

Deemed Provisions – Cl 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	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Refer to Report			

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"/>
Comment: Refer to Report			

c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: State Planning Policy 3.7			

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"/>
Comment:			

e) any policy of the Commission	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Planning Bulletin 72/2009 – Child Care Centres			
f) any policy of the State	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment: See Above			

g) any local planning policy for the Scheme area	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
<ul style="list-style-type: none"> • Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4) • Draft Local Planning Policy 1.4 – Advertising Development Applications (DLPP1.4) 			

- **Local Planning Policy 1.6 – Public Art for Major Developments (LPP1.6)**
- **Local Planning Policy 4.11 – Advertising Policy (LPP4.11)**

Requirements	Provided	Compliant
Wall Sign		
A wall sign is to only to display the name, logo, or slogan of the business premises to which the sign is applied.	The operator’s name is displayed as “Buttercups”	Yes
The maximum single face area is 10m ² and must not extend beyond 12.0m above the ground even if the wall is higher than this.	The sign is 3.7m ² in size. 4.6m above the ground.	Yes
Must not project more than 300mm from the wall and/or fascia to which it is affixed.	The sign is proposed to be flush to the wall.	Yes
Must not project beyond the edges of a wall and/or fascia.	The sign does not extend above the wall.	Yes
Boundary Fence Sign		
A boundary fence sign is not to be affixed to a fence unless the fence is constructed to withstand the consequent wind or other loads.	The fence is constructed of masonry material and is capable of withstanding the load.	Yes
Is a single faced sign.	All signs are single faced	Yes
The maximum sign face area is 36m ² .	All signs are a total of 15.75m ² in size	Yes

- **Local Planning Policy 4.24 – Child Minding Centres (LPP4.24)**

Acceptable Development	Performance Based	Comments
Location		
Child minding centres located within easy walking distance of activity centre or recreational nodes. Located within a walkable catchment for the local neighbourhood. Larger child minding centres being encouraged to locate near or within activity centres.	The chosen location is appropriate to the proposed scale of the child minding centre, and such location benefits from integration with the surrounding natural and built environment.	The proposal is located within a walkable catchment to the neighbourhood and is easily accessible via Orton Road
The location is close to or adjoins public open space.	Located within a walkable distance to	The proposal is located 240m away from public open space.

	a public open space/recreational area with good quality pathways.	
Child minding centres are adequately separated from any incompatible nearby uses, with this supported by a suitably qualified risk assessment forming part of an application. Such risk assessment is to consider elements such as dangerous goods, hazardous materials and public health considerations. Potentially incompatible uses (taking into account design and layout) may include, for example, outlets selling petroleum, fast-food, and alcohol or tobacco products.	Where child mining centres are located within 200m of any incompatible use, such proposal demonstrates that the potential for adverse health impacts is removed. Such demonstration to be in the form of a suitably qualified consultant study.	The child care is not located within 200m of incompatible land use.
Parking		
Parking meets the requirements of the Local Planning Scheme and demonstrates how this meets the operational aspects of the development.	Suitably demonstrates that there is sufficient parking onsite in the form of a traffic and parking assessment	Proposal does not meet the requirements of the LPS3
Internal driveways having two-way movement.	Design and layout demonstrate safe movement of vehicles and pedestrians internally	Internal driveway is a two-way movement.
Landscaped parking areas in accordance with the Local Planning Scheme.	Parking areas incorporate layers of landscaping and Water Sensitive Urban Design	1 in 4 bays are proposed to be landscaped and provide a suitable tree.
Parking areas located so as to provide a separation between surrounding dwellings and outdoor play spaces		Parking area is located to the west where there are existing residential structures. The Car park will act as a buffer to noise emitted from the childcare play centre.

Traffic		
Traffic generation poses an increase of no more than 10% of the current recorded daily volumes on the roads which the development adjoins. This is confirmed by a traffic impact statement.	Demonstrates that traffic impacts can be managed through the submission of a Traffic Management Plan. This demonstrates how traffic will be managed to not represent an adverse safety or amenity impact on the adjoining road environment.	A TIS has been provided that demonstrates that the childcare will not have an adverse impact on parking and traffic on the locality. It is not expected that during the establishment and peak hour movements that there will be any conflicts in the vehicle movements.
Development facilitates full movement access to and egress from the site.	Demonstrate that access and egress to the site will not result in unsafe manoeuvring due to the lack of full movement access	There will be 2 access ways into and out of the site. The proposal is considered to meet this requirement.
Infrastructure Requirements		
Designated pedestrian footpaths from the street to the centre and the car park to the centre.	Demonstrate that pedestrians can safely navigate to and around the site, with dedicated pathways.	A pedestrian network has been provided and shown within the report. The proposal demonstrates adequate pedestrian access to all the access ways surrounding the site.
Car parking visible from the street to discourage verge parking.	Signage or other means to discourage verge or unsafe parking.	
Amenity		
Outdoor play areas located in a safe place within the site, providing adequate shade, and separated from noise sensitive premises. Waste service areas appropriately screened from public areas. Setbacks to side and rear boundaries and the orientation of openings to indoor play areas located to minimise	Outdoor play areas are arranged to demonstrate such will not adversely impact sensitive receptors. This is confirmed by an acoustic impact assessment and subsequent noise management plan.	

<p>noise impacts. Acoustic impact assessment submitted demonstrates how noise will be managed, particularly from:</p> <ul style="list-style-type: none"> - Indoor and outdoor play areas. - Car parking areas and the impulsive noise that comes from car access (especially staff arriving before opening and departing after closure), opening and closing of car doors, arrangement of car parking bays (staff versus visitor). 	<p>Noise levels are demonstrated to be consistent with the level of amenity currently afforded to an area.</p>	
<p>Hours of operation 7:00am to 7:00pm Monday to Friday.</p>	<p>Demonstrate that operation hours outside of these times would not impact amenity of the area through an acoustic impact assessment and subsequent noise management plan.</p>	<p>The proposed hours of operation are 6.30am to 6.30pm from Monday to Friday. However, the play area will not be used until after 7.00am to ensure compliance with the Noise Regulations.</p>
<p>Child minding centres are not subject to unacceptable noise that could impact the health and wellbeing of children.</p>	<p>An acoustic impact assessment and subsequent noise management plan demonstrate that noise external to the site would not adversely impact on the wellbeing of children</p>	<p>An acoustic report has been provided. The Acoustic report recommends car parking not to be undertaken in specific bays (further discussed in this report to be utilised) before 7am to achieve compliance with the noise regulations.</p>
<p>Sites in residential areas greater than 1000m² in areas.</p>	<p>Demonstrate that sites in residential areas will be able to accommodate all activities (including</p>	<p>The proposed site is over 1000m² in size and accommodates all services including parking and play areas.</p>

	parking and play areas) required on the site.	
Landscaping		
On site landscaping and landscape of all adjoining verge areas, in accordance with the Scheme, to provide an attractive setting and contribute to the streetscape	A reduction in the on-site landscaping requirement is associated with additional verge landscaping.	A full landscaping plan is to be provided prior to lodgement of a building permit demonstrating the proposals' ability to provide landscaping on the adjoining verges and parking areas.
Design		
Development has the appearance of natural materials i.e recycled clay face brick, vertical and horizontal patterns of timber cladding, rammed earth construction, earth block features, natural stone elements for columns, sheltering gable roof. Measures should be taken to ensure that play areas are large enough and of such dimensions to be useful as play areas and positive outdoor space. Side setback and leftover building areas are not included for such purpose.	Demonstrate that the development includes natural features to elevate the rural and natural character of the Shire. Demonstrate that the proposal is in keeping with the surrounding built and natural environment. Development in residential areas mimics residential urban patterns (front yard, central placed building, driveway to one side and rear backyard).	The proposal utilises vertical cladding, masonry fencing, and gable pitched roofing to provide a look which matches the existing/future built environment of the residential area. Play space is provided to a total area of 682m ² in size which composes of the entire western portion of the site.

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:			
<ul style="list-style-type: none"> • Doley Road Precinct Local Structure Plan • Beenyup Grove No 1- Doley Road Precinct Local Development Plan 			
Requirement:	Proposed:	Compliant:	
Street Setback			
2m to Primary Street	6m to Lawrence Way	Yes	

1m to Secondary Streets	15m to Maive Street 1.5m to Orton Road	
Boundary Setback Requirements		
Boundary walls permitted to both side setbacks	No walls are proposed on the adjoining boundaries	Yes
Open Space Requirements		
Minimum – 30% open space	Approximately 58% provided	Yes
Landscaping		
Front Setback – 40% landscaped	100% of 2m setback area is landscaped	Yes

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:			

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"/>
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 Report			

n) the amenity of the locality including the following – l. Environmental impacts of the development	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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II. The character of the locality			
III. Social impacts of the development			
Comment: Refer to report			

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 checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Stormwater Management Plan required/conditioned			

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: Landscaping Plans provided/conditioned			

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

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

s) the adequacy of –	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
I. The proposed means of access to and egress from the site; and			
II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles			
Comment: Refer to 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 report			

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

III. Storage, management and collection of waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. Access by older people and people with disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment: Adequate pedestrian access provided (See report)			

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: No community service loss noted.			

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"/>
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: See schedule of submissions.			

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 type="checkbox"/>
Comment: Consultation and comments provided from DoE and DFES			

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