



# PROPOSED CHILDCARE CENTRE

3 Lignite Avenue, Piara Waters

This report has been prepared by Urbanista Town Planning  
for the proposed childcare centre at 3 Lignite Avenue in Piara Waters.



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# 1 INTRODUCTION

Urbanista Town planning has been engaged by the owners of the No 3 Lignite Avenue, Piara Waters (**‘subject site’**), to prepare and submit a planning application for a proposed Childcare Centre. This report provides a detailed assessment of the proposal in accordance with the relevant State and local planning frameworks to demonstrate the merit of the proposal, and that it is capable of development approval.

The proposal provides an appropriate service for the subject site and locality, with development suitably in accordance with the future desired built form outlines in the local planning framework. The proposal will cater to the future childcare needs of the area.

We look forward to working with the City to achieve development approval.

## 2 SITE CONTEXT

### 2.1 LOCATION AND PROPERTY DESCRIPTION

The proposed development is located at 3 Lignite Avenue and 32-34 Greywacke Entrance, Piara Waters. The property is currently vacant. The three lots have a total site area of 1,474sqm with a 40m frontage to Lignite Avenue and a 27m frontage to Greywacke Entrance.



**Figure 1**, Contextual aerial image of the subject site. MetroMap — October 2020.

The table below outlines the property details of each lot as part of this proposal.

Address	Lot	Plan	Volume/Folio	Area	Proprietor
3 Lignite Avenue	Lot 1832	P417973	2987/222	480sqm	United Land Holding Pty Ltd.
32 Greywacke Entrance	Lot 1833		2987/223	509sqm	
34 Greywacke Entrance	Lot 1834		2987/224	485sqm	

The land surrounding the site is used predominantly for residential uses as part of the Piara Waters residential area. Further to the north of the site is the Piara Nature Reserve, a registered bush forever site 419 hectares in area.



*Figure 2, Wider Site Context Aerial. MetroMap — October 2020.*

### 2.1.1 Amenities

The site has excellent access and connection to the road network via Armadale Road to the south connecting the site to Armadale to the east and Coogee to the west. At the same time, Nicholson Road provides a connection to the north towards Thornlie and south towards Oakford.

### 2.1.2 Topography

The site is predominantly flat, with less than 1m of elevation change in any direction within the lot boundaries.

## 2.2 ATTACHMENTS

This report is accompanied by several attachments in support of the development. These are outlined in the table below, which provides their respective authors and preparation dates.

Consultant	Attachment # - Plan / Document	Dated
CU Building Group	Attachment 1 – <b>Development Plans</b>	9 October 2020
Acoustic Engineering Solutions	Attachment 2 – <b>Acoustic Report</b>	6 October 2020
Cardno	Attachment 3 – <b>Traffic Impact Statement</b>	7 October 2020
Resource Recovery	Attachment 4 – <b>Waste Management Plan</b>	October 2020



On Saturdays and Sundays (vacation care) any outdoor activities and music sessions will be restricted before 9am and during all operating hours, the windows and doors will be fully closed (other than the entry/exit).

The centre will open at 7am, to accept any necessary early arrivals, and then the daily schedule of the centre will begin at 9am. Breaks will be held at 10am (fruit recess), 12pm (lunch) and 3pm (fruit snack) and activities will be held between these breaks and may include skills development, music programs, crafts, quiet time, reading, phonic skill development etc.

For the City's assessment, further details may be required as to the more intricate details of indoor and outdoor activities, therefore the below list provides some additional information

- All activities are supervised by a staff member, whether indoors or outdoors.
- Children will appropriately be supervised to make sure they do not shout or swear within the centre.
- All outdoor activities will be held within the fenced backyard area in the south west of the site and limited to 15 children at once.
- Music sessions will be held in the music room, in 30 minute blocs and live piano music will be played.
- The kitchen will be used to prepare light snacks only such as a fruit platter or sandwiches. No cooking will be performed other baking for muffins or biscuits.
- There are no regular deliveries planned.

#### Waste Disposal and Collection

The bin store is positioned away from residential properties and provides easy transport of bins to the bin collection area on Lignite Avenue. The attached Waste Management Plan provides further detail on the waste management on the site, to demonstrate the proposal provides safe and hygienic waste disposal.

#### Parking

The proposed parking meets the statutory requirements, and the attached Traffic Impact Statement ('TIS') confirms that the provided number of bays will satisfy the likely requirements during peak pickup and drop-off times of children to the centre. The centre provides 5 bicycle parking bays (three short term bays and two long term bays), screened from the public realm.

#### Noise Considerations

The centre will follow the recommendations of the attached acoustic report to ensure that the operations of the proposed centre, will have no adverse impact on any adjoining properties.



## 4 PLANNING FRAMEWORK AND ASSESSMENT

### 4.1 METROPOLITAN REGION SCHEME

The subject site, and land immediately north and south of the property, is zoned 'urban' under the Metropolitan Region Scheme ('MRS'), and a childcare centre comes within the land uses contemplated within this zone.

### 4.2 CITY OF ARMADALE TOWN PLANNING SCHEME NO. 4

According to the City of Armadale's Town Planning Scheme No. 4 ('TPS4'), the subject site is zoned 'Urban Development'. The objectives of the Urban Development zone are outlined in clause 3.2.10 of TPS4 as follows.

- a) *To provide for the orderly planning of large areas of land for residential and associated purposes through a comprehensive Structure Plan which is able to respond to changing circumstances throughout the developmental stages of the area.*
- b) *To promote the sustainable development of new urban communities in accordance with the social, environmental and economic goals of the local government of Armadale.*

TPS4 zones the land and provides the land use permissibility's for the Urban Development Zone shall be determined per the zone provided by the applicable Structure Plan. The Development Area No.35 – North Forrestdale (Stage Three / South) Structure Plan provides a residential zone to the site with a density of R25. Therefore, the permissibility of the residential zone will apply for the proposed childcare centre.



Figure 3, Local Planning Scheme Zone (Left) and Structure Plan Zone (Right). DPLH — October 2020.

The proposed uses for Childcare Premises use (note: a café is considered a restaurant for the purpose of land use in TPS4) are defined in TPS4 as below.

**Childcare premise** means:

*premises used for the daily or occasional care of children in accordance with the regulations for child care under the Child Care Services Act 2007, but does not include a Family Day Care;*

The Childcare Premise land use is identified as “A” uses within the residential zone which means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the Deemed Provisions. The proposed uses are therefore required to be advertised and capable of approval.

The Scheme Map also positions the site within Special Control Area 2 relating to the protection of groundwater and within Special Control Area 3 relating to developer contribution areas. However, Liaison on 6 October confirmed that neither of these special control areas would affect the proposal.

**4.2.1 General Development Requirements**

Part 4 of LPS4 sets out general development requirements across the City of Armadale. The table below provides an assessment of the applicable requirements to this proposal.

Development Requirement	Urbanista Town Planning Response	Assessment
<b>4.6 Environmental Conditions</b>		
<b>4.6.1</b> — <i>Environmental conditions to which the Scheme is, or amendments to the Scheme are, subject are incorporated into the Scheme by Schedule 6 of the Scheme.</i>	No conditions apply to the subject site.	✓
<b>4.9 Drainage and Water Sensitive Design</b>		
<b>4.9.1</b> — <i>Any development which increases the area of impermeable surfaces or which otherwise reduces stormwater recharge of groundwater systems, is to utilise best management practices so as to minimise as far as practicable:</i>  a) <i>changes to both the rate and quantity of direct stormwater discharge from the site, and</i>  b) <i>the export of water borne pollutants (including nutrients).</i>	The drainage has been provided per the Local Development Plan controls below.	N/A
<b>4.9.2</b> — <i>Drainage system design and management is to be undertaken in accordance with best management practices and in order to mitigate any degradation of land or water resources, and measures are to be put in place to prevent litter from entering drainage systems.</i>	The drainage has been provided per the Local Development Plan controls below.	N/A
<b>4.10 Effluent Disposal</b>		

Development Requirement	Urbanista Town Planning Response	Assessment
<b>4.10.1</b> — Where access to a reticulated sewerage system is not available, on-site effluent disposal facilities are to be provided to treat and dispose of any domestic effluent.	The site has access to reticulated sewerage.	N/A
<b>4.10.2</b> — No effluent disposal facility (including any leach drain or soak well) is to be located: a) within 6m of any open drainage channel or subsoil drain; or b) within 30 metres of the outer edge of an intermittent water course; or	As above.	N/A
<b>4.13</b> Additional Site and Development Requirements		
<b>4.13</b> — Additional site and development requirements for areas covered by structure plan, activity centre plan or local development plan.	The development requirements for the site are provided by the North Forrestdale Stage Three Structure Plan and the Piara Garden Local Development Plan.  These additional site and development requirements are considered as part of the requirements of Local Planning Policy 3.2 relating specifically to childcare centres.	✓

## 4.2.2 Specific Development Requirements

Part 4E of TPS4 sets out the development requirements according to development in the Urban Development zone, these requirements are considered with the proposal, in the table below.

Development Requirement	Urbanista Town Planning Response	Assessment
<b>4E.1</b> Subdivision and development		
<b>4E.1.1</b> — Subdivision and Development within the Urban Development Zone and the Industrial Development Zone shall be in accordance with an approved Structure Plan prepared in accordance with Part 4 of the Deemed Provisions.	The development is designed with the controls from the Structure plan and applicable local development plan in mind, namely, to shape the centre's streetscape.	✓

## 4.3 CITY OF ARMADALE LOCAL PLANNING POLICIES

There are various Local Planning Policies applicable to the assessment of the proposed development at the subject site. The controls of these policies are incorporated into the planning assessment and justification chapter in the following sections of the report.

### 4.3.1 Local Planning Policy 3.2 Child Care Premises and Family Daycare

Local Planning Policy 3.2 (PLN 3.2) outlines the relevant matters to consider for the suitable location and operation of a Childcare Centre within the City of Armadale. The table below provides an assessment of these provisions and demonstrates the proposed childcare centre is consistent with the planned outcome of PLN 3.2.

Development Requirement	Urbanista Town Planning Response	Assessment
<b>4.1 Location Criteria</b>		
<b>4.1.1</b> — <i>Sites in close proximity to community facilities, local centres, schools and public transport networks are a preferred location for new Child Care Premises.</i>	The site is within 800m of the Aspiri Primary School at 30 Sunray Avenue.  A childcare centre has clear efficiencies with a primary school and provides efficiency to parents with children in both the primary school and the childcare centre.  Access to the site via public transport or pedestrian/bicycle infrastructure is limited due to the area being only newly established. Regardless, the proposed childcare centre remains a viable use and access will only be improved in the future, as Armadale road is identified in the Regional Planning Strategy to be a 'High Frequency and Priority Transit Corridor'.	✓
<b>4.1.2</b> — <i>Child Care Premises should not be located so to adversely affect the level of service provided by a road or create road safety concerns, to the City's satisfaction.</i>	With reference to page 6 of the attached transport impact statement, the development is very unlikely to effect the road safety of the area.	✓
<b>4.1.3</b> — <i>Larger Child Care Premises (considered those which accommodate more than 50 children) are not generally considered suitable in Residential zones.</i>	More than 50 children are not proposed to be accommodated by the proposed childcare centre – therefore this control does not apply.	N/A
<b>4.2 Site Requirements</b>		
<b>4.2.1</b> — <i>Sites with access to reticulated sewer are preferred unless the land's capability and suitability for on-site effluent disposal is demonstrated to the City's satisfaction and/or the Health Department.</i>	The site is connected to reticulated sewer.	✓

Development Requirement	Urbanista Town Planning Response	Assessment
<p><b>4.2.2</b> — Sites shall be of sufficient size to accommodate parking and access requirements, servicing infrastructure, landscaping, outdoor play areas and setbacks to adjoining properties to the satisfaction of the City.</p> <ul style="list-style-type: none"> <li>• 1 bay per 8 children for 50 children requires 6.25 bays.</li> <li>• 1 bay per staff member for 9 staff requires 9 bays.</li> </ul>	<p>The site requires a total of 15.25 bays and provides 16 bays (with one ACROD bay).</p> <p>Per the attached traffic impact statement, the number of bays provided are suitable to facilitate parent/caretaker use during the drop-off and pick-up times of the centre.</p> <p>The landscaping plan provides four medium sized trees which provide 138sqm of shade canopy. Notably this includes the native <i>Eucalyptus Olivacea</i> species of tree.</p>	<p>✓</p>
<p><b>4.2.3</b>— Regular shaped sites in excess of 1000m<sup>2</sup> are preferred, as these sites generally enable accommodation of required facilities and appropriate setbacks/buffers between the Child Care Premises and adjoining properties.</p>	<p>The site is appropriately sized and shaped as it is a corner site with an area in excess of 1,000sqm.</p>	<p>✓</p>
<p><b>4.2.4</b> — For sites that are on roads which are part of the Road Freight Network, a transport noise assessment in accordance with the guidelines of the WAPC State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning (or standards which supersede it) shall be undertaken. Any noise amelioration measures recommended in the noise assessment report shall be incorporated into the development at the appropriate stages as determined by the City.</p>	<p>Per the <i>State Planning Policy 5.4 Implementation guidelines</i>, the site is further than 100m from Armadale road and does not trigger any policy measures.</p>	<p>✓</p>
<p><b>4.3 Car Parking and Traffic Management</b></p>		
<p><b>4.3.1</b> — The City may require the submission of a traffic impact assessment certified by an appropriately qualified traffic engineer in order to determine the level and impact of traffic generated, impact on off-site and on-site car parking and appropriate means of addressing such impacts.</p>	<p>The application includes a Traffic Impact Statement to demonstrate that parking, access and safety concerns are dealt with appropriately.</p>	<p>✓</p>
<p><b>4.3.2</b> — Car parking and vehicular access requirements shall be consistent with the Town Planning Scheme.</p>	<p>The above-mentioned traffic impact Statement outlines that the development meets its vehicle access and parking needs.</p>	<p>✓</p>
<p><b>4.3.3</b> — Pick up and set down facilities shall be provided.</p>	<p>The parking provided is appropriate as parents will wish to enter the building to drop off and collect their children and requires an ordinary car park.</p> <p>All dimensions of the bays, aisle and crossover meet the minimum requirements per AS2890.1 and the aisle width and crossover width has been widened to provide improved safety or convenience.</p>	<p>✓</p>

Development Requirement	Urbanista Town Planning Response	Assessment
4.3.4 — <i>Car parking areas shall be landscaped to the satisfaction of the City.</i>	A landscaping plan has been provided on page 2 of the attached development plans, providing the proposed species of tree plantings and the proposed soil / irrigation treatments.	✓
4.3.5 — <i>Site selection, layout and vehicle access points shall provide for safe and efficient traffic movement and have regard for the impact of traffic on the local road system.</i>	The attached Traffic Impact Statement confirms that vehicle access and traffic movement is compliant with the relevant Australian Standards.	✓
4.3.6 — <i>For sites with more than one street frontage, access shall be provided from the lowest order road unless otherwise required and/or approved by the City.</i>	The North Forrestdale Stage Three Structure Plan considers Greywacke Entrance to be a Neighbourhood Connector and Lignite Avenue to be a high order access street.  Accordingly, access is provided via Lignite Avenue.	✓
4.3.7 — <i>All vehicles shall be able to leave the site in a forward gear.</i>	All vehicles will leave the site in a forward gear.	✓
<b>4.4 Building Design and Site Layout</b>		
4.4.1 — <i>The scale and design of new buildings shall be consistent with the character of the existing or desired streetscape in the locality.</i>	The proposed centre is consistent with the character of the desired streetscape.  Services and utilities will be appropriately screened from view of the public realm.  The corner truncation of the site, which is absent street trees for vehicle safety. The landscaping plan provides tree plantings in proximity to the truncation to contribute towards the amenity of this portion of the streetscape which would otherwise be absent any trees.  The built form is consistent with the residential development that is likely to surround the site in the future. This is determined by reference to the built form controls that apply to surrounding properties and an assessment is provided in section 4.3.2 of this report.	✓
4.4.2 — <i>Fencing of a suitable height and materials shall provide a safe, screened and secure site which also achieves a high standard of streetscape amenity. Boundary fencing separating play areas from adjoining residential properties shall be constructed of materials that will reduce noise impacts where appropriate.</i>	Fencing is 1.8m tall and is non-permeable for its entire height in order to ensure the safety and privacy of the children within the centre.	✓

Development Requirement	Urbanista Town Planning Response	Assessment
<p><b>4.4.3</b> — <i>Designs shall be able to demonstrate the use of passive solar design principles and provide shaded outdoor play areas to protect children from the dangers of prolonged sun exposure.</i></p>	<p>Large windows to the north optimise the centres exposure to natural sunlight from the north.</p> <p>The play area is proposed to the south and shade cast by the childcare centre itself will assist in protecting against prolonged sun exposure. The proposed tree plantings will also provide shade cover from the afternoon sun.</p> <p>Two shade sails provide 128.6sqm of shade / sun-protected area to children in the outdoor play area.</p>	<p>✓</p>
<p><b>4.4.4</b> — <i>Within Residential zones and on land adjoining a residential use, building setbacks shall be provided to the minimum requirements of the Residential Design Codes (all openings of a Child Care Premises are to be regarded as “major openings” under the Residential Design Codes for assessment purposes).</i></p>	<p>The proposed setbacks are 1.5m in length. With reference to the attached Acoustic Report, this is acceptable and does not result in any noise concerns for adjoining properties.</p>	<p>✓</p>
<p><b>4.5</b> Conditions on Hours of Operation and Noise Emissions</p>		
<p><b>4.5.1</b> — <i>Operating hours shall consider the need to protect residential amenity where applicable. This may require the City to impose additional conditions on Child Care Premises where non-standard operating hours are proposed (Standard Hours: 7am and 7pm excluding Sundays and Public Holidays).</i></p>	<p>The standard operating hours of business are proposed per this policy (7 am – 7 pm). There are no likely impacts to amenity as outlined in the Attached Acoustic Report.</p>	<p>✓</p>
<p><b>4.5.2</b> — <i>Where the potential exists for a Child Care Premises to have an impact on the amenity of adjoining property with respect to noise, the City may require the submission of a report by an appropriately qualified acoustic consultant in order to determine the level of noise emissions and ways to address such emissions.</i></p>	<p>An appropriately qualified acoustic report has been attached and supports the proposal to determine that there is no adverse impact to the adjoining properties by way of noise emissions.</p>	<p>✓</p>

The above table, in conjunction with the following section relating to streetscape, demonstrates the proposed centre is consistent with the planned outcomes of PLN3.2 relating to location, site requirements, parking and vehicle management, design and operation.

### 4.3.2 Character of the Desired Streetscape

The desired streetscape is determined with reference to the applicable planning framework over the site and the surrounding residential properties. This is shaped by the *North Forrestdale Stage Three Structure Plan*, the *Piara Garden Local Development Plan* and *State Planning Policy 7.3 (volume 1)* also known as the R-Codes.

The relevant controls from each of these documents is provided below and an assessment of the proposals consistency with these controls demonstrates how the development will be consistent with the future streetscape per the residential zone and R25 density that applies to the site and surrounds.

Development Requirement	Urbanista Town Planning Response
<b>Building Height</b>	
<b>SPP 7.3 Vol. 1 —</b> <ul style="list-style-type: none"> <li>6m to the top of external walls</li> </ul>	<p>The highest point of any external wall proposed is 2.914m above NGL, and the proposal is consistent with the height controls that apply to the streetscape.</p>
<b>Street Setback</b>	
<b>Structure Plan —</b> <ul style="list-style-type: none"> <li>6m street setback</li> </ul> <b>Piara Garden LDP —</b> <ul style="list-style-type: none"> <li>3m Minimum</li> <li>4.5m Average</li> </ul>	<p>The childcare building is setback 8.6m from Greywacke Entrance and 1.5m from Lignite Avenue.</p> <p>At the apex of Lignite Avenue and Greywacke Entrance, the building has the most significant setback being 23.5m from Lignite Avenue and 18m from Greywacke Entrance.</p> <p>While the minimum setbacks are exceeded, the average setback to either street is well within the recommended average.</p> <p>The setback of the building is therefore considered to be consistent with the desired streetscape of the area, given the average setback of the building is in-line with the average setback provided by the LDP.</p>
<b>Street Surveillance</b>	
<b>SPP 7.3 Vol. 1 — 5.2.3 C3.1</b> <i>The street elevation(s) of the dwelling to address the street with clearly definable entry points visible and accessed from the street.</i>	<p>The entry for pedestrians and vehicles is clearly defined on Lignite Avenue as the fence to the corner boundary and to Greywacke Entrance intuitively direct access towards the single vehicle crossover.</p>
<b>SPP 7.3 Vol. 1 — 5.2.3 C3.2</b> <i>At least one major opening from a habitable room of the dwelling faces the street and the pedestrian or vehicular approach to the dwelling.</i>	<p>No major opening faces the street, however for the reason of privacy this has been avoided. Furthermore, the front fence is built to the lot boundary and does not provide any opportunity for concealment or entrapment per the P3 design principle.</p> <p>Therefore, as surrounding residential development will be either deemed-to-comply or in keeping with the P3 design principle, the proposed development will be consistent with the desired streetscape.</p>
<b>Street Setback</b>	

Development Requirement	Urbanista Town Planning Response
<p><b>SPP 7.3 Vol. 1 — 5.2.4 C4</b></p> <p><i>Front fences within the primary street setback area that are visually permeable above 1.2m of natural ground level, measured from the primary street side of the front fence.</i></p> <p><b>SPP 7.3 Vol. 1 — 5.2.4 P4</b></p> <p><i>Appropriate consideration to the need:</i></p> <ul style="list-style-type: none"> <li><i>for necessary privacy or noise screening for outdoor living areas where the street is designated as a primary or district distributor or integrator arterial.</i></li> </ul>	<p>The proposed fence is within the front setback area and runs across the corner of the site, to the truncation area and to both Lignite Avenue and Greywacke Entrance.</p> <p>The fence is non-permeable to 1.8m in height. This is appropriate given the security and privacy of the children is paramount and meets the design principle of P4.</p>

By being consistent with the deemed-to-comply and design principles that will shape the streetscape of the surrounding properties upon their development, the proposed centre will have a streetscape consistent with the future desired character of these properties. Therefore, through the above assessment the proposed streetscape of the childcare centre will be in keeping with the surround properties and is satisfies this requirement of LPP3.2.

## 5 DEVELOPMENT CONSIDERATIONS

The proposed development holds various aspects which are not expressly provided for in the planning framework discussed previously in this report. Therefore, the following sections have been provided to describe the proposed works and their suitability/response to relevant matters.

The following sections relate to:

- Traffic Management
- Acoustic Management

### 5.1 ACOUSTIC MANAGEMENT

The operating times for the proposed childcare centre are assessed within the attached acoustic assessment, for their compliance with daytime and night-time categories of acoustic compliance.

- During the day time operations of the centre (7 am to 7pm) on Monday to Saturday the centre will operate as a childcare centre on the weekdays and will provide vacation care on Saturday, these operations have different ages of children and perform different activities. Therefore, they will generate different acoustic emissions.
- Between 7am and 9am on Sundays, this time period is technically referred to as 'night-time' for the purpose of acoustic assessment, and is held to stricter standards of acoustic compliance. During this time the centre will provide vacation care to 5 to 12 year olds.

The construction materials of the proposed building and boundary walls are listed below and will sufficiently limit the exposure of surrounding land uses to any noise generated by the centre.

- External walls will be double brick walls.
- Windows will be glazed safety glass with awnings.
- The roof will be Colourbond sheeting, with insulation between the roof sheets and ceiling boards.
- Boundary fences will be solid and will be constructed with any of the materials identified in the acoustic report to achieve Rw 30

The acoustic report demonstrates that there is no undue noise emission and will not compromise the amenity of the surrounding land uses.

### 5.2 TRAFFIC MANAGEMENT

The traffic impact and management of the proposed childcare centre is assessed within the attached Traffic Impact Statement. The report concludes that the development will not impact the capacity of the surrounding road network to meet the daily needs of vehicle users and provides adequate parking facilities.

The access to the site via pedestrian or cycling infrastructure is limited, however the report clarifies that this is a result of the newly established nature of the area and, while acceptable in its current form, will likely improve in the future.

The report importantly demonstrates that the proposed parking arrangement and access / egress to the site, meets the necessary Australian Standards and ensures safe movement of vehicles.

## 6 PLANNING LEGISLATION

### 6.1 PLANNING & DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015

The decision maker is to have due regard to various matters contained within clause 67 of Schedule 2 Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* (W.A.). It is noted that the development satisfies the matters to be considered by local government within clause 67 of these regulations. In considering an application for development approval the local government (or delegated decision-making authority / decision-maker) is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

Provision		Justification and Comment
Clause 67 Deemed Provisions		Matters to be considered by local government / decision maker
a.	the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	Satisfies aims and provisions of the Local Planning Scheme as discussed prior.
b.	any approved State planning policy;	Satisfies State Planning Policy framework.
c.	the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;	Satisfies the requirements of orderly and proper planning.
d.	any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);	<i>Not applicable to this site.</i>
e.	any policy of the Commission;	Satisfies WAPC policies.
f.	any policy of the State;	Satisfies State policies.
fa.	<i>any local planning strategy for this Scheme endorsed by the Commission;</i>	Satisfies Local Planning Policy framework as detailed in the planning assessment section of this report.
g.	any local planning policy for the Scheme area;	Satisfied the applicable structure plan and local development plan.
h.	any structure plan, activity centre plan or local development plan that relates to the development;	<i>Not applicable to this site.</i>
i.	any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;	<i>Not applicable to this site.</i>
j.	in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;	Satisfied. The lot does not contain registered places of Indigenous Australian or Australian heritage significance.
k.	the built heritage conservation of any place that is of cultural significance;	Satisfied. The lot does not contain registered places of Indigenous Australian or Australian heritage significance.
l.	the effect of the proposal on the cultural heritage significance of the area in which the development is located;	Satisfied. The proposed development is considered to be compatible with its setting.

Provision		Justification and Comment
<b>m.</b>	<p>the compatibility of the development with its setting including —</p> <ul style="list-style-type: none"> <li>(i) the compatibility of the development with the desired future character of its setting; and</li> <li>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</li> </ul>	Satisfied. The design considers the desired character of the locality. No significant adverse impact has been identified.
<b>n.</b>	<p>the amenity of the locality including the following —</p> <ul style="list-style-type: none"> <li>(i) environmental impacts of the development;</li> <li>(ii) the character of the locality;</li> <li>(iii) social impacts of the development;</li> </ul>	Satisfied. No adverse environmental impacts will arise.
<b>o.</b>	the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;	Satisfied. Landscaping is provided throughout as shown on the submitted plans.
<b>p.</b>	whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;	Satisfied. The site is not within a bushfire prone area.
<b>q.</b>	the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	Satisfied. The land is suitable to be developed to the standard proposed.
<b>r.</b>	the suitability of the land for the development taking into account the possible risk to human health or safety;	Satisfied. The proposed vehicular and pedestrian access appropriate.
<b>s.</b>	<p>the adequacy of —</p> <ul style="list-style-type: none"> <li>(i) the proposed means of access to and egress from the site; and</li> <li>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</li> </ul>	Satisfied. Expected traffic volumes are capable of being handled by the public road network. Car parking provision suitable for the local area.
<b>t.</b>	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;	Satisfied. The development proposes a suitable amount of amenity for visitors. Site servicing requirements are to standard.
<b>u.</b>	<p>the availability and adequacy for the development of the following —</p> <ul style="list-style-type: none"> <li>(i) public transport services;</li> <li>(ii) public utility services;</li> <li>(iii) storage, management and collection of waste;</li> <li>(iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</li> <li>(v) access by older people and people with disability;</li> </ul>	Satisfied. No adverse impact to community service or community benefit identified.

Provision		Justification and Comment
v.	the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;	<i>Not applicable to the site.</i>
w.	the history of the site where the development is to be located;	The design is considered to provide a positive service to the community.
x.	the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	<i>Not applicable.</i>
y.	any submissions received on the application;	<i>Not applicable.</i>
za.	the comments or submissions received from any authority consulted under clause 66;	<i>Not applicable.</i>
zb.	any other planning consideration the local government considers appropriate.	Satisfies aims and provisions of the Local Planning Scheme as discussed prior.

## 7 CONCLUSION

This Development Application has provided the relevant details and supporting information for the proposed childcare centre.

This application demonstrates that the proposed development meets all management requirements and provides all necessary servicing to the site per the proposed use. The proposed structure is suitable for the intended use and compatible with the desired streetscape of the surrounding properties, yet to be developed.

This report and all attached documents demonstrate the merits of the proposal, and as a result, Urbanista respectfully requests that the City of Armadale considers this application favourably. The Applicant looks forward to cooperating with the City to achieve a favourable outcome.

Should you have any questions concerning the details provided in this submission, please contact Petar Mrdja from Urbanista Town Planning on [6444 9171](tel:64449171).

Yours Sincerely,



**Petar Mrdja**

Director

26 November 2020

City of Armadale  
Attn Felly Dhlwayo – Planning Officer  
61 Broun Avenue  
Morley WA 6062

Dear Ms Dhlwayo,

**NO. 3 (LOT 1832) LIGNITE AVENUE, PIARA WATERS**  
**APPLICANT RESPONSE TO THE CITY’S REQUEST FOR INFORMATION**

Urbanista Town Planning provides the following letter in response to the City of Armadale’s (the ‘City’) Request for Information (‘RFI’), via a letter dated 11 November 2020. The information requested by the City has been duly provided in this letter which demonstrates how the proposal responds to the City’s comments and/or achieves the objectives and principles of the planning framework and is wholly supportable for planning approval.

The following table contains items 1 through 8 and outlines the requested information identified by the City, all of which have been actioned to resolve the City’s concerns, except for item 12, where the City’s discretion is requested and the justification of the application has been provided.

#	City Comment	Urbanista Response
1.	Streetscape – R-Codes / PLN 3.2	Amended with Justification
2.	Building entry – R-Codes	Amended with Justification
3.	Screening of bin store & clothesline	Addressed
4.	Major Openings – PLN 3.2	Addressed
5.	Operating hours – PLN 3.2	Addressed
6.	Access and Parking – Traffic Impact Statement	Amended to Comply
7.	Landscaping – Landscaping Guidelines	Amended to Comply
8.	Signage	Amended to Comply

## REQUESTED INFORMATION

Relating to the City’s requested information, both the acoustic and traffic consultants were engaged to determine the most suitable responses to their relevant comments. The table below represents a summary of the changes that have been made to the plans, considered the most appropriate course of actions per the City’s comments.

In relation to the acoustic report, all noise related matters require compliance with the noise Regulations and therefore any further concerns should be suitable for a condition on an approval.

#	City Comment	Applicant Response
<b>Built form</b>		
1.	<i>The proposed building is not considered to adequately address all streets. Additional windows are required along the western elevation to allow passive surveillance of the street. 1.8m high non-permeable fencing adjoining the public realm is not supported. Any proposed fencing along Lignite Avenue and Greywacke Entrance is required to be more open aspect to allow passive surveillance of the street. Please note that both Greywacke Entrance and Lignite Avenue are not primary or district distributor roads, therefore a solid fence is not justified.</i>	<p><b>RESOLVED.</b></p> <p><i>Child Care Services (Child Care) Regulations 2006 ('Regulations') section 35(1) requires 1.2m fence to surround property. Therefore a non-permeable 1.2m lower section and a permeable upper 600mm section should balance the requires of the City and the regulations.</i></p> <p>All fencing along Greywacke Avenue has remained 1.2m non-permeable with permeable acrylic for 600mm above. With reference to the image below, this same style of fencing has been extended to the Lignite Avenue frontage to comply with the City’s request. The bin store has not been adjusted as the applicant considers it more important to the amenity of the streetscape to screen the bins.</p>
2.	<i>The proposed building does not have a clearly definable entry point visible and accessed from the street as required in the R-Codes. The site does not have a footpath along Lignite Avenue to</i>	<p><b>RESOLVED.</b></p> <p>R-Codes are used to determine the future character of the area, to inform the compatibility of the centre’s design (in the absence of existing development in the</p>

	<p><i>provide pedestrian access into the site. Please amend plans to demonstrate compliance.</i></p>	<p>area). Access to the street is not ideal for childcare centres for obvious reasons, and the <i>childcare regulations</i> require any such street access to have additional requirements for this reason.</p> <p>Therefore on-balance, the variations, are justified due to the legislative requirements of childcare centres.</p> <p>The existing footpath from greywacke entrance has been modified to continue along Lignite Avenue towards the car park of the proposed centre.</p>
3.	<p><i>Please demonstrate how the bin store and clothesline will be screened from view of the street (Lignite Avenue).</i></p>	<p><b>RESOLVED.</b></p> <p>The bin store will have a 1.8m non-permeable fence, screening the bins from view of the public realm.</p> <p>The clothesline has been relocated to the rear of the property and will not be visible from the public realm.</p>
4.	<p><i>Clause 4.4.4 of the City's policy, PLN 3.2 – Child Care Premises and Family Day Care states that all openings of a Child Care Premises are to be regarded as 'major openings' under the R-Codes. <b>The proposal does not meet the 1.5 metre minimum setback along the eastern boundary as required under the R-Codes. Please either amend the plans to comply or provide an assessment against the design principles of the R-Codes.</b></i></p>	<p><b>RESOLVED.</b></p> <p>The attached Acoustic report has considered the noise impact of the setback variation, to the amenity of the adjoining property. With reference to page 12 and 15 of the acoustic report, there will be no adverse consequence to this neighbour.</p>
<p><b>Operating Hours</b></p>		
5.	<p>The City raises concerns regarding the proposed vacation care operating hours. The standard hours under PLN 3.2 – Child Care Premises and Family Day Care are 7am and 7pm excluding Sundays and Public Holidays. It is noted the proposed operating hours include Saturdays and Sunday; 7am to 5pm. Please confirm if the proposal includes public holidays.</p>	<p><b>ACCEPTABLE.</b></p> <p>Regarding the impact of traffic on the weekend; PLN3.2 accepts opening on Saturdays, and the impact will be no different on the Sunday than on Saturday.</p> <p>In relation to the variation to open the centre earlier than advised by PLN3.2. The centre will not be operating at its full capacity between 7am and 9am. This 2-hour period is solely to receive early arrivals and provide the flexibility that may be necessary to some parents who work outside of ordinary hours, at locations such as;</p>

		<ul style="list-style-type: none"> <li>• The hospital/medical facilities within 10km east in Armadale,</li> <li>• The hospital/medical facilities within 10km north-west in Murdoch; or</li> <li>• The Jandakot Airport; and also at the Jandakot Airport approximately 5km north-east of the site.</li> </ul> <p>The centre proposes to vary from the operating hours advised by PLN 3.2. This is considered acceptable noting that the acoustic report has concluded there will be no noise impact on the neighbours. The acoustic report on pages 13-14 also includes the extraneous requirements of the weekend and 'night-time' hours before 9am.</p> <p>The applicant accepts this may be contentious and hopes to work with the City to achieve a reasonable outcome.</p>
<b>Access and parking</b>		
6.	The swept path analysis fig 5-2 in the Traffic Impact Statement for parking bay 11 is not conducive to easy parking. This bay should be left out and used as a turning area. Please amend plans to demonstrate compliance.	<p><b>RESOLVED.</b></p> <p>The car bay has been removed to operate as a turning bay per the City's comment. The provision of parking remains compliant.</p>
<b>Landscaping</b>		
7.	The proposed landscaping is not considered adequate, in particular inadequate shade trees are proposed within car parking area. The landscape plan lacks detail as surfaces are not shown on the key, and the verge area is not included on the plans. The species selection is not supported. Please note species selected should be long lived, paper flower are a seasonal plant. Lavender and rosemary are fantastic bee attracting plants. The accuracy of the canopy cover calculations does not appear to be accurate. Please refer to the City's Landscaping Guidelines – (Industrial and Commercial), Landscaping Guidelines – Plants to Avoid, the City's Urban Forestry Strategy and Landscape Factsheet - Trees for Confined Spaces to assist you to formulate a satisfactory landscaping	<p><b>RESOLVED.</b></p> <p>The tree species are now reflective of the suggested species for the 'Swan Coastal Plain Precinct' per the City's guidelines.</p> <p>The tree plantings proposed are now as follows:</p> <ul style="list-style-type: none"> <li>• 1 x <i>Plantanus Acerifolia</i> (Fire wise), London Plan</li> <li>• 2 x <i>Agonis Flexuosa</i> (Native), WA Peppermint.</li> </ul> <p>The WA Peppermint was selected because of the City's guidelines which state that the tree is suitable for confined DSA areas and will therefore be expected to thrive in the DSA provided.</p>

	proposal. Copies of these documents are available on the City's website at: <a href="https://www.armadale.wa.gov.au/planning-information-sheets">https://www.armadale.wa.gov.au/planning-information-sheets</a>	The canopy area is calculated per the City's guidelines and provides a total of 134sqm of shade canopy to the property.
<b>Signage</b>		
8.	Please confirm if the proposed signage shown on the elevations forms part of this application. Please note a separate application will be required for signage.	<b>RESOLVED.</b>  Signage has been removed from plans and will not be a subject within this application. As an indication only, the possible area of signage has remained.

## CONCLUSION

Based on the information presented in this submission, Urbanista Town Planning respectfully requests that the City support the proposed childcare centre.

The proposal takes note of its spatial context as well as its timeline within the redevelopment process of the Precinct, and accordingly provides an appropriate public interface, balancing the preferred outcomes that are regulated and may indeed be expected by the community for child care centres.

We respectfully request that the City entertain their powers of discretion to approve the proposal subject to appropriate conditions. Should you have any questions in relation to the details provided in this submission, please contact the undersigned on [6444 9171](tel:64449171).

Your sincerely,



**Mitchell Palmer** | Urban Planner

*Attachment 1 – Revised Plans*

*Attachment 2 – Rev2 Acoustic Report*