulletin 2009 “It is important to emphasis that the need for a service does not justify the development in an INAPPROPRIATE location”

[2021] WASAT 63

¶

398 In making this decision, we are mindful that the Proposed Development will provide an important community service in the form of additional childcare. The provision of a new child care centre in an inner city location would provide an important community service and function. However, in this instance, we are not satisfied that the community benefit arising from the Proposed Development outweighs its negative impacts such that approval should be granted.



Snap Shot  
Vacancies

Care 4  
Kids  
Kingsley  
Tue/Wed/  
Fri

## Community Consultation

Original	54 Submissions	44 Objections	10 Supported
New	49 Submissions	43 Objections 87%	6 Supported 8%
The community clearly has objected to the original plans and amended plans			
Support has waived !			

## Summary

Location is not suitable for a large commercial Child Care Centre

- wholly in residential area, over 300m from the centre of local shopping centre
- adjoins 3 residential lots,
- does not adjoin a non-residential lot,
- being opposite a park or similar, is not stated in the policy as an acceptable location and thus can not be considered as a reason for discretionary approval

The Residents consider the development will hugely impact their amenity

- The building is not of a residential design and does blend in with residential area
- Is bulky, oppressive and out of character with the neighbourhood
- Is poorly designed with the commercial car parking adjoining the bedroom of residential homes
- Will operate outside the policy hours of 7am to 6.30pm
- Will accommodate 56% more places than the threshold on the policy
- Will generate noise outside of EPA assessment that will impact the adjoining residents
- And is not supported by the community



## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

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Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Trent Fleskens
Company (if applicable)	Strategic Property Group
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer Joint Development Assessment Panel
Meeting Date	28/2/2022
DAP Application Number	DAP/21/02016
Property Location	73 KINGLSEY DRIVE (LOT 667) AND 22 WOODFORD WELLS WAY (LOT 666), KINGSLEY – CHILD CARE PREMISES
Agenda Item Number	<a href="#">Click or tap here to enter text.</a>

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>



Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>
---	---

### Presentation Content\*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> The City's Child Care Premises Local Planning Policy is so restrictive that, for all intents and purposes, eliminates the opportunity for commercially-viable childcare centre development in the City. This policy should be given little to no regard as it is too restrictive and reflects a politically-charged council with no consideration for future provision of this essential service in the community.
--	---

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

*There are two fundamental issues with the new childcare policy that cause rise to serious concern that no future childcare centres will be developed in the City of Joondalup in the future.*

#### **1. Requiring childcare premises in the 'Residential' zone to directly adjoin (share a boundary with) a non-residential land use**

Directive: Give no regard to this clause

This provision is misguided and impractical.

There are very few occurrences in the City where residential zoned property directly adjoins (shares a boundary) with a non-residential use; and

- Is on a local distributor road; and
- Is not also on a district distributor road (traffic and noise issues); and
- Is not on a cul-de-sac or quiet street; and
- Is on a corner; and
- Takes into consideration that the general land size requirement for childcare is ~2,000sqm, which requires a single-storey developer to own three (3) properties of approximately 700sqm each adjacent to each other with the above requirements to meet generally accepted planning requirements in the first place.

If the intended goal of the policy was to knowingly eliminate opportunities for childcare centres to be developed in residential zoned properties and force new centres to only be operated/developed in 'commercial' zoned properties, this demonstrates an obvious lack of understanding by the City of the general commercial requirements for childcare



development:

- a. Given the cost of land and construction, a new Childcare Centre requires a critical mass of at least 75 places to be deemed financially viable;
- b. Unless a purpose-built, two-storey facility, a centre requires at least 2,000sqm of land to accommodate the area and parking requirements for 75 places;
- c. Commercial land, by the very nature of the financial values of its zoning is far more expensive per square meter than residential land, and hence it is on extremely rare occasions that a new Childcare development would ever be feasible on commercial land unless purpose-built for institutional owner-operators
- d. It is very rare and unlikely that 2000sqm of commercially zoned land is available at any time in the City, given most commercially zoned land is reserved for shopping complexes and industrial precincts, neither of which are appropriate locations for childcare.

## **2. Limiting childcare premises in the 'Residential' zone to accommodate a maximum of 50 children**

Directive: Give no regard to this clause

This provision demonstrates a fundamental lack of understanding of the commercial fundamentals of childcare development.

It is a well-understood fact that the cost of land and construction in WA requires new childcare centre development to be built to a scale of at least 85 places. The optimal number of places that balances developer profitability and the operator's operational parameters is 92 places.

If a clause that limits childcares centres to a maximum of 50 places, with no mechanism for pro-rata application against the size of the land holding, is given due regard, this will without doubt eliminate all new childcare centre development in the city.

There is no feasible argument for interfering with the free market regarding the scale of centre operations. If a developer identifies a need for such a scale in an area and an operator sees a demand for their services at this scale, taking into account the economies of scale required to run centres profitably, then there should be no government interference in this.

Holistically, there would be far less impact to noise and traffic in a locale of one centre for 100 children vs two centres for 50 children each.

Further, under this new policy, it is arguable that a 50-place centre could be approved adjoining another 50-place centre. Hence, there would be 100-places across a similar land holding. This demonstrates the fundamental lack of thought given to this policy.



## DEVELOPER METRICS FOR A 50-PLACE CENTRE

50-Place Centre, CoJ		
Acquisition Cost - 2 Lots	\$ 1,300,000	Acquiring 2 lots @ \$650,000 each
Acquisition Fee (exc GST)	\$ 31,273	
Stamp Duty	\$ 82,495	
Option Fees	\$ 16,000	Required for Due Diligence
Planning Costs (exc GST)	\$ 83,864	
Construction Cost (exc GST)	\$ 1,272,727	Turnkey Construction Cost
Demolition Fees (exc GST)	\$ 58,578	
Interest	\$ 81,300	
Quantity Surveyor (exc GST)	\$ 16,383	
Legal & Accounting (exc GST)	\$ 18,182	
Letting Fee (exc GST)	\$ 85,770	To Lease to an Operator
DevMgmt Fee (exc GST)	\$ 100,000	To Manage the Development
Selling fee	\$ 55,000	To Sell the Centre
Marketing Costs	\$ 20,000	
<b>Total</b>	<b>\$ 3,221,571</b>	
Annual Rent (exc GST)	\$ 150,000	Rent for 50 places @ \$3,000 per place
Present Value Yield	4.66%	
Expected Market Yield	6.250%	Market rate for Childcare Acquisitions
Assessed Value at EMY (exc GST)	\$ 2,325,000	
<b>Net Profit/(Loss) EX GST</b>	<b>\$ (896,571)</b>	Developer makes a LOSS



## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

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Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Bianca Sandri
Company (if applicable)	Urbanista Town Planning
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer Joint Development Assessment Panel
Meeting Date	28 February 2022
DAP Application Number	DAP/21/02016
Property Location	Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way &, Kingsley
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> <b>If yes, please attach</b>





### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> Why the proposed child care premises is an appropriate use for the site and will not result in adverse impact to the adjacent properties or the locality generally.
--	--

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

The RAR recommendation for refusal is based on strict compliance with very restrictive provisions of the City's local planning policy. A number of the provisions of the policy lack any real merit and prevent the establishment of suitably and conveniently located child care centres to provide a critical service which many households rely on.

The locational requirement to have one boundary adjoin at least one non-residential use (which could include a park) for the purposes of reducing adverse impacts makes little if any sense as it does nothing to reduce potential impact on the remaining adjacent residential properties.

Limiting the number of children is of little relevance when it can be demonstrated through the associated transport impact statement, acoustic assessment, and operations management plan that impacts can be managed to an acceptable level.

The premises is located on a street which currently includes a park, school, petrol station, and shopping centre all within 200m of the site, so any additional traffic from the child care premises is unlikely to be recognisable from the traffic and noise generated by the existing nearby uses.

In addition to the planning merits of these local planning policy requirements, there are a vast number of commercial considerations which need to be accounted for in order to viably establish a child care premises. Whilst these are not generally relevant matters for consideration, taking an overly prohibitive stance on a critical service such as child care severely impacts on availability of the service, which increases stress on existing providers and will ultimately lead to increased costs to the local residents who rely on these services.

In this regard, taking an overly prohibitive stance on establishment of child care centres is a relevant consideration under clause 67(2) of the Deemed Provisions, in particular (n)(iii) relating to social impacts from a shortage of available child care services in the locality, and (x) relating to impact on the community as a whole through the knock on effects for parents unable to find suitable and conveniently located child care services.

The location proposed is entirely suitable, ticking almost every box in terms of location suitability under the local planning policy, being located close to a school, park and shopping centre, and located on a corner to reduce potential for impact to adjacent





residential properties. Child care centres are a critical service for the local community and a fair and reasonable approach needs to be taken to ensure sufficient provision of this service in convenient and accessible location for the local community.



## Presentation Request Form

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### Presenter Details

Name	Anna Holloway
Company (if applicable)	Insite Architects
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer JDAP
Meeting Date	28 February 2021
DAP Application Number	DAP/21/02016
Property Location	73 Kingsley Drive and 22 Woodford Wells Way, Kingsley
Agenda Item Number	10.1

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Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

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Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i>  <i>Speaking in support of the proposed development, Anna will provide an overview of the modifications to the refused plans, how the Design Review Panel considerations have been addressed and will discuss the design response to adjoining properties.</i>
--	--

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

Refer attached powerpoint presentation.



# Kingsley Child Care Premises

JDAP Presentation



Date: 28 February 2022

Presented By: Insite Architecture





## DAP DESIGN 14 SEPT 2021



## REVISED DESIGN



Kingsley Childcare Centre

## COMPARISON DESIGN AMENDMENTS AND IMPROVEMENTS

## DAP DESIGN 14 SEPT 2021



## REVISED DESIGN



## REDUCTION IN FOOTPRINT

- Reduction in childcare places from 82 to 78 places
- Significant reduction in the first floor footprint
- A substantial reduction in bulk and scale is achieved when viewed from Kingsley or from the adjoining properties
- Wall height reduced to 6.5m from previous parapet height of 7.6m
- This modification has reduced the length of the building from 33m to 26m as it faces Kingsley Drive.



## DAP DESIGN 14 SEPT 2021



Playdeck extension

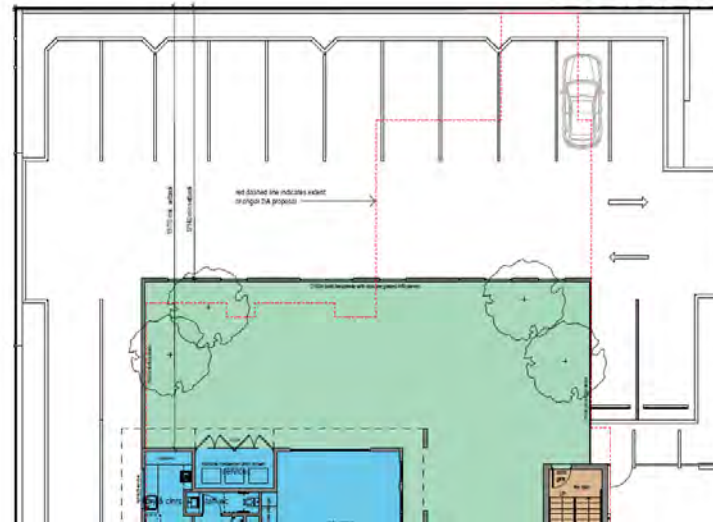
Bin store and fire stair relocated



## REVISED DESIGN



Additional tree planting adjacent carpark



## NORTHERN BOUNDARY OFFSET

- Increased from zero setback to 12140mm setback
- Increased vegetation along boundary
- Fire stairs and bin store relocated off northern property boundary



**DAP DESIGN 14 SEPT 2021**



## STREET PRESENTATION

- Use of local, more residential materiality including bricks, vertical cladding and paint finish
- Reduced façade length and carpark overhang
- Introduction of further form to break up streetscape
- Introduction following latest DRP comments of dual roof forms and removal of pillar sign
- Increased visual permeability of play deck balustrade to street (obscured to north)





**DAP DESIGN 14 SEPT 2021**

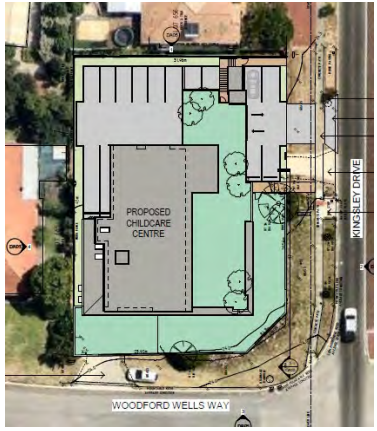
## STREET PRESENTATION

- Greater articulation of façade and incorporation of residential forms
- Redesign of ground floor layout to locate 8 place babies room adjacent to western boundary
- Reduce floor level by 400mm to reduce overall height



**REVISED DESIGN**

## DAP DESIGN 14 SEPT 2021



Relocation on air-conditioners  
away from boundary

Increased vegetation  
along boundary

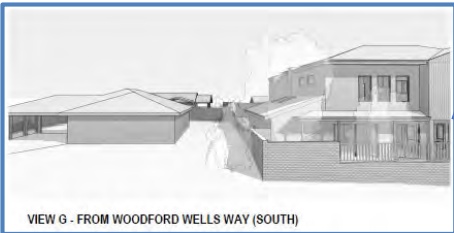


Increased northern  
setback

Increased vegetation  
along boundary

Reduced floor level  
and overall wall  
height

Reduction in first floor  
form



8 babies to play within  
outdoor play yard



## REVISED DESIGN

## AMENITY

- Relocation of bin store and stairwell off northern boundary
- Relocation Air Conditioning off western boundary
- Increased vegetation along boundary setbacks
- Increased northern setback
- Reduction in first floor building form facing western boundary
- Reconfiguration of ground floor play areas to reduce number and age of children playing adjacent boundary

Kingsley Childcare Centre

**NEIGHBOUR AMENITY IMPROVEMENTS**

THANK YOU







## Presentation Request Form

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### Presenter Details

Name	Tim Reynolds
Company (if applicable)	Herring Storer
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer JDAP
Meeting Date	28 February 2021
DAP Application Number	DAP/21/02016
Property Location	73 Kingsley Drive and 22 Woodford Wells Way, Kingsley
Agenda Item Number	10.1

### Presentation Details

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Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

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Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i>  <i>Speaking in support of the proposed development, Tim will discuss the improvements to acoustic levels from the revised design and will respond to the reasons for refusal relating to noise.</i>
--	--

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

Refer attached written submission and presentation.

**EMAIL TRANSMITTAL**

**REF:** 29129-2-21176-02  
**TO:** CITY OF JOONDALUP  
METRO OUTER JDAP  
**FROM:** Tim Reynolds  
**DATE:** 24 February 2022  
**SUBJECT:** **KINGSLEY CHILD CARE CENTRE**  
**REVISED LAYOUT – ACOUSTIC PRESENTATION**

---

Dear Panel Members,

We provide the attached PowerPoint presentation relating to our presentation at the JDAP meeting, scheduled for 9:30am Monday 28<sup>th</sup> February 2022.

We also provide the following information with regards noise received at the neighbouring residential premises from the revised layout and reduction in the number of children.

**AIR CONDITIONING**

We note that with the air conditioning condensing units integrated into the first floor, the noise received at the neighbouring premises from these units has significantly reduced.

Under the previous layout, noise received at the locations at the neighbouring residences to the west and south was calculated to be 37 dB(A); and 32 dB(A) at the residence to the north.

Under the new scheme, the noise received at the neighbouring residences has been reduced to 30 dB(A) to the northern residence, 27 dB(A) to the western residence and 9 dB(A) for the southern.

Note: The redesign removes the requirement for the 2.2 metre high fence along the western boundary.

This relocation of the air conditioning condensing units provides a significant reduction in noise that would be received at the neighbouring residences.

**OUTDOOR PLAY**

The revised layout provides a reduction in the noise received at the neighbouring from the outdoor play area. The following table shows the reduction provided.

REDUCTIONS BASED ON HSA SOUND POWER LEVELS

Neighbouring Premises	Calculated Noise Level (dB(A))		Reduction (dB(A))
	Original Scheme	Current Revise Scheme	
North	40	38	-2
South	48	45	-3
West	48	38	-10

We note that with the relocations of the Group Room 1 (ie 0 – 24 months) to the south western corner of the ground floor level outdoor play area has not only located the “quietest” children next to the western neighbour, but has also moved the louder children further away. Thus, resulting in a significant reduction of 10dB(A) in the noise received at the neighbouring residence to the west has been significantly reduced.

### **CAR PARK NOISE**

The revised design provides some improvements to the noise received at the neighbours from the car park.

The revised report has been based on the boundary fence to the car park being 2.1 m high. This increase in height from the standard 1.8 m high fence has reduced the car park noise that would be received at the neighbouring residences to the north and west by between 3 and 5 dB(A).

It is noted that with the 2.1 metre high boundary fence, noise received at the residences to the north and west would comply with the assigned noise levels at all times, without the need for parking restriction for staff arriving before 7 am. However, it is understood that the parking restriction will still be implemented.

We note that amending the opening time from 6:30 am to 7:00 am, significantly amends the compliance requirements, with apart from car doors closing by staff only, which can we believe be managed to further reduce noise from this source, other noises generated within the car park no longer occurring during the night period.

### **SUMMARY ON NOISE MITIGATIONS**

Noise received at the neighbouring residence from the amended layout of the child care centre has significantly reduced the noise that would be received at the neighbouring residences. The modifications / amendments, include:

- Relocation of the air conditioning condensing units to the northern façade of the first floor.
- Amending the opening time to 7:00am.
- Relocating the 0 – 24 month old children outdoor area to the south west corner of the ground level.
- Inclusion of a 2.1m high boundary fence to the south west corner of the child care centre.
- Inclusion of a 2.1m high boundary fence to the car park.

Yours faithfully,  
for **Herring Storer Acoustics**

Tim Reynolds

Att.



# KINGSLEY CHILD CARE CENTRE

NOISE

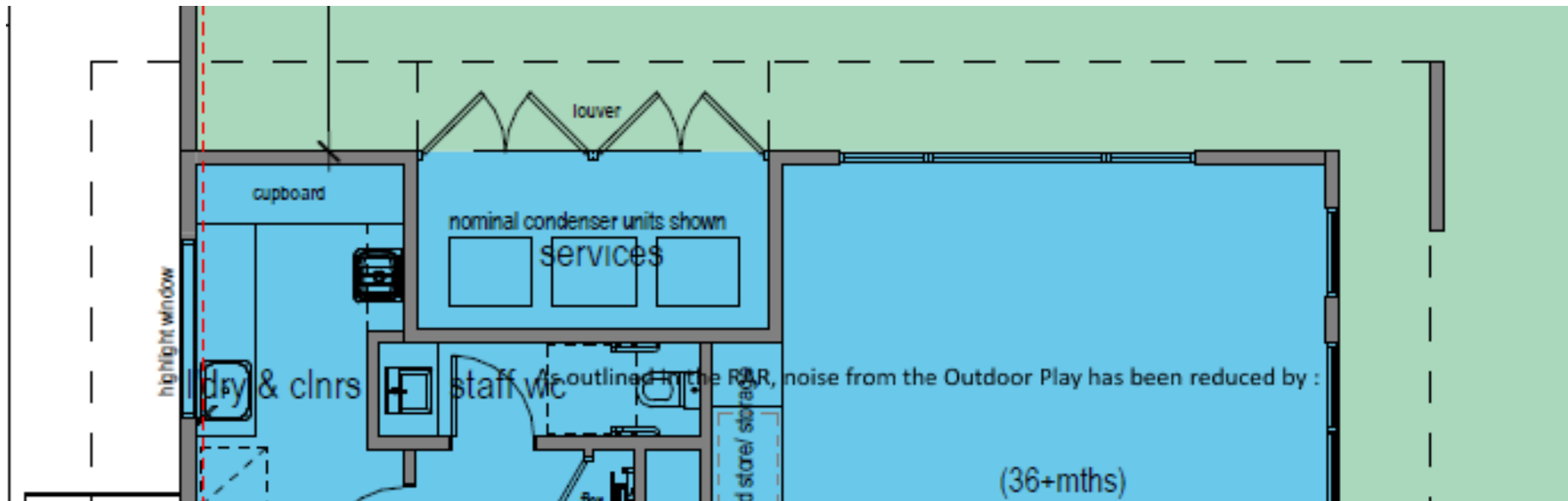
# OUTDOOR PLAY

As outlined in the RAR, noise from the Outdoor Play has been reduced by :

- Relocation of younger children play space to the southwest corner of the ground floor.
- Balustrading around the first floor outdoor play area being 2.1 metres high, thus providing a substantial barrier to the neighbouring residences.
- The boundary fence to the western neighbour + return along Woodford Wells Way is 2.1 metres high.
- Low height solid fencing to Woodford Wells Way.
- Childcare numbers reduced from 82 to 78.
- First floor setback from northern neighbour increased from 5m to 12m.

# MECHANICAL SERVICES

As outlined in the RAR, noise from the air conditioning condensing units have been relocated to the northern façade of the first floor, as show below on part plan. Thus, the condensing units are also separated from the 2.1 metre balustrade. Additionally, all air conditioning units are to be installed with night period low noise modes.

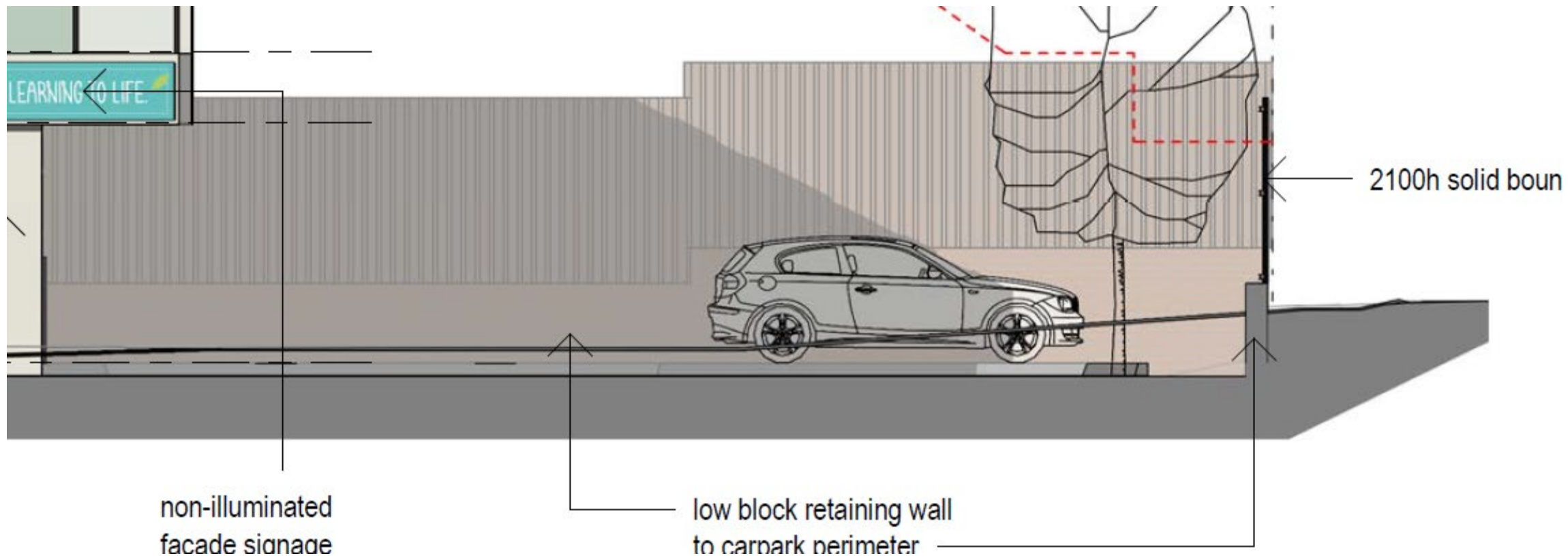


# CAR PARK NOISE

As outlined in the RAR, noise from the car park has been reduced by :

- Limiting car parking in bays closest to neighbouring properties prior to 7.00am and restricting staff to use of bays 14, 16, 22 and 23 prior to this time.
- Increasing the proposed boundary fence height adjacent to the car park from 1.8 metres to 2.1 metres to reduce noise associated with the car park.

It is also noted that the 2.1 metre fence is located on top of a retaining wall, as shown below.



# Car Door Closing Noise Level At Closest Neighbours Compared to Typical Noise Levels

NOISE LEVEL dB(A)		
Painful	120	Jet aircraft take off at runway edge
	110	Rock concert
	100	225mm angle grinder at 1 metre
	90	Heavy industrial factory interior
Noisy	80	Shouting at 1 metre
	70	Freeway at 20 metres
Level with Penalty - 59 dB(A)	60	Normal conversation at 1 metre
Calculated Level - 49 dB(A)	50	Night time outdoor noise target
Quiet	40	Office air conditioning
	30	Typical bedroom design target
Very Quiet	20	Whisper, rural bedroom at night
	10	Human breathing at 3 metres
	0	Threshold of typical hearing

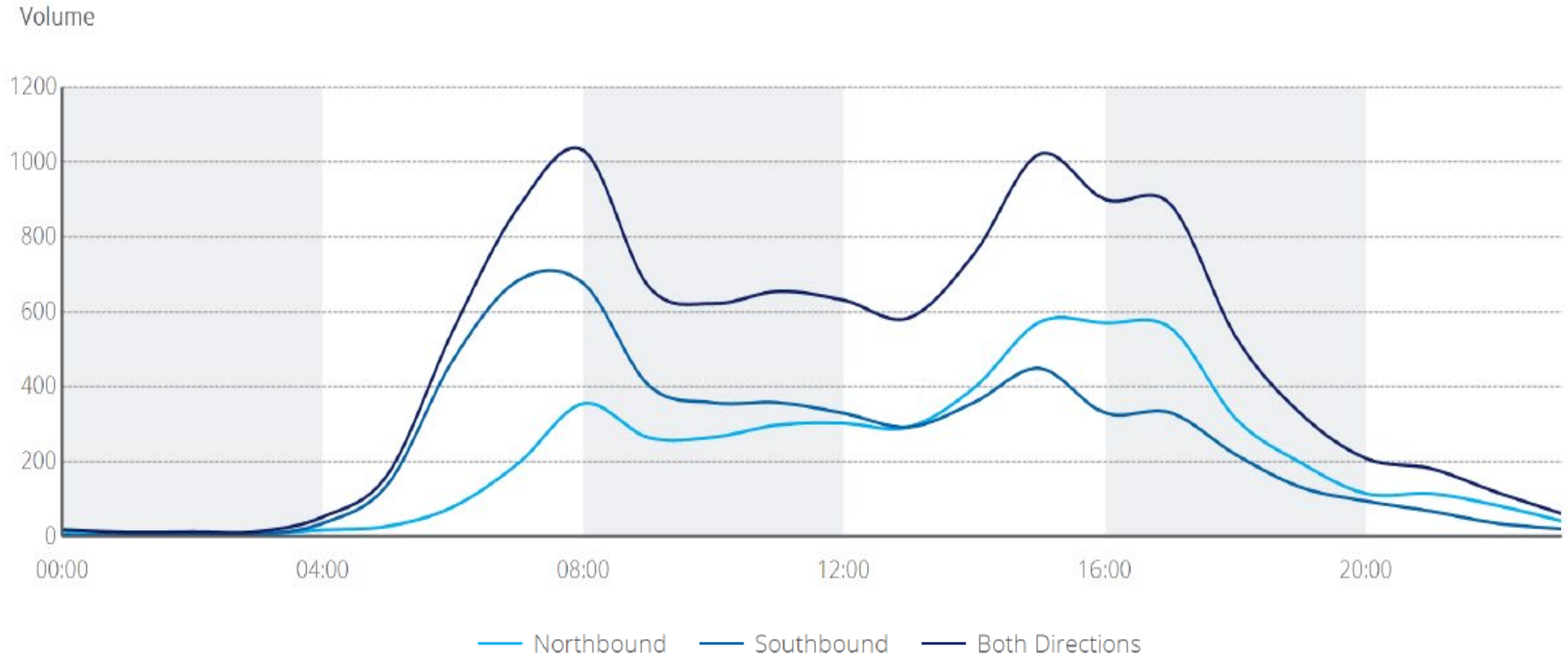
Typical Noise Levels from SPP 5.4 "Road and Rail Noise"



To put the above levels in context, the noise level at the eastern façade of residence to the north of the child care from a car door closing in the car park across Kingsley Drive has been calculated at 46 dB(A).

With regards to the council recommended closing time of 6pm, we note :

- Under the noise Regulations, the day period is to 7pm.
- that the traffic follow along Kingsley Drive between 6 and 7pm, as shown below, and hence the background noise at 6:30pm would be similar to that at 6pm.



MRWA Traffic Map – Kinsley Dr (North of Hepburn Ave.)



## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

### Presentation Request Guidelines

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Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Walt Coulston
Company (if applicable)	CK Group
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer JDAP
Meeting Date	28 February 2021
DAP Application Number	DAP/21/02016
Property Location	73 Kingsley Drive and 22 Woodford Wells Way, Kingsley
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i>  <i>Speaking in support of the proposed development, Walt will discuss the proponent's approach, the community need for child care within the locality and operational aspects of the development.</i>
--	--

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

Refer attached letter.

24<sup>th</sup> February 2022

Presiding Member  
Metro Outer JDAP  
c/- DAP Secretariat

Dear Presiding Member

### **Needs analysis and supporting information for the proposed Nido Kingsley**

CK Group is the proponent of the proposed child care premises at 73 Kingsley Drive and 22 Woodford Wells Way, Kingsley.

### **Operator and Proponent Background**

The Nido collection of early schools for children was launched in 2014 to provide families with a new standard of childcare services, focusing on early childhood experiences and education. Nido values education and putting the expectations of families first by providing flexibility to parents. Nido have a reputation throughout Australia as being an excellent child care organisation that employs caring and experienced staff. CK Group have worked closely with Nido through a number of applications recently, having obtained 11 DA approvals in the Perth metropolitan area from 11 applications.

### **Approach**

We wish to highlight that substantial changes have been made to the design in response to the reasons for refusal. We have approached the mediation sessions with an open mind and have gone to significant lengths to appease the concerns that have been raised.

Prior to the lodgement of the DA, in early 2021, we undertook due diligence on the City's child care policy and considered the site to be a suitable location, consistent with the locational requirements of the previous policy (with the site being adjacent to public open space and nearby a school and commercial centre). As our team will discuss, the policy has recently been changed in apparent reaction to this development. It is near impossible to operate in an environment where requirements are changing through the course of the application, and particularly through the course of the mediation process. We believe the new policy should be given little regard in the DAP's decision.

### **Need and Demand**

We write to provide supporting analysis to emphasize the need for childcare in Kingsley. Any area with a supply & demand ratio of greater than 1 place / 2.5 children is considered to be under supplied, Kingsley currently has a ratio of 1 place / 5.2 children. This has been established by independent market analyst, Business Geographics Pty Ltd.

Neighbouring NIDO services in Greenwood and Madeley (Kingsway City Shopping Centre) have traded at 100% occupancy since opening and have a combined **180** families on the waiting list.

In this regard, consideration should be given to the benefits for the broader community, as outlined in various Government policies and practices, including the Federal Governments Productivity Commission Inquiry Report into Child Care and Early Childhood Learning. The benefit to the community as a whole is absolutely relevant to this decision. Whilst there is a vocal group of residents opposing the application, there is also substantive support. There were 10 submissions of support to the original application. Nido are continually receive enquiries about new services in this area.

### Operations

I would also like to point out that apart from providing an essential service to the community (educating the youngest members of our society), Early Schools are limited to the following opening parameters:

- Only open 260 days a year.
- Are never open after hours (i.e. night time), on weekends (aside from open days where local families can drop in and check out the facilities) or on holidays.

This makes Early Schools one of the more mundane, quiet and reliable neighbours one could ever ask for. It is clear childcare premises can co-exist with residential properties. The concerns raised by neighbouring owners are largely perceptions only – and again, we have gone to significant lengths to address these concerns by reducing noise and building bulk to surrounding properties.

I look forward to the opportunity to elaborate further on the day of the meeting.

Yours sincerely,



**Walt Coulston** AAPI, A Fin, B Comm (Prop Econ)  
Managing Director  
**CK Property Group**

Property Investment | Development | Management | Advisory





## Presentation Request Form

[Regulation 40\(3\)](#) and [DAP Standing Orders 2020](#) cl. 3.5

**Must be submitted at least 72 hours (3 ordinary days) before the meeting**

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Please complete a separate form for each presenter and submit to [daps@dplh.wa.gov.au](mailto:daps@dplh.wa.gov.au)

### Presenter Details

Name	Craig Wallace
Company (if applicable)	Lavan
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer JDAP
Meeting Date	28 February 2022
DAP Application Number	DAP/21/02016
Property Location	73 Kingsley Drive (Lot 667) & 22 Woodford Wells Way (Lot 666), Kingsley
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i> Legal Submission on the weight to be applied to the draft local planning policy referred to in the RAR.
--	--

In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

See attached submission.



Our ref: VIS:CHW:1170526  
Contact: Victoria Sozzi  
Direct Line: (08) 9288 6942  
Email: victoria.sozzi@lavan.com.au  
Contact: Craig Wallace  
Direct Line: (08) 9288 6828  
Email: craig.wallace@lavan.com.au

The Quadrant, 1 William Street  
Perth Western Australia 6000

Tel +61 8 9288 6000  
Fax +61 8 9288 6001

lavan.com.au

24 February 2022

Mr Ian Birch  
Presiding Member  
Metro Outer JDAP  
140 William Street  
PERTH WA 6000  
**By email: daps@dph.wa.gov.au**

120

Representing  
Western Australians  
for more than 120 years

Dear Mr Birch

## City of Joondalup Child Care Premises Local Planning Policy

- 1 Lavan acts for CK Property Group Pty Ltd (**Applicant / client**) in respect of its proposed development of a childcare centre at Lot 667 Kingsley Drive and Lot 666 Woodford Wells, Kingsley WA (**Proposed Development**).
- 2 I provide this legal submission to the Metro Outer Joint Development Assessment Panel (**Metro Outer JDAP**) on behalf of my client in support of agenda item 10.1 – DAP/21/02016: application for development approval of the Proposed Development (**Application**).
- 3 The decision of the Metro Outer JDAP to refuse the Application on 14 September 2021 is currently the subject of an appeal to the State Administrative Tribunal (**Tribunal**). Following mediation on 8 December 2021, the Tribunal invited the Metro Outer JDAP to reconsider its decision to refuse the Application.
- 4 The Applicant has proposed amendments to the Application and further information in response to the comments of the Metro Outer JDAP.
- 5 The Responsible Authority Report prepared for the Metro Outer JDAP considers that the Application does not satisfy the matters to be considered under clause 67(2)(g), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (WA) (**Deemed Provisions**) as giving consideration to the recently adopted amendments to the City of Joondalup (**City**) Child Care Premises Local Planning Policy (**CCPLPP**).

### A full service Western Australian firm:

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Asian Investment  
Banking & Finance  
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Energy  
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Intellectual Property  
Liquor Licensing  
Litigation & Dispute Resolution  
Media & Defamation  
Mining & Resources

Planning & Environment  
Private Wealth  
Property & Leasing  
Wills & Estates

### Our values:

Commitment  
Integrity

Lavan respectfully acknowledges the traditional owners of the land on which we live and work.

3462-1751-5545\_1170526, v.1 VS

- 6 At the time of the mediation, the amendments were in draft and the Applicant accepted that the draft CCPLPP was required to be given due regard in the assessment of this Application as it is considered to be a 'seriously entertained planning proposal'. The proposed amendments were adopted at a Council Meeting of the City on 15 February 2022 and this version now becomes relevant for the purposes of clause 67(2)(g) of the Deemed Provisions.
- 7 It follows that, if due regard is required to be had, there is still a requirement for a decision maker to consider the weight to be afforded to the CCPLPP.
- 8 The question the subject of this submission is: *what weight (if any) should be given to the CCPLPP in the exercise of planning discretion in the context of this Application?*
- 9 It is the Applicant's view that the answer to the question posed at paragraph 8 above is '*minimal*' for the reasons that follow.

## Background

- 10 On 10 June 2021, the Applicant made a development application to the City of Joondalup (**City**) in respect of the Proposed Development.
- 11 The Metro Outer JDAP considered the application at its meeting on 14 September 2021. On 16 September 2021, the Applicant received a notice of determination from the DAP Secretariat advising that the Proposed Development had been refused.
- 12 One of the reasons for refusal noted that the Application did not comply with the provisions of the City's Child Care Premises Local Planning Policy dated June 1999 (**Policy**), in particular, that "the proposed development is not wholly located adjacent to non-residential uses".
- 13 On 28 September 2021, the Applicant lodged an application for review of the Metro Outer JDAP's decision in the Tribunal accordance with section 252(1) of the *Planning and Development Act 2005* (WA).
- 14 On 9 November 2021, the City proposed amendments to the Policy in its meeting agenda, noting in particular, proposed amendments requiring that:
  - 14.1 child care premises must directly adjoin a non-residential use;
  - 14.2 child care premises are limited to a maximum of 50 children in the "Residential" zone; and
  - 14.3 child care premises are prevented from being located in or on the corner of a cul-de-sac.
- 15 On 15 February 2022, the City released a report in its agenda regarding the CCPLPP post-advertising, and the following proposed modifications:
  - 15.1 requiring child care premises in the "Residential" zone to directly adjoin a non-residential land use;

- 15.2 limiting child care premises in the “Residential” zone to accommodate a maximum of 50 children;
  - 15.3 limiting child care premises to a maximum building site coverage of 50% in the “Residential” zone;
  - 15.4 preventing child care premises from being located in, or on the corner of, a cul-de-sac road;
  - 15.5 requiring two way vehicle access from a Local Distributor Road;
  - 15.6 allowing staff to be onsite 30 minutes prior to and after the stipulated hours of operation; and
  - 15.7 updating and strengthening the language in the policy.
- 16 On 15 February 2022, the City made the decision to approve the proposed amendments and modifications to the Policy (comprising the CCPLPP).
- 17 Please note various considerations below relating to why the provisions of the CCPLPP should not be taken into account in the Metro Outer JDAP’s re-consideration of the Proposed Development.

#### **Significance of local planning policies**

- 18 It is well established that the concept of ‘due regard’ in the context of State and local planning policies means that such policies are not binding and may be departed from where there are cogent reasons for doing so.
- 19 For example, in *Mitchell and City of Subiaco* [2008] WASAT 230; (2008) 59 SR (WA) 198, the Tribunal stated at [34]:
- “... an adopted policy is expected to guide the exercise of discretion not replace discretion. Policy is not to be inflexibly applied. The relevant consideration is why the policy should not be applied: Clive Elliott Jennings and Co Pty Ltd v Western Australian Planning Commission (2002) 122 LGERA 433 at [24].”*
- 20 The requirement to have due regard has been interpreted by the Supreme Court in *Marshall v Metropolitan Redevelopment Authority* [2015] WASC 226 at [115 – 116] to mean a requirement to give:
- 20.1 active and positive consideration; or
  - 20.2 proper, genuine or realistic consideration to the policy in question.
- 21 That concept was expanded upon in *Bestry Property Group Pty Ltd and Western Australian Planning Commission* [2019] WASAT 15. At [99] the Tribunal stated:
- “In the exercise of planning discretion, the Tribunal is guided by the planning principles that find expression in the policies forming the planning framework,*



*but will depart from the application of those planning principles where there is a cogent reason to do so in the circumstances of the case.”*

- 22 The Applicant submits that a flexible application of the CCPLPP (taking into account its key objectives to retain the character and amenity of the locality) and cogent planning reasons to depart from a strict and literal reading of the requirements set out in the policy support the exercise of discretion to approve this application.

### **Reactionary policy**

- 23 As you will note from the background, the Application was originally refused on the premise of considerations relevant to Policy. The Policy has very recently been replaced by the CCPLPP.
- 24 The Applicant has concerns that the CCPLPP arises as a consequence of a reaction to actively prevent childcare premises being built in residential areas directly affecting the Application and similar applications. On this basis no weight should be given to the CCPLPP because it is reactionary and does not reflect sound planning process.
- 25 The timing of the progressed CCPLPP is relevant as it was proposed to be amended shortly after the Applicant lodged its Application for development approval to deal with issues directly pertaining to the proposal.
- 26 Relevantly, the chronology of events is:
- 26.1 The Application was lodged on 10 June 2021.
  - 26.2 At its meeting held on 17 August 2021, Council requested a report be prepared detailing possible amendments to the CCPLPP to prevent child care premises from being built in residential areas.
  - 26.3 The JDAP refused the Application at its meeting held on 14 September 2021 for reasons primarily related to the previous Policy.
  - 26.4 On 28 September 2021 an application was lodged with the Tribunal to review the JDAP decision to refuse the Application. This matter was the subject of a mediation held on 8 November 2021.
  - 26.5 At its meeting held on 16 November 2021, Council agreed to advertise draft CCPLPP.
  - 26.6 A further mediation was held on 8 December 2021, following which an invitation to reconsider an amended application was made by the Tribunal.
  - 26.7 The draft CCPLPP was advertised for public comment for 21 days closing on 16 December 2021.
  - 26.8 The CCPLPP was adopted by Council on 15 February 2022.
- 27 In the Applicant's submission, it is no coincidence that these motions were put and passed to respond to this Application and similar ones like it. The City's proposed

amendments to the Policy go beyond the ambit to include restrictions on child placements and restrictions on locations relevant to cul-de-sacs.

- 28 In the decision of *Ridgecity Holdings Pty Ltd and City of Albany* [2006] WASAT 187, followed in *Vespoli and City of Stirling* [2013] WASAT 161, the Tribunal made the following observations regarding responsive policies:

*"[33] This is particularly the case given the poor juxtaposition of codings which we have referred to earlier. The failure to include a height development standard in the Scheme for 23 years is not explained or excused by the fact that the subject application appears to have been the first to propose this form of development. A strategic planning authority is necessarily required to prescribe reasonable controls and guidelines in anticipation of development, not in response to it."*

*"[35] The Tribunal is required by cl 7.8A(f) of the Scheme to have "due regard" to any policy adopted under cl 7.21. However, in having regard to a policy, the Tribunal would generally give little weight to a policy which is in substance responsive to a particular pending development application. Self-evidently, a development application to which a policy is responsive was formulated in the context of a planning regime which did not include the policy. The fact that the development application is capable of amendment, or is subsequently amended, is not in point. (emphasis added)."*

- 29 There is a long line of Tribunal authorities that reiterate, as a general principle, 'little weight' should be given to a policy which is a 'substantive response to a particular pending development application': see also *McCabe Street Joint Venture and City of Fremantle* [2009] WASAT 37; (2009) 61 SR (WA) 9 [87]-[89], *Vespoli and City of Stirling* [2013] WASAT 161 at [41] - [45] and *Georgiou Property 2 Pty Ltd and Presiding Member of the Metro West Joint Development Assessment Panel* [2017] WASAT 138; (2017) 93 SR (WA) 86 at [61].

- 30 In *BHY Alexander Unit Trust and City of Nedlands* [2021] WASAT 41, the Tribunal recently outlined (at [43]) that the concern with reactionary policies is that:

*... Such a policy is unlikely to be based on sound town planning principles, is unlikely to have been conceived after considerable public discussion, would be in operation for a relatively short time and would not have been continuously applied (and, indeed, would be intended to be applied for the first time in assessing the particular pending development application). Furthermore, obviously, the pending development application would not have been conceived and designed to address a planning policy which was formulated in response to it. While strategic planning is necessarily fluid and constantly evolving, orderly and proper planning is premised on strategic planning guiding the formulation and assessment of development applications, rather than a particular development application being the catalyst for the formulation and adoption of a planning policy that is then used to assess that application[.]*

- 31 The fact that the amendments to the Policy (subsequently giving rise to the adoption of the CCPLPP) were proposed shortly after the Applicant lodged an application for review is of concern to the Applicant as it suggests that those amendments were reactive rather than being based on sound town planning principles.
- 32 Regardless of this being the case, the Applicant acknowledges that the local planning policy is made pursuant to the requirements of Division 2 of Part 2 of the Deemed Provisions, which includes a mandatory minimum 21 day advertising period, and should be regarded as prima facie a relevant consideration in the exercise of discretion pursuant to clause 67(2) of Schedule 2 of the Deemed Provisions (as provided in *Sharon Property Pty Ltd and Presiding Member of the Metro Inner-North Joint Development Assessment Panel* [2021] WASAT 63 (**Sharon**) at [360]).
- 33 That said, it is my opinion that the legal position is (see Sharon at [361]) that the appropriate weight to be given to CCPLPP should be decided by having regard to planning principles, including:
- 33.1 whether [the local planning policy] is based on sound town planning principles;
  - 33.2 whether it is a public, rather than a secret policy;
  - 33.3 whether it is a public policy conceived after considerable public discussion;
  - 33.4 the length of time that a policy has been in operation; and
  - 33.5 whether it has been continuously applied.
- 34 In relation to the above, I note the following:
- 34.1 the CCPLPP was commenced after the Application was made and relevantly was not a material consideration when the Application was first refused;
  - 34.2 while the CCPLPP was developed with the benefit of public discussion, it was highly likely conceived as response to the Proposed Development;
  - 34.3 the CCPLPP has only recently come into operation; and
  - 34.4 the CCPLPP has not yet been applied, and this matter will be one of the first potential applications of the policy.
- 35 Further, in my view, the City's proposed amendments to the Policy (comprised in CCPLPP) go beyond the ambit of sound town planning principles. In effect, the restrictions seek to significantly constrain a permissible land use in the zone (by prescribing locational and contextual requirements that render childcare uncommercial) in a manner that avoids an amendment of the local planning scheme.
- 36 In my view, the use of a local planning policy to fulfill the role of a scheme amendment is contrary to sound town planning principles and should be avoided.

## Summary

- 37 The CCPLPP is reactionary in nature and its substance responds to a pending development application and others like it. Accordingly, no weight or minimal weight should be given to CCPLPP in the exercise of planning discretion in this Application.
- 38 In circumstances that this is not agreed, although the CCPLPP is to be given due regard in the assessment of this Application, it is not binding on the decision of the Metro Outer JDAP.
- 39 An assessment of the weight to be given to the CCPLPP cannot be undertaken in isolation. It must be informed by active and positive consideration or proper, genuine or realistic consideration in the context of the Application.
- 40 There are cogent reasons for the Metro Outer JDAP to depart from the CCPLPP as it does not reflect sound planning principles and the amendments made to the proposal address the amenity considerations underlying the objectives of the policy.

Regards



Craig Wallace  
Partner

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Please notify us if this communication has been sent to you by mistake. If it has been, any privilege between solicitor and client is not waived or lost and you are not entitled to use it in any way.

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### Presenter Details

Name	Trent Will
Company (if applicable)	Taylor Burrell Barnett
Please identify if you have any special requirements:	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/> If yes, please state any accessibility or special requirements: <a href="#">Click or tap here to enter text.</a>

### Meeting Details

DAP Name	Metro Outer JDAP
Meeting Date	28 February 2021
DAP Application Number	DAP/21/02016
Property Location	73 Kingsley Drive and 22 Woodford Wells Way, Kingsley
Agenda Item Number	10.1

### Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	<b>YES</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>report recommendation</u> ? ( <i>contained within the Agenda</i> )	<b>SUPPORT</b> <input type="checkbox"/> <b>AGAINST</b> <input checked="" type="checkbox"/>
Is the presentation in support of or against the <u>proposed development</u> ?	<b>SUPPORT</b> <input checked="" type="checkbox"/> <b>AGAINST</b> <input type="checkbox"/>
Will the presentation require power-point facilities?	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/> <b>If yes, please attach</b>



### **Presentation Content\***

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Brief sentence summary for inclusion on the Agenda	<i>The presentation will address:</i>  <i>Speaking in support of the proposed development, I will provide a response to the reasons for refusal, detail the planning rationale for the proposed development and discuss how the amenity of adjoining properties has been considered.</i>
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In accordance with Clause 3.5.2 of the [DAP Standing Orders](#), your presentation request must also be accompanied with a written document detailing the content of your presentation.

*Please attach detailed content of presentation or provide below:*

Refer attached presentation summary.



## PRESENTATION SUMMARY

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<b>To</b>	Presiding Member, Metro Outer Joint Development Assessment Panel
<b>From</b>	Trent Will, Taylor Burrell Barnett
<b>Date</b>	21 February 2022
<b>DAP Ref</b>	<b>DAP/21/02016</b>
<b>Subject</b>	Presentation in support of Item 10.1 – Proposed Childcare Centre Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Wells Way, Kingsley

---

Taylor Burrell Barnett (TBB) acts on behalf of CK Group, the proponent of the proposed childcare centre at the above address - Item 10.1 of the Metro Outer JDAP agenda for 28 February 2022.

Despite the recommendation for refusal, we consider there is strong justification for the application to be approved. The following sets out the content of my presentation:

### Modifications from Refused Plans

The proponent and project team has approached the mediation process in an open and consultative manner. Every reasonable avenue has been explored to address the reasons for refusal and particularly to reduce potential amenity impacts to surrounding properties. The modifications have been meaningful and are considered to represent a palpable improvement which addresses the previous reasons for refusal.

The RAR provides a simplified bullet point list of the amendments. However, we consider it is important DAP members understand the rationale for the changes and the outcomes they achieve. **Attachment 1** provides a more comprehensive review of the changes and discusses their rationale. The key achievements from the revised plans are:

1. Building bulk and scale substantially reduced through a reduction in the upper floor area by approximately 70m<sup>2</sup>;
2. Reducing noise levels at adjoining properties by 5 – 10dB through a targeted reduction in maximum numbers, redesign of play spaces, and relocation of bin stores and AC units.

We note the changes have resolved the previous refusal reason relating to the bulk and scale of the building and the reasons for refusal can now be summarised as broad amenity concerns and non-compliances with the recently revised child care policy. Our more detailed response to these matters is below.

### Location and Context (Refusal Reason 1a)

Kingsley Drive is a local distributor road – it is not a quiet residential access street. The design seeks to address noise generating aspects of the development towards Kingsley Drive and takes all vehicles access from Kingsley Drive in order to limit potential amenity impacts to adjoining residential properties.

As demonstrated in the attached presentation, the opposite side of Kingsley Drive comprises:

- Kingsley Park public open space, with a car park, tennis courts and club rooms (directly opposite the subject site);
- Kingsley Village Shopping Centre (approximately 200m to the south). The closest commercial use is the Ampol service station (70m to the south); and
- Creaney Primary School, Education Support Centre and Horizon Reformed Christian Fellowship (approximately 150m to the north).

The site's proximity to the abovementioned services and uses make it not only appropriate, but highly suitable for a childcare centre. There has been a number of approvals for childcare centres in Residential zones in similar contexts in the City of Joondalup. However, one would struggle to find an example with this range of complementary uses in such close proximity. Even the residential side of Kingsley Drive has commercial uses including consulting rooms, and another smaller childcare premises.

The new policy requirement to directly adjoin commercial uses on at least one side is unreasonable. We note a corner site achieves the same outcome because there are two sides of the property which do not abut residential properties.

### **Number of Placements (Refusal Reasons 1b and 2)**

The number of placements (i.e. the maximum number of children at any one time) has reduced from 82 to 78. The RAR argues that the proposal should comply with the newly adopted policy which limits placements to 50. However, the proposed number of placements does not automatically deem the proposal unacceptable. A local planning policy is not an inflexible instrument and consideration must be given to the objectives of the policy. The relevant objective here is to ensure proposals do not cause adverse amenity impacts on adjoining properties.

It is important to note that we have not simply proposed an arbitrary reduction in numbers to appease the concerns. The number of placements has been reduced strategically through the revised plans where it would be most amenable to the adjoining properties. In particular, the room and play area nearest to No. 20 Woodford Wells Way (to the west) has been reduced from 12 to eight children. The internal layout has also been modified to place the quieter age groups here. **This has reduced noise levels to the adjoining property by 10dB(A).**

The number of placements is markedly similar to a number of other applications that have been approved in the City of Joondalup – several centres have been approved in similar locations with more than 90 places. The provision of just 78 places is considered modest and appropriate for the context. If we conduct a simple calculation of the ratio of children to land area, the current proposal with 78 placements is not inconsistent with other approvals in the locality and would not be setting any new benchmarks. This is discussed further in our written submission, attached to the RAR.

In terms of the 'intensity' of the development, we contend the revised plans are not only a vast improvement, but achieve an outcome that does not cause adverse amenity impacts. We ask members to consider the amenity outcome, rather than simply consider the number of placements.

## **Amenity Impacts (Refusal Reasons 1c and 2)**

The RAR contends there is an adverse amenity impact caused by the proposed development on adjoining residential properties. It is noted the RAR identifies that the traffic, and the built form and scale are acceptable. The primary amenity concern would therefore be noise.

### **Acoustic Amenity**

There are residential properties to the west and to the north of the subject site. The revised design pays careful attention to the amenity of these properties and employs a series of targeted improvements to reduce noise levels, and to improve the visual amenity.

Acoustic analysis has confirmed the calculated noise levels associated with play areas reduces by 10dB to the west and 2dB to the north. Additionally, noise levels associated with the car park reduce by 3-5dB to adjacent boundaries (primarily benefiting the northern property). Whilst the original proposal was deemed consistent with the Noise Regulations, these modifications further reduce noise from the premises.

It is further noted the basis for the City's concern on this matter is primarily the noise an activity from the car park. Questionably, the reasons for refusal now reference noise from play areas, even though the previous RAR acknowledged the play areas were suitably orientated away from residential properties. The play areas are still orientated toward street frontages and have been modified to be located further away from the northern boundary and to reduce noise to the western boundary.

### **Car Park Noise**

The RAR identifies the location of the car park as causing an impact on amenity. We consider the proposed location is an entirely reasonable location for the car park on the site and that it does not cause an undue amenity impacts. The location ensures access is taken from Kingsley Drive (a local distributor road) away from street corners, avoiding additional traffic in the local access street. The alternative would be to provide more parking in the street setback areas, which would detrimentally impact the streetscape. There is a 1.5m landscape buffer between the car park and the adjoining property. With the various measures that have been pursued in the revised plans, noise is now well below the statutory threshold for compliance and is similar to the background noise in the locality and the noise from the car park across the road. It is considered all amenity concerns with the proposed car park have been mitigated and there is no undue impact caused on the adjoining property.

Mr Tim Reynolds (Herring Storer Acoustics) will provide a further overview of the improvements and considerations from an acoustic perspective.

### **Other Amenity Considerations**

Moreover, the revised design respects the residential amenity and particularly the adjoining properties by the following means:

- To the north, the boundary setback has been increased to 12m, providing a substantial buffer to the adjoining property.
- To the west, the exposure to noise generating activities is minimal and the building is designed with a residential appearance.

- Landscaping and trees are provided within the boundary setback areas to 'soften' the visual impact of the development.
- A design aesthetic that is consistent with the residential character of the locality, including feature brick elements and a double pitched roof.

To both boundaries, the setbacks substantially exceed those that would be permitted from a residential development and are considered to provide adequate separation to maintain residential amenity. Lastly, the Design Review Panel commended the amenity outcomes with the only exception being the closing time (discussed below). In relation to response to neighbouring properties the DRP minutes state:

*The design responds through setbacks to the north and through articulation of the bulk to the west to the neighbouring properties. In addition, the noisier activity and open play areas are located away from neighbours.*

### **Design Review Panel response (Refusal Reason 3)**

The applicant has engaged with and taken on board the advice from the Design Review Panel throughout this project. The RAR only reports the recommended improvements from the DRP and does not convey the fact that the panel was largely supportive of the design and complimented the improvements from the refused plans. As an example, one of the comments from the panel indicating general support for the location and context was:

*The Panel acknowledges that the proposal is located in a residential area, but is of the view that the location is appropriate given that it is on the edge of the residential area that it is equidistant to existing community facilities along Kingsley Drive, which commence with a small commercial area through to a primary school.*

We respectfully ask DAP members to review the minutes of the DRP for better context (Attachment 12 to the RAR). The 'orange lights' in the minutes clearly relate to minor design suggestions, most of which has now been addressed through further revisions to the plans.

The RAR also acknowledges the DRP's recommendations were addressed with the exception of opening hours, front fencing and pedestrian access. We make a brief response to these matters as follows:

#### **Opening Hours (Refusal Reason 1d)**

The concern about opening hours (specifically, the closing time of 6.30pm) is raised at several junctures throughout the RAR. The proposal to open until 6.30pm is to allow flexibility for parents who may work business hours in the City. It can sometimes be challenging for parents to attend the site prior to 6pm and the extended half hour provides the flexibility required. The prospective operator, Nido, has advised that in their experience, less than 10% of the children are present after 6pm. It is further noted that the 6pm – 6.30pm timeframe is not considered a noise sensitive period and would have no undue impact on surrounding properties.

It is disappointing to observe this issue referenced in the reasons for refusal given it was not raised by officers throughout the assessment of the application. The only time this concern was raised was by the Design Review Panel (despite it not being a design matter).

In any case, **this is a matter which can be addressed by a condition of approval** and is in fact included in the alternative recommendation. We therefore consider it is not grounds for refusal.

### Front Fencing

We disagree the small increases to solid portions of fencing would cause an amenity impact. Furthermore, **there is an existing solid fence around the property in the same location.**

In any case, **this is a matter which can be addressed by a condition of approval** and is in fact addressed in the alternative recommendation. We therefore consider it is not grounds for refusal.

### Pedestrian Access

The RAR (on page 14) identifies concerns with the applicant's response to the pedestrian access issues. However, on page 19-20, the pedestrian access issue is discussed further and the RAR concludes that the applicant has sufficiently outlined the rationale for the pedestrian access arrangements and does not raise any further concerns. It is therefore not clear what issue exists with pedestrian access, if any.

The pedestrian access point is clearly legible from the street and provides a generous 1.8m pathway leading to the entry. We do not consider there are any fundamental flaws here and there is nothing that represents grounds for refusal.

In summary, this reason for refusal has been entirely addressed through the conditions contained in the alternative recommendation. We further contend that we have actively engaged with the DRP in an effort to suitably respond to and incorporate their feedback into the final revised plans that are before the DAP today for determination .

### Revised Local Planning Policy

The RAR states "...the policy aims to support development of childcare premises throughout the City, including in the Residential zone, recognising they are an important service for the community." Whilst we agree with the sentiment, the policy clearly seeks to prevent child care premises from being developed in the Residential zone. The genesis of the policy was from the August 2021 Council meeting where the following notice of motion was made by Council:

*"REQUESTS the Chief Executive Officer prepare a report for the November 2021 Council meeting, detailing possible amendments to the Child Care Premises Local Planning Policy to prevent child care premises being built in residential areas."*

Noting the notice of motion was to 'prevent' child care premises in residential areas, it is difficult to accept the claims in the RAR that the policy seeks to support child care, including in residential zones and that the requirements simply guides their location and size.

The extreme limitations are far more onerous than any other child care policy in Western Australia. The limit of 50 children is inconsistent with contemporary services such as those provided by Nido, which require greater number to reach the optimal balance of children across different age groups. The policy undermines the discretionary nature of the land use in the residential zone. Consequently, it should be given limited weight.

## Height and Scale

We note and appreciate the recognition in the RAR that the proposed height and scale is consistent with the planning framework and warrants support.

We wish to further clarify that the height of the wall is 6.5m above natural ground level. The 7.3m measurement in the RAR refers to a void in the roof where the air conditioning units are contained and does not represent the prevailing wall height.

There has been a substantive decrease in the scale of the building following the mediation, which included reduction to the floor levels, wall heights and modifications to the roof form to achieve reduced height. The proposal is consistent with the permissible heights under the R-Codes. Importantly, the site coverage is limited to just 46%, consistent with the requirements of the new policy and a strong indication that the site is not being 'overdeveloped'.

The built form and scale has also been substantially reduced by redesigning the upper floor playscape so that it does not extend across the full frontage and achieves a more domestic scale and a sleek appearance as it fronts Kingsley Drive.

## Conclusion

The use of childcare premises is discretionary in the Residential zone. In this instance, discretion is warranted and the site is clearly suitable for a childcare centre, noting it fronts a local distributor road (Kingsley Drive), and the opposite side of the road contains a large park and clubrooms, primary school and shopping centre.

The design is sensitive to adjoining residential properties, play areas are orientated toward the streets and vehicle access is limited to Kingsley Drive to avoid additional traffic on the local streets. The setback areas are landscaped and the upper floor is generously set back from the adjoining residential properties.

Substantive improvements have been made from the refused plans, particularly in relation to reduction in noise. Owing to the above, we respectfully request the JDAP approve the application in accordance with the alternative recommendation.



## ATTACHMENT 1 – CHANGES FROM REFUSED PLANS

No.	Modifications	Comments / Rationale
<b>Design Modifications</b>		
1	Floor area of first floor reduced by approximately 70m <sup>2</sup> ; layout modified to reduce the length of the building as it presents to Kingsley Drive.	This modification has reduced the length of the building from 33m to 26m as it faces Kingsley Drive.  A substantial reduction in bulk and scale is achieved when viewed from Kingsley or from the adjoining properties to the north.
2	The design aesthetic is modified such that it presents with an appearance that is residential in style, including: <ul style="list-style-type: none"> <li>• Double pitched Colorbond roof introduced in lieu of the previous skillion roof design.</li> <li>• Provision of red brick feature elements in lieu of previous concrete/cladding elements.</li> </ul>	Aesthetic treatments are intended to better respond to the existing context and character of the residential area.
3	Finished floor level reduced by 400mm and wall height reduced to 6.5m.	Reduces the building height / bulk and scale.
4	Stairwell abutting the northern boundary relocated and designed into the main building footprint.	Modified in response to objections from adjoining owner regarding privacy concerns. Also assists in reducing building bulk when viewed from the north and when viewed from Kingsley Drive.
5	Bin store relocated from the north boundary into the main building footprint, but accessed externally (between bays 17 and 18).	Modified in response to objections from adjoining owner regarding privacy and amenity concerns. Also provides improved functionality for car park.
6	Northern elevation modified from concrete panels to a mix of obscure glazed panels and painted concrete panels.	Modification in response to Design Review Panel recommendations, with the intent being to provide better articulation to the northern façade and to help reduce the perceived scale and commercial appearance of the development.  Clear glazed panels were considered, noting the playscape is set back 12.14m from the northern boundary and is consistent with visual privacy setback requirements under the R-Codes.

		However, obscure glazed panels were selected in response to potential concerns from neighbouring owners regarding overlooking.
7	Arbor structure provided over the pedestrian entry from Kingsley Drive.	Modification in response to Design Review Panel recommendations, with the intent being to provide a more clearly legible entry point, and improve the level of greenery in the design.
8	Freestanding monolith sign removed.	Modification in response to Design Review Panel recommendations, with the intent being to reduce visual bulk at the street frontage.
9	Air conditioning units relocated from the western setback area, into a service enclosure on the first floor.	Reduces noise to adjoining properties to the west and avoids the need for a 2.2m fence along the western boundary.
10	Minor modifications to the car park layout including reducing number of tandem bays from three to two and providing improved areas for tree growth.	
11	Additional trees provided in the northern and western setback areas adjacent to the car park.	
12	Fencing adjacent to the car park increased to 2.1m in height.	Assists in reducing noise levels to adjoining properties.
<b>Other Modifications</b>		
13	Maximum number of placements reduced from 82 to 78. Number of placements in group 1 (outdoor play area nearest to the western boundary) reduced from 12 to eight.	The development site is large and can easily accommodate the development requirements of the childcare facility proposed. The reduction in placement numbers assists in further reducing scale of the development; reduces noise and the general intensity of the use, particularly in relation to the western adjoining property.
14	Opening time to be changed from 6.30am to 7am (with staff to access the site for set up at 6.30am).	Assists in mitigating noise concerns for the property to the north.



# Kingsley Child Care Premises

JDAP Presentation



Date: 28 February 2022

Presented By: Trent Will, TBB



# Timeline

## Child Care Premises

Action	Dates
Application lodged	10 June 2021
Design Reference Panel meeting	24 June 2021
Plans revised and response provided to DRP comments	21 July 2021
Application refused	10 September 2021
Decision appealed; two mediation sessions held at SAT	October – December 2021
Revised child care policy initiated by Council	16 November 2021
Revised child care policy advertised for public comment	Up to 16 December 2021
Revised plans lodged for reconsideration	23 December 2021
Design Review Panel meeting no. 2	19 January 2022
Revised policy endorsed by Council	15 February 2022
JDAP meeting	28 February 2022



# Kingsley Drive Frontage

## REFUSED DESIGN



## PROPOSED DESIGN

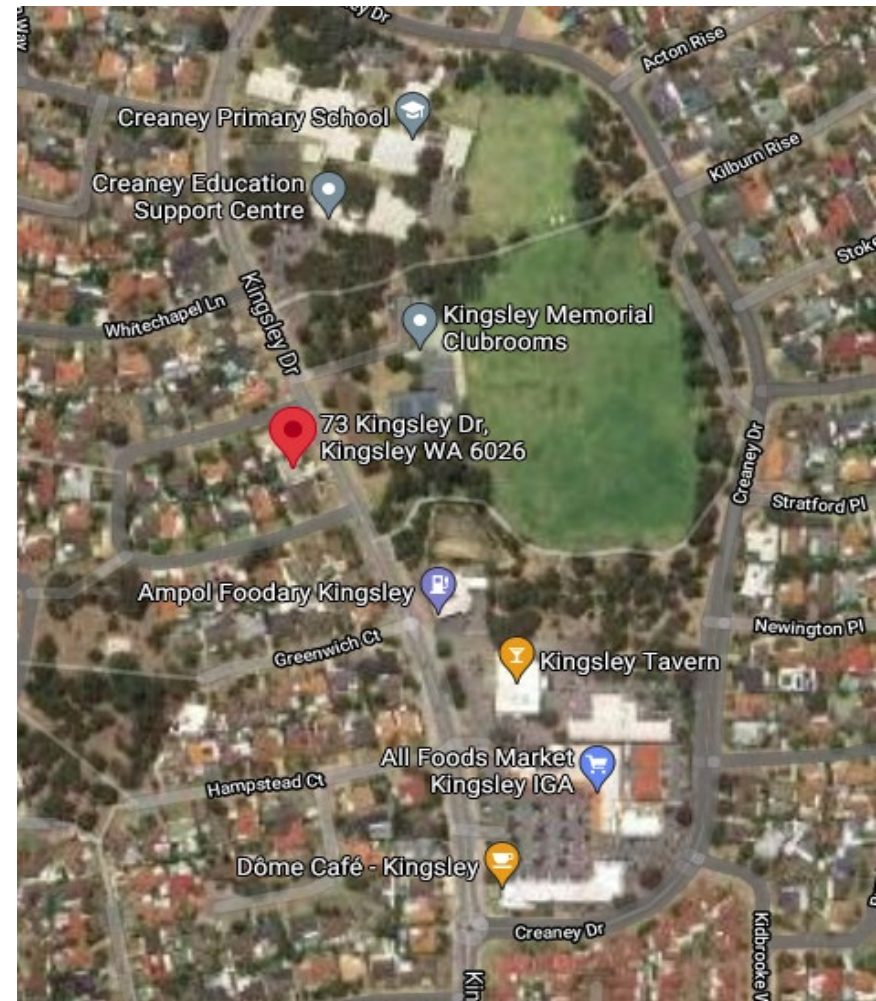


# Policy Considerations

## Local Context

Not immediately adjoining a commercial use, but:

- Corner site, with outdoor play areas oriented toward the street and away from residents.
- Accessed from Kingsley Drive (Local Distributor Road).
- Directly opposite Kingsley Park (clubrooms and tennis courts opposite).
- Creaney Primary School 100m north-east
- Kingsley Village Shopping Centre approximately 200 metres south-east
- Adjacent bus stops for the 445 Transperth service.





# Design Improvements

## Amenity

### Revised Plans:

- Number of placements reduced from 82 to 78, reducing the general intensity of the development. The number of placements in the outdoor space closest to the residential property to the west is reduced from 12 to eight, substantially reducing noise to the adjoining property.
- Opening time to be changed from 6.30am to 7am to assist in noise mitigation.
- Fencing adjacent to the car park increased to 2.1m in height to assist in reducing noise associated with the car park, but maintaining a fence height which is consistent with a residential area.
- Air conditioning units relocated from the western setback area, into a service enclosure on the first floor, reducing noise impacts.
- Additional trees provided in the northern and western setback areas adjacent to the car park to improve visual amenity.
- The stairwell abutting the northern boundary is relocated and designed into the main building footprint to avoid any potential privacy impacts.
- Bin store is relocated away from the northern boundary and integrated into the main built form to avoid potential visual or odour impacts to adjoining properties.
- Scale of building reduced.

# Amenity Considerations

## Adjoining Properties

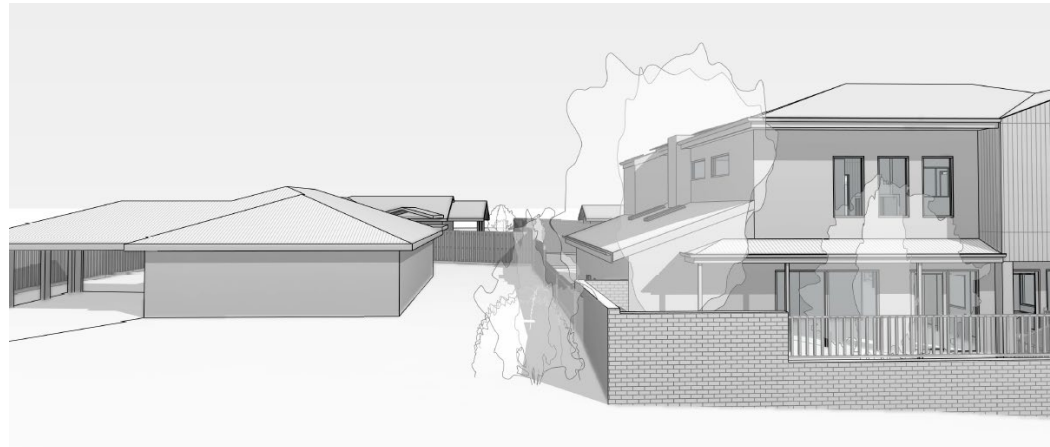
- Generous separation from adjoining properties (more than double required R-Code setbacks).
- Vegetation buffers.
- DRP supported approach to residential interface.
- Substantive noise reductions compared with refused plans.

*"The design responds through setbacks to the north and through articulation of the bulk to the west to the neighbouring properties. In addition, the noisier activity and open play areas are located away from neighbours."*

*- Design Review Panel*



**Northern Interface (view from Kingsley Drive)**



**Western Interface (view from Woodford Wells Way)**

# THANK YOU

We shape exceptional places where communities prosper and people belong.

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## 73 KINGLSEY DRIVE (LOT 667) AND 22 WOODFORD WELLS WAY (LOT 666), KINGSLEY – CHILD CARE PREMISES

### State Administrative Tribunal Reconsideration – Responsible Authority Report (Regulation 12)

<b>DAP Name:</b>	Metro Outer JDAP
<b>Local Government Area:</b>	City of Joondalup
<b>Summary of Modifications:</b>	<ul style="list-style-type: none"><li>• Removal of the roof over the carpark resulting in a seven metre reduction in the length of the building facing Kingsley Drive.</li><li>• Change from a flat roof design to a pitched roof, incorporating two roof pitches.</li><li>• Modification of solid panelling on the upper floor northern elevation, to translucent panelling.</li><li>• Reduction in the wall height from 7.6 metres to a maximum of 7.3 metres.</li><li>• Relocation of the bin store to the southern side of the carpark, incorporated into the main building.</li><li>• A reduction of children capacity onsite to 78 children (from 82 children).</li><li>• Increase to the fence height abutting the northern and western sides of the carpark to 2.1 metres (from 1.8 metres).</li><li>• Hours of operation reduced to 7.00am - 6.30pm Monday to Friday (from 6.30am - 6.30pm Monday to Friday).</li><li>• Reduction in the number of tandem parking bays from three to two.</li><li>• Updated technical reports.</li></ul>
<b>Applicant:</b>	Taylor Burrell Barnett
<b>Owner:</b>	Regina Michelle Fisher and Sharon Leanne Reid
<b>Value of Development:</b>	\$2.1 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)
<b>Responsible Authority:</b>	City of Joondalup
<b>Authorising Officer:</b>	Chris Leigh Director Planning and Community Development
<b>LG Reference:</b>	DA21/0611
<b>DAP File No:</b>	DAP/21/02016
<b>SAT File No (DR reference):</b>	DR207/2021

<b>Date of Decision under Review:</b>	14 September 2021	
<b>Application for Review Lodgement Date:</b>	8 October 2021	
<b>Attachment(s):</b>	1. Location plan 2. Development plans and elevations 3. Building perspectives 4. Landscaping plan 5. Applicant's planning assessment 6. Environmental Acoustic Assessment 7. Operations Management Plan 8. Transport Impact Statement 9. Waste Management Plan 10. Applicant response to submissions 11. Environmentally sustainable design checklist 12. Joondalup Design Review Panel notes (extract only) 13. Previous Determination Notice	
<b>Is the Responsible Authority Recommendation the same as the Officer Recommendation?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	Complete Responsible Authority Recommendation section
	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

### Responsible Authority Recommendation

That the Metro Outer Joint Development Assessment Panel, pursuant to section 31 of the *State Administrative Tribunal Act 2004* in respect of SAT application DR 203 of 2021, resolves to:

**Reconsider** its decision dated 14 September 2021 and **VARY its** decision to refuse DAP Application reference DAP/21/02016 and amended 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*, for the following reasons:

### Reasons

1. In accordance with Schedule 2, Clause 67(2)(g) of the *Planning and Development (Local Planning Scheme) Regulations 2015* the proposed development does not comply with the provisions of the City's *Child Care Premises Local Planning Policy* as:
  - a. the proposed development does not directly adjoin a non-residential use on at least one boundary;
  - b. the proposed child care premises is for 78 children;
  - c. the car parking for the development is located such that it is likely to have a noise impact on surrounding residential properties;
  - d. the proposed hours of operation are likely to result in a noise impact on the amenity of adjoining residential properties.
2. The proposed development does not satisfy the matters to be considered under clause 67(2)(g), Schedule 2, Part 9 of the *Planning and Development (Local*

*Planning Schemes) Regulations 2015*. Specifically, the development does not comply with the City's *Child Care Premises Local Planning Policy* as the proposed development will have an adverse impact on the amenity of adjoining residential properties due to the noise associated with the number of children proposed, the location of car parking and hours of operation.

3. The proposed development does not satisfy the matters to be considered under clause 67(2)(zc), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the proposed development does not adequately consider the advice of the Joondalup Design Review Panel.

#### **Details: outline of development application**

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	City of Joondalup <i>Local Planning Scheme No. 3</i> (LPS3)
Local Planning Scheme - Zone/Reserve	Residential
Structure Plan/Precinct Plan	N/A
Structure Plan/Precinct Plan - Land Use Designation	N/A
Use Class and permissibility:	Child Care Premises – Discretionary 'D'
Lot Size:	Lot 666: 714.221m <sup>2</sup> Lot 667: 693.016m <sup>2</sup>  1,407.237m <sup>2</sup> combined.
Existing Land Use:	Single House
State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

#### **Proposal:**

Proposed Land Use	Child Care Premises
Proposed Net Lettable Area	N/A
Proposed No. Storeys	Two
Proposed No. Dwellings	N/A

The amended proposal comprises:

- A two storey building incorporating a play deck on the first floor level and an outdoor play space at the ground floor level.



- A partially covered car parking area accessed from Kingsley Drive, providing a total of 23 parking bays, split into 10 staff, 8 visitor, one ACROD bay and four 'staff or visitor' bays.
- Outdoor play spaces fronting Kingsley Drive and Woodford Wells Way enclosed by an external boundary fence which contains some permeable sections.
- A capacity of 78 children and 13 staff at any one time.
- Operating hours between 7.00am and 6.30pm Monday to Friday.
- Signage displayed on the building's first floor on the eastern and southern facades.
- Perimeter landscaping provided along the northern and western car parking boundaries.

The development plans are provided in Attachment 2, with the supporting plans and documentation provided in Attachments 3 – 11.

### **Background:**

The applicant seeks development approval for a Child Care Premises at Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Wells Way, Kingsley.

The proposed development the subject of this report is a modification to a previous proposal refused by the JDAP at its meeting held on 14 September 2021. The determination letter and development plans for the original proposal are provided at Attachment 13.

The key changes that have been made to the proposal are:

- Reduction in the length of the building facing Kingsley Drive by seven metres.
- Reduction in wall height from 7.6 metres to a maximum of 7.3 metres.
- Change from a flat roof design to a pitched roof, incorporating two roof pitches.
- Removal of roof over the car park and removal of the stairwell and bin store on the northern boundary.
- Modification of solid panelling on the upper floor northern elevation, to translucent panelling.
- The bin store relocated from the northern boundary to be incorporated within the main building footprint.
- The air conditioning units relocated from the western setback area to a service enclosure on the first floor.
- Reduction in the number of tandem parking bays from three to two.
- Increase in the fencing on the northern and western sides of the carpark to 2.1 metres in height.
- Reduction in capacity from 82 children to 78 children.
- Operating hours of 7.00am - 6.30pm Monday to Friday, reducing from 6.30am – 6.30pm Monday to Friday.
- Updated Environmental Acoustic Assessment (EAA), Transport Impact Statement (TIS), Waste Management Plan (WMP) and an Operation Management Plan (OMP) has also been provided with the application.

### Site context

The site is zoned 'Residential' under the City's Local Planning Scheme No. 3 (LPS3) and is coded R20. The land use 'Child Care Premises' is a discretionary ("D") use within the 'Residential' zone under LPS3.

Lot 667 and Lot 666 contain single storey dwellings and are bound by Kingsley Drive to the east and Woodford Wells Way to the south (of Lot 666), and residential lots to the north and west. The immediate area is comprised predominantly of single storey residential dwellings, with Kingsley Park located on the opposite side Kingsley Drive (Attachment 1 refers).

If the application is approved, the two lots would need to be amalgamated prior to the child care premises operating.

### Application to the State Administrative Tribunal

On 8 October 2021 an application was lodged with the State Administrative Tribunal (SAT) to review the JDAP decision to refuse the application at its meeting held on 14 September 2021. This matter was the subject of two mediation sessions held on 8 November 2021 and 8 December 2021.

The SAT has made orders inviting the decision-maker, under Section 31 of the *State Administrative Tribunal Act 2004* (SAT Act), to reconsider its decision. The decision-maker may:

- affirm the previous decision,
- vary the decision, or
- set aside the decision and substitute a new decision.

### Amendments to the *Child Care Premises Local Planning Policy*

At its meeting held on 15 February 2022, Council resolved to adopt amendments to the City's *Child Care Premises Local Planning Policy* (CCPLPP) (CJ007-2/22 refers).

The amended policy provides greater clarity on the locational criteria applicable to child care premises, especially in residential areas. To ensure child care premises appropriately manage potential amenity impacts to surrounding residential properties and remain consistent with the objectives of the 'Residential' zone, the amendments also include:

- Requiring child care premises in the 'Residential' zone to directly adjoin (share a boundary with) a non-residential land use.
- Limiting the capacity of child care premises in the 'Residential' zone to a maximum of 50 children.
- Limiting child care premises to a maximum building site coverage of 50% in the 'Residential' zone.
- Preventing child care premises from being located in, or on the corner of, a cul-de-sac road.
- Requiring two-way vehicle access from a Local Distributor Road.
- Clarifying that staff are permitted to be onsite 30 minutes prior to and after the stipulated hours of operation.

- Updating and strengthening the language in the policy to better clarify policy expectations.

As the amendments to the CCPLPP have been adopted by Council and it is this version of the policy that becomes the relevant document for consideration under clause 67(2)(g) of the *Planning and Development (Local Planning Schemes) Regulations 2015* in the determination of this application.

The purpose of the City's CCPLPP, like any local planning policy, is intended to assist the guidance of discretion. For example, where a use is a 'discretionary' use in a particular zone, a local planning policy provides the decision-maker with the circumstances where that use could be approved.

The principle of guiding discretion by identifying appropriate site selection for childcare premises through a local planning policy is not a new concept introduced through recent amendments to the City's CCPLPP. It is a principle suggested by the Western Australian Planning Commission's (WAPC) Planning Bulletin 72/2009 (Child Care Centres) (PB 72/2009) and is a common approach adopted by a number of local governments, albeit with differing criteria.

PB 72/2009 provides guidance as to what may be considered by local governments in the preparation of scheme provisions or local planning policies, including suggested locational criteria such as proximity to commercial, recreation, community or education facilities as well as the nature of adjoining land uses.

In relation to approaches taken by other local governments, the City of Stirling's Childcare Premises Local Planning Policy states that childcare premises shall be located adjacent to non-residential uses, particularly activity centres, medical centres, schools and other educational facilities, and civic uses. The City of Stirling also requires childcare premises in the Residential zone to be developed on sites that are located in close proximity to identified activity centres, have a minimum lot size and frontage and can only be located on certain classes of road.

Similarly, the City of Wanneroo's Childcare Centres Local Planning Policy states that childcare centres should ideally be located abutting and/or adjacent to non-residential uses such as shopping centres, medical centres, schools, parks and community purpose buildings.

The City of Joondalup's policy (in its recently adopted form as well as in its previous form) acknowledges that the appropriate location of child care premises is crucial in avoiding adverse impacts on surrounding properties, particularly in terms of additional traffic, car parking and noise. Prior to the recent amendments the City's policy also stated that it was 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.

In considering previous proposals for childcare premises under the City's former policy it had been observed that policy provisions that have a 'preference' or 'encourage' a particular outcome provide challenges for decision-makers to enforce those particular policy provisions. The City has sought to rectify this in its recently amended policy by providing greater clarity as to what site and development characteristics are appropriate to better assist decision-makers in the guidance of discretion.

The policy acknowledges the land use permissibility of childcare premises prescribed in the City's scheme and does not seek to prohibit or remove the ability to develop childcare premises in the Residential zone (which would result in an inconsistency between the City's scheme and the policy). Rather, the approach taken in developing the policy aims to support the development of childcare premises throughout the City, including in the Residential zone, recognising that they are an important service for the community. The policy aims to achieve this whilst ensuring the size and scale of child care developments are appropriate to their location and, consistent with the objectives for the Residential zone, which requires non-residential development to be compatible with and complementary to surrounding residential development.

## **Legislation and Policy:**

### Legislation

- *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).*
- *State Planning Policy 7.3: Residential Design Codes Volume 1 (R-Codes).*

### Local Policies

- *Child Care Premises Local Planning Policy (CCPLPP).*
- *Advertisements Local Planning Policy.*
- *Planning Consultation Local Planning Policy.*

## **Consultation:**

### Public consultation

#### *Consultation on the initial proposal*

The initial proposal was advertised for a period of 14 days to the surrounding landowners/occupiers, commencing on 4 August 2021 and concluding on 18 August 2021. 54 submissions were received, with 44 of these opposing the development and 10 in support. A summary of the submissions and responses is provided in the previous Responsible Authority Report.

#### *Consultation on the amended proposal*

The amended proposal was advertised for 14 days, commencing on 10 January 2022 and concluding on 24 January 2022. Consultation was undertaken in the following manner:

- letters were sent directly to surrounding landowners and occupiers, and residents who provided a submission during the advertising of the previous proposal.

- 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.

49 submissions were received, with 43 of these opposing the development and six in support. 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 comments
<p><u>Location:</u> The building which is a commercial business is too large, noisy and generates too much traffic to be considered suitable within a Residential R20 area. It is the role of Local Government to uphold the LPP and protect its residents from operations which impact their amenity.</p> <p>This child care centre could be built at some other site in compliance with the LPP. Such a compliant site might be more expensive to buy but that should not be taken into consideration.</p> <p>Modifications made will not significantly reduce the amenity impact on surrounding neighbours from previous proposals. The development will still have a negative impact on the locality.</p>	<p>Child Care Premises is a discretionary use in the 'Residential' zone, and therefore can be considered, subject to the requirements of the CCPLPP.</p> <p>The CCPLPP includes a range of locational criteria to determine the appropriate siting of such uses. The proposal is not considered to meet a number of these locational criteria. This is discussed further in the planning assessment section below.</p>
<p><u>Bulk and scale:</u> While the building has been altered to look less like a commercial building, there are still concerns regarding the bulk and scale. The large building still covers two amalgamated lots which would ordinarily be occupied by two single family homes at an R20 density.</p> <p>Even with the height reduction the proposal is still very high at 6.4 metres. Overlooking back fences and neighbours is not appropriate for the residential area.</p> <p>The amended building plan still looks like a large commercial child care</p>	<p>The revised design includes a number of modifications which address refusal reasons relating to bulk and scale including a reduction in the building footprint and a change in roof form, including a reduction in building height.</p> <p>The proposal was presented to the Joondalup Design Review Panel (JDRP) who reviewed the bulk and scale of the development, and it is considered that the applicant has adequately addressed the recommendations made by the JDRP in this regard.</p> <p>This is discussed further in the design review panel advice section below.</p>

Issue raised	Officer comments
centre surrounded by residential properties.	
<p><u>Noise:</u> Noise generated from the development is greater than what the current two ordinary residences produce with reference to the following:</p> <ul style="list-style-type: none"> <li>• Pickup of the large amount of garbage at least twice a week.</li> <li>• Ongoing pick-up drop-off activity up to 6:30pm in the evenings.</li> <li>• Noise generated from outdoor play.</li> <li>• Parents conversing with children and other parents, and from car doors closing will be noticeable above the background noise level.</li> </ul> <p>Enforcement the parking in bays 1-8 and 12,13 and 14 won't happen.</p> <p>The 30cm increase in fence height will do nothing to combat the noise.</p>	<p>The predicted noise generated from the development has been assessed in the applicant's Environmental Acoustic Assessment (refer to Attachment 6).</p> <p>The operating hours extending to 6.30pm week nights is not considered appropriate in the Residential zone. This is discussed further in the assessment section below.</p> <p>Whilst the noise assessment demonstrates that acceptable noise levels can be met, the location of noise generating sources, including the car park does not meet the locational criteria given it is adjacent to residential properties. This is discussed further in the planning assessment section below.</p>
<p><u>Draft policy:</u> A review of the CCPLPP has been undertaken as the old policy was out of date. The proposal does not meet the requirements of the policy and is not compatible within a residential area.</p>	<p>The revised proposal has been assessed against the revised policy adopted by Council.</p>
<p><u>Waste management:</u> The waste management plan states that waste collection may be undertaken outside of business hours. If this is the case, it should comply with the current times which the City of Joondalup employs in morning pick-ups and no later than 7pm for example. We expect that Collections would only occur between 10am and 2pm as per the operational plan.</p> <p>The smell from nappies and waste products will impact the neighbours.</p>	<p>The City has reviewed the submitted Waste Management Plan and Operations Management Plan and considers the waste generation findings and size of the storage area to be acceptable. The waste generation rates used are considered appropriate and consistent with rates used for centres of a similar size. Should the development be approved, waste collection would be required to be undertaken between 10am and 2pm in accordance with the OMP.</p>
<p><u>Demand:</u> This centre would attract patronage not just from the local area but mainly from outside Kingsley as parents can drive from distant suburbs. Kingsley</p>	<p>The economic demand or existence of other similar centres in the vicinity is not a valid planning consideration that should be taken into account as part of decision-making.</p>



Issue raised	Officer comments
<p>already has a number of childcare centres.</p>	
<p><u>Parking:</u> Car Parking is still not adequate for staffing or child drop off and pick up.</p> <p>The use of tandem bays is impractical and would result in congestion in the car park and in turn encourage verge parking.</p> <p>Surrounding parking will be used by overflow shopping parking and users of Kingsley Park (including organised sport/training etc).</p> <p>Reducing children numbers by four will not help with parking or traffic issues.</p>	<p>The parking provided on-site meets the requirements of the CCPLPP and is therefore considered to be appropriate.</p>
<p><u>Traffic:</u> Kingsley Drive already is a very busy road with a school, petrol station, tavern, shopping centre on this street and in close vicinity to the planned premises. Traffic congestion and crossover conflicts will likely result and the safety of children walking or riding bikes to/from school.</p> <p>Foot traffic continues to also be an issue with children from nearby Creaney Primary School using this as a main thoroughfare and footpath to and from school daily, however there is no footpath along Woodford Wells Way.</p> <p>There are already too many carparks and street exits close together within this small section of road.</p> <p>The driveway is only 4 metres away from a bus stop, which has not even been indicated on the development's perspective drawings which is misleading.</p>	<p>The applicant has provided a revised Transport Impact Statement (TIS) demonstrating that the existing road network can adequately cater for the additional traffic generated by the development.</p> <p>The City has reviewed the submitted TIS and considers the findings on the matters assessed to be acceptable. This is discussed further in the planning assessment section below.</p> <p>The pedestrian access to the building has a direct link to the existing footpath on Kingsley Drive. Upgrades to the footpath network, including a footpath along Woodford Wells Way is outside the scope of this development application.</p> <p>The proposed crossover is an additional five metres away from the bus stop than the existing crossover at 73 Kingsley Drive. The proposed setback from the intersecting point of the crossover and footpath to the bus stop is 8.2 metres, which is compliant with both Western Australian Local Government Association and City of Joondalup specifications for crossovers distances to bus stops.</p>
<p><u>Property values:</u></p>	<p>The impact of the development on property values is not a valid planning matter that</p>

Issue raised	Officer comments
The child care centre will reduce the value of our home if we ever to choose to sell.	should be taken into account as part of decision-making.

The comments received in support of the proposal were:

- Addresses a shortage of childcare available in Kingsley for a demographic of young families in the area.
- Excellent location for a childcare centre being located directly across the road from a school.
- Reputable organisation, with well-designed centres.
- The amended proposal addresses the refusal reasons and should therefore be supported.

#### Referrals/consultation with Government/Service Agencies

Not applicable.

#### Design Review Panel advice

The amended proposal was referred to the Joondalup Design Review Panel (JDRP) on 19 January 2022. The extract from the JDRP minutes and full comments is provided in Attachment 12. The following table summarises the recommendations made by the JDRP against the design principles of SPP7 and a summary of the applicant's response.

JDRP recommendation	Summary of applicant's response
<p><u>Principle 1 – Context and character</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>The JDRP acknowledges that the proposal is in a residential area, however, being on the edge of the residential area and close to existing community facilities along the Kingsley Drive (from the small commercial area through to the primary school) is of the view that the location is appropriate.</p> <p>The JDRP acknowledges that the design responds to the residential character of the area through material selection and the hipped roof, however is of the view that the single, large, hipped roof contributes to the apparent bulk and scale and should be reconsidered.</p>	<p>In response to the JDRP recommendation the roof form has been modified to a double pitched, hipped roof with the intent being to reduce the perception of bulk and scale as viewed from the street and neighbouring properties and symbolise the fact that the proposal is across two pre-existing lots.</p> <p>The materiality has been reviewed with lighter elements included in the Kingsley Drive façade, to better reflect the existing character of the area.</p>

<p><b>JDRP recommendation</b> <u>Principle 2 – Landscape quality</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>The JDRP considers that the landscaping has been well considered, contributing to the amenity of the area however recommends:</p> <ul style="list-style-type: none"> <li>• Additional tree planting along the western carpark boundary and more generally within the landscape plan.</li> <li>• An increase in slab planting depths at the upper level to allow growth of the shade trees proposed.</li> <li>• Reduction of solid brickwork in the south-eastern corner boundary fence to increase visual permeability.</li> </ul>	<p><b>Summary of applicant's response</b></p> <p>No further modifications have been made to the landscape plan in response to the JDRP recommendations, however it is submitted that:</p> <ul style="list-style-type: none"> <li>• The proposal already includes sufficient shade trees around the periphery of the car park including three along the western boundary.</li> <li>• Landscaping on the upper floor is to be managed with planter boxes (typically 600mm deep) and pots for trees. This has not been modified because greater planter depths can present a fall hazard for children. The 600mm planters are consistent with many other two storey Nido facilities in Perth.</li> <li>• Reduction in the solid fence height was investigated however found that increase in permeability would increase noise to surrounding residents. The proposed fencing will improve the visual permeability afforded by the existing 1.8 metre solid masonry fence along Woodford Wells Way.</li> </ul>
<p><u>Principle 3 – Built form and scale</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>While the revised design has substantially reduced the bulk and scale of the development, the JDRP considers that some new aspects of the design are still contributing to bulk and scale and therefore recommends:</p> <ol style="list-style-type: none"> <li>1. That the single large, hipped roof over the upper floor be reconsidered through either further articulation, a change to separate hipped roofs or a return to the original parapet roof design.</li> <li>2. Reconsideration of the 'cubby house' and 'fire stair' elements on the eastern side of the upper floor as these elements are contributing to the apparent bulk of the building.</li> <li>3. That the solid wall along the northern elevation on the upper</li> </ol>	<ul style="list-style-type: none"> <li>• Roof form modified to a double pitched, hipped roof with a 20 degree roof pitch.</li> <li>• First floor cubby house element at the south-east corner of the building reduced in height and changed to a lighter grey colour. Reduction in the height of the fire stairs was investigated, however the required internal headroom limits the scope to modify this.</li> <li>• Northern elevation modified from concrete panels to a mix of obscure glazed panels and painted concrete panels. Clear glazed panels were considered, noting the playscape is set back 12.14m from the northern boundary and is consistent with visual privacy setback requirements under the R-Codes. However, obscure glazed panels were selected in response to potential concerns from neighbouring owners regarding overlooking.</li> </ul>

JDRP recommendation	Summary of applicant's response
<p>floor be articulated through introduction of some more transparent or visual permeable elements.</p> <p><u>Principle 4 – Functionality and build quality</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>The JDRP recommends:</p> <ul style="list-style-type: none"> <li>• Consideration be given to access to the bin store not via the front door.</li> <li>• The kerb ramp be reoriented to face the front door instead of the bin store.</li> <li>• Further consideration be given to the location of the bike bays and the fire stairs exit which may cause obstruction to the main thoroughfare.</li> <li>• Consideration be given to the inclusion of pram parking.</li> </ul> <p><u>Principle 5 – Sustainability</u></p> <p>The proposed development meets the design principle objectives.</p>	<p>No modifications made in response to the JDRP recommendations, however it is submitted that:</p> <ul style="list-style-type: none"> <li>• The bin store has been relocated from the northern boundary to its current position to improve amenity for adjoining residents. Given the amount of waste generated by a Child Care Premises, it is considered that the external location of the bin store in close proximity to the building entry is appropriate, and preferable to internal access.</li> <li>• The location of the kerb ramp is within 2 metres of the main entry and therefore convenient. The entry area is fenced off for the safety of children. Moving the ramp any closer would compromise this outcome, which is required by the operator for safety reasons.</li> <li>• The entry path being between 1.8 to 2 metres wide allows ample passing room without modifying the position of the bicycle bays and fire stairs exit.</li> <li>• Pram parking is possible inside the building entry and shared piazza.</li> </ul> <p>Not applicable.</p>
<p><u>Principle 6 – Amenity</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>The JDRP praised the amenity provided to the play areas and spaces internal to the building. The setback to the northern boundary, articulation to the western elevation and placement of play areas away from neighbours were considered to be positive aspects of the design, however recommended that the hours of operation be reduced</p>	<p>No changes have been made to the hours of operation being:</p> <ul style="list-style-type: none"> <li>• 7:00am to 6:30pm Monday to Friday.</li> </ul> <p>It is difficult to comprehend how changing the closing time from 6.30pm to 6.00pm would result in any substantive change to amenity. This time period is not considered sensitive under the Noise Regulations and it provides the required flexibility for parents and guardians who may work in the City.</p>

<p><b>JDRP recommendation</b> to 7am – 6pm as required by the CCPLPP.</p> <p><u>Principle 7 – Legibility</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>The JDRP recommends:</p> <ul style="list-style-type: none"> <li>• That further consideration be given to the legibility of the front door, which may include the introduction of a canopy over the pedestrian entry path.</li> <li>• That signage be reduced and that any free-standing signs be deleted from the proposal.</li> <li>• Improvement of legibility through concentration of any taller solid elements at the entry and not on both street frontages.</li> </ul>	<p><b>Summary of applicant's response</b></p> <p>The following modifications are made in response to the Design Review Panel recommendations, with the intent being to provide a more clearly legible entry point, improve the level of greenery in the design and reduce visual bulk at the street frontage:</p> <ul style="list-style-type: none"> <li>• Arbor structure provided over the pedestrian entry from Kingsley Drive.</li> <li>• Freestanding monolith sign removed.</li> </ul>
<p><u>Principle 8 – Safety</u></p> <p>The proposed development meets the design principle objectives.</p> <p><u>Principle 9 – Community</u></p> <p>The proposed development meets the design principle objectives.</p> <p><u>Principle 10 – Aesthetics</u></p> <p>The proposed development requires further attention to meet the design principle objectives.</p> <p>The JDRP welcomes the introduction of materiality, colour and texture that is more relevant to the residential context however recommends:</p> <ul style="list-style-type: none"> <li>• Consideration be given to modifying the single, large hipped roof, fire stairs and cubby elements that are contributing to bulk and scale.</li> <li>• Reconsideration of the dark grey colour which is not common in the locality and contributes to perceived bulk.</li> </ul>	<p>Not applicable.</p> <p>Not applicable.</p> <ul style="list-style-type: none"> <li>• Roof form modified to a double pitched, hipped roof with a 20 degree roof pitch and cubby house element reduced in height and changed to a lighter grey colour.</li> <li>• The use of the dark grey colour has been minimised but still features within some sections of the vertical cladding on the upper floor.</li> <li>• The red bricks proposed still reference a midland brick 'Subiaco red' and have not changed since review by the JDRP.</li> </ul>

JDRP recommendation	Summary of applicant's response
<ul style="list-style-type: none"> <li>The red bricks should reference the red brick colour used in the locality rather than a 'Federation' red colour.</li> </ul>	

It is considered that the proposed development has not adequately responded to the advice of the JDRP in relation to the configuration of the pedestrian entry, street fencing and the hours of operation. This is discussed in greater detail in the planning assessment below.

### Planning Assessment:

#### Land use and location

The subject site is zoned 'Residential' under the City's *Local Planning Scheme No. 3* (LPS3) and is coded R20. 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 CCPLPP sets out further locational requirements to assist with determining whether a child care premises proposal is compatible with and complementary to surrounding residential development.

Provision	Requirement	Proposal	Assessment
Child Care Premises LPP	<p>5.1 In order to minimise potential adverse amenity impacts of residential properties, particularly as a result of noise, traffic and building scale, a child care premises will only be considered in the 'Residential' zone where:</p> <ul style="list-style-type: none"> <li>Directly adjoins non-residential uses such as shopping centres, medical centres or consulting rooms, schools, parks or community purpose buildings on at least one boundary;</li> </ul>	<ul style="list-style-type: none"> <li>Proposal is located in a residential area and while opposite a park, does not abut a non-residential use on any boundary.</li> <li>Proposal accommodates a maximum of 78 children.</li> <li>Proposal has a building site coverage of 46.2%.</li> </ul>	<p>The proposal is not in accordance with the locational requirements of the CCPLPP. Refer to comments below.</p>



Provision	Requirement	Proposal	Assessment
	<ul style="list-style-type: none"> <li>• accommodates a maximum of 50 children;</li> <li>• has a maximum building site coverage of 50%.</li> </ul>		
	Where a proposed child care premises adjoins a residential property, the applicant is required to demonstrate how the proposal will not have an undue impact on residential amenity in terms of noise, location of car parking, increased traffic and building scale.	The proposal includes a transport impact statement and noise report. These are discussed in further detail below.	
	5.2 Should be located on Local Distributor Roads in a manner that does not conflict with traffic control devices and does not encourage use of nearby Access Roads for turning movements.	Vehicle access to the site is from Kingsley Drive which is a Local Distributor Road.	

The proposed site abuts residential properties on its northern and western boundaries and faces Kingsley Park to the east. The site is within 100 metres of the Kingsley Village Shopping Centre (located to the south) however its immediate setting reflects its Residential zoning.

Given the site's underlying Residential zoning, the CCPLPP requires:

- that it must not have an adverse impact on the amenity of the area, including impacts relating to noise, traffic, car parking, and building scale;
- that the site abuts a non-residential use on one of its lot boundaries; and
- a maximum of 50 children.

The previous proposal was refused in part based on its location within the Residential zone as well as its potential impact on adjoining residential properties in relation to:

- a. the proposed development is not wholly located adjacent to non-residential uses;
- b. the car parking for the development is located such that it is likely to have a noise impact on surrounding residential properties;
- c. the bulk and scale of the development is incompatible with the surrounding residential context of the locality; and

- d. the proposed hours of operation are likely to result in a noise impact on the amenity of adjoining residential properties.

The applicant has included amended noise and traffic reports in support of the application which are discussed in further detail below and has incorporated changes to the development to reduce its bulk and scale. The impact of the revised proposal's bulk and scale on the surrounding residential properties referenced under refusal reason 1(c) is discussed in further detail below, but is considered to have been adequately addressed through the modifications made.

The revised proposal includes an increase to the fence height on the northern and western boundaries from 1.8 metres to 2.1 metres to address the impact of noise from the car park, and has increased its opening time from 6.30am to 7.00am. These changes are reflected in the updated Environmental Acoustic Assessment (Attachment 6 refers), which demonstrates that the development can meet the requirements of the *Environmental Protection (Noise) Regulations 1997*, however given the position of the car parking located directly adjoining residential properties has not changed, and the proposed capacity of 78 children exceeds what is prescribed in the City's policy for childcare development within the residential zone, the location of the development proposal is considered to result in an adverse impact on the amenity of surrounding residential properties.

Whilst the amended proposal has made modifications to reduce the bulk and scale, and intensity of the use (reduction of child numbers by four) and has provided additional detail on operational management, the proposal is still not considered to satisfy the criteria of the CCPLPP.

#### Building design

The CCPLPP stipulates that the location, siting and design of a child care premises is crucial in determining whether the development is compatible with, and avoids adverse impacts on the amenity of adjoining and surrounding areas.

#### *Building height*

Provision	Requirement	Proposal	Assessment
Child Care Premises LPP	Clause 5.4 – Top of external wall with a pitched roof: 6 metres	Wall: 7.3 metres	It is considered that the building height adequately responds to the residential character of the area and is supported.
	Top of pitched roof: 9 metres	Top of roof pitch: 8.6 metres	

The CCPLPP permits a maximum wall height of six metres and maximum roof pitch height of nine metres. The application proposes a maximum wall height of 7.3 metres on its northern elevation associated with the area housing the air-conditioning units, however the majority of the development achieves a wall height of 6.5 metres.

The previous design which was considered by the JDAP (Attachment 13 refers) was refused partly on the basis of bulk and scale of the development, and its compatibility with the surrounding residential context of the locality, specifically:

- The architectural design of the development was considered commercial in nature and not representative of the surrounding suburban context.
- The finished floor level of the development was raised approximately 0.7 metres above the natural ground level of the verge, which increased the prominence of the development's height within the streetscape.
- The development occupied two lots rather than one which resulted in the size and scale of the development being greater than a normal two storey dwelling and therefore out of character with the area.

In comparison to the proposal which was refused by JDAP, the following key changes have been made to the design to reduce the bulk and scale:

- Change from a flat (concealed) roof design to a pitched roof, which incorporates two separate roof pitches.
- Reduction in the finished floor level of the development by 0.4 metres.
- Reduction in the length of the building facing Kingsley Drive by seven metres and modification of sections of solid panelling on the northern elevation to be translucent.

The CCPLPP includes a maximum wall height standard of six metres. For the majority of the site, the development incorporates a wall height of 6.5 metres which is consistent with the deemed-to-comply standards for a dwelling on the lot. Along the northern elevation, an increased wall height of 7.3 metres is proposed, however maintains a setback greater than 20 metres from the northern boundary. The proposed roof pitch height is 0.4 metres below the maximum height standards of the CCPLPP.

The deemed to comply provisions of *State Planning Policy 7.3: Residential Design Codes Volume 1* (R-Codes) permit a wall height of seven metres and roof pitch height of 10 metres for residential development on an R20 coded lot. Therefore, noting the wall height does not comply with the standards specified in the CCPLPP, the comparative impact would not be inconsistent with a dwelling constructed on the site and is considered appropriate for its context.

Modifications to include two roof pitches and the reduction in the length of the building reduces the bulk and scale of the development. This is considered to better reflect the building outline of what could be approved under the R-Codes across the subject site and is considered to have addressed the previous reason of refusal which related to the compatibility of the development with the surrounding residential locality.

#### *Building setbacks*

Provision	Requirement	Proposal	Assessment
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Child Care Premises LPP – street setback	Clause 5.5.1 Building Setbacks		The setbacks to the primary street, western boundary and northern boundary are considered to have minimal impact on the street or adjoining properties and are therefore supported. Refer to comments below.
	Primary Street (Kingsley Drive): 6.0 metres  Secondary Street (Woodford Wells Way): 1.5 metres	Building: 5.26 metres to both floors  Building: 5.12 metres	
SPP7.3 – Residential Design Codes Volume 1 – lot setbacks	Northern boundary: 1.0 metre  Western boundary: 1.0 metre	12.2 metres  1.5 metres	

The CCPLPP requires a minimum primary street setback of six metres, however the development proposes a minimum setback of 5.26 metres from the upper floor stairwell (increased from 5.1 metres) to the Kingsley Drive street boundary. The sections of the building which are located closer than six metres to the primary street relate to:

- The stairwell element of the eastern elevation; and,
- The cubby house on the south eastern corner of the upper floor play space.

The remainder of the upper floor play space is set back in accordance with the CCPLPP at 6.15 metres, and consists of minimal building bulk, being fenced with glass balustrading. The development is set back from Woodford Wells Way in excess of the required 1.5 metre setback.

Given the development faces Kingsley Park, and the sections of the building forward of the permitted street setback line relate to minor portions of the development associated with a stairwell and cubby house, the setback reductions are not considered to impact on the amenity of the neighbouring properties or the streetscape.

#### *Building appearance*

Provision	Requirement	Proposal	Assessment
Child Care LPP	Clause 5.5.3 – Child care premises in the 'Residential' zone must be of a residential appearance, in keeping with the surrounding environment, and not detract from the amenity of	The proposal occupies two lots and incorporates a steel, pitched roof with face-brick, render, vertical cladding and glass panelling in its design.	Modifications to the building are considered to be more in keeping with the residential character of the area. Refer to comments below.

	adjoining properties.		
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The original plans (Attachment 13 refers) reviewed by the JDRP were noted as appearing more commercial rather than residential largely due to the upper floor which previously extended over the car parking area and the flat roof design.

The revised proposal includes a number of modifications to the refused plans, namely removal of the portion of the upper floor over the car park and a change to a pitched roof design. The JDRP has reviewed the revised proposal and commented that the design responds to the residential character of the area, particularly through material selection and the change to the hipped roof, however recommended that the single, large, hipped roof design be reconsidered as it contributes to bulk and scale.

Following this, the applicant has made further modifications to the roof to include two separate roof pitches which better reflects the existing lot layout which currently comprises two dwellings.

It is considered that the revised proposal has addressed the JDRP's concerns regarding bulk and scale and incorporated its recommendation into the design through the inclusion of two separate roof pitches and therefore has met the objectives of the CCPLPP in relation to residential appearance.

#### *Pedestrian access*

Following review of the revised proposal, the JDRP made recommendations on the design in relation to the functionality of the development. These focused on the pedestrian access and entry to the building, including:

- Consideration being given to provision of pram parking.
- Review of the bin store location given it is unable to be accessed internally from the building and includes the kerb ramp facing its access door rather than the foyer.
- Review of the bike bay and fire stairs exit locations given their potential to conflict with the pedestrian access.

The applicant provided justification with regard to pram parking, highlighting the internal piazza area as being sufficient to accommodate prams. In terms of operation, while there is no requirement under the CCPLPP for pram parking, the piazza being 54m<sup>2</sup> in area is likely to be sufficient for this purpose and while design modifications have been made, the applicant has considered and addressed how pram parking can be accommodated within the design.

The revised location of the bin store reduces potential impacts on neighbouring properties associated with waste storage and collection and is preferred to the previous design which had the bin store adjacent to the northern boundary. While the bin store needs to be accessed via the foyer, which is less convenient than an internal access, the revised location facilitates easy access via the proposed kerb ramp for waste collection and is separated from the entrance via a 1.2 metre high glass gate. It is noted that this gate opens into the entry/foyer, to promote ease of access for visitors utilising the ramp to access the centre from the car park.

With regard to the potential conflict associated with the placement of the fire stairs door and the bicycle bays, the applicant has stated that due to the width of the pedestrian path being 1.8 metres, the placement of bicycle parking racks will still allow sufficient space for passing, even when the racks are in use. It is considered that the fire door location opening onto the pedestrian path is appropriate, given the infrequent use of the stairway.

In light of the above, while modifications were not made to the design following feedback from the JDRP, the applicant is considered to have adequately outlined the rationale for the proposed design in relation to the provision for pram parking, the location of the bin store and appropriate access to the pedestrian path.

### *Street fencing*

The revised proposal has not altered the fencing proposed as part of the development previously refused by JDAP. The proposed fencing is a maximum height of 2.3 metres solid brick along the corner truncation of the lot intersecting Kingsley Drive and Woodford Wells Way. Generally, the fencing is open style bar fencing affording street surveillance, being entirely open style facing Kingsley Drive and being open style above 1.3 metres facing Woodford Wells Way.

The City's Residential Development Local Planning Policy (RDLPP) permits solid street fencing to a height of 1.2 metres above natural ground level with no height limit for visually permeable fencing. The fencing facing Kingsley Drive is therefore compliant, being visually permeable for its length along the street boundary, however the section of fencing along the site's corner truncation includes solid brick fencing up to 2.3 metres in height. The RDLPP permits brick columns up to a width of 0.4 metres, whereas the proposed brick sections are up to 3.5 metres in width. The EAA also suggests that while the noise from the ground floor play space would meet the acceptable noise level, solid fencing for the entirety of the truncation would further reduce the noise impacts.

Typically solid street fencing in residential areas is discouraged, except where providing attenuation of traffic impacts or screening to the residence's primary outdoor living area along major roads.

As the land use is for a childcare premises and is not adjacent a major road, it is deemed that the normal considerations for an increased fence height for traffic and noise are not relevant and do not apply. As the development is in a residential area and has a greater need to be consistent with the residential character, the proposed portions of solid fencing are still not considered appropriate. It is however acknowledged that with some minor modifications the height of the fence would be in accordance with the requirements of the RDLPP. In the event the proposal is approved, it would be recommended that a condition of approval be imposed to require the fence to be modified to be visually permeable above 1.2 metres.

### Noise

<b>Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Assessment</b>
Child Care Premises LPP	Clause 5.5.2 – Noise Attenuation: vehicle accessways and	The carpark is located adjacent to residential properties to the	The EAA demonstrates that the proposal meets the



	car parking areas to be located away from noise-sensitive land uses (such as residences)	north and to the west.	<i>Environmental Protection (Noise) Regulations 1997.</i>
--	--	------------------------	---

The revised proposal has moved the upper floor, the bin store and the fire escape stairs away from the northern lot boundary, however the car park location remains unchanged.

The applicant has submitted a revised EAA as part of the application (refer to Attachment 6), demonstrating that the development can meet the requirements of the *Environmental Protection (Noise) Regulations 1997*. The EAA includes the following noise mitigation measures to further reduce acoustic impacts:

- Relocation of younger children play space to the southwest corner of the ground floor.
- Limiting car parking in bays closest to neighbouring properties prior to 7.00am and restricting staff to use of bays 14, 16, 22 and 23 prior to this time.
- Increasing the proposed boundary fence height adjacent to the car park from 1.8 metres to 2.1 metres to reduce noise associated with the car park.
- Balustrading around the first floor outdoor play area being 2.1 metres high, thus providing a substantial barrier to the neighbouring residences.
- All air conditioning units are to be installed with night period low noise modes.
- Air conditioning and exhaust have been relocated from the western elevation to the northern elevation which is located over 20 metres from the neighbouring property to the north and screened from the neighbour to the west by the proposed roof pitch.

The Operations Management Plan (refer to Attachment 7) incorporates the management aspects of the above recommendations, specifically:

- Soft finishes will be favoured to minimise impact noise (e.g. soft grass, sand pits, rubber mats) over timber or plastic.
- Preference for the use of soft balls and rubber wheeled toys.
- No amplified music being played outside.
- Crying children will be taken inside to be comforted.
- A minimum of three staff will be assigned per 30 children participating in outdoor play, ensuring consistent and careful monitoring of the play area to mitigate against particularly loud activity.

In accordance with Clause 5.5.2 of the CCPLPP, noise generating activities such as outdoor play areas, vehicle accessways, car parking areas and any plant equipment are to be located away from noise-sensitive land uses (such as residences). It is noted that the play areas have been located to Kingsley Drive and Woodford Wells Way, however the vehicular access and car park are directly adjacent to the residential properties to the north and west. Although the applicant has demonstrated that they will be able to comply with the *Environmental Protection (Noise) Regulations 1997*, as the development does not meet the requirements for the location of car parking and noise-generating services, there is considered potential for this to impact on the amenity of the adjoining properties.

As outlined above, the nature of the selected location of the car park and vehicle access means that the proposed location of the car parking area introduces the risk of noise disturbances and is still not considered to satisfy the criteria of the CCPLPP or mitigate potential noise impacts on adjoining residential properties.

#### Hours of operation

Provision	Requirement	Proposal	Assessment
Child Care Premises LPP	<p>Clause 5.7 – Monday to Friday: 7.00am to 6.00pm</p> <p>Saturday 8.00am to 1.00pm</p> <p>Staff are permitted on site 30 minutes prior to and after the stipulated hours of operation.</p>	<p>Monday to Friday 7.00am to 6.30pm</p> <p>Saturday 8.00am to 5.00pm for occasional open days or for marketing purposes.</p>	<p>The application is not in accordance with the requirements of Clause 5.7 a).</p> <p>Should the application be approved, a condition is recommended to restrict the hours of operation to be in accordance with the CCPLPP.</p>

The key change from the proposal previously considered by JDAP is the opening time (children arriving) being amended from 6.30am to 7.00am.

The proposed closing time of 6.30pm weekdays exceeds the permitted evening operating hours by 30 minutes, and the proposed 5.00pm close time on Saturdays (for occasional open days only) exceeds the permitted weekend operating hours by four hours. In this instance, the car park is directly adjacent to active spaces of the adjoining properties, and in particular three bedrooms of the residential property to the north.

Concerns were raised through the consultation period regarding the operating hours impacting the amenity of neighbouring properties, particularly regarding noise associated with parents and children arriving and leaving the site. The revised proposal includes an increase to the boundary fence height on the northern and western sides of the carpark from 1.8 metres to 2.1 metres. The revised EAA indicates that the result of the fence height increase would be a reduction in sound level of between 3 and 5 decibels to neighbouring properties, which is minimal, but ensures compliance with the *Environmental Protection (Noise) Regulations 1997*.

Notwithstanding the above, given that the proposed childcare premises is in a residential area and the location of the car park adjoins residential properties, there is considered to be an amenity impact on the area in relation to the evening operating hours, and it is not considered appropriate for the hours of operation to exceed those permitted by the CCPLPP.

To mitigate risk of noise impacts, it is recommended that should the application be approved, a condition of approval is imposed to restrict the opening time to 7.00am and closing time to 6.00pm on weekdays and from 8.00am to 1.00pm on Saturdays, in accordance with the provisions of the CCPLPP. It is also noted that the CCPLPP

allows staff to be on site up to 30 minutes before and after operating hours to allow for set up at the beginning and clean up at the end of each day.

### Traffic

The amended proposal includes a reduction in the number of children by four and the applicant has provided a revised TIS (refer to Attachment 8) which considers this reduction, demonstrating that the additional traffic generated can be adequately accommodated within the existing road network.

The TIS includes modelling of the predicted increase in traffic flow into and out of the centre during both the morning and afternoon peak hour periods, with the vehicle trips forecast to and from the centre during the morning peak hour (between 8.00am and 9.00am) being 62 vehicles, reduced from 66 trips associated with the development refused by JDAP.

The WAPC *Transport Impact Assessment Guidelines* state that a detailed Transport Impact Assessment (TIA) is required where a development has the potential to have a 'high impact of the existing transport network', which would equate to a traffic increase of more than 100 vehicle trips during the development's peak hour. As the proposed development is predicted to result in a maximum increase of 62 vehicles during peak hour, the development does not meet the threshold for requiring a more detailed TIA.

The City has reviewed the revised TIS 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 which will continue to operate within capacity, and is therefore considered appropriate.

### Parking

<b>Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Assessment</b>
Child Care Premises LPP	Clause 5.3.1 – 23 bays total:  1 bay per employee – 13 bays  73 – 80 children – 10 bays	23 bays total:  13 staff bays  10 visitor bays, inclusive of 1 ACROD bay	Parking meets the requirements of the CCPLPP.

The CCPLPP requires a total of 23 car parking bays to be provided on site, and that the car parking location must be clearly visible from the street to minimise the potential for verge parking.

The proposal provides 23 car parking bays on the northern side of the site, including an accessible bay with an associated shared space. All visitor parking meets the minimum width requirements for manoeuvrability. A turnaround bay has also been incorporated into the parking layout.

The City has reviewed the parking arrangement and supports the layout and the number of bays proposed meets the amount required under the CCPLPP.

### Waste

The revised proposal includes the relocation of the bin store from the northern side of the carpark to the main building, on the southern side of the carpark. The applicant has provided a revised Waste Management Plan (Attachment 10 refers) which has been reviewed by the City, and addresses all concerns previously raised regarding waste collection at the site (Attachment 5 refers).

Access for the private contractor waste collection vehicle remains unchanged via the proposed crossover, however will still require one of the visitor bays (bay number 7) for manoeuvring and egress from the site. As waste collection is proposed to occur outside the peak drop off/pick up times, use of one of the visitor bays is considered appropriate.

In the event the development is approved it is recommended that a condition of approval is imposed which requires that visitor bays 7, 8 and 9, as indicated in the Operations Management Plan be signposted as 'loading zones' between 10.00am and 2.00pm outside of peak drop off/pickup times to facilitate waste pickup outside of times that would otherwise potentially impact on noise during early hours or conflict with on-site parking.

### Servicing

<b>Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Assessment</b>
Child Care Premises LPP	Bin store areas screened from view and accessible to waste collection vehicles. Plant and equipment must be screened from view from the street through building design and located on the roof, basement or at the rear of the building.	The bin store is located towards the rear of the car park and incorporated into the main building. The air conditioner units are located on the northern elevation of the building at the upper floor level.	<p>The bin store is concealed from the street and meets the requirements of the CCPLPP regarding access for service vehicles.</p> <p>The air conditioning units are located within a 2.7 metre deep recess which in turn screens them from the street, however are not located on the roof, within the basement or at the rear of the building.</p>

The CCPLPP requires that services, including air conditioning units be located on the rooftop, within the basement or at the rear of the building to ensure there is not a visual impact on the street.

The revised proposal relocates the air conditioning units from the rear of the building to the northern wall of the upper floor, which was in response to concerns raised by the City regarding the impact from noise on neighbouring properties. The air conditioning units are located within a 2.7 metre deep recess and bound either side by the roof of the development, which will ensure that the units are concealed from street view. They do directly face the neighbouring property to the north, however are set back 20 metres from the northern lot boundary. While this reduces their visibility, it is noted that the location of the air conditioning units corresponds with the maximum wall height proposed for the development.

Given this, in the event the development is approved, it is recommended that a condition of approval be imposed which requires details of screening of the units to the satisfaction of the City.

#### Landscaping

<b>Provision</b> Child Care Premises LPP	<b>Requirement</b>	<b>Proposal</b>	<b>Assessment</b>
	The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries	1.2 metres wide landscaping strip between bay 23 and the street boundary.	The landscape area and provision for small trees exceeds the requirements of the CCPLPP.
	8% of lot area to be landscaped	19.9% when outdoor play spaces included.	The minimum landscape width abutting the Kingsley Drive Street boundary does not meet the requirements of the CCPLPP.
	Two small shade trees (one provided for each lot) in addition to those required for uncovered car parks.	Nine trees are provided across the development within the play spaces.	

The landscaping plan indicates that the landscaping strip will include shrubs which will assist with screening the car park. The landscaping strip is considered wide enough to cater for vegetation as identified in the perspective drawings (Attachment 3 refers) and offset the reduced width proposed.

In the event the application is approved it is recommended that a condition is imposed which requires the landscaping plan to be amended so as to ensure that a tree is planted in this location in accordance with the perspective drawings.

Given the above, it is considered that the proposed landscaping plan achieves the objectives of the CCPLPP and the level of landscaping will be sufficient.

#### Signage

<b>Provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Assessment</b>
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Advertisements Local Planning Policy	Maximum of one wall sign.  1.2m <sup>2</sup> for a non- residential building.	Three wall signs proposed with two facing Kingsley Drive and one facing Woodford Wells Way.  All signage exceeds the 1.2m <sup>2</sup> size.	The application does not satisfy the requirements of Clause 5.2.1 of the City's <i>Advertisements Local Planning Policy</i> .
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The revised proposal removes the freestanding monolith sign which was located near the vehicle entry to the site, however the rest of the proposed signage remains unchanged.

The application includes three signs located on the building: two facing Kingsley Drive and one facing Woodford Wells Way. The three wall signs measure 2.25m<sup>2</sup> and 4.24m<sup>2</sup> respectively. The *Advertisements Local Planning Policy* permits one wall sign to a maximum size of 1.2m<sup>2</sup>.

The signs are spread across two frontages, are simplistic in nature and integrated with the building design. Taking into the consideration the need for signage for the site development, the signage is considered compatible with the residential area and is supported.

### **Conclusion:**

The amended proposal is considered to be an improvement on that previously considered and refused by the JDAP, however is not considered to adequately address all the relevant provisions under the City's *Local Planning Scheme No. 3*, the *Child Care Premises Local Planning Policy* and Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The location of the childcare premises in a residential area, number of children proposed to be accommodated, and the positioning of the development's car parking area adjoining residential properties, is not considered appropriate and will adversely impact the amenity of the adjoining and surrounding residential area.

It is considered that the JDAP's previous reasons for refusal are still largely applicable, with some modification as set out in the recommendation.

### Alternatives

Pursuant to section 31 of the *State Administrative Tribunal Act 2004* the JDAP may reconsider its decision and:

- affirm the previous decision,
- vary the decision, or
- set aside the decision and substitute a new decision.

Should the JDAP resolve to set aside its original decision and 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.*

However, as outlined in the report, it is considered that the development does not meet the relevant provisions and/or objectives of the applicable planning framework and it is therefore recommended that the application be refused.







PROPOSED CHILDCARE CENTRE  
73 KINGSLEY DRIVE, KINGSLEY WA



DRAWING REGISTER PLANNING

SHEET NUMBER	SHEET NAME	ISSUE	DESCRIPTION	DATE
DA01	SITE PLAN	6	ALTERNATIVE ROOF DESIGN	07/02/2022
DA02	GROUND FLOOR PLAN	6	ALTERNATIVE ROOF DESIGN	07/02/2022
DA03	FIRST FLOOR PLAN	6	ALTERNATIVE ROOF DESIGN	07/02/2022
DA04	ROOF PLAN	6	ALTERNATIVE ROOF DESIGN	07/02/2022
DA05	ELEVATIONS	6	ALTERNATIVE ROOF DESIGN	07/02/2022
DA06	SHADOW DIAGRAMS - JUNE SOLSTICE	6	ALTERNATIVE ROOF DESIGN	07/02/2022
DA07	CONTEXT PERSPECTIVES	6	ALTERNATIVE ROOF DESIGN	07/02/2022

GENERAL NOTES

DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING. VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA. BUILDING ACT 1975 AS AMENDED. STANDARD BUILDING BY LAWS AND RELEVANT AUSTRALIAN STANDARDS.

6	ALTERNATIVE ROOF DESIGN	07/02/2022
5	SECTION 31 RECONSIDERATION ISSUE	21/12/2021
3	FOR MEDIATION PURPOSES	29/11/2021
2	TODDLER & BABIES ROOM FLIP	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
ISSUE	DESCRIPTION	DATE

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CLIENT:  
CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Darren\Documents\J0000487 Kingsley Dve, Kingsley DA\_Central Model\_Darren\2AGN2.rvt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
COVER SHEET

SCALE:	DATE:	FEB 2022
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DA00<sub>6</sub>

DEVELOPMENT  
APPLICATION





1 KEY PLAN  
1:2000

### CHILDCARE CENTRE ANALYSIS

OPERATION HOURS 6:30am to 6:30pm Monday to Friday  
with up to four days open on the weekend for open days

GROUP ROOM 1	0-24months	8 PLACES	2 EDUCATORS
GROUP ROOM 2	24-36months	15 PLACES	3 EDUCATORS
GROUP ROOM 3	24-36months	5 PLACES	1 EDUCATORS
	36+ months	10 PLACES	1 EDUCATORS
GROUP ROOM 4	36+ months	20 PLACES	2 EDUCATORS
GROUP ROOM 5	36+ months	20 PLACES	2 EDUCATORS
		78 PLACES	11 EDUCATORS + COOK + SUPERVISOR

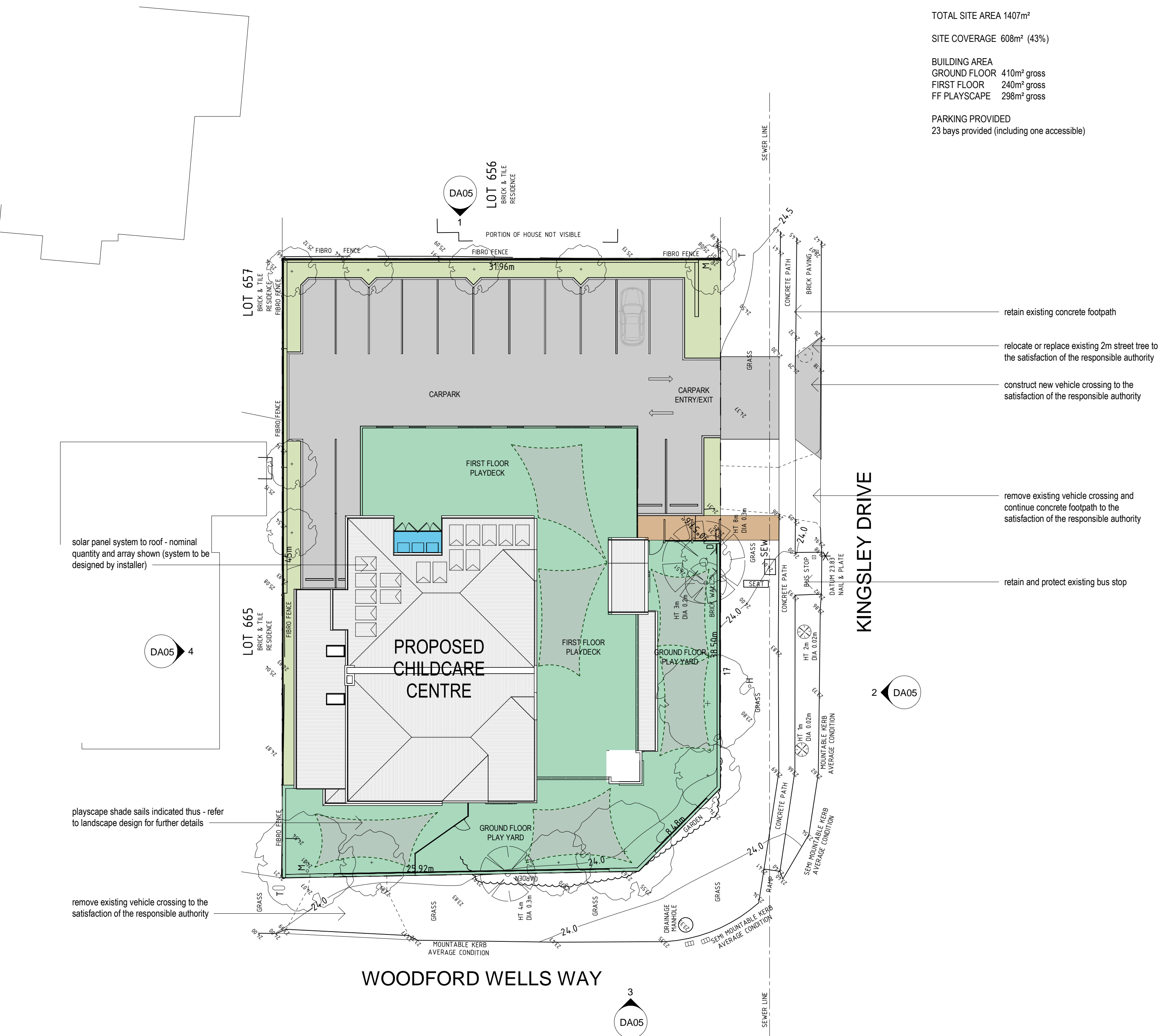
### AREA ANALYSIS

TOTAL SITE AREA 1407m<sup>2</sup>

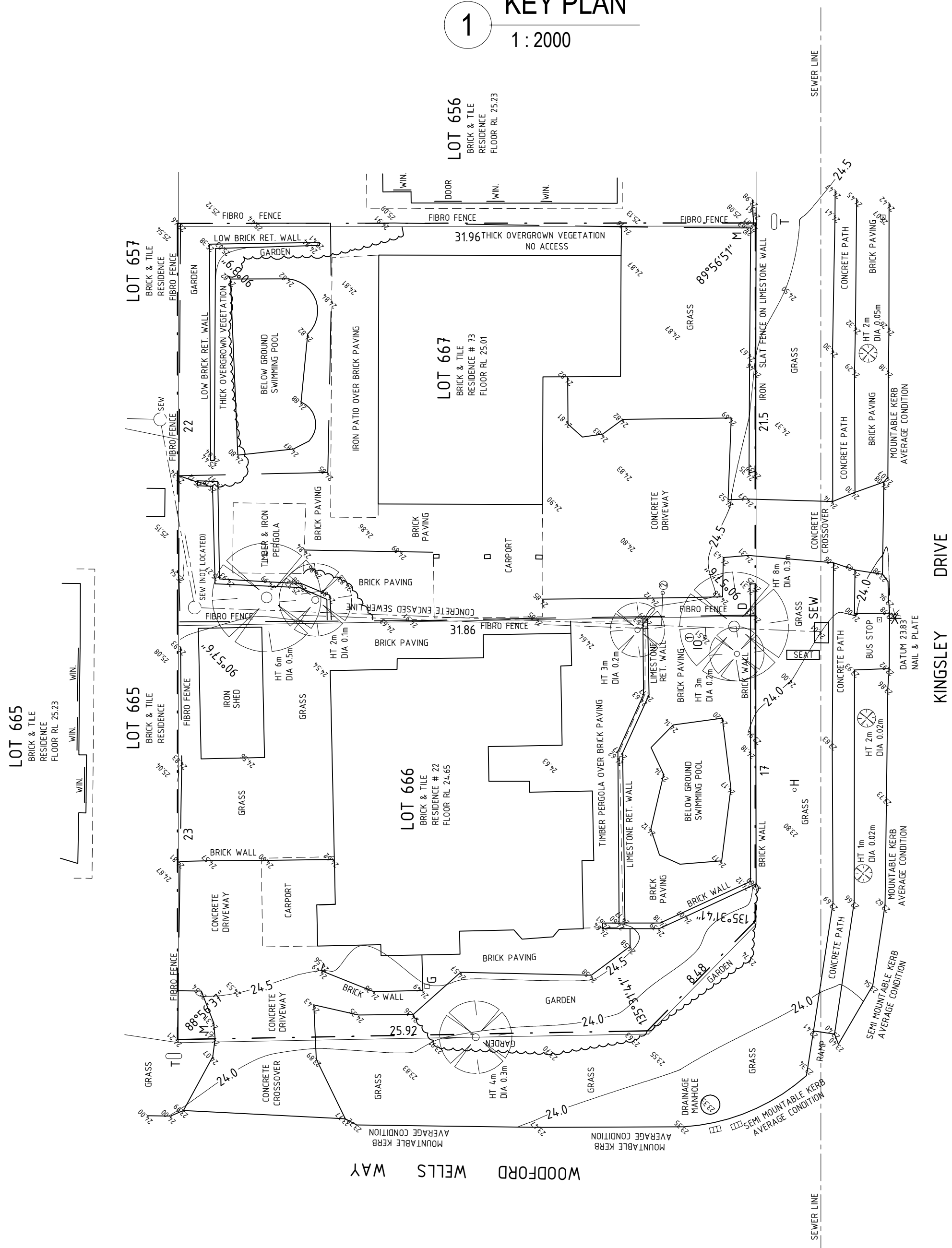
SITE COVERAGE 608m<sup>2</sup> (43%)

BUILDING AREA  
GROUND FLOOR 410m<sup>2</sup> gross  
FIRST FLOOR 240m<sup>2</sup> gross  
FF PLAYSCAPE 298m<sup>2</sup> gross

PARKING PROVIDED  
23 bays provided (including one accessible)



2 SITE PLAN  
1:200



3 FEATURE SURVEY PLAN  
1:200

FEATURE SURVEY PREPARED BY TSA SURVEYS  
REF - TSA1239-FS DATED 06/05/2021

#### GENERAL NOTES

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PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Darren\Documents\J0000487 Kingsley Dve, Kingsley DA\_Central Model\_Darren\2\GN2.rvt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

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SITE PLAN

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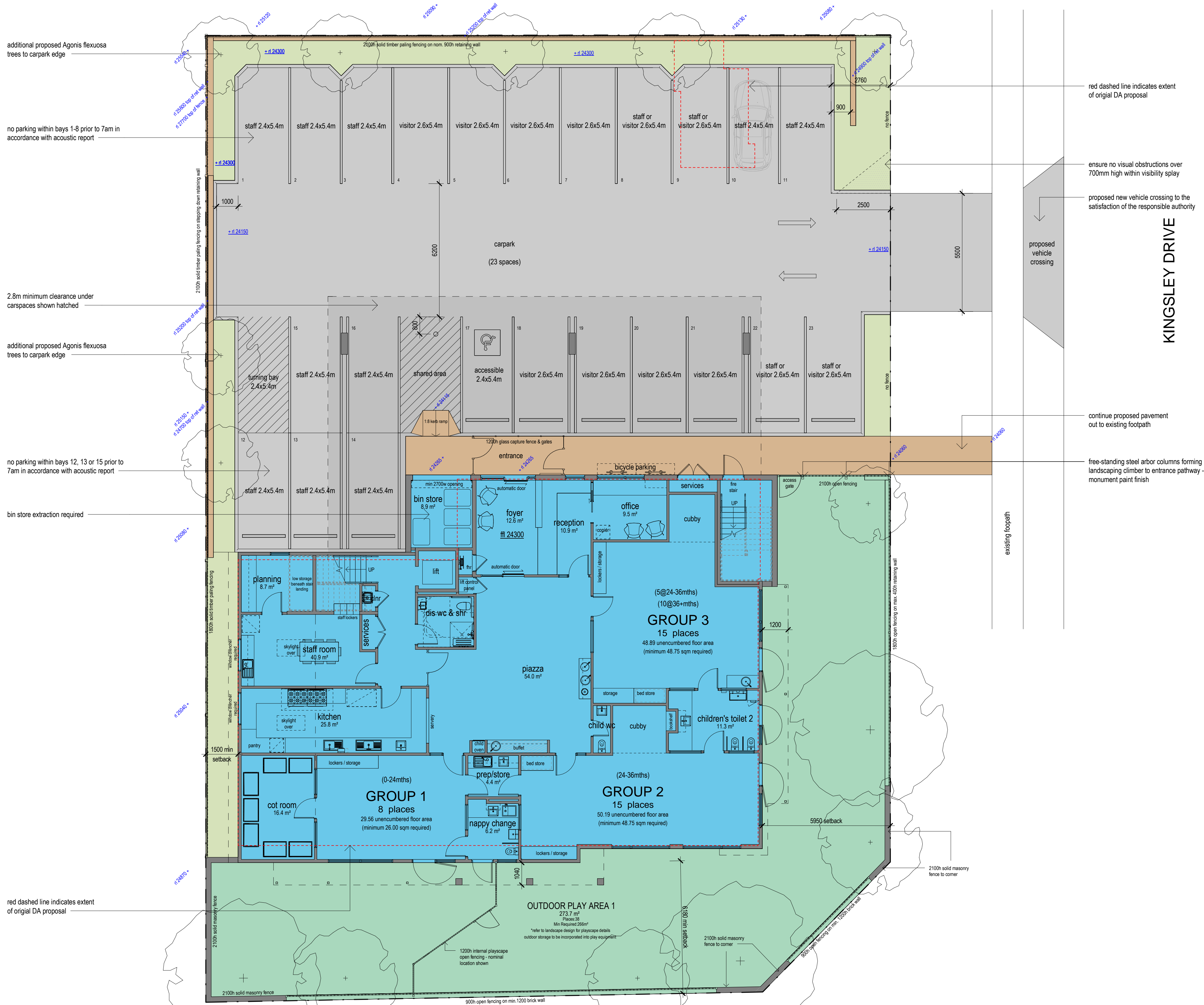
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7

DA01/6

DEVELOPMENT  
APPLICATION





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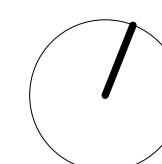
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LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

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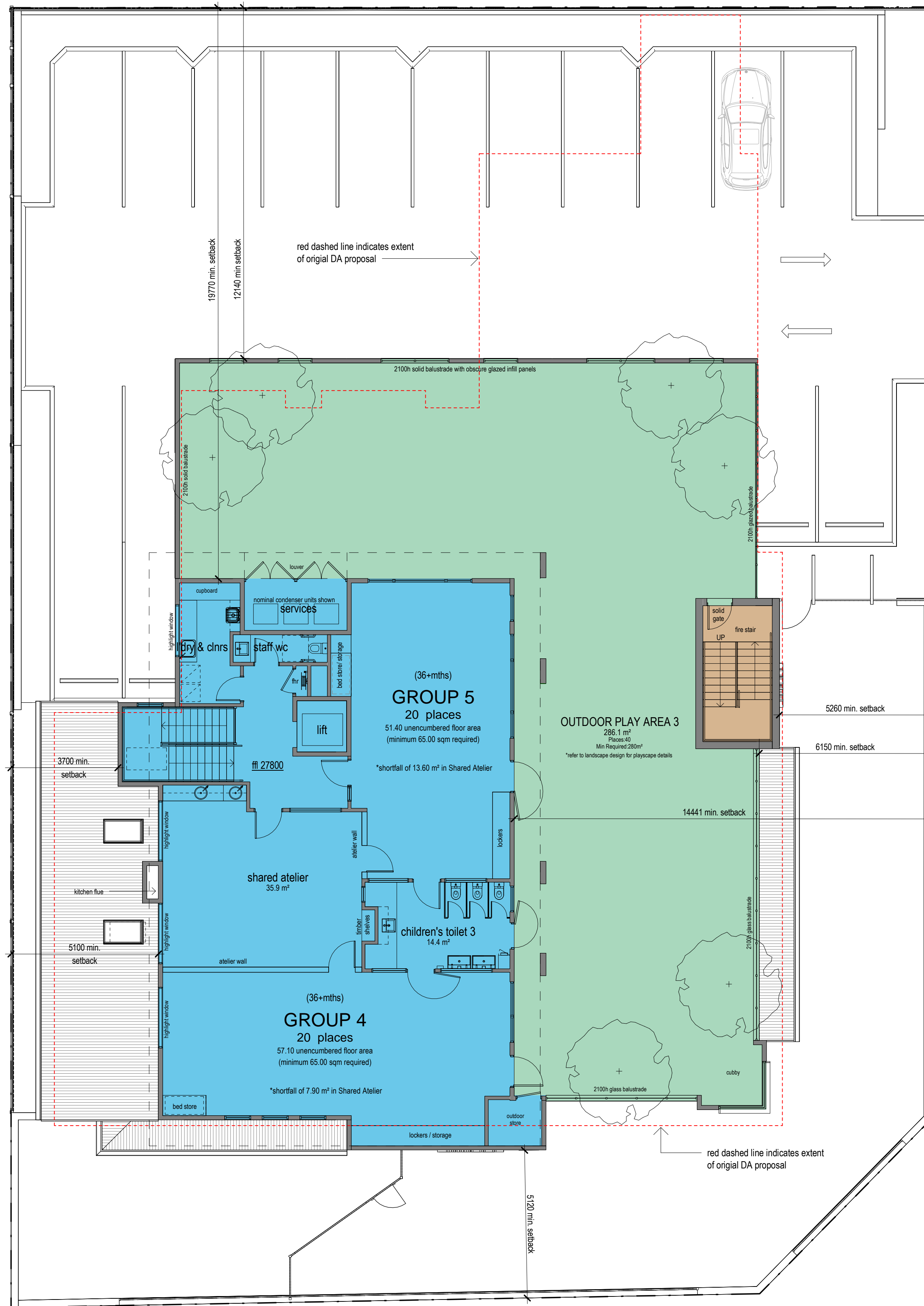
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DA02<sub>6</sub>

DEVELOPMENT  
APPLICATION



KINGSLEY DRIVE

1 FIRST FLOOR PLAN  
1 : 100

WOODFORD WELLS WAY

- LEGEND**
- UNENCUMBERED PLAYSPACE
  - LANDSCAPING
  - BUILDING AREA
  - CARPARK
  - PAVING or similar
  - PROPOSED TREE nominal location shown

GENERAL NOTES		
DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING. VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT.		
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ISSUE	DESCRIPTION	DATE
6	ALTERNATIVE ROOF DESIGN	07/02/2022
5	SECTION 91 RECONSIDERATION ISSUE	21/12/2021
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PROPOSED CHILDCARE CENTRE (78 places)

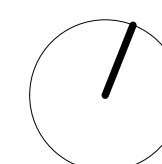
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73 Kingsley Drive, Kingsley WA 6026

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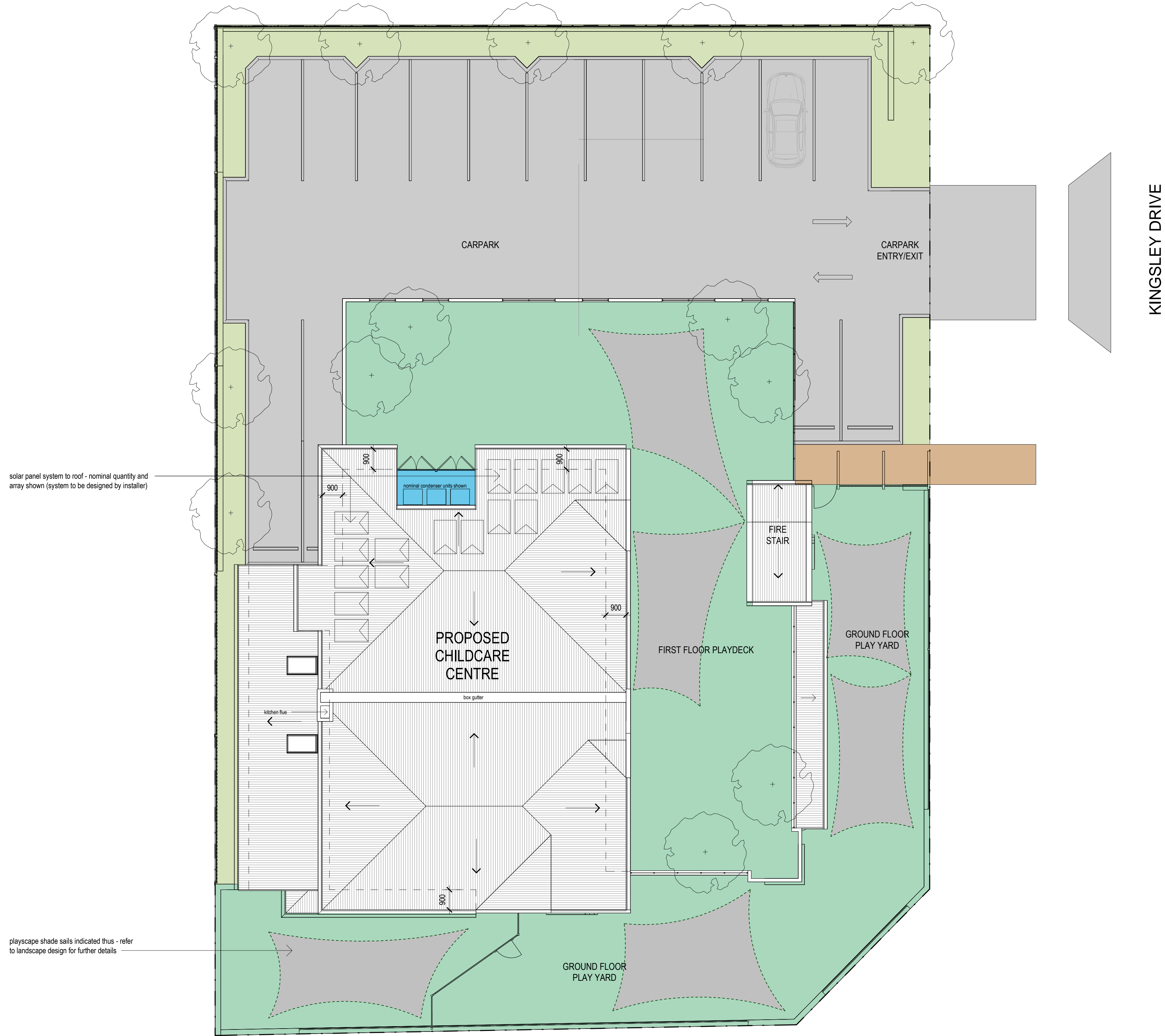
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**DA03**<sub>6</sub>  
DEVELOPMENT  
APPLICATION





1 ROOF PLAN  
1 : 100

WOODFORD WELLS WAY

KINGSLEY DRIVE

LEGEND

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

PROPOSED TREE  
nominal location shown

GENERAL NOTES

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LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

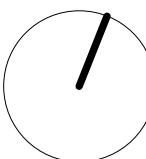
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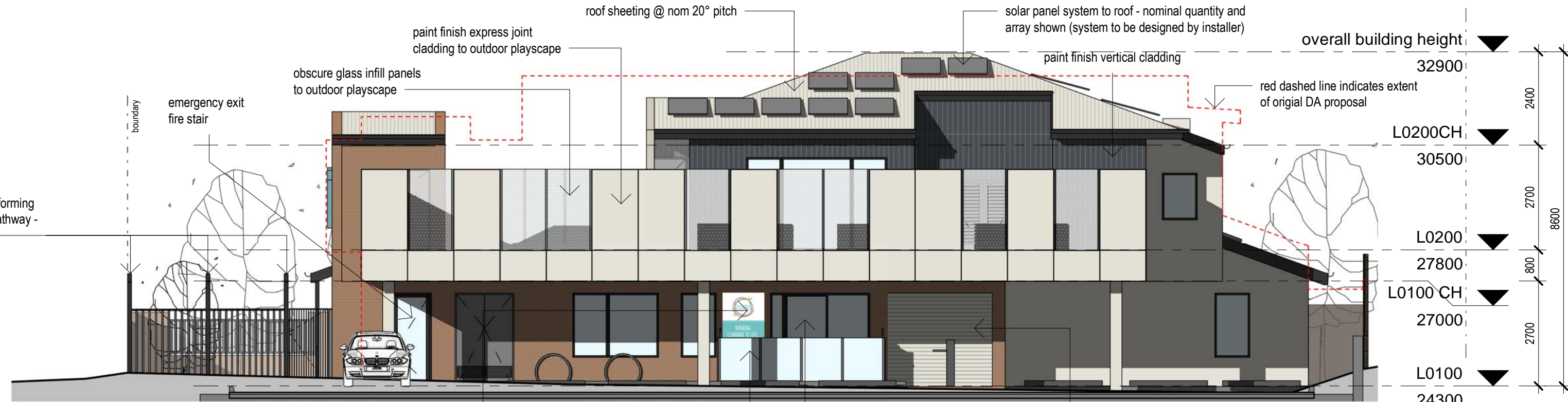
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DA047/6

DEVELOPMENT  
APPLICATION





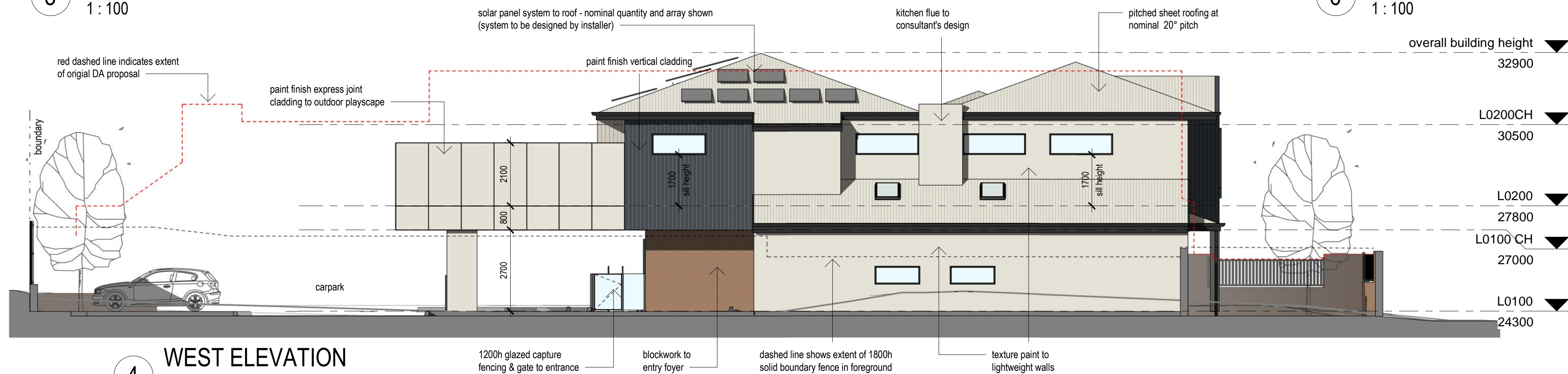
1 NORTH ELEVATION  
1 : 100



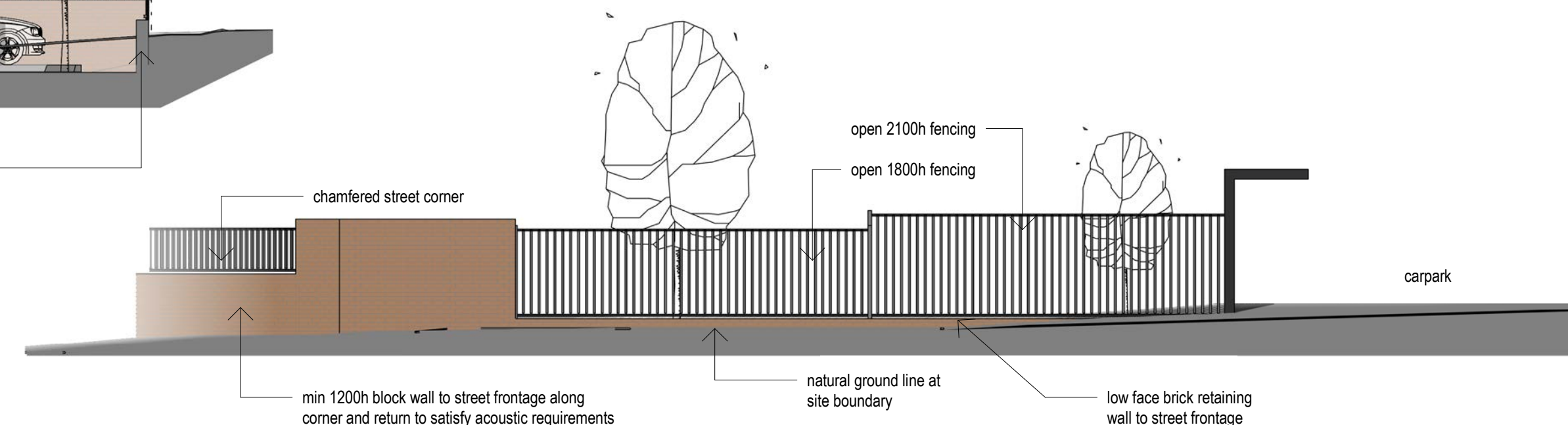
2 EAST ELEVATION (Kingsley Drive)  
1 : 100



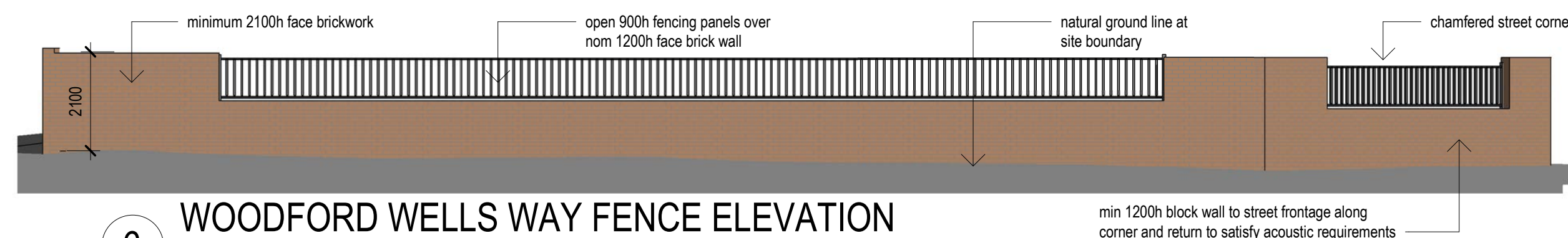
3 SOUTH ELEVATION (Woodford Wells Way)  
1 : 100



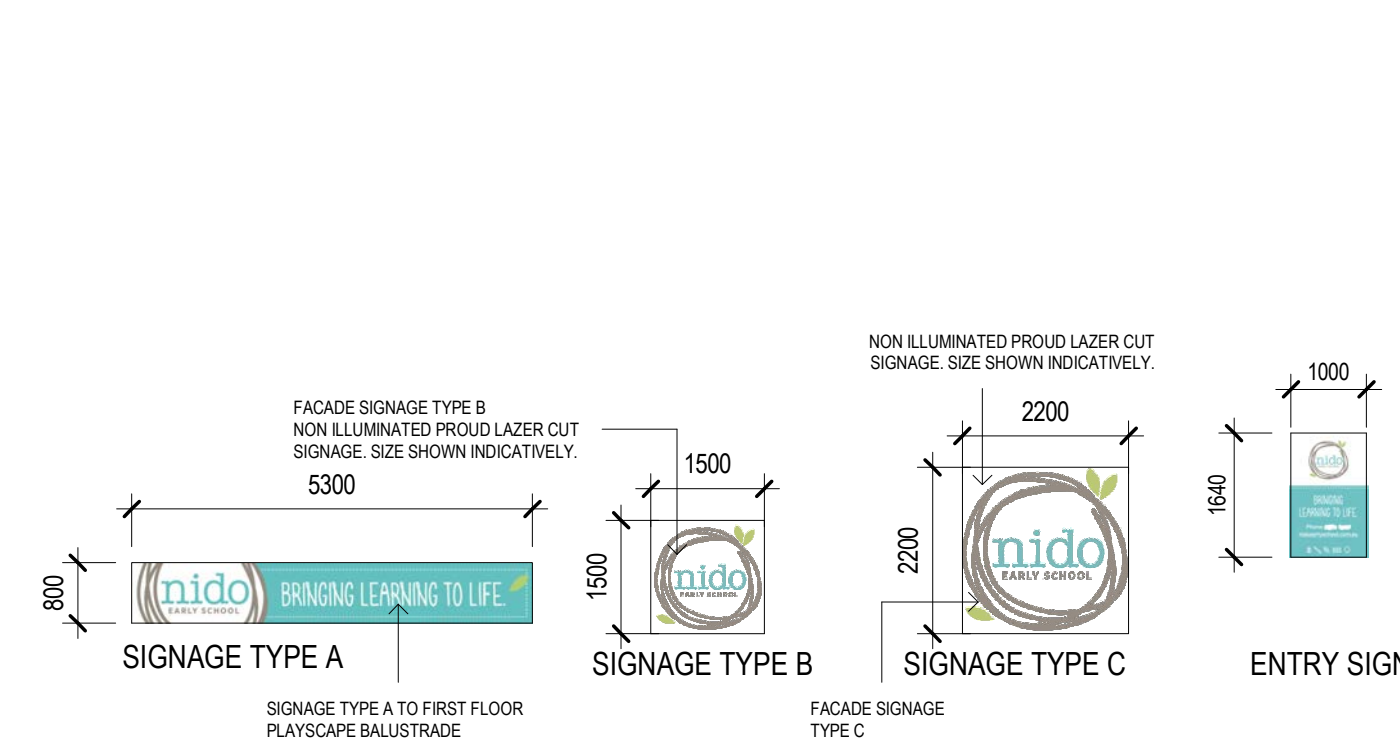
4 WEST ELEVATION  
1 : 100



5 KINGSLEY DRIVE FENCE STREETSCAPE  
1 : 100



6 WOODFORD WELLS WAY FENCE ELEVATION  
1 : 100



7 SIGNAGE DETAILS  
1 : 100

#### GENERAL NOTES

DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING. VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA. BUILDING ACT 1975 AS AMENDED. STANDARD BUILDING BY LAWS AND RELEVANT AUSTRALIAN STANDARDS.

ISSUE	DESCRIPTION	DATE
6	ALTERNATIVE ROOF DESIGN	07/02/2022
5	SECTION 31 RECONSIDERATION ISSUE	21/12/2021
3	FOR MEDIATION PURPOSES	29/11/2021
2	TODDLER & BABIES ROOM FLIP	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021

**insite**  
ARCHITECTS

77 Upper Heidelberg Road Perth  
1 (08) 9499 8174  
www.insitearchitects.com.au



CLIENT:  
CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Darren\Documents\J0000487 Kingsley Dve, Kingsley DA\_Central Model\_Darren\2MGN2.rvt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
ELEVATIONS

SCALE: 1 : 100 @ A1 DATE: FEB 2022

DRAWN: PR / CW PRINTED: 7/02/2022 12:55:48 PM

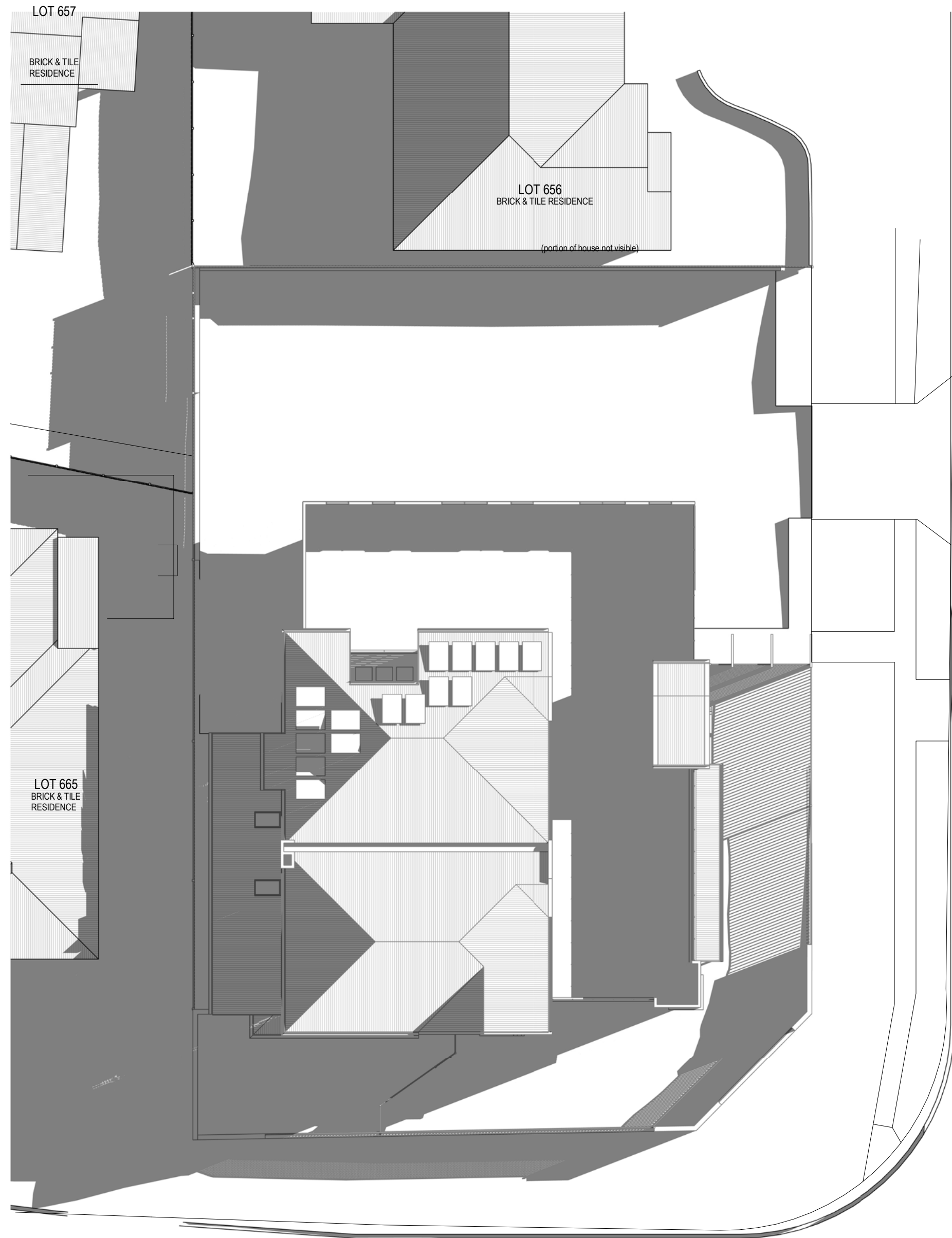
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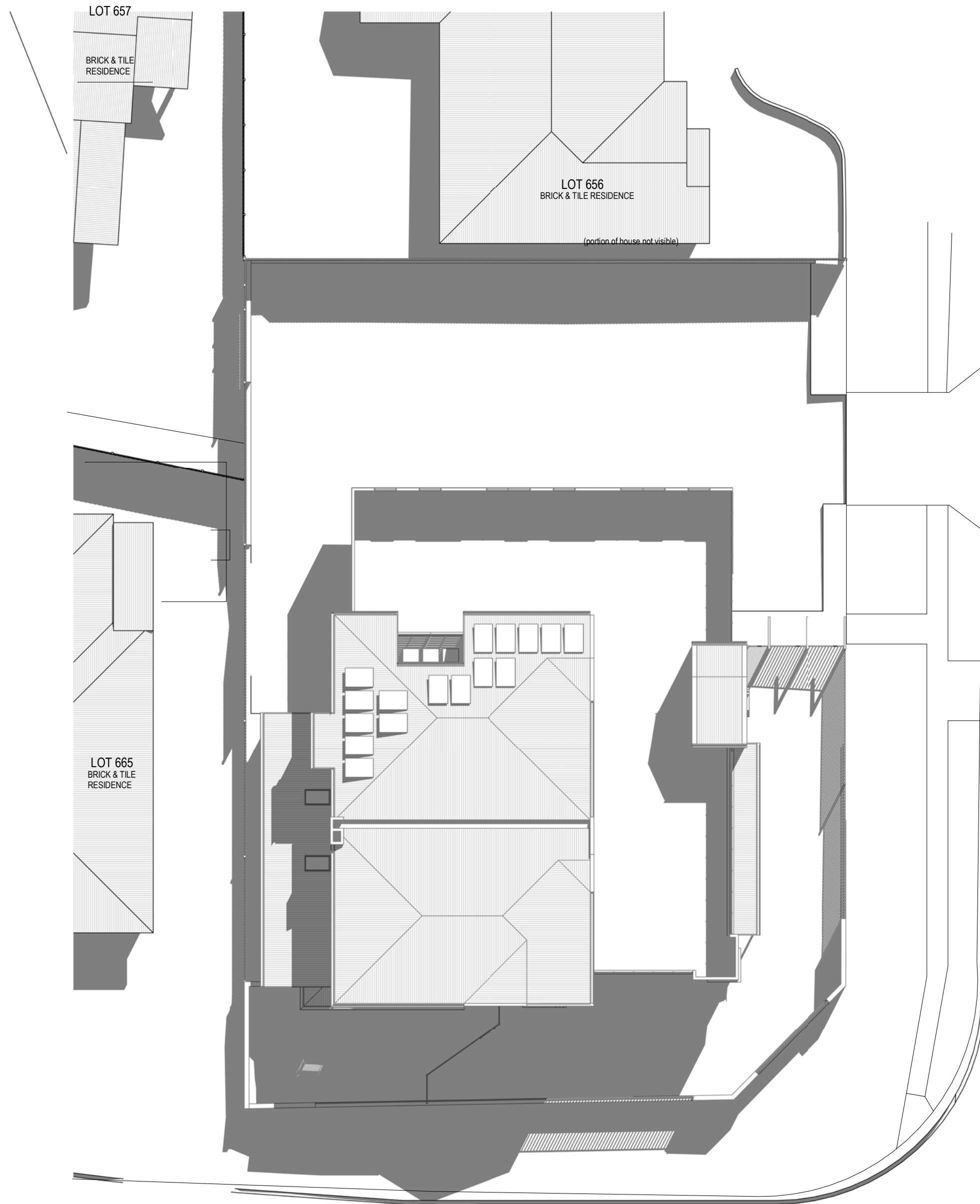
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DEVELOPMENT  
APPLICATION

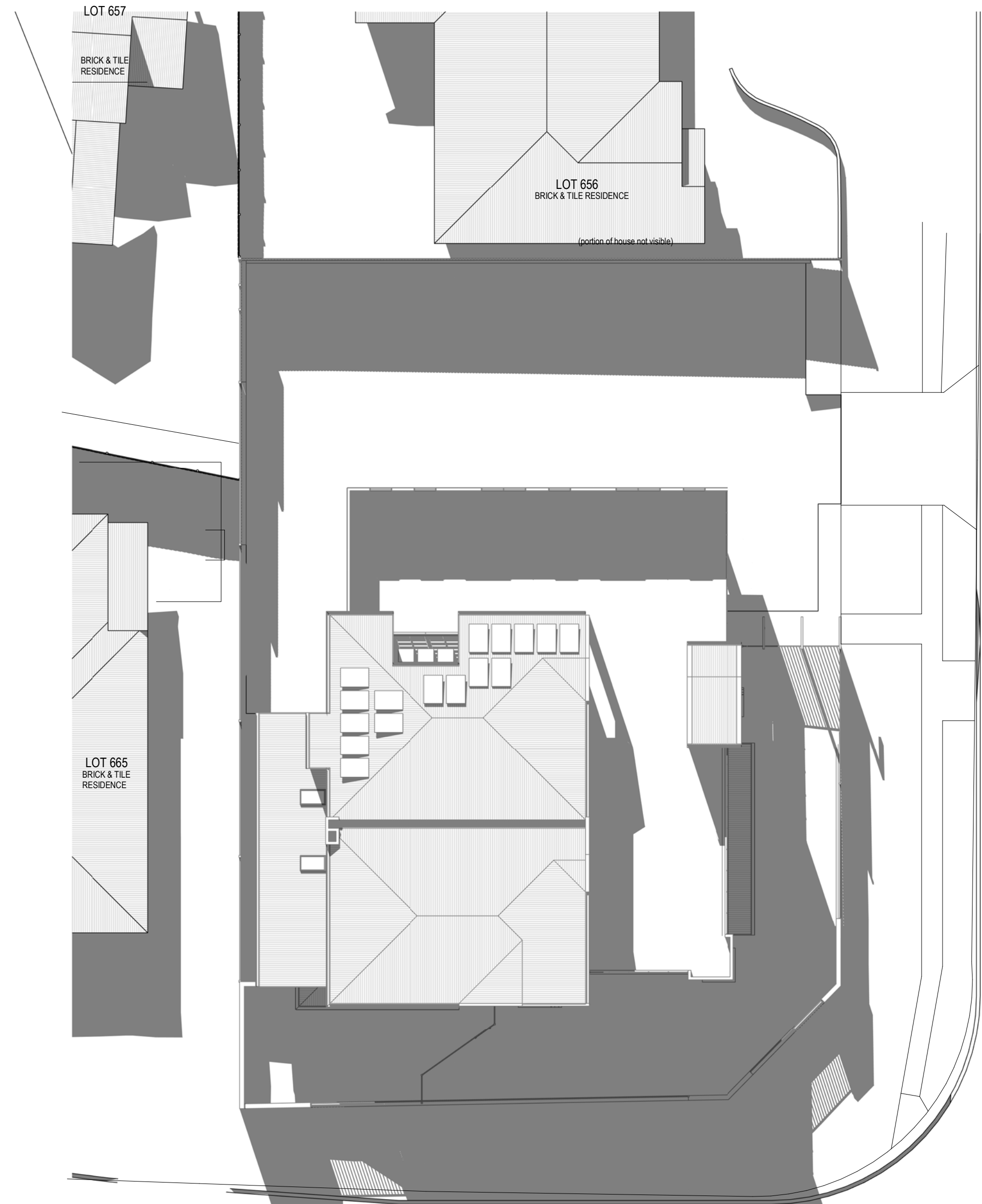




1 SHADOW DIAGRAM 9am



2 SHADOW DIAGRAM 12noon



3 SHADOW DIAGRAM 3pm



GENERAL NOTES		
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6	ALTERNATIVE ROOF DESIGN	07/02/2022
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3	FOR MEDIATION PURPOSES	29/11/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
ISSUE	DESCRIPTION	DATE

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CLIENT:  
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PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

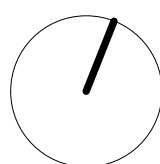
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LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
SHADOW DIAGRAMS - JUNE SOLSTICE

SCALE: @A1  
DATE: FEB 2022  
DRAWN: CW  
PRINTED: 7/02/2022 12:56:01 PM  
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DA06<sub>6</sub>

DEVELOPMENT  
APPLICATION





VIEW A - FROM WOODFORD WELLS WAY (SOUTH)



VIEW B - FROM WOODFORD WELLS WAY (NORTH)



VIEW C - FROM KINGLSEY DRIVE



VIEW D - FROM KINGLSEY PARK CAR PARK



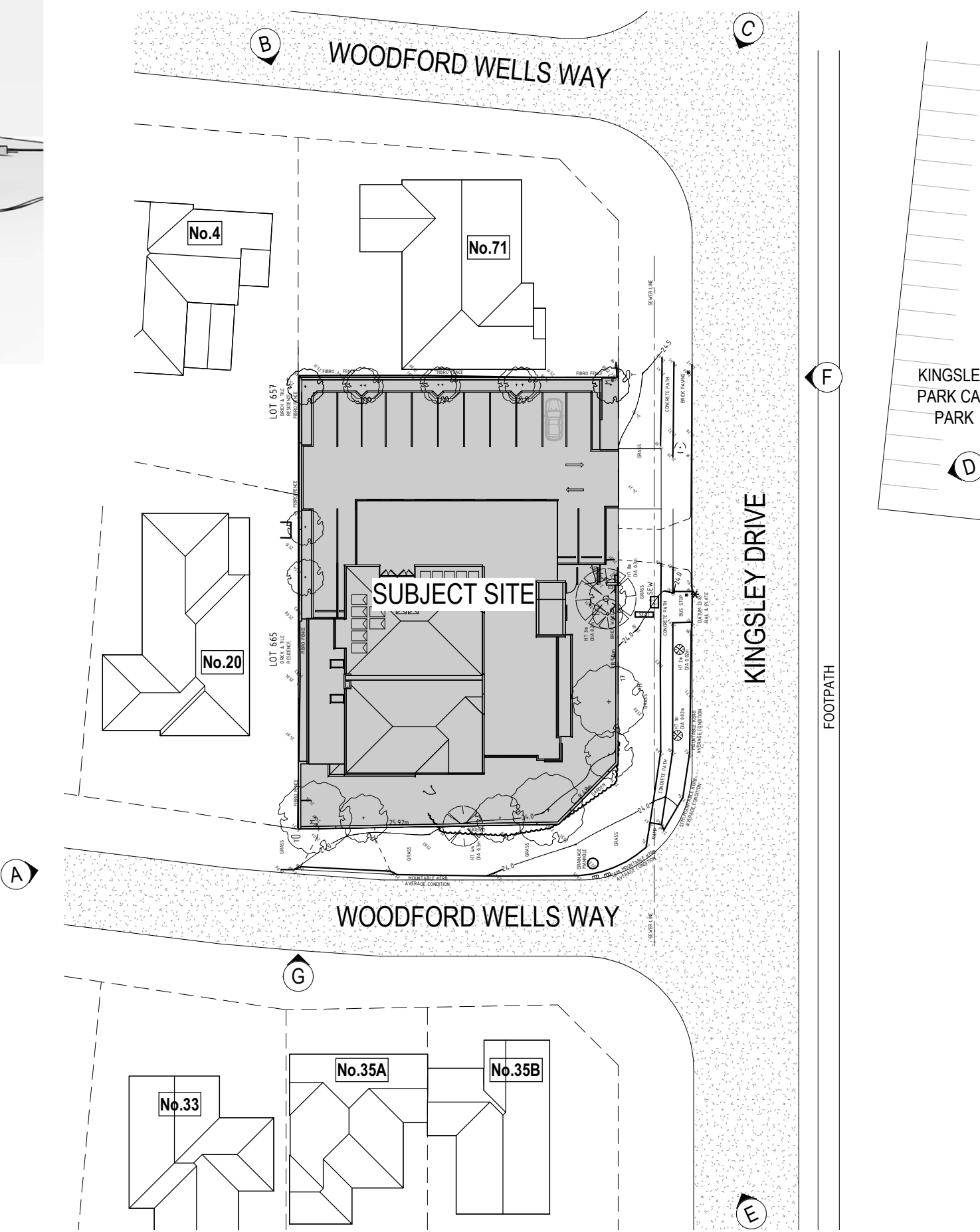
VIEW E - FROM KINGLSEY DRIVE



VIEW F - FROM KINGLSEY DRIVE FOOTPATH



VIEW G - FROM WOODFORD WELLS WAY (SOUTH)



PERSPECTIVE VIEW LEGEND  
1 : 500

GENERAL NOTES		
DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING. FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING. VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT.		
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ISSUE	DESCRIPTION	DATE

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CLIENT:  
CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Darren\Documents\J0000487 Kingsley Dve, Kingsley DA\_Central Model\_Darren2\DA07.rvt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
CONTEXT PERSPECTIVES

SCALE: DATE: FEB 2022  
DRAWN: JN / CW PRINTED: 7/02/2022 12:56:54 PM  
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**DA07** /6  
DEVELOPMENT  
APPLICATION













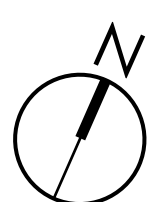
- [ - - - ] AREA 1 - GROUND FLOOR  
0-24 month
- [ - - - ] AREA 2 - GROUND FLOOR  
24-36 month
- [ - - - ] AREA 3 - FIRST FLOOR  
36 mnth +



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## NIDO KINGSLEY

73 Kingsley Drive, Kingsley  
LS101 - AREA PLAN



Job No: 4549  
Rev: D  
Date: Dec 2021  
Design: WG





## LEGEND

- (A)** ACTIVITY PANEL - KNOBS & WINDOWS (L007009)
- (B)** CAR CUBBY (L028101)
- (C)** WALL CUBBY WITH BLACKBOARD (L010304)
- (D)** BALANCE SLEEPER 1.8m (L005207)
- (E)** MINI FALCON - CONCRETE SLIDE (L015902)
- (F)** WATER CREEK - 1 PIECE (L003005)  
with WATER FOUNTAIN (L006202)
- (G)** ARBOUR DOME (L000800)
- (H)** SENSORY STEPPERS
- (I)** FAIRY GARDEN (L008001)
- (J)** CIRCULAR PLANTER WITH PULL UP BAR (L051100)
- (K)** ORGANIC WATER PLAY TROUGH (L004902)  
with WATER FOUNTAIN (L006202)
- (L)** ACTIVITY PANEL - MIRROR (L007005)

- AREA 1 - GROUND FLOOR  
0-24 month
- AREA 2 - GROUND FLOOR  
24-36 month

- ARTIFICIAL TURF
- WHITE SAND (MIN 300mm DEEP)
- SAWDUST
- MULCH
- GREY CONCRETE ROCKSALT FINISH
- COBBLESTONE
- SHADE SAIL
- ROCK BOULDERS
- CONCRETE STEPPER
- BUSH POLES
- TIMBER SLEEPER
- LOG
- CREAM CONCRETE KERB
- BLOCK EDGE
- EXISTING TREE
- PROPOSED TREE
- PLANTS
- FALL ZONE
- FENCE



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# NIDO KINGSLEY

73 Kingsley Drive, Kingsley

## LS102 - CONCEPT PLAN AREA 1 & 2

Scale Approx 1:100 @ A1  
1:200 @ A3  
0 1 2 3 4 5 10m



Job No: 4549  
Rev: D  
Date: Dec 2021  
Design: WG



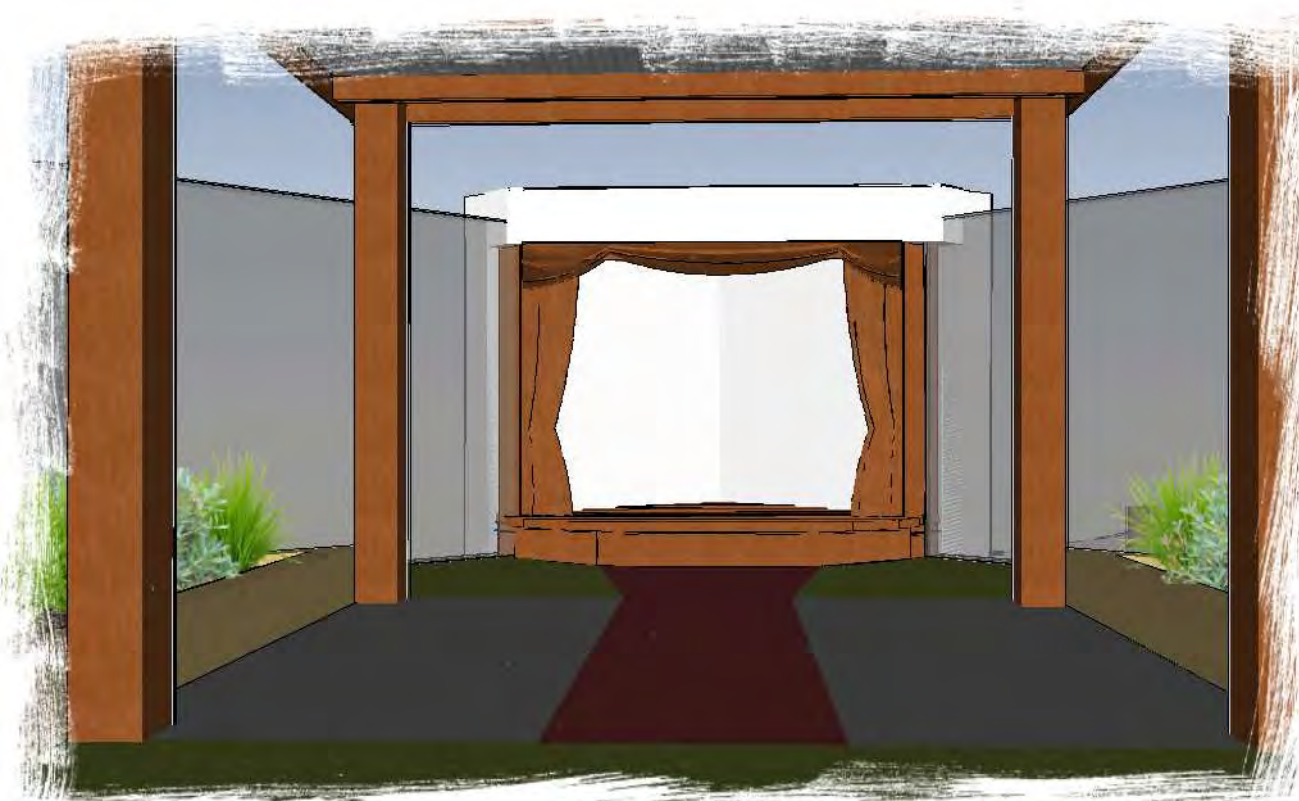


## LEGEND

- A** 1.5m WEATHERING STEEL PLANTER
- B** STILT HONED CONCRETE STEP (L004307)
- C** BALANCE SLEEPER 1.8m (L005207)
- D** THE BOX HANGOUT (L036000)
- E** CONCRETE SLIDE SINGLE 1200MM (L000213)
- F** ORGANIC WATER PLAY TROUGH (L004902)  
with WATER FOUNTAIN (L006202)
- G** FLEXIBLE USE SHELTER
- H** STAGE WITH ROOF AND CURTAINS (L032402)

**AREA 3 - FIRST FLOOR**  
36 mnth +

- ARTIFICIAL TURF**
- WHITE SAND (MIN 300mm DEEP)**
- SAWDUST**
- MULCH**
- GREY CONCRETE HONED FINISH**
- DESERT RED CONCRETE**
- SHADE SAIL**
- CONCRETE STEPPER**
- BUSH POLES**
- TIMBER SLEEPER**
- LOG**
- CREAM CONCRETE KERB**
- BLOCK EDGE**
- EXISTING TREE**
- PROPOSED TREE**
- PLANTS**
- FALL ZONE**
- FENCE**

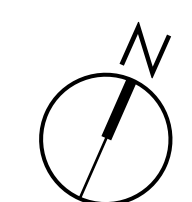


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# NIDO KINGSLEY

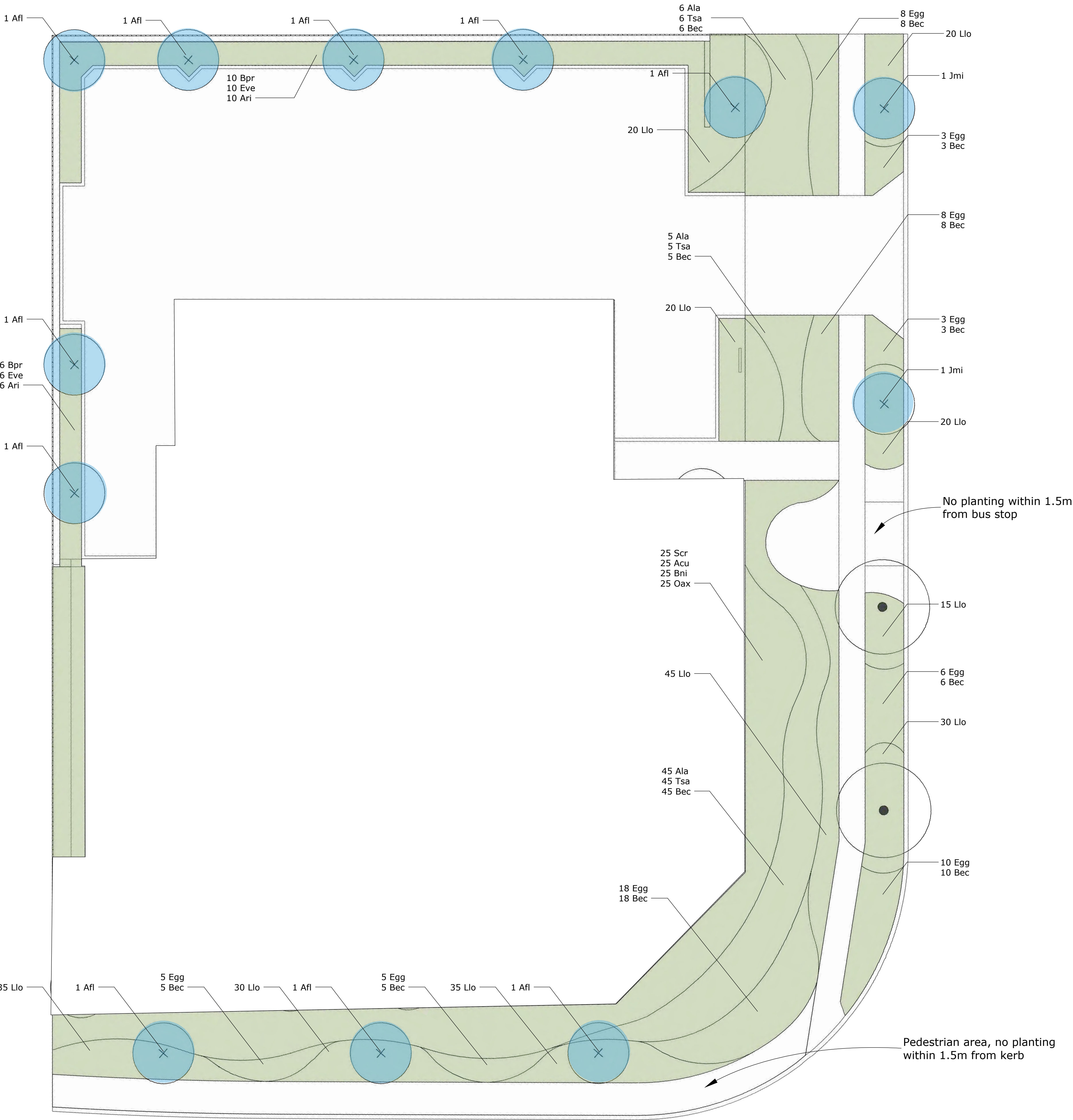
73 Kingsley Drive, Kingsley  
LP103 - CONCEPT PLAN AREA 3

Scale Approx 1:100 @ A1  
1:200 @ A3  
0 1 2 3 4 5 10m



Job No: 4549  
Rev: D  
Date: Dec 2021  
Design: WG





CODE	SPECIES	SIZE	POT SIZE	QTY
PLANTS				
Acu	Adenanthos cuneatus	1m	140mm	25
Ari	Adenanthos sericeus 'Pencil Perfect'	3m	5L	16
Ala	Acacia lasiocarpa prostrate	GC	140mm	56
Bec	Banksia blechnifolia	GC	140mm	124
Bni	Banksia nivea	2m	200mm	25
Bpr	Banksia prionotes Dwarf	1.5m	140mm	16
Egg	Eremophila grabla 'Kalbarri Carpet'	GC	140mm	66
Eve	Eremophila nivea	1.5m	140mm	16
Lve	Lomandra 'Verday'	0.5	140mm	270
Oax	Olearia axillaris 'Little Smokie'	1m	140mm	25
Scr	Scaevola crassifolia 'Flat Fred'	1m	140mm	25
Tsa	Thryptomene saxicola 'Mingenew'	0.8m	140mm	66
				730 Plants
TREES				
Afl	Agonis flexuosa	8m	100L	10
Jmi	Jacaranda mimosifolia	10m	100L	2
				12 Trees



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# NIDO KINGSLEY

73 Kingsley Drive, Kingsley

## LP104 - VERGE/ CARPARK PLANTING

Scale Approx 1:100 @ A1  
1:200 @ A3



Job No: 4549  
Rev: D  
Date: Dec 2021  
Design: WG





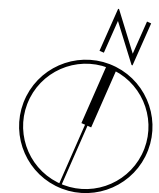
CODE	SPECIES	SIZE	POT SIZE	QTY
PLANTS				
Acu	Adenanthos cuneatus	1m	140mm	11
Hco	Hardenbergia comptoniana	Climber	140mm	4
Ala	Acacia lasiocarpa prostrate	GC	140mm	10
Dgr	Dietes grandiflora	0.5m	140mm	15
Egg	Eremophila grabla 'Kalbarri Carpet'	GC	140mm	5
Eve	Eremophila nivea	1.5m	140mm	7
Lve	Lomandra 'Verday'	0.5	140mm	32
Mhu	Melaleuca huegelii	1-2m	140mm	9
Wfz	Westringia fruticosa 'Smokie'	1m	140mm	12
				105 Plants
TREES				
Can	Cupaniopsis anacardioides	8-12m	100L	2
Erq	Eucalyptus torquata	3-7m	100L	3
				5 Trees



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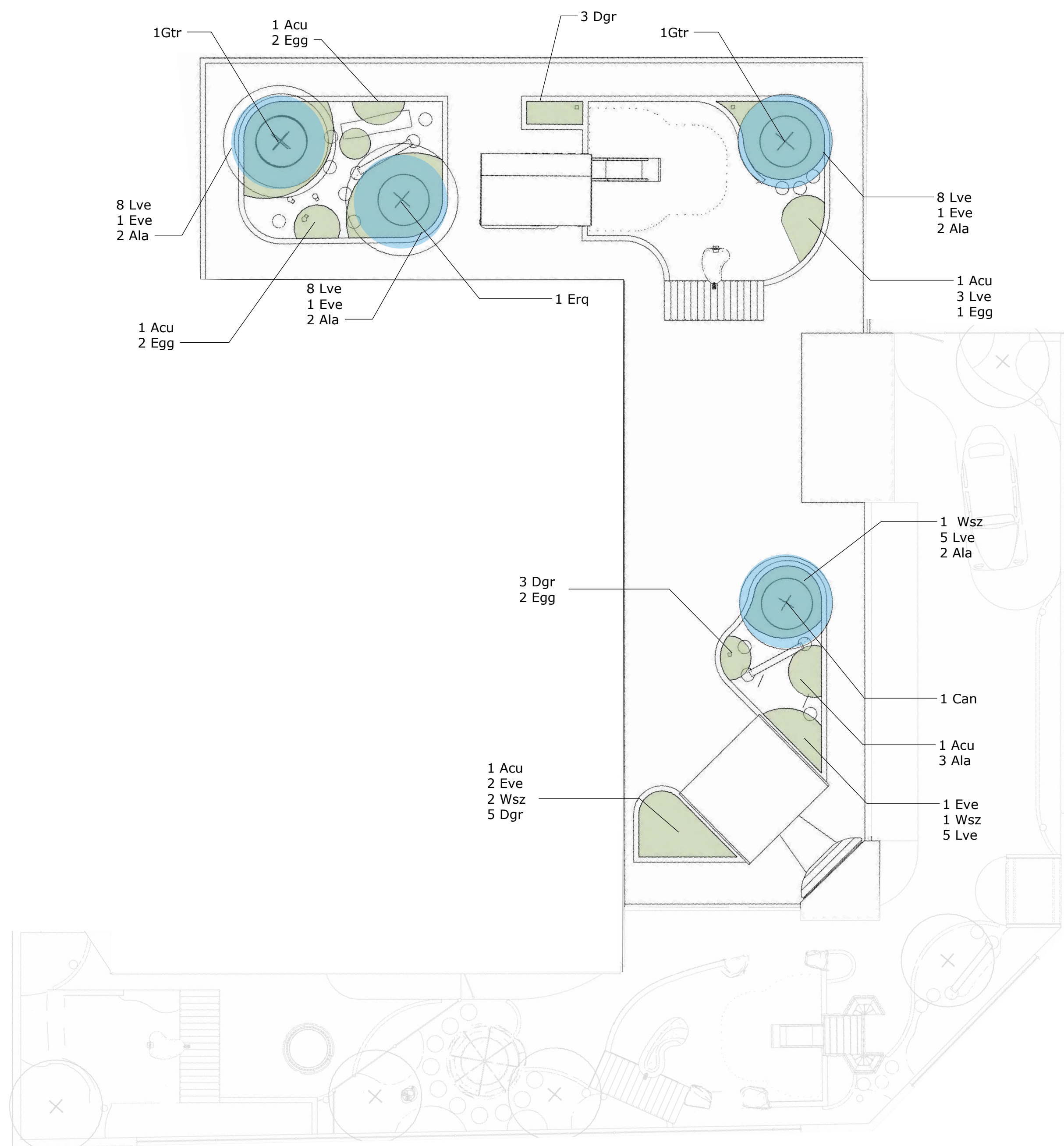
NIDO KINGSLEY  
73 Kingsley Drive, Kingsley  
LP105 - PLANTING AREA 1&2

Scale Approx 1:100 @ A1  
1:200 @ A3  
0 1 2 3 4 5 10m



Job No: 4549  
Rev: D  
Date: Dec 2021  
Design: WG





CODE	SPECIES	SIZE	POT SIZE	QTY
<b>PLANTS</b>				
Acu	Adenanthos cuneatus	1m	140mm	5
Ala	Acacia lasiocarpa prostrate	GC	140mm	11
Dgr	Dietes grandiflora	0.5m	140mm	11
Egg	Eremophila grabla 'Kalbarri Carpet'	GC	140mm	6
Eve	Eremophila nivea	1.5m	140mm	6
Lve	Lomandra 'Verday'	0.5	140mm	37
Wsz	Westringia fruticosa 'Smokie'	1m	140mm	5
				81 Plants
<b>TREES</b>				
Erq	Eucalyptus torquata	3-7m	100L	1
Can	Cupaniopsis anacardioides	8-12m	100L	1
Gtr	Gleditsia tri.Sunburst	8m	100L	2
				4 Trees



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# NIDO KINGSLEY 73 Kingsley Drive, Kingsley LP106 - PLANTING AREA 3

Scale Approx 1:100 @ A1  
1:200 @ A3  
0 1 2 3 4 5 10m



Job No: 4549  
Rev: D  
Date: Dec 2021  
Design: WG

Our Ref: 21/028 TW  
City Ref: DA21/0611  
SAT Ref: DR207/2021  
DAP Ref: DAP/21/02016

**Town Planning and Design**  
Level 7/160 St Georges Terrace  
PO Box 7130 Cloisters Square  
Perth WA 6850  
  
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23 December 2021

City of Joondalup  
90 Boas Avenue  
JOONDALUP WA 6027

Dear Sir/Madam

**DR 207 / 2021 – CK PROPERTY GROUP V PRESIDING MEMBER OF THE METRO OUTER JDAP  
SECTION 31 RECONSIDERATION – PROPOSED CHILD CARE PREMISES – 73 KINGSLEY DRIVE &  
22 WOODFORD WELLS WAY, KINGSLEY**

Taylor Burrell Barnett represents CK Group, the proponent of the proposed child care premises development at Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Wells Way, Kingsley (the subject site).

At the Metro Outer Joint Development Assessment Panel (JDAP) meeting on 14 September 2021, the JDAP resolved to refuse the development application for child care premises for the following reasons:

1. *In accordance with Schedule 2, Clause 67(g) of the Planning and Development (Local Planning Scheme) Regulations 2015 the proposed development does not comply with the provisions of the City's Child Care Premises Local Planning Policy as the proposed development is not wholly located adjacent to non-residential uses; and has an adverse amenity impact on the surrounding residential area including:*
  - a. *the car parking for the development is located such that it is likely to have a noise impact on surrounding residential properties;*
  - b. *the bulk and scale of the development is incompatible with the surrounding residential context of the locality; and*
  - c. *the proposed hours of operation are likely to result in a noise impact on the amenity of adjoining residential properties.*
2. *The proposed development does not satisfy the matters to be considered under clause 67(g), Schedule 2, Part 9 of the Planning and Development (Local Planning Schemes) Regulations 2015. Specifically, the development does not comply with the City's Child Care Premises Local Planning Policy as the proposed development is located adjacent to residential uses and will have an undue impact on residential amenity.*
3. *The proposed development 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 development is not compatible with the adjoining residential land.*
4. *In giving due regard to the matters to be considered under clause 67(y), Schedule 2, Part 9 of the Planning and Development (Local Planning Schemes) Regulations the proposed development will have an undue impact on residential amenity.*

Following lodgement of an appeal with the State Administrative Tribunal (SAT), two mediation sessions were held with the respondent. Following the mediations held between the two parties, the proponent has made a number of revisions to the plans and resubmits the following information for consideration of the respondent and the City of Joondalup:

1. Revised set of drawings;
2. 3d perspective images of the proposed development, with adjoining development shown for context;
3. Landscaping plans, prepared by Nature Play Solutions;
4. A revised Transport Impact Statement, prepared by i3 Consultants.
5. A revised Waste Management Plan, prepared by i3 Consultants.
6. A revised acoustic report, together with a technical note detailing noise levels associated with the revised drawings.
7. A revised Operations Management Plan, prepared by TBB.

The following submission provides a summary of the modifications and describes how the revised drawings respond to the reasons for refusal.

### SUMMARY OF MODIFICATIONS

The modifications between the revised proposal and the refused plans are summarised in **Table 1** below. A comparison of the key development standards and design metrics of each set of drawings is provided in **Table 2** below.

*Table 1 – Summary of Modifications*

No.	Modifications	Comments / Rationale
<b>Design Modifications</b>		
1	Floor area of first floor reduced by approximately 70m <sup>2</sup> ; layout modified to reduce the length of the building as it presents to Kingsley Drive.	<p>This modification has reduced the length of the building from 33m to 26m as it faces Kingsley Drive.</p> <p>A substantial reduction in bulk and scale is achieved when viewed from Kingsley or from the adjoining properties to the north.</p>
2	<p>The design aesthetic is modified such that it presents with an appearance that is residential in style, including:</p> <ul style="list-style-type: none"> <li>Pitched Colorbond roof introduced in lieu of the previous skillion roof design.</li> </ul>	Aesthetic treatments are intended to better respond to the existing context and character of the residential area.

	<ul style="list-style-type: none"> <li>Provision of red brick feature elements in lieu of previous concrete/cladding elements.</li> </ul>	
3	Finished floor level reduced by 400mm.	Reduces the building height / bulk and scale.
4	Stairwell abutting the northern boundary relocated and designed into the main building footprint.	Modified in response to objections from adjoining owner regarding privacy concerns. Also assists in reducing building bulk when viewed from the north and when viewed from Kingsley Drive.
5	Bin store relocated from the north boundary into the main building footprint, but accessed externally (between bays 17 and 18).	Modified in response to objections from adjoining owner regarding privacy and amenity concerns. Also provides improved functionality for car park.
6	Air conditioning units relocated from the western setback area, into a service enclosure on the first floor.	Reduces noise to adjoining properties to the west.
7	Minor modifications to the car park layout including reducing number of tandem bays from three to two and providing improved areas for tree growth.	
8	Additional trees provided in the northern and western setback areas adjacent to the car park.	
9	Fencing adjacent to the car park increased to 2.1m in height.	Assists in reducing noise levels to adjoining properties.
<b>Other Modifications</b>		
10	<p>Maximum number of placements reduced from 82 to 78.</p> <p>Number of placements in group 1 (outdoor play area nearest to the western boundary) reduced from 12 to eight.</p>	The development site is large and can easily accommodate the development requirements of the childcare facility proposed. The reduction in placement numbers assists in further reducing scale of the development; reduces noise and the general intensity of the use, particularly in relation to the western adjoining property.
11	Opening time to be changed from 6.30am to 7am (with staff to access the site for set up at 6.30am).	Assists in mitigating noise concerns for the property to the north.



Table 2 – Summary of Key Design Elements

Design Element		Refused Plans	Amended Plans
Number of Places		82	78
Gross Floor Area	Ground Floor:	379m <sup>2</sup>	410m <sup>2</sup> (increases 31m <sup>2</sup> )
	Upper Floor:	282m <sup>2</sup>	232m <sup>2</sup> (decreases 50m <sup>2</sup> )
	Upper Floor Playscape:	305m <sup>2</sup>	285m <sup>2</sup> (decreases 20m <sup>2</sup> )
Height		7.6m top of wall	6.4m to top of wall 8.9m to pitch of roof
Setbacks	Kingsley Drive	6m (with projection to 5.1m)	5.95m (with projection to 5.2m)
	Woodford Wells Way	6.4m	5.12m – 6.4m
	North	5m (stairwell at nil)	12.14m
	West	3.7m – 5.1m	3.7m – 5.1m
Car Parking		23 bays including 3 tandem bays	23 bays including 2 tandem bays
Site Coverage		47%	43%

## RESPONSE TO REFUSAL REASONS

### Reasons 1(b) and 3 – incompatible scale of development

The amended proposal has achieved a considerable reduction in the bulk and scale of the development by reducing the area of the upper floor (including play spaces) by 70m<sup>2</sup>. As it presents to Kingsley Drive, the upper floor is now 26m long compared to 33m in the previous design.

This has been achieved by reducing the number of placements to reduce the required areas of indoor and outdoor play spaces. Additionally, the design offers a more 'compact' upper floor building envelope rather than an elongated, rectangular shape. Additionally, the proposed wall heights have been reduced by more than 1m through a combination of reducing finished floor levels and external wall heights.

Figures 1 and 2 below compare the refused design with the proposed design, with a demonstrable reduction in scale.



*Figure 1: Refused design viewed from Kingsley Drive*



*Figure 2: Proposed design viewed from Kingsley Drive*

In terms of the size of the building, the revised proposal **is consistent with what could be approved for a residential development on the site**. Heights and setbacks on all sides are consistent with the R-Codes. Overshadowing and visual privacy are consistent with the R-Codes and site coverage is reduced to only 42% - comfortably below what could be proposed for a residential development.

Whilst the proposal is on an amalgamated lot, with a floor area that is somewhat greater than most individual residential properties, any impacts are offset by:

- a) Achieving more than double the required upper floor setbacks to adjoining residential properties;
- b) Providing landscape buffers between the car park and the northern boundary including the provision of five trees;
- c) Providing a landscape buffer to the western side boundary, where possible and practical;
- d) Ensuring the proposal does not exceed required noise levels, and achieving substantial reductions in noise levels compared with the refused design;
- e) Articulating the building such that it presents to Kingsley with a distinctive red brick feature elements, providing an appearance which is conducive and consistent with a residential area.

The revised proposal increases the setback to the northern boundary from 5m (stairs at nil setback) to more than 12m. Five medium sized trees are also to be provided in the setback area providing an ample buffer to this boundary.

### Reduction in height

Modifications to the design have caused a reduction in the wall height from 7.6m to 6.4m. This has been achieved through reduction of floor levels, together with modifications to the design.

Whilst this remains a variation from the Child Care Premises Policy, the building height is consistent with what could be approved for a residential development on the site. The discrepancy with the heights in the Childcare Premises Policy is due to the policy not having been updated to accord with the recent revisions to the R-Codes Volume 1 which permit a wall height of up to 7m.

### Upper floor impacts

The upper floor is generously set back from the adjoining residential properties. To the west, a small portion of the upper floor is setback 3.7m from the western boundary with the remainder of the building setback 5m or more. To the north, the upper floor setback now exceeds 12m as a result of the changes through mediation. These setbacks provide adequate separation from the adjoining residential properties and cause no adverse impact on sunlight or ventilation between the properties. Furthermore, the shadow cast by the proposed development falls primarily over the road reserve and does not adversely affect adjoining properties.

### Context

The RAR for the initial decision concluded that although the proposed height would be permitted with a residential development, it is considered inconsistent with the existing single storey context. The fact that the majority of properties in the area are currently single storey is immaterial to the fact that each property is permitted to develop to two storeys. As mentioned above, the proposal is consistent with the permissible residential heights for the locality.

### Intensity of Use

Whilst not a formal reason for refusal, the RAR raises concerns about the 'intensity' of the use. The primary factor informing the intensity is the number of placements in the centre as this influences the amount of noise and traffic generated, as well as other factors. By reducing the number of placements to 78, the proposal represents a more domestic scale of operation.

By comparison, there have been a number of child care premises approved in the City of Joondalup for placements of 80 and above. Similar approved developments in residential zones are listed in **Table 3** below.

Whilst it can be observed that these sites are larger than the subject site, the reduction to 78 places represents a similar number of places as a proportion to site area when compared to some of the approved developments.



*Table 3 – Approved DAP applications for Child Care Premises in City of Joondalup Residential zone*

Address	DAP approval date	Number of places	Site Area
68-70 Readshow Road, Duncraig	16 March 2021	92 places	2,069m <sup>2</sup>
29-31 Acacia Road, Duncraig	20 November 2020	92 places	1,830m <sup>2</sup>
122-124 Coolibah Drive, Greenwood	31 August 2020	83 places	1,464m <sup>2</sup>
20-22 Coolibah Drive, Greenwood	25 January 2018	82 places	1,696m <sup>2</sup>

The centre at 29-31 Acacia Road, Duncraig represents an intensity of 19.89m<sup>2</sup> of land area per child. The centre at 122-124 Coolibah Drive, Greenwood represents an intensity of 17.63m<sup>2</sup> per child. With the revised 78 places, the revised proposal represents an intensity of 18.04m<sup>2</sup> per child. Whilst it is important not to consider an application based purely on numbers, it is evident from the information above and below information that the site is able to comfortably accommodate the development and is not out of context with similar approved developments in residential zones.

#### Reasons 1(a) and 2 – noise and amenity impacts on residential properties

The revised design results in reduced noise levels to adjoining properties and proposes a series of modifications having regard to the refusal reasons and the concerns of neighbouring landowners. There are residential properties to the west and to the north of the subject site. The revised design pays careful attention to the amenity of these properties and employs a series of improvements to reduce noise levels, and to improve the visual amenity.

**To the west**, the proposed setbacks remain consistent with the earlier proposal. However, the following amendments are proposed:

- The ground floor play area adjacent to the western boundary has been reduced from 12 places to eight places (0-24 month children).
- The air conditioning units are relocated to the upper floor, away from the boundary.
- The elevation has been refined to present a residential style appearance.

**To the north**, there has been a substantial increase to the building setback, as outlined above. Additionally:

- The bin store is relocated away from the northern boundary;
- The stairwell that was previously abutting the boundary is relocated to the centre of the site;
- Fencing modified to 2.1m to reduce car park noise;
- Opening hours are modified to 7am, reducing potential for car park noise outside of the day time period.

### Acoustic Amenity

Acoustic analysis has confirmed the calculated noise levels associated with play areas reduces by 10dB to the west and 2dB to the north. Additionally, noise levels from the car park reduce by 3-5dB to adjacent boundaries (primarily benefiting the northern property). Whilst the original proposal was deemed consistent with the Noise Regulations, the reductions of 5-10dB represents an exponential reduction in the impact of noise from the premises.

The location of the car park is appropriate as it ensures access is taken from Kingsley Drive (a local distributor road), avoiding additional traffic in the local streets. The alternative would be to provide more parking in the street setback areas, which may be seen as less preferable for the streetscape. The car park is now deemed to be consistent with Noise Regulations during the night time period when lower levels apply. Noise is now well below the statutory threshold for compliance, which assist in further mitigating amenity concerns with the proposed development.

### Other Amenity Considerations

Moreover, the design respects the residential amenity and character by:

- Providing generous setbacks at ground level and from the upper floor to adjoining residential properties and providing landscaping and trees within the boundary setback areas to 'soften' the visual impact of the development;
- Providing open style fencing to maintain surveillance of the street and ensure the proposal complements the streetscape to both primary and secondary streets;
- Producing a design aesthetic that is consistent with the residential character of the locality, including feature red brick elements and a pitched roof.

### Reason 1(c) – opening hours

Opening hours are modified consistent with the City's Child Care Premises Policy.

### Reason 4 – consideration of submissions

As outlined above, the revised plans are considered to resolve concerns of surrounding residents by virtue of the development being reduced in size, number of placements and noise levels.

### Community Need and Benefits

Consideration of submissions must be balanced with a range of other considerations under Clause 67 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. In particular, we note the area has been assessed as having a substantial shortfall in child care services. The proposal therefore has the potential to provide a broader community benefit. Specifically, information produced by Business Geographics Pty Ltd demonstrates there is a supply / demand ratio of 1 place per 5 children in the locality. Furthermore, neighbouring Nido centres in Greenwood and Madeley are operating at 100% occupancy with a waiting list of more than 180 families. This would help explain the numerous letters of support received for the application when notified.

In this regard, consideration must be given to the benefits for the broader community, as outlined in various Government policies and practices, including the Federal Governments Productivity Commission Inquiry Report into Child Care and Early Childhood Learning. The SAT has recently interpreted (in the context of

Clause 67) the provision of community benefit as a positive factor to the exercise of general planning discretion in relation to other relevant planning considerations. The proponent requests the City and the JDAP consider the proposal in light of the community benefit provided.

It is clear child care premises can co-exist with residential properties. Objections must be balanced with submissions made in support of the proposal (there were 10), the community benefits from the proposal, the design improvements made since the earlier DA lodgement and a range of other considerations under the planning framework.

## OTHER MATTERS

### Staff Numbers and Parking

Staff numbers have been modified to reflect the current placement numbers of 78. In total, 11 educators and two other staff (supervisor and cook) will be required. This is a slight increase from the 12 staff reported in the refused proposal. However, parking remains compliant due to the reduction in child placements.

*Table 4 – Parking Assessment*

Staff / Student Numbers	Parking Required	Parking Provided
13 staff	13 bays	23 bays comprising: <ul style="list-style-type: none"> <li>• 10 staff bays;</li> <li>• 8 visitor bays;</li> <li>• 4 flexible staff/visitor bays;</li> <li>• 1 accessible bay.</li> </ul>
78 children	10 bays (for centres ranging from 73-80 children)	

The provision of flexible staff/visitor bays is considered more efficient as it allows bays to be used as demand requires.

### Design

A statement against the 10 principles of design, pursuant to State Planning Policy 7.0 is attached.

## SUMMARY

The proponent has made meaningful and significant endeavours to respond to the reasons for refusal. The revised plans demonstrated a reduction in scale as the building presents to Kingsley Drive and offers a substantial reduction in noise levels to adjoining properties.

This proposal is generally consistent with the planning framework. The use of a childcare centre is discretionary in the Residential zone. In this instance, discretion is warranted and the site is suitable for a childcare centre, noting it fronts a local distributor road (Kingsley Drive), and the opposite side of the road contains a park, primary school and shopping centre.

The design is sensitive to adjoining residential properties, play areas are orientated toward the streets and vehicle access is limited to Kingsley Drive to avoid additional traffic on the local streets. The setback areas are landscaped and the upper floor is generously set back from the adjoining residential properties.



Owing to the above, it is considered the proposal represents a suitable outcome for the site, that is consistent with the planning framework and warrants approval.

TAYLOR BURRELL BARNETT

A handwritten signature in black ink, appearing to read 'Trent Will', with a stylized flourish at the end.

TRENT WILL  
SENIOR ASSOCIATE



Our Ref: 21/028 TW/JV  
City Ref: DA21/0611.01  
SAT Ref: DR207/2021  
DAP Ref: DAP/21/02016

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7 February 2022

**Attention: Tim Thornton, Planning Services**

City of Joondalup  
PO Box 21  
Joondalup WA 6919

Dear Sir,

**PROPOSED CHILD CARE PREMISES – LOT 667 (73) KINGSLEY DRIVE AND LOT 666 (22)  
WOODFORD WAY, KINGSLEY – RESPONSE TO REQUEST FOR FURTHER INFORMATION**

Taylor Burrell Barnett acts on behalf of CK Group, the proponent of the proposed child care premises development at Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Way, Baldivis.

We make reference to the City of Joondalup's (the City) email dated 27 January 2022 requesting further information in relation to technical and design matters. In response, the following plans and documents are attached:

- Revised set of plans (Attachment 1);
- Revised Waste Management Plan (Attachment 2);
- Revised Operations Management Plan (Attachment 3);
- Response to submissions (Attachment 4).

Please note 3d renders of the proposed development and a response to the Design Review Panel minutes are to be supplied in the coming days, as agreed with the City.

The following letter provides an overview of the revised plans and a detailed response to the matters noted in the City's request.

**1. AMENDMENTS TO PLANS**

A revised set of plans are provided at **Attachment 1**. The key modifications to the drawings are described in Table 1 below.

*Table 1 – Summary of Modifications (from plans submitted 23 December 2021)*

No.	Modifications	Comments / Rationale
1	Roof form modified to a double pitched, hipped roof with a 20 degree roof pitch.	Modification in response to Design Review Panel and City's officer recommendations, with the intent being to reduce the perception of bulk and scale as viewed from the street and neighbouring properties.
2	First floor eaves/gutters increased by 200mm.	In order to facilitate the double pitched roof, a box gutter is required in the centre of the two pitches. An additional 200mm wall height is required for the structure and installation of the box gutter.
3	1 <sup>st</sup> floor cubby house element at the south-east corner of the building reduced in height and changed to a lighter grey colour.	Modification in response to Design Review Panel recommendations, with the intent being to reduce the perceived building bulk as viewed from the street corner.
4	Northern elevation modified from concrete panels to a mix of obscure glazed panels and painted concrete panels.	<p>Modification in response to Design Review Panel recommendations, with the intent being to provide better articulation to the northern façade and to help reduce the perceived scale and commercial appearance of the development.</p> <p>Clear glazed panels were considered, noting the playscape is set back 12.14m from the northern boundary and is consistent with visual privacy setback requirements under the R-Codes. However, obscure glazed panels were selected in response to potential concerns from neighbouring owners regarding overlooking.</p>
5	Arbor structure provided over the pedestrian entry from Kingsley Drive.	Modification in response to Design Review Panel recommendations, with the intent being to provide a more clearly legible entry point, and improve the level of greenery in the design.
6	Freestanding monolith sign removed.	Modification in response to Design Review Panel recommendations, with the intent being to reduce visual bulk at the street frontage.

## 2. RESPONSE TO REQUEST FOR FURTHER INFORMATION

The following table provides a response to the City's technical assessment (received 27 January 2022). The responses have been informed by the project team including TBB, the project architect, transport consultant and waste consultant.

Technical Comments	Applicant Response
<p><b><u>Transport Impact Statement (TIS):</u></b></p> <ul style="list-style-type: none"> <li>Further details relating to Waste Management will need to be confirmed with the developer to ensure all of the correct information has been submitted. It was noted that the City's Waste Team provided comments on truck dimensions (see below). As truck dimensions may influence the overall parking design, it is recommended for the applicant to provide further details to ensure that all elements of the parking module have been designed accordingly.</li> <li>The turning templates within the Transport Impact Statement were noted, however, may need to be revised dependent on the information provided in the amended Waste Management Plan (truck dimensions). A bigger truck will not turn as smoothly as smaller trucks.</li> </ul>	<p>Refer to comments re waste management plan below.</p>
<p><b><u>Environmental Acoustic Assessment (EAA):</u></b></p> <p>The revised Acoustic Report (dated 22 December 2021) prepared by Herring Storer Acoustics (HSA) indicates that compliance with that Assigned Levels of the Environmental Protection (Noise) Regulations 1997 should be met. I have found no reason in the report provided that this would not be the case.</p>	<p>Noted.</p>
<p><b><u>Waste Management Plan:</u></b></p>	<p><b>i3 consultants provide the following responses:</b></p>
<p><b><u>Section 2 General:</u></b> Proposes centre for 82 children then the table only lists 78 children.</p>	<p>Figure carried over from initial report erroneously. WMP has been updated accordingly.</p> <p>Note: the front cover and table 2 referred to the correct 78 places.</p>
<p><b><u>Section 3 Number and Type of Bins and Frequency of Collection:</u></b> The waste quantity changes to 2202L per week where it was 2275L in section 1 and is 2275L in the table.</p>	<p>The correct figure is 2275L. WMP has been updated accordingly.</p> <p>Note: all tables and calculations in the WMP submitted were based on the correct figure (2275L).</p>

Section 4 Food Waste:

Rather than freezing the food waste they should consider a food waste collection that will fall in line with the FOGO services in the WA State Waste Strategy 2030.

Agreed. However, the waste generation rates do not consider these waste reduction strategies and therefore report a 'worst case' scenario.

Section 5 Space for Storage and Presentation (servicing) of Bins:

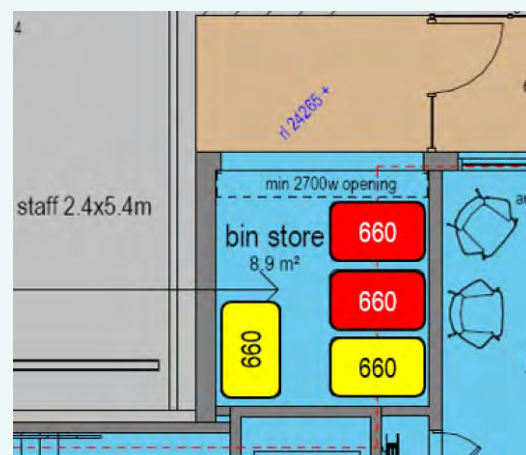
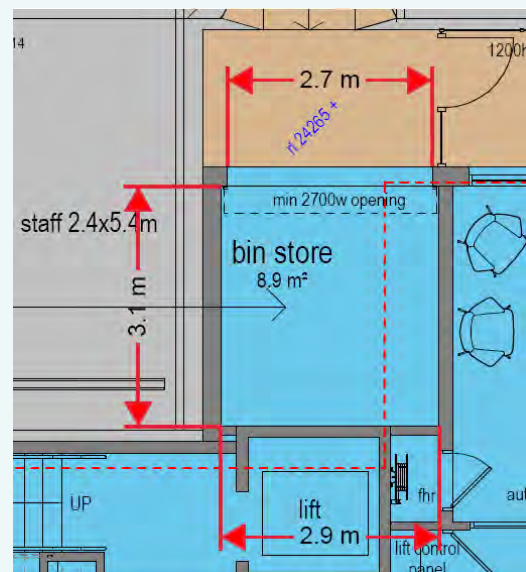
They need to include a drawing of the bin store with the dimensions of the bin store and opening so we can measure if the bins will actually fit. The drawing also needs to include the location of the tap, drainage and ventilation.

The size of the bin store and opening are indicated in Section 5 and Figure 4 on page 6 of the WMP. Figure 4 was drawn to scale to show that four (4) MGBs can be accommodated along with space for accessing them as well as manoeuvring them.

Figure 4 has been amended in version 4 of the WMP to also show dimensions. Excerpts are shown below for clarity.

Door/ gates comply with City of Joondalup requirement of an opening of at least 2.7m.

Tap & Drain details are normally provided at the detailed design stage, not DA stage as it is usually included in development approval conditions.





#### Section 6 Access:

The truck dimension may be local to City of Nedlands but it should be the dimensions of the waste service provider vehicles similar to SUEZ's (shown below) or any other service provider not a local government. The weight of the trucks and the size including length is quite different to what is shown. The driveway must be constructed to carry at minimum a 22-23 tonne truck this should be shown in the building specifications. The drive path should reflect the provider's service vehicles.

Rear loaders	Suez (large vehicle)	Suez (small vehicle)
Vehicle length (m)	10	9.25
Vehicle length (in operation) (m)	11.6	11.25
Vehicle width (m)	2.8	2.5
Vehicle height (travel) (m)	3.4	3
Vehicle height including buffer (during operating bin lifting mechanism) (m)	3.4	3
Vehicle height (during operating bin lifting mechanism) (m)	3.4	3
Turning circle (m)	25	16.5
Wheel base (m)	5.2	4.1
GVM (when truck full) (tonnes)	23	16.5
Axles	6 x 4 (3)	4 x 2 (2)

#### Section 9 Bin Presentation and Collection:

The collection is said to be by a 7.5m long truck which is very small and a truck of this size should be confirmed as available by service providers for the bins sizes and area of collection etc. If a truck of this size is not available then the drive path will need to be redone.

The truck dimensions are not local to the City of Nedlands. The 'small truck' dimensions are the dimensions that have been adopted by the City of Nedlands as acceptable to the City, based on commercially available small waste collection vehicles.

In this instance, the proponent has indicated that they intend to use a 7.5 m long waste collection vehicle. Suez has been contacted and advised that they currently have an 8m long Waste Collection Vehicle in operation in WA. Further investigations by i3 revealed that there are smaller waste collection vehicles available, including a 7.25 m long ISUZU based waste collection vehicle from PowerStar Trucks.

It should be noted that the 7.5 m waste collection vehicle has been specified in a large number of waste management plans submitted to the City of Joondalup and have been approved by the City without comment.

It is not appropriate to design or assess developments based on a particular truck, as there is no guarantee that these trucks will be used to service the site. It is for this reason that Standard Design Vehicles are used. In this instance the closest Standard Design Vehicle is the 8m truck, as shown in Figure 6 on page 7 of the WMP.

On this basis, the 8m truck is considered to be an appropriate design vehicle for the proposed development and hence the assessed swept paths are correct.

Suez has indicated that the payload of its 8m Waste Collection Vehicle is 9.5t. This is significantly less than the "22-23 tonne truck" referred to in the City's comments.



Photograph – SUEZ 8m truck and PowerStar 7.25m Waste Collection Vehicles.

<p><b><u>Landscaping plan</u></b></p> <p>Verge planting setbacks need to be indicated (1m to back-of-kerb and 0.8m to the footpath for trees). Tree locations are to be a min. 0.6m from the lot truncation and 1.5m from any neighbouring property boundary.</p> <p>Pram ramp connection to kerb to be provided at end of footpath on Woodford Wells Way or verge footpath reconsidered (has no connection).</p>	<p>It is anticipated a detailed landscaping plan would form a condition of approval. It is further noted verge planting species and pram ramp locations within the verge would not strictly form part of a development approval and would require separate approval from the City.</p> <p>We have no objection to preparing a detailed landscaping as a condition of approval.</p>
<p><b><u>Operations Management Plan</u></b></p> <p>The Operations Management Plan shows the previous bin store location and also mentions about the 7.5m truck.</p> <p>The OMP could be open to interpretation regarding the staff numbers. Does the 11 staff include the administration staff or is this just referencing the educators?</p>	<p>Updated Operations Management Plan attached.</p> <p>The OMP clearly specified 11 educators and additional administration staff.</p>

### 3. COMMUNITY CONSULTATION RESPONSE

Please refer to **Attachment 4** for a response to the summary of comments received during the public advertising process.

### 4. CONCLUSION

We trust that the information that has been provided in response to the City's request for further information is satisfactory. Should you have any queries, please do not hesitate to contact the undersigned.

Yours faithfully

TAYLOR BURRELL BARNETT



TRENT WILL  
SENIOR ASSOCIATE

# RESPONSE TO DRP RECOMMENDATIONS

<b>To</b>	City of Joondalup
<b>Attn</b>	Tim Thornton
<b>From</b>	Taylor Burrell Barnett & Insite Architecture
<b>Date</b>	10 February 2022
<b>Subject</b>	Response to Design Review Panel (DRP) recommendations Proposed Child Care Premises – 73 Kingsley Drive and 22 Woodford Wells Way, Kingsley

The following table provides our response to the DRP minutes from the meeting on 19 January 2022. The recommendations are generally accepted and have been encapsulated in the plans submitted to the City on 7 February 2022. These modifications include:

- Roof form modified to a double pitched, hipped roof with a 20 degree roof pitch.
- 1<sup>st</sup> floor cubby house element at the south-east corner of the building reduced in height and changed to a lighter grey colour.
- Northern elevation modified from concrete panels to a mix of obscure glazed panels and painted concrete panels.
- Arbor structure provided over the pedestrian entry from Kingsley Drive for better legibility.
- Freestanding monolith sign removed.

Responses to the DRP recommendations are provided in the table below. For brevity, responses are limited to the recommended improvements. We note the feedback from the panel was overwhelming positive and the majority of 'further information requirements' relate to minute details.

Recommendation	Applicant Response
<b>PRINCIPLE 1 – CONTEXT AND CHARACTER</b>	
The Panel recommends that the materiality, colour and texture be the predominant methodology for responding to the local character and that this intention be further developed through a contextual study.	<p>Plans have been modified to employ a double-pitched, hipped roof.</p> <p>Materiality has been reviewed with lighter elements included in the Kingsley Drive façade, to better reflect the character of the area and reduce perceived bulk and scale.</p> <p>The applicant submits that the modifications to the roof structure result in the proposed development appearing more sympathetic to the existing character of the locality. Concerns have been raised in submissions about the amalgamation and the construction of a building over two 'original' lot boundaries. The double pitch helps to symbolise the fact the proposal is across two pre-existing titles.</p>

## PRINCIPLE 2 – LANDSCAPE QUALITY

<p>The Panel recommends that:</p> <ul style="list-style-type: none"><li>• Further opportunities for tree planting along the western carpark boundary and elsewhere be included in the landscape plan.</li><li>• The slab planting depths and areas are increased to be sufficient to grow the shade trees proposed.</li><li>• The visual permeability of the south-eastern corner boundary fence be increased.</li></ul>	<p><u>Western Tree Planting</u></p> <p>The revised plans had already incorporated additional trees along the western boundary. There are three trees adjacent to the car park and one more tree in the outdoor play area. On review, there were no further opportunities for tree planting along the western boundary.</p> <p>Furthermore, it is noted that on the adjoining western property, the carpark abuts established trees within the neighbouring properties, which ameliorate any potential loss of amenity.</p> <p><u>Slab Planting Depths</u></p> <p>The landscape designer has confirmed planting depths are approximately 600mm. This has not been modified because if planters are increased to greater depths, it is deemed a fall hazard for children.</p> <p>Tree species have been selected in response to the soil depths. Whilst it is agreed the trees may not reach the same heights and canopy spreads compared to trees planted in the ground, this is not considered to be detrimental to the design. The trees on the upper floor are intended to be small and manageable. Shade is also accommodated on the upper floor by shade sails.</p> <p><u>Fencing</u></p> <p>Increasing the visual permeability would increase noise levels to surrounding residential properties. Reducing the solid height of the fence was investigated through the mediation process, but the noise reductions achieved with the solid portions of wall were prioritised. The fence, as proposed, achieves strong visual permeability and connectivity to Kingsley Drive. The fence is not considered to create undue bulk and scale and only small sections are solid. It is further noted the existing fence fronting Woodford Wells Way is a solid masonry fence, approximately 1.8m in height and the visual permeability is being increased compared with the status quo.</p>
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## PRINCIPLE 3 – BUILT FORM AND SCALE

<ul style="list-style-type: none"><li>• The Panel recommends that the single large hipped roof over the upper floor be reconsidered to reduce its bulk through either further articulation, redesign to appear as separated hipped roofs or return to the parapet design of the original proposal.</li><li>• The Panel recommends that the design of the ‘cubby house’ and ‘fire stair’ elements on the eastern side of the upper floor be reconsidered to reduce their visual impact from the streetscape as these elements are contributing to the apparent bulk of the</li></ul>	<p>Recommendations have been accepted and incorporated into the revised plans. These are shown visually in the images below and described as follows:</p> <p><u>Roof Pitch</u></p> <p>As recommended and detailed under Principle 1, the plans have been modified to remove the single hipped roof and replace this with a double pitched, hipped roof.</p> <p>The pitched roof is proposed in response to discussions during the mediation process.</p> <p><u>Cubby House and Fire Stair</u></p> <p>The 1<sup>st</sup> floor cubby house element at the south-east</p>
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building.

- The Panel recommends that the solid wall along the northern elevation on the upper floor be articulated through introduction of some more transparent or visual permeable elements.

corner of the building has been reduced in height and changed to a lighter grey colour.

Reduction of the stairwell was investigated. However, the reduction that could be achieved was minimal due to internal head heights required for the stairwell. The investigated reduction is depicted in the second image below. It is considered the stairwell does not add undue bulk to the façade. Being in the centre of the elevation, it does not cause any amenity impacts to surrounding area.

#### Northern Elevation

The recommendation for the north elevation has been adopted. The wall has been modified to include a mix of obscure glazed panels and painted concrete panels. Clear glazed panels were considered, noting the playscape is set back 12.14m from the northern boundary and is consistent with visual privacy setback requirements under the R-Codes. However, obscure glazed panels were selected in response to potential concerns from neighbouring owners regarding overlooking.



Cubby house reduced in scale and modified to lighter colour

Double pitched roof proposed in response to recommendations

Signage removed to lessen commercial appearance of building

Concrete painted wall to north elevation replaced with obscure glazed windows to reduce perceived bulk

#### **NOT PROPOSED**



Reduction to stairwell investigated – found this resulted in loss of articulation and character. Not proposed.

#### PRINCIPLE 4 – FUNCTIONALITY AND BUILD QUALITY

<p>The Panel recommends that the further consideration be given to the kerb ramp location perhaps locating it closer to the entry. Further consideration should also be given to the location of the bike bays, the inclusion of pram parking, the fire stairs exit and the circulation to the bin store</p>	<p><u>Bike bays and fire stair</u></p> <p>The entry pathway is 1.8m wide and 2m wide including the width of the kerb to the car park. This allows sufficient comfort and space for people entering and exiting the premises and we do not consider the modifications suggested are necessary in this context. The bicycle bays and fire exit stairs can exist in their current location with ample passing room.</p> <p><u>Access to bin store</u></p> <p>The bin store was previously proposed on the opposite side of the car park. It has been moved internally to improve the amenity outcomes for adjoining residents. It is entirely appropriate that the bin store is accessed externally, not internally. The waste generated by the child care premises is minimal and waste is generated and transported from inside bins to outside bins once or twice a day. The suggestion that an internal access to the bin store is required is unreasonable.</p> <p><u>Location of kerb ramp</u></p> <p>The location of the kerb ramp is unproblematic. It is within 2m of the main entry and therefore convenient. The entry area is fenced off for the safety of children. Moving the ramp any closer would compromise this outcome, which is required by the operator for safety reasons.</p> <p><u>Pram parking</u></p> <p>Prams can be parked in the entry and the shared piazza space. It is unclear why pram parking would be required outside when there is ample space inside, where prams can be securely parked.</p>
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#### PRINCIPLE 6 - AMENITY

<p>The Panel recommends that the hours be reduced in line with the policy of 7am to 6pm.</p>	<p>This recommendation is not accepted. It is difficult to comprehend how changing the closing time from 6.30pm to 6pm would result in any substantive change to amenity. This time period is not considered sensitive under the Noise Regulations. It provides the required flexibility for parents and guardians who may work in the City. We consider this comment is outside the remit of a Design Review Panel as it is a non-design element that forms part of the planning assessment.</p> <p>We note and appreciate the comments from the DRP that the amenity has been well considered in both the internal and external elements of the design.</p>
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#### PRINCIPLE 7 - LEGIBILITY

<p>The Panel recommends that signage be reduced and that any free-standing signs be deleted from the proposal. Further consideration of the legibility of the entry is recommended and may include the addition of a canopy over the pedestrian entry path. The legibility would be improved by concentrating any taller solid elements of the proposal at the entry and not on both street frontages.</p>	<p>Plans have been revised in accordance with this recommendation.</p> <p>The freestanding sign has been removed to reduce the commercial appearance of the building. An arbor structure has been added at the pedestrian entry to Kingsley Drive to provide greater definition and legibility of the pedestrian entry.</p>
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#### PRINCIPLE 10 - AESTHETICS

<p>The Panel recommends some further consideration of the modified design to more closely reflect the coherent and integrated design outcome of the original proposal. Further consideration of the contextual colour palette would also enhance the proposal.</p>	<p>As detailed under Principles 1 and 3, the roof modification, adjustments to colours on the Kingsley Drive façade and the softening of the northern elevation help to enhance the proposal.</p>
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**EMAIL TRANSMITTAL**

**REF:** 28724-3-21176-02  
CITY OF JOONDALUP

**TO:** C/- Taylor Burrell Barnett

**ATTN:** Trent Will

**ADDRESS:** Trent@tbbplanning.com.au

**FROM:** Tim Reynolds

**DATE:** 22 December 2021

**SUBJECT: KINGSLEY CHILD CARE CENTRE  
REVISED LAYOUT – IMPROVEMENTS IN ACOUSTICS**

---

Trent,

As requested, we provide the following information with regards noise received at the neighbouring residential premises from the revised layout and reduction in the number of children.

**AIR CONDITIONING**

We note that with the air conditioning condensing units integrated into the first floor, the noise received at the neighbouring premises from these units has significantly reduced.

Under the previous layout, noise received at the locations at the neighbouring residences to the west and south was calculated to be 37 dB(A); and 32 dB(A) at the residence to the north.

Under the new scheme, the noise received at the neighbouring residences has been reduced to 30 dB(A) to the northern residence, 27 dB(A) to the western residence and 9 dB(A) for the southern.

Note: The redesign removes the requirement for the 2.2 metre high fence along the western boundary.

This relocation of the air conditioning condensing units provides a significant reduction in noise that would be received at the neighbouring residences.

**OUTDOOR PLAY**

The revised layout provides a reduction in the noise received at the neighbouring from the outdoor play area. The following table shows the reduction provided.

REDUCTIONS BASED ON HSA SOUND POWER LEVELS

Neighbouring Premises	Calculated Noise Level (dB(A))		Reduction (dB(A))
	Original Scheme	Current Revise Scheme	
North	40	38	-2
South	48	45	-3
West	48	38	-10



We note that with the relocations of the Group Room 1 (ie 0 – 24 months) to the south western corner of the ground floor level outdoor play area has not only located the “quietest” children next to the western neighbour, but has also moved the louder children further away. Thus, resulting in a significant reduction of 10dB(A) in the noise received at the neighbouring residence to the west has been significantly reduced.

We also note that if the 1200mm high solid section of the fence was increased to 1400mm, noise received at the residences to the south would be reduced by a further 3 dB(A) to 42 dB(A).

Note: Due to the diminishing increase in the barrier reduction with additional height, any further increase in height, any further increase above 1400mm is not recommended.

### **CAR PARK NOISE**

The revised design provides little improvement to the noise received at the neighbours from the car park.

The revised report has been based on the boundary fence to the car park being 2.1 m high. This increase in height from the standard 1.8 m high fence has reduced the car park noise that would be received at the neighbouring residences to the north and west by between 3 and 5 dB(A).

It is noted that with the 2.1 metre high boundary fence, noise received at the residences to the north and west would comply with the assigned noise levels at all time, without the need for parking restriction for staff arriving before 7 am. However, it is understood that the parking restriction will still be implemented.

We note that amending the opening time from 6:30 am to 7:00 am, significantly amends the compliance requirements, with apart from car doors closing by staff only, which can we believe be managed to further reduce noise from this source, other noises generated within the car park no longer occurring during the night period.

### **SUMMARY ON NOISE MITIGATIONS**

Noise received at the neighbouring residence from the amended layout of the child care centre has significantly reduce the noise that would be received at the neighbouring residences. The modifications / amendments, include :

- Relocation of the air conditioning condensing units to the northern façade of the first floor.
- Amending the opening time to 7:00am.
- Relocating the 0 – 24 month old children outdoor area to the south west corner of the ground level.
- Inclusion of a 2.1m high boundary fence to the south west corner of the child care centre.
- Inclusion of a 2.1m high boundary fence to the car park.

Yours faithfully,  
for **Herring Storer Acoustics**

Tim Reynolds

**PROPOSED CHILD CARE CENTRE  
73 KINGSLEY DRIVE and 22 WOODFORD WELLS WAY  
KINGSLEY**

**ENVIRONMENTAL ACOUSTIC ASSESSMENT**

**DECEMBER 2021**

**OUR REFERENCE: 28707-4-21176-02**

DOCUMENT CONTROL PAGE

**ENVIRONMENTAL ACOUSTIC ASSESSMENT**  
**PROPOSED CHILD CARE CENTRE**  
**KINGSLEY DRIVE, KINGSLEY**

Job No: 21176-02

Document Reference: 28707-4-21176-02

FOR

**EARLY SCHOOL CONSTRUCTION & DEVELOPMENTS**

DOCUMENT INFORMATION				
Author:	Tim Reynolds	Checked By:	George Watts	
Date of Issue:	24 November 2021			
REVISION HISTORY				
Revision	Description	Date	Author	Checked
1	Updated Plans	29/11/21	TR	N/A
2	Revised Plans	20/12/21	TR	N/A
3	Clarifications	22/12/2021	TR	N/A
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This report has been prepared in accordance with the scope of services and on the basis of information and documents provided to Herring Storer Acoustics by the client. To the extent that this report relies on data and measurements taken at or under the times and conditions specified within the report and any findings, conclusions or recommendations only apply to those circumstances and no greater reliance should be assumed. The client acknowledges and agrees that the reports or presentations are provided by Herring Storer Acoustics to assist the client to conduct its own independent assessment.

## CONTENTS

1.	INTRODUCTION	1
2.	SUMMARY	1
3.	CRITERIA	1
4.	PROPOSAL	4
5.	MODELLING	4
6.	ASSESSMENT	6
7.	CONCLUSION	8

## APPENDICIES

A	PLANS
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## 1. INTRODUCTION

Herring Storer Acoustics were commissioned to undertake an acoustic assessment of noise emissions associated with the proposed day care centre to be located at 72 Kingsley Drive and 22 Woodford Wells Way, Kingsley.

The report considers noise received at the neighbouring premises from the proposed development for compliance with the requirements of the *Environmental Protection (Noise) Regulations 1997*. This report considers noise emissions from:

- Children playing within the outside play areas of the centre; and
- Mechanical services.

We note that from information received from DWER, the bitumised area would be considered as a road, thus noise relating to motor vehicles is exempt from the *Environmental Protection (Noise) Regulations 1997*. We note that these noise sources are rarely critical in the determination of compliance. However, as requested by council and for completeness, they have been included in the assessment, for information purposes only.

For information, a plan of the proposed development is attached in Appendix A.

## 2. SUMMARY

Noise received at the neighbouring premises from children playing in the outdoor areas would comply with the requirements of the *Environmental Protection (Noise) Regulations 1997*, for the day period.

Additionally, noise from the mechanical services has also been assessed to comply with the relevant criteria. However, it is recommended that the mechanical services design be reviewed for compliance with the Regulatory requirements.

It is noted that noise associated with cars movements and cars starting are exempt from complying with the Regulations. However, noise emissions from car doors are not strictly exempt from the Regulations. Noise received at the neighbouring residences from these noise sources would, comply at all times. However, to reduce the noise received at the neighbouring residences from staff arriving before 7am it is suggested that only staff car bays 14, 16, 22 and 23 be used before 7am.

Thus, noise emissions from the proposed development, would be deemed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed hours of operation, with the inclusion of the boundary fencing as shown on the plans attached in Appendix A.

## 3. CRITERIA

The allowable noise level at the surrounding locales is prescribed by the *Environmental Protection (Noise) Regulations 1997*. Regulations 7 & 8 stipulate maximum allowable external noise levels. For highly sensitive area of a noise sensitive premises this is determined by the calculation of an influencing factor, which is then added to the base levels shown below in Table 3.1. The influencing factor is calculated for the usage of land within two circles, having radii of 100m and 450m from the premises of concern. For other areas within a noise sensitive premises, the assigned noise levels are fixed throughout the day, as listed in Table 3.1.

**TABLE 3.1 - BASELINE ASSIGNED OUTDOOR NOISE LEVEL**

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L <sub>A10</sub>	L <sub>A1</sub>	L <sub>Amax</sub>
Noise sensitive premises: highly sensitive area	0700 - 1900 hours Monday to Saturday (Day)	45 + IF	55 + IF	65 + IF
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	40 + IF	50 + IF	65 + IF
	1900 - 2200 hours all days (Evening)	40 + IF	50 + IF	55 + IF
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	35 + IF	45 + IF	55 + IF
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80

Note: L<sub>A10</sub> is the noise level exceeded for 10% of the time.  
L<sub>A1</sub> is the noise level exceeded for 1% of the time.  
L<sub>Amax</sub> is the maximum noise level.  
IF is the influencing factor.

Under the Regulations, a 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 m of that building or that part of the building.

It is a requirement that received noise be free of annoying characteristics (tonality, modulation and impulsiveness), defined below as per Regulation 9.

**“impulsiveness”** means a variation in the emission of a noise where the difference between L<sub>Apeak</sub> and L<sub>Amax(Slow)</sub> is more than 15 dB when determined for a single representative event;

**“modulation”** means a variation in the emission of noise that –

- (a) is more than 3 dB L<sub>AFast</sub> or is more than 3 dB L<sub>AFast</sub> 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<sub>Aeq,T</sub> 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<sub>ASlow</sub> levels.

Where the noise emission is not music, if the above characteristics exist and cannot be practicably removed, then any measured level is adjusted according to Table 3.2 below.

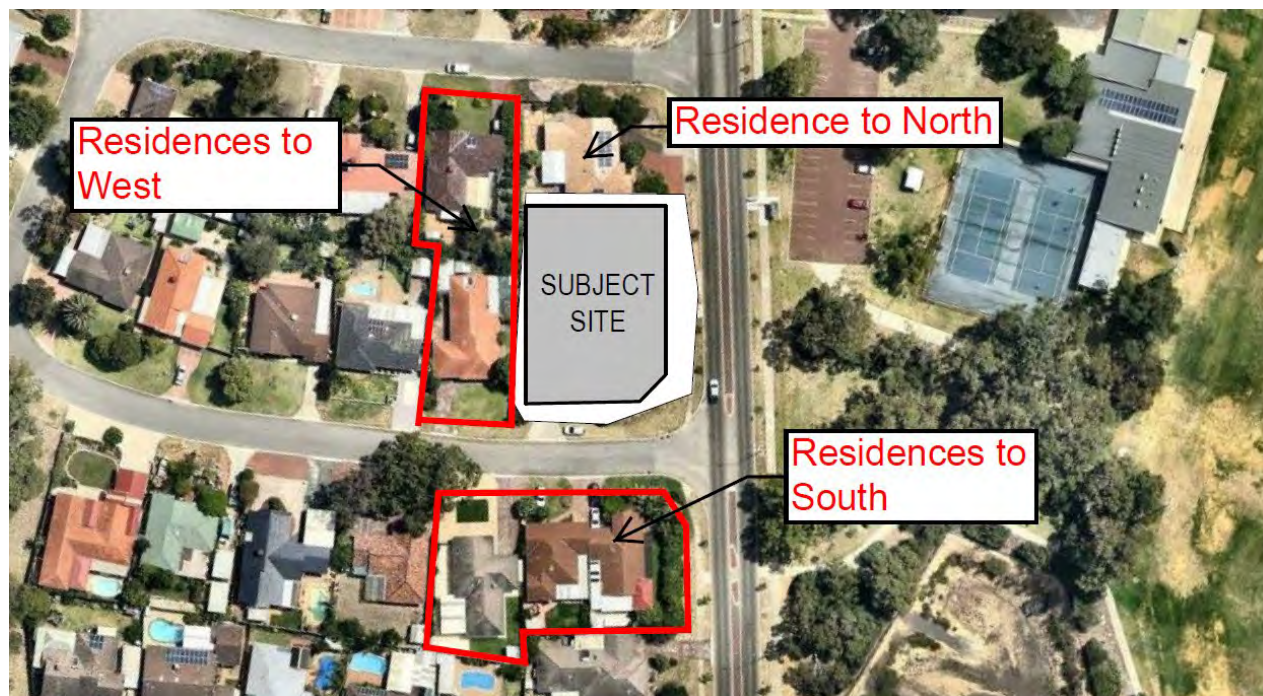
**TABLE 3.2 - ADJUSTMENTS TO MEASURED LEVELS**

Where <b>tonality</b> is present	Where <b>modulation</b> is present	Where <b>impulsiveness</b> is present
+5 dB(A)	+5 dB(A)	+10 dB(A)

Note: These adjustments are cumulative to a maximum of 15 dB.

For this development, the closest neighbouring residences of concern to the proposed development, are located around the development.

An aerial of the area and neighbouring residences are shown below as Figure 3.1.



**FIGURE 3.1 – NEIGHBOURING LOTS**

At the neighbouring residences, as shown above, with Kingsley Drive being a secondary road and the commercial premises to the south, the influencing factor has been determined to be +4 dB. Thus, the assigned noise levels would be as listed in Table 3.3.

**TABLE 3.3 - ASSIGNED OUTDOOR NOISE LEVEL**

Premises Receiving Noise	Time of Day	Assigned Level (dB)		
		L <sub>A10</sub>	L <sub>A1</sub>	L <sub>Amax</sub>
Noise sensitive premises: highly sensitive area	0700 - 1900 hours Monday to Saturday (Day)	49	59	69
	0900 - 1900 hours Sunday and Public Holidays (Sunday / Public Holiday Day)	44	54	69
	1900 - 2200 hours all days (Evening)	44	54	59
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and Public Holidays (Night)	39	49	59

Note: L<sub>A10</sub> is the noise level exceeded for 10% of the time.  
L<sub>A1</sub> is the noise level exceeded for 1% of the time.  
L<sub>Amax</sub> is the maximum noise level.

#### 4. PROPOSAL

From information supplied, we understand that the child care centre normal hours of operations would be between 0700 and 1830 hours, Monday to Friday (closed on public holidays). It is understood that the proposed childcare centre will cater for a maximum of 78 children: with the following breakdown:

Group Room 1	0 – 24 months	8 places
Group Room 2	24 – 36 months	15 places
Group Room 3	24 – 36 months	5 places
	3+ years	10 places
Group Room 4	3 + years	20 places
Group Room 5	3+ years	20 places

It is noted that the proposed child care centre would open at 7 am (ie during the day period). Thus, the outdoor play area would need to comply with the assigned  $L_{A10}$  day period noise level.

For reference, plans are attached in Appendix A.

#### 5. MODELLING

To assess the noise received at the neighbouring premises from the proposed development, noise modelling was undertaken using the noise modelling program SoundPlan.

Calculations were carried out using the DWER's weather conditions, which relate to worst case noise propagation, as stated in the Department of Environment Regulation "*Draft Guidance on Environmental Noise for Prescribed Premises*". These conditions include winds blowing from sources to the receiver(s).

Calculations were based on the sound power levels used in the calculations are listed in Table 5.1.

**TABLE 5.1 – SOUND POWER LEVELS**

Item	Sound Power Level, dB(A)
Children Playing	83 (per 10 children)
Car Moving in Car Park	79
Car Starting	85
Door Closing	87
Air conditioning condensing Unit	4 @ 71

##### Notes:

- 1 Given the number and breakdown of children, to be conservative, even though the child care centres capacity is for 78 children, the acoustic modelling of outdoor play noise was based on 80 children playing within the outdoor play areas at the one time, utilising 8 groups of 10 children, sound power levels distributed as plane sources. For information, for modelling, 4 groups have been located within the ground floor playscape and 4 groups located within the first floor playscape.
- 2 With regards to the air conditioning, we understand that the air conditioning has not been designed at this stage of the development. However, the condensing units are to be located, as shown on the attached drawings.



- 3 The noise level for the air conditioning has been based on the sound power levels used for previous assessment of child care centres. Although we understand that not all the air conditioning condensing units would be run before 7am, to provide flexibility all air conditioning units are to be installed with night period low noise modes. However, to be conservative, it has been assumed that all condensing units were operating before 7am.
- 4 Modelling was based boundary fencing, as indicated on the plans attached in Appendix A.
- 5 It is understood that the child care centre would not open until 7:00 am. However, some staff will need to arrive before 7am to set up and open the centre. Noise emissions from staff closing doors can be managed and would be less than for parents dropping of children. However, to be conservative, for this assessment the sound power level listed in Table 5.1 has still been used.
- 6 Even though noise received at the neighbouring residences from staff arriving before 7 am would comply with the assigned night period  $L_{A_{Max}}$  noise level when parking in any of the car bays, to reduce the noise received at the neighbouring residences from staff arriving before 7am, it is suggested that before 7 am only staff parking bays 14, 16, 22 and 23 be used. To show the noise level received at the neighbouring residences from this suggested parking before 7 am, noise modelling has been undertaken for this scenario.
- 7 Noise modelling was undertaken to a number of different receiver locations for each of the neighbouring residences. However, to simplify the assessment, only the noise level in the worst case location, as shown on Figure 3.1, have been listed.

Although we believe that the sound power level listed in Table 5.1 best represents the noise emissions from the outdoor play area, we have undertaken additional noise modelling to reflect the sound power level provided in the AAAC guideline, as listed in the following table.

**Table 1 – Effective Sound Power Levels ( $L_{Aeq, 15min}$ ) for Groups of 10 Children Playing**

Number and Age of Children	Sound Power Levels [dB] at Octave Band Centre Frequencies [Hz]								
	dB(A)	63	125	250	500	1k	2k	4k	8k
10 Children - 0 to 2 years	78	54	60	66	72	74	71	67	64
10 Children - 2 to 3 years	85	61	67	73	79	81	78	74	70
10 Children - 3 to 5 years	87	64	70	75	81	83	80	76	72

Notes:

- 1 If applicable, an adjustment to the above sound power levels of -6 dB could be applied in each age group for children involved in passive play.

The additional, noise modelling was undertaken for the following groups of children:

#### **GROUND FLOOR**

0 – 24 months	10 of at 78 dB(A);
2 – 3 years	20 of at 85 dB(A); and
3+ years	10 of at 87 dB(A).

#### **FIRST FLOOR**

3+ years	40 of at 87 dB(A).
----------	--------------------

We note that as stated in the above note to the AAAC sound power level, an adjustment of -6 dB(A) would be applicable to each group of children involved in passive play. Thus, some children would be engaged in passive play. However, no adjustment has been made for passive play and the results using the AAAC sound power level, we believe would be an unrealistic worst case scenario, that we believe would not occur.

## 6. ASSESSMENT

The resultant noise levels at the neighbouring residence from children playing outdoors and mechanical services are tabulated in Tables 6.1 and 6.2, respectively.

From previous measurements, noise emissions from children playing does not contain any annoying characteristics. Noise emissions from the mechanical services could be tonal and a +5 dB(A) penalty would be applicable, as shown in Table 6.1. Noise emissions from both outdoor play and the mechanical services needs to comply with the assigned  $L_{A10}$  noise levels.

**TABLE 6.1 - ACOUSTIC MODELLING RESULTS FOR  $L_{A10}$  CRITERIA  
OUTDOOR PLAY AREAS**

Neighbouring Premises	Calculated Noise Level (dB(A))	
	Children Playing	
	HSA SOUND POWER LEVEL	AAAC SOUND POWER LEVELS
North	38	41
South	45	47
West	38	41

**TABLE 6.2 - ACOUSTIC MODELLING RESULTS  $L_{A10}$  CRITERIA  
AIR CONDITIONING**

Neighbouring Premises	Calculated Noise Level (dB(A))
North	30 (35)
South	9 (14)
West	32 (37)

( ) Includes +5 dB(A) penalty for tonality

With regards to noise associated with cars within the parking area, resultant noise levels are tabulated in Tables 6.3 and 6.4. It is noted that noise emissions from a moving car being an  $L_{A1}$  noise level, with noise emissions from cars starting and doors closing being an  $L_{Amax}$  noise level.

Based on the definitions of tonality, noise emissions from car movements and car starts, being an  $L_{A1}$  and  $L_{Amax}$  respectively, being present for less than 10% of the time, would not be considered tonal. Thus, no penalties would be applicable, and the assessment would be as listed in Table 6.3 (Car Moving) and Table 6.4 (Car Starting). However, noise emissions from car doors closing could be impulsive, hence the +10dB penalty has been included in the assessment.

**TABLE 6.3 - ACOUSTIC MODELLING RESULTS  $L_{A1}$  CRITERIA  
CAR MOVING**

Neighbouring Premises	Calculated Noise Level (dB(A))
North	42
South	16
West	39

**TABLE 6.4 - ACOUSTIC MODELLING RESULTS  $L_{Amax}$  CRITERIA**  
**CAR STARTING / DOOR CLOSING**

Neighbouring Premises	Calculated Noise Level (dB(A))		
	Car Starting	Door Closing	
	Day Period	Day Period	Night Period (Staff)
North	48	49 [59]	38 [48]
South	28	29 [39]	24 [34]
West	44	49 [59]	45 [55]

[ ] Includes +10 dB(A) penalty for impulsiveness.

[ ] Includes +10 dB(A) penalty for impulsiveness.

Note: With only staff arriving before 7am, no cars would be starting during the night period. Thus, for cars starting, only compliance with the assigned day period is required.

Tables 6.5 to 6.10 summarise the applicable Assigned Noise Levels, and assessable noise level emissions for each identified noise.

**TABLE 6.5 – ASSESSMENT OF  $L_{A10}$  NOISE LEVEL EMISSIONS**  
**OUTDOOR PLAY (DAY PERIOD) FOR AAAC SOUND POWER LEVELS**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
North	41	49	Complies
South	47	49	Complies
West	41	49	Complies

**TABLE 6.6 – ASSESSMENT OF  $L_{A10}$  NIGHT PERIOD NOISE LEVEL EMISSIONS**  
**AIR CONDITIONING**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
North	35	39	Complies
South	14	39	Complies
West	37	39	Complies

**TABLE 6.7 – ASSESSMENT OF  $L_{A1}$  NIGHT PERIOD NOISE LEVEL EMISSIONS**  
**CAR MOVEMENTS**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
North	42	49	Complies
South	16	49	Complies
West	39	49	Complies

**TABLE 6.8 – ASSESSMENT OF  $L_{Amax}$  DAY PERIOD NOISE LEVEL EMISSIONS**  
**CAR STARTING**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
North	48	69	Complies
South	28	69	Complies
West	44	69	Complies

**TABLE 6.9 – ASSESSMENT OF  $L_{Amax}$  DAY PERIOD NOISE LEVEL EMISSIONS**

**CAR DOOR**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
North	59	69	Complies
South	59	69	Complies
West	59	69	Complies

**TABLE 6.10 – ASSESSMENT OF  $L_{Amax}$  NIGHT PERIOD NOISE LEVEL EMISSIONS**

**CAR DOOR**

Location	Assessable Noise Level dB(A)	Applicable Assigned Noise Level (dB(A))	Exceedance to Assigned Noise Level
North	48	59	Complies
South	34	59	Complies
West	55	59	Complies

## 7. CONCLUSION

Noise received the neighbouring residences from the outdoor play area would comply with day period assigned noise level.

The air conditioning condensing units have also been assessed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times. However, it is recommended that the mechanical services design be reviewed for compliance with the Regulatory requirements.

It is noted that noise associated with cars movements and cars starting are exempt from complying with the Regulations. However, noise emissions from car doors are not strictly exempt from the Regulations. Noise received at the neighbouring residences from these noise sources would, comply at all times. However, to reduce the noise received at the neighbouring residences from staff arriving before 7am it is suggested that only staff car bays 14, 16, 22 and 23 be used before 7am.

Thus, noise emissions from the proposed development, would be deemed to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed hours of operation, with the inclusion of the mitigation as outlined above.



# **APPENDIX A**

## PLANS

# PROPOSED CHILDCARE CENTRE

## 73 KINGSLEY DRIVE, KINGSLEY WA



### DRAWING REGISTER PLANNING

SHEET NUMBER	SHEET NAME	ISSUE	DESCRIPTION	DATE
DA01	SITE PLAN	5	FOR FURTHER DAP MEETING	20/12/2021
DA02	GROUND FLOOR PLAN	5	FOR FURTHER DAP MEETING	20/12/2021
DA03	FIRST FLOOR PLAN	5	FOR FURTHER DAP MEETING	20/12/2021
DA04	ROOF PLAN	5	FOR FURTHER DAP MEETING	20/12/2021
DA05	ELEVATIONS	5	FOR FURTHER DAP MEETING	20/12/2021
DA06	SHADOW DIAGRAMS - JUNE SOLSTICE	5	FOR FURTHER DAP MEETING	20/12/2021
DA07	CONTEXT PERSPECTIVES	5	FOR FURTHER DAP MEETING	20/12/2021

#### GENERAL NOTES

DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING: FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING.

VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT.

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA, BUILDING ACT 1975 AS AMENDED, STANDARD BUILDING BY-LAWS AND RELEVANT AUSTRALIAN STANDARDS.

ISSUE	DESCRIPTION	DATE
5	FOR FURTHER DAP MEETING	20/12/2021
3	FOR MEDIATION PURPOSES	20/11/2021
2	TODDLER & BABIES ROOM FLIP	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021

**insite**  
ARCHITECTS

77 Upper Heidelberg Road Ivanhoe  
VIC 3045  
T (03) 9499 8174  
www.insitearchitects.com.au



CLIENT:  
CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Aram\Documents\U0000487 Kingsley Dr, Kingsley DA\_Central Model\_Aram\GVKVG.nt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
COVER SHEET

SCALE: DATE: APRIL 2021

DRAWN: CW PRINTED: 20/12/2021 10:50:35 AM

CHECKED: AH JOB No.: J0000487

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DA00<sub>5</sub>

WITHOUT PREJUDICE  
- FOR MEDIATION PURPOSES

CHILDCARE CENTRE ANALYSIS

OPERATION HOURS 6:30am to 6:30pm Monday to Friday  
with up to four days open on the weekend for open days

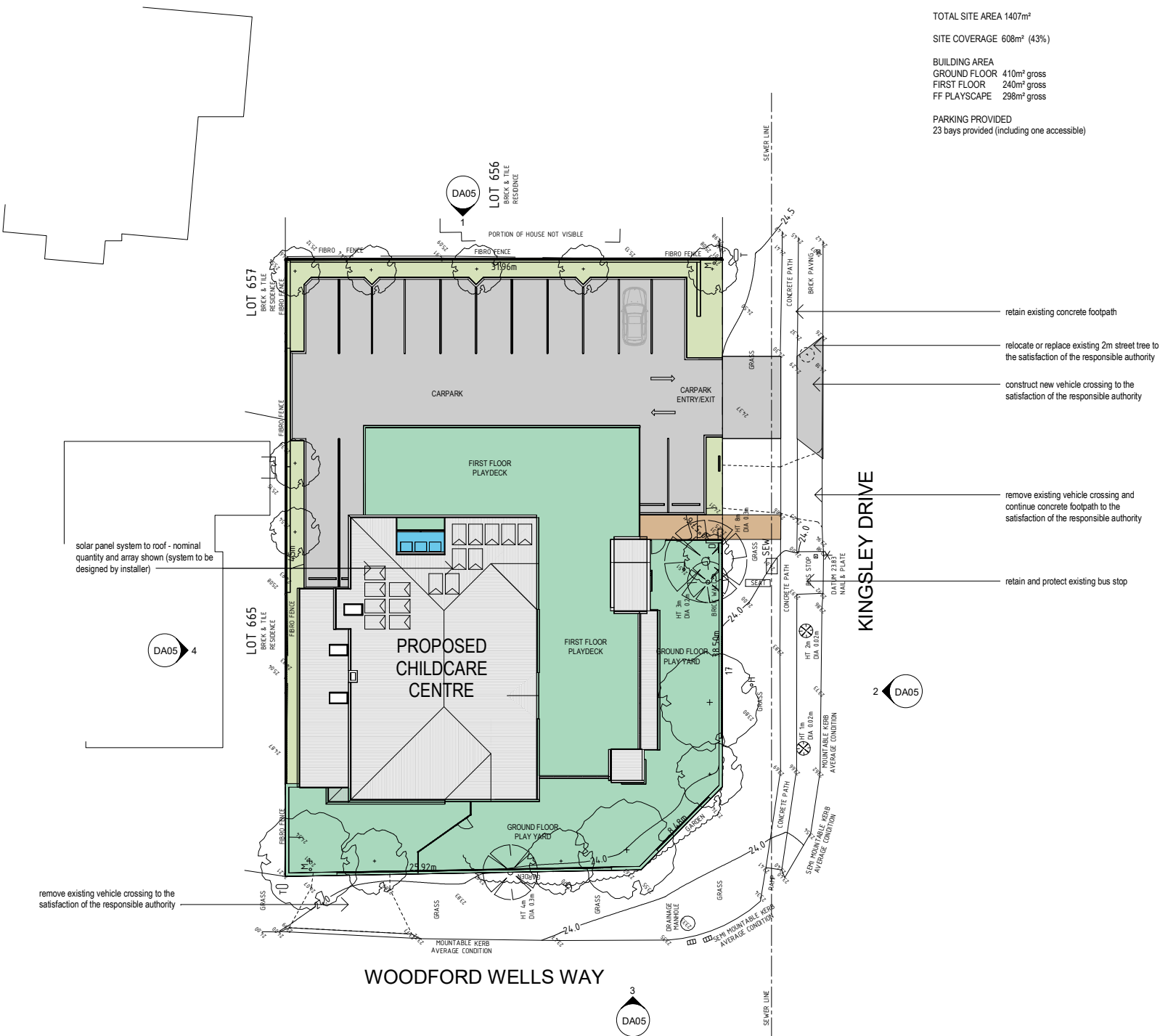
GROUP ROOM 1	0-24months	8 PLACES	2 EDUCATORS
GROUP ROOM 2	24-36months	15 PLACES	3 EDUCATORS
GROUP ROOM 3	24-36months	5 PLACES	1 EDUCATORS
	36+ months	10 PLACES	1 EDUCATORS
GROUP ROOM 4	36+ months	20 PLACES	2 EDUCATORS
GROUP ROOM 5	36+ months	20 PLACES	2 EDUCATORS
		78 PLACES	11 EDUCATORS + COOK + SUPERVISOR

AREA ANALYSIS

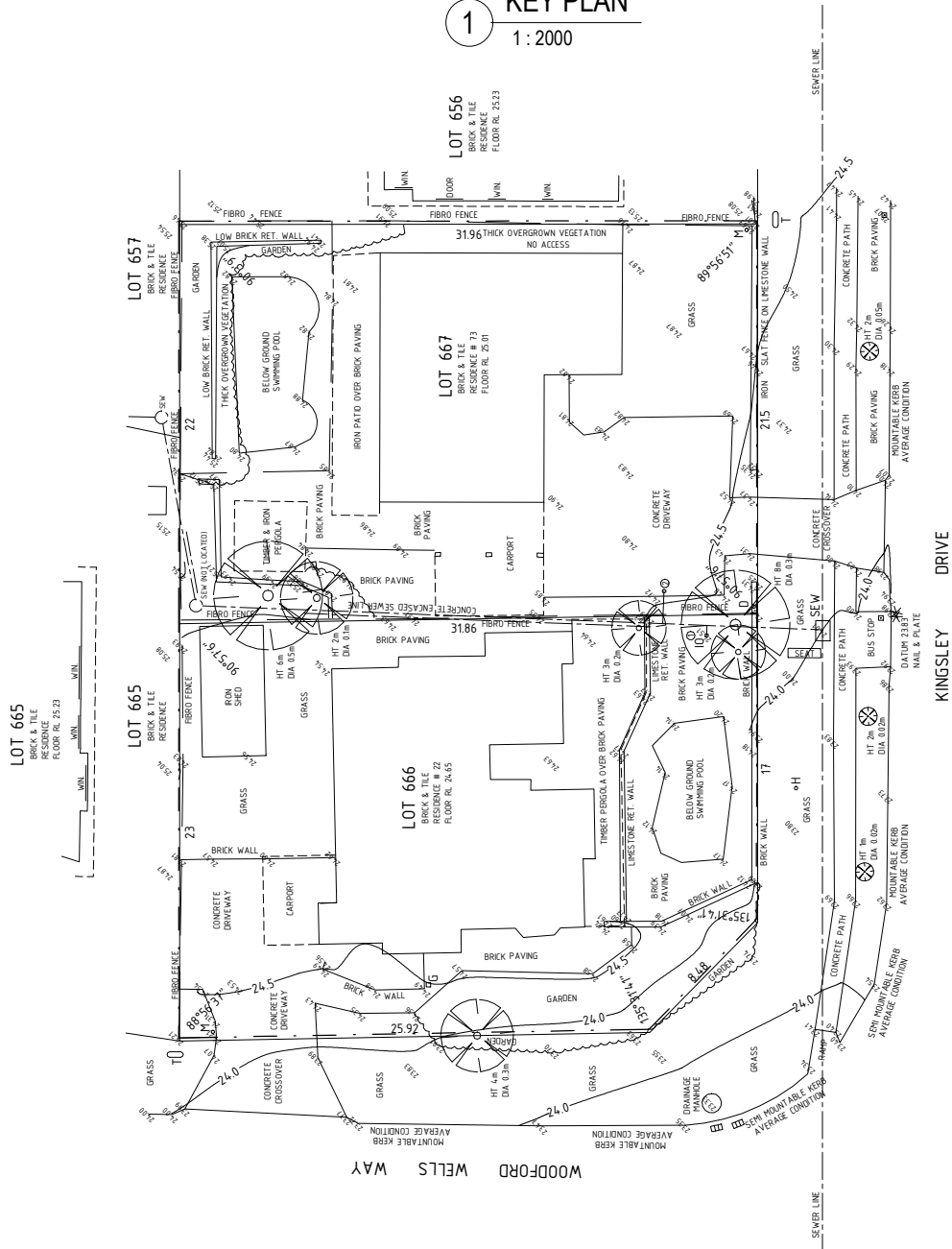
TOTAL SITE AREA 1407m²  
SITE COVERAGE 608m² (43%)  
BUILDING AREA  
GROUND FLOOR 410m² gross  
FIRST FLOOR 240m² gross  
FF PLAYScape 298m² gross  
PARKING PROVIDED  
23 bays provided (including one accessible)



1 KEY PLAN  
1 : 2000



2 SITE PLAN  
1 : 200



3 FEATURE SURVEY PLAN  
1 : 200

FEATURE SURVEY PREPARED BY TSA SURVEYS  
REF - TSA1239-FS DATED 06/05/2021

GENERAL NOTES		
DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING: FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING.		
VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT.		
5	FOR FURTHER DAP MEETING	20/12/2021
3	FOR MEDIATION PURPOSES	29/11/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
ISSUE	DESCRIPTION	DATE

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CLIENT:  
CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Arwin\Documents\U0000487 Kingsley Dc, Kingsley DA\_Central\_Arwin\GVKVG.nt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
SITE PLAN

SCALE: As indicated@A1 DATE: APRIL 2021

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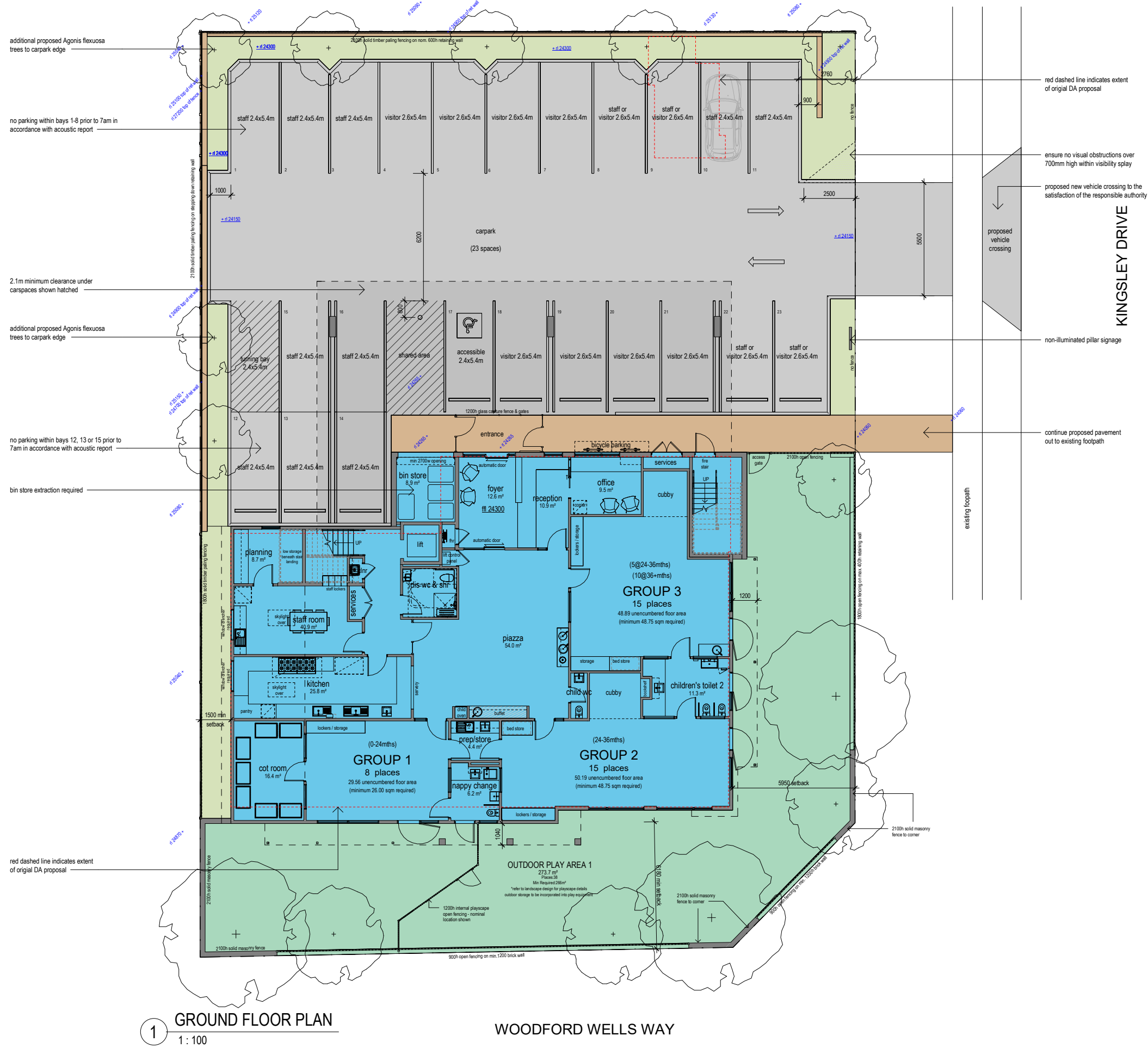
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5	FOR FURTHER DAP MEETING	20/12/2021
3	FOR MEDIATION PURPOSES	20/11/2021
2	TODDLER & BABIES ROOM FLIP	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
ISSUE	DESCRIPTION	DATE

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LOCATION:  
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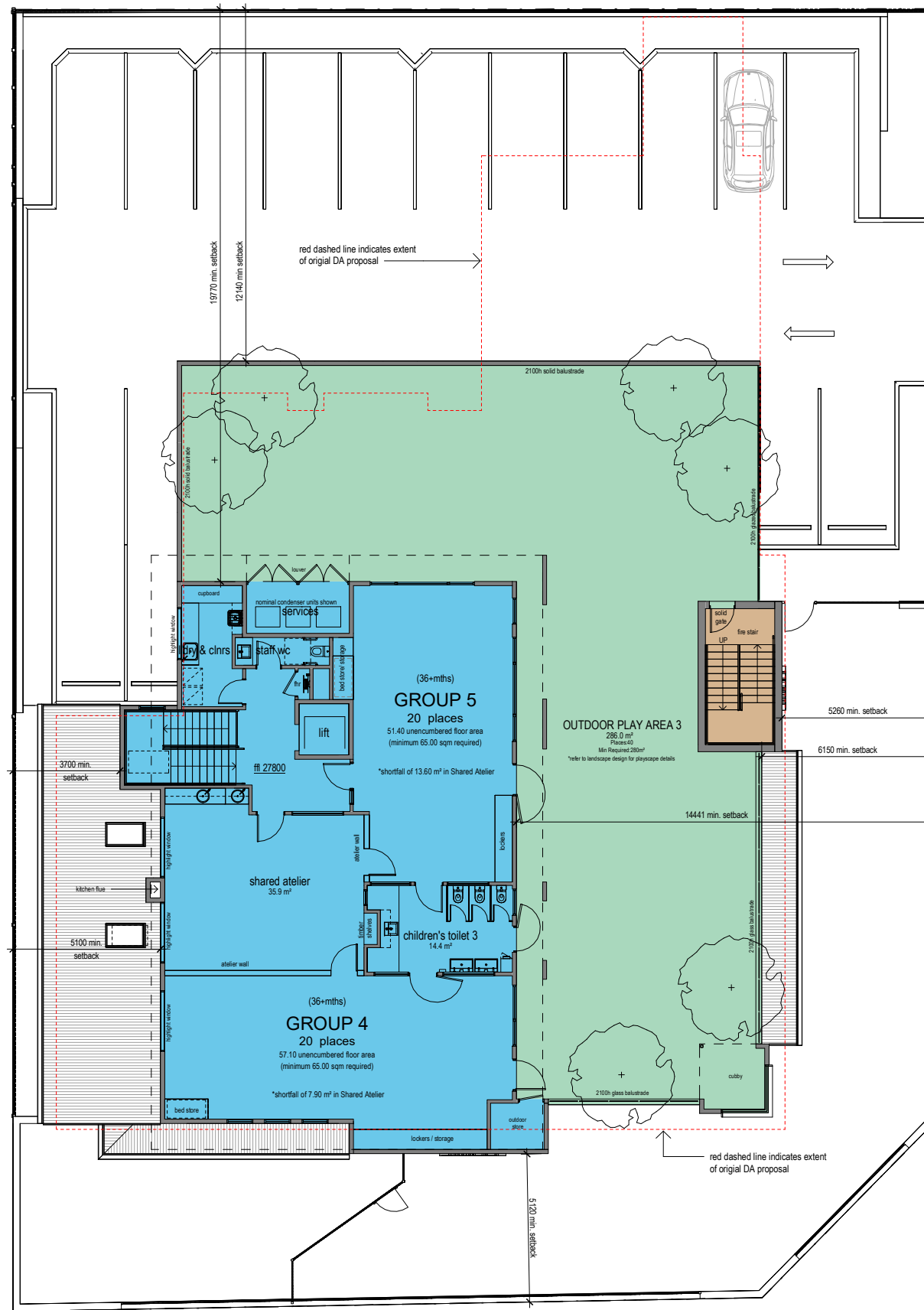
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DA02<sub>5</sub>

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KINGSLEY DRIVE

1 FIRST FLOOR PLAN  
1 : 100

WOODFORD WELLS WAY

- LEGEND
- UNENCUMBERED PLAYSPACE
  - LANDSCAPING
  - BUILDING AREA
  - CARPARK
  - PAVING or similar
  - PROPOSED TREE nominal location shown

GENERAL NOTES		
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ISSUE	DESCRIPTION	DATE
5	FOR FURTHER DAP MEETINGS	20/12/2021
3	FOR MEDICAL SURVEY	20/11/2021
2	TODDLER & ENBIE ROOM LIFT	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021

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CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

FILE: C:\Users\Aram\Documents\0000487 Kingsley Dc, Kingsley DA\_Central Model\_Aram\GVKG.nt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

DRAWING TITLE:  
FIRST FLOOR PLAN

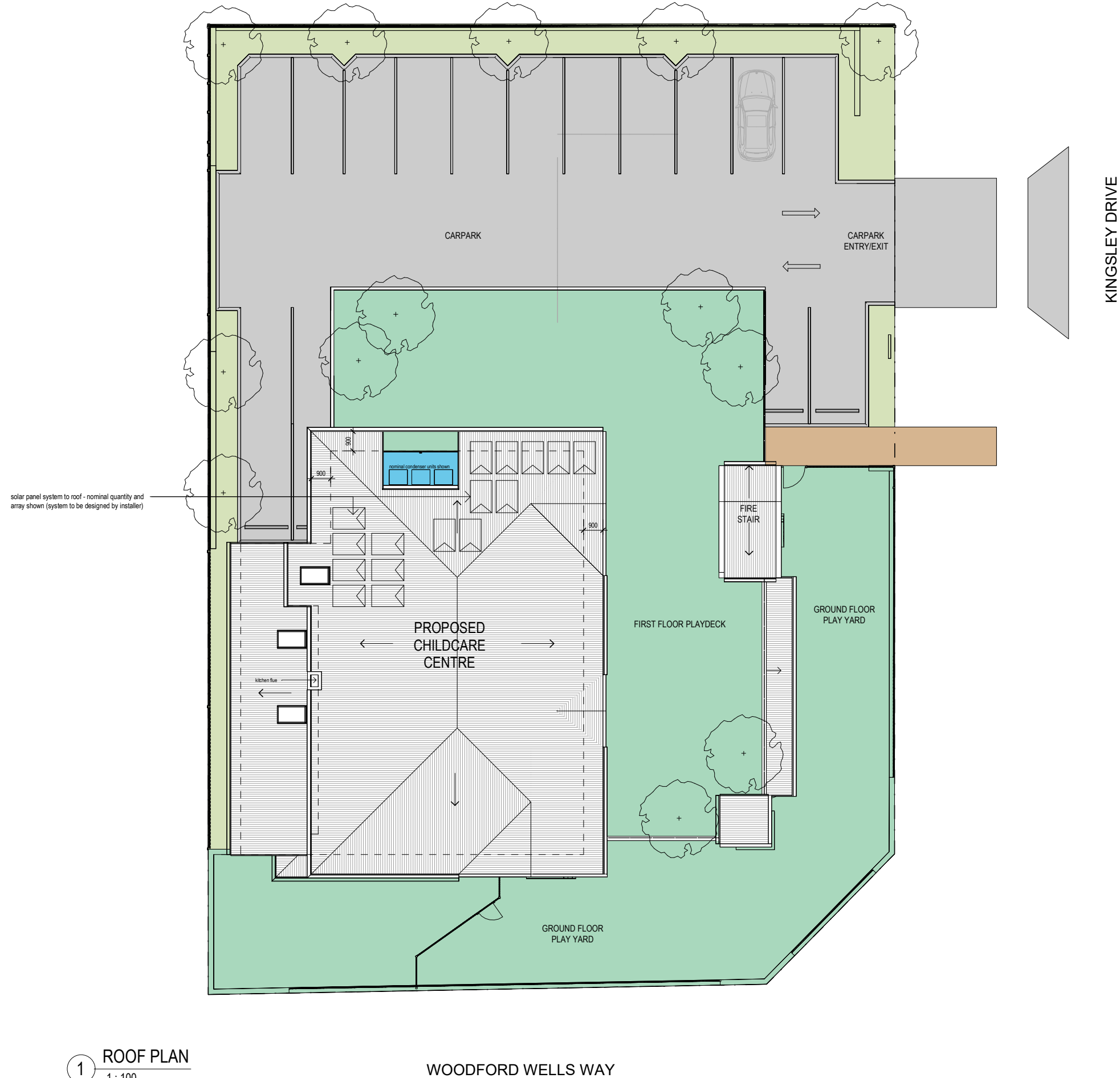
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1 ROOF PLAN  
1 : 100

WOODFORD WELLS WAY

- LEGEND
- UNENCUMBERED PLAYSPACE
  - LANDSCAPING
  - BUILDING AREA
  - CARPARK
  - PAVING or similar
  - PROPOSED TREE nominal location shown

GENERAL NOTES		
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PROPOSED CHILDCARE CENTRE (78 places)

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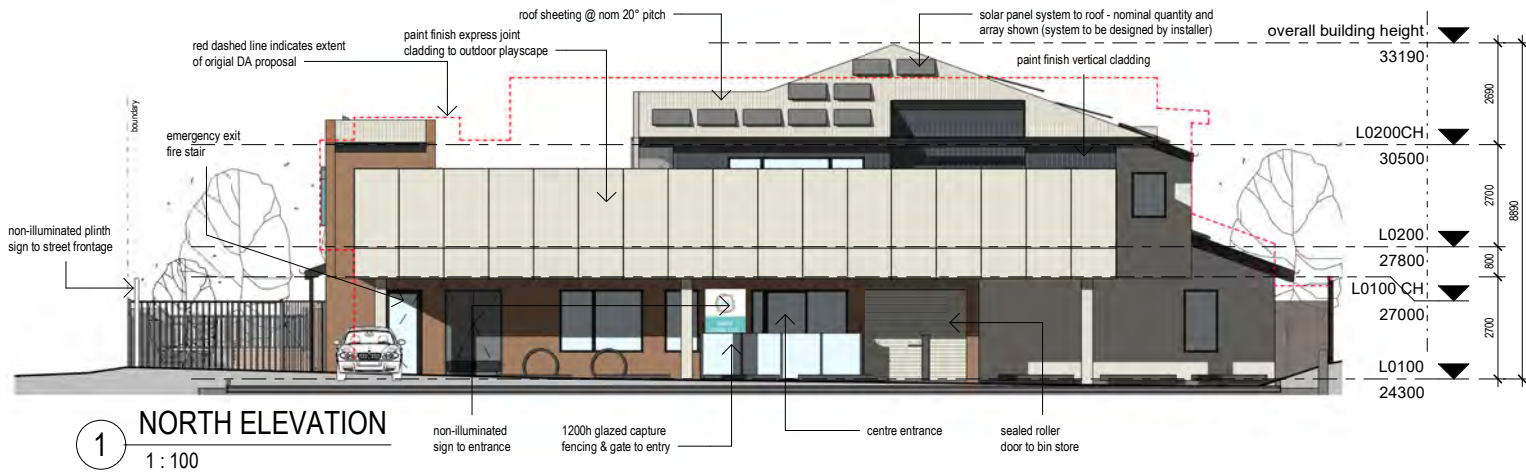
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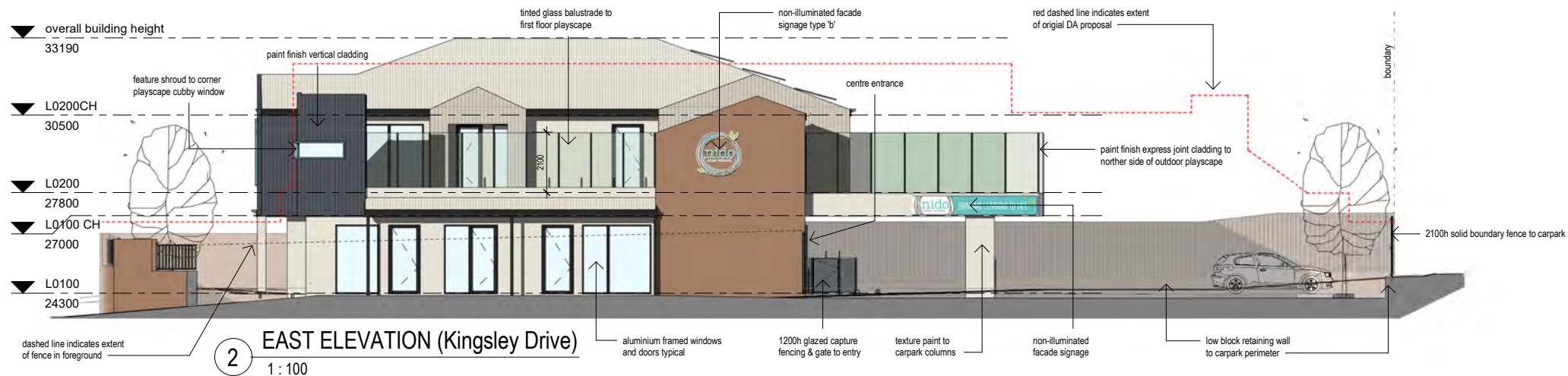


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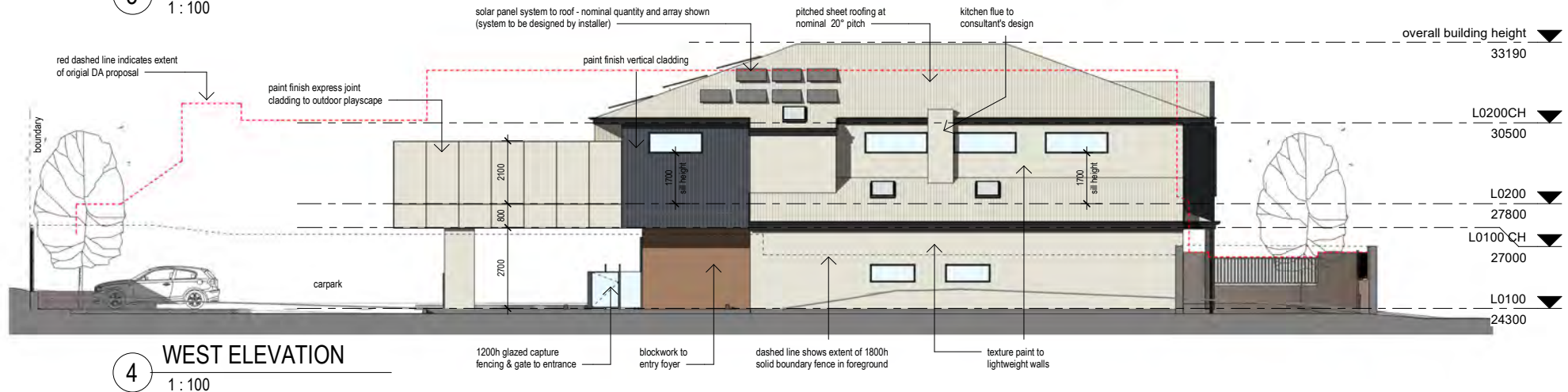
1 NORTH ELEVATION  
1 : 100



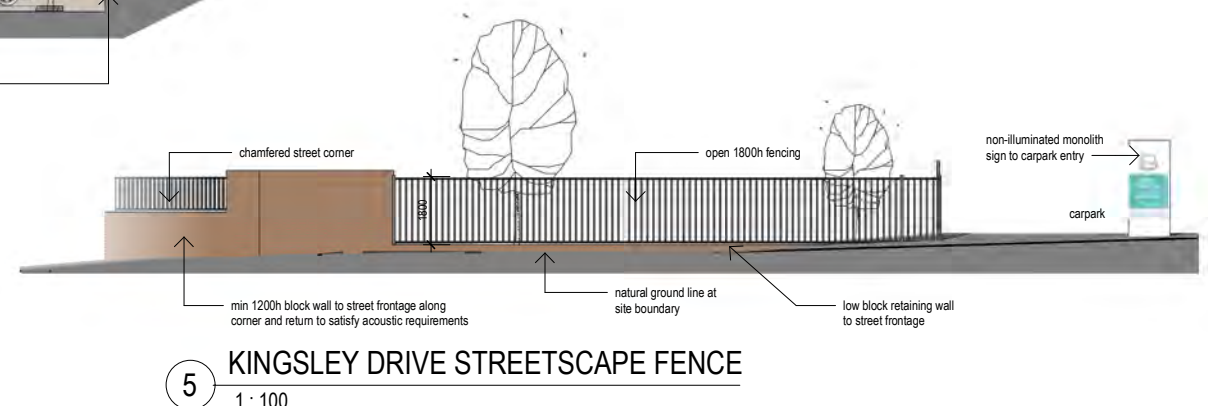
2 EAST ELEVATION (Kingsley Drive)  
1 : 100



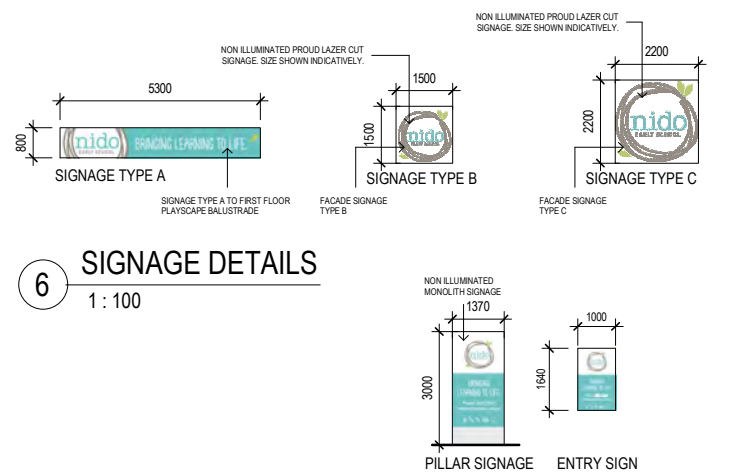
3 SOUTH ELEVATION (Woodford Wells Way)  
1 : 100



4 WEST ELEVATION  
1 : 100



5 KINGSLEY DRIVE STREETSCAPE FENCE  
1 : 100



6 SIGNAGE DETAILS  
1 : 100

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CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (78 places)

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Kingsley  
Child Care Centre  
Operations Management Plan



December 2021



# INTRODUCTION

## PREAMBLE

This Operations Management Plan (OMP) is proposed to detail the operation of the proposed Child Care Centre in addition to seeking Approval for the proposed use from the City of Joondalup.

## LOCATION

The site to which this OMP applies incorporates Lots 666 (22) Woodford Wells Way, Kingsley & Lot 667 (73) Kingsley Drive, Kingsley.

## CADASTRAL INFORMATION

The subject site is currently comprised of two separate land parcels, being:

Lot No.	Volume	Folio	Plan	Area (m²)	Owner
666	1561	160	13156	714	Sharon Leanne, Reid <i>(under contract to CK Group)</i>
667	1561	160		693	Regina Michelle, Fisher <i>(under contract to CK Group)</i>
			TOTAL AREA:	1,400	

**NB. To be updated prior to commencement of operation, following amalgamation of the site into one lot following the issue of Development Approval.**

## PURPOSE & SCOPE

The purpose of this OMP is to assist in managing activities associated with the operation of the Child Care Centre that have the potential to affect the amenity of neighbouring residential premises.

## OPERATION DETAILS

### HOURS OF OPERATION

The site will be operated in a manner as sensitive (as practicable) to adjoining residential occupants with operating hours limited to between the hours of 7.00 am and 6:30 pm Monday to Friday, and occasional opening on Saturdays (up to 4-times a year for half-a-day, purely for marketing purposes).

Staff may access the site from 6:30am to set up the site for the day's activities, and may also be on-site up to 7pm each day for general tidying and cleaning activities. The number of staff accessing the site prior to 7am should be limited to no more than three in order to limit potential noise.

Structured activities typically commence at 9:00 am and finish at 4:30 pm, allowing staggered drop-off and pick-up of children to occur over at least a two-hour period in both the morning and afternoon.




### STUDENT NUMBERS

The centre is proposed to accommodate up to 78 children, broken down into the following age categories (in accordance with the regulations for child care under the Child Care Services Act 2007):

Activity Room No.	Age Group Places			Play/Activity Space (m <sup>2</sup> )	
	0-24 months	2-3 years	3 years +	Indoor (3.25m <sup>2</sup> min. / child)	Outdoor (7m <sup>2</sup> min. / child)
1	8			29.6 (26 Min. Required)	OPA #1 273.7 (266 Min. Required)
2		15		50.2 (48.75 Min. Required)	
3		5	10	48.9 (48.75 Min. Required)	
4			20	51.4 + 18* = 69.4 (65 Min. Required)	OPA #3 286 (280 Min. Required)
5			20	57.1 + 18* = 75.1 (65 Min. Required)	
<b>TOTALS</b>	<b>8</b>	<b>20</b>	<b>50</b>	<b>273.2m<sup>2</sup></b> (253.5m <sup>2</sup> Min. Required)	<b>559.7m<sup>2</sup></b> (546m <sup>2</sup> Min. Required)

*\*Portions of shared atelier room*

Outdoor play is both weather and program dependent. As a guiding principle, the operator intends to promote an indoor/outdoor experience that is operated based on the following parameters:

-  Outdoor play will typically run until 11:30am;
-  The majority of children will be brought inside from 11:30am to 2:00pm for rest time. The only children that may remain outside would be 3-5 year old children; &
-  Indoor/outdoor play then recommences from 2:00pm.

Children will not play outdoors in any extreme weather conditions, such as extreme heat or rain.

### STAFF NUMBERS

Staffing will depend on the number of enrolments, with up to 11 educators and additional administration staff employed at the centre during peak periods of demand (9:30 am and 4:00 pm weekdays).

## PARKING & TRAFFIC MANAGEMENT

The aim of this section of the OMP is to ensure that access and egress to/from the site and parking occurs in an appropriate manner, and to ensure that appropriate arrangements are in place to coordinate vehicle parking between staff and parents and/or carers.

Operations on-site will be established and subsequently managed in accordance with the site-specific *Transport Impact Statement* prepared by *i3 Consulting* (dated December 2021), which (amongst other things) outlines necessary management arrangements and expected impacts on the surrounding traffic network.

### ACCESS & EGRESS

Staff will advise parents and carers that 'drop-off' and 'pick-up' of children is to occur within the on-site designated bays only, so as to reduce any potential conflict with vehicular movements on the external road network. Large pick-up and drop-off windows are provided to both accommodate and encourage the staggering vehicle movements during peak periods.

Appropriate signage and line-marking will be provided to direct patrons to appropriate on-site car parking bays. Parents and carers are required to accompany their child (or children), when accessing the site from the car parking area.

All staff will be responsible for monitoring use of the on-site car parking areas in accordance with these traffic management provisions. Any unsafe behaviour or behaviour contrary to the requirements of this OMP will be reported to the Centre Manager (and City where necessary), for resolution.

The need for delivery of goods or services to the site is limited, will involve small commercial vehicles only, and occur outside peak-periods to reduce the potential for traffic conflict. When available, delivery vehicles are expected to use the full access or vacant customer bays located closest to the basement foyer, for brief periods only.

### CAR PARKING

A total of 23 parking bays have been provided to accommodate for the parking needs of parents, carers and staff. Car parking bays have been designed to ensure:

- Visitor bays are in a location which is safe and clearly accessible to the entry;
- Staff and only staff will use the tandem bays;
- Bays immediately adjoining residential properties are not utilized prior to 7am.

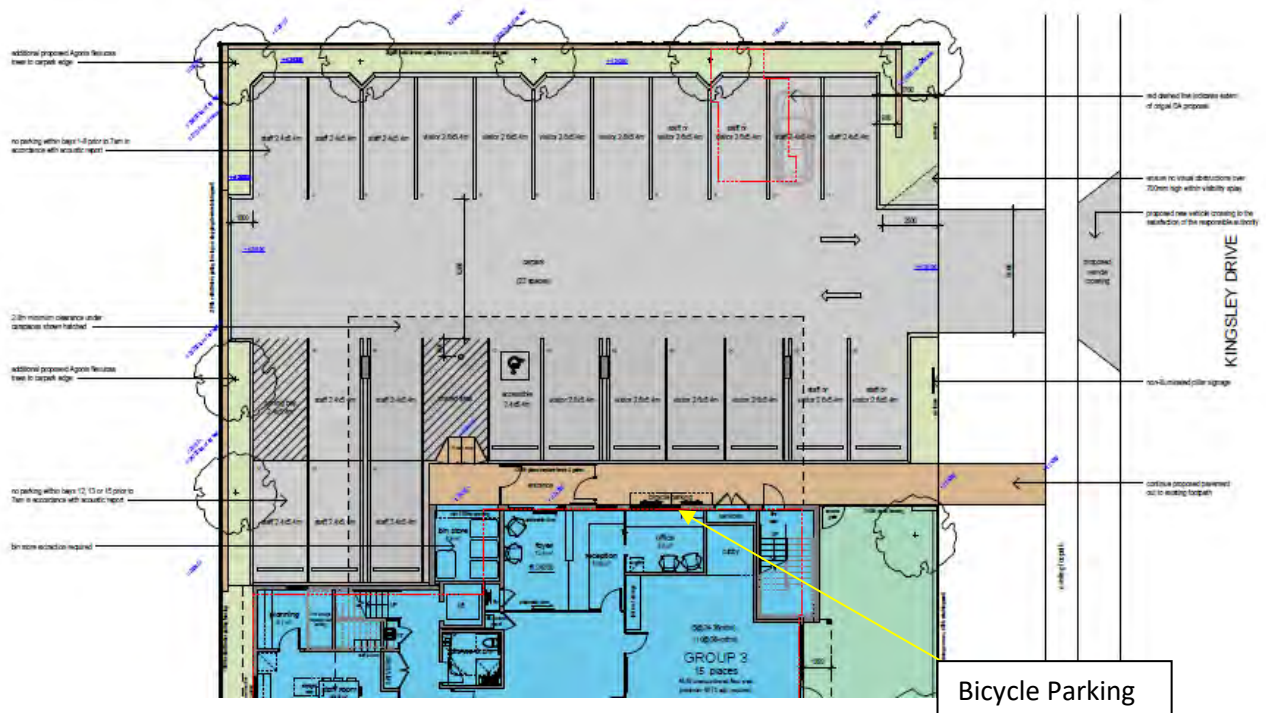
**Arrivals prior to 7am** are typically limited to two – three staff members only. Staff members arriving at these times will be instructed to park within the two tandem bays furthest from the western boundary and/or the dedicated staff bays closest to the Kingsley Drive frontage.

Staff members will be advised of, and encouraged to take advantage of the site's proximity to public transportation and/or other alternative modes of transportation. To assist, employees shall be made aware of the bus routes servicing the area, and encouraged to plan their journey using the Transperth journey planner (<http://www.transperth.wa.gov.au/Journey-Planner>).

## BICYCLE PARKING

Dedicated bicycle parking is provided in the form of two single u-rails located within the front entrance walkway car park for long-term use by staff, plus an additional bay located adjacent the Woodford Wells Way pedestrian entrance for short-term use by customers (refer **Figure 1**). The staff room includes lockers for staff use, with a universal wet room located adjacent the staff room for staff members who choose to shower.

**FIGURE 1: PARKING LAYOUT**








## NOISE MANAGEMENT







Any noise resulting from on-site activities are required to meet the requirements of the *Environmental Protection (Noise) Regulations 1997*. Operations on-site will be undertaken in such a manner as to comply with the above Regulations, as informed by the recommendations contained in the site-specific *Environmental Acoustic Assessment* prepared by *Herring Storer Acoustics* (dated December 2021), and any subsequent addendums.

Key operational aspects that inform the outcomes of the report, include the following:

### INDOOR PLAY

-  Internal noise levels will not exceed those from outdoor play for each age group;
-  External doors and windows will be closed during indoor activity/play; and
-  Any music played within the internal activity areas will be 'light', with no significant bass content and played at a relatively low level.

### OUTDOOR PLAY



-  The behaviour and 'style of play' of children will be monitored to mitigate particularly loud activity (e.g., loud banging/crashing of objects, 'group' shouts/yelling);
-  Soft finishes will be favoured to minimise impact noise (e.g., soft grass, sand pits, rubber mats) over timber or plastic;
-  Preference for the use of soft balls and rubber wheeled toys;
-  Crying children will be taken inside to be comforted;
-  No amplified music being played outside; &
-  2.1m tall solid fencing and/or balustrading being constructed and maintained along the externality of the outdoor play areas, in accordance with the parameters contained in the acoustic report to enhance acoustic shielding.


### MONITORING & MANAGEMENT

The contact details of the Centre Manager will be provided to the landowners of neighbouring properties. This provides residents with a point of contact, should an issue relating to the matters contained within this OMP arise. If complaints are received, the Centre Manager will take the appropriate action(s) to rectify the complaint.

The Centre Manager, staff, parents and children will all be required to comply with this OMP. Parents of children attending this centre will be provided with the information outlined in this OMP and be advised of the need to comply with the specified requirements.





### PROCEDURE & POLICIES TO MANAGE NOISE LEVELS

-  Car parking associated with the centre will be managed and controlled in a manner that causes minimal disruption to neighbouring residents.
-  Parking bays (other than staff parking) will be restricted to drop-off and pick-up purposes only. Parents will be discouraged from entering into conversations with other parents in the car parking area as this is deemed to be unsafe. This information will be specified in the information packs on enrolment and monitored on-site by staff and the Centre Manager.

-  A 'Behaviour Policy' will be in place to outline the procedures for dealing with unfavourable behaviour from a child, including disruptive and excessive noise behaviours. This policy will outline the steps to be undertaken by staff in the instance that a child exceeds the acceptable level of noise and is determined to be partaking in disruptive behaviour.

## RESPONSIBILITIES OF STAFF

To help achieve the purpose of this OMP, staff will be responsible for the following:

-  Participate in a formal induction at the beginning of employment in regards to behaviour and noise management strategies. The centre provides for all children to be in a safe and comforting environment, therefore positive behaviours and choices will be encouraged at all times.
-  Children are energetic, and develop through exploring and playing. Sometimes this results in children hurting themselves and others and crying. Every attempt will be made to address the issues of crying however children's play is not to be discouraged.
-  Noise is a natural by-product of play, however where excessive screaming and shouting occurs the staff will instruct the children to refrain from this behaviour or recommend an alternative activity for the children to undertake.
-  A minimum of three (3) staff members will manage up to a maximum of thirty (30) children in each program (older group), meaning there will be consistent and careful monitoring of play area. Staff will be required to ensure that there are sufficient and engaging play activities for the children both during indoor and outdoor play.

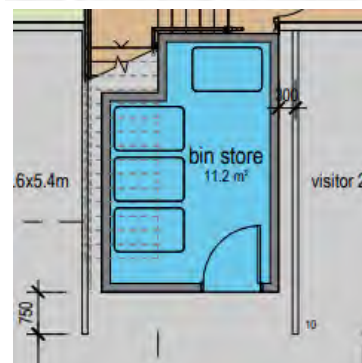
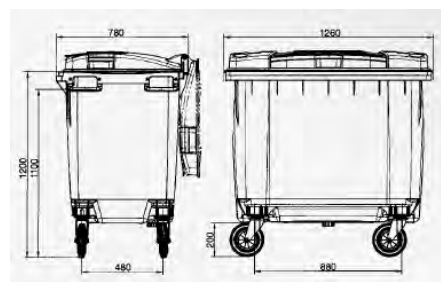
## WASTE MANAGEMENT

Staff will clean the centre at the conclusion of each day including the collection of all rubbish from interior bins for disposal via 660L bins, which will be stored within the externally accessible enclosure located behind the ACROD bay, with flush paving providing direct access to the driveway. Adequate space is afforded for up to four (4) x 660 litre bins inclusive of a drain and wash down facilities in accordance with the relevant regulations.

Waste will then be removed from the site via private collection involving the use of a rear loading waste vehicle (outside of peak periods) twice a week for general waste, and once a week for recycling in accordance with the standard operation to its similar sized centres.

Collections will occur between 10am and 2pm. Visitor bays will not be required at this point and three bays (bays 7, 8 and 9) will be utilised for manoeuvring. These bays will be sign posted as loading bays between the above times.

Centre staff and/or the waste contractor are responsible for maintaining the cleanliness of the bin area and for the movement of bins to and from the bin store on collection days.



## LIGHTING

Lighting on-site shall be provided in accordance with the relevant Australian Standard.

## CONTACT DETAILS & COMPLAINTS PROCEDURE

Any complaints relating to the operation of the business should be directed in the first instance to the Centre Manager. They can do so by calling the business on:



*TBC prior to commencement of operation, when a landline has been connected to the site.*

An answering machine or service shall allow for a message to be left in the event that the call is not immediately answered. The Centre Manager will call the resident back as soon as practical (within one working day of receipt).

## FUTURE CHANGES & MODIFICATIONS

This OMP will be reviewed periodically by the operator.



## PROPOSED CHILD CARE CENTRE (78 PLACES)

---

LOTS 667 (73) KINGSLEY DR & 666 (22) WOODFORD WELLS WAY, KINGSLEY

### TRANSPORT IMPACT STATEMENT



Final 3

Prepared by i3 consultants WA for  
CK Development Services



# Proposed Child Care Centre (78 Places) | Lots 667 (73) Kingsley Dr & 666 (22) Woodford Wells Way, Kingsley | Transport Impact Statement

## Prepared by

David Wilkins | Senior Traffic & Road Safety Engineer

## Contact

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## Published by

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## Description

A Transport Impact Statement for a proposed Child Care Centre for 78 children (Babies to Kindy) on Lots 667 (Street No 73) Kingsley Dr and 666 (Street No 22 Woodford Wells Way) on the northwest corner of Kingsley Ave/ Woodford Wells Way in the City of Joondalup suburb of Kingsley prepared in accordance with the WAPC 2016 Transport Impact Assessment Guidelines.

## Client

CK Development Services

Project ID 37905

Version Final 3

Publication Date 21 December 2021

Pages 54

File Name 37905-TIS-F3

This is not an approved document unless certified below.

Digitally signed by David Wilkins  
Date: 2021.12.21 08:50:06 +08'00'

## About the Author

David Wilkins is an RTA NSW Certified Level 3 Lead Auditor (RSA-08-0178) and Main Roads Western Australia (MRWA) accredited Senior Road Safety Auditor (SRSA 0101). In addition to this, David is an MRWA accredited Crash Investigation Team Leader and Roadworks Traffic Manager (MRWA-RTM-10-RTM20). David has undertaken over 430 road safety audits in Australia since 2001 across the full range of stages from feasibility through to pre-opening, including roadworks, existing roads, schools, and mine sites.

David specialises in undertaking and preparing traffic impact assessments in accordance with either the WAPC *Transport Impact Assessment Guidelines* or Austroads *Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments*. He has authored over 200 of these since 2001.

David is a member of Engineers Australia and committee member of Transport Australia society and is guided by its Charter and Code of Ethics which states that its members act in the interest of the community, ahead of sectional or personal interests towards a sustainable future.

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## CONTENTS

<b>1</b>	<b>Introduction.....</b>	<b>4</b>
1.1	Assessment Level .....	4
1.2	Child Care Centre trip generation .....	6
<b>2</b>	<b>Proposed development .....</b>	<b>9</b>
<b>3</b>	<b>Vehicle access and parking .....</b>	<b>10</b>
<b>4</b>	<b>Provision for service vehicles.....</b>	<b>15</b>
<b>5</b>	<b>Hours of operation.....</b>	<b>16</b>
<b>6</b>	<b>Traffic volumes and vehicle types.....</b>	<b>17</b>
<b>7</b>	<b>Traffic management on frontage streets.....</b>	<b>23</b>
<b>8</b>	<b>Public transport access.....</b>	<b>24</b>
<b>9</b>	<b>Car, pedestrian, cycle and public transport access .....</b>	<b>26</b>
<b>10</b>	<b>Site specific issues.....</b>	<b>27</b>
<b>11</b>	<b>Safety issues .....</b>	<b>30</b>
<b>References</b>	<b>.....</b>	<b>32</b>
<b>APPENDIX A</b>	<b>DEVELOPMENT DRAWING .....</b>	<b>33</b>
<b>APPENDIX B</b>	<b>TRAFFIC DATA .....</b>	<b>42</b>
<b>APPENDIX C</b>	<b>SIDRA SUMMARY REPORTS.....</b>	<b>45</b>
<b>APPENDIX D</b>	<b>WAPC TRANSPORT IMPACT STATEMENT CHECKLIST .....</b>	<b>53</b>
	Checklist for a transport impact statement for individual development.....	53

# 1 INTRODUCTION

## 1.1 ASSESSMENT LEVEL

This Transport Impact Assessment report has been prepared in accordance with the WAPC publication *Transport Impact Assessment Guidelines* <sup>(1)</sup>. These guidelines indicate that a Transport Impact Statement (TIS) “is required for those developments that would be likely to generate moderate volumes of traffic and therefore would have a moderate overall impact on the surrounding land uses and transport networks, (in accordance with Table 1.)”

LAND USE	MODERATE IMPACT	HIGH IMPACT
	Transport Impact Statement required	Transport Impact Assessment required
	10 – 100 vehicle trips in the peak hour	> 100 vehicle trips in the peak hour
Residential	10–100 dwellings	>100 dwellings
Schools	10–100 students	>100 students
Entertainment venues, restaurants, etc.	100–1000 persons (seats) OR 200–2000 m <sup>2</sup> gross floor area	>1000 persons (seats) OR >2000 m <sup>2</sup> gross floor area
Fast food restaurants	50–500 m <sup>2</sup> gross floor area	>500 m <sup>2</sup> gross floor area
Food retail /Shopping centres with a significant food retail content	100–1000 m <sup>2</sup> gross floor area	>1000 m <sup>2</sup> gross floor area
Non-food retail	250–2500 m <sup>2</sup> gross floor area	>2500 m <sup>2</sup> gross floor area
Offices	500–5000 m <sup>2</sup> gross floor area	>5000 m <sup>2</sup> gross floor area
Service Station	1–7 refueling positions	>7 refueling positions
Industrial/Warehouse	1000–10,000 m <sup>2</sup> gross floor	>10,000 m <sup>2</sup> gross floor area
Other Uses	Discuss with approving authority	Discuss with approving authority

Table 1 - Level of TIA required by land use and size

Table 1 above does not identify a Child Care Centre Land Use. In accordance with ‘Other Uses’ the level of TIA required has been discussed with the City of Joondalup (the approving authority for the development). The City has indicated that a Transport Statement is to be submitted as per City of Joondalup *Child Care Premises Local Planning Policy* <sup>(2)</sup>. This is consistent with the forecast peak hour traffic volumes of 62 (AM) and 31 (PM), i.e., between 10 and 100 (as described in **Section 1.2**) described as a Moderate Impact that warrants a Transport Impact Statement, as indicated in Table 1 above and Figure 1 on the following page.

The preparation of a TIS in accordance with the WAPC Guidelines is consistent with, and ensures compliance with, Clause 67(t) of the *Planning and Development (Local Planning Schemes) Regulations 2015* <sup>(3)</sup> which state “due regard should be given the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety”.

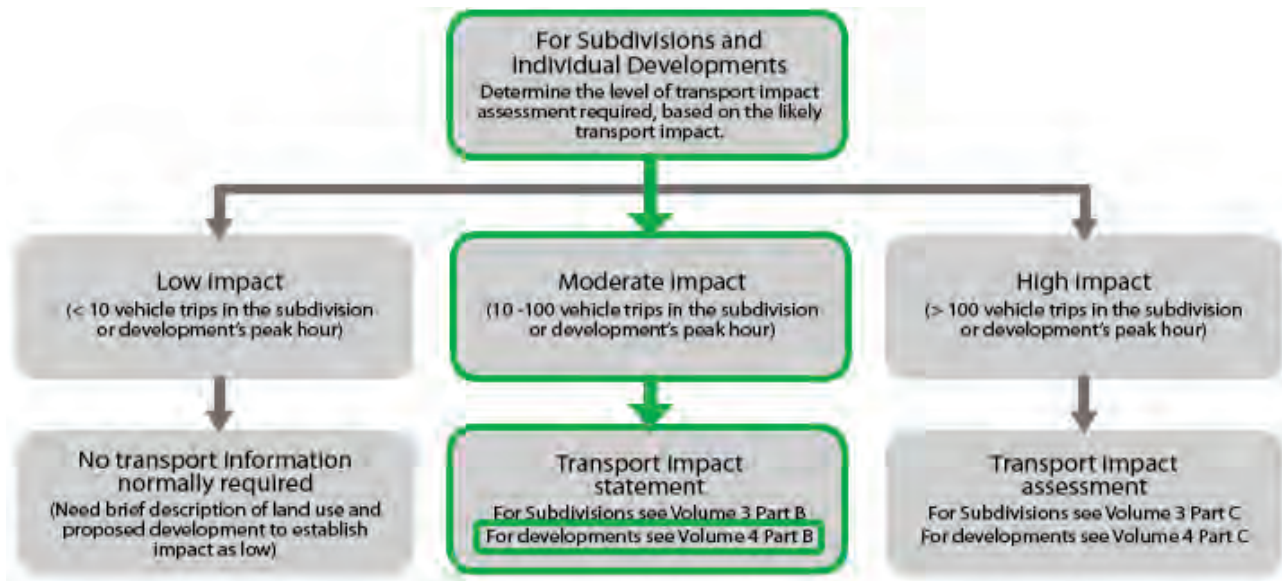


Figure 1 – Level of assessment required (Source Figure 2 WAPC Guidelines Vol 4)

Part B (Transport impact statement) of Volume 4 of the WAPC Guidelines states:

*“A transport impact statement is a brief statement outlining the transport aspects of the proposed development. The intent of the statement is to provide the approving authority with sufficient transport information to confirm that the proponent has adequately considered the transport aspects of the development and that it would not have an adverse transport impact on the surrounding area.*

*It is envisaged that the transport impact statement will generally be from two to three pages up to several pages in length, but this will depend upon the number and nature of any specific issues that need to be addressed.*

*It is expected that most, if not all, of the information to be provided will be of a nontechnical nature, that is, will not require input from a specialist in transportation planning or traffic engineering. This will, however, depend upon the nature of the specific issues to be addressed and specialist technical input may be required on occasions.”*

Section 5.7 of the City of Joondalup *Child Care Premises Local Planning Policy* requires that a “Traffic and Road safety Impact Report” is submitted with the development application. As such, this TIS has been prepared by a credited Senior Road Safety Auditor, Crash Investigation Team Leader and Senior Road Safety Engineer and includes technical details with respect to the existing and forecast performance of the road network and parking areas, i.e., traffic modelling using SIDRA Intersection 9 software, swept path analysis using AutoTURN software and Crash Analysis using the Main Roads WA ‘Crash Analysis Reporting System’ (CARS) software.



## 1.2 CHILD CARE CENTRE TRIP GENERATION

Local Authorities regularly request that trip generation for child care centres is based on the RTA NSW 'Guide to Traffic Generating Developments (RTA NSW)', as shown in Table 2 below.

Centre Type	Peak Vehicle Trips / Child		
	7.00-9.00am	2.30-4.00pm	4.00-6.00pm
Pre-school	1.4	0.8	-
Long-day care	0.8	0.3	0.7
Before/after care	0.5	0.2	0.7

Table 2 – RTA NSW child care centre Trip Generation Rates

The above rates are based on surveys undertaken in Sydney in 1992, i.e., approximately twenty years ago.

Section 7.10 (Development generation and distribution) of the Volume 4 of the WAPC Guidelines states "*The trip generating potential of the development is to be determined for the assessment years and time periods. The trips rates used should be based on surveys of comparable developments or extracted from recognised land use traffic generation databases.*"

In order to add value to the decision-making process regarding the selection of an appropriate trip generation rate for this proposed child care centre, the author surveyed child care centres in Kingsley (45 children), Bentley (62 children), Osborne Park (37 children) and Attadale (100 children) to determine staff and parent arrival and departure trips during the AM and PM peak hours. The results of these surveys are summarised in Table 3 below. The term 'Early Afternoon' refers to the child care centre afternoon peak time (i.e., 2.30 – 4.30 PM) which is generally earlier than the road network peak hour (i.e., 4.30-5.30 PM).

Surveyed Child Care Centre	Trips IN	Trips OUT	Trips IN/ Child	Trips OUT/ Child	Trips/ Child	Average
Attadale Morning	32	25	0.32	0.25	0.57	0.7
Bentley Morning	25	21	0.40	0.34	0.74	
Osborne Park Morning	18	15	0.50	0.42	0.92	
Attadale Early Afternoon	18	21	0.18	0.21	0.39	0.4
Bentley Early Afternoon	12	11	0.19	0.18	0.37	
Osborne Park Early Afternoon	11	10	0.30	0.28	0.58	

Table 3 – Surveyed Trips – various child care centres in Western Australia

The data in Table 3 suggests that using RTA NSW trip generation rates may result in an under-estimation of forecast trips during the early afternoon peak hour, i.e., 0.3. The local survey data indicates that a more appropriate early afternoon traffic generation rate would be 0.4. On this basis, **the adopted trip generation rates for this TIS are 0.8 for the morning peak hour and 0.4 for the early afternoon peak hour.**

An estimation of peak hour traffic generation based on a maximum of 78 children attending the child care centre using the adopted traffic generation rates discussed on the previous page is shown in Table 4 below.

	Rate per child	No. Children	Total	Trips IN	OUT
<b>Morning Peak Hour</b>	<b>0.80</b>	<b>78</b>	<b>62</b>	<b>34</b>	<b>28</b>
<b>Early Afternoon Peak Hour</b>	<b>0.40</b>	<b>78</b>	<b>31</b>	<b>17</b>	<b>14</b>

Table 4 – Estimation of Trip Generation

Analysis of the redacted sign-in and sign-out records for a child care centre in Osborne Park has been undertaken to obtain a better understanding of the peak drop-off and pick-up times at Child Care Centres in Western Australia, as has been done in Queensland. This data is provided as Figure 2 below.

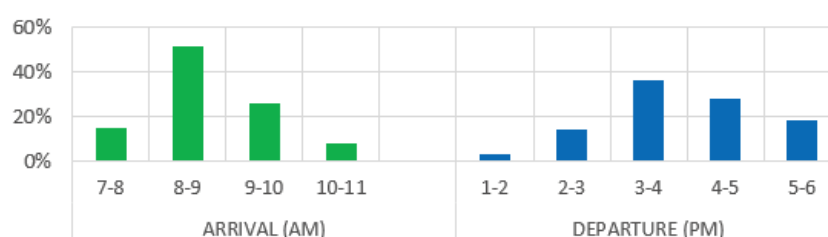


Figure 2 – Analysis of recorded sign-in and sign-out times for a child care centre in WA

The current site contains 2 dwellings that were recorded to generate 2 trips during the proposed child care centre’s morning peak hour and therefore the assessed impact is 60 additional trips in the morning peak hour. The road network afternoon peak hour does not coincide with the child care centre afternoon peak hour and hence the forecast additional trips in the afternoon peak hour remains the same at 31.

Based on the above, the proposed development is likely to result in an increase of up to 60 trips during the morning peak hour and up to 31 trips during the afternoon peak hour. As indicated in **Section 1.1**, the *WAPC Transport Assessment Guidelines for Developments (WAPC Guidelines)* <sup>(1)</sup> indicates that a development that results in an increase of between 10 and 100 trips during its peak hour is considered to be a moderate impact that requires a Transport Impact Statement (TIS).

In accordance with the WAPC Guidelines and the assessed level of impact, the extent of this assessment includes, as a minimum:

- The proposed development site.
- All roads fronting the site, for the extent of the site frontage plus 100 metres beyond the site.
- Pedestrian routes to the nearest bus stops (for all bus routes passing within 400 metres of the site).
- Pedestrian routes to nearest train station(s) (if within 800 metres).
- Pedestrian/ cycle routes to any major attractors within 400 metres, (five-minutes’ walk) of the site.
- The area(s) likely to be affected by any site-specific issue(s).

The location of the development site in the context of the road, public transport, cycling and pedestrian network and 400 and 800 metre radii, is shown in Figure 3 on the following page.

Lots 172 and 173 are currently zoned “Residential R-20” in the *City of Joondalup Scheme No 3*.

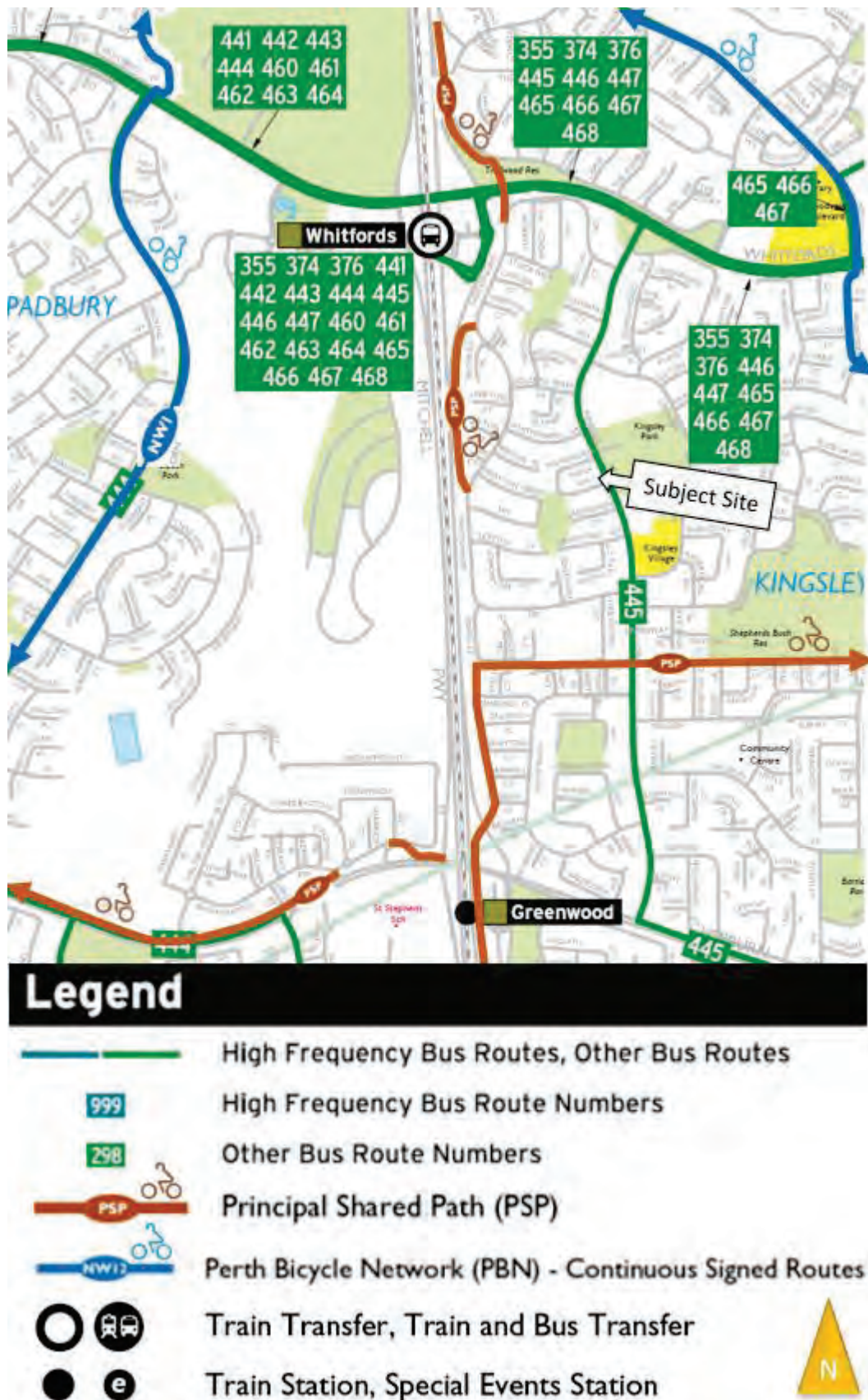


Figure 3 – Development Site location, road, public transport and cycling network

## 2 PROPOSED DEVELOPMENT

It is proposed to demolish the two existing single dwellings (one on each Lot) and construct a compliant Child Care Centre for 78 children as shown in Table 5 below and the Development Drawings included in **Appendix A**.

Room	Children	Nos	Required Educators	WA Educator-Child Ratios
1	Babies 0-24 months	8	2	0 to 2 yrs 1 to 4
2	Toddlers 24-36 months	15	3	2 to 3 yrs 1 to 5
3	Toddlers 24-36 months	5	1	2 to 3 yrs 1 to 5
	Pre-Kindy 36 months->	10	1	3+ yrs 1 to 10
4	Pre-Kindy 36 months->	20	2	3+ yrs 1 to 10
5	Pre-Kindy 36 months->	20	2	3+ yrs 1 to 10
<b>TOTAL</b>		<b>78</b>	<b>11</b>	<b>Plus 1 Cook &amp; 1 Supervisor</b>

Table 5 – Child Care and Staff Numbers



### 3 VEHICLE ACCESS AND PARKING

The Development Drawings (**Appendix A**) show that all vehicular access (including bicycle and pedestrian) is proposed off Kingsley Drive, a Local Distributor Road. This results in arrival and departure routes via a Local Distributor road and hence does not generate traffic on any local road, as shown in Figure 4 below.

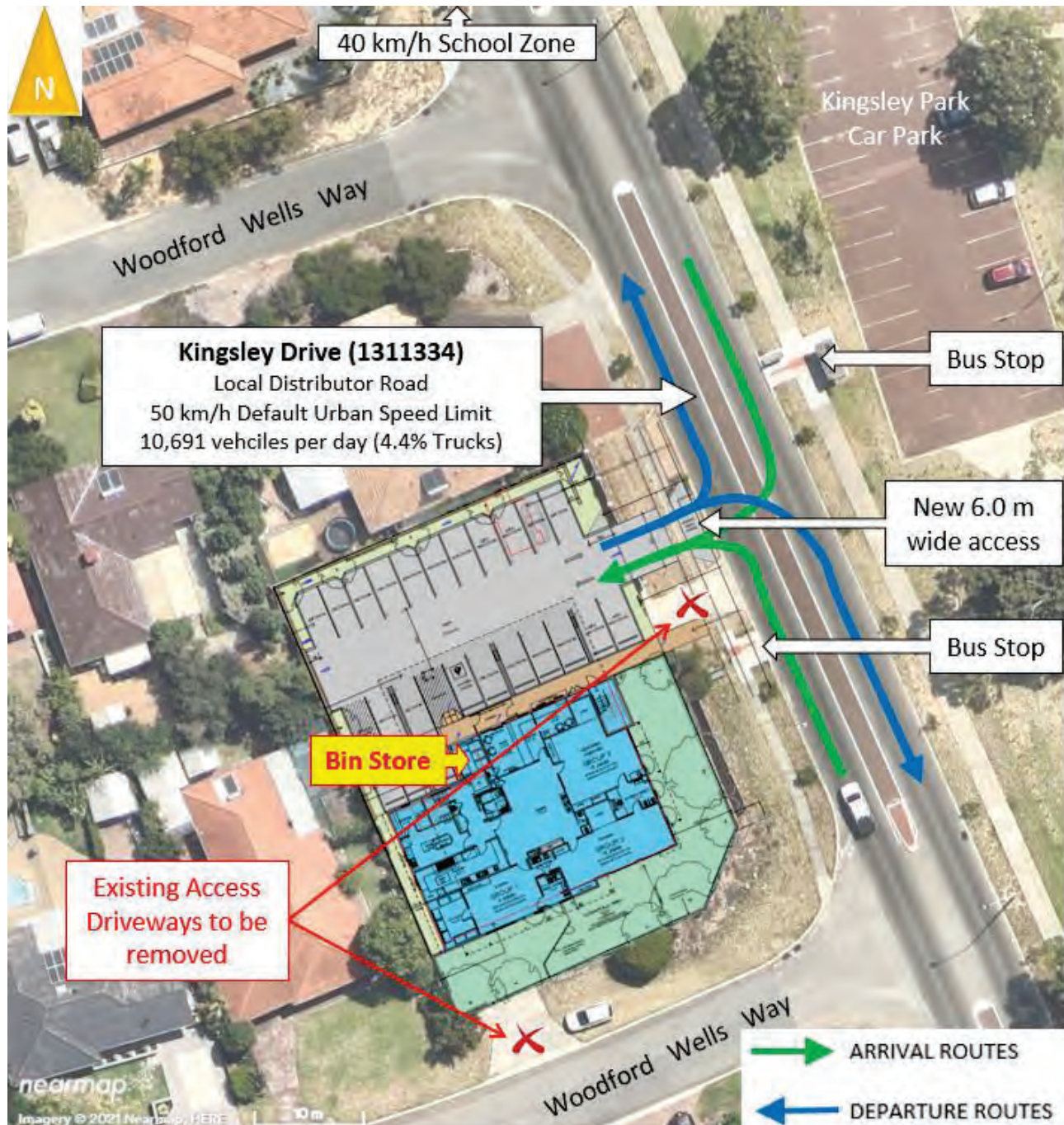


Figure 4 – Proposed vehicular access and parking

Figure 4 on the previous page, and the Development Drawings (**Appendix A**) show it is proposed to provide 23 on-site parking bays. 12 bays are designated for staff use (2.4 m x 5.4 m), 10 bays are allocated for visitors/ parents/ carers (2.6 m x 5.4 m) and 1 bay is designated for use by people with a disability (2.4 m x 5.4 m plus adjacent shared space 3.5 m x 5.4m).

Section 5.2 (Parking and Access) of the City of Joondalup's *Child Care Premises Local Planning Policy* <sup>(2)</sup> requires the provision of 1 car parking bays for each employee plus 11 car parking bays for use by parents/ carers, as shown in the extract provided as Table 6 below.

Use Class	Number of on-site parking bays
Child Care Premises	1 per employee plus 5 per ≤ 25 children 6 per 26–30 children 7 per 31–56 children 8 per 57–64 children 9 per 65–72 children 10 per 73–80 children 11 per 81–88 children 12 per 89–96 children 13 per 97–104 children 14 per 105 + children

Table 6 – Extract from City of Joondalup's *Child Care Premises Local Planning Policy*

An assessment of the required on-site parking bays and the number of on-site parking bays proposed indicates compliance, as shown in Table 7 below. The inclusion of 4 bays designated for use by either staff or visitors/ parent/ carers provides flexibility to ensure that one or the other user is able to use any underutilised bays. This is beneficial where staff parking demand is less than that required in the Policy, as is often the case.

Parking Bay Designation	Required	Provided
Employee	13	10
Employee or Visitor/ Parent/ Carer		4
Visitor/ parent/ carer	10	8
Person with a disability		1
<b>Total</b>	<b>23</b>	<b>23</b>

Table 7 – Required and provided parking bays

The layout of the parking area has been assessed against the dimensions in *AS/ NZS 2890.1* <sup>(4)</sup> and is compliant in this respect. In addition to complying with the standard, it also includes a turning bay to allow drivers to turn around and leave the car park in a forward direction should they not be able to find a vacant parking space. This has been requested by the City with previous Child Care Centre designs.

Sight lines to and from the Proposed Access Driveway have been checked on-site and exceed the 45 m specified in Figure 3.2 of *AS 2890.1* <sup>(4)</sup>, based on the frontage road speed of 50 km/h and Minimum SSD, as shown in Figure 5 below, Photograph 1 and Photograph 2 on the following page.





Figure 5 – Clear 45 m sight distance to and from proposed access



Photograph 1 – Looking south from proposed Child Care Centre Access Driveway



Photograph 2 – Looking north from proposed Child Care Centre Access Driveway

Photograph 1 and Photograph 2 demonstrate that the existing sight lines at the proposed access driveway exceed the minimum sight distance requirement of 35 m. It should also be noted that the required sight line to the north is less than 35 m due to the 40 km/h School Zone limit that applies between 7.30-9 AM and 2.30-4 PM on School Days.

Section 5.2.3 (Bicycle Parking Standards) of the *Child Care Premises Local Planning Policy* has a requirement for 1 employee/ visitor bicycle parking facility for each 8 employees. This results in a requirement for facilities that provide for the secure parking of two bicycles to be provided on site. These are provided near the entrance, as shown on the extract from the Development Drawings in **Appendix A** provided as Figure 6 on the following page.

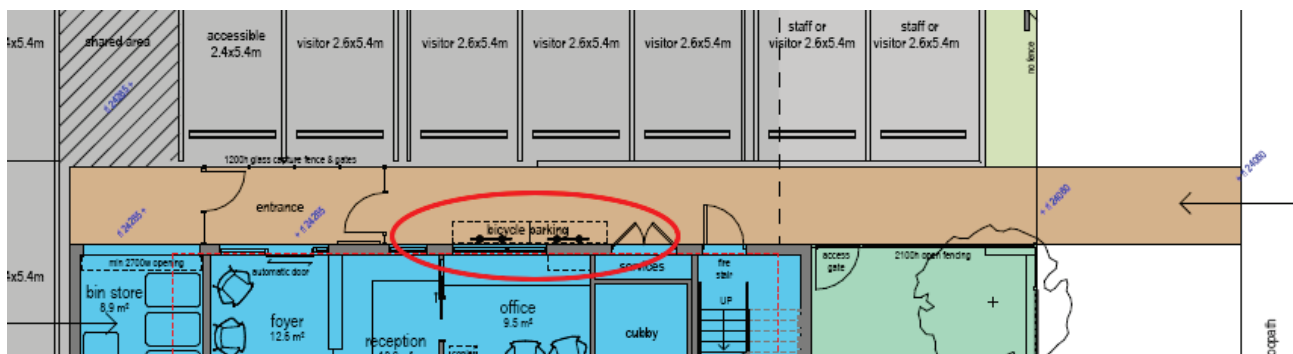


Figure 6 – Extract from Development Drawing showing location of bicycle parking facilities for 2 bikes

A summary assessment of the proposed car park and access design against the requirements of the *Child Care Premises Local Planning Policy* is provided as Table 8 below.

Design Element	Development Requirement	Assessment
(a) Car park location	(i) All car parking is to be provided on-site; verge parking is not permitted.	<b>Complies.</b>
	(ii) Car parks must be clearly visible from the street to encourage parking on-site instead of on the road verge.	<b>Complies.</b>
(b) Car park design	(i) Car parks shall be designed in accordance with Australian Standard AS 2890.1 (4) and/ or AS 2890.2 (5) as amended from time to time.	<b>Complies.</b>
(c) 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.	<b>Complies.</b> Vehicle access is off a Local Distributor Rd (Kingsley Dr).
	(ii) Vehicle access with separate entry and exit points is preferred. Alternatively, 'two-way' vehicle access is required.	<b>Complies.</b> Two-way vehicle access provided.
	(iii) Where practicable, existing vehicle access points should be utilised instead of proposing new access points.	<b>Complies.</b> Not practicable to use the two existing access points, particularly as one is off a local access road (Woodford Wells Way).
	(iv) Vehicles are required to enter and exit the site in forward gear.	<b>Complies.</b>
(d) Pedestrian Access	(i) A footpath must be provided from the car park and the street to the building entrance.	<b>Complies.</b>

Table 8 – Car park access and design assessment against *Child Care Premises Local Planning Policy*



There is a 39-bay public car park with no parking restrictions opposite the proposed Child Care Centre that is provided for Kingsley Park. Whilst this is used extensively by parents of children at Creaney Primary School, it still has spare capacity during the school morning and afternoon peak periods, as shown in Photograph 3 and Photograph 4 on the following page.



Photograph 3 – Kingsley Park Car Park during peak school use during the morning



Photograph 4 – Kingsley Park Car Park during peak school use during the afternoon

The availability of additional off-street parking in the immediate vicinity of the proposed Child Care Centre reduces the potential for verge parking to occur.



## 4 PROVISION FOR SERVICE VEHICLES

The Design Vehicle in the Australian Standards is the Small Rigid Vehicle (SRV) as shown below. It has a clearance height of 3.5 m and a design turning radius of 7.1 m.

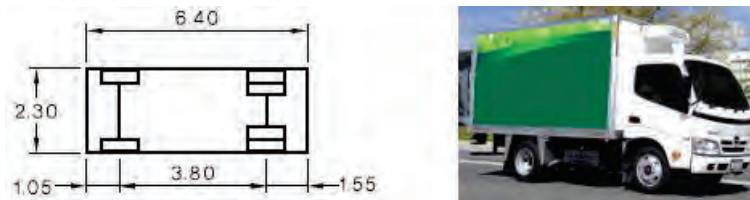


Figure 7 – SRV Dimensions and example

The applicant has indicated that service deliveries to the site will be by a smaller domestic and commercial vehicle than the design vehicle that will be able to access the undercroft car park in terms of its height. Examples of the larger types of these commercial service vehicles and their heights are the Volkswagen Crafter (2.80 m), Ford Transit (2.78 m) and Renault Traffic (1.97 m). Given that the headroom is 2.8 m and that it is possible, although unlikely, that service vehicles will be higher than this, it is proposed that visitor bays 5, 6 & 7 on the north side are signed as 'Loading Zones' between 10 AM and 2 PM, i.e., outside the peak drop-off and pick-up times, to allow for service vehicles to enter the site in a forward direction, drive forward into bay 6 for loading/ unloading and then reverse out of the site, as shown in the swept path diagram provided as Figure 8 below. **Refer separate Waste Management Plan (WMP) for details regarding on-site waste collection.**



Figure 8 – SRV Manoeuvre: Forward IN and Forward OUT (2.8 m headroom on south side – dashed line)



## **5 HOURS OF OPERATION**

The proposed hours of operation are 6.30 AM to 6:30 PM weekdays, with staff accessing this site no earlier than 6.00 AM to set up the site for the day's activities. Staff may also be on site for up to an hour at the end of each day for general cleaning activities. Occasional openings may occur between 8.00 AM and 5.00 PM on Saturdays, purely for community open days and/ or marketing purposes.

## 6 TRAFFIC VOLUMES AND VEHICLE TYPES

As indicated in **Section 1.2**, the total forecast trips for the proposed development during the road network AM and PM peak hours are 62 and 31 respectively, as shown in Table 9 below. Vehicle types are predominantly light vehicles (i.e., cars & 4WDs).

	Rate per child	No. Children	Total	Trips	
				IN	OUT
<b>Morning Peak Hour</b>	<b>0.80</b>	<b>78</b>	<b>62</b>	<b>34</b>	<b>28</b>
<b>Early Afternoon Peak Hour</b>	<b>0.40</b>	<b>78</b>	<b>31</b>	<b>17</b>	<b>14</b>

Table 9 – Forecast trips

Main Roads WA data indicates that Kingsley Drive carries approximately 10,700 vehicles per day just north of Hepburn Ave. There is no known data for Woodford Wells Way.

Kingsley Dr is particularly busy in the vicinity of the subject site during the morning and afternoon school peak hours due to the proximity of the Creaney Primary School (approximately 80 m north of the subject site on the opposite side of Kingsley Dr) and the use of the Kingsley Park Car Park opposite the subject site that is used by parents during these times.

Based on the above, the author undertook video surveys of traffic in and around the subject site, and a smaller Child Care Centre site at 135 Kingsley Dr (approximately 700 m south on the same side), between 7.45 and 8.45 AM and 2.30 and 3.30 PM on Thursday 21<sup>st</sup> April 2021 (school term) to determine peak hour traffic volumes at this location and the likely north/ south split for traffic to and from a Child Care Centre of this road. The Kingsley Dr/ Woodford Wells Way traffic data is shown in Figure 9 on the following page.



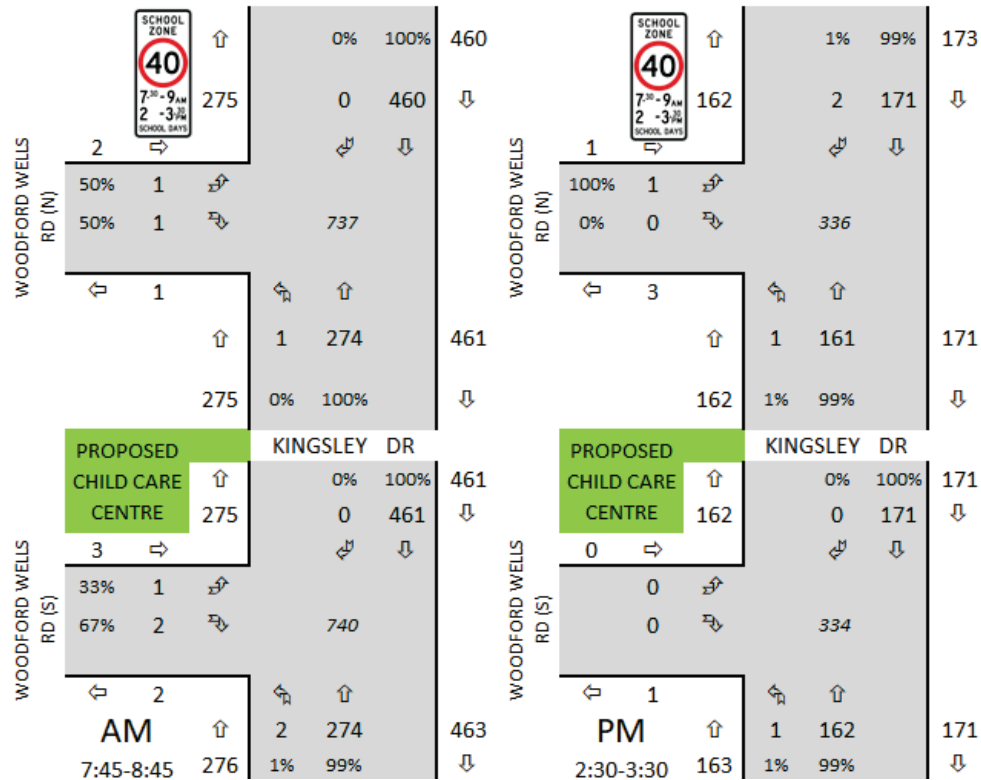


Figure 9 – Existing (April 2021) Weekday AM and PM Peak Hour Intersection Volumes

The above data was used to develop an Intersection Performance Model within SIDRA Intersection 9 network modelling software. This model measures and predicts key intersection performance criteria such as Degree of Saturation, Level of Service, Average Delay and Queue Lengths, as described in Table 10 on the following page.

Degree of Saturation (DoS) Volume/ Capacity Ratio (v/c)	LoS	Average Delay per vehicle (d) in seconds				v/c Range	Performance Comments
		Unsignalised intersections	Roundabouts	Signalised intersections	All (RTA)		
< 0.6	A	$d \leq 10$	$d \leq 10$	$d \leq 10$	$d \leq 14.5$	$\leq 0.44$	<b>Good operation and plenty of spare capacity</b> <i>Stable free flow conditions where drivers are able to select desired speeds and to easily manoeuvre within the traffic stream.</i>
	B	$10 < d \leq 15$	$10 < d \leq 20$	$10 < d \leq 20$	$14.5 < d \leq 28.5$		
	C	$15 < d \leq 25$	$20 < d \leq 35$	$20 < d \leq 35$	$28.5 < d \leq 42.5$	0.45 - 0.64	<b>Acceptable delays and spare capacity</b> <i>Stable flow but most drivers are restricted to some extent in their ability to select their desired speed and to manoeuvre within the traffic stream.</i>
0.6 - 0.7	D	$25 < d \leq 35$	$35 < d \leq 50$	$35 < d \leq 55$	$42.5 < d \leq 56.5$	0.65 - 0.84	<b>Acceptable delays</b> (Expected typical peak hour conditions) <i>Close to the limit of stable flow. All drivers are restricted in their ability to select their desired speed and to manoeuvre within the traffic stream. Small increases in traffic flow may cause operational problems.</i>
0.7 - 0.8							
0.8 - 0.9							
0.9 - 1.0	E	$35 < d \leq 50$	$50 < d \leq 70$	$55 < d \leq 80$	$56.5 < d \leq 70.5$	0.85 - 1.04	<b>Near capacity and sensitive to disturbances in flows</b> <i>Traffic volumes are close to capacity and there is virtually no freedom to select desired speeds. Flow is unstable and minor disturbances within the traffic stream will cause breakdown leading to long queues and delays.</i>
> 1.0	F	$50 < d$	$70 < d$	$80 < d$	$70.5 < d$		

Table 10 – Intersection Performance Criteria

The SIDRA Intersection 9 network model indicates that during the assessed morning and afternoon weekday peak hours all roads and intersections operate with a Degree of Saturation less than 0.6, as shown in Figure 10 on the following page. This is representative of good operation with plenty of spare capacity and is consistent with the video recordings and observations on site. In the absence of an existing Child Care Centre Access this has been used in the existing model to represent the existing access driveways to the residence at 81 Kingsley Dr. The model does not allow for 0 trips for any movement, hence a minimum of 1 trip has been used for all movements with no recorded trips. SIDRA Intersection Summary Reports showing all other key intersection performance data are included in **Appendix C**.

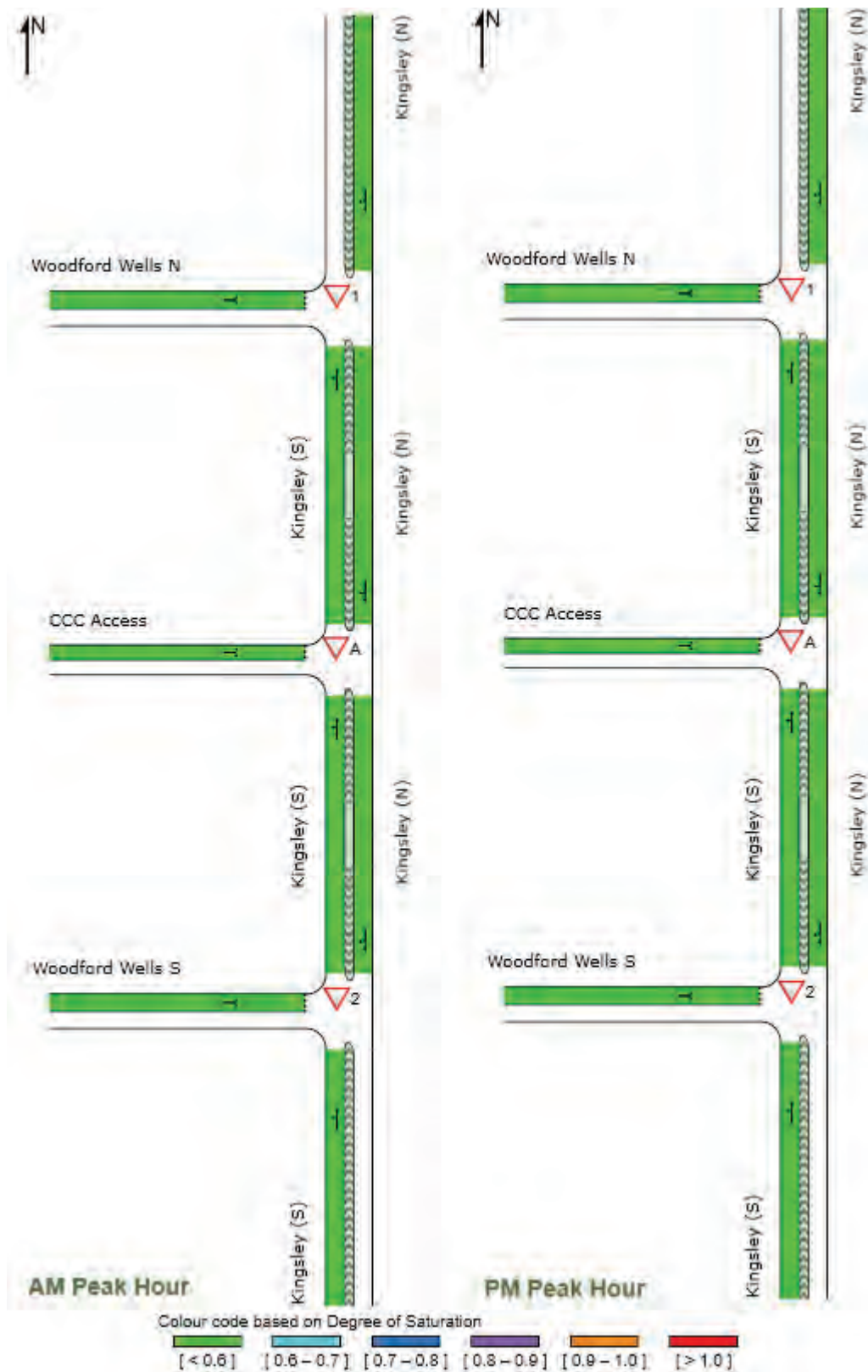


Figure 10 – Existing Degree of Saturation

The forecast peak hour trips to and from the proposed Child Care Centre during the morning peak hour and the afternoon school peak hour have been assigned to Kingsley Drive according to the recorded percentage of Child Care Centre movements at 135 Kingsley Drive and is shown in Figure 11 on the following page.

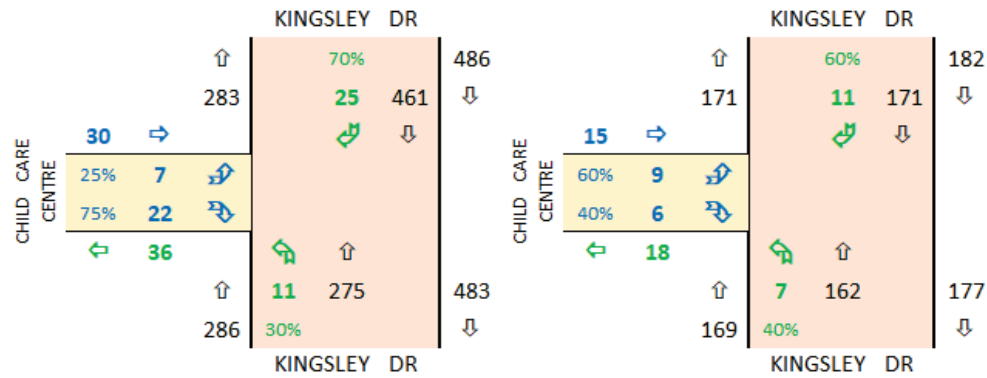


Figure 11 – Forecast Child Care Centre trip assignment for the morning and afternoon school peak hours

The SIDRA Intersection model was re-run with the additional Child Care Centre trips. This indicates that all roads and intersections will continue to operate at a good level with spare capacity, including the proposed Child Care Centre access driveway, as defined in Table 10 on page 19 and as shown in Figure 12 on the following page.



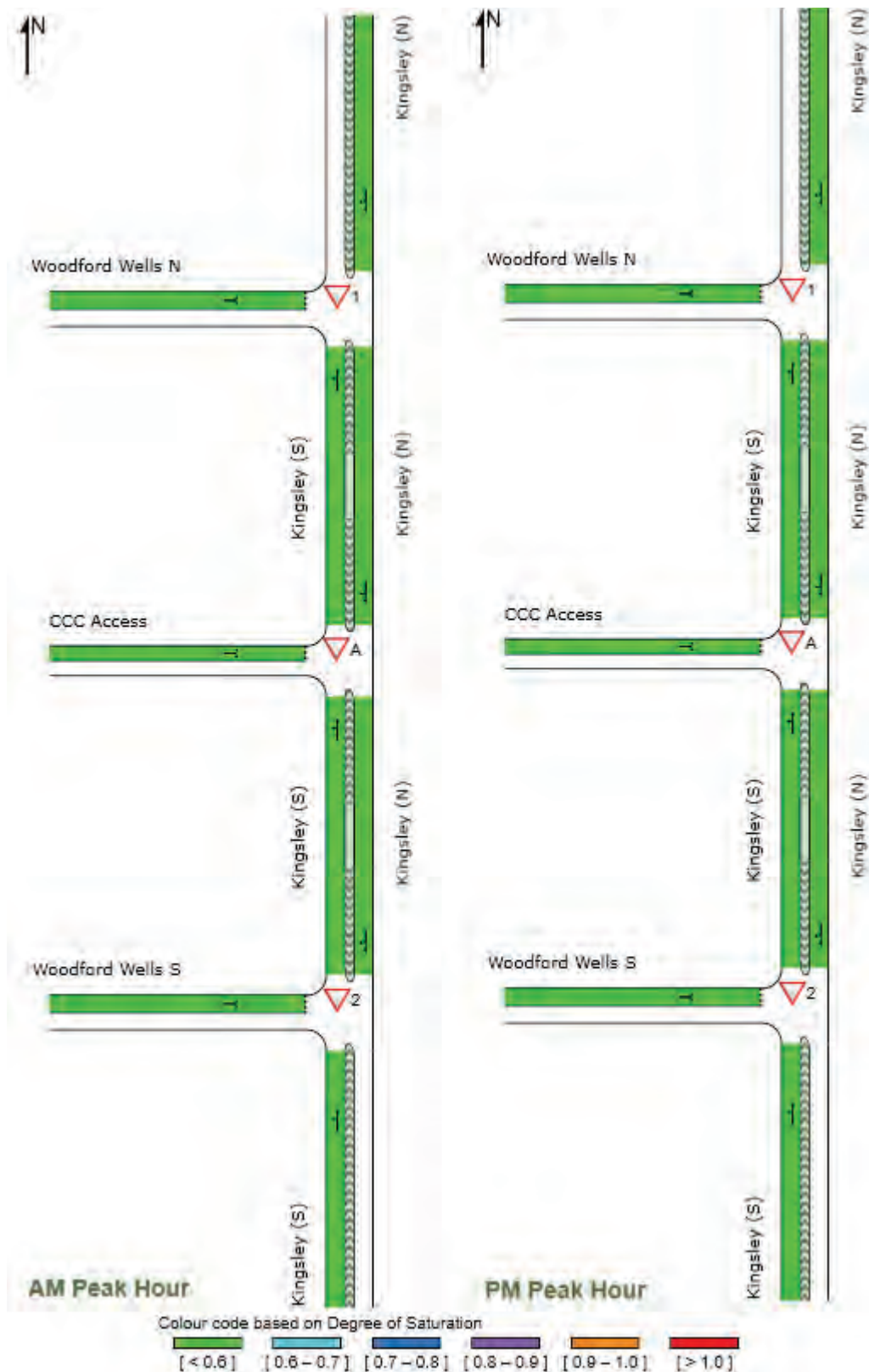


Figure 12 – Assessed Existing + Child Care Centre Peak Hour Degree of Saturation

Figure 12 above indicates that the proposed Child Care Centre is not expected to have a noticeable impact on the performance of Kingsley Dr, or the Woodford Wells Way intersections based on accepted traffic engineering parameters.

## 7 TRAFFIC MANAGEMENT ON FRONTAGE STREETS

The layout of Kingsley Dr in the vicinity of the subject site is best described through the annotated aerial photograph provided as Figure 4 on page 10 and Photograph 5 below.

Kingsley Dr is subject to the default urban speed limit of 50 km/h with a 40 km/h school zone (7.30-9 AM, 2-2.30 PM School Days) north of the northern Woodford Wells Way intersection. The 2 m wide median and 4.0 m wide lane prohibits on-street parking as it is illegal to park on a road with a median unless there is 3.0 m or more clearance between the parked car and the median (Road Traffic Code 2000 Part 12 Division 8 r 176 Para 6).

Both Woodford Wells Way intersection approaches are uncontrolled 'T' intersections, i.e., Give Way without signs or holding lines.

Refer **Section 8** regarding the bus stop shown in Photograph 5.



Photograph 5 – Looking south on Kingsley Drive approach to proposed Child Care Centre access (on right)

## 8 PUBLIC TRANSPORT ACCESS

The nearest bus stops to the subject site are located immediately adjacent, and opposite to, the proposed Child Care Centre, as shown in Figure 13 below. These bus stops are served by Transperth route 445 which travels between Warwick and Whitfords Train Stations via Greenwood College with 4 to 5 services per hour during peak times, as shown in Figure 14 below.

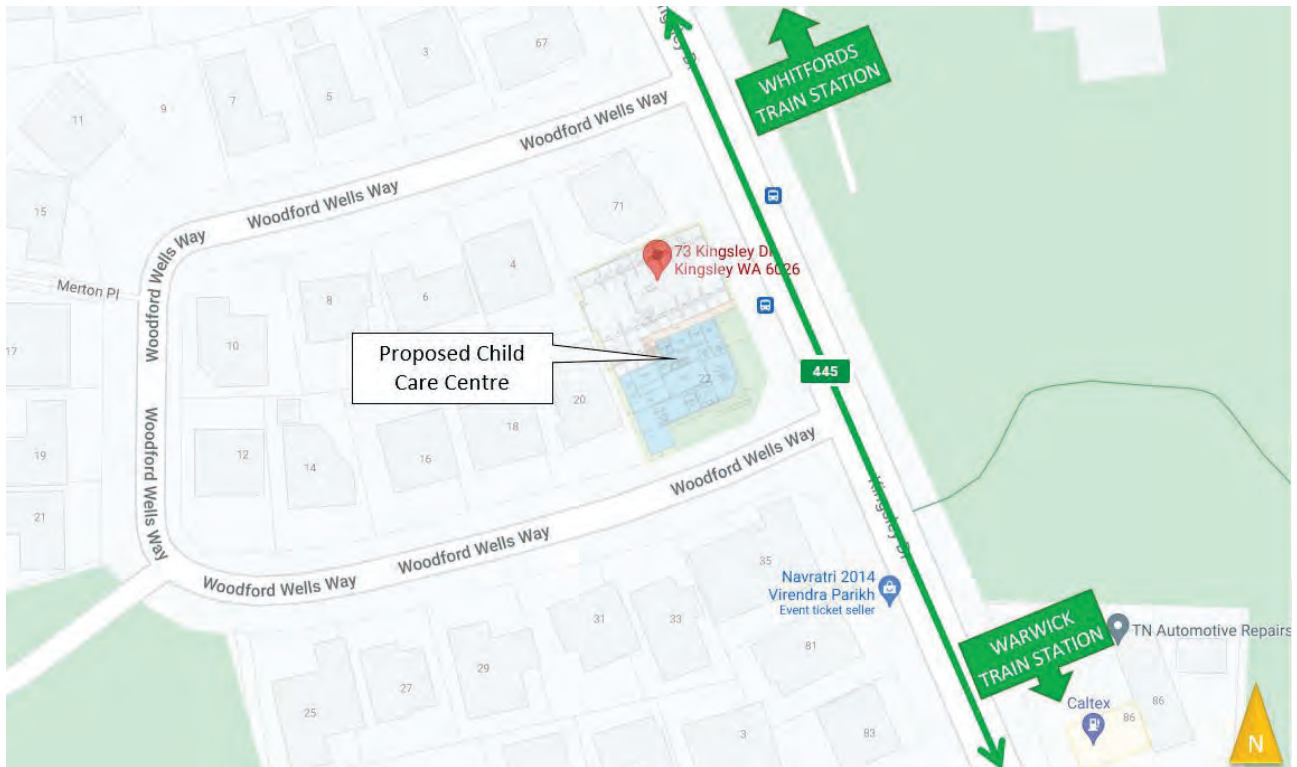


Figure 13 - Nearest bus stops and walking distance and routes to these

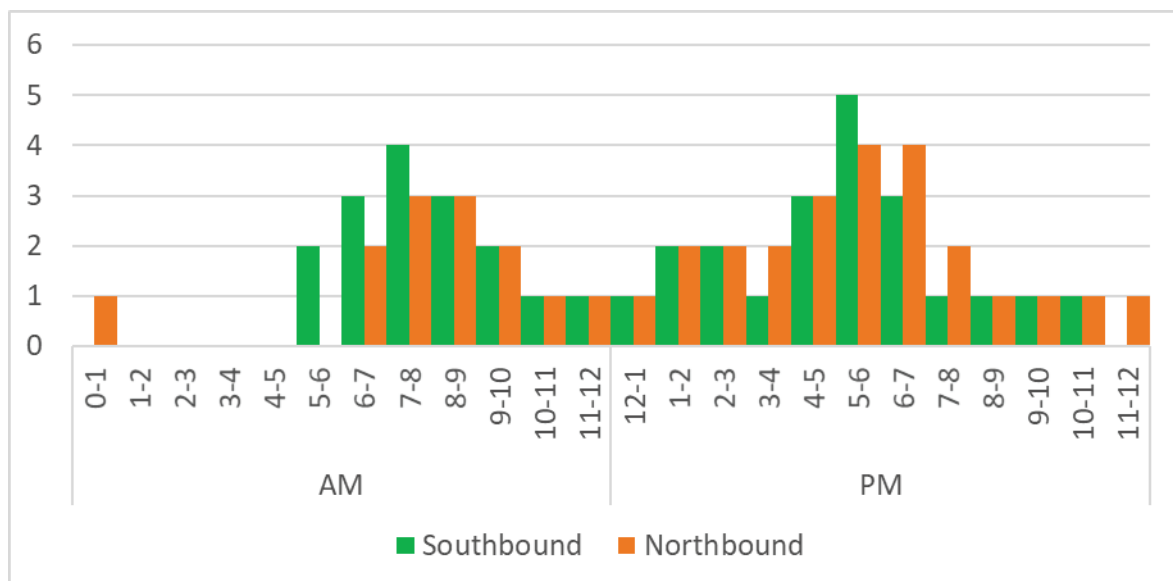


Figure 14 – Transperth Bus Route 445 weekday service frequency at nearest bus stops to development site



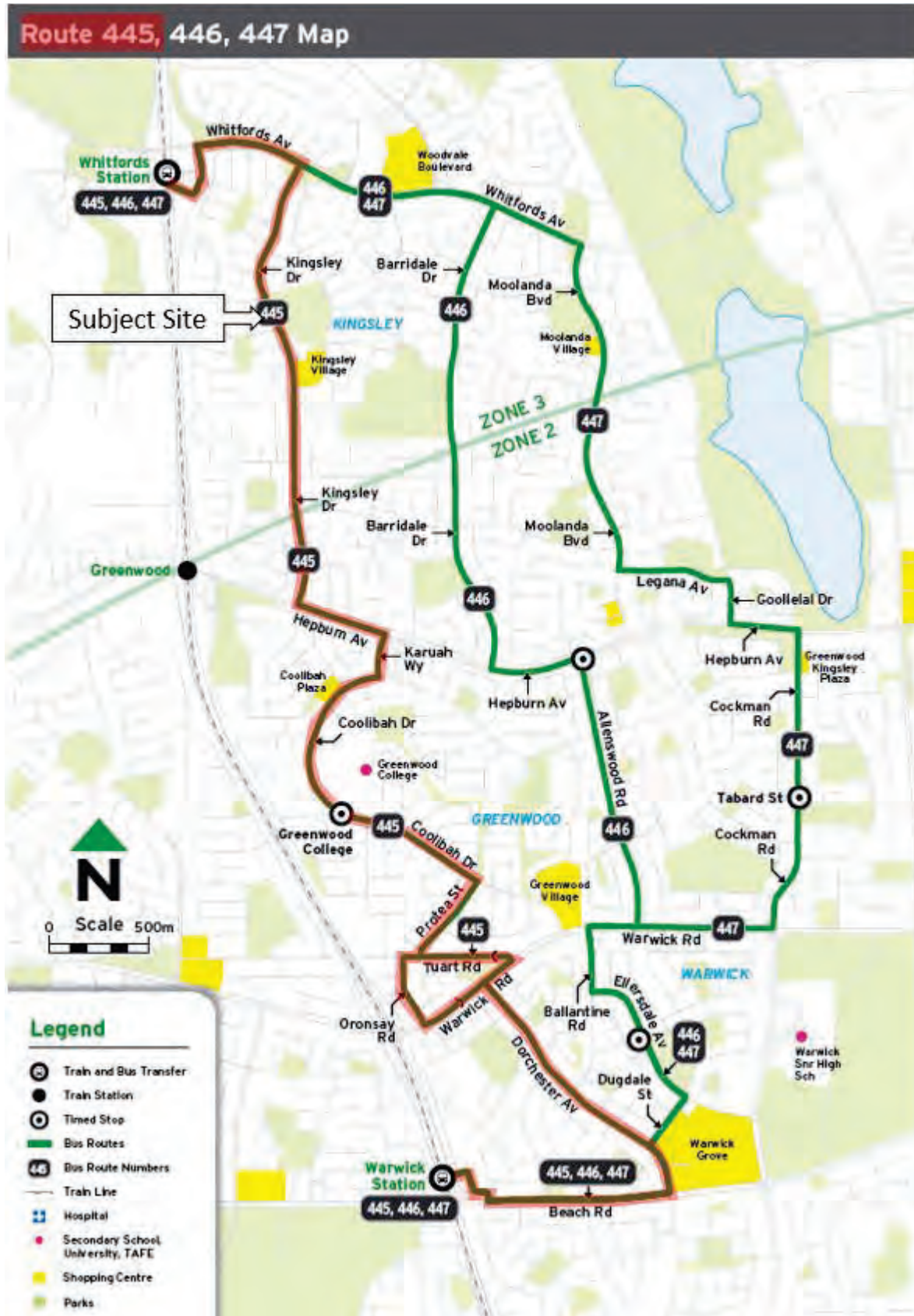


Figure 15 – Transperth Bus Service 445 Route Map



## 9 CAR, PEDESTRIAN, CYCLE AND PUBLIC TRANSPORT ACCESS

There are paths on both sides of Kingsley Dr with a Guard Controlled Children's' Crossing operating on School Days between 7.45 to 8.45 AM and 3.00 to 4.00 PM approximately 300 m north of the proposed Child Care Centre site. There are pedestrian refuge islands on Kingsley Dr 30 m south and 90 m north of the proposed Child Care Centre, as per the example shown in Photograph 6 below.



Photograph 6 – Typical pedestrian refuge island crossing on Kingsley Dr

Staff and parents/ carers arriving by car will park in the car park and walk to the front entrance via a dedicated path, including a new path link, as shown in the Development Drawings in **Appendix A**.

Parents and staff arriving by bicycle are expected to use the paths on both sides of Kingsley Dr, crossing where necessary via the pedestrian crossing facilities provided north and south of the site as described above.

Facilities for the secure parking of 2 bicycles have been provided onsite near the front entrance, as shown on the Development Drawings (**Appendix A**).

Parents and staff arriving by public transport, i.e., bus, will arrive at either of the two bus stops located adjacent or opposite the site and travel to the site via the paths and pedestrian crossing facilities described.

## 10 SITE SPECIFIC ISSUES

The City of Joondalup initiated a Local Housing Strategy (LHS) in 2012 that is aimed at catering for population growth, providing for the future housing needs within the City, and to meet residential infill targets set by the State Government.

The City used key criteria to identify suitable areas, specifically areas within close proximity to key public transport corridors and major activity centres for higher density development. Ten areas were identified where increased residential densities were considered appropriate at that time. These areas are called Housing Opportunity Areas, or HOAs.

The final LHS was endorsed by the Western Australian Planning Commission on 12 November 2013.

To implement the LHS, an amendment was made to the City's planning scheme and associated local planning policies were developed. Further amendments to the type of development within HOAs were included in Local Planning Scheme No. 3 in January 2021.

HOA 6 covers an area to the north of the proposed Child Care Centre, as shown in the annotated extract provided as Figure 16 below.

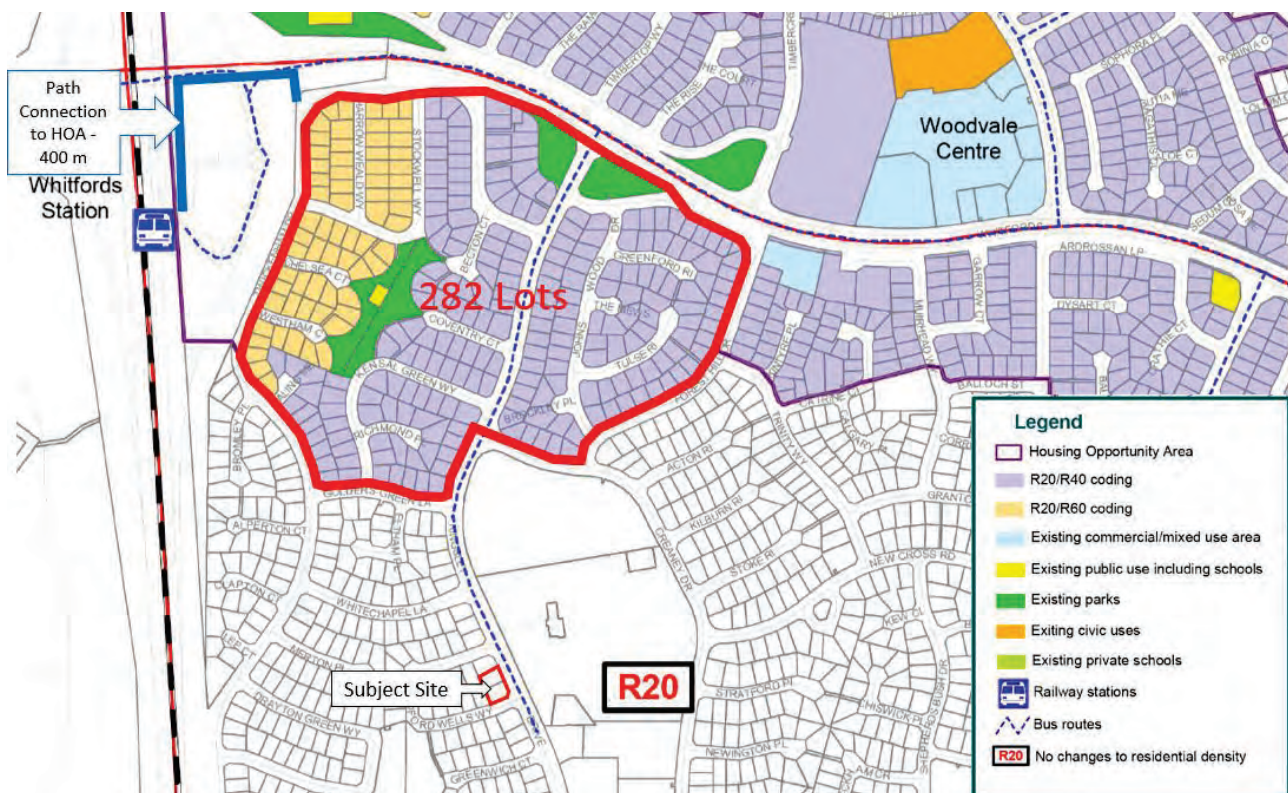


Figure 16 – Annotated extract of City of Joondalup's HOA 6 Map showing HOA Lots to the north on either side of Kingsley Dr



Assuming that each of the 282 identified lots within the HOA shown are developed with an average of 3 dwellings on each, this results in a potential yield of an additional 564 dwellings. Although it is located close to Whitfords Train Station there is no direct pedestrian link between the station and the area of HOA 6 shown. Using published average trip generation rates, this is likely to result in an additional 107 trips on Whitfords Ave in the morning peak hour and an additional 85 trips in the afternoon peak hour, as shown in Table 11 below.

Land Use	Trip Generation Rates	Units	Peak Hour Trips	IN	OUT	IN	OUT
High Density Residential Flat (Sydney Urban) AM Ave	0.19 per 1 unit	564	107	20%	80%	21	86
High Density Residential Flat (Sydney Urban) AM Min	0.07 per 1 unit	564	39	20%	80%	8	32
High Density Residential Flat (Sydney Urban) AM Max	0.32 per 1 unit	564	180	20%	80%	36	144
High Density Residential Flat (Sydney Urban) PM Ave	0.15 per 1 unit	564	85	65%	35%	55	30
High Density Residential Flat (Sydney Urban) PM Min	0.06 per 1 unit	564	34	65%	35%	22	12
High Density Residential Flat (Sydney Urban) PM Max	0.41 per 1 unit	564	231	65%	35%	150	81
High Density Residential Flat (Sydney Urban) Daily Ave	4.58 per 1 unit	382	1750	50%	50%	875	875

Table 11 – *RMS Update* (6) trip generation rates and assessed trips based on additional 564 dwellings

Adding these trips to the existing volumes on Whitfords Ave, using 50% north and 50% south trip assignment, allows for the impact of the Child Care Centre on the road network with full development of the HOA to the north to be assessed. This has revealed that this will not change the assessed impact, as shown in Figure 17 on the following page.

Note: The City of Joondalup passed a motion at its 18<sup>th</sup> May 2021 Council Meeting to bring forward a review of its Housing Strategy. This included the provision of funding in the 2021/22 budget to undertake project planning and management of the project and the engagement of a multi-disciplinary consultant team. This review, along with the release of the Medium Density Housing Code this calendar year is likely to result in a change in the number of additional dwellings that can, and are likely, be constructed within the HOAs.

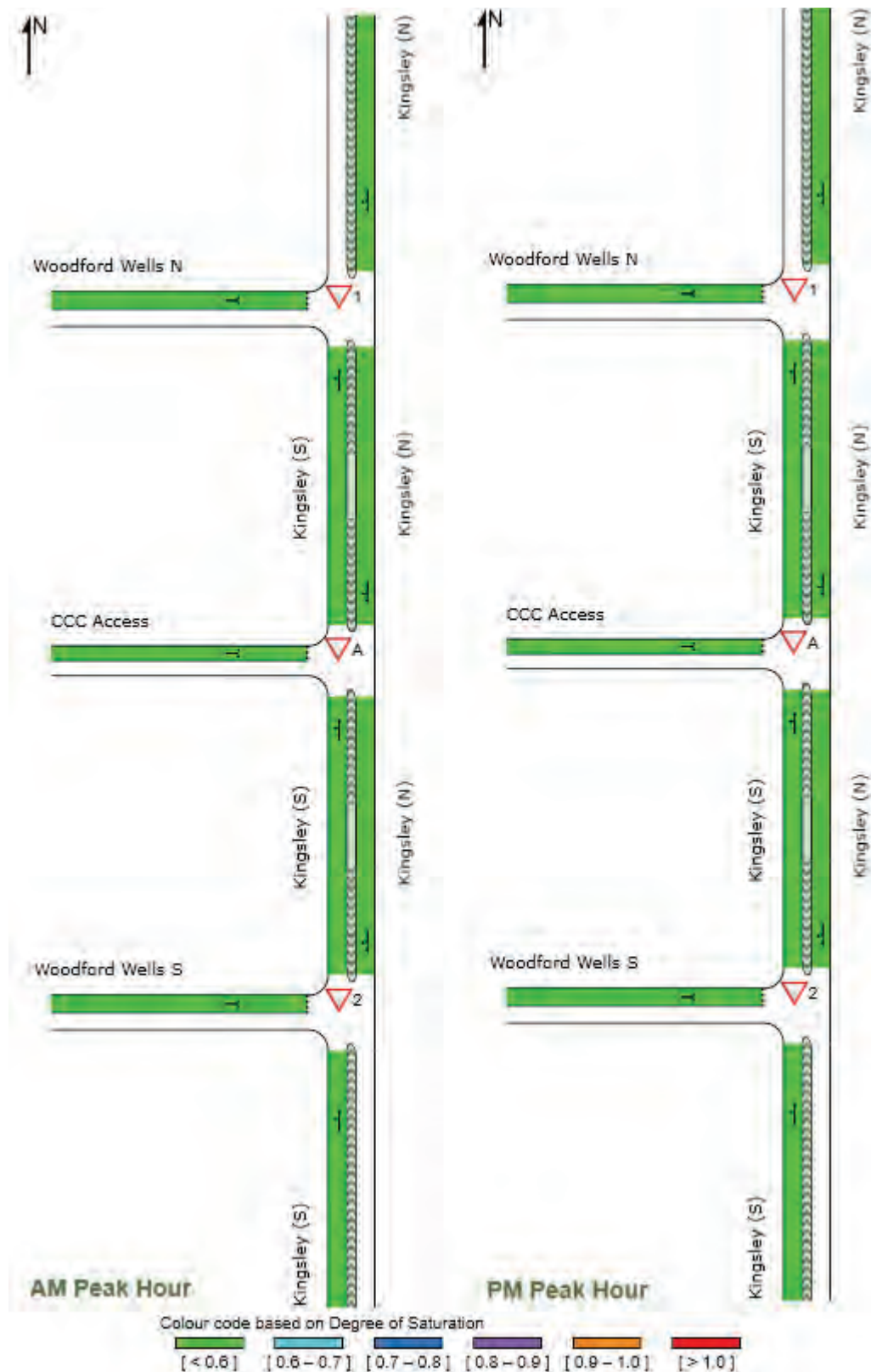


Figure 17 – Assessed Existing + Child Care Centre + HOA Peak Hour Degree of Saturation

SIDRA Intersection Summary Reports showing all other key intersection performance data are included in **Appendix C**.



## 11 SAFETY ISSUES

Analysis of the five-year crash record ending 31 December 2020 for Kingsley Drive in the vicinity of the proposed Child Care Centre has indicated that there have been seven (7) reported crashes, three (3) of which resulted in injuries. The Crash Collision Diagram indicates that all crashes occurred away from the subject site.

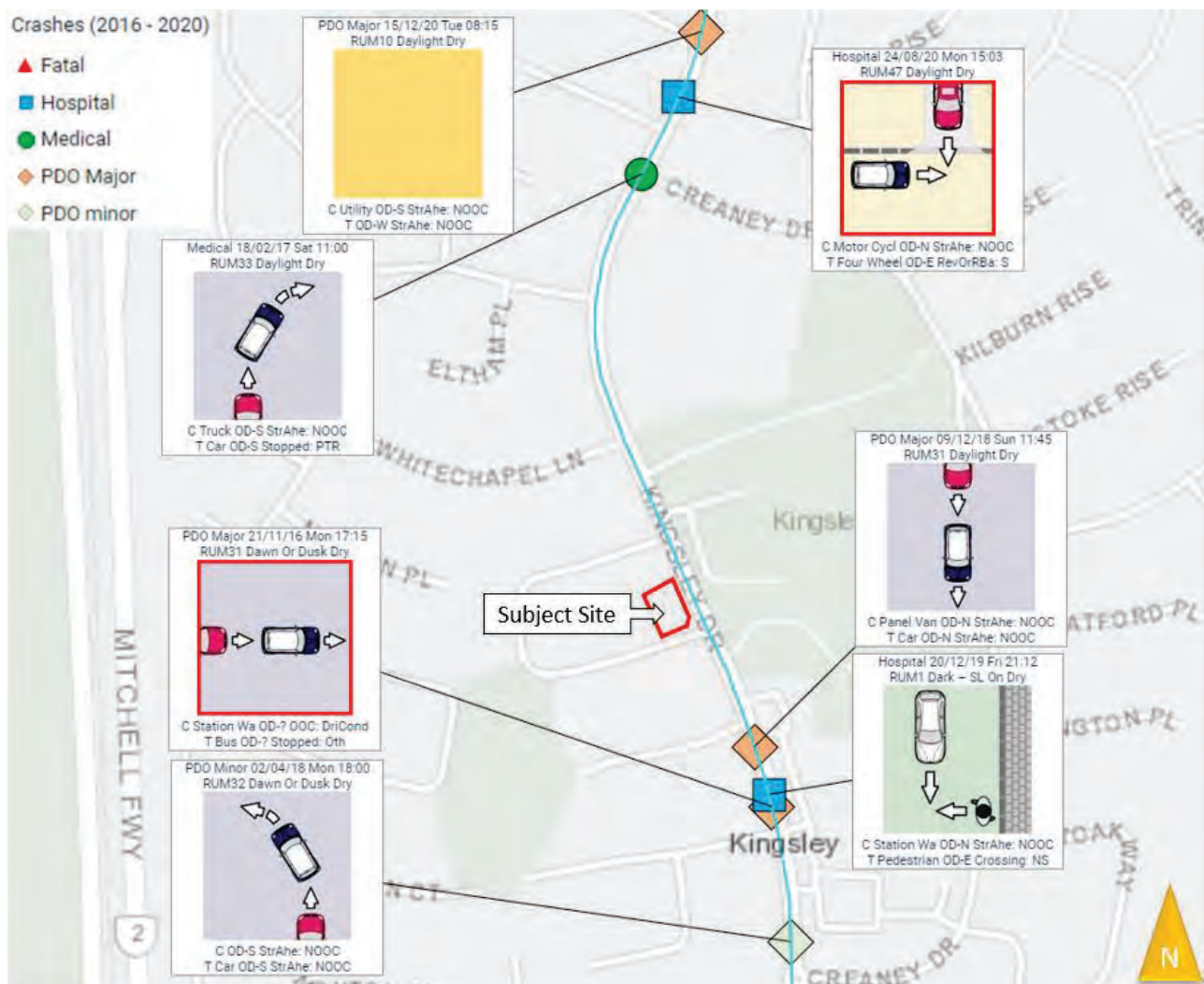


Figure 18 – Crash Collision Diagram – 1 Jan 2016 to 31 Dec 2020

There are a number of non-residential developments along Kingsley Dr, including a service station approximately 50 m south of the proposed Child Care Centre, as shown in Photograph 7 on the following page. This service station is expected to generate around 100 trips during its peak hour and the crash record indicates that there have not been any reported crashes associated with this development on Kingsley Drive.

There is nothing in the crash record to indicate that the subject site already has a history of crashes and there are no observed road safety concerns with respect to sight lines or pedestrian crossing facilities that suggests this will change with the provision of the proposed Child Care Centre.



Photograph 7 – Service Station on the east side of Kingsley Dr approx. 50 m south of the proposed Child Care Centre

## References

1. **Western Australian Planning Commission.** *Transport Impact Assessment Guidelines*. Department of Planning, Government of Western Australia. Perth, Western Australia : Western Australian Planning Commission, August 2016. p. 182, Revised August 2016. The current version of the TIA guidelines (August 2016) has been endorsed by the WAPC.
2. **City of Joondalup.** *Child Care Premises Local Planning Policy*. Joondalup, WA : City of Joondalup, March 2020 (Amendment). p. 5, Local Planning Policy.
3. **Government of Western Australia.** *Planning and Development (Local Planning Schemes) Regulations 2015*. Perth : Government of Western Australia, As at 01 Jul 2016. p. 205. Version 00-d0-02.
4. **Standards Australia.** *AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking*. Sydney : Standards Australia/ Standards New Zealand, 2004. p. 77. (Incorporating Ammendment No 1). ISBN 0 7337 5742 1.
5. —. *AS 2890.2-2002 Parking facilities Part 2: Off-street commercial vehicle facilities*. Second. Sydney : Standards Australia International, 2002. p. 49. Vol. 2. ISBN 0 7337 4870 8.
6. **NSW Government.** *Guide to Traffic Generating Developments Updated traffic surveys*. Transport, Roads & Maritime Services. Sydney : NSW Government, August 2013. p. 22, Technical Direction. RMS.13.298.
7. **Institute of Transportation Engineers (USA).** *Trip Generation Manual, 9th Edition*. 9th Edition. Washington : Institute of Transportation Engineers (USA), September 2012. ISBN-13: 978-1-933452-64-7; ISBN-10: 1-933452-64-1.
8. **Roads and Traffic Authority NSW.** *Guide to Traffic Generating Developments*. Transport Planning Section. Sydney, New South Wales, Australia : Roads and Traffic Authority NSW, October 2002. p. 174. Version 2.2. ISBN 0 7305 9080 1.
9. **Standards Austarlia/ Standards New Zealand.** *AS/ NZS 2890.6-2009: Parking facilities Part 6: Off-street parking for people with disabilities*. Sydney & Wellington : Standards Australia and Standards New Zealand, 2009. p. 25. Vol. 6. ISBN 0 7337 9285 5.
10. **Austroads.** *Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments*. Austroads. Sydney, NSW : Austroads Ltd, April 2020. p. 113, Guide to Traffic Management. ISBN 978-1-925854-86-2.



## **APPENDIX A      DEVELOPMENT DRAWINGS**





# PROPOSED CHILDCARE CENTRE 73 KINGSLEY DRIVE, KINGSLEY WA



DRAWING REGISTER PLANNING			
SHEET NUMBER	SHEET NAME	ISSUE	DESCRIPTION
DA00	GENERAL LAYOUT	1	SECTION 31 RECONSIDERATION ISSUE
DA01	GROUND FLOOR PLAN	1	SECTION 31 RECONSIDERATION ISSUE
DA02	FIRST FLOOR PLAN	1	SECTION 31 RECONSIDERATION ISSUE
DA03	ROOF PLAN	1	SECTION 31 RECONSIDERATION ISSUE
DA04	SECTION 31 RECONSIDERATION ISSUE	1	SECTION 31 RECONSIDERATION ISSUE
DA05	SECTION 31 RECONSIDERATION ISSUE	1	SECTION 31 RECONSIDERATION ISSUE
DA06	SECTION 31 RECONSIDERATION ISSUE	1	SECTION 31 RECONSIDERATION ISSUE
DA07	SECTION 31 RECONSIDERATION ISSUE	1	SECTION 31 RECONSIDERATION ISSUE

GENERAL NOTES	
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	
10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.	

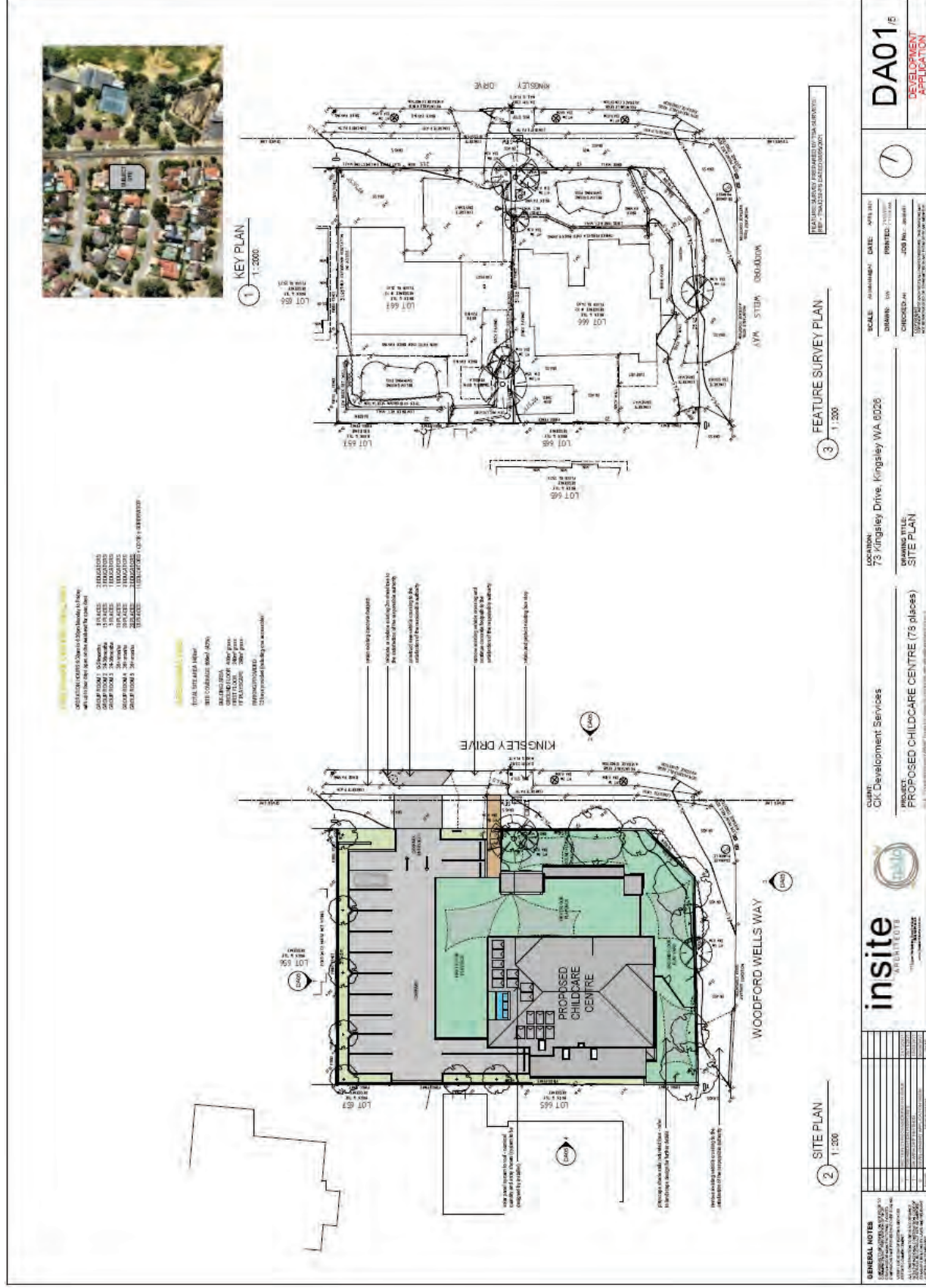


CLIENT  
CK Development Services  
PROJECT  
PROPOSED CHILDCARE CENTRE (78 places)

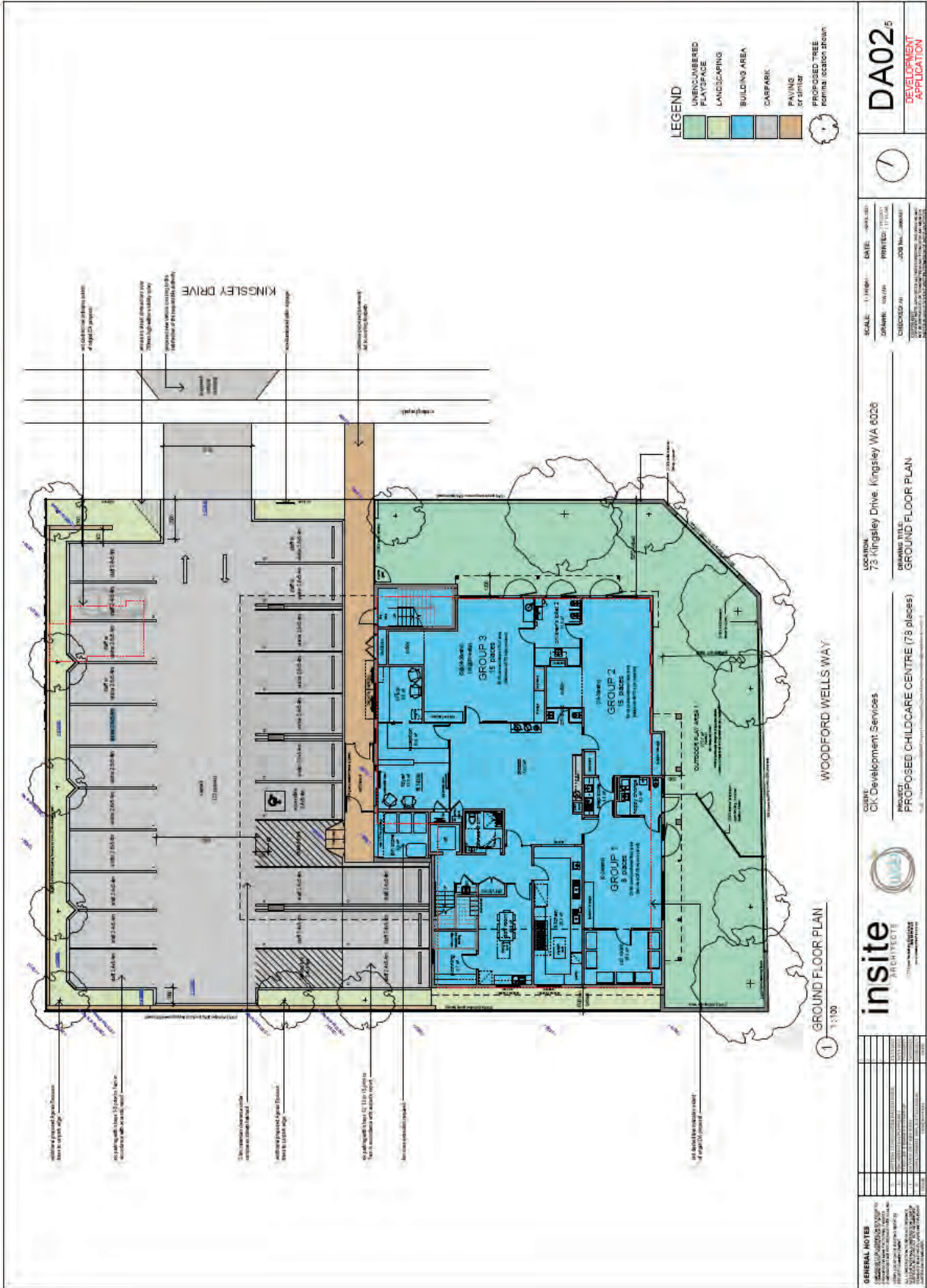
LOCATION  
73 Kingsley Drive, Kingsley WA 6026  
DRAWING TITLE  
COVER SHEET

SCALE  
DRAWN BY  
CHECKED BY  
DATE  
APRIL 2021  
PRINTED  
JOB NO. 200001

DA00<sup>5</sup>  
DEVELOPMENT APPLICATION

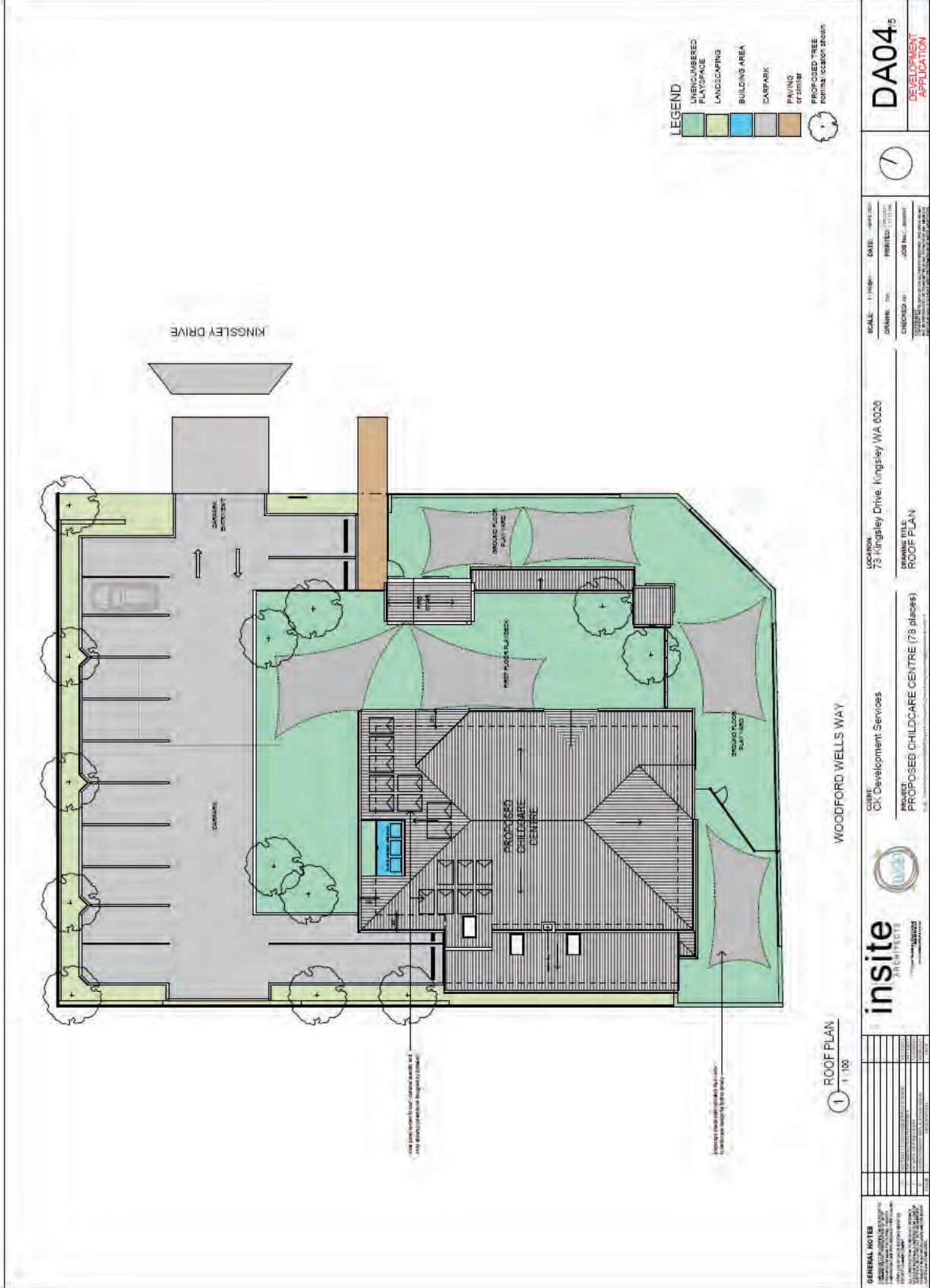


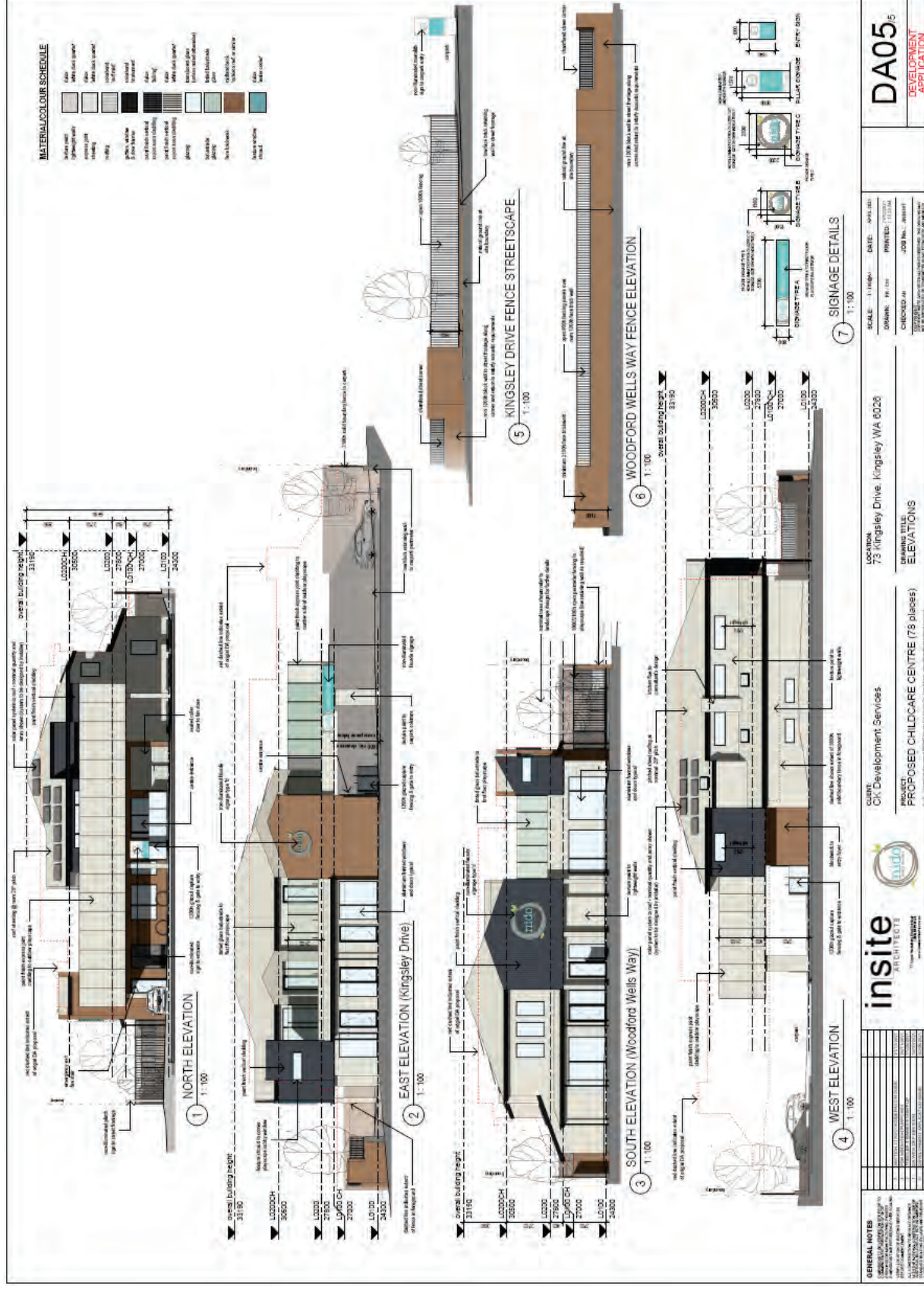




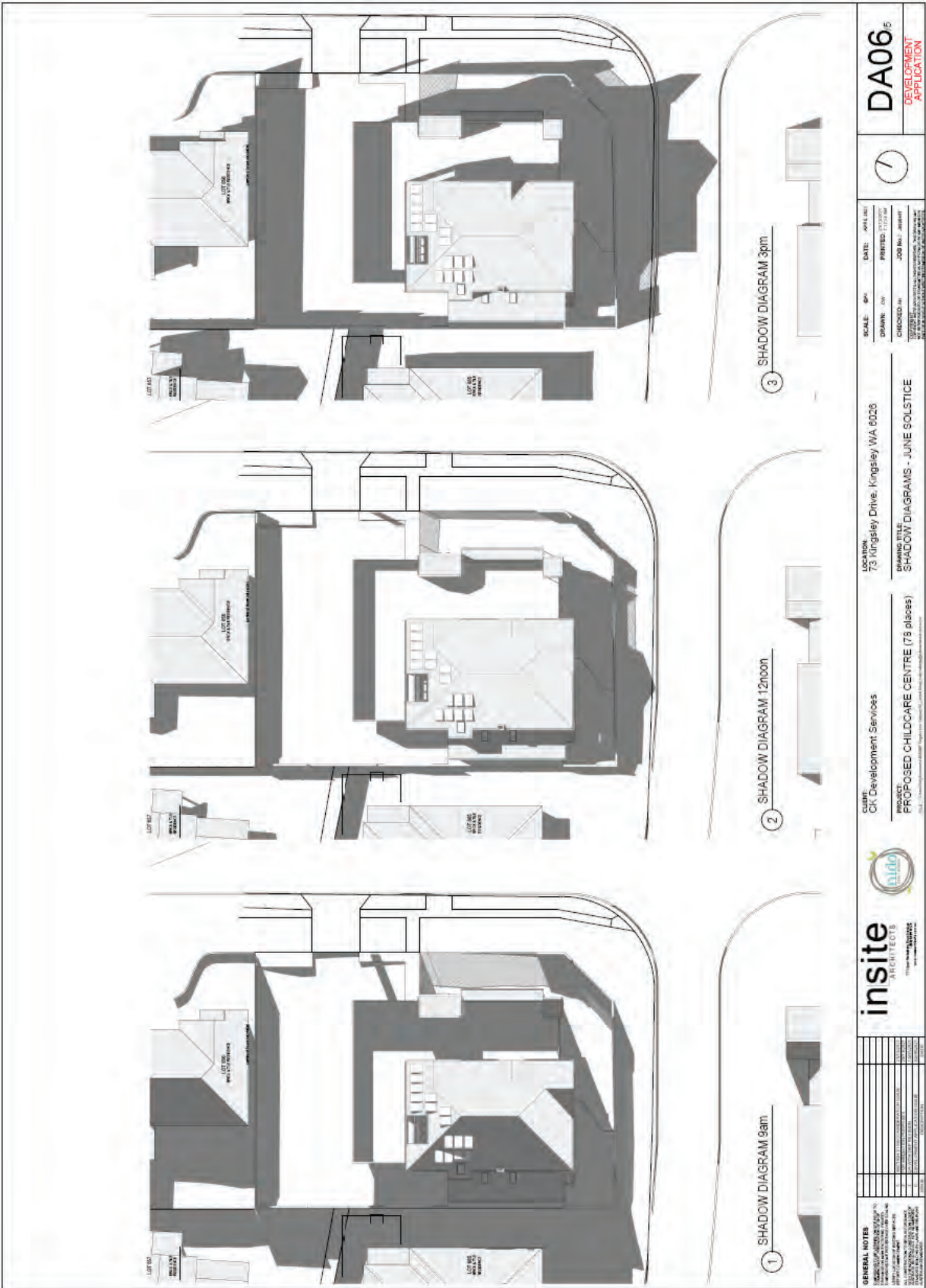


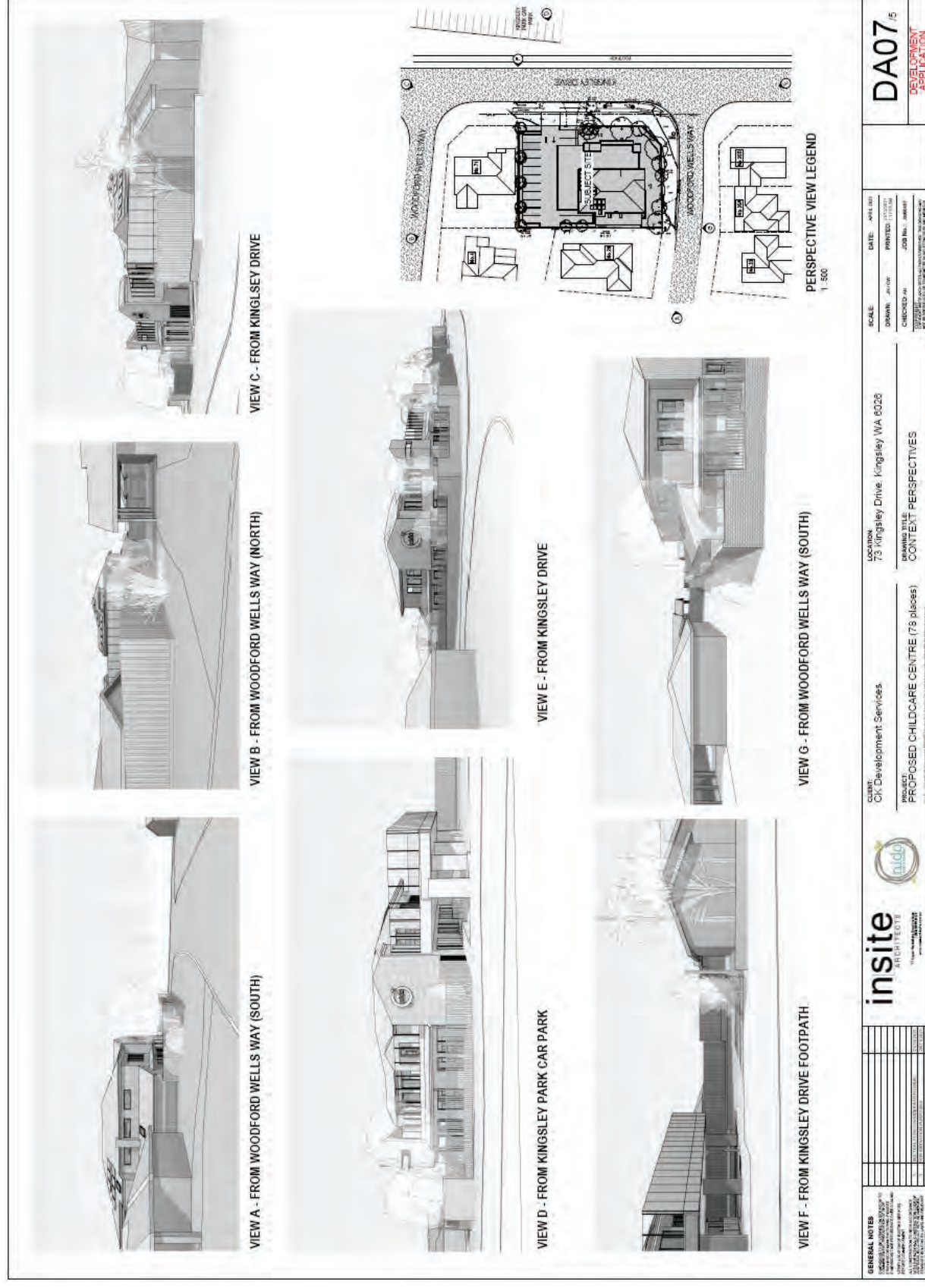












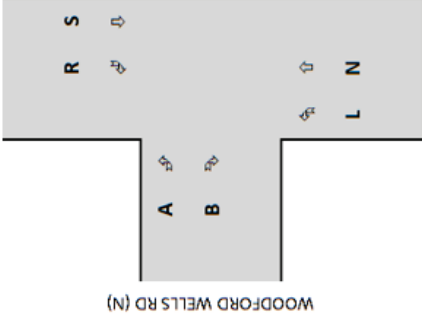




## **APPENDIX B TRAFFIC DATA**



NORTHERN INTERSECTION										SOUTHERN INTERSECTION									
5 min start	S	N	R	L	A	B	ALL	S	N	R	L	A	B	S	N	R	L	A	B
7.30-7.35	37	13	0	0	0	0	50	37	13	0	0	0	1	48	18	0	1	1	0
7.35-7.40	46	17	0	0	0	2	65	46	17	0	0	1	0	36	17	20	0	1	0
7.40-7.45	17	19	0	0	0	0	36	17	19	0	0	0	0	17	20	0	1	0	0
7.45-7.50	46	13	0	0	0	0	59	46	14	0	1	0	1	46	14	0	1	0	1
7.50-7.55	33	23	0	0	0	1	57	34	23	0	0	0	0	28	23	0	0	0	0
7.55-8.00	28	24	0	0	1	0	53	28	23	0	0	0	0	26	18	0	0	1	0
8.00-8.05	26	19	0	0	1	0	46	26	18	0	0	0	0	32	13	0	0	0	1
8.05-8.10	32	13	0	0	0	0	45	32	13	0	0	0	0	36	38	0	0	0	0
8.10-8.15	36	38	0	0	0	0	74	36	38	0	0	0	0	35	30	0	0	0	0
8.15-8.20	35	31	0	0	1	0	67	35	30	0	0	0	0	34	26	0	0	0	0
8.20-8.25	34	26	0	0	0	0	60	34	26	0	0	0	0	30	24	0	0	0	0
8.25-8.30	30	23	0	1	0	0	54	30	24	0	0	0	0	53	21	0	0	0	0
8.30-8.35	53	21	0	0	0	0	74	53	21	0	0	0	0	61	14	0	0	0	0
8.35-8.40	61	14	0	0	0	0	75	61	14	0	0	0	0	46	30	0	1	0	0
8.40-8.45	46	29	0	0	0	0	75	46	30	0	1	0	0	461	274	0	2	1	2
Hour Total	460	274	0	1	3	1	739	461	274	0	2	1	0	171	162	0	1	0	0



WOODFORD WELLS RD (N)

5 min start	S	N	R	L	A	B	ALL	S	N	R	L	A	B	S	N	R	L	A	B
2.30-2.35	19	26	0	0	0	0	45	19	26	0	0	0	0	20	33	0	1	1	0
2.35-2.40	20	32	0	0	0	0	52	20	33	0	1	1	0	24	26	0	0	0	1
2.40-2.45	24	26	0	0	0	0	50	24	26	0	0	0	0	26	25	0	0	0	0
2.45-2.50	26	25	0	0	0	0	51	26	25	0	0	0	0	38	31	0	0	0	0
2.50-2.55	38	31	0	0	0	0	69	38	31	0	0	0	0	51	19	0	0	0	0
2.55-3.00	51	19	0	0	0	0	70	51	19	0	0	0	0	33	22	0	0	0	0
3.00-3.05	33	21	0	1	0	0	55	33	22	0	0	0	0	32	36	0	0	0	0
3.05-3.10	32	36	0	0	0	0	68	32	36	0	0	0	0	21	36	0	0	0	0
3.10-3.15	21	37	0	0	1	0	59	21	36	0	0	0	0	35	28	0	0	0	0
3.15-3.20	35	28	1	0	0	0	64	35	28	0	0	0	0	27	23	0	0	0	0
3.20-3.25	27	23	0	0	0	0	50	27	23	0	0	0	0	23	17	0	1	0	0
3.25-3.30	23	16	1	0	0	0	40	23	17	0	1	0	0	171	162	0	1	0	0
Hour Total	171	161	2	1	1	0	673	171	162	0	1	0	0	171	162	0	1	0	0



WOODFORD WELLS RD (S)

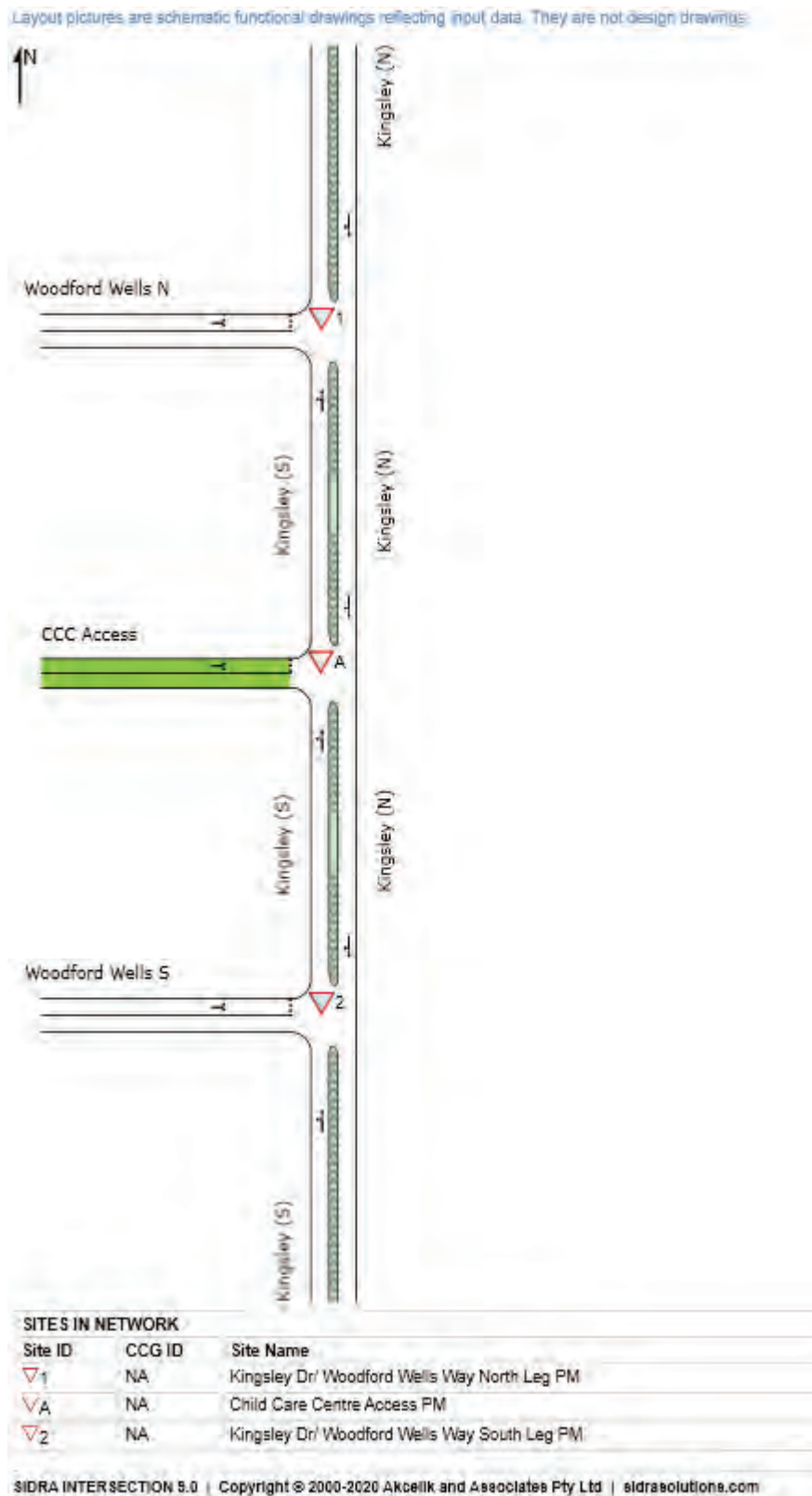
45 Place Child Care Centre @ 135 Kingsley Dr									
7.30-8.30 AM					2.30-3.30 AM				
6	2	3	4	4	6	2	3	4	4
IN	OUT	IN	OUT	IN	IN	OUT	IN	OUT	IN
2	5	5	4	4	2	5	5	4	4
Total 15					Total 14				

Transport Impact Statement

Proposed Child Care Centre (78 Places), Lots 667 (73) Kingsley Dr & 666 (22) Woodford Wells Way, Kingsley  
Prepared for CK Development Services



## APPENDIX CSIDRA SUMMARY REPORTS





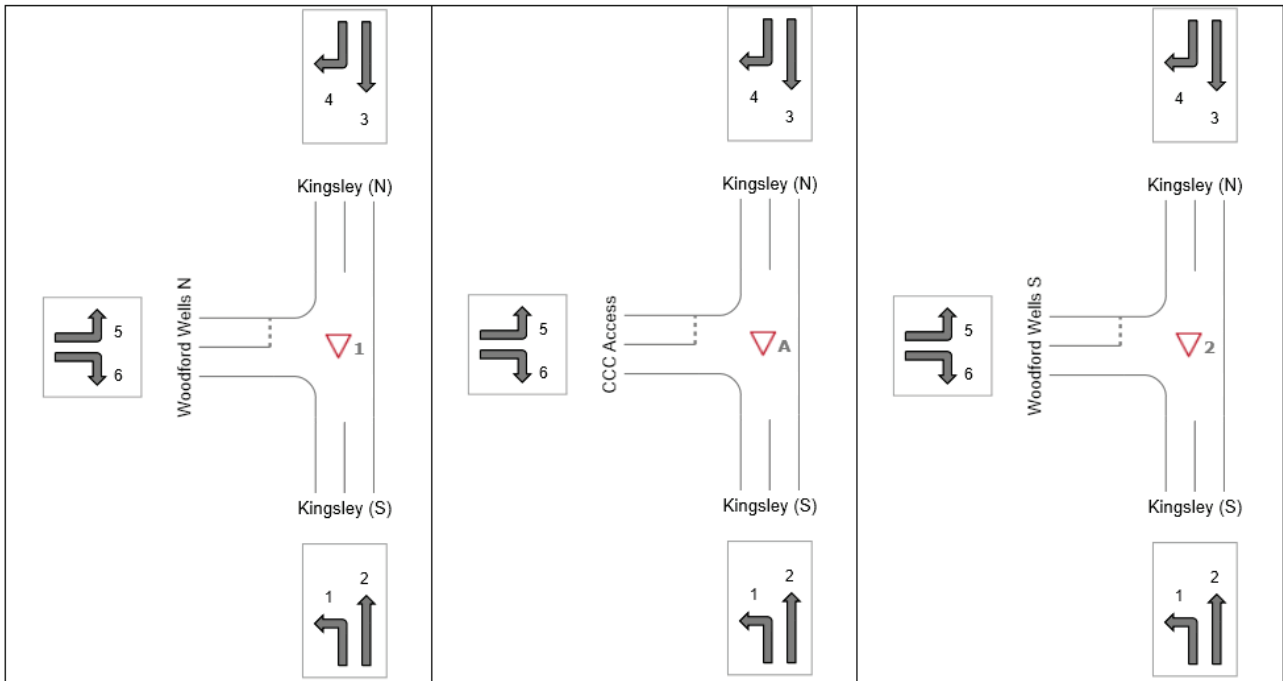


Figure 19 – SIDRA Intersection model Movement IDs

**MOVEMENT SUMMARY**

▼ Site: 1 [Kingsley Dr/ Woodford Wells Way North Leg AM (Site Folder: Existing (April 2021))]

■ Network: X-AM [AM Peak Hour (Network Folder: Existing)]

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Site Category: Existing Design  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Sat'n	Aver Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.143	3.0	LOS A	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	288	0.0	288	0.0	0.143	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		289	0.0	289	0.0	0.143	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	484	0.0	484	0.0	0.240	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	40.0
4	R2	1	0.0	1	0.0	0.240	4.8	LOS A	0.0	0.0	0.00	0.00	0.00	40.8
Approach		485	0.0	485	0.0	0.240	0.0	NA	0.0	0.0	0.00	0.00	0.00	40.0
West: Woodford Wells N														
5	L2	1	0.0	1	0.0	0.003	5.4	LOS A	0.0	0.0	0.41	0.56	0.41	38.5
6	R2	1	0.0	1	0.0	0.003	8.4	LOS A	0.0	0.0	0.41	0.56	0.41	32.2
Approach		2	0.0	2	0.0	0.003	6.9	LOS A	0.0	0.0	0.41	0.56	0.41	37.4
All Vehicles		777	0.0	777	0.0	0.240	0.0	NA	0.0	0.0	0.00	0.00	0.00	43.3

**MOVEMENT SUMMARY**

▼ Site: A [Child Care Centre Access AM (Site Folder: Existing (April 2021))]

■ Network: X-AM [AM Peak Hour (Network Folder: Existing)]

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Site Category: Existing Design  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Sat'n	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.143	3.4	LOS A	0.0	0.0	0.00	0.00	0.00	47.7
2	T1	288	0.0	288	0.0	0.143	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.8
Approach		289	0.0	289	0.0	0.143	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.7
North: Kingsley (N)														
3	T1	484	0.0	484	0.0	0.240	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.8
4	R2	1	0.0	1	0.0	0.240	4.2	LOS A	0.0	0.0	0.00	0.00	0.00	29.3
Approach		485	0.0	485	0.0	0.240	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.4
West: CCC Access														
5	L2	1	0.0	1	0.0	0.003	1.9	LOS A	0.0	0.0	0.41	0.38	0.41	21.9
6	R2	1	0.0	1	0.0	0.003	5.2	LOS A	0.0	0.0	0.41	0.38	0.41	21.9
Approach		2	0.0	2	0.0	0.003	3.6	LOS A	0.0	0.0	0.41	0.38	0.41	21.9
All Vehicles		777	0.0	777	0.0	0.240	0.0	NA	0.0	0.0	0.00	0.00	0.00	48.9

**MOVEMENT SUMMARY**

▼ Site: 2 [Kingsley Dr/ Woodford Wells Way South Leg AM (Site Folder: Existing (April 2021))]

■ Network: X-AM [AM Peak Hour (Network Folder: Existing)]

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Site Category: Existing Design  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Sat'n	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	2	0.0	2	0.0	0.144	4.6	LOS A	0.0	0.0	0.00	0.00	0.00	48.8
2	T1	288	0.0	288	0.0	0.144	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		291	0.0	291	0.0	0.144	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	484	0.0	484	0.0	0.240	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.2
4	R2	1	0.0	1	0.0	0.240	4.5	LOS A	0.0	0.0	0.00	0.00	0.00	43.9
Approach		485	0.0	485	0.0	0.240	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.2
West: Woodford Wells S														
5	L2	1	0.0	1	0.0	0.004	5.4	LOS A	0.0	0.0	0.45	0.59	0.45	31.4
6	R2	2	0.0	2	0.0	0.004	8.4	LOS A	0.0	0.0	0.45	0.59	0.45	39.6
Approach		3	0.0	3	0.0	0.004	7.4	LOS A	0.0	0.0	0.45	0.59	0.45	38.0
All Vehicles		779	0.0	779	0.0	0.240	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.3



**MOVEMENT SUMMARY**

▼ Site: 1 [Kingsley Dr/ Woodford Wells Way North Leg PM (Site Folder: Existing (April 2021))]

■ Network: X-PM [PM Peak Hour (Network Folder: Existing)]

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Site Category: Existing Design  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.084	3.0	LOS A	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	169	0.0	169	0.0	0.084	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	50.0
Approach		171	0.0	171	0.0	0.084	0.0	NA	0.0	0.0	0.00	0.00	0.00	50.0
North: Kingsley (N)														
3	T1	180	0.0	180	0.0	0.090	0.0	LOS A	0.0	0.0	0.01	0.01	0.01	40.0
4	R2	2	0.0	2	0.0	0.090	4.1	LOS A	0.0	0.0	0.01	0.01	0.01	40.8
Approach		182	0.0	182	0.0	0.090	0.1	NA	0.0	0.0	0.01	0.01	0.01	40.0
West: Woodford Wells N														
5	L2	1	0.0	1	0.0	0.002	5.0	LOS A	0.0	0.0	0.28	0.51	0.28	39.0
6	R2	1	0.0	1	0.0	0.002	5.8	LOS A	0.0	0.0	0.28	0.51	0.28	34.4
Approach		2	0.0	2	0.0	0.002	5.4	LOS A	0.0	0.0	0.28	0.51	0.28	38.3
All Vehicles		355	0.0	355	0.0	0.090	0.1	NA	0.0	0.0	0.01	0.01	0.01	44.3

**MOVEMENT SUMMARY**

▼ Site: A [Child Care Centre Access PM (Site Folder: Existing (April 2021))]

■ Network: X-PM [PM Peak Hour (Network Folder: Existing)]

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Site Category: Existing Design  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Sat'n	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.084	3.4	LOS A	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	169	0.0	169	0.0	0.084	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.7
Approach		171	0.0	171	0.0	0.084	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.6
North: Kingsley (N)														
3	T1	179	0.0	179	0.0	0.089	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.5
4	R2	1	0.0	1	0.0	0.089	3.5	LOS A	0.0	0.0	0.00	0.00	0.00	29.3
Approach		180	0.0	180	0.0	0.089	0.0	NA	0.0	0.0	0.00	0.00	0.00	48.6
West: CCC Access														
5	L2	1	0.0	1	0.0	0.002	1.5	LOS A	0.0	0.0	0.28	0.29	0.28	22.9
6	R2	1	0.0	1	0.0	0.002	2.6	LOS A	0.0	0.0	0.28	0.29	0.28	22.9
Approach		2	0.0	2	0.0	0.002	2.1	LOS A	0.0	0.0	0.28	0.29	0.28	22.9
All Vehicles		353	0.0	353	0.0	0.089	0.0	NA	0.0	0.0	0.00	0.00	0.00	47.9

**MOVEMENT SUMMARY**

▼ Site: 2 [Kingsley Dr/ Woodford Wells Way South Leg PM (Site Folder: Existing (April 2021))]

■ Network: X-PM [PM Peak Hour (Network Folder: Existing)]

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Site Category: Existing Design  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Sat'n	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.085	4.6	LOS A	0.0	0.0	0.00	0.00	0.00	48.9
2	T1	171	0.0	171	0.0	0.085	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		172	0.0	172	0.0	0.085	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	180	0.0	180	0.0	0.090	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.1
4	R2	1	0.0	1	0.0	0.090	3.8	LOS A	0.0	0.0	0.00	0.00	0.00	43.8
Approach		181	0.0	181	0.0	0.090	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.1
West: Woodford Wells S														
5	L2	1	0.0	1	0.0	0.002	5.0	LOS A	0.0	0.0	0.28	0.51	0.28	34.4
6	R2	1	0.0	1	0.0	0.002	5.8	LOS A	0.0	0.0	0.28	0.51	0.28	41.3
Approach		2	0.0	2	0.0	0.002	5.4	LOS A	0.0	0.0	0.28	0.51	0.28	39.2
All Vehicles		355	0.0	355	0.0	0.090	0.1	NA	0.0	0.0	0.00	0.01	0.00	49.4



**MOVEMENT SUMMARY**

Site: 1 [Kingsley Dr/ Woodford Wells Way North Leg AM (Site Folder: Forecast 1st Year)]

Network: F-AM [AM Peak Hour (Network Folder: Forecast 1st Year)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.147	3.0	LOS A	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	296	0.0	296	0.0	0.147	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		297	0.0	297	0.0	0.147	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	511	0.0	511	0.0	0.253	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	40.0
4	R2	1	0.0	1	0.0	0.253	4.8	LOS A	0.0	0.0	0.00	0.00	0.00	40.8
Approach		512	0.0	512	0.0	0.253	0.0	NA	0.0	0.0	0.00	0.00	0.00	40.0
West: Woodford Wells N														
5	L2	1	0.0	1	0.0	0.003	5.4	LOS A	0.0	0.0	0.42	0.56	0.42	38.4
6	R2	1	0.0	1	0.0	0.003	8.7	LOS A	0.0	0.0	0.42	0.56	0.42	32.0
Approach		2	0.0	2	0.0	0.003	7.1	LOS A	0.0	0.0	0.42	0.56	0.42	37.3
All Vehicles		811	0.0	811	0.0	0.253	0.0	NA	0.0	0.0	0.00	0.00	0.00	43.2

**MOVEMENT SUMMARY**

Site: A [Child Care Centre Access AM (Site Folder: Forecast 1st Year)]

Network: F-AM [AM Peak Hour (Network Folder: Forecast 1st Year)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: Kingsley (S)														
1	L2	12	0.0	12	0.0	0.149	3.4	LOS A	0.0	0.0	0.00	0.02	0.00	47.3
2	T1	289	0.0	289	0.0	0.149	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	48.2
Approach		301	0.0	301	0.0	0.149	0.1	NA	0.0	0.0	0.00	0.02	0.00	48.1
North: Kingsley (N)														
3	T1	485	0.0	485	0.0	0.260	0.1	LOS A	0.1	0.7	0.06	0.03	0.06	45.0
4	R2	26	0.0	26	0.0	0.260	4.3	LOS A	0.1	0.7	0.06	0.03	0.06	29.0
Approach		512	0.0	512	0.0	0.260	0.3	NA	0.1	0.7	0.06	0.03	0.06	40.2
West: CCC Access														
5	L2	7	0.0	7	0.0	0.048	2.0	LOS A	0.1	0.4	0.48	0.56	0.48	20.9
6	R2	23	0.0	23	0.0	0.048	5.9	LOS A	0.1	0.4	0.48	0.56	0.48	20.9
Approach		31	0.0	31	0.0	0.048	4.9	LOS A	0.1	0.4	0.48	0.56	0.48	20.9
All Vehicles		843	0.0	843	0.0	0.260	0.4	NA	0.1	0.7	0.05	0.04	0.05	38.5

**MOVEMENT SUMMARY**

Site: 2 [Kingsley Dr/ Woodford Wells Way South Leg AM (Site Folder: Forecast 1st Year)]

Network: F-AM [AM Peak Hour (Network Folder: Forecast 1st Year)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: Kingsley (S)														
1	L2	2	0.0	2	0.0	0.150	4.6	LOS A	0.0	0.0	0.00	0.00	0.00	48.8
2	T1	300	0.0	300	0.0	0.150	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		302	0.0	302	0.0	0.150	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	508	0.0	508	0.0	0.252	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.2
4	R2	1	0.0	1	0.0	0.252	4.6	LOS A	0.0	0.0	0.00	0.00	0.00	43.9
Approach		509	0.0	509	0.0	0.252	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.2
West: Woodford Wells S														
5	L2	1	0.0	1	0.0	0.005	5.5	LOS A	0.0	0.0	0.46	0.60	0.46	31.0
6	R2	2	0.0	2	0.0	0.005	8.7	LOS A	0.0	0.0	0.46	0.60	0.46	39.3
Approach		3	0.0	3	0.0	0.005	7.6	LOS A	0.0	0.0	0.46	0.60	0.46	37.7
All Vehicles		815	0.0	815	0.0	0.252	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.3



**MOVEMENT SUMMARY**

▼ Site: 1 [Kingsley Dr/ Woodford Wells Way North Leg PM (Site Folder: Forecast 1st Year)]

▣▣ Network: F-PM [PM Peak Hour (Network Folder: Forecast 1st Year)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.089	3.0	LOSA	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	179	0.0	179	0.0	0.089	0.0	LOSA	0.0	0.0	0.00	0.00	0.00	50.0
Approach		180	0.0	180	0.0	0.089	0.0	NA	0.0	0.0	0.00	0.00	0.00	50.0
North: Kingsley (N)														
3	T1	192	0.0	192	0.0	0.096	0.0	LOSA	0.0	0.0	0.01	0.01	0.01	40.0
4	R2	2	0.0	2	0.0	0.096	4.1	LOSA	0.0	0.0	0.01	0.01	0.01	40.8
Approach		194	0.0	194	0.0	0.096	0.1	NA	0.0	0.0	0.01	0.01	0.01	40.0
West: Woodford Wells N														
5	L2	1	0.0	1	0.0	0.002	5.0	LOSA	0.0	0.0	0.29	0.51	0.29	39.0
6	R2	1	0.0	1	0.0	0.002	5.9	LOSA	0.0	0.0	0.29	0.51	0.29	34.4
Approach		2	0.0	2	0.0	0.002	5.5	LOSA	0.0	0.0	0.29	0.51	0.29	38.2
All Vehicles		376	0.0	376	0.0	0.096	0.1	NA	0.0	0.0	0.01	0.01	0.01	44.3

**MOVEMENT SUMMARY**

▼ Site: A [Child Care Centre Access PM (Site Folder: Forecast 1st Year)]

▣▣ Network: F-PM [PM Peak Hour (Network Folder: Forecast 1st Year)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	HV %	[ Total veh/h ]	HV %				[ Veh. veh ]	Dist m				
South: Kingsley (S)														
1	L2	7	0.0	7	0.0	0.088	3.4	LOS A	0.0	0.0	0.00	0.02	0.00	47.3
2	T1	171	0.0	171	0.0	0.088	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	48.1
Approach		178	0.0	178	0.0	0.088	0.1	NA	0.0	0.0	0.00	0.02	0.00	48.0
North: Kingsley (N)														
3	T1	180	0.0	180	0.0	0.097	0.1	LOS A	0.0	0.2	0.04	0.03	0.04	45.6
4	R2	12	0.0	12	0.0	0.097	3.5	LOS A	0.0	0.2	0.04	0.03	0.04	29.0
Approach		192	0.0	192	0.0	0.097	0.3	NA	0.0	0.2	0.04	0.03	0.04	40.1
West: CCC Access														
5	L2	9	0.0	9	0.0	0.014	1.5	LOS A	0.0	0.1	0.27	0.31	0.27	22.9
6	R2	6	0.0	6	0.0	0.014	2.8	LOS A	0.0	0.1	0.27	0.31	0.27	22.9
Approach		16	0.0	16	0.0	0.014	2.0	LOS A	0.0	0.1	0.27	0.31	0.27	22.9
All Vehicles		385	0.0	385	0.0	0.097	0.3	NA	0.0	0.2	0.03	0.04	0.03	39.4

**MOVEMENT SUMMARY**

▼ Site: 2 [Kingsley Dr/ Woodford Wells Way South Leg PM (Site Folder: Forecast 1st Year)]

▣▣ Network: F-PM [PM Peak Hour (Network Folder: Forecast 1st Year)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	HV %	[ Total veh/h ]	HV %				[ Veh. veh ]	Dist m				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.089	4.6	LOS A	0.0	0.0	0.00	0.00	0.00	48.9
2	T1	178	0.0	178	0.0	0.089	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		179	0.0	179	0.0	0.089	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	186	0.0	186	0.0	0.093	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.1
4	R2	1	0.0	1	0.0	0.093	3.8	LOS A	0.0	0.0	0.00	0.00	0.00	43.8
Approach		187	0.0	187	0.0	0.093	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.1
West: Woodford Wells S														
5	L2	1	0.0	1	0.0	0.002	5.0	LOS A	0.0	0.0	0.28	0.51	0.28	34.4
6	R2	1	0.0	1	0.0	0.002	5.8	LOS A	0.0	0.0	0.28	0.51	0.28	41.3
Approach		2	0.0	2	0.0	0.002	5.4	LOS A	0.0	0.0	0.28	0.51	0.28	39.1
All Vehicles		368	0.0	368	0.0	0.093	0.1	NA	0.0	0.0	0.00	0.01	0.00	49.4

**MOVEMENT SUMMARY**

▼ Site: 1 [Kingsley Dr/ Woodford Wells Way North Leg AM (Site Folder: Forecast HOA)]

■ Network: HOA-AM [AM Peak Hour (Network Folder: Forecast HOA)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	HV %	[ Total veh/h ]	HV %				[ Veh. veh ]	Dist ] m				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.175	3.0	LOS A	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	353	0.0	353	0.0	0.175	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		354	0.0	354	0.0	0.175	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	567	0.0	567	0.0	0.282	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	40.0
4	R2	1	0.0	1	0.0	0.282	5.2	LOS A	0.0	0.0	0.00	0.00	0.00	40.8
Approach		568	0.0	568	0.0	0.282	0.0	NA	0.0	0.0	0.00	0.00	0.00	40.0
West: Woodford Wells N														
5	L2	1	0.0	1	0.0	0.003	5.7	LOS A	0.0	0.0	0.47	0.58	0.47	38.1
6	R2	1	0.0	1	0.0	0.003	9.8	LOS A	0.0	0.0	0.47	0.58	0.47	30.9
Approach		2	0.0	2	0.0	0.003	7.7	LOS A	0.0	0.0	0.47	0.58	0.47	36.8
All Vehicles		924	0.0	924	0.0	0.282	0.0	NA	0.0	0.0	0.00	0.00	0.00	43.4

**MOVEMENT SUMMARY**

▼ Site: A [Child Care Centre Access AM (Site Folder: Forecast HOA)]

■ Network: HOA-AM [AM Peak Hour (Network Folder: Forecast HOA)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	HV %	[ Total veh/h ]	HV %				[ Veh. veh ]	[ Dist ] m				
South: Kingsley (S)														
1	L2	12	0.0	12	0.0	0.177	3.4	LOS A	0.0	0.0	0.00	0.02	0.00	47.4
2	T1	346	0.0	346	0.0	0.177	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	48.5
Approach		358	0.0	358	0.0	0.177	0.1	NA	0.0	0.0	0.00	0.02	0.00	48.3
North: Kingsley (N)														
3	T1	542	0.0	542	0.0	0.289	0.1	LOS A	0.1	0.8	0.06	0.03	0.06	44.7
4	R2	26	0.0	26	0.0	0.289	4.7	LOS A	0.1	0.8	0.06	0.03	0.06	29.0
Approach		568	0.0	568	0.0	0.289	0.3	NA	0.1	0.8	0.06	0.03	0.06	40.4
West: CCC Access														
5	L2	7	0.0	7	0.0	0.055	2.2	LOS A	0.1	0.5	0.55	0.62	0.55	20.2
6	R2	23	0.0	23	0.0	0.055	7.1	LOS A	0.1	0.5	0.55	0.62	0.55	20.2
Approach		31	0.0	31	0.0	0.055	5.9	LOS A	0.1	0.5	0.55	0.62	0.55	20.2
All Vehicles		957	0.0	957	0.0	0.289	0.4	NA	0.1	0.8	0.05	0.04	0.05	38.9

**MOVEMENT SUMMARY**

▼ Site: 2 [Kingsley Dr/ Woodford Wells Way South Leg AM (Site Folder: Forecast HOA)]

■ Network: HOA-AM [AM Peak Hour (Network Folder: Forecast HOA)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	HV %	[ Total veh/h ]	HV %				[ Veh. veh ]	[ Dist ] m				
South: Kingsley (S)														
1	L2	2	0.0	2	0.0	0.178	4.6	LOS A	0.0	0.0	0.00	0.00	0.00	48.8
2	T1	357	0.0	357	0.0	0.178	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		359	0.0	359	0.0	0.178	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	565	0.0	565	0.0	0.281	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.2
4	R2	1	0.0	1	0.0	0.281	5.0	LOS A	0.0	0.0	0.00	0.00	0.00	43.9
Approach		566	0.0	566	0.0	0.281	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.2
West: Woodford Wells S														
5	L2	1	0.0	1	0.0	0.005	5.7	LOS A	0.0	0.0	0.51	0.63	0.51	29.8
6	R2	2	0.0	2	0.0	0.005	9.9	LOS A	0.0	0.0	0.51	0.63	0.51	38.6
Approach		3	0.0	3	0.0	0.005	8.5	LOS A	0.0	0.0	0.51	0.63	0.51	36.8
All Vehicles		928	0.0	928	0.0	0.281	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.3



**MOVEMENT SUMMARY**

▼ Site: 1 [Kingsley Dr/ Woodford Wells Way North Leg PM (Site Folder: Forecast HOA)]      Network: HOA-PM [PM Peak Hour (Network Folder: Forecast HOA)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.111	3.0	LOS A	0.0	0.0	0.00	0.00	0.00	47.6
2	T1	224	0.0	224	0.0	0.111	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	49.9
Approach		225	0.0	225	0.0	0.111	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	237	0.0	237	0.0	0.119	0.0	LOS A	0.0	0.0	0.01	0.00	0.01	40.0
4	R2	2	0.0	2	0.0	0.119	4.3	LOS A	0.0	0.0	0.01	0.00	0.01	40.8
Approach		239	0.0	239	0.0	0.119	0.0	NA	0.0	0.0	0.01	0.00	0.01	40.0
West: Woodford Wells N														
5	L2	1	0.0	1	0.0	0.002	5.2	LOS A	0.0	0.0	0.33	0.52	0.33	38.9
6	R2	1	0.0	1	0.0	0.002	6.3	LOS A	0.0	0.0	0.33	0.52	0.33	34.1
Approach		2	0.0	2	0.0	0.002	5.7	LOS A	0.0	0.0	0.33	0.52	0.33	38.1
All Vehicles		466	0.0	466	0.0	0.119	0.1	NA	0.0	0.0	0.01	0.01	0.01	44.3

**MOVEMENT SUMMARY**

▼ Site: A [Child Care Centre Access PM (Site Folder: Forecast HOA)]      Network: HOA-PM [PM Peak Hour (Network Folder: Forecast HOA)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: Kingsley (S)														
1	L2	7	0.0	7	0.0	0.111	3.4	LOS A	0.0	0.0	0.00	0.02	0.00	47.4
2	T1	216	0.0	216	0.0	0.111	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	48.4
Approach		223	0.0	223	0.0	0.111	0.1	NA	0.0	0.0	0.00	0.02	0.00	48.3
North: Kingsley (N)														
3	T1	225	0.0	225	0.0	0.120	0.1	LOS A	0.0	0.3	0.04	0.03	0.04	46.2
4	R2	12	0.0	12	0.0	0.120	3.7	LOS A	0.0	0.3	0.04	0.03	0.04	29.1
Approach		237	0.0	237	0.0	0.120	0.2	NA	0.0	0.3	0.04	0.03	0.04	41.2
West: CCC Access														
5	L2	9	0.0	9	0.0	0.014	1.7	LOS A	0.0	0.1	0.32	0.34	0.32	22.8
6	R2	6	0.0	6	0.0	0.014	3.2	LOS A	0.0	0.1	0.32	0.34	0.32	22.8
Approach		16	0.0	16	0.0	0.014	2.3	LOS A	0.0	0.1	0.32	0.34	0.32	22.8
All Vehicles		476	0.0	476	0.0	0.120	0.2	NA	0.0	0.3	0.03	0.03	0.03	40.6

**MOVEMENT SUMMARY**

▼ Site: 2 [Kingsley Dr/ Woodford Wells Way South Leg PM (Site Folder: Forecast HOA)]      Network: HOA-PM [PM Peak Hour (Network Folder: Forecast HOA)]

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Site Category: Proposed Design 1  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	DEMAND FLOWS		ARRIVAL FLOWS		Deg. Satn	Aver. Delay	Level of Service	AVERAGE BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: Kingsley (S)														
1	L2	1	0.0	1	0.0	0.111	4.6	LOSA	0.0	0.0	0.00	0.00	0.00	48.9
2	T1	223	0.0	223	0.0	0.111	0.0	LOSA	0.0	0.0	0.00	0.00	0.00	49.9
Approach		224	0.0	224	0.0	0.111	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.9
North: Kingsley (N)														
3	T1	232	0.0	232	0.0	0.115	0.0	LOSA	0.0	0.0	0.00	0.00	0.00	49.1
4	R2	1	0.0	1	0.0	0.115	4.0	LOSA	0.0	0.0	0.00	0.00	0.00	43.8
Approach		233	0.0	233	0.0	0.115	0.0	NA	0.0	0.0	0.00	0.00	0.00	49.1
West: Woodford Wells S														
5	L2	1	0.0	1	0.0	0.002	5.2	LOSA	0.0	0.0	0.33	0.52	0.33	34.1
6	R2	1	0.0	1	0.0	0.002	6.3	LOSA	0.0	0.0	0.33	0.52	0.33	41.1
Approach		2	0.0	2	0.0	0.002	5.7	LOSA	0.0	0.0	0.33	0.52	0.33	38.9
All Vehicles		459	0.0	459	0.0	0.115	0.1	NA	0.0	0.0	0.00	0.00	0.00	49.4

## APPENDIX D WAPC TRANSPORT IMPACT STATEMENT CHECKLIST

### CHECKLIST FOR A TRANSPORT IMPACT STATEMENT FOR INDIVIDUAL DEVELOPMENT

- Tick the provided column for items for which information is provided.
- Enter N/A in the provided column if the item is not appropriate and enter reason in comment column.
- Provide brief comments on any relevant issues.
- Provide brief description of any proposed transport improvements, for example, new bus routes or signalisation of an existing intersection.

ITEM	PROVIDED	COMMENTS/PROPOSALS
<b>Proposed development</b>		
existing land uses	✓	2 single dwellings
proposed land use	✓	78 place Child Care Centre
context with surrounds	✓	Figure 3 on page 8
<b>Vehicular access and parking</b>	✓	
access arrangements	✓	Figure 4 on page 10
public, private, disabled parking set down/pick up	✓	Appendix A
<b>Service vehicles (non-residential)</b>	✓	
access arrangements	✓	Section 3
on/off-site loading facilities	✓	Figure 8 on page 15
<b>Service vehicles (residential)</b>	NA	
rubbish collection and emergency vehicle access	✓	Refer separate Waste Management Plan
<b>Hours of operation (non-residential only)</b>	✓	Section 5 6.30 AM – 6.30 PM weekdays
<b>Traffic volumes</b>	✓	Section 6
daily or peak traffic volumes	✓	Daily and Peak Hour
Type of vehicles (for example, cars, trucks)	✓	Light & Service
<b>Traffic management on frontage streets</b>	✓	Section 7
<b>Public transport access</b>	✓	Section 8
nearest bus/train routes	✓	Figure 13 on page 24
nearest bus stops/train stations	✓	Figure 13 on page 24





ITEM	PROVIDED	COMMENTS/PROPOSALS
pedestrian/cycle links to bus stops/ train station	✓	Figure 13 on page 24
<b>Pedestrian access/ facilities</b>	✓	
existing pedestrian facilities within the development (if any)	NA	
proposed pedestrian facilities within development	✓	Appendix A
existing pedestrian facilities on surrounding roads	✓	Section 9
proposals to improve pedestrian access	NA	
<b>Cycle access/facilities</b>	✓	
existing cycle facilities within the development (if any)	NA	
proposed cycle facilities within development	✓	
existing cycle facilities on surrounding roads	✓	
proposals to improve cycle access	✓	Section 9
<b>Site specific issues</b>	✓	Section 10
<b>Safety issues</b>	✓	Section 11
identify issues	NA	
remedial measures	✓	Section 9

**Proponent's name**

**Company** CK Development Services **Date** 21 Dec 2021

**Transport assessor's name** David Wilkins

**Company** i3 consultants WA **Date** 21 Dec 2021

# ATTACHMENT 2

Revised Waste Management Plan

# PROPOSED CHILD CARE CENTRE (78 PLACES)

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LOTS 667 (73) KINGSLEY DR & 666 (22) WOODFORD WELLS WAY, KINGSLEY

## WASTE MANAGEMENT PLAN



Prepared by i3 consultants WA  
PO Box 1638 Subiaco WA 6904  
08 9467 7478  
dwilkins@i3consultants.com

# 1 WASTE GENERATION

In the absence of specific waste generation data for Child Care Centres in the *WALGA Commercial and Industrial Waste Management Plan Guidelines* <sup>(1)</sup>, waste generation has been determined using the *City of Melbourne's 2015 Waste Generation Rates* data <sup>(2)</sup> as this includes Child Care Centres and appears to be the most up-to-date data available in Australia. The rates and assessed waste generation for both general waste and co-mingled recyclable waste is shown in Table 1 below.

City of Melbourne Garbage Generation				
Land Use	Rate		Unit	litres/ week
Child Care Centre	350	l per 100 m <sup>2</sup> floor area/ week	650	2,275

City of Melbourne Recycling Generation				
Land Use	Rate		Unit	litres/ week
Child Care Centre	350	l per 100 m <sup>2</sup> floor area/ week	650	2,275

Table 1 – General and Recyclable waste generation

Child Care Centres can vary the mix between general and co-mingled recyclables through management and operational practices (e.g., use cloth nappies instead of disposable and encourage parents to provide food and snacks without packaging). The typical waste profile for a Child Care Centre is shown in Figure 1 below.

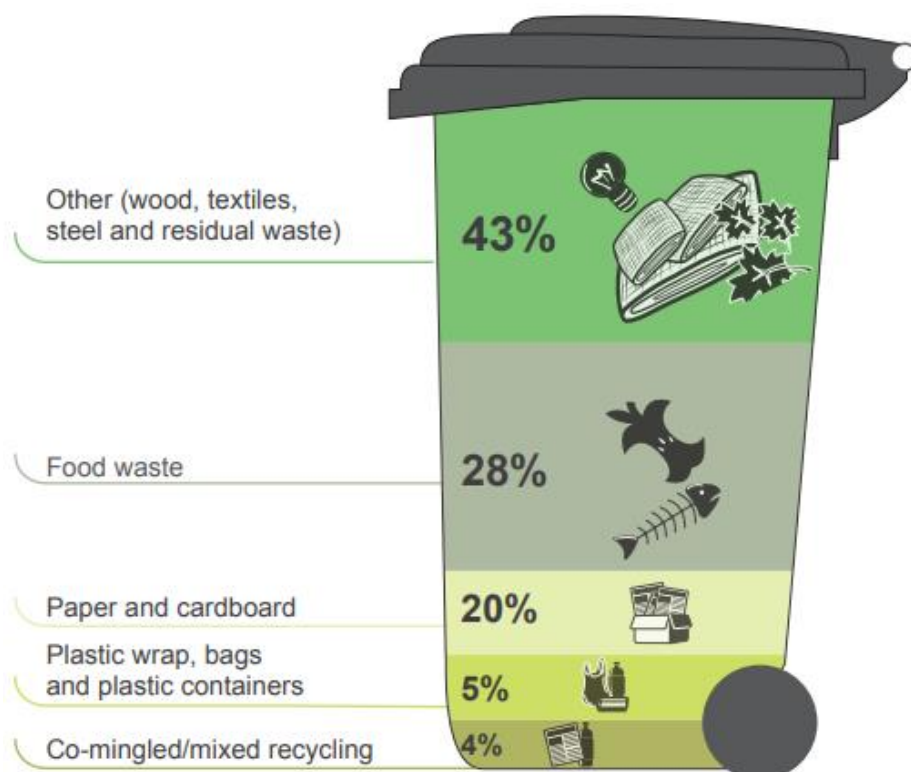


Figure 1 – Typical waste profile of a Child Care Centre (% weight of waste generated) *NSW EPA* <sup>(3)</sup>



## 2 GENERAL

It is proposed to demolish the existing single dwellings on each Lot and construct a compliant Child Care Centre for 78 children as shown in Table 2 below.

Room	Children	Nos	Required Educators	WA Educator-Child Ratios
1	Babies 0-24 months	8	2	0 to 2 yrs 1 to 4
2	Toddlers 24-36 months	15	3	2 to 3 yrs 1 to 5
3	Toddlers 24-36 months	5	1	2 to 3 yrs 1 to 5
	Pre-Kindy 36 months->	10	1	3+ yrs 1 to 10
4	Pre-Kindy 36 months->	20	2	3+ yrs 1 to 10
5	Pre-Kindy 36 months->	20	2	3+ yrs 1 to 10
<b>TOTAL</b>		<b>78</b>	<b>11</b>	<b>Plus 1 Cook &amp; 1 Supervisor</b>

Table 2 – Child Care Centre Numbers and Staff

The assessed waste collection vehicle arrival and departure routes to the proposed development and the layout of the access and ground floor parking and waste bin areas is shown in Figure 2 below.

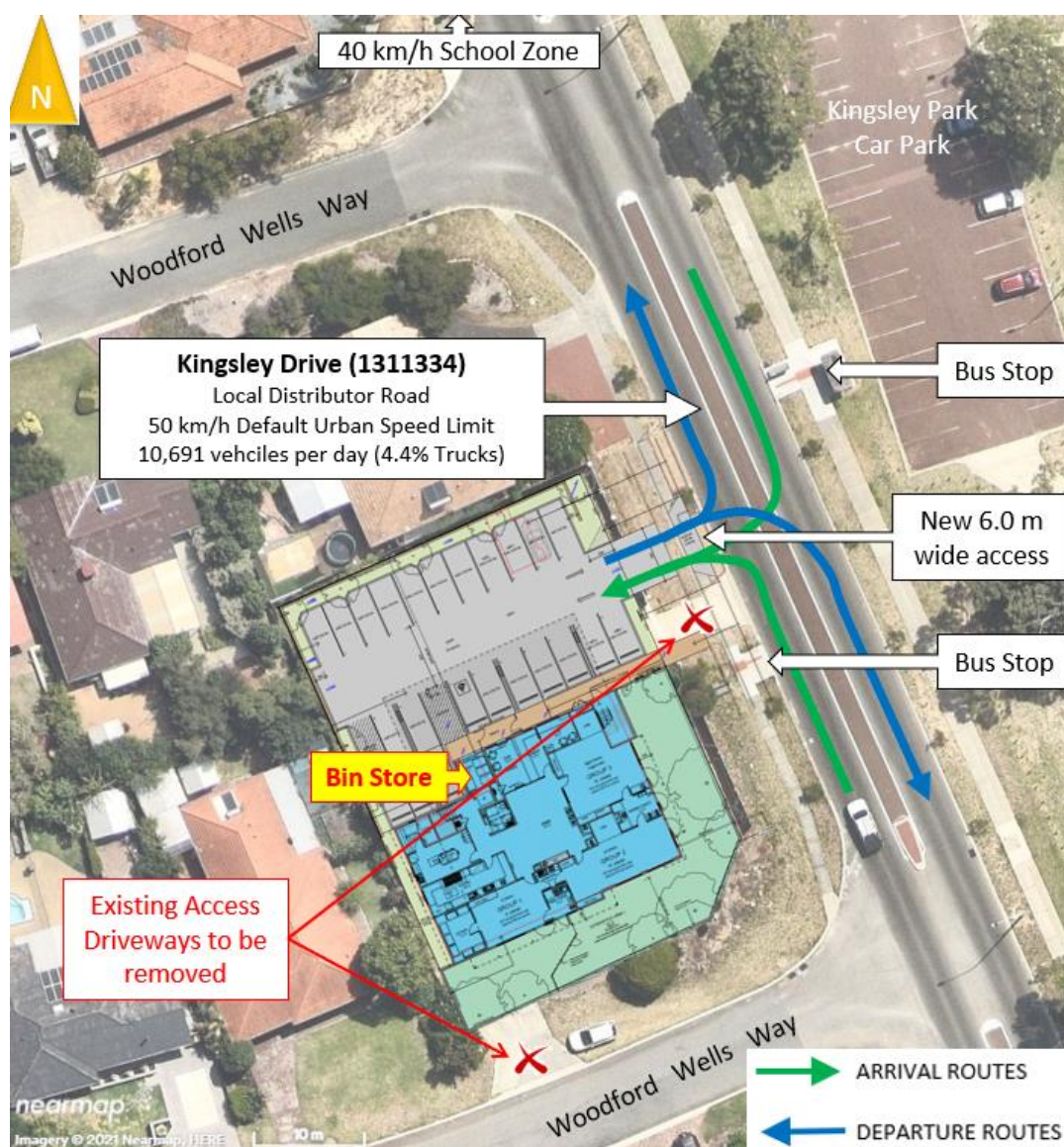


Figure 2 – Extract from Development Drawing: Ground Floor & Site

### 3 NUMBER AND TYPE OF BINS AND FREQUENCY OF COLLECTION

An assessment of the required number of MGBs for the quantity of waste assessed in Section 1, i.e., 2,275 litres per week general and 2,275 litres per week recyclable, has indicated that this will result in a requirement for 8 MGBs if collected weekly or 4 MGBs if collected twice a week (e.g., Tue & Fri) as shown in Table 3 below.

BIN SIZES AND NUMBERS REQUIRED (OPTION 1)											
Waste Type	Lt/ week	Freq/ wk	120	140	240	360	660	1100	1500	3000	4500
General	2,275	1	19	17	10	7	4	3	2	1	1
Recyclable	2,275	1	19	17	10	7	4	3	2	1	1
TOTAL							8				

BIN SIZES AND NUMBERS REQUIRED (OPTION 2)											
Waste Type	Lt/ week	Freq/ wk	120	140	240	360	660	1100	1500	3000	4500
General	2,275	2	10	9	5	4	2	2	1	1	1
Recyclable	2,275	2	10	9	5	4	2	2	1	1	1
TOTAL							4				

Table 3 – Determination of number of MGBs based on frequency of 1 or 2 collections per week

It is proposed to service the bins twice weekly, i.e., Option 2: 4 x 660L MGBs.

The dimensions of the 660L MGB is shown in Figure 3 below. The required storage and presentation areas for four 660L MGBs are assessed in **Sections 5** and **6**.

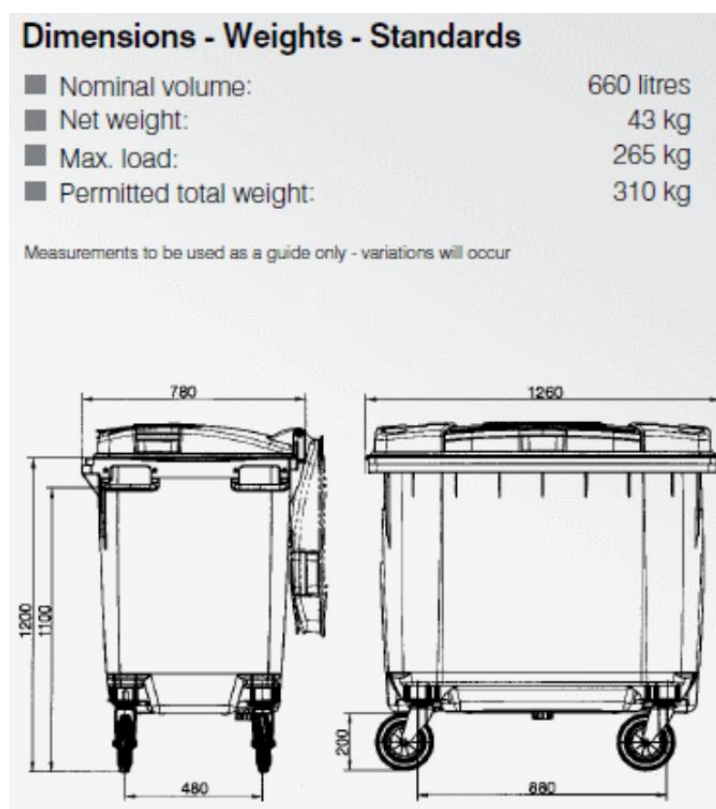


Figure 3 – Typical dimensions of a 660L MGB

## 4 FOOD WASTE

---

Due to the proposed kitchen and associated food preparation, it may be necessary to on very hot days or weekends to provide a freezer of sufficient size to allow food waste to be frozen between collection days.

The amount of food waste can be reduced using worm farms and/ or composting, a common feature of Child Care Centres as part of the reduce-reuse-recycle education initiative.

The City of Joondalup provides guidance for the disposal of different types of waste on its [website](#). Waste reduction advice can be found on the City of Stirling's [website](#).

Consideration should also be given to food waste collection consistent with FOGO services in the [Waste Avoidance and Resource Recovery Strategy 2030](#).

## 5 SPACE FOR STORAGE AND PRESENTATION (SERVICING) OF BINS

The City of Joondalup's Health Local law 1999 requires commercial developments to provide a bin enclosure.

As indicated in Figure 3 in **Section 3**, the 660L MGBs are approximately 1.26 m wide, 0.78 m deep and 1.3 m high.

The Development Drawing shows the provision of a Bin Store capable of accommodating four (4) x 660L MGBs, as shown in the extract provided as Figure 4 below. Door/ gates comply with City of Joondalup requirement of an opening of at least 2.7 (4).

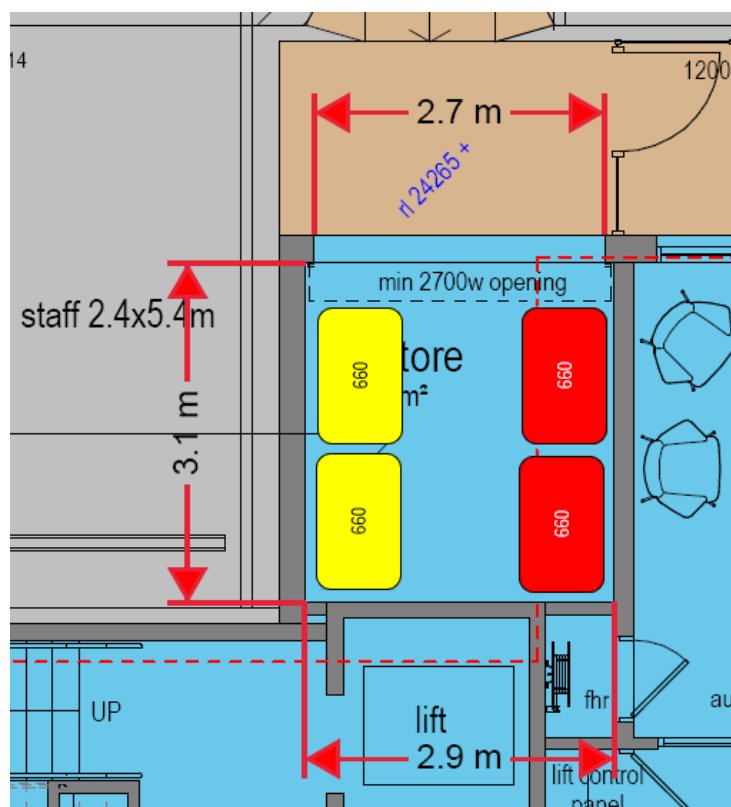


Figure 4 – Bin store showing four 660 litre MGBs and Bin Store dimensions



## 6 ACCESS

The applicant has indicated that waste and recyclable collection will be contracted to use a small Waste Collection Vehicle, similar to that approved by the City of Nedlands, as shown in an extract from its *Local Planning Policy - Waste Management* <sup>(5)</sup>, provided as Figure 5 below. The City of Joondalup has proposals to develop similar guidance and procedures in its *Waste Management Plan 2016-2021* <sup>(6)</sup> but has not published this to date.

(a) Standard Truck Dimensions	
Parameter	Vehicle Dimension (m)
Overall length	8.5
Overall width	3.0
Overall height (travel)	3.5
Height when lifting bins	3.8

(b) Smaller Truck Dimensions	
Parameter	Vehicle Dimension (m)
Overall length	7.5
Overall width	3.0
Overall height (travel)	2.8
Height when lifting bins	2.8

*Note: Small waste truck specifications are based on approximately 3 tonne truck.  
WMP requires to demonstrate all waste streams (Waste and Recycling) collection can service the development in one single collection.  
This vehicle can service bins only ranging from 120L -660L.*

Figure 5 – Typical dimensions of rear loading waste collection vehicles

The 660L MGBs will be manoeuvred between the bin store and the car park by the operator on collection days. The waste collection vehicle will enter the car park in a forward direction, reverse into vacant visitor bay 7, drive forward towards the driveway and revers back towards the Bin Store area for servicing of the bins prior to driving forward out of the site, as shown in Figure 7 on the following page.

Note that the closest Design Vehicle to the specified vehicle is the '8M-TRUCK', as shown in Figure 6 below.

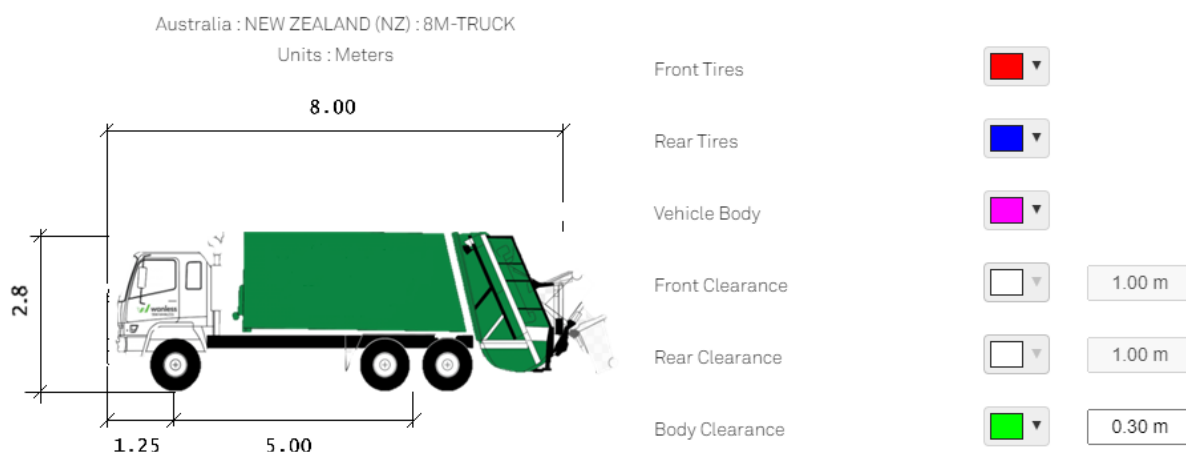


Figure 6 – 8M TRUCK Design Vehicle Criteria



Figure 7 – Swept Path of the 8M TRUCK Design Vehicle – Forward IN and Forward OUT

## **7 WASTE FACILITIES, MANAGEMENT & OPERATION**

---

### **MANOEUVERING MGBs**

The development has been designed to ensure that MGBs are not required to be moved up or down steep ramps (i.e., > 1 in 14) and avoid steps and other hazards.

### **WASHING BINS AND WASTE STORAGE AREA**

Impermeable concrete floors (min 100 mm thick 20 MPa) graded at 1% to an industrial floor waste (including a charged 'water-trap' connected to sewer or an approved septic system), with a hose cock to enable bins and the enclosure to be washed out. 100 mm floor waste gully to waste outlet. Both hot and cold water will be available. A two metre long restraining bar made of 50 mm galvanised iron pipe (or similar) which stands 200 mm above the base will be fitted to the floor of the enclosure 150 mm clear of the rear wall.

### **BIN STORE WALLS AND CEILINGS**

All internal walls in bin stores will be cement rendered (solid and impervious) to enable easy cleaning. Ceilings will be finished with a smooth faced, non-absorbent material capable of being easily cleaned. Walls and ceilings will be finished in similar materials to the main building.

### **VENTILATION AND ODOUR**

The design of bin stores will provide for adequate separate ventilation with a system that complies with Australian Standard AS/ NZS 1668. The ventilation outlet is not near windows or intake vents associated with other ventilation systems.

### **DOORS**

All doors and corridors on the transfer route are designed for the largest, i.e., 660L, MGBs and will be self-closing to eliminate access by vermin.

### **LIGHTING**

Bin stores will be provided with artificial lighting, sensor or switch controlled both internal/ external.

### **NOISE**

Noise is to be minimised to prevent disruption to occupants or neighbours.

### **FULLY ENCLOSED**

The bin stores will be fully enclosed and only be accessible by staff and the waste service provider.

### **AESTHETICS**

The bin store will be consistent with the overall aesthetics of the development.

### **SIGNS**

Signs complying with the WALGA Guidelines will be installed to the bin store area.

## **8            BIN MANAGEMENT**

---

Facility Management staff or other nominated personnel/contractors will manage waste throughout the facility and as such, will be aware of the expectations regarding use of the bins and store.

Those staff will be responsible for ensuring the correct use of the bins and also that the bins are accessible (or presented) on collection days.



## 9 BIN PRESENTATION AND COLLECTION

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Collection of bins will be as per the following arrangements:

- Onsite waste collection will be undertaken by a private contractor using a maximum 7.5 m long truck.
- The vehicle will enter from Kingsley Dr, reverse into vacant visitor bay 7 on the north side, drive forward towards the driveway before reversing to the bin store and then drive forward out of the site, as shown in Figure 7 on page 8.
- A swept path assessment has been conducted for a larger 8.0 m Waste Collection vehicle (Figure 7 on page 8). The analysis indicate that the vehicle would be able to perform the required manoeuvre adequately.
- Waste collection will occur outside the drop-off/pick-up times when only staff cars are parked and can be moved, or alternatively will be undertaken outside of business hours.
- Unless otherwise negotiated, the bins will be retrieved from the bin store by the collection vehicle operators, emptied and then returned to the store.

## 10 FINDINGS AND RECOMMENDATIONS

---

This Waste Management Plan has determined there is a need for four (4) 660L MGB's to be provided (2 x general waste and 2 x recyclables) and that these require servicing twice a week.

It is recommended that a freezer of sufficient size is included in the kitchen to allow for food waste to be frozen between collection days during hot periods.

This waste management plan is based on 50% general waste/ 50% recyclable waste generation. It is recommended that opportunities to reduce the amount of general waste are perused through the resources described in **Section 4**.

### David Wilkins

Principal & Senior Traffic Engineer – i3 consultants WA

Accredited Senior Road Safety Auditor - Crash Investigation Team Leader - Roadworks Traffic Manager

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## REFERENCES

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1. **The Western Australian Local Government Association.** *Commercial and Industrial Waste Management Plan Guidelines*. Perth : The Western Australian Local Government Association, 2015. p. 57. A resource for Western Australian Local Government, developers, building managers and business owners..
2. **City of Melbourne.** Waste Generation Rates. *City of Melbourne*. [Online] January 2015. <https://www.melbourne.vic.gov.au/SiteCollectionDocuments/waste-generation-rates-jan-2015.pdf>.
3. **NSW Environment Protection Authority.** Reducing business waste - Preschools and childcare centres. *Waste Warriors*. [Online] March 2017. <http://www.wastewarriors.com.au/assets/bintrim-preschools-childcare-centres-factsheet-160774.pdf>.
4. **City of Joondalup.** Commercial bin enclosure. *City of Joondalup*. [Online] City of Joondalup. <https://www.joondalup.wa.gov.au/kb/resident/commercial-bin-enclosure>.
5. **City of Nedlands.** *Local Planning Policy - Waste Management*. City of Nedlands. Nedlands : City of Nedlands, 17 Apr 2020. p. 16, Local Planning Policy.
6. **City of Joondalup.** *Waste Management Plan 2016 - 2021*. Joondalup : City of Joondalup, Feb 2016. p. 76.

## SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING

Issue Raised	Applicant Response
<p><u>Location:</u> The building which is a commercial business is too large, noisy and generates too much traffic to be considered suitable within what is a Residential R20 area. It is not the role of Local Government to favour commercial operations but to uphold the LPP and protect its residents from operations which impact their amenity. This child care centre could be built at some other site in compliance with the LPP. Obviously such a compliant site might be more expensive to buy but that should not be the concern of the Local Government.</p> <p>Reduction in number of children, building length, wall height, relocation of AC units, increase in fence height and reduction of operating hours will not significantly reduce the amenity impact on surrounding neighbours.</p> <p>It's a 50km zone and far too busy for a childcare centre.</p> <p>The inclusion of a child care centre at this site will increase amenity to the greater Kingsley area, which has a large demographic of young families which will benefit from the child care centre. The location of the proposed child care centre is in an excellent location (being across the road from an existing school. The proposed development appears to seek to resolve the refusal reasons and should therefore be supported.</p>	<ol style="list-style-type: none"> <li>1. The proposed land use is able to be considered within the 'Residential' zone. Furthermore, the site is suitably located opposite public open space, a local centre and Creaney Primary School.</li> <li>2. The applicant has made reasonable endeavours to limit possible amenity impacts to adjoining properties, achieved through the combination of reductions to wall height, wall length, floor area and a number of other initiatives. All outdoor play areas are orientated toward Kingsley Drive to limit noise to residential properties.</li> <li>3. Traffic safety is addressed in the Transport Impact Statement and the design is deemed suitable. The City's Child Care Premises Policy supports access from Local Distributor Roads such as Kingsley Drive.</li> <li>4. Noted and agreed.</li> </ol>
<p><u>Bulk and scale:</u> While the building has been altered to look less like a commercial building, there are still concerns regarding the bulk and scale. The large building still covers two amalgamated lots which would ordinarily be occupied by two single family homes at an R20 density.</p> <p>Even with the height reduction the proposal is still very high at 6.4 metres. Overlooking back fences and neighbours is not something appropriate for the residential area.</p>	<ol style="list-style-type: none"> <li>5. The proposed development is of a height and site coverage which is consistent with the residential requirements in the R20 density code. Further modifications have been proposed in response to Design Review Panel recommendations to provide a double roof pitch. This provides a perception of separate buildings, referencing the fact the proposal occurs across two amalgamated lots.</li> <li>6. The proposal has been designed to avoid overlooking of neighbouring properties. The first floor is setback 5.1 metres from the western boundary, and the windows to the rooms facing the western elevation are highlight windows, thereby mitigating privacy concerns. To the north, there is a substantial setback of 12.14m, with no windows that could overlook.</li> </ol>



## SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING

Issue Raised	Applicant Response
<p>The amended building plan still looks what it is a large commercial child care centre surrounded by residential properties.</p>	<p>Refer to comments 1, 2 and 5 above.</p>
<p><u>Noise:</u> Noise generated from the development is of a magnitude greater than what the current two ordinary residences produce with reference to the following:</p> <ul style="list-style-type: none"> <li>• Pickup of the large amount of garbage generated at least twice a week.</li> <li>• Ongoing pick/up drop-off activity up to 6:30pm in the evenings.</li> <li>• Noise generated from outdoor play.</li> <li>• The car park is unenclosed so noise from parents conversing with children and other parents, and from car doors closing will be noticeable above the background noise level.</li> <li>• Who will police/enforce the parking in bays 1-8 and 12,13 and 14 prior to a certain time?</li> <li>• The 30cm increase in fence height will do nothing to combat the noise from the cars coming and going (at the minimum a 2.1m masonry fence or sound proof fencing at 2.1 meters from the neighbouring side of the lot should be provided, in order to combat the drastic change in noise pollution).</li> </ul>	<p>7. The acoustic report prepared by Herring Storer Acoustics demonstrates that the proposal will comply with the assigned levels of the <i>Environmental Protection (Noise) Regulations 1997</i>. Design modifications from the refused plans have substantially reduced noise levels to adjoining properties. The findings of the acoustic report have been accepted by the City of Joondalup.</p>
<p><u>Draft policy:</u> The proposed draft policy has been completed to align with the changing standards within the Child Care sector, as the current policy is out of date and out of touch with the designs and commercialisation of the sector. In essence, large commercial childcare centres are <u>not</u> compatible within a wholly Residential area. This proposal cannot be considered as:</p> <ul style="list-style-type: none"> <li>• The centre is proposed to be located adjacent to 3 residential homes.</li> <li>• Has no boundary adjoining a non-residential site.</li> <li>• The centre provides 78 spaces for children; whereas the cap is 50 children.</li> </ul> <p>The City administration acknowledged in March last year that the policy was out of date, however it has taken months to compile the updated version that is due for approval in mid February. If the City had only acted earlier, none of this would be on a knives edge, and a lot of time and energy would have been saved. I suggest that this needs to be held off until we have clarity as to what the new policy will require.</p>	<p>8. This policy has not been adopted by the City of Joondalup. Nevertheless, any policy, while in draft form is a document to which due regard may be given, and the proposed development has demonstrated alignment with the objectives of the policy, namely limiting the impact of amenity on adjoining properties.</p>
<p><u>Waste management:</u> The waste management plan states that waste collection may be undertaken outside of business hours. If this is the case, it should comply with the current times which the City of</p>	<p>9. The waste management plan recommends collection outside of business hours and/or collection outside of pick-up / drop-off times – consistent with the submitter's suggestions.</p>

## SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING

Issue Raised	Applicant Response
<p>Joondalup employs in morning pick-ups and no later than 7pm for example. We expect that Collections would only occur between 10am and 2pm as per the operational plan.</p> <p>What happens with odorous waste such as nappies? Residents need to be assured that the site will not become an odour problem.</p>	<p>10. The waste management plan provides recommendations for the disposal of nappies and organic waste. All waste is contained in an enclosed storage area.</p>
<p><u>Demand:</u> The proponent asks that "community benefit" be taken into account due to what they claim is a shortage of childcare places. This centre would attract patronage not just from the local area but mainly from outside Kingsley as parents can drive from distant suburbs. Kingsley already has a number of childcare centres.</p> <ul style="list-style-type: none"> <li>• There is a childcare centre already on this road 400 metres away which is not full.</li> <li>• The local school provides after school care and there already is a child care centre on Kingsley Drive, thereby making another care facility unnecessary.</li> </ul> <p>Currently we travel to Warwick which was the closest daycare centre which could accommodate our needs and which we felt provided the amenity and care we wanted for our children. The NIDO centres are beautiful and well designed and we would have loved to send our children to one if we had the chance and one was close to our home.</p> <p>I've been on local waitlist for daycare for my baby for a year now. With Kingsley being a suburb of young families, local daycare is needed. It wasn't until my older child started school last year and didn't know anyone that we realised how much benefit and community is built by the children knowing each other from daycare age (as had attended in another suburb).</p>	<p>11. Disagree. The application has been accompanied by a demographic analysis of the area which identifies a ratio of 1 available placement per 5 children (of child care age) in the locality. This is considered an undersupplied area. Nido has a significant waitlist for its nearby centres.</p> <p>12. Noted and agreed.</p> <p>13. Noted and agreed.</p>
<p><u>Parking:</u> Car Parking is still not adequate. The parking does not match the requirements for staffing let alone child drop off and pick up.</p> <p>The use of tandem bays is impractical and would result in congestion in the car park and in turn encourage verge parking. It is inevitable that parking availability will be insufficient, and that parents attending the childcare centre for drop-offs and pick-ups will end up having to park on the side of the street on Woodford Wells Way.</p> <p>The shopping centre has become much busier and there is hardly any parking as it is. They will take the public parking near the tennis courts. The proposed overflow parking at</p>	<p>14. Car parking complies with the City's local planning policy requirements.</p> <p>15. There are only two tandem bays, which has been reduced from the previous proposal. By limiting tandem bays to staff use, it is considered this is an acceptable arrangement. Refer to response 14 above.</p> <p>16. Parking at the shopping centre is not a relevant consideration to this application. Refer also to response 14 above.</p>

## SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING

Issue Raised	Applicant Response
<p>Kingsley Park is not available 5pm - 6.30pm from January through to August due to midweek football training.</p> <p>Reducing children numbers by 4 will not help with parking and dangerous conditions involving Kingsley Drive and Woodford Wells Way.</p>	<p>17. Refer to the Transport Impact Statement that discusses safety considerations. The findings have been accepted by the City.</p>
<p><u>Traffic:</u> The TIS estimated a morning peak hour 62 trips and early afternoon peak hour 31 trips. Considering that the existing dwellings generate only 2 trips in the morning period this is an extra 91 trips. Existing Woodford Wells Way is already extremely difficult at particular times of the day without the added traffic the development will bring in. Kingsley Drive already is a very busy road with a school, petrol station, tavern, shopping centre on this street and in close vicinity to the planned premises. Traffic congestion and crossover conflicts will likely result and the safety of children walking or riding bikes to/from school, or entering/exiting buses, cars, or trying to cross the road could be compromised.</p> <p>Foot traffic continues to also be an issue with children from nearby Creaney Primary School using this as a main thoroughfare and footpath to and from school daily, however there is no footpath along Woodford Wells Way. Many children cross Kingsley drive dangerously with no crosswalk attendant daily and there are many near miss hits of children with cars. There is already too many carparks and street exits close together within this small section of road.</p> <p>The driveway is only 4 metres away from a bus stop, which has not even been indicated on the development's perspective drawings which is misleading.</p>	<p>18. The Transport Impact Statement deems that all roads and intersections will continue to operate at a good level, with spare capacity.</p> <p>Refer to response 17 above.</p> <p>19. The bus stop does not include a shelter and would not obstruct sightlines. The crossover is being located further away from the bus stop compared with the location of the existing crossover of the residential property.</p>
<p><u>Property values:</u> The child care centre will reduce the value of our home if we ever to choose to sell. Prospective buyers will definitely be put off by such a large, noisy and traffic producing facility.</p>	<p>20. This is not a relevant planning consideration.</p>

# 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](http://www.yourhome.gov.au), and *Energy Smart Homes* at: [www.clean.energy.wa.gov.au](http://www.clean.energy.wa.gov.au).

This checklist must be submitted with the planning application for all new residential, commercial and mixed-use buildings and redevelopments (excluding single and grouped dwellings, internal fit outs and minor extensions) in the City of Joondalup.

The City will seek to prioritise the assessment of your planning application and the associated building application if you can demonstrate that the development has been designed and assessed against a national recognised rating tool.

Please tick the boxes below that are applicable to your development.

## Siting and structure design efficiency

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

Does your development retain:

- ☐ existing vegetation; and/or
- ☒ natural landforms and topography

Does your development include:

- ☒ northerly orientation of daytime living/working areas with large windows, and minimal windows to the east and west
- ☒ passive shading of glass
- ☒ sufficient thermal mass in building materials for storing heat
- ☒ insulation and draught sealing
- ☒ floor plan zoning based on water and heating needs and the supply of hot water; and/or
- ☐ advanced glazing solutions



## Energy efficiency

Environmentally sustainable design aims to reduce energy use through energy efficiency measures that can include the use of renewable energy and low energy technologies.

Do you intend to incorporate into your development:

- ☐ renewable energy technologies (e.g. photo-voltaic cells, wind generator system, etc); and/or
- ☒ low energy technologies (e.g. energy efficient lighting, energy efficient heating and cooling, etc); and/or
- ☒ natural and/or fan forced ventilation

## Water efficiency

Environmentally sustainable design aims to reduce water use through effective water conservation measures and water recycling. This can include stormwater management, water reuse, rainwater tanks, and water efficient technologies.

Does your development include:

- ☐ water reuse system(s) (e.g. greywater reuse system); and/or
- ☐ rainwater tank(s)

Do you intend to incorporate into your development:

- ☒ water efficient technologies (e.g. dual-flush toilets, water efficient showerheads, etc)

## Materials efficiency

Environmentally sustainable design aims to use materials efficiently in the construction of a building. Consideration is given to the lifecycle of materials and the processes adopted to extract, process and transport them to the site. Wherever possible, materials should be locally sourced and reused on-site.

Does your development make use of:

- ☐ recycled materials (e.g. recycled timber, recycled metal, etc)
- ☒ rapidly renewable materials (e.g. bamboo, cork, linoleum, etc); and/or
- ☒ recyclable materials (e.g. timber, glass, cork, etc)
- ☐ natural/living materials such as roof gardens and “green” or planted walls

## Indoor air quality enhancement

Environmentally sustainable design aims to enhance the quality of air in buildings, by reducing volatile organic compounds (VOCs) and other air impurities such as microbial contaminants.

Do you intend to incorporate into your development:

- ☒ low-VOC products (e.g. paints, adhesives, carpet, etc)

## ‘Green’ Rating

Has your proposed development been designed and assessed against a nationally recognised “green” rating tool?

- ☐ Yes
- ☒ No

If yes, please indicate which tool was used and what rating your building will achieve:

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If yes, please attach appropriate documentation to demonstrate this assessment.

If you have not incorporated or do not intend to incorporate any of the principles of environmentally sustainable design into your development, can you tell us why:

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Is there anything else you wish to tell us about how you will be incorporating the principles of environmentally sustainable design into your development:

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When you have checked off your checklist, sign below to verify you have included all the information necessary to determine your application.

Thank you for completing this checklist to ensure your application is processed as quickly as possible.

Applicant's Full Name: Michael Willcock Contact Number: 9226 4276

Applicant's Signature:  Date Submitted: 15.06.2021


Accepting Officer's Signature: \_\_\_\_\_

Checklist Issued: March 2011

Item No. 1	RECONSIDERATION OF CHILD CARE PREMISES AT Lot 667 (73) KINGSLEY DRIVE AND Lot 666 (22) WOODFORD WELLS WAY, KINGSLEY	
Panel Members	Nerida Moredoundt Munira Mackay Jane Bennett Robin Burnage	(Chairperson) (Deputy Chairperson)
Proponent/s	Trent Will Anna Holloway Walt Coulson	Taylor Burrell Barnett Planning & Design Insite Architects (via Teams) CK Group (via Teams)

Design Review	
Property address	Lot 667 (73) Kingsley Drive and Lot 666 (22) Woodford Wells Way, Kingsley.
Background	<ul style="list-style-type: none"> <li>- The matter was previously considered by JDRP on 24 June 2021.</li> <li>- A decision was made by JDAP on 14 September 2021 to refuse the application. The applicant appealed through SAT and, following mediation, now seeks reconsideration of an amended proposal.</li> </ul>
Proposal	<p>The proposal is for a childcare centre at the corner of Kingsley Drive and Woodford Wells Way, Kingsley. It comprises:</p> <ul style="list-style-type: none"> <li>• A two storey building incorporating a play deck on the first floor level and an outdoor play space at the ground floor level.</li> <li>• A partially covered car parking area accessed from Kingsley Drive, providing a total of 23 parking bays, split into 10 staff, 8 visitor, one ACROD bay and four 'staff or visitor' bays.</li> <li>• Outdoor play spaces fronting Kingsley Drive and Woodford Wells Way enclosed by an external boundary fence which contains some visually permeable sections.</li> <li>• A capacity of 78 children and 13 staff at any one time.</li> <li>• Proposed operating hours are between 7.00am and 6.30pm Monday to Friday.</li> <li>• Signage is displayed on the building's first floor on the eastern and southern facades and a standalone sign at the front boundary on Kingsley Drive.</li> <li>• Perimeter landscaping is provided along the northern and portion of western car parking boundaries.</li> </ul>

Key Design Review issues/recommendations	<p>The proposed childcare centre responds to a community need in the locality and has the following strengths:</p> <ul style="list-style-type: none"> <li>• It is well located on a corner lot on the edge of residential area, equidistant to a range of community amenities on the opposite side of Kingsley Drive.</li> <li>• The modified design is reduced in bulk and scale and is better suited to its context.</li> <li>• It includes the introduction of colours and materials that are beginning to respond to the character of the locality.</li> <li>• The landscape plan is well considered.</li> </ul>
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	<p>The proposal needs some further consideration of the following:</p> <ul style="list-style-type: none"><li>• The design expression of the cubby house and fire stair on the upper floor on the eastern side and the solid wall of the play area deck on the north elevation to reduce the bulk and visual impact.</li><li>• The replacement of the dark grey colours to better reflect the colour palette of the locality.</li><li>• Improvements in the kerb ramp location directly to the front door and waste management access from internal areas to the bin store.</li><li>• The legibility and amenity of the front door entry.</li><li>• A reduction in external signage.</li></ul>
<p><b>Chairperson's signature:</b></p> <p><b>Date:</b> 28.01.22</p>	



## Design Quality Evaluation

### Legend

	Supported – meets the Design Principle objectives
	Requires further attention to meet the Design Principle objectives
	Not supported – does not meet the Design Principle objectives
	Insufficient information to enable comments to be provided

<b>Strengths of the Proposal</b>	<p>The proposal has the following design strengths:</p> <ul style="list-style-type: none"> <li>The reduction of the upper floor deck over the carpark and the wrapping around of the landscape play areas contribute to improved amenity for the neighbours and the locality, while retaining the appropriate amenity for the users.</li> </ul>
<p><b>Principle 1</b> <b>Context and character</b></p>	<p><i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>The Panel acknowledges that the proposal is located in a residential area, but is of the view that the location is appropriate given that it is on the edge of the residential area that it is equidistant to existing community facilities along Kingsley Drive, which commence with a small commercial area through to a primary school.</li> <li>The Panel acknowledges that the design has made some response to the local residential typology primarily through material selection and the introduction of hipped roof over the upper floor. The panel is of the view, however, that the single large hipped roof contributes to the apparent bulk and scale and should be reconsidered. (See Principle 3).</li> </ul> <p><b>Recommendation 1:</b> The Panel recommends that the materiality, colour and texture be the predominant methodology for responding to the local character and that this intention be further developed through a contextual study.</p>
<p><b>Principle 2</b> <b>Landscape quality</b></p>	<p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>The landscape design is well considered, providing interest and variety and contributing to the amenity of the area, however additional tree planting should be considered. The south-eastern corner boundary fencing contains large areas of solid brickwork that should be reduced.</li> </ul> <p><b>Recommendation 2:</b> The Panel recommends that:</p> <ul style="list-style-type: none"> <li>Further opportunities for tree planting along the western carpark boundary and elsewhere be included in the landscape plan.</li> <li>The slab planting depths and areas are increased to be sufficient to grow the shade trees proposed.</li> </ul>

		<ul style="list-style-type: none"> <li>The visual permeability of the south-eastern corner boundary fence be increased.</li> </ul>
<b>Principle 3</b> <b>Built form and scale</b>		<p><i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>The bulk and scale have been substantially reduced through the redesign and is now more aligned with the bulk and scale of a two storey residential development on the site, however some new aspects of the design are contributing to the apparent bulk.</li> </ul> <p><b>Recommendation 3:</b></p> <p>The Panel recommends that the single large hipped roof over the upper floor be reconsidered to reduce its bulk through either further articulation, redesign to appear as separated hipped roofs or return to the parapet design of the original proposal.</p> <p>The Panel recommends that the design of the ‘cubby house’ and ‘fire stair’ elements on the eastern side of the upper floor be reconsidered to reduce their visual impact from the streetscape as these elements are contributing to the apparent bulk of the building.</p> <p>The Panel recommends that the solid wall along the northern elevation on the upper floor be articulated through introduction of some more transparent or visual permeable elements.</p>
<b>Principle 4</b> <b>Functionality and build quality</b>		<p><i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>Generally, the functionality and build quality are well considered, however the kerb ramp faces the bin store instead of the front door, the bike bays in the pathway may cause obstruction for people with additional children and prams, and the waste management all has to go through front door. Additionally, the fire stair door opens out onto the main pathway and may cause obstruction.</li> </ul> <p><b>Recommendation 4:</b></p> <p>The Panel recommends that the further consideration be given to the kerb ramp location perhaps locating it closer to the entry. Further consideration should also be given to the location of the bike bays, the inclusion of pram parking, the fire stairs exit and the circulation to the bin store.</p>
<b>Principle 5</b> <b>Sustainability</b>		<p><i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>Sustainability initiatives include a light coloured roof, solar panels on the roof and shading of play areas.</li> </ul> <p><b>Recommendation 5:</b></p> <p>The Panel has no further comment.</p>
<b>Principle 6</b> <b>Amenity</b>		<p><i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p> <p><b>Comments:</b></p>

		<ul style="list-style-type: none"> <li>The amenity provided internally and in the play areas is well-considered.</li> <li>The design responds through setbacks to the north and through articulation of the bulk to the west to the neighbouring properties. In addition, the noisier activity and open play areas are located away from neighbours.</li> <li>The opening hours of operation have been amended to 7am, but a closing time of 6.30pm may impact on neighbours' amenity.</li> </ul> <p><b>Recommendation 6:</b></p> <p><b>The Panel recommends that the hours be reduced in line with the policy of 7am to 6pm.</b></p>
<b>Principle 7 Legibility</b>		<p><i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>The pedestrian entry is clear and separate from the vehicular entry</li> <li>The legibility of the front door needs improvement</li> <li>Signage has been provided on the two street frontages, however there is an excess of signage facing Kingsley Drive which is more in line with commercial premises seeking passing trade than a childcare centre which only requires minimal signage.</li> </ul> <p><b>Recommendation 7:</b></p> <p><b>The Panel recommends that signage be reduced and that any free-standing signs be deleted from the proposal. Further consideration of the legibility of the entry is recommended and may include the addition of a canopy over the pedestrian entry path. The legibility would be improved by concentrating any taller solid elements of the proposal at the entry and not on both street frontages.</b></p>
<b>Principle 8 Safety</b>		<p><i>Good design optimises safety and security, minimising the risk of personal harm and easily identifiable elements to help people find their way around.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>Safety and security have been a focus of the design.</li> </ul> <p><b>Recommendation 8:</b></p> <p><b>The Panel has no further comment.</b></p>
<b>Principle 9 Community</b>		<p><i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interactions.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>The proposal responds to a community need for childcare in the area and complements other nearby community uses on Kingsley Drive.</li> </ul> <p><b>Recommendation 9:</b></p> <p><b>The Panel has no further comment.</b></p>
<b>Principle 10 – Aesthetics</b>		<p><i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i></p> <p><b>Comments:</b></p> <ul style="list-style-type: none"> <li>The modified design indicates a skilled hand, however the modifications including the single large hipped roof to the upper floor and the changed</li> </ul>

	<p>form of the cubby house and fire stair have impacted on the bulk and scale and on the previously coherent design aesthetic.</p> <ul style="list-style-type: none"><li>• The introduction of materiality, colour and texture that is more contextually relevant is welcomed, however the dark grey colour is not one that is found in the locality and contributes to an increase in perceived bulk. The reference to 'red' bricks should be to the 'red' brick colour utilised in the locality and not a 'Federation' red colour.</li></ul> <p><b>Recommendation 10:</b></p> <p><b>The Panel recommends some further consideration of the modified design to more closely reflect the coherent and integrated design outcome of the original proposal. Further consideration of the contextual colour palette would also enhance the proposal.</b></p>
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LG Ref: DA21/0611  
DAP Ref: DAP/21/02016  
Enquiries: (08) 6551 9919

Mr Michael Willcock  
Taylor Burrell Barnett  
PO Box 7130  
Cloisters Square Perth WA 6850

Dear Mr Willcock

**METRO OUTER JDAP - CITY OF JOONDALUP - DAP APPLICATION - DA21/0611  
- DETERMINATION**

Property Location:	Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way, Kingsley
Application Details:	Child Care Premises

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the City of Joondalup on 10 June 2021 for the above-mentioned development.

This application was considered by the Metro Outer JDAP at its meeting held on 14 September 2021, where in accordance with the provisions of the City of Joondalup Local Planning Scheme No.3, it was resolved to **refuse** the application as per the attached notice of determination.

Please be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the reasons for refusal, please contact Mr Tim Thornton on behalf of the City of Joondalup on 9400 4270.

Yours sincerely,

**DAP Secretariat**

16 September 2021

Encl. DAP Determination Notice  
Refused Plans

Cc: Mr Tim Thornton - City of Joondalup



## ***Planning and Development Act 2005***

### **City of Joondalup Local Planning Scheme No.3**

#### **Metro Outer Joint Development Assessment Panel**

### **Determination on Development Assessment Panel Application for Planning Approval**

**Property Location:** Lot 667 (73) Kingsley Drive & Lot 666 (22) Woodford Wells Way, Kingsley

**Application Details:** Child Care Premises

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **refused** on 14 September 2021, subject to the following:

1. **Refuse** DAP Application reference DAP/21/02016 and accompanying plans (dated 13 July 2021 and 17 August 2021) 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*, for the following reasons:

#### **Reasons**

1. In accordance with Schedule 2, Clause 67(g) of the *Planning and Development (Local Planning Scheme) Regulations 2015* the proposed development does not comply with the provisions of the City's *Child Care Premises Local Planning Policy* as the proposed development is not wholly located adjacent to non-residential uses; and has an adverse amenity impact on the surrounding residential area including:
  - a. the car parking for the development is located such that it is likely to have a noise impact on surrounding residential properties;
  - b. the bulk and scale of the development is incompatible with the surrounding residential context of the locality; and
  - c. the proposed hours of operation are likely to result in a noise impact on the amenity of adjoining residential properties.
2. The proposed development does not satisfy the matters to be considered under clause 67(g), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Specifically, the development does not comply with the City's *Child Care Premises Local Planning Policy* as the proposed development is located adjacent to residential uses and will have an undue impact on residential amenity.
3. The proposed development 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 development is not compatible with the adjoining residential land.
4. In giving due regard to the matters to be considered under clause 67(y), Schedule 2, Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015* the proposed development will have an undue impact on residential amenity.



PROPOSED CHILDCARE CENTRE

73 KINGSLEY DRIVE, KINGSLEY WA



DRAWING REGISTER PLANNING

SHEET NUMBER	SHEET NAME	ISSUE	DESCRIPTION	DATE
DA01	SITE PLAN	1	DA WITH DRP REVISION	13/07/2021
DA02	GROUND FLOOR PLAN	2	TODDLER & BABIES ROOM FLIP	17/08/2021
DA03	FIRST FLOOR PLAN	2	TODDLER & BABIES ROOM FLIP	17/08/2021
DA04	ROOF PLAN	1	DA WITH DRP REVISION	13/07/2021
DA05	ELEVATIONS	2	TODDLER & BABIES ROOM FLIP	17/08/2021
DA06	SHADOW DIAGRAMS - JUNE SOLSTICE	1	DA WITH DRP REVISION	13/07/2021

GENERAL NOTES		
DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING: FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING.		
VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT.		
ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA. BUILDING ACT 1975 AS AMENDED. STANDARD BUILDING BY-LAWS AND RELEVANT AUSTRALIAN STANDARDS.		
2	TODDLER & BABIES ROOM FLIP	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
ISSUE	DESCRIPTION	DATE







1 KEY PLAN  
1 : 2000

CHILDCARE CENTRE ANALYSIS

OPERATION HOURS 6:30am to 6:30pm Monday to Friday  
with up to four days open on the weekend for open days

GROUP ROOM 1	0-24months	12 PLACES	3 STAFF
GROUP ROOM 2	24-36months	15 PLACES	3 STAFF
GROUP ROOM 3	24-36months	5 PLACES	1 STAFF
	36+ months	10 PLACES	1 STAFF
GROUP ROOM 4	36+ months	20 PLACES	2 STAFF
GROUP ROOM 5	36+ months	20 PLACES	2 STAFF
		82 PLACES	12 STAFF

AREA ANALYSIS

TOTAL SITE AREA 1407m<sup>2</sup>

SITE COVERAGE 656m<sup>2</sup> (47%)

BUILDING AREA  
GROUND FLOOR 379m<sup>2</sup> gross  
FIRST FLOOR 282m<sup>2</sup> gross  
FF PLAYSCAPE 305m<sup>2</sup> gross

PARKING REQUIREMENTS  
23 bays required  
(1 per employer + 11 per 81-88 places)

PARKING PROVIDED  
23 bays provided (including one accessible)

remove existing vehicle crossing to the satisfaction of the responsible authority

relocate or replace existing 2m street tree to the satisfaction of the responsible authority

construct new vehicle crossing to the satisfaction of the responsible authority

retain existing concrete footpath

remove existing vehicle crossing and continue concrete footpath to the satisfaction of the responsible authority

retain and protect existing bus stop

2 SITE PLAN  
1 : 200

GENERAL NOTES

DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCEMENT. PREPARATION OF SHOP DRAWINGS OR MANUFACTURING: FIGURED DIMENSIONS TAKE PRECEDENCE OVER SCALING.  
VERIFY LOCATION OF EXISTING SERVICES BEFORE COMMENCEMENT.  
ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE OF AUSTRALIA. BUILDING ACT 1975 AS AMENDED. STANDARD BUILDING BY-LAWS AND RELEVANT AUSTRALIAN STANDARDS.

1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
ISSUE	DESCRIPTION	DATE

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CLIENT:  
CK Development Services

PROJECT:  
PROPOSED CHILDCARE CENTRE (82 places)

FILE: T:\PROJECTS\Child Care Centres\Coolton Group\Kingsley, Kingsley Dve WA\05\_Architectural Drawings\03\_Planning Drawings\REVIT\J0000487\_Kingsley Dve, Kingsley DA.rvt

LOCATION:  
73 Kingsley Drive, Kingsley WA 6026

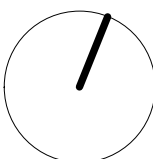
DRAWING TITLE:  
SITE PLAN

SCALE: As indicated@A1 DATE: APRIL 2021

DRAWN: Author PRINTED: 17/08/2021 4:28:41 PM

CHECKED: Checker JOB No.: J0000487

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DA01<sub>1</sub>

D/A ISSUE



no parking within bays 1-8 prior to 7am in  
accordance with acoustic report

ensure 3.0m minimum clearance under to area  
shown hatched for waste collection vehicle

no parking within bays 11, 12 or 13 prior to  
7am in accordance with acoustic report

ensure no visual obstructions over  
700mm high within visibility splay

proposed new vehicle crossing to the  
satisfaction of the responsible authority

non-illuminated pillar signage

continue proposed pavement  
out to existing footpath

KINGSLEY DRIVE

1

GROUND FLOOR PLAN

1 : 100

WOODFORD WELLS WAY

LEGEND

- UNENCUMBERED  
PLAYSPACE
- LANDSCAPING
- BUILDING AREA
- CARPAK
- PAVING  
or similar

PROPOSED TREE  
nominal location shown

GENERAL NOTES

DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO  
COMMENCEMENT. PREPARATION OF SHOP  
DRAWINGS OR MANUFACTURING: FIGURED  
DIMENSIONS TAKE PRECEDENCE OVER SCALING.

VERIFY LOCATION OF EXISTING SERVICES  
BEFORE COMMENCEMENT.

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2	TODDLER & BABIES ROOM FLIP	17/08/2021
1	DA WITH DRP REVISION	13/07/2021
0	DEVELOPMENT APPLICATION ISSUE	02/06/2021
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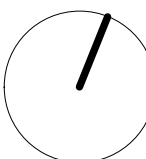
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GROUND FLOOR PLAN

SCALE: 1 : 100@A1 DATE: APRIL 2021

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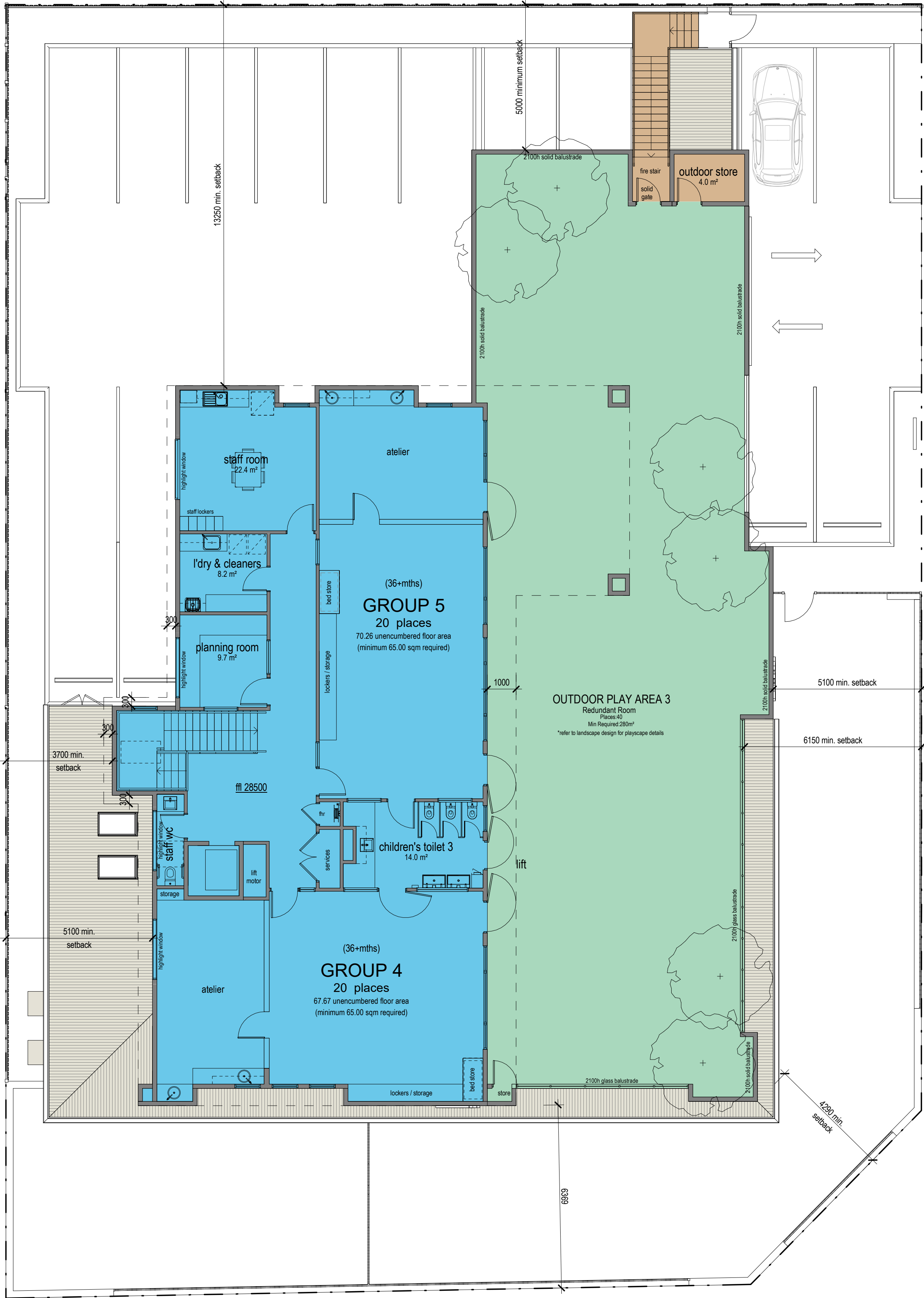
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DA02<sub>2</sub>

D/A ISSUE



KINGSLEY DRIVE

1 FIRST FLOOR PLAN  
1 : 100

WOODFORD WELLS WAY

LEGEND

- UNENCUMBERED PLAYSPACE
- LANDSCAPING
- BUILDING AREA
- CARPARK
- PAVING or similar
- PROPOSED TREE nominal location shown

GENERAL NOTES		
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PROPOSED CHILDCARE CENTRE (82 places)

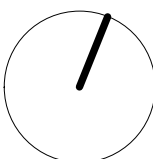
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LOCATION:  
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FIRST FLOOR PLAN

SCALE: 1 : 100@A1  
DATE: APRIL 2021  
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DA03<sub>2</sub>

D/A ISSUE





1 SITE PLAN  
1 : 100

- LEGEND
- UNENCUMBERED PLAYSPACE
  - LANDSCAPING
  - BUILDING AREA
  - CARPARK
  - PAVING or similar
  - PROPOSED TREE nominal location shown

GENERAL NOTES

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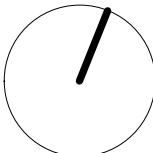
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ROOF PLAN

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DA04<sub>/1</sub>

D/A ISSUE





1 NORTH ELEVATION  
1 : 100



2 EAST ELEVATION (Kingsley Drive)  
1 : 100



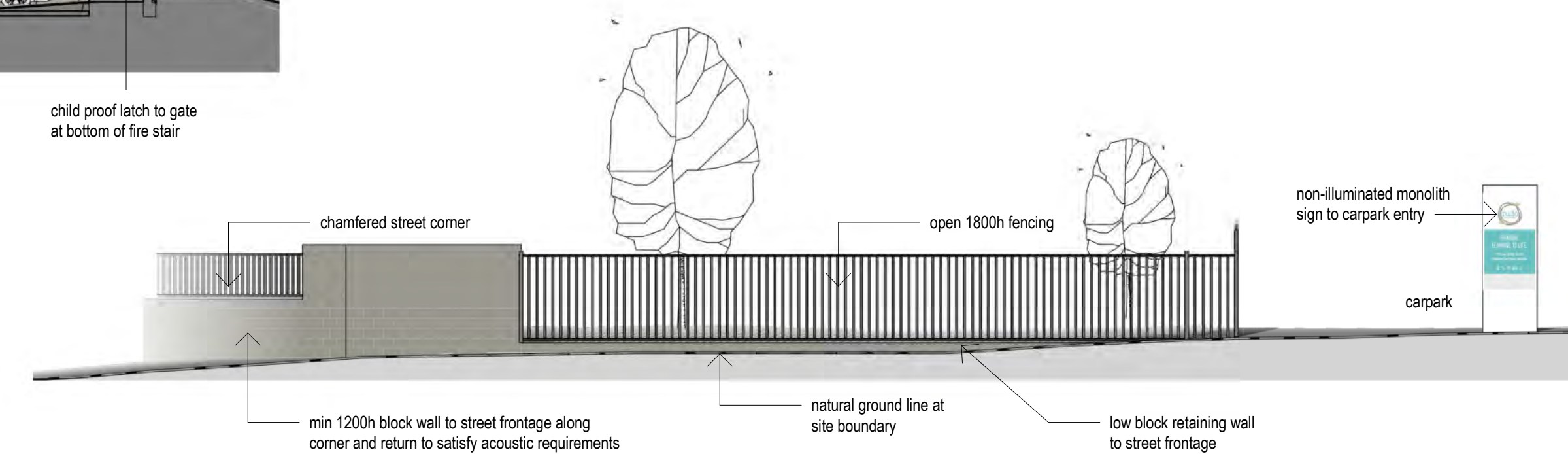
3 SOUTH ELEVATION (Woodford Wells Way)  
1 : 100



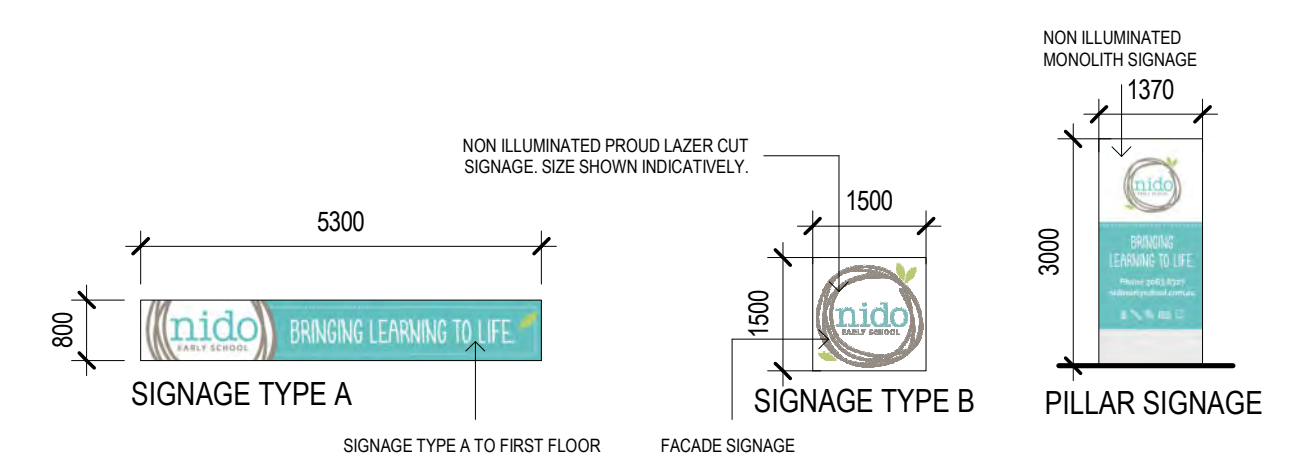
4 WEST ELEVATION  
1 : 100

MATERIAL/COLOUR SCHEDULE

texture paint	dulux 'white duck quarter'
lightweight walls	dulux 'paving stone'
express joint sheeting	colorbond 'surf mist'
roofing	colorbond 'monument'
gutters, window & door frames	dulux 'water cooler'
feature entry awning	territory woodlands 'teak'
feature vertical cement cladding	dulux 'white duck'
paint finish vertical scyon axon cladding	translucent glass (unless noted otherwise)
glazing	tinted balustrade glass
balustrade glazing	austral masonry gb smooth block 'nickel'
blockwork	



5 KINGSLEY DRIVE STREETSCAPE FENCE  
1 : 100



6 SIGNAGE DETAILS  
1 : 100

GENERAL NOTES		
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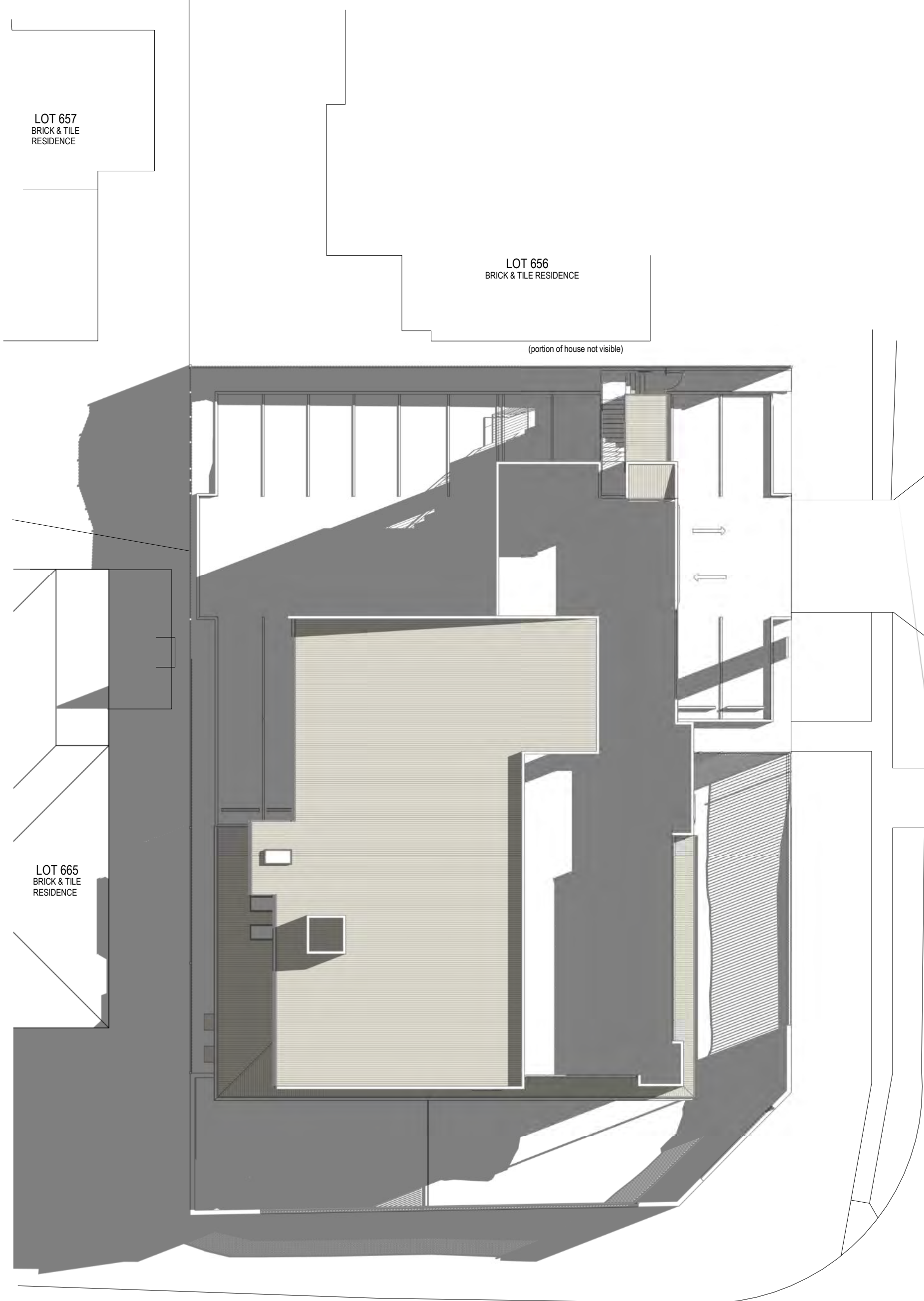
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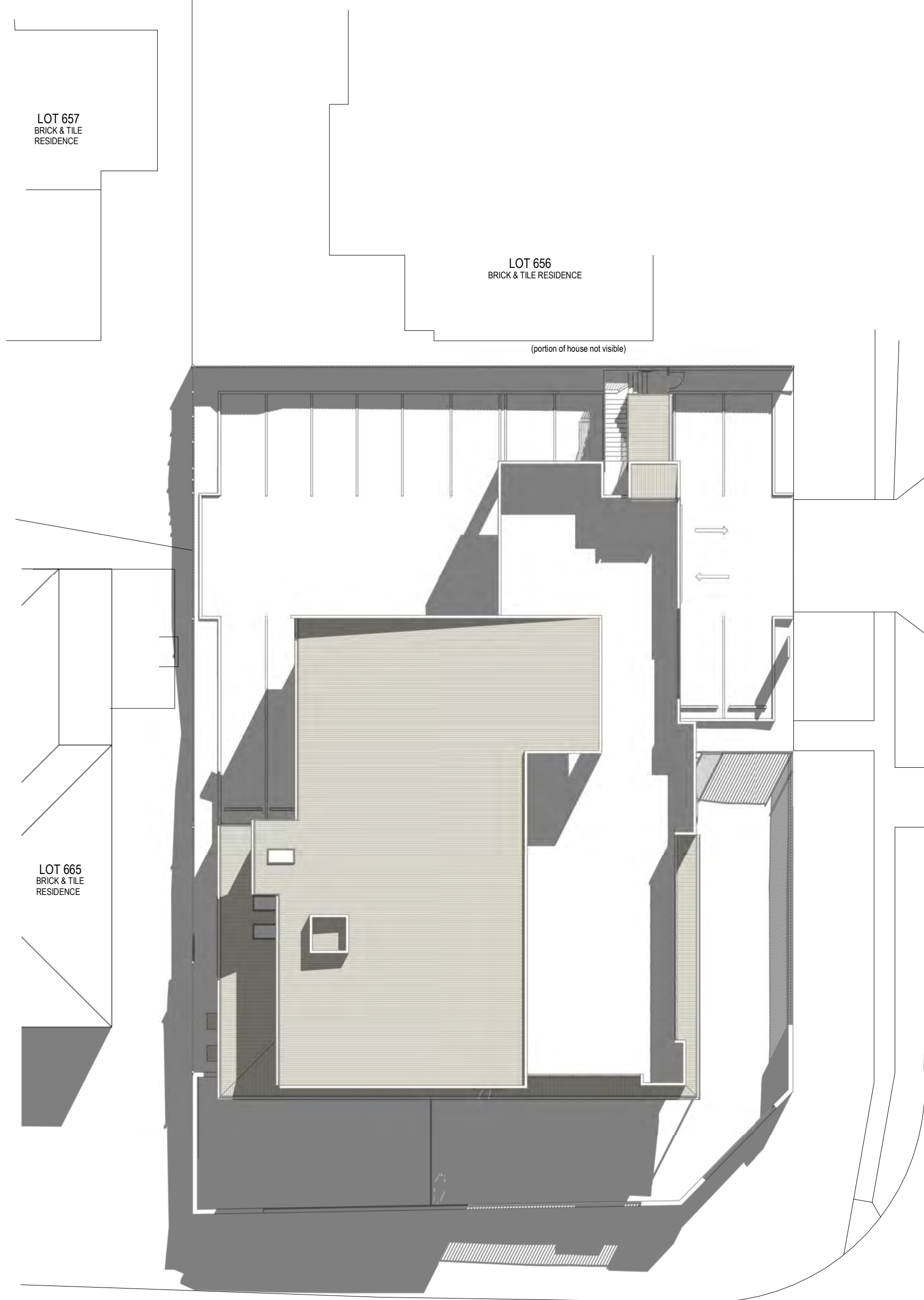
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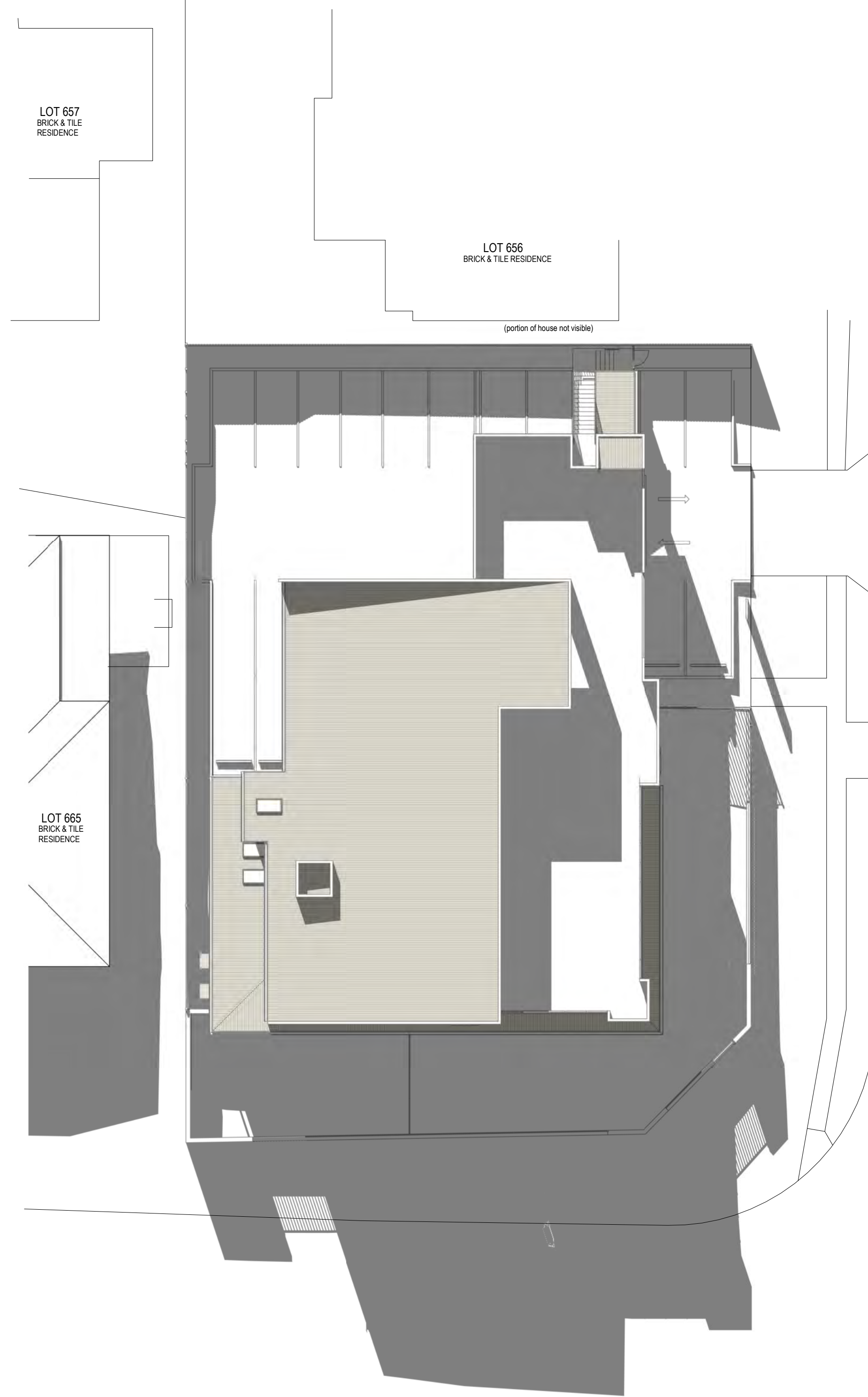




1 SHADOW DIAGRAM 9am



2 SHADOW DIAGRAM 12noon



3 SHADOW DIAGRAM 3pm

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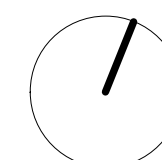
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SHADOW DIAGRAMS - JUNE SOLSTICE

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DA06<sub>1</sub>

D/A ISSUE