

Technical Assessment

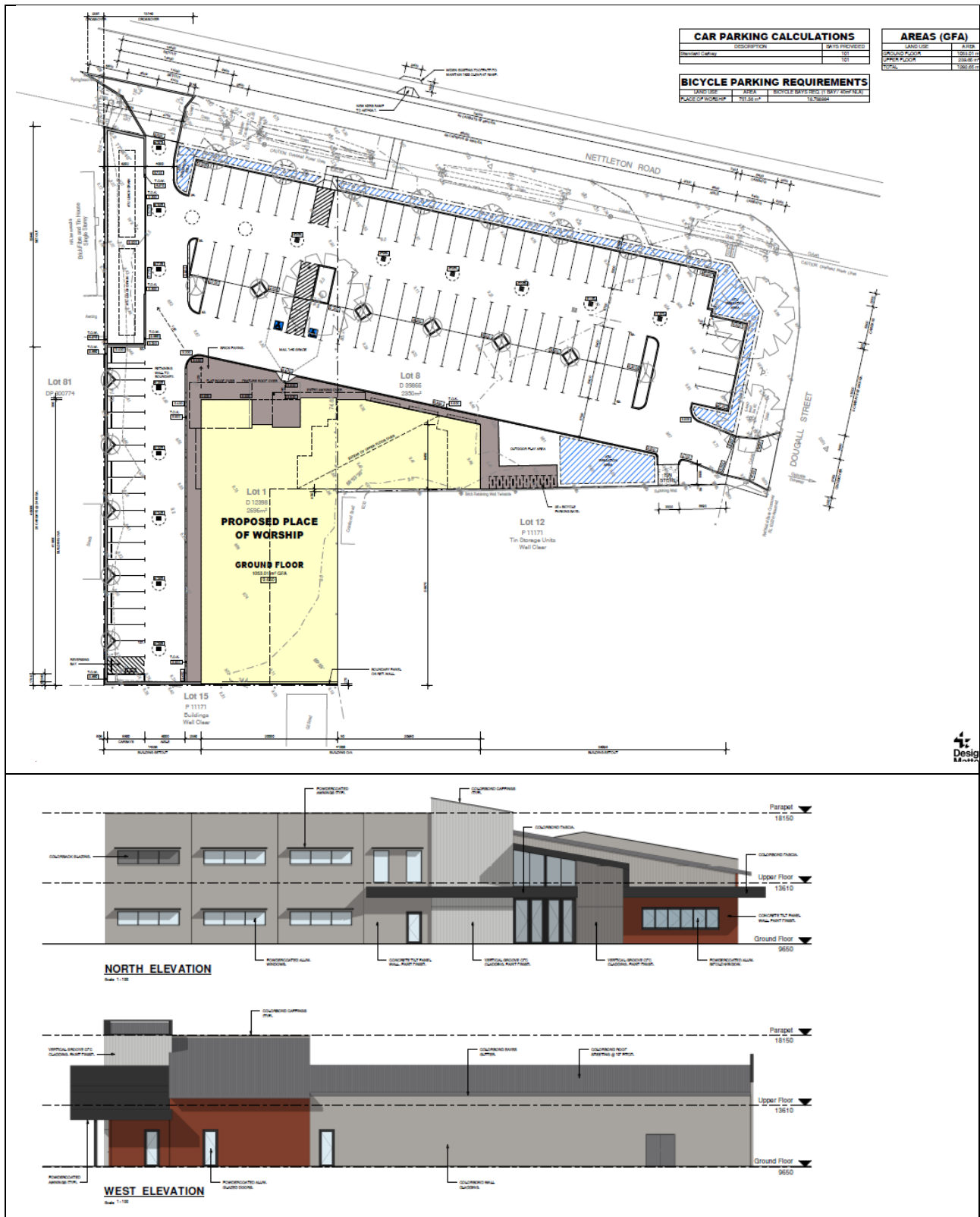
APPLICATION DETAILS			
OFFICER NAME	Corey Cullen	APPLICATION NO.	PA24/747
PROPOSAL	Place of Worship		
LOCATION	24 Nettleton Road & 30 Nettleton Road		
APPLICATION RECEIVED	26/11/24	APPLICATION DATED	18/11/24
ZONING	Urban Development	LOT AREA	5048m ²

Street View/Site Inspection Photos



Aerial





PLANNING ASSESSMENT

LOCAL PLANNING SCHEME NO.3 (LPS3)

ZONING & LAND USE PERMISSIBILITY

The subject site is currently zoned Urban Development under LPS3. However, it is currently subject to rezoning to Light Industrial through *Scheme Amendment No.5*, which was supported by Council at the August 2024 OCM and awaiting determination by the WAPC. The scheme amendment is considered minor and hence no advertisement is required. It is considered seriously entertained under cl. 67(2b) under the *Planning and Development (Local Planning Schemes) Regulations) 2015*.

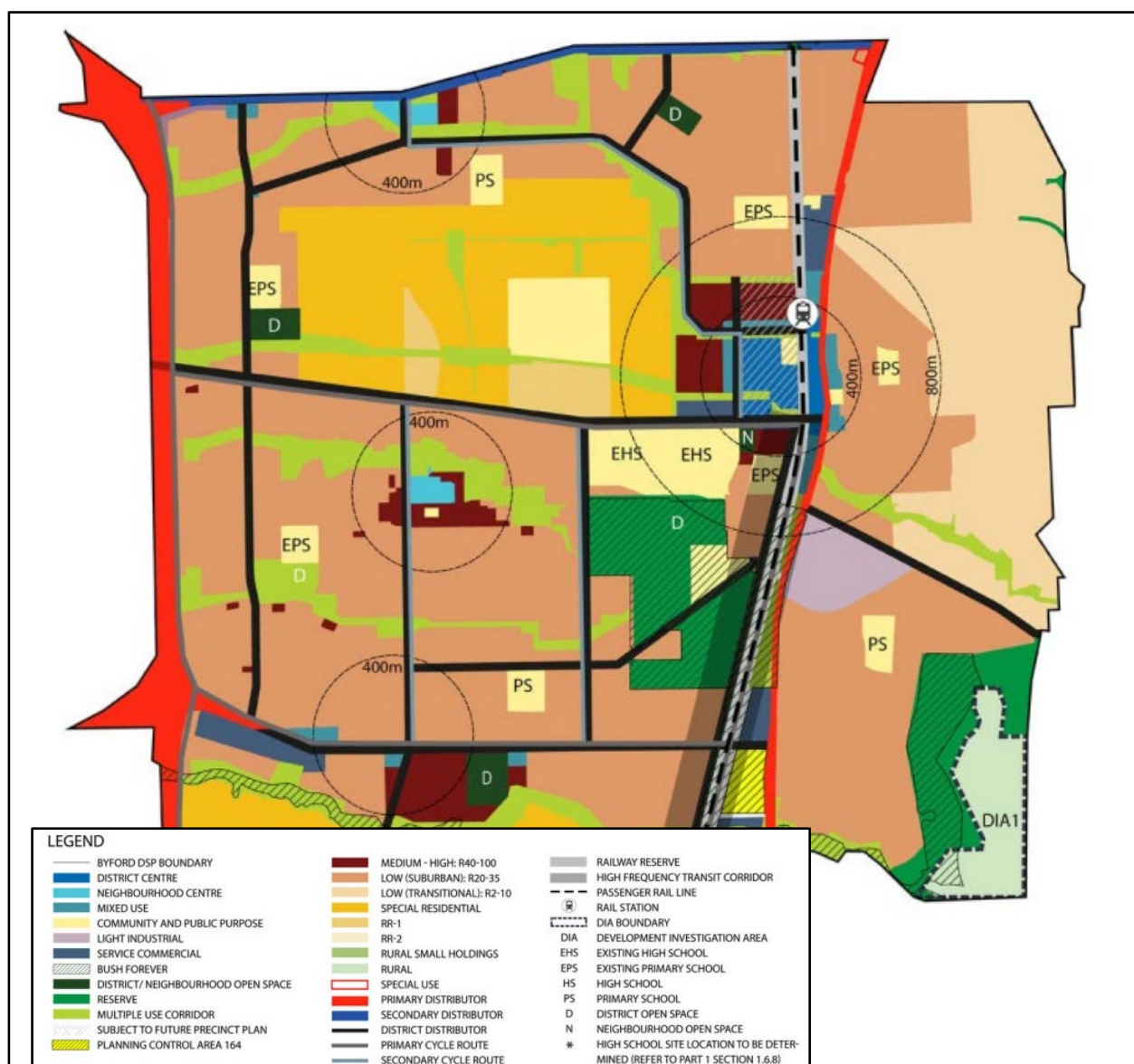


The proposed development is a 'Place of Worship' - the proposed development is consistent with the land use of 'Place of Worship': *means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.*

An 'Place of Worship' land use is an 'A' use within the Urban Development and Light Industrial zones. This indicates that the permissibility of the land use would not change should the scheme amendment be adopted by the WAPC.

BYFORD DISTRICT STRUCTURE PLAN

The subject site is located within the Byford District Structure Plan where it is designated as Light Industrial area. Scheme Amendment No. 5 seeks to normalise the zoning in accordance with the Byford DSP. It is noted that a 'Place of Worship' is also an 'A' use under Light Industry zoning, indicating the approval would not be non-conforming use or incapable of approval once the Scheme amendment is effective.



Light Industrial designation within the Byford District Structure Plan

4.3 – CAR PARKING REQUIREMENTS

The car parking requirement for a Place of Worship land use is *1 bay per 4 persons accommodated at maximum occupancy*. The maximum occupancy will be 400 members related to the worship service occurring every Sunday between 9am and 3pm. Therefore, a total number of $400 / 4 = 100$ car parking bays are required. The place of worship proposes 101 car parking bays including two ACROD bays, and therefore compliant with the requirements under the Scheme.

4.4 – BICYCLE PARKING AND FACILITIES

The bicycle parking requirement for a Place of Worship land use is *1 bay per 40m²*. The floor area of the building is 752m², and therefore a requirement of $752 / 40 = 19$ bicycle parking bays is required. The place of worship proposes 20 bicycle parking bays and therefore compliant with the requirements under the Scheme.

STATE PLANNING POLICIES:**SPP 3.7 – Planning in Bushfire Prone Areas**

The subject site is not located minimally within a bushfire prone area as shown below:



The area of impact is in the southwestern corner of the site, which will be used to service car parking and not considered 'habitable' as to warrant bushfire design requirements detailed within the policy. The applicant has provided a BAL report that confirms a BAL – LOW rating. Officer has reviewed the contents of the assessment and is satisfied that the vegetation has been classified correctly. Therefore, no further consideration is required under the policy.



No acoustic assessment has been provided by the applicant to indicate internal noise levels resulting from vehicle movements on South Western Highway. However, given the relatively large separation distance from the highway and existing noise screening, it is considered that the proposed development will not be exposed to any significant environmental health risk. Therefore, no further noise amelioration is required to ensure compliance with the policy.

LOCAL PLANNING POLICIES:

LPP1.6 – Public Art

The proposed development has a value of \$3.1 million. As such, the development triggers the requirement for public art in accordance with Table 1 of LPP1.6. The required value of the art would be to have a minimum cost of 1% the value of the construction, or otherwise a contribution of equal value paid towards a public art fund. Officers therefore recommend a condition requiring public art be applied to the development.

LPP2.4 – Water Sensitive Design

The policy seeks to ensure water sensitive design best management practices are implemented for all new proposals in the Shire. The applicant has provided a stormwater management plan demonstrating how the stormwater incident to the site will be managed. However, the stormwater calculations are inconsistent with the provisions of LPP2.4 and are required to be amended through the submission of a revised plan. Officer considers that this matter can be addressed appropriately through a condition of the approval.

CLAUSE 67 CONSIDERATIONS:

Built Form – Clause M

The proposed worship building is located towards the rear of the site and behind car parking and landscape features that are immediate to the streetscape. The proposal is two storey and 9.5m in height, however setback appropriately with respect to other industrial buildings on Nettleton Road to not appear visually obtrusive or dominant from the streetscape. The building incorporates design elements such as awnings, fascia, wall cladding, articulation, and tilted roofing to provide a modern and visually interesting façade. The material and colour schedule shows a combination of concrete panels, wall cladding, and Colourbond features across five different colours that contribute positively to the character of the building. There are also many major openings facing the streetscape, which provide a habitable appearance and enable passive surveillance to the car parking areas. On the whole, it is considered that the built form design is complementary to the existing streetscape character and satisfactory for a public building.

Noise – Clause N

An acoustic assessment has been received from the applicant addressing noise generation from the following sources:

- Prayers, services, and events held within the auditorium;
- Mechanical services; and
- Vehicle movements within parking area, including car starts and doors closing.

Services on Friday, Saturday and Sunday have praise and worship band with a sound control limiter, limiting noise to 80 dB(A). The acoustic report concluded that the proposed schedule of church activities complies with the requirements under the *Environmental Protection (Noise) Regulations 1997*. The assessment recommended that, although not required to meet the noise regulations, air

conditioning condensing units should be relocated to the roof and visually screened from neighbouring residences. The Environmental Health department has verified the contents of the report and endorses it for approval.

Traffic – Clause T

A Traffic Impact Statement has been received from the applicant which models vehicle access, car parking, daily trip generation and impact on the surrounding road network. Two crossovers are proposed for the site - one each on Nettleton Road and Dougall Street. A condition is recommended to ensure that the crossover and culverts are designed to Shire specifications to support the wider turning path of waste collection trucks.

The impact on surrounding roads indicates that an increase in traffic greater than 10% on any particular section of road should be subject to traffic analysis. The TIS uses the assumption that the trip generation on Nettleton Road is 80 vehicles per hour and does not warrant further assessment since it is below the general 100 vehicles per hour marker proposed by the WAPC. Internal data indicates that the section of Nettleton Road has a peak volume of 154 vehicles per hour on Sunday morning, and therefore an additional 80 vehicle movements correspond to an approximately 50% volume increase. Therefore, further analysis is requested to assess the impact on the Nettleton Road/South Western Highway intersection to the west of the subject site.

Landscaping – Clause P

A landscaping plan has been received by the applicant to detail the retention of existing trees and replanting schedule. The proposal shows a 9m vegetated buffer of medium shrubs from the street boundaries, providing a softer edge between the street and the built form development. A total of seven plant species have been selected comprising of four local native shrubs, one introduced shrub, and two introduced tree species. Three existing trees are proposed to be retained to increase biodiversity values on the site. More importantly, the local native species are fronting the streetscape and will provide environmental amenity characteristic of the locality. It is also noted that the proposed planting exceeds the *10% in total, comprised of 5% of the front setback* landscaping requirement for the Light Industrial zone under Section 4.2 of LPS3. Therefore, it is considered that the proposed landscaping is appropriately sited and curated to complement the streetscape and built form character.

Waste – Clause U

A waste management plan has been submitted by the applicant showing the location of bin storage, number of bins, collection spot and truck access. The bin store will be adequately screened from the outdoor play area and car parking area. The bins will be picked up internally by the waste collection vehicle. The crossovers will be constructed to facilitate the turning circles of waste trucks so that access can be taken from Nettleton Road or Douglas Street.

Clause 67 Assessment

b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving.	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Scheme Amendment No. 5 for LPS has been endorsed by Council and currently with WAPC for determination. The scheme amendment proposes the rezoning of the subject site from 'Urban Development' to 'Light Industrial'. It is considered a minor amendment that does not require advertisement and therefore seriously entertained for adoption.			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
SPP 3.7 – Planning in Bushfire Prone Areas SPP 5.4 – Road and Rail Noise SPP 7.0 – Design of the Built Environment			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
LPP 1.6 – Public Art for Major Development LPP 2.4 – Water Sensitive Design LPP 4.16 – Tree Retention and Planting			

h) any structure plan, activity centre plan or local development plan that relates to the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
The site is zoned Light Industry under the Byford District Structure Plan. The site is not included within any local structure plan.			

k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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l) the effect of the proposal on the cultural heritage significance of the area in which the development is located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
The built form represents a modern design including awnings, fascia, wall cladding, articulation, and tilted roofing. The design is compatible with the established streetscape.			

n) the amenity of the locality including the following – I. Environmental impacts of the development II. The character of the locality III. Social impacts of the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
The received acoustic report concludes that the noise emissions from church activities, mechanical servicing and car movements will not be unreasonable for surrounding residential land uses.			

o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Three existing trees on site will be retained within soft landscaping for car parking and street setback areas. Replanting includes an intermix of introduced trees and native medium shrubs.			

q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bushfire, soil erosion, land degradation or any other risk	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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r) the suitability of the land for the development taking into account the possible risk to human health or safety	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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s) the adequacy of – I. The proposed means of access to and egress from the site; and II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
The development has adequate parking spaces in accordance with Schedule 4.3 of LPS3. Crossovers will be constructed adequately to facilitate two way movement and turning circle of waste collection trucks. Further information is required about the dimensions of parking bays, crossovers and internal roads.			

t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
The received Traffic Impact Assessment concludes that the traffic generated by the development will not be material on the surrounding road network, including the Nettleton Road / South Western Highway intersection.			

u) the availability and adequacy for the development of the following – I. Public transport services	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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II. Public utility services			
III. Storage, management and collection of waste			
IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)			
V. Access by older people and people with disability			
The received Waste Management Plan shows that bins can be collected internally within the site. The development provides adequate bicycle parking facilities in accordance with Schedule 4.4 of LPS3. An internal footpath connects to a tram ramp on the northern side of Nettleton Road.			

v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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w) the history of the site where the development is to be located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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