

EDUCATIONAL ESTABLISHMENT DEVELOPMENT ASSESSMENT SHEET

APPLICATION DETAILS			
OFFICER NAME	David Quelch	APPLICATION NO.	PA23/388
PROPOSAL	Educational Establishment and Associated Tree Removal		
LOCATION	Lot 9, Watkins Road, Mundijong		
APPLICANT	Harley Dykstra		
OWNER	David and Kristy White		
APPLICATION RECEIVED	2 June 2023	APPLICATION DATED	18 May 2023
ZONING	Urban Development	LOT AREA	2.18ha

REFERRALS
<p>External</p> <p><u>Department of Education</u> <i>This proposal is noted, and it is not anticipated that it will impact the school site planning currently underway in the area. The Department has no in principle objections to the proposal.</i></p> <p><u>Department of Fire and Emergency Services (DFES)</u> DFES has provided a submission seeking clarification or modifications to aspects of the Bushfire Management Plan in relation to</p> <ul style="list-style-type: none"> • Vegetation classification • The extent of tree removal required for the asset protection zone <p>The fact that sheds are located in BAL-FZ</p> <p><u>DFES Built Environment Branch</u> BEB has advised that as a number of the buildings appear to be Class 9b, plans will need to be provided to DFES Built Environment Branch for assessment as required by Regulation 18B of the Building Regulations 2012 (as amended).</p> <p>Recommendation – compliance with Acceptable Solutions not demonstrated - modification required.</p> <p>It is critical the bushfire management measures within the BMP are refined to ensure they are accurate and can be implemented to reduce the vulnerability of the development to bushfire.</p> <p>1. The development design has not demonstrated compliance to –</p> <p>Element 1: Location and</p> <p>Element 2: Siting and Design.</p>
<p>Internal</p> <p><u>Building:</u></p> <ul style="list-style-type: none"> • All building work will require a certified building permit application to be submitted and approved prior to commencing work. This includes all new buildings and the change of classification from a class 1a dwelling to a class 5 office / class 4 residence. • All buildings accessible by the students will be considered as class 9B educational facilities which are public buildings. the buildings must be fully accessible for a person with a disability to AS1428.1. • The site plan is high level and without dimensions, note than a min 3m setback will be required between buildings or fire rated construction is required.

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- As Class 9b buildings, the independent building surveyor will be required to refer the plans to DFES prior to the building surveyor issuing a Certificate of Design Compliance for the building application.

Development Contributions:

Private education establishments are liable for development contributions as a non-residential development. This development is required to contribute towards infrastructure within DCA3 (the Mundijong-Whitby Urban Traditional DCP).

Engineering:

- Urban Water Management Plan to be provided.
- Full set of Engineering plans to be provided.
- Geotechnical Report to be provided for review and approval.
- TIA to be amended based on the comments from the Shire's Traffic Engineer:

"The trip generation and parking supply appear reasonable for this one, but I am wondering about the bus parking location given that it forces students to cross the parking aisle/circulation roadway to access the school. I would therefore question the reason for the proposed clockwise direction for the bus entering and exiting the site as opposed to anti-clockwise which would offload the students at the same side as the school buildings."

Environment:

Most of the vegetation across the site has been planted by landowners.

There are some scattered remnants of the natural tree types along the southern boundary of the site.

The proposal intersperses structures between the vegetation (mostly trees). It is likely that the structures and the need to create a perceived safe space for students will require removal of trees. The Plans do not propose the extent of tree removal. The application proposes a livestock area of approximately 4,100 sq m on a Pinjarra P1d soil type described as semi wet. The sandy loam over clay soils are likely to have some reasonable level of Phosphate retention. The semi wet soils suggest there is a potential for water logging. According to the DPIRD Stocking rate Guidelines for Rural Small Holdings 4,000 sq m of Pinjarra P1d is only capable of accommodating <3 dry sheep and/or if it is irrigated, possibly one cow.

The site sits in a FPM Flood Plain Development control area with a floodway linked to a local watercourse potentially affecting the south east corner of the site.

The applicant proposes retention of Cockatoo foraging habitat trees.

Given the likelihood of tree removal for development purposes, the applicant should estimate the extent/number of trees to be removed so assessment of requirement for canopy replacement can be made.

Health:

- Prior to occupation the applicant must provide further information in relation to the animal enclosures. The animal enclosures must meet the requirements of the Shire's Health Local Laws, PART 6 - KEEPING OF ANIMALS Division 1 - General Provisions
- Provision of a bin storage area that incorporates wash down facilities and includes a concrete floor graded to a floor waste that is connected to sewer and a hose cock.
- Reticulated sewerage connection is not available, and a suitable Secondary Treatment System for the on-site disposal of effluent that comply with the specifications of the Department of Health and meet the satisfaction of the Shire of Serpentine Jarrahdale will be required to service the new development.
- Prior to occupation an updated acoustic report must be submitted to the Shire by the Applicant that identifies all breakout noise sources that have a noticeable impact on sensitive receivers within a 100m radius of the development. This acoustic report must be accompanied with a noise management plan. (see extract from acoustic report).

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Although noise emission from schools (excluding mechanical plant) are exempt from compliance with the assigned noise levels, we believe that it is possible that council may require that noise received at the existing residences from school activities comply with the assigned noise levels. Upon reviewing the school, we believe that the noise that would most likely to need to be considered would be that associated with:

- 1) Powered Workshop – Hand tools and Fixed Plant.
- 2) Hobby Farm – Aquaponics
- 3) Mechanical Plant – Air conditioning

Based on the above, noise levels associated with

TABLE 3.1 – SOUND POWER LEVELS

Location	Sound Power Level, (dB(A))
Workshop	100 (Inside)
Aquaponics	55
Mechanical Plant*	64

*Assumed; once final selection is made an updated acoustic report should be provided.

4.0 ASSESSMENT

Based on the provided site plan and the above noise levels, noise modelling software SoundPLAN has been used to ascertain noise levels at the adjacent noise sensitive premises.

TABLE 4.1 – CALCULATED NOISE LEVELS

Location	Workshop	Aquaponics	Mechanical Plant
A – Lot 443	8	0	14
B – Lot 2	7	1	14
C – Lot 10	12	12	20

Due to the nature of the emissions, noise received at neighbours could potentially be tonal in nature, as a result the +5 adjustment for annoying characteristics has been applied.



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A small portion of the development falls within the SPP 5.4. furthermore the results of the acoustic assessment indicate that “noise received at the development from future traffic, would not exceed external noise level criteria. Therefore, no upgraded construction would be required for this development.”

Proposed to accommodate 20-30 students, with potential expansion in the future.

- Small hobby farm to include chickens, goats and sheep.
- An aquaponics set-up.

No major road in the 45m radius IF 0

While noise as part of an educational establishment is acceptable, it is only if the activity

- (a) is conducted under the control of the occupier of the premises; and
- (b) does not include the use of mechanical equipment other than musical instruments.

School in addition to the portable classroom of 200m² will include:

- Small hobby farm to include chickens, goats and sheep.
- workshop
- An aquaponics set-up.

Other		
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Deemed Provisions – CI 67 Matters to be considered by Local Government

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Land Use Permissibility- pursuant to the 'Shire of Serpentine Jarrahdale Local Planning Scheme NO. 3', the subject site is located within the 'Urban Development Zone' and the use of an 'Education Establishment' is a 'D' use which means that the use is not permitted unless the local government has exercised its discretion by granting development approval.			
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
<ul style="list-style-type: none"> • State Planning Policy 7.0 – Design of the Built Environment • State Planning Policy 7.3 - Planning in Bushfire Prone Areas • Operational Policy 2.4 – Planning for School Sites <p>Refer to assessment section of report.</p>			
d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d) – Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
f) any policy of the State	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
<ul style="list-style-type: none"> • State Planning Policy 7.0 – Design of the Built Environment • State Planning Policy 7.3 - Planning in Bushfire Prone Areas • Operational Policy 2.4 – Planning for School Sites <p>Refer to assessment section of report.</p>			
g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

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Comment:			
<ul style="list-style-type: none"> Local Planning Policy 1.4 - Public Consultation on Planning Matters Policy Local Planning Policy 1.6 - Public Art for Major Developments Local Planning Policy 4.16 - Landscape and Vegetation Policy <p>Refer to assessment section of report.</p>			
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"/>
Comment:			
Mundijong District Structure Plan: The subject site is identified as Residential 'Medium-High R40-100' under the DSP and falls within Local Structure Plan Precinct C, of which does not yet have an approved Local Structure Plan (LSP). Precinct C has been separated into three sub precincts, of which the subject site falls within Precinct C3 which consists of five lots held in separate ownership. This has resulted in more manageable land areas to enable the preparation of LSP's.			
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"/>
Comment:			
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"/>
Comment:			
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"/>
Comment:			
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"/>
Comment:			
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"/>
Comment: Refer to assessment section of the report.			
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"/>
Comment: Refer to assessment section of the report.			
o) the likely effect of the development on the natural environment or water resources and any means that are	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

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proposed to protect or to mitigate impacts on the natural environment or the water resource			
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	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to assessment section of the report.			
q) the suitability of the land for the development considering the possible risk of flooding, tidal inundation, subsidence, landslip, <u>bushfire</u> , soil erosion, land degradation or any other risk	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: The subject site is located within a 'Bush Fire Prone Area'. The application is not exempt from requiring development approval under 'Part 10A- Bushfire risk management' as an Educational Establishment is a vulnerable land use. Refer to assessment section of the report.			
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"/>
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	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to assessment section of report.			
t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity off 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"/>
Comment: Refer to assessment section of report.			
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	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
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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Comment:			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
y) any submissions received on the application	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to Community / Stakeholder Consultation section of report.			
Za) the comments or submissions received from any authority consulted under Clause 66	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment: Refer to Community / Stakeholder Consultation section of report.			
Zb) any other planning consideration the local government considers appropriate	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			