

<b>Technical Report</b>			
<b>TRIM Number:</b>	<b>PA19/805</b>	<b>Synergy Number:</b>	<b>PA19/805</b>
<b>Lodgement Date:</b>	<b>09/08/2019</b>	<b>DAU Date:</b>	
<b>Address:</b>	<b>Lot 415, 39 Colesbrook Drive, Byford</b>		
<b>Proposal:</b>	<b>Display Home Signage</b>		
<b>Land Use:</b>	<b>'Residential – Single House'</b>	<b>Permissibility:</b>	<b>Permitted</b>
<b>Owner:</b>	<b>SPG Display Developments Pty Ltd</b>		
<b>Applicant:</b>	<b>Redink Homes (Andre Pinto)</b>		
<b>Zoning:</b>	<b>Urban Development</b>	<b>Density Code:</b>	<b>R20</b>
<b>Delegation Type:</b>	<b>11.1.1</b>	<b>Officer:</b>	<b>Ryan Fleming</b>
<b>Site Inspection:</b>	<b>No</b>		
<b>Advertising:</b>	<b>No</b>		
<b>Outstanding Internal Referrals:</b>	<b>No</b>		
<b>External Referrals:</b>	<b>No</b>		
<b>Within a Bushfire Prone Area:</b>	<b>No</b>		
Part 10A, Cl. 78B of the Planning and Development (Local Planning Schemes) Regulations 2015 exempts the requirement for a BAL assessment.			

### **Introduction:**

A planning application has been received on 12 July 2019 for proposed display home signage at Lot 413, 35 Colesbrook Drive, Byford.

The subject lot is zoned 'Urban Development' in accordance with the Shire's Town Planning Scheme No. 2 (TPS2). The display home signage is associated with the display home which falls within the 'Residential – Single House' land use, which is permitted within the 'Residential' zone in accordance with the Shire's TPS2.

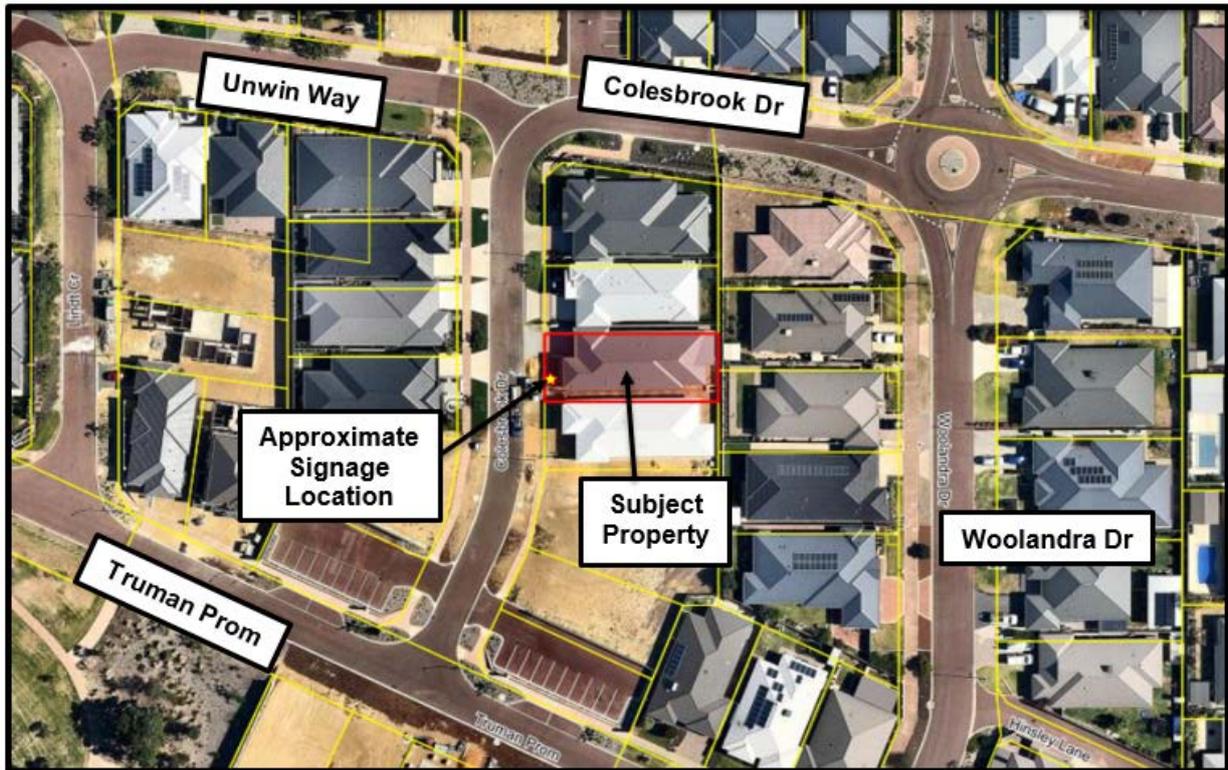
The proposal is reported to DAU for determination as Officers have delegation to determine a 'Residential – Single House' land use under delegation 11.1.1.

This report recommends that the display home signage as proposed be approved subject to appropriate conditions.

### **Background:**

#### Existing Development:

The property is currently developed with a dwelling that is utilised as a display home.



**Figure 1: Site Context Map**

**Proposed Development:**

The proposed sign measures 7.2m<sup>2</sup> in area and would be 4m high at its highest point with a width of 1.8m. The sign would display information relating to the owners, Redink Homes, and the display home opening times. The sign would be located abutting the primary street boundary of Colesbrook Drive. Officers consider that the proposal requires development application as the signage varies the requirement for display home signage face area. 7.2m<sup>2</sup> is proposed in lieu of the 6m<sup>2</sup> requirement.

**Initial and Revised Proposal:**

Initially, the application sought approval for the use of the garage as an 'Office' in addition to the signage. Officers advised the applicant that an 'Office' land use is prohibited in the 'Residential' zone, which the property is designated under the Local Structure Plan. As that land use was inconsistent with the Structure Plan, Officers advised that it would likely not be supported. Subsequently, the application was revised to only seek approval for the signage.

**Community / Stakeholder Consultation:**

Advertising was not carried out for this application. Under Schedule 2, Part 8, Clause 64(1)(b)(ii) of the *Planning and Development (Local Planning Schemes) Regulations 2015* advertising is not required where the local government is satisfied that a proposal is consistent with the use of the land, objectives of the zone and will not significantly impact adjoining properties due to its location.

The property is zoned 'Urban Development' according to TPS2 and designated 'Residential' under the Local Structure Plan. According to Local Planning Policy 4.11: Advertising, a display home sign is permitted within the 'Urban Development' and 'Residential' zone. Officers

consider the proposal consistent with the character and amenity of the area. As seen in figures 3, 4 and 5, the streetscape consists of display homes and associated signage. Therefore, Officers considered that the proposal did not require advertising.

### **Statutory Environment:**

- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Shire of Serpentine Jarrahdale Town Planning Scheme No. 2
- Local Planning Policy 4.11 – Advertising
- Byford Main Precinct the Glades – Local Structure Plan (LSP)
- The Glades at Byford Stage 2D and 7 – Local Development Plan (LDP)

### **Planning Assessment:**

A comprehensive assessment has been undertaken in accordance with section 67 of the Planning and Development Regulations 2015, the assessment can be viewed as part of the attachment.

### Land Use:

The subject site is zoned 'Urban Development' under the Shire's Town Planning Scheme No.2 (TPS2) where land use permissibility is generally guided by Structure Plans. The subject site is designated 'Residential' under the Byford Main Precinct Local Structure Plan (LSP). The proposed signage would be associated with the display home that fits within the 'Residential – Single House' land use, which is permitted within the 'Residential' zone. The land use is therefore considered consistent with the TPS2 zoning and the designation under the Structure Plan.

### **Orderly and Proper Planning:**

Clause 67 of the regulations, specifically A – J, considers state and local planning policy frameworks including draft schemes, strategies, state planning policies, local planning policies and the like. These frameworks provide guidance in order to establish if a development is consistent with orderly and proper planning.

### TPS2:

The aim and objectives of the 'Urban Development' zone under TPS2 includes "*Development of functional communities consistent with orderly and proper planning and the establishment and maintenance of an appropriate level of amenity*". The proposal provides for display home signage. It is considered that the proposal will result in the maintenance of an appropriate level of amenity as addressed in the Form of Development and Amenity section of assessment. The above objective of the 'Urban Development' zone is facilitated through structure plans to which the proposal is consistent.

### Form of Development and Amenity:

Clause 67 of the Deemed Provisions, specifically K, L, M, N, P, all relate to the form and amenity of the development that is required to be assessed.

### Local Planning Policy 4.11 – Advertising:

Officers have assessed the proposal against the Shire's LPP4.11 that provides standards for signage across the Shire.

LPP4.11 sets out development standards for signage to ensure that it is appropriate, maintains public safety and ensures that the character and amenity of the area is maintained. Officers have assessed the proposal against the development standards and the variation is detailed in the table below. The proposed signage is compliant with all other requirements under the policy.

<b>Local Planning Policy 4.11 – Advertising – Display Home Signs</b>			
<b>Provision</b>	<b>Proposed</b>	<b>Compliant</b>	<b>Comment</b>
A double faced sign having a maximum area of 6.0m <sup>2</sup> per face, or a single faced sign having a maximum area of 12m <sup>2</sup> , may be erected where a number of contiguous dwellings are being marketed concurrently.	7.2m <sup>2</sup> face per side, with a combined surface area of 14.4m <sup>2</sup> .	N Variation of 1.2m <sup>2</sup> per sign face.	Due to the irregular shape of the sign, the method of measurement used by LPP4.11 requires the sign to be measured as a rectangle around the entire sign. However, the sign has an actual surface area of 5.11m <sup>2</sup> , which would be compliant with the LPP4.11, but for its irregular shape.
Not more than one such sign is to be displayed per 100m of street frontage.	Facing the primary street boundary frontage	Y	

Due to the variation as noted above, the application is required to be presented to Council for determination. Council is able to exercise discretion and approve the signage if it is considered consistent with the objectives of LPP4.11. The proposal has been assessed against the relevant objectives of LPP4.11 below:

<b>Local Planning Policy 4.11 – Advertising – Assessment Against Objectives</b>		
<b>Objective</b>	<b>Compliant</b>	<b>Comment</b>
a) To ensure that the siting, design and general appearance of advertising and signage does not detract from the landscape values, amenity and character of the area.	Y	<p>The surrounding area and streetscape of Colesbrook Drive is characterised by display homes and associated signage (seen in figures 3, 4 and 5). Officers note that generally, display home signage in the area is located along the lot boundary, as the subject application also proposes. Additionally, the dwelling on the property is sited on a retaining wall, where the signage would be at street level, meaning it would be less prominent within the streetscape (seen in figure 3). It is considered that the proposed signage is consistent with the character of the area, regardless of the small variation to surface area. Therefore, Officers consider that it would not detract from the character and amenity of the area.</p> <p>Officers consider that display home signage is typically <u>temporary</u> in nature. The applicant has advised that generally display homes have a lifespan of approximately four years. Therefore, the associated signage will be in place only as long as the dwelling is used as a display home and will not be a permanent characteristic of the area. However, as the signage is not considered to adversely</p>

		impact the amenity and character of the area, Officers do not recommend a timed approval.
b) To ensure that advertising signs are not misleading, offensive or distracting for vehicular and pedestrian traffic.	Y	The sign would display information in relation to the opening times of the display home and contact details for the applicant (seen in figure 2). Officers therefore consider that the proposal would not be offensive or distracting and the content is consistent with what would be expected in the area.
c) To ensure that signs make a positive contribution to the streetscape and streetscape interaction.	Y	The proposed signage face is only an additional 1.2m <sup>2</sup> per face greater than the policy prescribes. Officers consider that reducing the signage to be compliant with LPP4.11 would not significantly reduce the visual impact on the streetscape in comparison to a sign with a size compliant with LPP4.11.
e) To improve the quality of advertising signs and their overall visual impact.	Y	The signage is to be of a shape that has some visual character. This is different to what is normally seen for display signage in the area, which is mostly rectangular (seen in figure 5 and 6). The signage is also proposed to have red, black, grey and white elements to it. Officers consider that the form and colour of the signage is of a sufficient quality to be consistent with that already in the area.



**Figure 3: Proposed signage will be to the right of the stairs, central in the photo.**



**Figure 4: Existing Display Home Signage across the road from the subject property.**



**Figure 5: Streetscape image of Colesbrook Drive showing other signage and display homes characterising the area.**

**Options and Implications:**

Option 1: DAU may resolve to approve the application subject to conditions.

Option 2: DAU may resolve to refuse the application subject to reasons.

Option 1 is recommended.

**Conclusion:**

The proposal seeks approval for a display home sign which would display information in relation to the display home on the subject property. The display home sign proposes a minor variation to LPP4.11 in relation to the surface area of the sign. The sign is however considered consistent with the objectives of LPP4.11 and it is therefore recommended that Council approve the application subject to conditions.

**Attachments:**

Deemed Provisions – CI 67 Matters to be considered by local Government

**Land Use:**

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
<b>Comment: Refer to section on TPS2.</b>			

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

c) any approved State planning policy	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d) – <b>None</b> <b>Applicable to this area from what I can determine</b>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

e) any policy of the Commission	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

f) any policy of the State	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<b>Comment: Refer to assessment against LPP4.11.</b>			

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"/>
<b>Comment: Refer to comments on BSP, LSP and LDP.</b>			

i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
<b>Comment:</b>			

## Development:

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"/>
<b>Comment:</b>			

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"/>
<b>Comment:</b>			

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"/>
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**Comment: The sign has an actual surface area of 5.11m<sup>2</sup>, which would be compliant with the LPP4.11, but for its irregular shape and the method of measurement used in LPP4.11. Therefore, Officers consider the sign would pose no additional bulk compared to what would be considered compliant with the policy.**

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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
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**Comment: Locality is characterised by display homes and associated signage so the proposal is considered consistent with this. The signage would be temporary, only in place as long as the property is used for a display home, therefore Officers consider there is no adverse impact on the character of the locality.**

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

r) the suitability of the land for the development taking into account the possible risk to human health or safety	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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**Comment:**

t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off the road	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
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system in the locality and the probable effect on traffic flow and safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Comment:</b>			

u) the availability and adequacy for the development of the following – I. Public transport services 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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

w) the history of the site where the development is to be located	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

y) any submissions received on the application	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

Za) the comments or submissions received from any authority consulted under clause 66	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			

Zb) any other planning consideration the local government considers appropriate	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
<b>Comment:</b>			