

PLANNING REPORT

PROPOSED CHILD CARE PREMISES

LOT 2 (#1785) KEANE ST EAST, MT HELENA

APPLICATION TO SHIRE OF MUNDARING / METRO OUTER JDAP

31 JULY 2023

Hidding.
URBAN PLANNING

This Planning Report has been prepared by **Hidding Urban Planning** for a proposed Child Care Premises at Lot 2 (#1785) Keane Street East, Mount Helena

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ANNEXURES:

Annexure 1: Certificate of Title	Annexure 5: Stormwater Management Plan
Annexure 2: Development Plans	Annexure 6: Wastewater Design
Annexure 3: Traffic Impact Statement	Annexure 7: Site & Soil Evaluation (SSE)
Annexure 4: Environmental Noise Assessment	Annexure 8: Bushfire Management Plan & Bushfire Evacuation Plan

APPLICATION DETAILS

Table 1: Application Details

Property Location	Lot 2 (#1785) Keane Street East, Mount Helena
Applicant	Hidding Urban Planning
Landowner	Gregory Raymond Coleman
Local Government	Shire of Mundaring
Determining Authority	Metro Outer Joint Development Assessment Panel (JDAP)
Shire of Mundaring LPS4 Zoning	Residential R5
Proposed Use	Child Care Premises ("A" use)
Existing Use	Residential
Total Site Area	1897m ²
Estimated Construction Value	\$2,000,000

1.0 INTRODUCTION

Hidding Urban Planning has prepared this Planning Report on behalf of Valm Pty Ltd ATF Valm Unit Trust as part of an Application for Development Approval for a proposed Child Care Premises at Lot 2 (#1785) Keane Street East, Mount Helena (**Subject Site**).

This report provides a detailed Town Planning assessment of the proposed development against the relevant State and local Planning framework. The information contained in this report confirms that the proposed transport depot facility is appropriate for the site and reflects the applicable planning framework.

1.1 DEVELOPMENT ASSESSMENT PANEL (DAP) DETERMINATION

As the anticipated construction cost of the project is **\$2 million**, this Application is being lodged as an Optional (“Opt-in”) Development Assessment Panel (**DAP**) application for determination by the Metro Outer Joint Development Assessment Panel.

Accordingly, please find **attached** our completed Shire of Mundaring Application for Development Approval Form, MRS Form 1 and DAP Form 1, all authorised by the landowner.

2.0 SITE DETAILS

2.1 LEGAL DESCRIPTION OF LAND

This development application is made in respect of Lot 2 (#1785) Keane Street East, Mount Helena the details of which are provided in **Table 2** below.

Table 2: Legal Description of Land

Lot	Plan	Vol/Folio	Area	Address	Proprietors
2	27974	1282/508	1897m ²	1785 Keane St East, Mt Helena	Gregory Raymond Coleman

The Certificate of Title for the subject land is attached at **Annexure 1**.

2.2 SITE DETAILS

The subject land has a total land area of 1897m² and currently comprises a single residential dwelling and outbuildings. The site has a southern frontage to Keane Street East and an eastern frontage to Blair Place.

The site exists opposite a local centre comprising a deli and fish and chip shop. The site is also a small distance away from the Mount Helena Primary School which is 150m away to the east.

An Aerial Photograph of the subject site is included at **Figure 1** below.



Figure 1: Aerial Photograph (source: PlanWA)

The site slopes down from RL 281.5m AHD in the north-eastern corner of the site to RL 279.75m AHD in the south-western corner of the site.

3.0 THE PROPOSAL

Development Approval is sought for a single storey Child Care Premises on the subject land.

The proposed Child Care Premises will provide an important service to the local community within a high-quality, architecturally designed facility.

The Child Care Premises has been designed with input from a traffic engineer and acoustic consultant to ensure that the development complies with the relevant requirements. Bushfire planning and wastewater and stormwater servicing designs have also been undertaken.

The Child Care Premises has been designed to comply with the spatial outdoor and indoor play space requirements per child, as set out in the *Child Care Services Act 2007* and the associated Regulations.

The proposed building façades comprise painted/grooved concrete panelling and painted Colorbond awnings and verandahs. The building will have a flat roof design (1-degree pitch). The proposed development will present well to the street and will have a high degree of visual appeal through building articulation, quality finishes, open style fencing and landscaping.

The building entry is clearly identifiable from Keane Street as well as from the internal car park.

The proposed Child Care Premises comprises a single storey development accommodating 79 children, 14 child-care employees and 23 parking spaces.

The Development Plans prepared by Bloom Architecture are included at **Annexure 2**.

3.1 SUPPORTING PLANS & REPORTS

Plans, consultant reports and other supporting information have been prepared to assist in the assessment of this application and these are detailed in **Table 3** below.

Table 3: Supporting Plans & Reports

Consultant	Plan/Document	Annexure
Bloom Architecture	Development Plans	2
Stantec	Transport Impact Statement (TIS)	3
Herring Storer Acoustics	Environmental Noise Assessment	4
Olsen Engineering	Stormwater Management Plan	5
OTG Group	Wastewater Design	6
GALT Geotechnics	Site & Soil Evaluation (SSE)	7
Bushfire Prone Planning	Bushfire Management Plan (BMP) & Bushfire Emergency Plan (BEP)	8

3.2 DEVELOPMENT SUMMARY

The proposed Child Care Premises comprises the following:

- A single storey development with flat roof design, painted/grooved concrete panel walls and painted Colorbond awnings and verandahs.
- Building area of 485m².
- Operations comprising maximum 79 children, with 14 staff members.
- 23 car parking spaces, accessed from a new 6.10m wide crossover to Keane Street East.
- One (1) on-street car parking bay in the verge of Blair Street.
- Three (3) outdoor play areas comprising a total area of 571m².
- 1.50m high open style fencing of the outdoor play areas along street boundaries and internally adjacent to the car parking and pedestrian footpaths.
- Consolidated signage area on the wall of the western facade to accommodate the signage needs of the operator.
- Enclosed and gated bin storage area (1.50m high) at the northern end of the car park, accommodating three (3) 660L bins.
- Landscaping of areas along boundaries and provision of new internal pedestrian footpath connections to connect with existing footpath in Keane Street East.

3.3 OPERATION & STAFFING

The proposed Child Care Premises has been designed to accommodate 79 children. All internal and external areas have been properly designed to accommodate the 79 children and complies with the *Child Care Services Act 2007* and the associated Regulations in respect of minimum indoor and outdoor playing spaces.

The proposed Child Care Premises will employ 14 staff members in accordance with the following ratios prescribed by the *Child Care Services Act 2007*:

Children less than 24 months	1 per 4 children	24 children	6 staff
Children aged 24-36 months	1 per 5 children	25 children	5 staff
Children aged 36 months+	1 per 10 children	30 children	3 staff
Total			14 staff

The hours of operation for the Child Care Premises will be 6:30am to 6:30pm, Monday to Friday (excluding Public Holidays). The Child Care Premises will not be open on weekends.

Outdoor play will not commence until after 7:00am on weekdays.

3.4 LANDSCAPING

The proposed development provides 571m² of landscaped outdoor play area plus an additional 103m² of other landscaped areas. In total, landscaping and outdoor play spaces represent 35.5% of the site area.

A Concept Landscaping Plan (Plan A106) has been prepared and is included in the plan set at **Annexure 2**.

The verge areas will retain their existing landscape and footpath function, and the verges will also have new street trees planted (which can be required as a condition of development approval).

3.5 TRAFFIC & ACCESS

The proposed Child Care Premises has been subject to a detailed traffic assessment in the form of a Transport Impact Statement (TIS) prepared by Stantec (refer **Annexure 3**).

The TIS has been prepared in accordance with the Western Australian Planning Commission (WAPC) Transport Impact Assessment Guidelines for Developments: Volume 4 – Individual Developments (2016).

The findings of the TIS are summarised as follows:

- The level of traffic generation is relatively minimal and will have an insignificant impact on the surrounding road network.
- The provision of 23 car parking bays on-site is sufficient to cater for the parking demand generated by the proposed development.
- The design of the car park allows for movement of all relevant vehicles, as demonstrated in swept paths provided in the TIS.

3.6 SIGNAGE

A nominal signage area has been included on the façade of the building facing the internal car park, as shown on the Elevations.

3.7 ACOUSTIC CONSIDERATIONS

As the subject land is in proximity to residential dwellings, an Environmental Noise Assessment (prepared by Herring Storer Acoustics) was prepared to consider if noise sources associated with the proposed Child Care Premises impact upon the residential dwellings (refer **Annexure 4**).

The assessment considers the noise impacts associated with outdoor play spaces, air conditioning plant, car doors and indoor child play areas with respect to the nearby noise sensitive residences.

The result of the acoustic assessment demonstrates that the Child Care Premises will comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* for the proposed operating hours.

The proposed Child Care Premises will not operate on weekends.

3.8 STORMWATER MANAGEMENT

A Stormwater Management Plan has been prepared by Olsen Engineering in support of the proposed development (to be incorporated as **Annexure 5**). As at the time of this report, the Stormwater Management Plan is not completed and will be provided to the Shire in the near future.

3.9 WASTEWATER MANAGEMENT

A Wastewater Design comprising an ATU system and leach drains below the car parking area has been prepared by OTG Group (refer **Annexure 6**) and is supported with a Site & Soil Evaluation (SSE) prepared by Galt Geotechnics (refer **Annexure 7**) to demonstrate compliance with the Government Sewerage Policy.

The purpose of the SSE is to undertake a site suitability assessment for onsite wastewater management and to recommend the type of onsite wastewater system for the proposed development.

The Wastewater Design has been submitted to the Department of Health for approval in July 2023, with a copy provided to the Shire of Mundaring.

4.0 PLANNING ASSESSMENT

4.1 METROPOLITAN REGION SCHEME

The subject land is zoned “Urban” under the Metropolitan Region Scheme (**MRS**).

Land to the south on the opposite side of Keane Street East is Reserved for “Parks & Recreation” under the MRS.

4.2 SHIRE OF MUNDARING LOCAL PLANNING SCHEME NO. 4

4.2.1 Zoning & Land Use

The subject land is zoned “Residential R5” in the Shire of Mundaring Local Planning Scheme No.4 (**LPS4**) as shown in **Figure 2** below. The subject land abuts only one other residential zoned property, which exists to the north.

The subject land fronts Keane Street East which is identified as an “Important Local Roads” Reserve in LPS4. The subject land sits adjacent to a “Public Purposes” Reserve located to the immediate west of the site.

To the east, on the opposite side of Blair Place, a “Local Centre” zone exists which accommodates a deli and fish and chip shop.

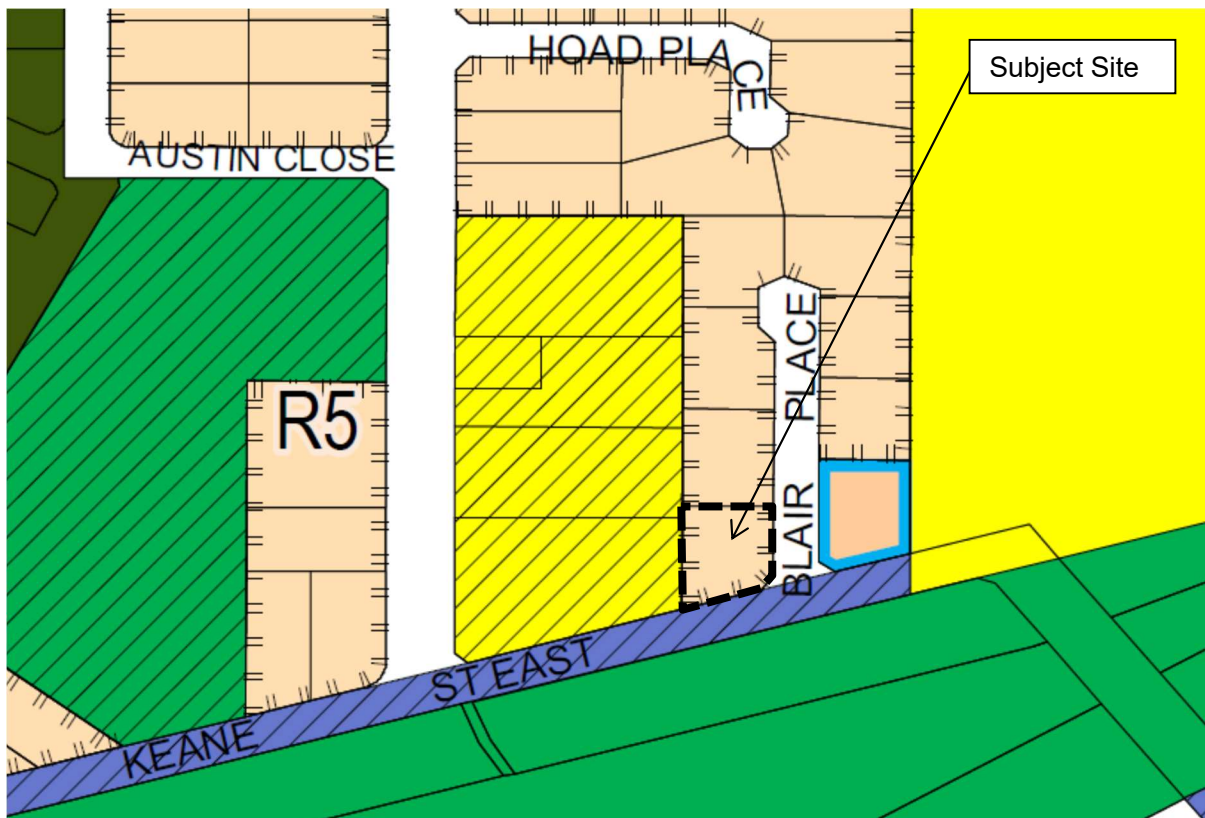


Figure 2: LPS4 Scheme Map Extract

Clause 4.2.1 of LPS4 sets out the objectives for the “Residential” zone, as follows:

- (a) *To provide for a variety of housing types and densities to meet the needs of the community, through the application of the Residential Design Codes.*
- (b) *To provide for other uses compatible with and complementary to residential development, to assist in the creation of efficient and sustainable residential neighbourhoods.*
- (c) *In areas coded R2.5, to provide for low density residential development which is sensitive to the environmental characteristics of the area, including protection of native vegetation (trees and understorey) where practicable.*
- (d) *To provide for residential subdivision and development incorporating water-sensitive urban design principles.*

The proposed Child Care Premises is consistent with the Objectives of the Residential Zone, particularly objective (b) which provides for the incorporation of compatible uses within the Residential zone to create efficient and sustainable residential neighbourhoods.

Under LPS4, the “Child Care Premises” use is defined as:

“Child Care Premises: *means land or buildings used for a child care service as defined under section 4 of the Child Care Services Act 2007, but does not include family day care.”*

The proposed “Child Care Premises” is an “A” use in the Residential zone, meaning that the use is capable of approval following public consultation.

4.2.2 Development Requirements for All Zones

Clause 5.7 of LPS4 sets out a range of development requirements for various zones.

Table 4 below provides an assessment of the relevant development requirements under LPS4.

Table 4: Development Requirements

Development Requirements of LPS4	Response
<p>5.7.6 Stormwater Drainage</p> <p>5.7.6.1 <i>Subdivision and development shall employ water sensitive urban design approaches to stormwater drainage. Any subdivision or development which increases the area of impermeable surfaces or which otherwise reduces stormwater recharge of groundwater systems, is to utilise best management practices to effect the retention of stormwater within the development area so as to:</i></p> <p>(a) <i>minimise as far as practicable changes to both the rate and quantity of direct stormwater discharge from the site; and</i></p>	<p>A Stormwater Management Plan has been prepared by Olsen Engineering for the proposed development – refer Annexure 5.</p>

Development Requirements of LPS4	Response
<i>(b) prevent the export of water borne pollutants (including sediment load and nutrients).</i>	
<p>5.7.6.2 <i>Subdivision and development shall be consistent with the relevant recommendations of Better Urban Water Management, published by the Commission, as applicable, and with any subsequent guideline or policy of the Commission relating to urban water management. Subdivision and development shall also be consistent with any guidelines and/or policy regarding stormwater drainage adopted by the Shire.</i></p>	<p>A Stormwater Management Plan has been prepared by Olsen Engineering for the proposed development – refer Annexure 5.</p>
<p>5.7.7 <i>Effluent Disposal</i></p> <p>5.7.7.1 <i>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 effluent generated on the site. Soil permeability, nutrient retention characteristics, soil microbial purification ability, slope and distance to groundwater and surface water must be demonstrated to be appropriate for the proposed system.</i></p>	<p>A Wastewater Design for on-site effluent disposal has been prepared by OTG Group for the proposed development – refer Annexure 6. The effluent disposal system has been submitted to the Department of Health for approval.</p> <p>A Site & Soil Evaluation (SSE) has been prepared by Galt Geotechnics to demonstrate the soil characteristics of the land and to comply with the Government Sewerage Policy – refer Annexure 7.</p>
<p>5.7.8 <i>Landscaping Requirements</i></p> <p>5.7.8.1 <i>Unless otherwise approved by the Shire, landscaping shall be provided as a component of all commercial and industrial development.</i></p>	<p>Landscaped and open spaces are provided for on the site, comprising a total of 35.5% of the site area.</p>
<p>5.7.8.2 <i>The area, distribution and type of landscaping of individual sites required by this Scheme shall be determined in the context of each proposed development, but shall be generally in accordance with the following principles:</i></p> <p>(a) <i>except where used for driveways or pedestrian pathways, or where a building has a lesser setback, a 3 m wide strip of land abutting all street frontages shall be landscaped;</i></p> <p>(b) <i>landscaping shall consist primarily of local indigenous and low water-use species (with the exception of environmental weeds);</i></p> <p>(c) <i>the required landscaping shall be visible from the adjacent street(s) or public places;</i></p> <p>(d) <i>landscaping should complement the design of building facades;</i></p> <p>(e) <i>consideration should be given to the desirability of integrating landscape planting with stormwater management in order to achieve best practice water sensitive design outcomes;</i></p> <p>(f) <i>consideration should be given to the desirability of providing shade trees within or adjacent to the development so as to improve the microclimate for users of the site; and</i></p>	<p>Landscaped and open spaces are provided for on the site.</p> <ul style="list-style-type: none"> • Landscaping areas will be visible from the adjacent streets. • Landscaping areas will include shade trees. • Pedestrian access has been provided.

Development Requirements of LPS4	Response
<i>(g) safe and convenient pedestrian access to and within the development site shall be provided or maintained.</i>	
<p>5.7.11 Preservation of Amenity</p> <p><i>5.7.11.1 A development requiring planning approval under this Scheme shall not be approved if, in the opinion of the Shire, the proposed materials, design, colour(s), texture(s) or reflectivity of such development would unreasonably adversely impact on the visual amenity of the locality.</i></p>	<p>The proposed materials, design, colour and texture of the proposed development are not anticipated to unreasonably adversely impact on the visual amenity of the locality.</p>
<p>5.7.16 Building Height</p> <p><i>The maximum height of any building within the Scheme area shall be 10 m, unless otherwise specified in the Scheme, an adopted Structure Plan or adopted Precinct Plan.</i></p>	<p>The proposed building height is 3.75m, well-below the 10m height limit.</p>
<p>5.7.20 Vehicle Parking</p> <p><i>5.7.20.1 The car parking requirements for various land uses are set out in Table 2 below. Unless otherwise approved by the Shire, car parking spaces shall be provided for a use in accordance with the requirements of Table 2.</i></p>	<p>Table 2 of LPS4 sets out a requirement for 1 space per 8 children, plus 1 space per employee or staff member.</p> <p>Accordingly, given the 79 children and 14 staff proposed, there is a requirement for $9.88 (10) + 14 = 24$ car parking bays.</p> <p>23 car parking bays have been proposed and is therefore, there is a minor variation required to the car parking standards of LPS4.</p> <p>To meet the required 24 car parking bays, an on-street bay in the verge of Blair Street is also proposed.</p>
<p>5.7.24 Set down areas</p> <p><i>A designated set down area designed for the purpose of setting down and picking up passengers, to the satisfaction and requirements of the Shire, shall be provided on or adjacent to the site of any of the following uses, but not within a public road reserve:</i></p> <p><i>(a) Child Care Premises;</i></p> <p><i>(b) Educational Establishment;</i></p> <p><i>(c) Hospital;</i></p> <p><i>(d) Hotel; and</i></p> <p><i>(e) any other facility which, in the opinion of the Shire, will generate the need for a set down area for the safety of people attending that use and of road users generally.</i></p>	<p>There are adequate car parking bays on-site for the purpose of setting down and picking up passengers of the proposed Child Care Premises.</p> <p>The TIS assesses the use of visitor bays and provides detail about how long parents use the visitor bays for, demonstrating that there should be a high degree of availability for setting down and picking up.</p>
<p>5.7.28 Primary and secondary streets</p> <p><i>Where development is proposed on a corner lot, the Shire shall determine which street is the primary street and which is the secondary street.</i></p>	<p>The proposed development is proposed on a corner lot. The development has been designed with Keane Street East being the primary street and Blair Place being the secondary street.</p>
<p>5.7.33 Advertising</p> <p><i>Advertising, not otherwise exempt under Schedule 5, must:</i></p>	<p>Only minimal signage is proposed for the development and complies with these requirements.</p>

Development Requirements of LPS4	Response
<p>(a) not detract from or erode the visual qualities and character of a particular locality and/or transport corridor; and</p> <p>(b) be associated with the operation or business on the subject site; and</p> <p>(c) not be misleading or dangerous; and</p> <p>(d) be of a size and scale that is proportionate to the realistic needs of local commerce in the locality; and</p> <p>(e) be designed to minimise visual clutter.</p>	
<p>5.8.7 Development Setbacks</p> <p><i>5.8.7.1 Development setbacks for non-residential development shall be determined by the Shire having regard to such of the design elements in Part 6 of the Residential Design Codes as the Shire considers applicable, but shall be no less than the minimum setbacks applying to residential development on land with the same Residential Design Code density.</i></p>	<p>The land is zoned Residential R5, so involves the following setback requirements, consistent with the R-Codes:</p> <ul style="list-style-type: none"> • 12m primary street setback • 6m secondary street setback • 6m rear (northern) setback. <p>The proposed development has the following minimum setbacks:</p> <ul style="list-style-type: none"> • 8.849m primary street setback. • 0.895m secondary street setback. • 1.55m rear (northern) setback. <p>The proposed development involves variations to the setback requirements.</p> <p>For the primary street setback, the setback is achieved by averaging across the frontage of the property.</p> <p>The rear (northern) setback is achieved by averaging across the extent of the lot boundary.</p> <p>The secondary street setback incursion requires further discretion, as averaging is not achieved. However, the context of the site, particularly the property opposite on the other side of Blair Place, demonstrates that a reduced setback is appropriate. The development on the opposite side of Blair Place has an approximate 3m setback to the secondary street. Accordingly, given the context of the site, the reduced secondary street setback is capable of being supported.</p>
<p>5.8.8 Requirements for non-residential development</p> <p><i>5.8.8.1 The maximum site coverage for non-residential development in the Residential zone shall be as follows for each respective Residential Design Code density:</i></p> <p style="padding-left: 40px;">R5: 30%</p>	<p>The site coverage associated with the proposed development is 26% which complies with the site coverage requirements of 30% for R5 coded land.</p>

4.2.3 Matters to be Considered

Clause 67 - Part 2 - Schedule 2 (**Deemed Provisions**) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) outlines matters to be given due regard by local government when assessing development applications.

Table 5 below provides an assessment against matters relevant to this proposal.

Table 5: Matters to be Considered

Relevant Matters to be Considered	Response
<i>(a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i>	<p>The proposed use and development is consistent with the aims and provisions of the Shire's LPS4 for the following reasons:</p> <ul style="list-style-type: none"> • The proposal seeks approval for a land use which is capable of approval in the Residential zone. • The proposed development is in general compliance with the provisions of LPS4. • The proposed development will improve the amenity of the site.
<i>(b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i>	This report demonstrates the proposed development is in general compliance with the local planning framework applicable to the subject site.
<i>(c) Any approved State Planning Policy</i>	This report demonstrates the proposed development is in compliance with the relevant State Planning Policies.
<i>(d) Any environmental protection policy approved under the Environmental Protection Act 1986 section 31 (d);</i>	This matter is not relevant to this proposal.
<i>(e) Any policy of the Commission</i>	This matter is not relevant to this proposal.
<i>(f) Any policy of the State</i>	The proposal addresses the Government Sewerage Policy in respect of wastewater disposal.
<i>(fa) Any local planning strategy for this Scheme endorsed by the Commission</i>	<p>The Shire of Mundaring Local Planning Strategy formulated the preparation of LPS4.</p> <p>Accordingly, it is considered that the proposed development aligns with the objectives of the Shire's Local Planning Strategy.</p>
<i>(g) Any local planning policy for the Scheme area;</i>	This report demonstrates the proposed development is in general compliance with the local planning policies applicable to the subject site.

Relevant Matters to be Considered	Response
<i>(h) Any structure plan or local development plan that relates to the development.</i>	This matter is not relevant to this proposal.
<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>	This matter is not relevant to this proposal.
<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.</i>	This matter is not relevant to this proposal as the subject land is not reserved under the Scheme.
<i>(k) The built heritage conservation of any place that is of cultural significance.</i>	This matter is not relevant to this proposal.
<i>(l) The effect of the proposal on the cultural heritage significance of the area in which the development is located.</i>	This matter is not relevant to this proposal.
<p><i>(m) The compatibility of the development with its setting, including -</i></p> <p><i>(i) the compatibility of the development with the desired future character of its setting; and</i></p> <p><i>(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;</i></p>	<p>The proposed development is entirely compatible with its setting for the following reasons:</p> <ul style="list-style-type: none"> • The proposed development is suitably located within a residential locality, with similar community uses evident in the local area, and nearby schools. • The scale of the development does not impact any adjacent properties. <p>Having regard to the above, the nature of the proposed development is entirely compatible with its surroundings.</p>
<p><i>(n) The amenity of the locality including the following –</i></p> <p><i>(i) Environmental impacts of the development;</i></p> <p><i>(ii) The character of the locality;</i></p> <p><i>(iii) Social impact of the development;</i></p>	<p><u>Environmental Impacts:</u> The proposed development is not anticipated to result in any adverse environmental impacts.</p> <p><u>Character of the Locality:</u> The proposed development will not affect the character of the locality.</p> <p><u>Social Impacts:</u> The proposed development will not have any adverse social impacts on the surrounding locality, but will provide a positive social impact through the creation of jobs through construction and operation of the facility, as well as providing a facility for the benefit of the local community.</p>
<i>(o) The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.</i>	This matter is not relevant to this proposal.
<i>(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.</i>	Adequate areas of landscaping will be provided on the site, comprising 35.5% of the site area.

Relevant Matters to be Considered	Response
(q) <i>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.</i>	A Stormwater Management Plan has been prepared for the development. A Bushfire Management Plan has also been prepared for the proposed development.
(r) <i>The suitability of the land for the development taking into account the possible risk to human health or safety.</i>	Safety is a key issue in the development of a child care premises. All care has been taken to design the facility with safety in mind.
(s) <i>The adequacy of –</i> (i) <i>the proposed means of access to and egress from the site; and</i> (ii) <i>arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i>	As outlined in this Report and the supporting Transport Impact Statement (TIS) prepared by Stantec (Annexure 3), the proposed access arrangements to and from the site are satisfactory. The development has been appropriately designed, including appropriate arrangements for loading, unloading, manoeuvring and parking of vehicles.
(t) <i>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;</i>	The Transport Impact Statement (Annexure 3) indicates that the proposed development will not have an unacceptable level of impact on the surrounding road network.
(u) <i>the availability and adequacy for the development of the following –</i> (i) <i>public transport services;</i> (ii) <i>public utility services;</i> (iii) <i>storage, management and collection of waste;</i> (iv) <i>access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);</i> (v) <i>access by older people and people with disability;</i>	The Transport Impact Statement (Annexure 3) addresses these matters.
(v) <i>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>	No loss of any community service or benefit is expected to occur as a result of the proposed development.
(w) <i>The history of the site where the development is to be located.</i>	No significant historical matter is relevant to this proposal.
(x) <i>The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.</i>	The proposed development will have a positive benefit on the community as a whole, as it provides for a new child care facility.
(y) <i>Any submissions received on the application.</i>	The Shire can advertise the application for public comment and assess any relevant submission made.
(za) <i>The comments or submissions received from any authority consulted under clause 66.</i>	The Shire can refer the application to any authority it considers appropriate, and to assess any relevant submissions/comments made.

Relevant Matters to be Considered	Response
(zb) Any other planning consideration the local government considers appropriate.	The Shire can determine whether there are any other planning considerations that are relevant.

Having regard to **Table 5** above, the proposal appropriately addresses the relevant matters to be given due regard as set out in the Deemed Provisions.

4.3 LOCAL PLANNING POLICIES

4.3.1 Local Planning Policy 3.1 - Public Art

The Shire's LPP3.1 – Public Art applies to the proposed development, as it involves a cost of development of \$2 million.

Accordingly, it is anticipated that a standard condition of development approval will be imposed requiring the developer to provide public art or provide a cash contribution, to the value of 1% of the development cost.

4.4 STATE PLANNING POLICIES

4.4.1 WAPC SPP 7.0 – Design of the Built Environment

Table 6 below provides a response to the Design Principles of State Planning Policy 7.0 Design of the Built Environment (**SPP7.0**).

Table 6: Assessment of Design Principles of SPP7.0

SPP 7.0 Design Principles	Response
<p>1. Context and character <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p>	<p>The context of the area can be described as a low density residential area, with a varying range of non-residential uses in the immediate locality including local shops, the Mt Helena Primary School, the Eastern Hills Senior High School, the Eastern Hills Guide and Scout Hall, the Mt Helena Volunteer Bushfire Brigade, the Mt Helena Tennis Club, the Bible Baptist Church, the Milperra Cottage Respite centre, and the Mount Helena Play Group Community Centre, all within 300m of the subject land.</p> <p>Accordingly, the context and character of the area is diverse.</p> <p>The proposed Child Care Premises has been designed as a modern building with a neutral colour scheme.</p>
<p>2. Landscape quality <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p>	<p>A valuable aspect in a child's early development is the connection with the natural environment and the relationship with an outdoor play area.</p> <p>The proposed outdoor play areas form a fundamental part of the Child Care Premises. The landscaping areas will include areas for planting of trees and shrubs.</p> <p>Landscaping areas also occur around the car parking area and building.</p>

SPP 7.0 Design Principles	Response
	Street trees can be planted in the road reserve verge in accordance with the Shire's LPS4.
<p>3. Built form and scale <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>The proposed single storey development aligns with the generally single-storey nature of the immediate area.</p> <p>The built form, scale and height of the proposed development is appropriate to its setting and appropriate for the development type.</p>
<p>4. Functionality and build quality <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>From a functionality perspective, the proposed development is fit for purpose, and the proposed building materials also align with the function of a child care premises.</p> <p>The design of the development is aimed at providing user efficiency.</p>
<p>5. Sustainability <i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p>	<p>The proposed building has been designed to support solar panels on the roof and this is intended to ensure sustainable electricity consumption.</p> <p>The proposed car park will be constructed using recycled asphalt or similar product.</p> <p>The rooms have been designed with large windows for the purpose of natural light and natural ventilation, and the internal play areas have been sited to optimise solar access.</p> <p>The building will have verandahs and awnings to assist with shielding harsh sun in the summer months.</p>
<p>6. Amenity <i>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p>	<p>The proposed development will contribute to the variety of attractive uses and activities in the area. The proposed building will also contribute to an attractive streetscape.</p> <p>Glazing is also featured on all facades to provide natural light for the facility while also contributing to passive surveillance.</p>
<p>7. Legibility <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>Access to the site from Keane Street East will be clearly identifiable, with the car parking providing ease of use.</p> <p>Clearly identifiable pathways are provided to the centre, connecting to the existing footpath in Keane Street East.</p>
<p>8. Safety <i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>	<p>The building design maximises opportunities for casual surveillance over the adjacent roads through the use of the proposed open car park, large window areas on the building, and multiple access points (pedestrian and vehicular) and 1.50m high open fencing along the street boundaries.</p> <p>The implementation of safety measures into the design of the centre is a high priority.</p> <p>All outdoor play areas will be suitably fenced and gated, with open fencing to street boundaries to enhance passive surveillance.</p>

SPP 7.0 Design Principles	Response
<p>9. Community <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 interaction.</i></p>	<p>The development is specifically designed for the benefit of the local community and will provide a much-needed service to the local area. People from the suburb will be able to interact with each other as they share the experience of bringing their children to the centre for early learning development.</p> <p>This development is a well-placed addition which will add to the diversity and choice of child care centres in the locality, and puts less pressure on other facilities in the wider area.</p>
<p>10. Aesthetics <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>Significant effort has been put into the design of the facility to ensure that it presents aesthetically and results in an attractive and inviting building that has interesting design elements and neutral colours.</p> <p>Overall, it is considered that the proposed development provides a positive contribution to the visual amenity of the streetscapes.</p>

As a result, it is considered that the proposed development complies with the Design Principles of SPP7.0.

4.4.2 WAPC SPP 3.7 – Planning in Bushfire Prone Areas

The State Planning Policy 3.7 (SPP 3.7) – Planning in Bushfire Prone Areas states that planning proposals within bushfire prone areas are to be accompanied by a bushfire assessment (relevant to the nature and scale of the development) and identification of any bushfire hazard issues.

The subject land is within a designated bushfire prone area on the Department of Fire and Emergency Services (DFES) *Map of Bush Fire Prone Areas* (see **Figure 3** below).



Figure 3: Extract from Map of Bushfire Prone Areas

A Bushfire Management Plan (BMP) and Bushfire Emergency Plan (BEP) have been prepared by Bushfire Prone Planning and are included at **Annexure 8**.

The building has been sited on advice of the bushfire consultant and will have a bushfire rating of BAL-29.

4.5 WAPC DRAFT POSITION STATEMENT: CHILD CARE PREMISES

The Draft Position Statement: Child Care Premises was prepared by the WAPC and was recently advertised for public comment.

The Draft Position Statement was prepared to provide a more consistent policy approach to the planning for child care premises in Western Australia, in order to deliver key improvements to the location and operation of child care operations. The key objectives of the Position Statement have been assessed in **Table 7** below:

Table 7: Assessment of Draft Position Statement Objectives

Objective	Response
<i>Encourage the co-location of child care premises on scheme reserves (intended for community and educational uses) and mixed commercial type zones</i>	<p>The proposed Child Care Premises will be located on land which is zoned "Residential" under the Shire's Local Planning Scheme No. 4. A Child Care Premises is a use capable of approval in the Residential zone, and is commonly located in residential areas across the Perth Metropolitan Area.</p> <p>Accordingly, it is considered to be an appropriate location for the proposed Child Care Premises.</p>
<i>Locate child care premises where they are compatible with and complementary to residential land use and the road network.</i>	<p>The proposed development will be complementary to the existing and desired future amenity of the area and will have no impact on residential properties or the existing road network.</p>
<i>Ensure child care premises do not have a detrimental impact on the amenity of the adjoining residents and the locality</i>	<p>The acoustic report provided with the application demonstrates the proposed development will have minimal the amenity of the adjoining residents and the broader locality. It should be noted that the subject land is only adjacent to one residential zoned property.</p>
<i>Minimise any detrimental impact that surrounding land uses may have on a child care premises</i>	<p>The surrounding land uses are:</p> <ul style="list-style-type: none"> • Residential dwelling to the north • Regional Reservation to the south • Public Purposes Reserve to the west • Local commercial centre to the east <p>Each of the surrounding uses pose no impact on the proposed development.</p>
<i>Ensure child care premises are appropriately designed to ensure the health and safety of children attending the early childhood education and care service.</i>	<p>All vehicles accessing the proposed Child Care Premises will do so from Keane Street East via a new 6.1m wide crossover. This will ensure safe access and movement from the facility.</p> <p>Pedestrian footpath connections are provided to the surrounding footpath network, to provide for safe, legible access for pedestrians.</p> <p>The design of the premises is considered high quality and will ensure the safety of all children.</p>

It is considered that the proposed Child Care Premises complies with the objectives and relevant standards of the Draft Position Statement.

5.0 CONCLUSION

Hidding Urban Planning seeks Development Approval for a proposed Child Care Premises at Lot 2 (#1785) Keane Street East, Mount Helena.

In summary, the proposed development warrants approval for the following reasons:

- The proposed Child Care Premises is generally compliant with the development standards and requirements of the Shire of Mundaring Local Planning Scheme No. 4 (LPS4).
- The proposed Child Care Premises use is a use capable of approval in the “Residential” zone under LPS4.
- The proposed development will provide increased and higher quality child-care services to the Mount Helena locality.
- The proposed development is supported by a range of expert technical reports, demonstrating that all relevant technical issues have been considered and addressed.

Having regard to the above, the proposed Child Care Premises should be supported and approved.

For these reasons, and in light of the assessment contained within this report, we respectfully request that the Shire of Mundaring have regard to the merits and broader benefits of the proposal when undertaking its assessment of the application, and to recommend approval to the Metro Outer JDAP subject to reasonable conditions.

Hidding.

URBAN PLANNING

0424 651 513
PO Box 920 Subiaco WA 6904
hidding.com.au

ANNEXURES

ANNEXURE 1
CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

REGISTER NUMBER 2/D27974	
DUPLICATE EDITION 3	DATE DUPLICATE ISSUED 31/8/2006

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 1282 FOLIO 508

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 2 ON DIAGRAM 27974

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

GREGORY RAYMOND COLEMAN OF 1785 KEANE STREET EAST, MOUNT HELENA
(T K773739) REGISTERED 17/11/2008

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. *K773740 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 17/11/2008.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1282-508 (2/D27974)
PREVIOUS TITLE: 1023-659
PROPERTY STREET ADDRESS: 1785 KEANE ST EAST, MOUNT HELENA.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF MUNDARING

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING K773740

Transfer 22214/64 (63472)
Volume 1023 Folio 659



WESTERN AUSTRALIA.

ORIGINAL
REGISTER BOOK.

INDEXED *b*

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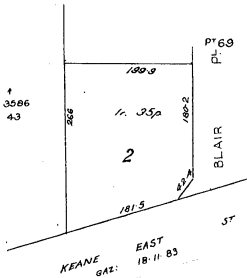
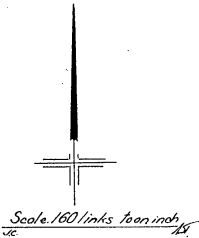
CT 1282 0508 F



Certificate of Title

under "The Transfer of Land Act, 1893" (56 Vic., 14. Sch. 5).

James Martin, Retired Police Officer, and May Esther Martin, his Wife, both of 37 Weston Street, Carlisle, are now the proprietors as joint tenants of an estate in fee simple subject to the easements and encumbrances notified hereunder in the natural surface and therefrom to a depth of two hundred feet of all that piece of land delineated and coloured green on the map hereon containing one rood and thirty-five perches or thereabouts, being portion of Mount Helena Lot 69 and being Lot 2 on Diagram 27974.



Dated the tenth day of April One thousand nine hundred and sixty-four.

Registrar of Titles.

Transfer A 33141 to Sarah Elizabeth Hendeman of 29 Rockton Road, Claremont, widow. registered 22nd April 1968 at 9.26 o.c.

K.G. Abbott

Transfer C630816 to Glen John Nicholas of Old Northam Road, Chidlow, Electrician. Registered 5th October, 1983 at 3.07 o.c.



Transfer D144623 to Laurel Elsie McManus-Lapwood of Lot 2, Keane Street, Mount Helena, Newspaper Production Assistant. Registered 11th November 1985 at 9.28 o.c.



Transfer E809441 to Thomas Robert Forsythe and Veronica Evelyn Forsythe both of 1 Hawke Place, Laverton. Registered 14th February 1992 at 15.32 hrs.



Transfer F905931 to Marc Roger Daniels and Gina Louise Hawke both of Lot 2 Keane East Street, Mount Helena. Registered 19th June 1995 at 14.14 hrs.



Transfer G714095 to Adrian John Craghill and Letitia Mary Craghill both of 62 Eddystone Avenue, Craigie, as joint tenants. Registered 16th February 1998 at 13.53 hrs.

Craigie
14/5/98
Asst. Registrar of Titles



661911262-48.500-11C

For encumbrances and other matters affecting the land see back.

Superseded - Copy for Sketch Only

EASEMENTS AND ENCUMBRANCES REFERRED TO

Mortgage C630817 to Town & Country W.A. Building Society. Registered 5th October, 1983 at 3.08 o'clock.

DISCHARGED



Discharge D144622 of Mortgage C630817. Registered 11th November 1985 at 9.28 o'clock.



Mortgage D144624 to The Community Building Society. Registered 11th November 1985 at 9.28 o'clock.

DISCHARGED



Discharge E809440 of Mortgage D144624. Registered 14th February 1992 at 15.32 hrs.



Mortgage F905932 to Town & Country Bank Ltd. Registered 19th June 1995 at 14.14 hrs.

DISCHARGED



Discharge G714094 of Mortgage F905932. Registered 16th February 1998 at 13.53 hrs.



Mortgage G714096 to Cassa Commerciale Australia Ltd. Registered 16th February 1998 at 13.53 hrs.

DISCHARGED



Discharge H298854 of Mortgage G714096. Registered 3rd December, 1999 at 8.01 hrs.



Mortgage H298855 to Bank of Western Australia Ltd. Registered 3rd December, 1999 at 8.01 hrs.



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CT 1282 0508 B



CERTIFICATE OF TITLE

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ANNEXURE 2

DEVELOPMENT PLANS

ANNEXURE 3

TRANSPORT IMPACT ASSESSMENT

ANNEXURE 4

ENVIRONMENTAL NOISE ASSESSMENT

ANNEXURE 5

STORMWATER MANAGEMENT PLAN

ANNEXURE 6

WASTEWATER DESIGN

ANNEXURE 7

SITE & SOIL EVALUATION (SSE)

ANNEXURE 8

BUSHFIRE MANAGEMENT PLAN &
BUSHFIRE EMERGENCY PLAN