

**SUMMARY OF SUBMISSIONS**  
**PA21/931 – Lot 9074 Gordin Way, Byford - JDAP - Childcare Premises**

Submitter	No	Submitter Comments	Applicant Comment	Officer Recommendation
Department of Water and Environmental Regulation (DWER)		<p>Thank you for providing the development application for the proposed childcare centre at Lot 9074 Gordin Way, Byford for the Department of Water and Environmental Regulation (the Department) to consider.</p> <p>The Department has identified that the development proposal has the potential to impact on water resource values and/or management. While the Department does not object to the proposal key issues and recommendations are provided below, and these matters should be addressed.</p> <p><b>Issue: Stormwater Management Advice</b></p> <p>Drainage systems should be designed and constructed consistent with the Stormwater Management Manual for Western Australia (DoW, 2004-2007). Stormwater runoff should be fully contained onsite for small and minor storm events (1 and 0.2 Exceedance per Year runoff) and the first 15 mm of stormwater runoff (1 Exceedance per Year runoff) from the car park area should undergo water quality treatment via bio-infiltration.</p> <p><b>Issue: Groundwater Advice</b></p> <p>The subject property is located within the Serpentine Groundwater Area (Byford 3 subarea) as proclaimed under the Rights in Water and Irrigation Act 1914. Any groundwater abstraction in this proclaimed area for purposes other than domestic and/or stock watering taken from the superficial aquifer, is subject to licensing by the Department of Water. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee.</p> <p>It is important to note there may be difficulties securing groundwater in the Serpentine Groundwater Area (Byford 3 subarea). Should the applicant be considering using groundwater for irrigation the applicant should contact the</p>	Noted	Noted

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		<p>licensing section at the Department's Mandurah office on 9550 4222 for further advice.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>		
Department of Education		<p>The Department has reviewed the information submitted in support of the application and wishes to provide the following comments:</p> <p><b><u>Land Use</u></b>  The proposed Childcare Premises is considered acceptable in principle as there is likely to be some level of reciprocal use between the Childcare Premises and the adjoining Byford Secondary School site.</p> <p>Notwithstanding this, there is an existing Child Care Premises at No. 27 Clifton Street and separate applications have recently been considered by the Shire of Serpentine Jarrahdale (Shire) for two additional Child Care Premises at nos. 34-36 Beenyup Road (your ref: PA21/646) and nos. 13-15 Beenyup Road (your ref: PA21/712). It will be the responsibility of the Shire to consider whether the potential number of Child Care Premises within the area would be consistent with the intent and objectives of Town Planning Scheme No. 2 and draft Local Planning Scheme No. 3 (LPS3).</p> <p><b><u>Construction Management</u></b>  Due to the application site's close proximity to Byford Secondary College, 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 and approved prior to any works being undertaken on site. The Construction Management Plan should address the following matters:</p>	Noted	Noted

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		<ul style="list-style-type: none"><li>Management of car parking, delivery vehicles and traffic associated with the construction of the development. Construction and delivery vehicles should not utilise the bays within and surrounding the Byford Secondary College site during peak drop-off/pick-up times.</li><li>How dust, odour and noise will be mitigated so that it does not materially affect the students and staff of Byford Secondary College.</li></ul> <p><b><u>Service and Waste Management</u></b> The Department is satisfied that the Service and Waste Management arrangements contained within Section 4 of the Transport Impact Statement (September 2021) would ensure there is no conflict with traffic associated with the Byford Secondary School site. The Department requests that these measures are secured by way of a condition of approval.</p> <p>Subject to the above matters being given due consideration, the Department offers no in principle objections to the proposed Childcare Premises.</p>								
Department of Fire and Emergency Services (DFES)		<p>This advice relates only to State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining approvals that apply to the proposal including planning, building, health or any other approvals required by a relevant authority under written laws.</p> <table><tr><th>Issue</th><th>Assessment</th><th>Action</th></tr><tr><td><b>Vegetation Classification</b></td><td>Vegetation Plot 1 cannot be substantiated as Class B Woodland with the limited information and</td><td>Modification to the BMP is required.</td></tr></table>	Issue	Assessment	Action	<b>Vegetation Classification</b>	Vegetation Plot 1 cannot be substantiated as Class B Woodland with the limited information and	Modification to the BMP is required.		Noted
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		<p>photographic evidence available. The foliage cover appears to exceed 30%. Photo ID's 1 to 3 do not support the Woodland classification. The canopy also appears to be contiguous with the Class A Forest in Plot 2.</p> <p>The BMP should detail specifically how the Class B Woodland classification was derived as opposed to Class A Forest.</p> <p>If unsubstantiated, the vegetation classification should be revised to consider the vegetation as per AS3959:2018, or the resultant BAL ratings may be inaccurate.</p>		
		<p><b>Vegetation Classification</b></p> <p>Evidence to support the exclusion of Public Open Space (POS) and road reserve as managed to low threat in accordance with AS3959 is required Specifically:</p> <ul style="list-style-type: none"> <li>•POS Reserve – Plot 3. Part of the crown reserve to the north of the proposed childcare centre has been excluded as managed to low threat (where photo locations 3 and 5 are shown). Photo ID's 3 and 5 appear to have unmanaged vegetation in their</li> </ul>		

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		<p>foregrounds even though the photos are being used to support the classification of Plots 1 and 2. It is unclear how this area is to be managed to low threat in perpetuity. An enforceable mechanism is required to provide certainty that the proposed vegetation exclusion can be achieved in perpetuity and it is enforceable.</p> <p>•Gordin Way Road Reserve - Plot 3. Although Photo ID 4 shows this area as currently managed to low threat, evidence has not been provided to validate management of the reserve by the responsible authority. This reserve is part of the larger crown land reserve where Plots 1 and 2 are situated.</p> <p>Alternatively, the vegetation classification should be revised to consider the potential for revegetation and the vegetation at maturity as per AS3959.</p>		
		<p><b>Vegetation classification</b></p> <p>Evidence to support the exclusion of the land to the south of the childcare centre is required. Photo ID 7 currently shows this area as unmanaged. The WAPC subdivision approval 157775 shows two further lots to be created on the southern boundary. It is unclear if those lots have been titled or whether</p>	<p>Modification to the BMP is required.</p> <p>Decision maker to be satisfied with the vegetation</p>	

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			<p>the owner of the childcare centre will have the legal right to manage these lots until such time as they are titled and developed.</p> <p>Alternatively, the vegetation classification should be revised to consider the potential for revegetation and the vegetation at maturity as per AS3959.</p>	exclusion proposed.	
		<b>Photo ID's and Plot Numbers</b>	<p>Photo ID's 1 to 3 all appear to be taken to support Plot 1. However, Photo 2 is labelled Plot 2 and Class B Woodland, but Plot 2 is classified as Forest on the Vegetation Classification Map. Photo 3 is labelled Plot 3 and Class B Woodland however, Plot 3 has been excluded on the Vegetation Classification Map.</p> <p>The photo numbers and classifications should align to the Vegetation Classification Map.</p> <p>The Plot numbers are also incorrect in the BAL Calculation table (page 16 of the BMP). Plot 1 is Class B Woodland and Plot 2 should be amended to Class A Forest. All Plots and classifications should be aligned throughout the BMP.</p>	Modification to the BMP is required.	

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		<b>BAL Contour Map</b>	A BAL Contour Map should have been prepared for this site to illustrate the BAL impact across the entire site. The BAL Assessment focuses on the building but does not consider the outside play areas which are currently between the building and the bushfire hazard. A BAL Contour Map would likely show that these areas would be impacted by BAL40/FZ.	Modification to the BMP is required.	
		<b>2. Policy Measure 6.5 c) Compliance with the Bushfire Protection Criteria</b>			
		<b>Element</b>	<b>Assessment</b>	<b>Action</b>	
		<b>Location</b>	A1.1 – not demonstrated  The BAL ratings cannot be validated for the reason(s) outlined in the above table.	Modification of the BMP required.	
		<b>Siting and Design</b>	A2.1 – not demonstrated  The BAL ratings cannot be validated for the reason(s) outlined in the above table.  In addition, it is likely that the babies', toddlers', and children's play areas will be exposed to BAL-40/FZ. DFES does not support a vulnerable land use	Modification of the BMP required.	

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			within BAL-40/FZ. DFES considers that 'use' in this case includes external play areas. SPP 3.7 appropriately focuses on the location and siting of vulnerable land uses rather than the application of bushfire construction requirements. Re-design of the proposal is recommended so that external play areas and other activities associated with the functions of the day care centre is sited outside of BAL-40/FZ areas.		
		3. AS3959 construction standards including clause 3.2.3 adjacent structures			
		Building Construction Standards	Class 9 buildings should be afforded significant protection from the impacts of a bushfire due to being occupied by people who may need assistance, or be unable, to evacuate the building in the event of a bushfire. In response, revised provisions in the National Construction Code are proposed for implementation in 2022.  The proposed changes include but are not limited to; minimum separation between buildings, and separation from allotment boundaries, carparking areas and hazards. It is suggested the decision maker consider applying the proposed higher construction and	BMP to include the bushfire construction elements of AS3959 be applied to the Class 9 building.	



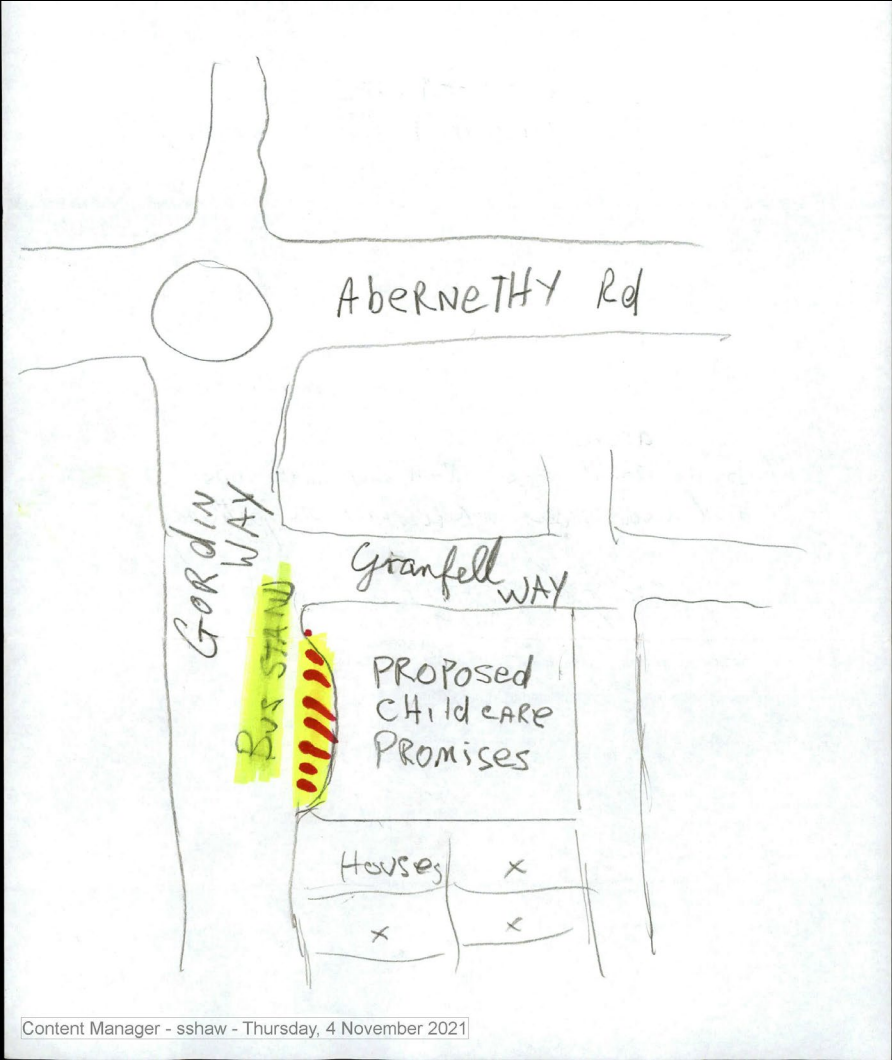
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		<b>1. Policy Measure 6.6.1 Vulnerable land uses</b>								
		<table><tr><th>Issue</th><th>Assessment</th><th>Action</th></tr><tr><td><b>Bushfire Emergency Evacuation Plan (BEEP)</b></td><td>The referral has not included a 'Bushfire Emergency Evacuation Plan' for the purposes of addressing the policy requirements. Consideration should be given to the Guidelines Section 5.5.2 'Developing a Bushfire Emergency Evacuation Plan'. This contains detail regarding what should be included in a BEEP and will ensure the appropriate content is detailed when finalising the BEEP to the satisfaction of the Shire.</td><td>Comment Only</td></tr></table>	Issue	Assessment	Action	<b>Bushfire Emergency Evacuation Plan (BEEP)</b>	The referral has not included a 'Bushfire Emergency Evacuation Plan' for the purposes of addressing the policy requirements. Consideration should be given to the Guidelines Section 5.5.2 'Developing a Bushfire Emergency Evacuation Plan'. This contains detail regarding what should be included in a BEEP and will ensure the appropriate content is detailed when finalising the BEEP to the satisfaction of the Shire.	Comment Only		
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		<b><u>Recommendation – not supported modifications required</u></b>  It is critical the bushfire management measures within the BMP are refined to address comments raised in the above tables to ensure they are accurate								

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		<p>and can be implemented to reduce the vulnerability of the development to bushfire. The proposed development is not supported for the following reasons:</p> <p>1. The development design has not demonstrated compliance to –            Element 1: Location, and            Element 2: Siting and Design,</p> <p>As this planning decision is to be made by a Joint Development Assessment Panel please forward notification of the decision to DFES for our records.</p>		
A405274		<p>1. Hope are keeps safe            2. Bus stand for pram and small kids and need wheelchair access on pathway.</p>	<p>The development will provide an Australian Standards compliant footpath connection from the car park to the footpath network along Marchant Way.</p> <p>This development does not trigger the requirement to provide a bus stand. This is a matter within the scope of the Public Transport Authority and the Shire to address as part of wider strategic planning of the area.</p>	Noted

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A405227		We have no problem with proposed childcare but as Grenfell Way already has a large traffic and foot traffic (drop off, pick up for high school) and small homes and laneways we respectfully ask that Grenfell Way is made a 40km zone.	<p>No objection to the proposed development is noted.</p> <p>The applicant has no objection to a school zone being provided along Granfell Way, separate to this development proposal.</p>	<p>Discussed in the Main report.</p> <p>The TIS assessed traffic generated by the proposed development and its potential impact on the overall performance of the surrounding local road network, which includes Gordin Way, Granfell Way and Marchant Way which are all classified as Access Roads under the Main Roads Western Australia (MRWA) road hierarchy, and has a speed limit of 50 km/h.</p>
A405633		<p>Insufficient parking. At present both street parking bays have been converted to bus bays over the course of the last 18 months. This created a situation where the houses on Gordin Way have no visitor parking and single driveways.</p> <p>Therefore, visitors at present are required to park illegally, put their cars where they can't be seen from the property or park on the side of the road which is also illegal as aits a bikeway. The bikeway is at present totally under utilised as cyclists ride on the road instead of the path.</p>	<p>It is noted the centre provides care for up to 106 children and 15 staff.</p> <p>The centre provides 25 onsite parking spaces and 5 on street parking spaces (4 along Granfell</p>	<p>Discussed in the Main report.</p> <p>With regards to safety concerns from increased traffic raised during the consultation period, Officers are</p>

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		<p>Peak drop off times for day care will be similar to both the high school and primary (private) schools. As parking and traffic is already dangerous with the addition of buses and traffic failing to follow the speed limit.</p> <p>Due to lack of facilities, to enable this to be done safely. A day care facility will exacerbate especially as there are only 25 bays of which 15 will be needed for staff and 120 children. This does not factor in change of staff no's this may incur no bays available for parents.</p> <p>Also there is no mention of whether centre transport will take up bays as I presume they will be offering before / after school care.</p> <p>I have no objection to a day care as obviously the young population of Byford have a need for this sort of facility. My concerns only are around parking and the residents who live with insufficient parking at present.</p> <p>Will the path be continued from houses to Grenfell Way? At present we have to cross the road and cross back again to be safe for the last 4½ years.</p>	<p>Way and 1 along Marchant Way), totalling 30 spaces.</p> <p>Under the requirements of the Shire's draft LPS3, the centre requires 26 bays (15 for staff and 11 for visitors).</p> <p>With a total of 30 bays, the centre results in an exceedance of the Shire's parking requirements.</p> <p>It should also be noted that the on-street bays are a public asset and will be available for use for local residents and visitors, therefore the proposal will also assist in easing congestion in the area.</p> <p>The proposed parking arrangements are therefore satisfactory.</p>	<p>satisfied with the proposed configuration of the centre's car park and access is acceptable. The location of the parking has been specifically sited and designed in response to existing development conditions in the locality that would alleviate traffic congestion along Gordin Way, considering it is one of the main access point for Byford Secondary College. The design of the of the development enables the effective distribution of traffic to both Soldiers Road and Gordin Way, with clients being advised to utilise Granfell Way to Soldiers Road to depart the centre in the morning. This will help to remove any build up of traffic on</p>

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