

Technical Report			
Application No:	PA21/169		
Lodgement Date:	23 February 2021	DAU Date:	
Address:	Lot 29 -33 Mead Street, Byford		
Proposal:	Swimming Pool and Gym Complex		
Land Use:	Heath Studio	Permissibility:	
Owner:	Moonjewel Developments Pty Ltd		
Applicant:	Mackay Urban Design		
Zoning:	Urban Development	Density Code:	
Delegation Type:	Council	Officer:	Helen Maruta
Site Inspection:		Yes	
Advertising:		Yes	
Outstanding Internal Referrals:		No	
Note any outstanding referrals – to be discussed within report – in-depth			
External Referrals:		Yes	
Note the agencies the application was referred to – discussed comment within the report			
Within a Bushfire Prone Area:		Yes	

Introduction:

A development planning was received 23 February 2021 has been received for the construction of a single storey development on Lots 29 to 33 Mead Street, Byford. The building will accommodate an indoor swimming pool and a gym facility, which are classified as a health studio proposed at 149 Mead Street, Byford.

The subject lot is zoned Urban Development in accordance with the Shire's Town Planning Scheme No. 2 (TPS 2). The subject site identified within the Byford District Structure Plan 2020 (BDSP), Glades Main Precinct Local Structure (LSP) and the Glades Village Centre Local Planning Policy which provide the relevant land use permissibility and indicative land use designation applicable to the site. Under the Zoning Table of TPS2, a 'Health Studio' is a 'P' land use within the 'Mixed Use' designation under the Local Planning Policy (LPP3.6), which means it is a permitted land use.

Background:

Existing Development:

The subject site lies to the south of the Glades Village Centre and comprises of five land parcels with a total area of 1154.95m². The site is bound by Doley Road, Mead Street, Woolandra Drive and Olsen Gardens, as shown below:



Figure 1: Aerial Photograph

The Village Centre contains a range of retail and non-retail commercial land uses. The centre is surrounded by residential development abutting Doley Road, Mead Street and Woolandra Drive frontages. The current tenancies within the Centre are depicted on the plan below:

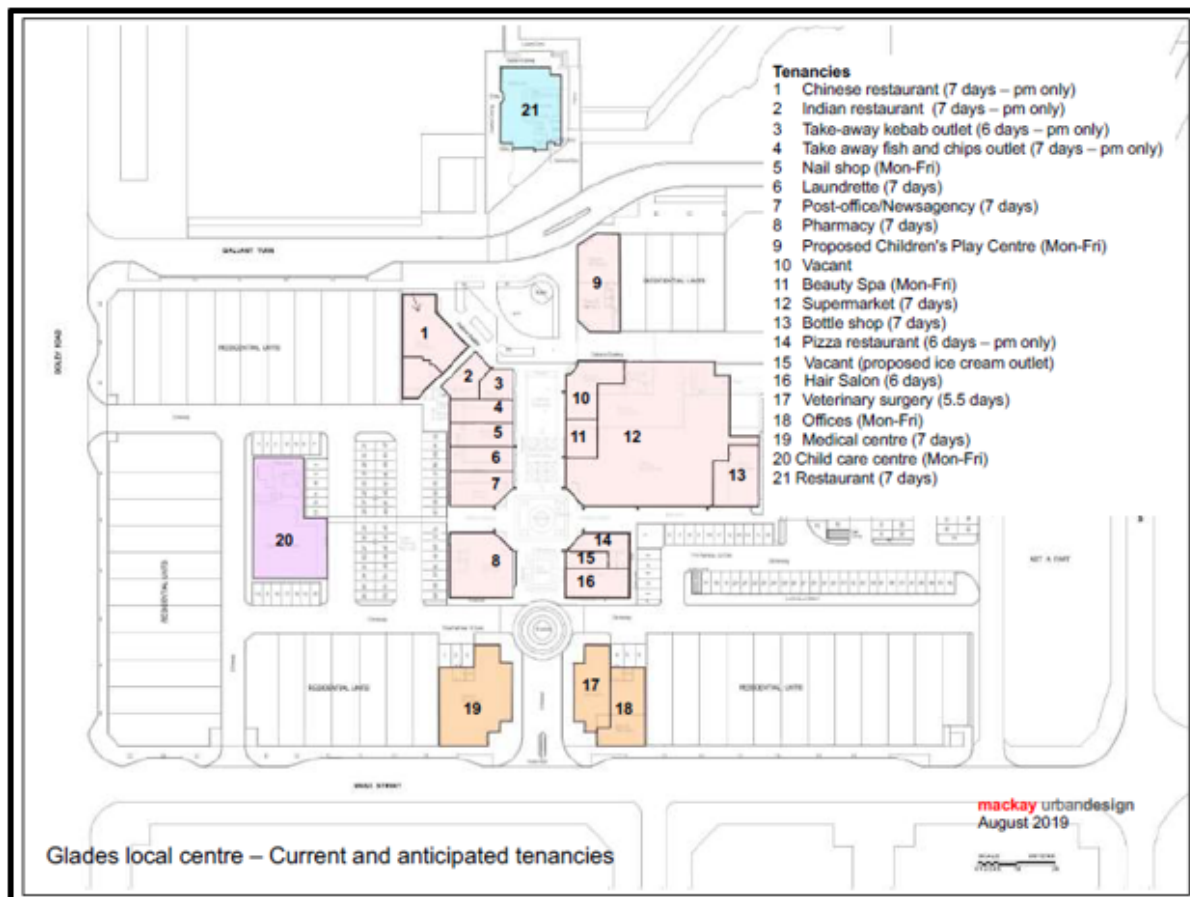


Figure 2: Plan of Tenancies

Proposed Development

The development application seeks approval to construct a single storey building comprising of an indoor swimming pool and gym facility and associated car parking. The proposed building would be constructed of concrete panels with a metal skillion roof. The swimming pool would provide swimming tuition for children and general exercise alongside with the gym facility. Specifically, the proposal seeks the following:

- Construction of a building with a total floor area of approximately 865m² with a main pedestrian entry from Mead Street and a rear vehicle entrance from Covenant Lane;
- Construction of 14 on site car parking bays which have direct access from Covenant Lane;
- Construction of a 25m x 8m indoor swimming pool and a gym facility of 26.86m x 11.65m;
- Provision of toilet and change facilities which will be shared by patrons of both the pool and gym;
- Service access to the proposal is via a ramp from the car-parking area to the bin store and pool equipment room in the north-eastern corner of the building;

- Hours of operation to be generally between 7am - 7pm; however, however will be finalised once an operator has been identified. Given the location within the neighbourhood centre, the range of evening uses already operating and the separation from sensitive uses, limits on operating hours are not considered to be required. This use would provide maximum benefit for activity and vibrancy for the overall centre if hours of operation were extended beyond the limited 7am to 7pm hours.

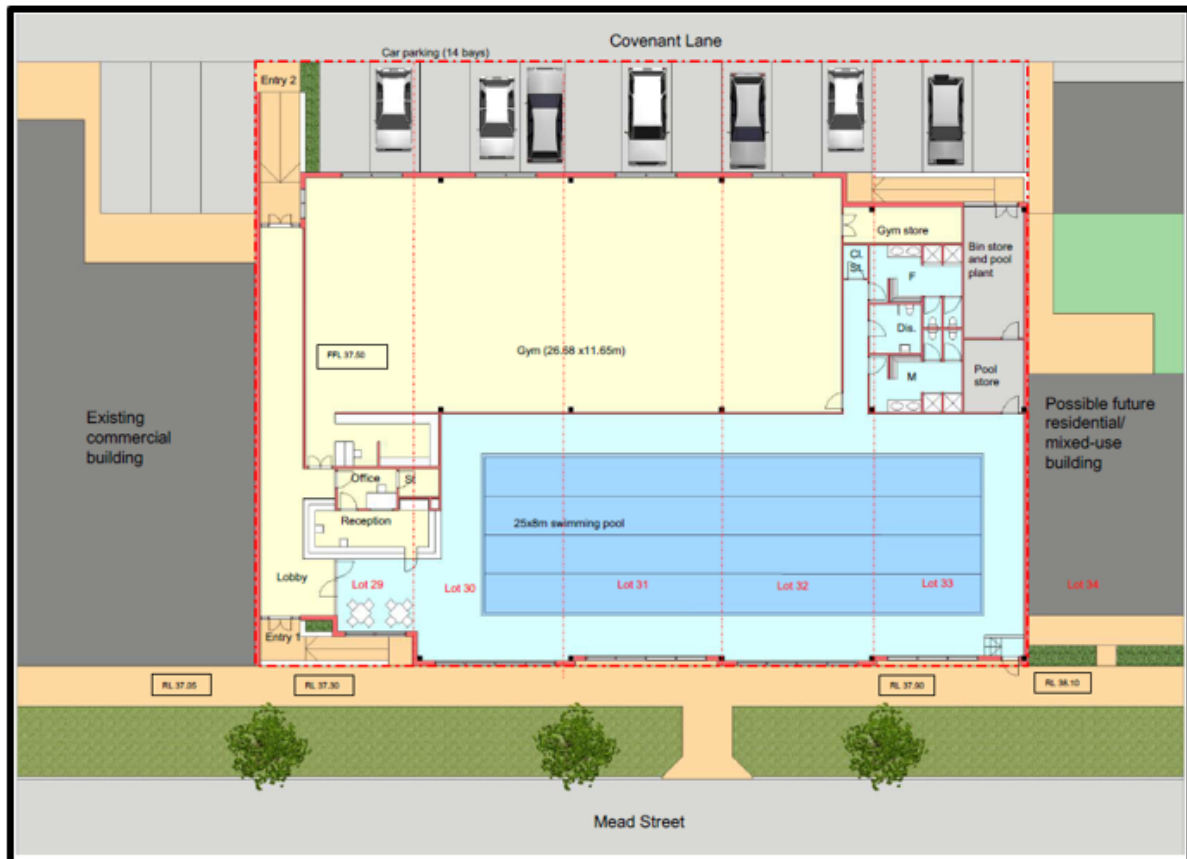


Figure 3: Floor Plan

The breakdown of internal areas is as follows:

Entrance lobby	48.5m ²
Pool hall	371.5m ²
Gym	327m ²
Reception area	18.3m ²
Office	6m ²
Office store	10.5m ²
Toilets and change rooms	40m ²
Toilets and change rooms	40m ²
Cleaners store	2m ²
Bins and pool plant store	19.5m ²
Pool equipment store	10.8m ²
Access corridor to toilets	8m ²

Community / Stakeholder Consultation:

The application was advertised for a period of 21 days from 8 March 2021 to 29 March 2021 to surrounding landowners within a 200m radius of the subject site, in accordance with LPP1.4 - Consultation for Planning Matters. The application was also advertised on the Shire's website for the same period.

During this period, ten submissions consisting of three objections and seven letters of support were received. The objections relate to the following issues which are discussed under the relevant headings of the report and form part of the Officer assessment:

- Inadequate car parking bays for the development;
- Inadequate passive surveillance of the complex;
- Inappropriate location of the bin store;
- Colours not in keeping with the existing built form;
- Facades not considered to form an aesthetically appealing built form; and
- Proposal of gym and swimming pool not suited to the precinct.

Statutory Environment:

Legislation

- Planning and Development Act 2005
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Environmental Protection (Noise) Regulations 1997*

State Government Policies

- South Metropolitan Peel Sub-Regional Framework Towards Perth and Peel 3.5 Million
- State Planning Policy 4.2 - Activity Centres for Perth and Peel

Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning
- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
- Draft Shire of Serpentine Jarrahdale Local Planning Scheme No.3
- Draft Shire of Serpentine Jarrahdale Local Planning Strategy
- Activity Centre Strategy
- Byford Structure Plan
- Local Planning Policy 1.4 - Public Consultation for Planning Matters (LPP1.4)
- Local Planning Policy 4.16 - Landscape and Vegetation Policy (LPP4.16)
- Local Planning Policy 2.4 - Water Sensitive Design (LPP2.4)
- Local Planning Policy 3.6 -The Glades Village Centre Design Guidelines

- Local Planning Policy 24 - Design Out Crime

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.

Town Planning Scheme No. 2

The subject site is zoned 'Urban Development' under the Shire's TPS2. Clause 5.18 of TPS2 sets out the objectives of the 'Urban Development' zone, as *"to provide for the orderly planning of large areas of land in a locally integrated manner and within a regional context, whilst retaining flexibility to review planning with changing circumstances"*. This objective is facilitated through the preparation of Structure Plans, which guide land use permissibility and development.

The subject site identified within the Byford District Structure Plan 2020 (BDSP), Glades Main Precinct Local Structure (LSP) and the Glades Village Centre Local Planning Policy which provide the relevant land use permissibility and indicative land use designation applicable to the site. The subject site is identified as 'Neighbourhood Centre' under the BDSP and 'Village Centre' under the LSP. Refer to Figures 3 and 4 below.



Figure 3 Byford District Structure Plan (2020)

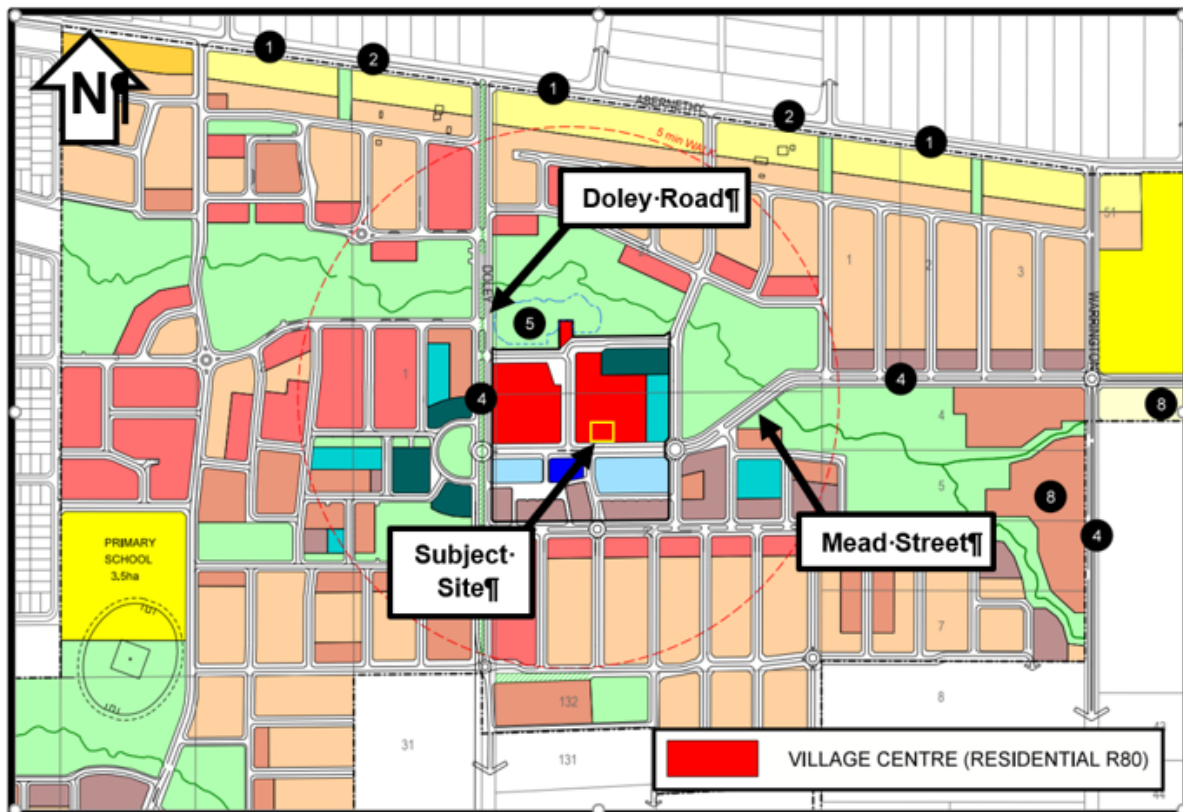


Figure 4: The Glades Main Precinct Local Structure Plan

In considering land use permissibility, the subject site is designated as 'Village Centre' under the LSP. The LSP states that the provisions, standards and requirements for this designation are to be in accordance with a Glades Village Centre Local Planning Policy.

The Glades Village Centre Design Guidelines (LPP3.6) identifies the subject site as 'Mixed Use' and sets out preferred land uses for the subject site as 'Shop' including a supermarket and specialty shops, 'Office', 'Medical Centre' and 'Restaurant', but also states that other land uses can be considered in accordance with the land use requirements and permissibility of the 'Neighbourhood' zone in accordance with TPS2.

In this regard, the purpose of the 'Mixed Use' zone under TPS 2 is:

"The purpose and intent of the Mixed-Use zone is to provide for a variety of commercial and residential land uses in a complimentary and co-located manner, often in a mixed-use format. Development in the zone may provide a transition between intended activity centre development and surrounding residential areas, or for the purposes of minor local commercial development sites in residential areas. Residential development should allow for future conversion into mixed use development"

The development is consistent with the purpose and intent of the Mixed-Use zone, and introduces a further varied secondary land use mix to the centre. This will create a new generator of activity to the centre beyond those times commonly associated with convenience food and food based shopping. This is particularly important to the objective for safe, active and more vibrant centres which promote a positive mix of day and evening use. The proposal incorporates commercial development which is also compatible with surrounding residential land uses within an already established Neighbourhood Centre.

Land Use

The proposal falls within the land use definition of a 'Health Studio' defined under TPS2 as follows:

"Health Studio - means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation".

Under the Zoning Table of TPS2, a 'Health Studio' is a 'P' land use within the 'Mixed Use' designation under the Local Planning Policy (LPP3.6), which means it is a permitted land use.

Draft Local Planning Scheme No.3 (LPS3) and Draft Local Planning Strategy (LPS)

The subject site is located within the 'Local Centre' zone under draft Local Planning Scheme No.3 (LPS3). The proposal would fall under both the land use of "Recreation Private" which is defined as *"premises that are; (a) used for indoor or outdoor leisure, recreation or sport and (b) not usually open to the public without charge"*. Within the 'Local centre' zone, 'Recreation Private' is a discretionary ('D') land use and therefore capable of approval.

The objectives of the 'Local Centre' zone under LPS3 is to promote compatible land uses that are easily accessible and provide services for the immediate neighbourhoods focusing mainly on daily household shopping and community needs without creating any adverse impacts to the amenity of the district or to the health, welfare and safety of residents. Officers consider the development generally meets the objectives of the 'Local Centre' zone as it increases the range of commercial facilities that are considered compatible with the surrounding locality.

Byford District Structure Plan

The subject site is designated as 'Neighbourhood Centre' under the Byford District Structure Plan (BDSP). The primary role of neighbourhood centres is to support the district centre by providing localised services. Walkability and cycling access are key drivers for neighbourhood centres.

Neighbourhood and local centres in the BDSP area are emerging in the west Byford growth areas. The Glades Village Centre, subject to this proposal, provides a range of local services including supermarket, food and beverage tenancies, medical centre, veterinary centre and personal care (e.g. hair and beauty). The proposal seeks to increase the diversity of services provided by the established centre.

The Glades Local Structure Plan

As previously stated, the subject site is designated as 'Village Centre' under the Local Structure Plan where the intent is for a Local Planning Policy to set out development standards.

The relevant objective under the Local Structure Plan is to *"provide a vibrant and active Village Centre"* that does not undermine the Byford Town Centre.

It is considered that the proposal provides an alternative land use to that typically found in a neighbourhood centre contributing towards a *"vibrant and active"* Village Centre. To ensure

the Village Centre does not undermine the town centre, the LSP sets out that the maximum amount of commercial, non-retail, floor space within the Village Centre is 2,500m² net leasable area (NLA).

The proposal is currently already developed with approximately 2,364.5m² of non-retail land uses that include restaurants, fast/food takeaway shops, beauty/hair salons, laundrette, veterinary surgery, office, medical centre, play centre and childcare centre.

The proposed floor area is approximately 865m². While this will exceed the upper NLA under the Local Structure Plan, due to the nature of the proposed land use it is considered that this is not a use that would detract from the functional primacy of the town centre. It is considered that the proposal would contribute towards providing a vibrant Village Centre, through the introduction of a further non-retail secondary use to support a mix of people and activity across the day and especially early morning and later evening times. While the town centre of Byford will attract a greater and more intense mix of non-retail uses, the presence of a smaller scale gym and swimming pool facility is less likely to have a significant draw card (and thus generator of activity) affect if it was placed at this scale in the Byford town centre. Also, from a generator of use perspective, the Byford town centre already has approved by Council an indoor play centre, 24/7 gym and swim school which is of a far larger scale than this proposal. The scale of that proposal, already approved within the Byford town centre, will ensure the functional primacy of the town centre is not adversely impacted by this proposal.

Local Planning Policy 1.6 - (LPP 1.6) - Public Art for Major Developments

The objective of LPP1.6 is to facilitate per cent for art to enhance public enjoyment, engagement and understanding of places through the integration of public art. The policy sets out the requirements for physical and financial contributions for public art for any development valued at \$1 million or greater.

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Local Planning Policy 4.11 (LPP4.11) - Advertising

Local Planning Policy LPP 4.11 - Advertising sets out development standards and requirements for advertisements. The plans as submitted have identified nominal wall signage for the proposal integrated into the façade of the development. No detailed drawings of the signage were provided with the application.

If the application is approved, a signage plan will be required to be prepared and approved prior to operation of the development to ensure any signage is compliant with the policy.

Car Parking

Table V of TPS2 sets out parking requirements for specific land uses. The minimum number of car parking bays for a 'Health Studio' is one space per 15m² of floor area available for the public. Accordingly, as the 'Health Studio' has a floor area of 795m² available for public use, a minimum of 53 parking bays would need to be provided. The plans provided indicate 15 car parking bays resulting in a shortfall of 39 bays. It is also noted that objections were received during the consultation period in relation to inadequate parking being provided.

LPP3.6 states:

“When assessing each land use on an isolated and individual basis, parking provision is likely to be significantly greater than the expected parking demand. From a commercial perspective, there is a need to provide parking to an appropriate level so that trade is not constrained, and the village centre is considered to be easy to use. However, it is detrimental to the amenity of the village centre to provide an oversupply of parking that affects the urban form. When considering the parking requirements for the Village Centre, the parking provisions should allow for reciprocal use of parking facilities between different land uses and their times of attraction when appropriate.”

In light of this, the applicant has provided a Parking Report and Traffic Statement with the intent of justifying the shortfall and demonstrating that the overall Village Centre is capable of offsetting the 39 bay shortfall and that the proposal would not compromise parking availability for other uses within the centre or detrimentally impact on the local road network.

The report details that there is a total of 309 parking bays available on-site and on the street. These bays do not include the five identified for the exclusive use of the tenancies fronting Mead Street and two for the Children’s Play Centre. The locations of the bays are detailed on the image below:

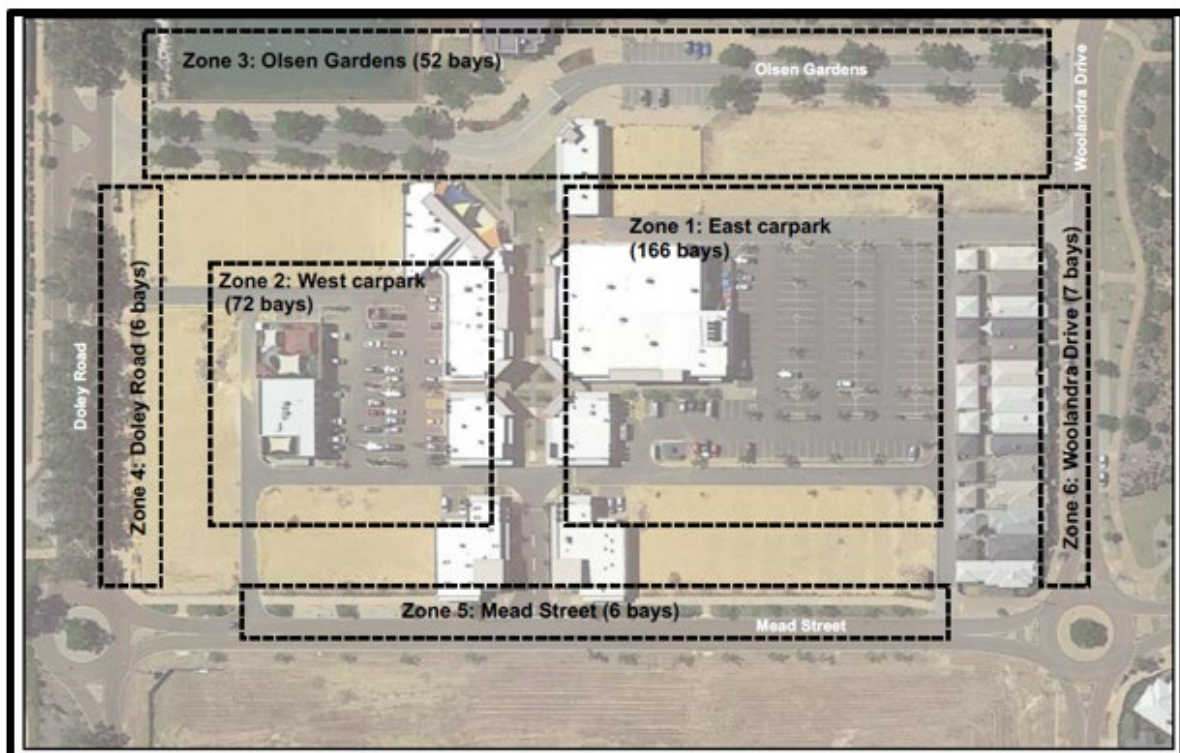


Figure 5: Parking Areas

An existing parking utilisation survey was undertaken as part of the report as well as an assessment of the parking provision for similar uses in other areas. The parking survey was undertaken on Saturday 9 and Wednesday 13 January 2021 between the hours of 9:00am and 5:00pm being the peak times for the use of the proposed development. During this time, the number of occupied bays were counted every 30 minutes and recorded.

In summary the report findings were as follows:

- *“The levels of parking utilisation are low - generally between 13% and 46%. As a benchmark, the globally accepted optimum parking utilisation is 85%.*
- *At no point during the week were there fewer than 166 vacant car bays in or immediately adjacent to the centre.*
- *At no point during the weekend were there fewer than 213 vacant car bays in or immediately adjacent to the centre.*
- *The parking demand for the centre as a whole was notably greater on a weekday than a weekend.*
- *From on-site observations, approximately 50% of the cars were parked for a longer-term and attributed to staff, residents and tradespeople working on adjacent construction sites.*
- *It is reasonable to assume that in the longer term the number of vacant bays will reduce by approximately 20%. Based on the survey results, this would result in a minimum vacancy of 132 bays during the week and 170 bays on a Saturday. In short, for the foreseeable future, there will be no prospect whatsoever of a parking shortage at the centre, even when fully developed.”*

The parking report concludes that regardless of the shortfall of parking bays, there are sufficient bays available within the Village Centre which can be used on a reciprocal basis. This was intended, as discussed previously, under the associated Local Planning Policy. The survey demonstrates that at present there is a minimum parking vacancy of 166 bays and the need for the proposal to occupy potentially 33 of these bays would not compromise the parking capacity of the overall Village Centre.

Officers are satisfied that there is sufficient and robust information to demonstrate that utilisation during peak times is low and there is adequate parking available to service the development's parking needs. This is subject to ensuring Zone 1 is used for patrons to park in. An easy way to do this is through educating patrons to ensure they park in Zone 1, and the development reads for ease and coherent access from Zone 1.

Officers consider also that entrance to Mead Street of the proposed Indoor Pool and Gym should be signed in a manner that the signage is clearly visible to encourage the use of any future on-street car-parking bays also. Bringing activity and turnover of bays especially to the street is a benefit in reading overall life to the town centre. Clear signage to the rear entry would also help to encourage patrons to utilise the main eastern car park (Zone 1), which has the greatest spare capacity of all the car parking areas within the centre.

Based on the information provided in relation to the survey, other similar developments and the foreseen parking demand at the subject site, Officers are satisfied that sufficient parking is available at the Village Centre for the proposal. A condition of approval will be required for the landowner to prepare and register a Deed of Agreement between the centre owner(s), the owner of the proposed Indoor Pool and Gym, and the Shire of Serpentine-Jarrahdale to ensure that reciprocal rights of access to the two main car parking areas within the centre are maintained.

Amenity

The main amenity impact likely to be generated from the proposal is noise, specifically given the proximity to existing and potential residential development located to the east and south of the subject site. In this regard, the applicant provided a noise assessment identifying the

noise sources associated with mechanical plant, vehicles in the car park and filters/pumps in the plant room. Noise from these items was assessed against the prescribed standards of the *Environmental Protection (Noise) Regulations 1997* by way of noise modelling.

The noise assessment findings to this report which concludes that compliance with the *Environmental Protection (Noise) Regulations 1997* is practicably achievable through the best practice recommendations which have been listed below:

- *All delivery vehicles are to be encouraged to have broadband type reversing alarms fitted rather than standard tonal alarms.*
- *Glazing on the south side of the building to be fixed (non-openable) and to be minimum 6mm thick to ensure noise from internal swimming activities does not adversely impact residential development to the south.*
- *Mechanical plant to be maintained to ensure noise levels do not increase over time.*
- *Mechanical plant to be installed using vibration isolation mounts.*
- *Gym floor to incorporate impact isolation such that noise from dropping of weights is compliant at adjoining properties. This is to be the responsibility of the gym operator.*
- *Car park access grates shall be firmly seated in position and fitted with rubber gaskets to avoid excess banging.*

Officers also consider that a further noise source that needs to be managed is music from the gym premises, both from potential group activities and also general music playing through the facilities sound system. This can be perceived as a minor issue, however consideration must be given to the proximity of existing and future nearby dwellings to the development which are more susceptible to being exposed to noise levels from the development above what is permitted.

Officers have recommended a condition for a Noise Management Plan to be prepared to the specifications and satisfaction of the Shire to ensure that the development would comply with the assigned noise levels under Regulation 7 of the *Environmental Protection (Noise) Regulations 1997*. This will also include noise emitted from the gym activities as mentioned above which Officers have identified.

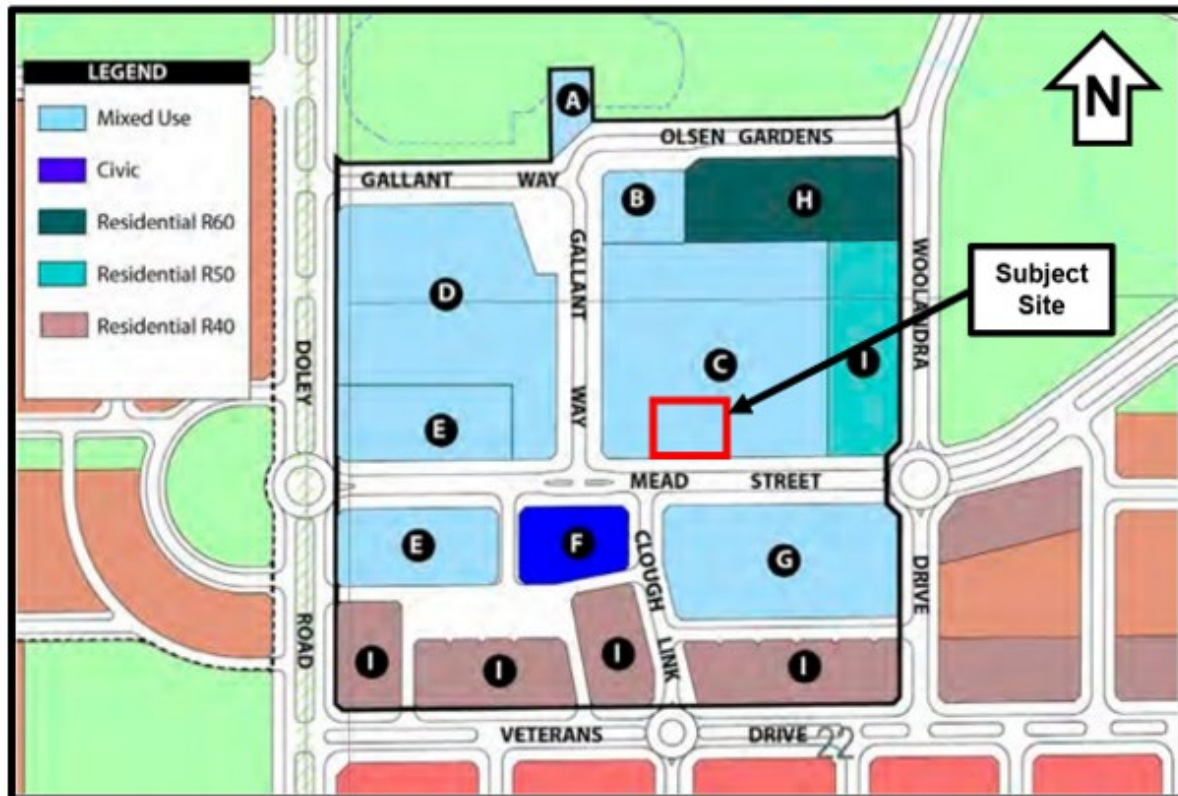


Figure 6: Land Use Allocation LPP 3.6

The objectives of LPP3.6 are:

- *To achieve a mixed-use environment where people may live, work and recreate within the Village Centre.*
- *Uses such as shops, offices, commercial, health care, community, leisure, residential and entertainment will be developed in an integrated manner.*
- *Village Living will be provided for by a range of medium density and mixed-use development opportunities."*

LPP3.6 sets out preferred land uses within the subject location of 'Office' and 'Shop'. Although these are preferred uses, the policy does not preclude other land uses with their permissibility as per the 'Neighbourhood' zone in accordance with TPS2 which as previously stated, the proposal is consistent with.

It is considered that the proposal would provide a recreation/leisure facility for the community, contributing towards a mixed-use environment, in accordance with the objectives of LPP3.6.

LPP3.6 also sets out general built form standards for the Village Centre and standards for specific lots. The Table below provides an assessment of the policy requirements applicable to the proposal:

General Policy Provisions		
Policy Requirement	Compliant	Comment
Architectural character will encompass a contemporary interpretation of 'rural' village forms.	Yes	The architectural character is considered similar to that of the existing buildings within the Village Centre. The use

General Policy Provisions		
Policy Requirement	Compliant	Comment
		of timber cladding style on the elevations helps to achieve the rural feel.
Structures will feature a composite of exterior finishes, with a primary wall material such as a painted render, stone work or face brickwork. These materials will be complimented by minor elements such as lightweight cladding materials, accent colours or other alternative materials.	Yes	The external walls are concrete panels proposed to be painted yellow which is the main colour. The aqua blue highlights are a direct reference to the building's principal function. The timber cladding provides some interest to the simplistic facades along Main Street.
To ensure buildings are robust enough to accommodate a variety of uses as the centre evolves, their design must address: <ul style="list-style-type: none"> • Floor/ceiling heights • Access/egress • Fire requirements • Parking 	Yes	The layout of the building for the gym is generally open plan which would make it possible to allow a change of use of a different tenant. Access and egress is provided mainly provided from the laneway. Fire requirements will be required as part of the building permit process. Parking is met through reciprocal parking arrangements within the Glades Village Centre.
Maximum of three (3) storeys	Yes	The proposed building would be single storey.
Minimum height 7m	No	The proposed height is 5.6m and therefore does not comply with the policy. Officers consider that the proposed height is consistent with the adjoining commercial tenancies as shown on the southern elevation below.
Provision of on street parking exclusively for own use	No	Parking bays are provided on site and parking is reliant on reciprocal parking at the main Village Centre car park - Refer to Car Parking section of Report.
Elevations to streets, rear laneways, and rear entrances from car parks and public open spaces are to be articulated to feature clearly defined architectural elements including:		The main entrances from Mead Street are fully glazed and identifiable from the street. The use of glazing, a modulated parapet, a canopy over the footpath, a varied three colour palette, and of

General Policy Provisions		
Policy Requirement	Compliant	Comment
<ul style="list-style-type: none"> Defined front entries that are clearly identifiable from the street through expressed elements such as centre porticos, glazing etc; Avoidance of blank facades; Application of awnings and other shading devices; Bold colours or accent material changes; and A continuous pedestrian cover at street level. 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p>	<p>timber-like cladding makes the facade interesting.</p> <p>Sufficient fenestration and articulation is proposed.</p> <p>A canopy is proposed over the footpath. An entrance lobby is proposed at rear along covenant lane.</p> <p>The main colours are yellow and aqua blue.</p> <p>There is a continuous pedestrian cover to the west elevation only. This is discussed further later in the report.</p>
Secondary Street facades should be appropriately articulated and activated to avoid blank walls and to provide increased passive surveillance to corners.	No	The rear elevation fronting the lane way (east and west) is considered to be and lacking interest.
Glazing to the primary street shall be optimised with at least 70% glazing.	Yes	The elevation fronting Mead Street is provided with extensive glazing to the street
Services and associated appliances to be concealed from the street or public view	Yes	Service access to the proposal is proposed via a ramp from the car-parking area to the bin store and pool equipment room in the north eastern corner of the building. Air conditioning units proposed to be roof mounted will be hidden from view through the use of raised parapets and a louvered screen enclosure.
Car parks to be well lit	Yes	The lighting will remain on during business hours because it is essential to the operation of the facility.
Buildings designed to create a safe environment by avoiding the creation of blind spaces	Yes	The pool hall has been provided with extensive glazing to the street, which will assist with activation of the street and good passive surveillance of the street

General Policy Provisions		
Policy Requirement	Compliant	Comment
		during operating hours. In the evenings, the light from the pool hall will spill out onto the adjacent footpath and provide a greater sense of safety and visual interest.
<ul style="list-style-type: none"> Landscaping to allow for surveillance of public areas. Planting to parking areas. 	<p>Yes</p> <p>No</p>	<p>No landscaping is proposed as part of this development.</p> <p>Landscaping exists as part of previous developments approved within the Glades Village Centre which is considered sufficient.</p> <p>Street trees also exist along Mead Street.</p>
The implementation of 'Quiet Building Design' principles to minimise impacts of noise	Yes	A noise assessment was submitted as part of the application demonstrating predicted noise levels would be well within the assigned levels under the Noise Regulations.

Site Specific Requirements		
Policy Requirement	Compliant	Comment
Preferred land uses of 'Office' and 'Shop'	No	Although these are preferred uses, the policy does not preclude other land uses with their permissibility as per the 'commercial' zone in accordance with TPS2. The proposed land use is one that can be considered in the 'Neighbourhood' zone in accordance with TPS2.
Development shall address Mead Street and shall provide articulated elevations featuring glazing to the secondary streets.	Yes	The pool hall has been provided with extensive glazing to the street, which will assist with activation of the street and good passive surveillance of the street during operating hours. In the evenings, the light from the pool hall will spill out onto the adjacent footpath and provide a greater sense of safety and visual interest.

Site Specific Requirements		
Policy Requirement	Compliant	Comment
Parking is to be located at the rear of development with access via the laneway. Parking is to generally not be visible from Mead Street and access is not permitted from Mead Street or Doley Road.	Yes	A total of 14 car parking bays have been provided along Covenant Lane at the rear.
Service or loading areas are to be located at the rear of development and are to be accessed via the laneway. These areas are to be visually screened from streets by buildings, screen walls and gates and should be well-lit for after hours security.	Yes	There is a store and bin store located to the rear of the building. A condition is recommended to ensure that this is screened. The applicant has provided information that lighting for the centre will be adequately provided, with the gym operating 24/7 ensuring a level of surveillance. Pedestrian and cycling paths are provided along both frontages, linking the subject site to the surrounding locality
Pedestrian awnings/canopies are recommended where there are continuous Commercial uses (with a nil setback) along Mead Street. Awnings overhanging the southern elevation may be made of translucent materials.	Yes	The development proposes an awning over the foot path along Mead Street, which also serves to mitigate early morning and late afternoon sun on the pool hall glazing during summer months.
Required Setbacks	Proposal	Compliant
Mead Street - Nil	Nil	Y
Covenant Lane Way - Nil	Nil	Y



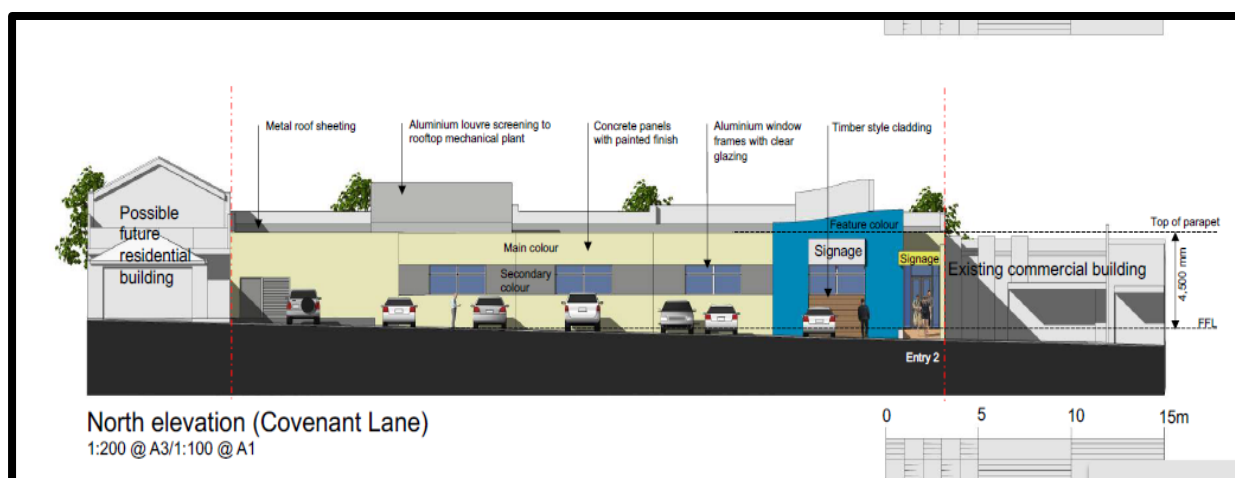
The southern elevation as shown above has been developed consistently with the design requirements of LPP3.6. The elevation includes an awning across the full width of the elevation, with a focal entry point (Entry 1) to the south-west corner of the building. LPP3.6 requires a continuous pedestrian cover at street level for all commercial activities. The elevation is also provided with extensive glazing allowing for passive surveillance to the street, meeting the design principles of the LPP 3.6. The painted concrete panels, designed with varying heights, feature colours and timber style cladding satisfies the provisions of LPP3.6 which requires elevations to streets and laneways to feature well defined architectural elements.

During the consultation period, concerns were raised regarding the proposed s through the Byford (and broader Shire) landscape.

The current yellow highlight on the awning is considered an incompatible colour and contrast, and this colour should better reflect the grey banding finish of the floor raiser adjoining the footpath. This will create two bands of horizontal grey colour to help balance out the vertical components that are grounded through the colour and material variance. This would look as follows:

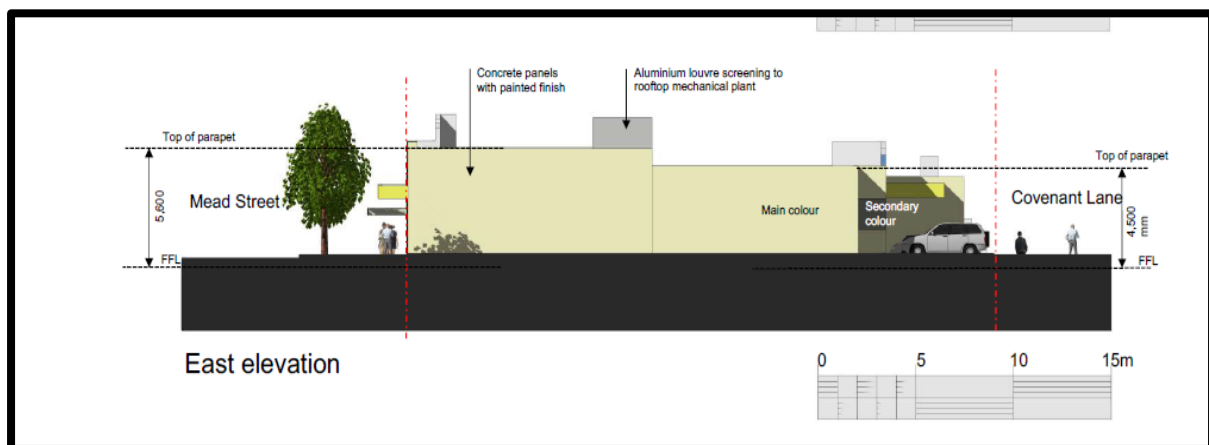


This will enable both a compatible and reassuring key note as to the reading of the landscape balanced against the internal function of the building.



The northern elevation as shown in the photograph above shows the entrance of the building via the laneway. The elevation features the main colour of the building as the predominant design aspect mixed with aluminium window frames and a timber style near the entrance. The elevation also shows the provision of car parking bays along the Covenant Lane. It is not a prominent publicly visible elevation, compared to the south facing elevation of Mead Street. This is considered acceptable also.

During the consultation period concerns were raised regarding lack of light and passive surveillance of the Village Centre. The applicant provided information that lighting will remain on during business hours essential to the operation of the facility. Officers are satisfied that the proposal has been designed with active frontages to facilitate the passive surveillance of the building on both Mead Street and Covenant lane frontages including the proposed car park. While current operating hours are yet to be finalised, these kinds of facilities can function 24 hours per day which could create the opportunity for greater casual surveillance especially in the later evening and early morning times.



The east elevation is presented as a blank wall featuring concrete panels with painted finish. The east elevation abuts onto lots designated for FUTURE residential/commercial development. During the consultation period, concerns were raised regarding the blankness of the wall of this height located on the boundary likely to adversely impact on the residential amenity of the future occupants of this lot. Furthermore, the provision of a blank wall in this location is considered to adversely impact on the visual amenity of the area and contrary to the design requirements of LPP3.6. It is considered that this wall and its roof should be used for the per cent for art component as required through a condition. This approach is consistent with how Officers dealt with a similar matter for the child play centre located within the same Glades Village Centre and has addressed the concerns of amenity impacts raised by nearby landowners. While the wall component of such artwork may, at some point, be consumed by further development to the east, the roof component would remain. Artwork in itself can be partially ephemeral, and it is considered appropriate to ensure an interim treatment of that eastern elevation and roof sculpture so as to support an attractive and inviting setting for the overall area. A recent example of this approach is the western edge of the Salvos showroom building, which was treated with per cent for art adjoining a public open space reserve. As this reserve matures, that artwork may become consumed and hidden by vegetation, however this would be over an extended timeframe and it is considered advantageous to encourage the edge to be appropriately treated.

Options and Implications

Option1

- a. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Shire of Serpentine Jarrahdale stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 - P7 received at the Shire Offices 23 February 2021
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- b. Prior to the issue of a Building Permit, the applicant shall prepare a Noise Management Plan to the specifications and satisfaction of the Shire of Serpentine Jarrahdale. The Noise Management Plan is to demonstrate how noise levels will be managed including (but not limited to):
 - How sound power levels of dominant HVAC and plant room equipment will be managed to prevent unacceptable external noise impacts.
 - How specific screening (barriers and acoustic louvres) of rooftop HVAC and pool plant room will occur and be managed.
 - How noise from internal gym activities will be managed to prevent unacceptable external noise impacts.

Once approved, development shall be in accordance with the Noise Management Plan.
 - c. Prior to occupation of the development, a per cent for art contribution being provided in accordance with Local Planning Policy 1.6 - Public Art for Major Developments, to the satisfaction of the Shire of Serpentine Jarrahdale. This is to be focused on the eastern wall and its roof, to ensure this prominent edge is provided with an aesthetic and engaging feature for the time it exists without a further development adjoining.
 - d. Prior to occupation of the development, a Signage Plan must be submitted to and approved by the Shire of Serpentine Jarrahdale. This Plan shall demonstrate compliance with Local Planning Policy No 4.11 - Advertising Signs and include directional signage within the car park. Once approved, signage shall be displayed and maintained in accordance with the Signage Plan.
 - e. Prior to issue of a Building Permit, the subject lots being amalgamated to create one single allotment, to the satisfaction of the Shire of Serpentine Jarrahdale.
 - f. Prior to issue of a Building Permit, the landowner shall enter into a suitable Deed of Agreement to the satisfaction of the Shire of Serpentine Jarrahdale, to secure reciprocal parking arrangements between Lot 40 Covenant Lane, Byford and Lots 29-33 Mead Street, Byford (which will be amalgamated to form a single allotment). The landowner shall be responsible to meeting all costs associated with preparing, executing and registering the Deed of Agreement.
 - g. Prior to issue of a Building Permit, revised elevation plans are to be submitted and approved by the Shire of Serpentine Jarrahdale. This is to demonstrate the colour

finish of the awning being changed to a dark grey in order to reflect the colour of the banding of the stallraiser adjoining the footpath, to the satisfaction of the Shire.

Conclusion

The application seeks approval for a single storey commercial building comprising of a 'Health Studio' (swimming pool and gym facility). Overall, the proposed development will increase the range of local services and provide employment opportunities for the local community that will assist to support the population growth within the Shire. Notwithstanding the objections received, the proposal is considered to meet the objectives and intent of the zone and Structure Plans.

As such, for the reasons outlined in the report, it is recommended that Council approve the application subject to conditions:

Attachments:

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: The proposal is consistent with the TPS2			
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:			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment:			
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
f) any policy of the State	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Comment:			
g) any local planning policy for the Scheme area	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

Comment:			
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:			
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	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: The proposal is consistent with surrounding development.			
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:			
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:			
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:			
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	NO	N/A
I. The proposed means of access to and egress from the site; and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles			
Comment:			
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	NO	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment:			
u) the availability and adequacy for the development of the following –	YES	NO	N/A
I. Public transport services	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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			
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	NO	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment:			
w) the history of the site where the development is to be located	YES	NO	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comment: The history of the site has been discussed in the report.			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES	NO	N/A
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comment:			
y) any submissions received on the application	YES	NO	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment:			
Za) the comments or submissions received from any authority consulted under clause 66	YES	NO	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment:			
Zb) any other planning consideration the local government considers appropriate	YES	NO	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comment:			