

SUMMARY OF SUBMISSIONS

PA21/646 - Beenyup Road, Byford 34 (L15) 209400 / Beenyup Road, Byford 36 (L16) 209200 - Early Learning Centre

Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
First Submission – Period of Advertising- 21July 2021 to 11 August 2021					
A403538	1	a.	No Problems.	Noted.	
		b.	Only 1 suggestion – the roads from South Western Highway up along Beenyup Road to Amy Street – the roads need to be fixed due to the increase of traffic. Maybe green arrows turning right onto the Highway need to be added.	A Transport Impact Statement (TIS) prepared by Uloth and Associates is in accordance with the Western Australian Planning commission (WAPC) Transport Impact Assessment Guidelines (TIA Guidelines). The TIS did not find any safety issues with this intersection, or indication that the proposed development will create or contribute to any safety issues.	Noted - As discussed in the report, Officers are concerned that the increase traffic movements will adversely impact upon the residential amenity of the locality.
A406259	2	a.	Thanks. I am happy that this development is taking place as will modernise the design of the street and would make great and efficient service for the close by locals.	Noted.	Noted
A307311	3	a.	The street gets very bust at school pick up and drop off times. It is not safe to walk, cross or even drive around at these times. Not enough parking at school so parents park along Amy Street and there will not be enough parking.	In respect to traffic safety, please refer to the Applicant Response to comment 1b. If there is an existing parking issue associated with the Byford Primary School, it is not the proponent's responsibility to resolve this.	As discussed in the report Officers consider that although the parking requirements have been met, there are still concerns that insufficient information has been provided to demonstrate that the development will be able to deal with the peak hour demand and overall trips generated by the development. The proposed land use can be considered within the designation within the Structure Plan and Local Development Plan. However as discussed in the report, Officers consider the that the proposal in its current form will detract from the prevailing and intended future character for the Byford Old Quarter.

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		b.	As a stay at home parent, if I wanted to live across the road from a daycare I would have bought a house across from a daycare centre.	<p>The proposal is capable of approval within the 'Urban Development' zone (and the subject site) under the Shire of Serpentine-Jarrahdale (the Shire) Town Planning Scheme No. 2 (TPS 2), and the proposed development is consistent with the relevant objectives of the 'Urban Development' zone, which are (underline is Author's emphasis):</p> <p><i>(a) development of functional communities consistent with orderly and proper planning and the <u>establishment and maintenance of an appropriate level of amenity</u>;</i></p> <p><i>(c) provision of retail, commercial, industrial and mixed use facilities <u>to service the needs of residents within the communities</u>, and integration of these facilities with social and recreational services, so as to <u>maximise convenience</u>;</i></p> <p><i>(d) provision of retail, commercial, business park and industrial facilities <u>to provide local employment opportunities</u>;</i></p> <p><i>(e) provision of open space and recreation networks, <u>appropriate community services</u>, school sites and other recreational facilities;</i></p> <p>TPS 2 does not provide any land use permissibility for land uses within the 'Urban Development' Zone. Rather, decision makers are required to apply discretion in accordance by giving due</p>	
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				<p>regard to the relevant structure plan in accordance with Clause 27(1) and any development (other than a single house) will be assessed against Clause 5.19.1.3 of TPS 2.</p> <p>In addition, the subject site is also zoned 'Urban Development' under the provisions of the Draft Local Planning Scheme No. 3 (Draft LPS 3), which is currently with the WAPC for its final assessment and determination. It is a seriously entertained planning instrument. The Shire has also advised that any Development Application will be assessed against the requirements of the Draft LPS 3.</p> <p>Under the provisions of the Draft LPS 3, the proposed use is capable of approval. The relevant objectives of the 'Urban Development' Zone in Draft LPS 3 are:</p> <ul style="list-style-type: none"> • <i>To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</i> • <i>To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</i> 	
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				<p>The proposed development is consistent with the provisions of TPS 2 and Draft LPS 3 for the following reasons:</p> <ul style="list-style-type: none"> • The 'Child Minding Centre' use is classified as an 'A' use within the 'Urban Development' Zone under the provisions of the Draft LPS 3. • Early learning centres are considered an essential service. Essential services provide a function which allows community cohesion. The proximity to these services improves walkability, streetscape and overall amenity of residential communities. The proposal will positively contribute to the amenity of the area by providing a much needed and essential service within the locality. • The proposal will service the needs of the residents in the surrounding area. • The proposal will offer a level of convenience to surrounding residents as it will provide an essential service in proximity to a commercial centre, a school and surrounding residential area. • The proposal will provide the opportunity for additional local employment (a total of 19 staff). Importantly, the proposal will also 	
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				<p>provide the opportunity for both parents in a family to go back to work after having children – offering day long childcare and early learning services. This is a significant community benefit, with increased employment and income in households which can result in additional spending in the economy.</p> <ul style="list-style-type: none"> • The relevant structure plan is the Byford Townsite Detailed Area Plan (the Detailed Area Plan). The site is identified as ‘Residential’ with a density coding of ‘R30’ in the Detailed Area Plan. The location of an early learning centre in a residential area is not unusual. The proposal will provide child care services to residents of the surrounding area, with the location of the proposal is intended to accommodate families by reducing travel times and number of car trips, and encouraging active transport options including walking and cycling. The area around the subject site includes a school and a commercial centre. • The Detailed Area Plan is considered an old document. However, it is equally considered that any revised version of the 	
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				<p>Detailed Area Plan will identify the subject site and surrounding area as residential in nature. It is likely that any revised Detailed Area Plan would allow contemporary architectural built form which reflects or is sympathetic to the character of the existing housing stock. This is not unreasonable and is already observed in the surrounding area where new houses have been constructed as land has been subdivided. Therefore, the proposed development is consistent with Clause 5.19.1.3 of TPS 2.</p> <ul style="list-style-type: none"> The proposed development is compatible with the surrounding residential area. <p>It is not appropriate to expect that the only form of development that is capable of being approved at the subject site must be residential in nature. The provisions of TPS 2 and Draft LPS 3 allow for this type and form of development at the subject site and, importantly, it allows for development of a greater scale and size than what is currently proposed.</p>	

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A401692	4	a.	<p>We believe the proposed childcare centre is too big.</p>	<p>Table 2 of TPS 2 states a maximum plot ratio of 0.5 and maximum site coverage of 0.3 of a 'Child Minding Centre' within the 'Residential' Zone. The proposed development has a plot ratio area of 0.32 (791m²) and maximum site coverage of 0.32 (based on the site area excluding the road widening – it is 0.30 including the road widening area). The proposal is compliant with the maximum plot ratio permitted at the subject site and only slightly over in terms of site coverage.</p> <p>In this respect, the proposed development is much smaller in terms of building size when the site might otherwise accommodate up to eight (8) dwellings, at a 'R30' coding. The site coverage of those dwellings could be up to 55% of the site, plus a little extra of patio areas. This could equate to over 1,367m² of buildings. The proposed building is 800m², which is 58.5% of the permitted site coverage area, and 32% of the overall site. The proposal is single storey building, with generous setbacks to the streets. The proposal represents a conservative outcome with respect to the building size, scale and relationship to the adjoining streets and properties. Therefore, the proposed development is not a large building.</p> <p>As previously mentioned, the Shire advised that any Development</p>	<p>As discussed in the report the proposed scale and built form of the 'Child Minding Centre' is not considered to be compatible with the immediate locality, which is characterised by single storey modest homes.</p>
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				<p>Application will be assessed against the requirements of the Draft LPS 3. It is important to acknowledge that the maximum plot ratio and site coverage provisions in TPS 2 have not carried over to the Draft LPS 3. This means there has been some consideration around the notion of an early learning centre in a residential area and it has been deemed that these provisions are no longer required. Since the Draft LPS 3 is a seriously entertained planning document, we consider that it is not appropriate in the sense of orderly and proper planning to impose these requirements on this development.</p>	

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		b.	120 children will generate a great amount of noise.	<p>The submitted proposal had been designed to comply with the <i>Environmental (Noise) Regulations 1997 (Noise Regulations)</i>, as outlined in the Acoustic Assessment prepared by Lloyd George Acoustics and submitted with the Application. Particular consideration has been given to building materials and the location of play areas and parking areas. As concluded by the Acoustic Assessment, the proposed development is compliant with the Noise Regulations at all hours of the day.</p> <p>However, we acknowledge that concerns were raised in the public submissions and by the Shire of the location of a section of the play space along the western lot boundary and its proximity to the adjoining property. We have reorientated the Activity Rooms No. 3 and 4 to face Beenyup Road. As a result, the play space now entirely sits within the setback area of the proposed development, minimising the extent of the play space abutting the neighbouring property.</p> <p>The revised proposal has been reassessed by Lloyd George Acoustics and deemed to still comply with the Noise Regulations.</p>	As discussed in the report Officers therefore consider that the proposed development in respect to the frequency, concentration and duration of the noise emissions generated from the development to pose an unreasonable impost on the amenity of the area afforded to the occupiers of the nearby sensitive receptors.

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		c.	We live directly opposite. Traffic and parking would be a problem given the proximity of Byford primary school.	<p>In relation to traffic, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS concluded the proposed development would have no adverse impact on the surrounding road network nor cause an adverse traffic impact on the surrounding area.</p> <p>In relation to parking, please refer to the Applicant Response to comment 3a.</p> <p>If there is an existing traffic issue, it is not the proponent's responsibility to resolve this.</p>	Noted - As discussed in the report, Officers are concerned that the increase traffic movements will adversely impact upon the residential amenity of the locality.
A230000	5	a.	<p>My concern is the number of vehicles in and out of the property each day. There is potentially 120 cars for each child plus 19 cars for staff = 139 vehicles moving each morning and each afternoon.</p> <p>There is already Byford Primary located closely by. Vehicles already park at the southern end of Amy Street to drop off / pick up children. Byford Primary has approximately 300 students. Therefore vehicle is approximately 440 vehicles each morning and afternoon.</p>	<p>In relation to traffic, please refer to the Applicant Response to comment 4c.</p> <p>In relation to AM and PM peak periods, the AM and PM peak of the early learning centre is different to the AM and PM peak periods of the Byford Primary School. The TIS states that the AM and PM peak periods for the early learning centre is 7am to 10am and 3pm to 6pm, respectively. The peak periods are aligned, with the early learning centre having more staggered peak.</p>	Noted - As discussed in the report, Officers are concerned that the increase traffic movements will adversely impact upon the residential amenity of the locality.

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		b.	Some students walk to school and with extra vehicles on the road this will create a hazard. There is no managed crossings in the area for safe access / egress.	<p>As previously mentioned, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS did not find any safety issues, or indication that the proposed development will create or contribute to any safety issues.</p> <p>If there is an existing traffic issue, it is not the proponent's responsibility to resolve this.</p>	As discussed in the report, Officers are concerned that the increase traffic movements will adversely impact upon the residential amenity of the locality
		c.	My other concern is the number of children in such a small space. As mentioned BPS has approx. 300 students over a much larger space and includes the oval and outdoor play areas. The proposal is 120 children in 2486m ²	<p>The spatial requirements for an early learning centre are calculated differently to primary schools. An early learning centre is required by law to comply with the spatial requirements set out in the <i>Child Care Services (Child Care) Regulations 2006 (Child Care Regulations)</i>.</p> <p>The proposed development has been designed to and is compliant with the spatial requirements set out in the Child Care Regulations.</p>	Noted

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		d.	There is already a child care centre on the corner of Clifton Street and Mary Street. Is there scope for another centre? Has a business study been completed?	<p>The validity of a business case for an additional early learning centre is not cause for objection towards this development. That is a business risk which our Client needs to have and has considered prior to progressing with this Development Application.</p> <p>Notwithstanding, we are advised by our Client that a demand analysis has been completed and concludes there is the need for an early learning centre in this locality now and into the future.</p>	The applicant also provided a demand analysis study which concluded that there is a need for an early learning centre in this locality currently and in the future
A210300	6	a.	We are very strongly against the proposed early learning centre as we already have to endure excessive and continual noise from the child care on the corner of Clifton and Mary Street.	<p>In relation to noise, please refer to the Applicant Response to comment 4b.</p> <p>In relation to noise from the existing centre on the corner of Clifton and Mary Street, if there is excessive noise from the centre, this should be investigated by the local government.</p>	As discussed in the report Officers therefore consider that the proposed development in respect to the frequency, concentration and duration of the noise emissions generated from the development to pose an unreasonable impost on the amenity of the area afforded to the occupiers of the nearby sensitive receptors.
		b.	Two child care centres on one block is excessive and unfair to existing residents.	Please refer to the Applicant Response to comment 5d.	

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A210500	7	a.	Firstly, we would like to advise that we would like my submission and personal details to remain confidential. It is our right to have an opinion and there is no reason for our personal information to be shared publicly.	Noted.	

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		b.	<p>We do not want the proposed child-care facility to be built so close to our residence for the following reasons.</p> <ol style="list-style-type: none"> Noise: We already have a child-care facility at the back of our property and in the warmer months the continuous noise and squealing kids etc can be quite disturbing and tedious. It disturbs any time spent in the backyard and can at times also be heard from inside. <p>On the weekends the people that maintain the facility can also be heard leaf blowing etc, making the constant noise too much.</p> <p>All this being said, having yet another childcare facility will only make this constant noise worse and more prominent. This is quite upsetting to our daily lives, and not something we want to listen to each and every day. We love children and have grandchildren of our own, however it is very different to having over 120 kids in close proximity screaming and making noise, not to mention the addition 90 plus kids at the Byford Childcare Centre.</p>	<p>In relation to noise from the proposed development, please refer to the Applicant Response to comment 6a.</p>	<p>Noted and discussed in the main report</p>

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		c.	<p>2. Traffic and Parking: We have lived on Beenyup Road for over 29 years. Over this time, due to the progress of our community it has gotten extremely busy down our street. Having another childcare will only add to this issue not to mention the parking of the cars for the facility. The parking area that will be allocated for the facility will nowhere near be enough, therefore the overflow of cars needing to be parked at peak times will be spread across and around the surrounding streets and possibly Corbel Lane which backs onto our property.</p> <p>Having cars and people down the lane is not only disruptive to ourselves and our family, but also to the family pets which are not used to this type of activity. We feel we can confidently speak from experience with the above matters, having lived in such close proximity to the other childcare centre (Byford Childcare Centre) and Byford Primary School, and feel that adding another centre will only make these issues much worse.</p> <p>We would like you to take this into consideration, as this is a serious matter that affects us and our neighbours daily.</p>	<p>In relation to traffic safety, please refer to the Applicant Response to comment 1b.</p> <p>In relation to car parking, Draft LPS 3 specifies a parking requirement of one (1) bay per 10 children plus one (1) bay per employee for the 'Child Minding Centre' land use. In accordance with the Draft LPS 3, the proposed development requires a total of 31 parking bays – including 19 staff bays and 12 visitor bays. The proposal includes the provision of 31 parking bays (19 staff bays and 12 visitor bays) and is therefore compliant with the requirements of the Draft LPS 3.</p>	Noted and discussed in the main report.
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A404626	8	a.	40 km / hour zone for school should be extended / moved to start of Amy Street / Beenyup Road if child care centre is built.	<p>It should be noted that school zones on a local road are operated and implemented by the Shire and Main Roads WA. If there is an existing traffic issue, it is the Council's responsibility to resolve this in coordination with Main Road WA.</p> <p>However, as previously mentioned, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS did not find any safety issues, or indication that the proposed development will create or contribute to any safety issues.</p>	

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		b.	Clear signage that <u>NO</u> verge parking on Amy Street near childcare so residents can get in and out of driveways safely.	<p>As previously mentioned, the proposed development is compliant with the parking requirements of the Draft LPS 3. Therefore, there is no need for on-street parking on Amy Street.</p> <p>The designation of on-street parking is to be controlled and implemented by the local government through its <i>Parking and Parking Facilities Local Law 2014</i>. Our Client would not be adverse to the local government implementing signage within Amy Street and Beenyup Road to restrict parking as we do not have a need for it.</p> <p>However, for the benefit for nearby residents, we suggest that any form of on-street parking be restricted only during peak periods for the nearby Byford Primary School only (the likely cause for on-street parking on Amy Street based on the information contained in other submissions above – Submitter No. 3 and 5).</p>	

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		c.	Corbel Lane needs bitumising between Catherine and Mary Streets to stop it being used as burn out area and make it safer for child care entry.	<p>We are advised by the Shire that we are only required to construct the section of Corbel Lane that is necessary to facilitate the proposed development.</p> <p>On the advice of our Client's traffic engineer, Uloth and Associates, we are required to construct the entire width of Corbel Lane for the length of the subject site as well as 1m beyond car parking bay No. 31 to allow for sufficient manoeuvring space for vehicles to exit (as annotated on the development drawings).</p> <p>The proposed development does not rely on the section of Corbel Lane west of the subject site nor the section of Corbel Lane between Amy Street and Catherine Street. Therefore, it is not appropriate to require our Client to construct these sections.</p> <p>If there is an existing issue relating to anti-social and legal traffic behaviour, it is the responsibility of the Council and WA Police to resolve this.</p>	The applicant has provided a site planning showing land that has been set aside for upgrading of Corbel lane.

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A398327	9	a.	<p>Submission Lot 15, 34 and Lot 16, 36 Beenyup Road, Byford:</p> <p>The application notes a minimum of 19 full-time staff, but fails to mention that there will be a minimum of another additional 8 part-time staff on the premises. The application mentions 19 staff parking bays, but a minimum requirement would be 27bays.</p> <p>The parent parking bays indicate 31bays for 120children which sounds ideal for drop off and pick up, but operating a CAFE within the centre encourages parents to stay and mingle?</p>	<p>This Application seeks Development Approval for an early learning centre with a total of 19 staff and 120 children. The total number of staff would not exceed 19 at any given time. A total of 19 bays are provided for staff us (one per staff member). The remaining 12 parking bays are available for visitor parking and parent drop off and pick up. The amount of parking provided in compliant with the requirements of the Draft LPS 3.</p> <p>In relation to the café component, this is a service provided to parents so they can collect a coffee on their way to work (or elsewhere) after dropping off children. This is not a place intended for long stays.</p> <p>The café seating area is intended to be used for centre open days (which are held on weekends when the centre is closed) where new parents can come and inspect the centre prior to enrolling their children, inductions for new parents and staff and staff meetings. The café and café seating area are not intended to be a separate entity or business operation that will generate additional traffic demand. It is expected, like at other centres, that the café and café seating area will be used entirely by parents and staff already coming to the centre.</p>	Noted and discussed in the main report.
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		b.	The plans note 24babies under 24months, but only indicates x9 cots, where do all the other 15 babies sleep?	A total of nine (9) cots will be accommodated within the sleeping area for the zero to four year old children. It should be noted that not all babies will sleep at the same time as nap times vary from baby to baby. The cots will be used for the babies only (zero to 12 months). The remaining children will be provided mattresses during "quiet time" to sleep / rest on the floor as a group. Therefore, more than nine (9) cots are not required to be used at any given time.	Noted
		c.	The proposed 120 places will not only increase the traffic flow on a quiet Byford street, but is such a large centre required?	In relation to traffic safety, please refer to the Applicant Response to comment 1b. In relation to demand for an early learning centre, we are advised by our Client that a demand analysis has been completed and concludes there is the need for an early learning centre in this locality now and into the future.	Noted and discussed in the main report
		d.	A proposed centre that was receipted on the 17.01.2020 at 2 Walters Rd Byford, and approved still remains an empty block with a sign "For Lease". Could the reason for this be attributed to the oversupply of child care centres in the area already? All centres in Byford have vacancies.	In relation to demand, please refer to the Applicant Response to comment 9c.	The applicant also provided a demand analysis study which concluded that there is a need for an early learning centre in this locality currently and in the future
A307310	10	a.	I have concerns about the proposed child care centre being built across the road from me due to the increase of traffic it will bring to our street.	In relation to traffic safety, please refer to the Applicant Response to comment 4c.	Noted concerns have been discussed in the main report.

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		b.	Further to my concerns with regards to the proposed childcare centre to be built across the road from us on Beenyup road, when we bought our house here 4 years ago, a major selling point was that it was in a quieter part of Byford if we wanted to live near childcares etc we would have bought elsewhere.	<p>In relation to noise, please refer the Applicant Response to comment 6a.</p> <p>In relation to the location of an early learning centre within a residential area, please refer to the Applicant Response to comment 3b.</p>	Noted
			I am worried about the additional traffic the centre will bring to our street especially with the school on Clifton Street the traffic and parking at the school is already horrendous as people park all down Amy street and trying to turn right onto Beenyup Rd from Amy street is a nightmare this will only intensify if this is to go ahead.	In relation to traffic safety, please refer to the Applicant Response to comment 4c.	Noted and discussed in the main report.
		c.	There is already an existing childcare centre on the other side of the block I feel this is unnecessary.	<p>There is nothing within the planning framework which prohibits the location of early learning centres in proximity to other similar developments.</p> <p>In relation to demand for this type of activity, please refer to the Applicant Response to comment 9c.</p>	Noted and discussed in the main report.
		d.	We are also concerned about the value of our house as I don't think this would be beneficial being directly across the road from a busy and noisy childcare centre.	There is no evidence to suggest the proposed development will impact the value of surrounding properties. In addition, this is not a valid planning issue.	The impact on property values is not a valid planning consideration that should be taken into account as part of decision-making.

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A401690	11	a.	My main concern is that there is not enough parking already along Amy St, and that the Byford Primary already has parents parking along the entire verge of Amy street right up to Beenyup Rd during collection times. I would like to request additional public parking be added to this Amy street, diagonal parking would suit along the verge. Not having enough safe parking space is a safety issue for all the young school children especially with the addition of the childcare centres clients.	Please refer to the Applicant Response to comment 8b.	Noted and discussed in the main report.
		b.	Furthermore, it may be an idea to consider more public parking in the Byford Primary School area for this school, verge parking happens on most of the roads surrounding the school, perhaps further diagonal verge parking could also be considered around the schools oval?	This Application relates to the subject site only – not the Byford Primary School. If there is an existing parking issue at the Byford Primary School, this will need to be resolved through coordination between the Council, the Byford Primary School and Department of Education.	Noted and discussed in the main report.

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ISSUE	APPLICANT RESPONSE
TRAFFIC AND PARKING	
NATURE OF CONCERN	APPLICANT RESPONSE
<ul style="list-style-type: none"> <i>Traffic during peak periods for nearby school.</i> 	<p>In relation to traffic, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS concluded that the proposed development would have no adverse impact on the surrounding road network nor cause an adverse traffic impact on the surrounding area.</p> <p>In relation to AM and PM peak periods, the AM and PM peak of the early learning centre is different to the AM and PM peak periods of the Byford Primary School. The TIS states that the AM and PM peak periods for the early learning centre is 7am to 10am and 3pm to 6pm, respectively. The peak periods are aligned, with the early learning centre having a much more staggered peak.</p>
<ul style="list-style-type: none"> <i>School traffic already parks on Amy Street. The addition of this development will likely increase on-street parking demand.</i> 	<p>If there is an existing parking issue associated with the Byford Primary School, it is not the proponent's responsibility to resolve this.</p> <p>In relation to car parking supply for the proposed development, Draft LPS 3 specifies a parking requirement of one (1) bay per 10 children plus one (1) bay per employee for the 'Child Minding Centre' land use. In accordance with the Draft LPS 3, the proposed development requires a total of 31 parking bays – including 19 staff bays and 12 visitor bays. The proposal includes the provision of 31 parking bays (19 staff bays and 12 visitor bays) and is therefore compliant with the requirements of the Draft LPS 3.</p> <p>On this basis, the proposed development will not likely increase on-street parking demand in the locality.</p>
PEDESTRIAN SAFETY	
NATURE OF CONCERN	APPLICANT RESPONSE
<ul style="list-style-type: none"> <i>Increased traffic from this development (when coupled with the existing school traffic) will cause safety concerns for children walking to school.</i> 	<p>As previously mentioned, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS did not find any safety issues, or indication that the proposed development will create or contribute to any safety issues.</p> <p>If there is an existing traffic issue, it is the Council's responsibility to resolve this.</p>
LAND USE	

SUMMARY OF SUBMISSIONS

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NATURE OF CONCERN	APPLICANT RESPONSE
<ul style="list-style-type: none"> • <i>Childcare use within a Residential area.</i> 	<p>The proposal is capable of approval within the 'Urban Development' zone (and the subject site) under the Shire of Serpentine-Jarrahdale (the Shire) Town Planning Scheme No. 2 (TPS 2), and the proposed development is consistent with the relevant objectives of the 'Urban Development' zone, which are (<u>underline is Author's emphasis</u>):</p> <ul style="list-style-type: none"> a) <i>development of functional communities consistent with orderly and proper planning and the <u>establishment and maintenance of an appropriate level of amenity</u>;</i> b) <i>provision of retail, commercial, industrial and mixed use facilities <u>to service the needs of residents within the communities</u>, and integration of these facilities with social and recreational services, so as to <u>maximise convenience</u>;</i> c) <i>provision of retail, commercial, business park and industrial facilities <u>to provide local employment opportunities</u>;</i> d) <i><u>provision of open space and recreation networks</u>, <u>appropriate community services</u>, school sites and other recreational facilities;</i> <p>TPS 2 does not provide any land use permissibility for land uses within the 'Urban Development' Zone. Rather, decision makers are required to apply discretion in accordance by giving due regard to the relevant structure plan in accordance with Clause 27(1) and any development (other than a single house) will be assessed against Clause 5.19.1.3 of TPS 2.</p> <p>In addition, the subject site is also zoned 'Urban Development' under the provisions of the Draft Local Planning Scheme No. 3 (Draft LPS 3), which is currently with the WAPC for its final assessment and determination. It is a seriously entertained planning instrument. The Shire has also advised that any Development Application will be assessed against the requirements of the Draft LPS 3.</p> <p>Under the provisions of the Draft LPS 3, the proposed use is capable of approval. The relevant objectives of the 'Urban Development' Zone in Draft LPS 3 are:</p> <ul style="list-style-type: none"> • <i>To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</i> • <i>To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.</i> <p>The proposed development is consistent with the provisions of TPS 2 and Draft LPS 3 for the following reasons:</p>

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- The 'Child Minding Centre' use is classified as an 'A' use within the 'Urban Development' Zone under the provisions of the Draft LPS 3.
- Early learning centres are considered an essential service. Essential services provide a function which allows community cohesion. The proximity to these services improves walkability, streetscape and overall amenity of residential communities. The proposal will positively contribute to the amenity of the area by providing a much needed and essential service within the locality.
- The proposal will service the needs of the residents in the surrounding area.
- The proposal will offer a level of convenience to surrounding residents as it will provide an essential service in proximity to a commercial centre, a school and surrounding residential area.
- The proposal will provide the opportunity for additional local employment (a total of 19 staff). Importantly, the proposal will also provide the opportunity for both parents in a family to go back to work after having children – offering day long childcare and early learning services. This is a significant community benefit, with increased employment and income in households which can result in additional spending in the economy.
- The relevant structure plan is the Byford Townsite Detailed Area Plan (**the Detailed Area Plan**). The site is identified as 'Residential' with a density coding of 'R30' in the Detailed Area Plan. The location of an early learning centre in a residential area is not unusual. The proposal will provide child care services to residents of the surrounding area, with the location of the proposal is intended to accommodate families by reducing travel times and number of car trips, and encouraging active transport options including walking and cycling. The area around the subject site includes a school and a commercial centre.
- The Detailed Area Plan is considered an old document. However, it is equally considered that any revised version of the Detailed Area Plan will identify the subject site and surrounding area as residential in nature. It is likely that any revised Detailed Area Plan would allow contemporary architectural built form which reflects or is sympathetic to the character of the existing housing stock. This is not unreasonable and is already observed in the surrounding area where new houses have been constructed as land has been subdivided. Therefore, the proposed development is consistent with Clause 5.19.1.3 of TPS 2.
- The proposed development is compatible with the surrounding residential area.

On the basis of the above, it is not considered to appropriate to expect that the only form of development that is capable of being approved at the subject site must be residential in nature. The provisions of TPS 2 and Draft LPS 3 allow for this type and form of development at the subject site.

BUILT FORM

SUMMARY OF SUBMISSIONS

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NATURE OF CONCERN	APPLICANT RESPONSE
<ul style="list-style-type: none"> <i>The proposed building is too big.</i> 	<p>Table 2 of TPS 2 states a maximum plot ratio of 0.5 and maximum site coverage of 0.3 of a 'Child Minding Centre' within the 'Residential' Zone. The proposed development has a plot ratio area of 0.32 (791m²) and maximum site coverage of 0.32 (based on the site area excluding the road widening – it is 0.30 including the road widening area). The proposal is compliant with the maximum plot ratio permitted at the subject site and only slightly over in terms of site coverage.</p> <p>In this respect, the proposed development is much smaller in terms of building size when the site might otherwise accommodate up to eight (8) dwellings, at a 'R30' coding. The site coverage of those dwellings could be up to 55% of the site, plus a little extra of patio areas. This could equate to over 1,367m² of buildings. The proposed building is 800m², which is 58.5% of the permitted site coverage area, and 32% of the overall site. The proposal is single storey building, with generous setbacks to the streets. The proposal represents a conservative outcome with respect to the building size, scale and relationship to the adjoining streets and properties. Therefore, the proposed development is not a large building.</p> <p>As previously mentioned, the Shire advised that any Development Application will be assessed against the requirements of the Draft LPS 3. It is important to acknowledge that the maximum plot ratio and site coverage provisions in TPS 2 have not carried over to the Draft LPS 3. This means there has been some consideration around the notion of an early learning centre in a residential area and it has been deemed that these provisions are no longer required. Since the Draft LPS 3 is a seriously entertained planning document, we consider that it is not appropriate in the sense of orderly and proper planning to impose these requirements on this development.</p>
<ul style="list-style-type: none"> <i>Is the site too small for 120 children?</i> 	<p>The spatial requirements for an early learning centre are calculated differently to primary schools. An early learning centre is required by law to comply with the spatial requirements set out in the Child Care Regulations.</p> <p>The proposed development has been designed to and is compliant with the spatial requirements set out in the Child Care Regulations.</p>
NOISE	
NATURE OF CONCERN	APPLICANT RESPONSE

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<ul style="list-style-type: none"> Noise from 120 children will be excessive and impact the surrounding properties. 	<p>The submitted proposal had been designed to comply with the Noise Regulations as outlined in the Acoustic Assessment prepared by Lloyd George Acoustics and submitted with the Application. Particular consideration has been given to building materials and the location of play areas and parking areas. As concluded by the Acoustic Assessment, the proposed development is compliant with the Noise Regulations at all hours of the day.</p> <p>However, we acknowledge that concerns were raised in the public submissions and by the Shire of the location of a section of the play space along the western lot boundary and its proximity to the adjoining property. We have reorientated the Activity Rooms No. 3 and 4 to face Beenyup Road. As a result, the play space now entirely sits within the setback area of the proposed development, minimising the extent of the play space abutting the neighbouring property.</p> <p>The revised proposal has been reassessed by Lloyd George Acoustics and deemed to still comply with the Noise Regulations.</p>
<p>DEMAND FOR CHILDCARE SERVICES</p>	
<p>NATURE OF CONCERN</p>	<p>APPLICANT RESPONSE</p>
<ul style="list-style-type: none"> Is there demand for another childcare centre in the locality? 	<p>The validity of a business case for an additional early learning centre is not cause for objection towards this development. That is a business risk which our Client needs to have and has considered prior to progressing with this Development Application.</p> <p>Notwithstanding, we are advised by our Client that a demand analysis has been completed and concludes there is the need for an early learning centre in this locality now and into the future.</p>

SUMMARY OF SUBMISSIONS

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Second Submission – Period of Advertising- 16 August 2021 to 11 September 2021

Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
Department of Education	1	a.	<p>Thank you for your letter dated 21 July 2021 providing the Department of Education (Department) with the opportunity to comment on the proposed joint Development Assessment Panel (JDAP) at Lots 15 (No. 34) and 16 (No.36) Beenyup Road, Byford. The department has reviewed the information submitted in support of the application and wishes to provide the following comments:</p> <p><u>Land Use</u></p> <p>The proposed Child Care Premises is considered acceptable in principle as the siting of such a use within close proximity of a primary school is consistent with the State Government's EduCare commitment. The EduCare commitment seeks to provide more child care, before and after school and holiday care within close proximity of each new public primary school site. Whilst Byford Primary School is an existing school, the benefits associated with locating child care premises adjacent to existing school sites is consistent with the intent and objectives of the EduCare commitment.</p> <p>Notwithstanding this, there is an existing Child Care Premises at No. 27 Clifton Street and a separate application has been submitted for a potential third Child</p>	<p>The Department of Education (the Department) comment in relation to land use is noted. We agree that the location of the proposed early learning centre is acceptable as the proximity to the nearby Byford Primary School is beneficial in terms of the ability for education services to be provided to the community.</p> <p>In relation to the comment about proximity to other childcare services, we acknowledge that this has been raised. We are advised by our Client that a demand analysis has been completed and concludes there is the need for an early learning centre in this locality now and into the future. A copy of this Demand Analysis has been provided to the Shire of Serpentine Jarrahdale (the Shire).</p>	Concerns raised have been discussed in the report.

SUMMARY OF SUBMISSIONS

PA21/646 - Beenyup Road, Byford 34 (L15) 209400 / Beenyup Road, Byford 36 (L16) 209200 - Early Learning Centre

Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
			<p>Care Premises within the area at nos. 13-15 Beenyup Road (your ref: PA21/712). It will be the responsibility of the Shire of Serpentine Jarrahdale (Shire) and the JDAP to consider whether the number of Child Care Premises within the area would be consistent with the intent and objectives of the Shire's Town Planning Scheme No. 2 and draft Local Planning Scheme No. 3 (LPS3).</p>		
		b.	<p><u>Traffic Impact Statement</u> The Department notes that at peak drop-off/pick-up times, primary schools generate a significant number of vehicular movements in and around the sites. It is therefore critical to ensure that any development within close proximity of a school does not compromise the ability for staff, students and parents to safely and efficiently access the site.</p> <p>In this instance, the Traffic Impact Statement fails to provide any detailed commentary on the impacts on the Local Access Streets surrounding the application site and the Byford Primary School site. The proposal has therefore failed to demonstrate that the local street network will be able to adequately accommodate for the projected increase in vehicular movements generated by the proposed Child Care Premises.</p>	<p>The Transport Impact Statement (TIS) identifies that the proposed Child Care Centre will generate a maximum of 84 vehicle trips per hour to and from the site, which is within the range specified in the Western Australian Planning Commission (WAPC) Transport Impact Assessment Guidelines (TIA) as only requiring a TIS (rather than a full TIA).</p> <p>It is noted that with regard to traffic volumes, that it is only necessary under the Guidelines to provide “<i>a rough estimate of the likely daily and/or peak traffic volumes generated...</i>”, and that “<i>this is not intended to be a comprehensive assessment...</i>”.</p> <p>It is also noted that (as stated in Section 4 of the TIS) a significant proportion of the total traffic generation is likely to be ‘passing trips’ that are already on the local road network, travelling from the</p>	

SUMMARY OF SUBMISSIONS

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
			To address these concerns, the Department requests that additional information is provided prior to a determination being made on the application. The additional information should demonstrate that traffic generated by the proposal will not result in unreasonable levels of traffic congestion around the school site at peak drop-off/pick-up times. It should also consider the traffic generated from the Primary School, as well as the existing and proposed additional Child Care Premises at Nos. 13-15 Beenyup Road.	surrounding residential area to/from South Western Highway or to/from the Primary School, thus reducing even further any impacts on the adjacent road network.	
		c.	<p><u>Car Parking and Access</u></p> <p>The Applicant's report indicates that the number of car parking bays provided complies with the requirements of draft LPS3. However, the report advises that the Child Care Premises will operate with a minimum of 19 staff on site at any given time, whereas the car parking ratio of draft LPS3 requires one bay per staff member for the maximum number of employees on the premises at any given time.</p> <p>It would therefore appear that the proposal does not comply with LPS3 if more than 19 staff members are likely to be on site at any given time. The Department would not be supportive of the proposal relying on the on and off-</p>	<p>To clarify, the proposed development will include a maximum of 19 staff at any one time. The total number of staff will not exceed 19 staff.</p> <p>In relation to car parking, the Shire's Draft Local Planning Scheme No. 3 (Draft LPS 3) specifies a parking requirement of one (1) bay per 10 children plus one (1) bay per employee for the 'Child Minding Centre' land use. In accordance with the Draft LPS 3, the proposed development requires a total of 31 parking bays – including 19 staff bays and 12 visitor bays. The proposal includes the provision of 31 parking bays (19 staff bays and 12 visitor bays) and is therefore compliant with the requirements of the Draft LPS 3.</p>	

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
			<p>street car parking embayments associated with the school site being used to accommodate for overflow car parking generated by the Child Care Premises. The Department would therefore request that a condition of approval be imposed which would either:</p> <ul style="list-style-type: none"> • Require the requisite number of car parking bays to be provided on site and/or the maximum number of children on site at any given time being reduced; or • Require a car parking management plan being submitted and implemented prior to the initial occupation of the development. A car parking management plan should ensure that the proposed number of bays are appropriately managed so as to not have a reliance on the school's on and off-site car parking bays. 	<p>As the proposal is compliant with the car parking requirements in Draft LPS 3, we are not of the view that a parking management plan is required in this instance.</p>	
		d.	<p><u>Waste Management</u> The Waste Management Plan submitted in support of the proposal indicates that waste and recycling bins will be moved by staff to the Amy Street verge and collected twice per week (four collections in total). Whilst the Department has no in principle objections to this, it is requested that a condition of approval is imposed which would require collections to occur outside of the Byford Primary School's</p>	<p>The Waste Management Plan outlines that bins will be moved by staff to the Amy Street Road Reserve.</p> <p>A private contractor will be engaged to collect the bins twice per week. We acknowledge that a condition of approval may be imposed which would require collections to occur outside of the proposed development's and the existing Byford Primary School's peak</p>	

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
			peak drop-off /pick-up times to ensure that there is no conflict between vehicles accessing the school site and waste collection vehicles.	drop-off /pick-up times to ensure that there is no conflict between vehicles and waste collection vehicles.	
		e.	<p><u>Construction Management</u></p> <p>Due to the application site's close proximity to Byford Primary School, it is important the school is not burdened by the impacts associated with construction works. Therefore, it is requested that a condition of approval is imposed which would require a Construction Management Plan to be submitted prior to any works being undertaken on site. The Construction Management Plan should address the following matters:</p> <ul style="list-style-type: none"> • Management of car parking, delivery vehicles and traffic associated with the construction of the development. Construction and delivery vehicles should not utilise the bays surrounding the Byford Primary School site during peak drop-off/pick-up times. • How dust, odour and noise will be mitigated so that it does not materially affect the students and staff of Byford Primary School. <p>Subject to the above matters being given due consideration, the Department offers no in principle objections to the proposed Child Care Premises. Should you have any questions in relation to the above,</p>	<p>A Construction Management Plan (CMP) will likely be developed and implemented as a condition of approval. The CMP will identify but not be limited to;</p> <ul style="list-style-type: none"> - Management of car parking, delivery vehicles and traffic associated with the construction of the development. - How dust, odour and noise will be mitigated so that it does not materially affect the students and staff of Byford Primary School. <p>These issues are usually addressed in most CMPs. The CMP will be provided as part of the building permit application.</p>	

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
			please do not hesitate to contact Mr Matthew Gosson, Senior Consultant - Land Planning on (08) 9264 4008 or by email at matthew.cosson@education.wa.edu.au .		
A230000 – Second Submission	2	a.	<p>Thank you for the opportunity to comment on the above proposed application. I would like to reject the proposal.</p> <p>Our property is at 40 Clifton St, Byford and I am concerned about the impact the development will have with our property and the school close by.</p> <p>Impact on/with Byford Primary School:</p> <ul style="list-style-type: none"> Byford Primary School already has approximately 300 students attending the school plus staff (unsure of numbers). Operation of the centre will mean a potential influx of another 139 vehicles each morning and afternoon 	<p>In relation to traffic, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS concluded the proposed development would have no adverse impact on the surrounding road network nor cause an adverse traffic impact on the surrounding area.</p>	Noted and discussed in the report
		b.	<ul style="list-style-type: none"> Movement is spread across 4 streets surrounding the school. Parents often park on the verge outside our house as there is limited parking. Parents parking continues along the road from Amy St to Beenyup Rd 	<p>Based on the advice within the submission, it appears that this is an existing issue.</p> <p>If there is an existing traffic issue, it is not the proponent's responsibility to resolve this.</p>	Noted and discussed in the report
		c.	<ul style="list-style-type: none"> Children walk to/from school and with the extra potentially 120 (parents/carers) +19 (staff) 	<p>In relation to traffic, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS</p>	Noted and discussed in the report

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
			vehicles in the area, it will exponentially increase the likelihood of a vehicle VS child accident	concluded the proposed development would have no adverse impact on the surrounding road network nor cause an adverse traffic impact on the surrounding area. No safety issues have been identified in the TIS.	
		d.	Proposed child care: <ul style="list-style-type: none"> Vehicle movement is limited to 2 roads plus a laneway. As there isn't much parking, parents/carers will park on Beenyup Road, which will restrict viewing of those wishing to drive from Amy St and on to Beenyup. 	The proposed development is compliant with the car parking requirements set out in the Shire's Draft LPS 3. Therefore, the proposal will be unlikely to rely on any on-street parking to accommodate this activity. All parent parking is contained on-site within the central parking area. Staff parking is located from Corbel Lane. Each car would produce two (2) trips per day – one arriving and one leaving. No safety issues have been identified in the TIS.	Noted and discussed in the report
		e.	I see this as major accidents waiting to occur. <ul style="list-style-type: none"> The allocated vehicle access to parking is from Amy St. It crosses a footpath which already has many students walking to/from school. There are 12 parking bays allocated to potentially 120 children at drop off/pick up times. 	As previously mentioned, no safety issues have been identified in the TIS.	Noted and discussed in the report
		f.	There isn't parking provision for potentially 120 children every drop off (morning) and pick up (evening) <ul style="list-style-type: none"> This will create a lot of congestion in the area plus that of the school. Parents from the school already 	To clarify, the proposed development will include a maximum of 19 staff at any one time. The total number of staff will not exceed 19 staff. In relation to car parking, the Shire's Draft LPS 3 specifies a parking	

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Recommendation
			<p>park on the corner of Beenyup and Amy St at these times</p> <ul style="list-style-type: none"> The proposal states a minimum of 19 full-time staff on site at any one time. There is 19 parking bays. Where will the staff park if numbers are over 19? 	<p>requirement of one (1) bay per 10 children plus one (1) bay per employee for the 'Child Minding Centre' land use. In accordance with the Draft LPS 3, the proposed development requires a total of 31 parking bays – including 19 staff bays and 12 visitor bays. The proposal includes the provision of 31 parking bays (19 staff bays and 12 visitor bays) and is therefore compliant with the requirements of the Draft LPS 3.</p>	
		g.	<p>I believe that the areas proposed areas for the number of children is very small</p> <ul style="list-style-type: none"> 22 babies into 91m2. 30 toddlers into 101m 2 66 kindergarten children into 216 m2 <p>There is now a huge focus on nature play and giving children space and resources to develop and learn. Given the small spaces per child I don't believe that this is possible in the proposed environment.</p>	<p>The spatial requirements for an early learning centre are calculated differently to primary schools. An early learning centre is required by law to comply with the spatial requirements set out in the <i>Child Care Services (Child Care) Regulations 2006 (Child Care Regulations)</i>.</p> <p>The proposed development has been designed to and is compliant with the spatial requirements set out in the Child Care Regulations.</p>	Noted and discussed in the report
		h.	<p>There is already a childcare centre on the opposite corner of Mary and Clifton St. Does the area really need another one?</p>	<p>The validity of a business case for an additional early learning centre is not cause for objection towards this development. That is a business risk which our Client needs to have and has considered prior to progressing with this Development Application.</p> <p>Notwithstanding, we are advised by our Client that a demand analysis has been</p>	Noted and discussed in the report

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
				completed and concludes there is the need for an early learning centre in this locality now and into the future.	
A210300 – Second Submission	3	a.	We <u>DO NOT</u> agree with the development of a second child care centre. We are zoned residential <u>NOT</u> business.	<p>The proposal is capable of approval within the 'Urban Development' zone (and the subject site) under the Shire Town Planning Scheme No. 2 (TPS 2), and the proposed development is consistent with the relevant objectives of the 'Urban Development' zone, which are (underline is Author's emphasis):</p> <p><i>(a) development of functional communities consistent with orderly and proper planning and the <u>establishment and maintenance of an appropriate level of amenity</u>;</i></p> <p><i>(c) provision of retail, commercial, industrial and mixed use facilities <u>to service the needs of residents within the communities, and integration of these facilities with social and recreational services, so as to maximise convenience</u>;</i></p> <p><i>(d) provision of retail, commercial, business park and industrial facilities <u>to provide local employment opportunities</u>;</i></p> <p><i>(e) <u>provision of open space and recreation networks, appropriate community services, school sites and other recreational facilities</u>;</i></p> <p>TPS 2 does not provide any land use permissibility for land uses within the</p>	Noted and discussed in the report

SUMMARY OF SUBMISSIONS

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
				<p>'Urban Development' Zone. Rather, decision makers are required to apply discretion in accordance by giving due regard to the relevant structure plan in accordance with Clause 27(1) and any development (other than a single house) will be assessed against Clause 5.19.1.3 of TPS 2.</p> <p>In addition, the subject site is also zoned 'Urban Development' under the provisions of the Draft LPS 3, which is currently with the WAPC for its final assessment and determination. It is a seriously entertained planning instrument. The Shire has also advised that any Development Application will be assessed against the requirements of the Draft LPS 3.</p> <p>Under the provisions of the Draft LPS 3, the proposed use is capable of approval. The relevant objectives of the 'Urban Development' Zone in Draft LPS3 are:</p> <ul style="list-style-type: none"> - <i>To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.</i> - <i>To provide for the progressive and planned development of future urban areas for residential purposes and for commercial</i> 	

SUMMARY OF SUBMISSIONS

PA21/646 - Beenyup Road, Byford 34 (L15) 209400 / Beenyup Road, Byford 36 (L16) 209200 - Early Learning Centre

Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
				<p><i>and other uses normally associated with residential development.</i></p> <p>This Application seeks Development Approval for an early learning centre with a total of 19 staff and 120 children. The total number of staff would not exceed 19 at any given time. A total of 19 bays are provided for staff use (one per staff member). The remaining 12 parking bays are available for visitor parking and parent drop off and pick up. The amount of parking provided is compliant with the requirements of the Draft LPS 3.</p> <p>In relation to the café component, this is a service provided to parents so they can collect a coffee on their way to work (or elsewhere) after dropping off children. This is not a place intended for long stays.</p> <p>The café seating area is intended to be used for centre open days (which are held on weekends when the centre is closed) where new parents can come and inspect the centre prior to enrolling their children, inductions for new parents and staff and staff meetings. The café and café seating area are not intended to be a separate entity or business operation that will generate</p>	

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Submitter	No.	Comment	Submitter Comments	Applicant Response	Officer Comments
				<p>additional traffic demand. It is expected, like at other centres, that the café and café seating area will be used entirely by parents and staff already coming to the centre.</p> <p>The proposed development is consistent with the provisions of TPS 2 and Draft LPS 3 for the following reasons:</p> <ul style="list-style-type: none"> - The 'Child Minding Centre' use is classified as an 'A' use within the 'Urban Development' Zone under the provisions of the Draft LPS 3. - Early learning centres are considered an essential service. Essential services provide a function which allows community cohesion. The proximity to these services improves walkability, streetscape and overall amenity of residential communities. The proposal will positively contribute to the amenity of the area by providing a much needed and essential service within the locality. - The proposal will service the needs of the residents in the surrounding area. - The proposal will offer a level of convenience to surrounding residents as it will provide an 	

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				<p>essential service in proximity to a commercial centre, a school and surrounding residential area.</p> <ul style="list-style-type: none"> - The proposal will provide the opportunity for additional local employment (a total of 19 staff). Importantly, the proposal will also provide the opportunity for both parents in a family to go back to work after having children – offering day long childcare and early learning services. This is a significant community benefit, with increased employment and income in households which can result in additional spending in the economy. - The relevant structure plan is the Byford Townsite Detailed Area Plan (the Detailed Area Plan). The site is identified as 'Residential' with a density coding of 'R30' in the Detailed Area Plan. The location of an early learning centre in a residential area is not unusual. <p>The proposal will provide child care services to residents of the surrounding area, with the location of the proposal intended to accommodate families by reducing travel times</p>	

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				<p>and number of car trips, and encouraging active transport options including walking and cycling. The area around the subject site includes a school and a commercial centre.</p> <ul style="list-style-type: none"> - The Detailed Area Plan is considered an old document. However, it is equally considered that any revised version of the Detailed Area Plan will identify the subject site and surrounding area as residential in nature. It is likely that any revised Detailed Area Plan would allow contemporary architectural built form which reflects or is sympathetic to the character of the existing housing stock. This is not unreasonable and is already observed in the surrounding area where new houses have been constructed as land has been subdivided. <p>Therefore, the proposed development is consistent with Clause 5.19.1.3 of TPS 2.</p> <ul style="list-style-type: none"> - The proposed development is compatible with the surrounding residential area <p>It is not appropriate to expect that the only form of development that is capable of being approved at the</p>	

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				subject site must be residential in nature. The provisions of TPS 2 and Draft LPS 3 allow for this type and form of development at the subject site and, importantly, it allows for development of a greater scale and size than what is currently proposed.	
		b.	The amount of noise another 120 young children make will be excessive. Spare a thought for shift workers.	The submitted proposal had been designed to comply with the <i>Environmental (Noise) Regulations 1997 (Noise Regulations)</i> , as outlined in the Acoustic Assessment prepared by Lloyd George Acoustics and submitted with the Application. Particular consideration has been given to building materials and the location of play areas and parking areas. As concluded by the Acoustic Assessment, the proposed development is compliant with the Noise Regulations at all hours of the day.	Noted and discussed in the report
		c.	The development should be in the brook or other new area.	As previously mentioned, the proposal is capable of approval within the 'Urban Development' zone (and the subject site) under TPS 2, and the proposed development is consistent with the relevant objectives of the 'Urban Development' zone.	Noted and discussed in the report
		d.	We already have to endure constant screaming and shouting from the child care on the corner of Clifton Street and Mary Street and their carers getting louder and louder to be heard over the children.	As previously mentioned, the submitted proposal had been designed to comply with Noise Regulations, as outlined in the Acoustic Assessment prepared by Lloyd George Acoustics and submitted with the Application. Particular consideration has been given to building	Noted and discussed in the report

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				materials and the location of play areas and parking areas. As concluded by the Acoustic Assessment, the proposed development is compliant with the Noise Regulations at all hours of the day.	
		e.	More traffic near the school is not safe for the children.	In relation to traffic, a TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS concluded the proposed development would have no adverse impact on the surrounding road network nor cause an adverse traffic impact on the surrounding area. The TIS has not identified any safety issues associated with this proposal.	Noted and discussed in the report
A398327 – Second Submission	4	a.	Submission Lot 15, 34 and Lot 16, 36 Beenyup Road, Byford: <ul style="list-style-type: none"> The application notes a minimum of 19 full-time staff, but fails to mention that there will be a minimum of another additional 8 part-time staff on the premises (licensing and regulation requirement). The application mentions 19 staff parking bays, but a minimum requirement would be 27bays. 	To clarify, the proposed development will include a maximum of 19 staff at any one time. The total number of staff will not exceed 19 staff. In relation to car parking, the Shire's Draft LPS 3 specifies a parking requirement of one (1) bay per 10 children plus one (1) bay per employee for the 'Child Minding Centre' land use. In accordance with the Draft LPS 3, the proposed development requires a total of 31 parking bays – including 19 staff bays and 12 visitor bays. The proposal includes the provision of 31 parking bays (19 staff bays and 12 visitor bays) and is therefore compliant with the requirements of the Draft LPS 3.	Noted and discussed in the report

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		b.	<ul style="list-style-type: none"> The parent parking bays indicate 31 bays for 120 children which sounds ideal for drop off and pick up, but operating a CAFE within the centre encourages parents to stay and mingle? 	<p>In relation to the café component, this is a service provided to parents so they can collect a coffee on their way to work (or elsewhere) after dropping off children. This is not a place intended for long stays.</p> <p>The café seating area is intended to be used for centre open days (which are held on weekends when the centre is closed) where new parents can come and inspect the centre prior to enrolling their children, inductions for new parents and staff and staff meetings. The café and café seating area are not intended to be a separate entity or business operation that will generate additional traffic demand. It is expected, like at other centres, that the café and café seating area will be used entirely by parents and staff already coming to the centre.</p>	Noted and discussed in the report
		c.	<ul style="list-style-type: none"> The plans note 24 babies under 24 months, but only indicates x9 cots, where do all the other 15 babies sleep? 	<p>A total of nine (9) cots will be accommodated within the sleeping area for the zero to four year old children. It should be noted that not all babies will sleep at the same time as nap times vary from baby to baby. The cots will be used for the babies only (zero to 12 months). The remaining children will be provided mattresses during "quiet time" to sleep / rest on the floor as a group. Therefore, more than nine (9) cots are</p>	Noted and discussed in the report

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				not required to be used at any given time.	
		d.	<ul style="list-style-type: none"> The proposed 120 places will not only increase the traffic flow on a quiet Byford street, but is such a large centre required? Since the initial application of this centre, another submission for a child minding centre at Lot 102, 13 and Lot 103, 15 Beenyup Rd for 100places is under consultation - is there a need for x3centres in such close proximity to each other? A proposed centre that was receipted on the 17.01.2020 at 2 Walters Rd Byford, and approved still remains an empty block with a sign "For Lease". Could the reason for this be attributed to the oversupply of child care centres in the area already? All centres in Byford have vacancies. 	<p>A TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS did not find any safety issues with this intersection, or indication that the proposed development will create or contribute to any safety issues.</p> <p>In relation to demand, we are advised by our Client that a demand analysis has been completed and concludes there is the need for an early learning centre in this locality now and into the future. A copy of this Demand Analysis has been provided to the Shire.</p>	Noted and discussed in the report
A405299	5	a.	I am concerned about the increase of traffic at the traffic lights as it already presents a nightmare turning right at South Western Highway having NO filter light. This is a must if you intend to increase the traffic.	A TIS prepared by Uloth and Associates is in accordance with the WAPC TIA Guidelines. The TIS did not find any safety issues with this intersection, or indication that the proposed development will create or contribute to any safety issues.	Noted and discussed in the report
A307312	6	a.	Too much congestion, road traffic.	A TIS prepared by Uloth and Associates is in accordance with the WAPC TIA	Noted and discussed in the report

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				Guidelines. The TIS did not find any safety issues with this intersection, or indication that the proposed development will create or contribute to any safety issues. The TIS also concluded the proposed development would have no adverse impact on the surrounding road network nor cause an adverse traffic impact on the surrounding area.	
		b.	Currently the school on Amy Street creates cars parking all up Beenyup Road.	The proposed development is compliant with the car parking requirements set out in the Shire's Draft LPS 3. Therefore, the proposal will be unlikely to rely on any on-street parking to accommodate this activity. All parent parking is contained on-site within the central parking area. Staff parking is located from Corbel Lane. We do not expect any vehicles to park on Amy Street as a result of this proposal.	Noted and discussed in the report
		c.	The centre could create more peak traffic and accidents.	In relation to AM and PM peak periods, the AM and PM peak of the early learning centre is different to the AM and PM peak periods of the Byford Primary School. The Byford Primary School peak periods are focused around a school start and finish time for all students. The TIS states that the AM and PM peak periods for the early learning centre is 7am to 10am and 3pm to 6pm, respectively. The peak periods are staggered which spreads the vehicles over a longer period of	Noted and discussed in the report

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				time. As a result, the peak pick up / drop off of the proposed development is not the same as the peak pick up / dropoff of the Byford Primary School.	