

Technical Report			
Application No:	PA20/154		
Lodgement Date:	18 February 2020	DAU Date:	
Address:	4 Warrington Road, Byford		
Proposal:	Signage		
Land Use:	Child Minding Centre	Permissibility:	SA
Owner:	Planmar Pty Ltd		
Applicant:	As above		
Zoning:	Urban Development	Density Code:	R10
Delegation Type:	12.1.1	Officer:	Haydn Ruse
Site Inspection:	Yes		
Advertising:	Yes		
Outstanding Internal Referrals:	No		
External Referrals:	No		
Within a Bushfire Prone Area:	Yes		

Introduction:

A planning application dated 18 February 2020 has been received for proposed signage at Lot 517, 4 Warrington Road, Byford. The development has since been installed without approval and is now retrospective.

The subject lot is zoned Urban Development in accordance with the Shire's Town Planning Scheme No. 2 (TPS 2) and designated as 'Residential (R10) under the Byford main Precinct (The Glades) Local Structure Plan'. The retrospective signage is associated with an approved Day Care Centre on the same lot and would form part of that use, being a 'Child Minding Centre' use. Within the Urban Development zone, the permissibility of land uses is intended to be guided by a Local Structure Plan (LSP). Within the Residential designation of the land under the LSP a 'Child Minding Centre' is a 'SA' use, capable of approval subject to undergoing community consultation.

The retrospective development is reported to Council for determination as officers do not have delegation to determine an application that proposed variation to Local Planning Policies under delegated authority 12.1.1.

This report recommends that the retrospective signage be approved subject to appropriate conditions.

Background:

Existing Development:

The subject site has been developed as a Childcare Centre and includes a main building, outdoor play areas, landscaping and a car parking area.

Retrospective Development/Site Context:

The application comprises of two signs, which have been affixed to the lot boundary wall at the north western corner and on the truncation at the north east of the site, both signs facing Abernethy Road.

The sign to the north-west is a circular branding sign measuring 1.1m in height and 1.1m in width. The sign at the truncation to the north-east is a rectangular sign measuring 1.3m in height and 4.3m in width.

Community / Stakeholder Consultation:

Advertising was carried out for a period of 21 days, from 16 March 2020 – 6 April 2020, whereby 0 submissions were received.

Statutory Environment:

- *Planning and Development (Local Planning Schemes) Regulations 2015*
- Shire of Serpentine Jarrahdale Town Planning Scheme No.2

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 signage is associated with the Childcare Centre currently operating from the subject site and would form part of that land use, being 'Child Minding Centre'. Within the Residential designation under the LSP, this would be a 'SA' land use, meaning it is capable of approval subject to advertising.

Under the draft Local Planning Scheme No.3 (LPS3), the subject site would remain Urban Development zoned land and subject to a Residential designation under the LSP. Within the Residential zone under LSP3, the land use 'Child Care Premises' would be an 'A' use, meaning it is capable of approval subject to undertaking community consultation.

Local Planning Policy 4.11 – Advertising:

The application includes two signs located on the lot boundary wall of the subject site, which are considered to be boundary fence signs as defined under the policy. The policy allows up to 36m² of signage area for boundary fence signs per lot, which the application complies with (7.11m² total signage area).

While the land is zoned 'Urban Development', for the purpose of assessing the appropriateness of the development regard has been given to the LSP, which designates land as 'Residential'. A boundary fence sign is not a permissible signage type in either the 'Urban Development' zone or the 'Residential' zone in accordance with LPP4.11.

Consideration must be given to the objectives of the policy in order to determine whether this variation is acceptable. The objectives of the policy and Officer comments have been provided in the table below:

Policy Objective	Officer Comment
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.	The signs are considered to be appropriately scaled in their design, featuring only the business name and logo. The proposed siting of the signage is relatively common for this type of development and is not considered likely to impact upon the landscape values, amenity or character of the area. The signage frontage to the corner and to Abernethy Road does not represent the kind of intimate street scape that would normally be expected with a quiet residential street.
b) To ensure that advertising signs are not misleading, offensive or distracting for vehicular and pedestrian traffic.	The signs are considered to be appropriately scaled in their design, featuring only the business name and logo. Officers consider the signage is not misleading or offensive and would not distract vehicular or pedestrian traffic. It is opposite a roundabout where traffic speeds have reduced to navigate through the roundabout.
c) To ensure that signs make a positive contribution to the streetscape and streetscape interaction.	The signage is orientated towards the roundabout and Abernethy Road, and is scaled to suit the development. While signage will seldom make a positive design contribution, in this case it does not appear ad hoc or out of place.
d) To ensure that the scale of the sign is appropriate to the size of the building or façade upon which it will be displayed.	Officers consider the signs do not visually dominate the area of boundary wall in which they are located. The signs are relatively well scaled compared to the face of the boundary wall.
e) To improve the quality of advertising signs and their overall visual impact.	Officers have recommended a standard condition for signage that requires the owner to ensure the signage is maintained free of graffiti or dilapidation to the Shire's satisfaction. This will ensure the signage presents well on the streetscape at all times.
f) Ensure that signs are constructed and maintained to ensure public safety at all times.	The signage does not project and would not cause any safety implications to the public.
g) To rationalise signage across a building or façade so as to minimise the proliferation of signage in a particular location.	The two signs are located at the western most and eastern most corners of the northern lot boundary, approximately 35m apart. With only two signs separated by a reasonable distance, Officers consider the proliferation of signage as viewed from the

	street will be minimised.
h) To protect the heritage values of any place included on the heritage list.	The subject site is not a designated heritage place.

Officers consider the proposed signage meets the objectives of LPP4.11 and that the merits of the proposal and context of the site warrant variation to the policy in this instance and approval of the signage is recommended.

Options and Implications:

With regard to the determination of the application for planning approval under Town Planning Scheme No. 2, Council has the following options:

Option 1: Council may resolve to approve the application.

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

Option 1 is recommended,

Conclusion:

This application is presented to Council for determination due to variations to the permissibility of signage types under LPP4.11, which Officers do not have delegated authority to approve. The signage is considered to meet the objectives of the policy and the merits of the proposal and context of the site, previously approved for a Childcare Centre, and is supported.

Attachments:

- CL67 Table

a) The aims and provisions of this Scheme and any other local planning scheme operating within the area	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: The retrospective development is consistent with the aims and provisions of 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 X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: The retrospective development is consistent with draft LPS3.			
c) any approved State planning policy R-Code Assessment (when applicable) at End of Report	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
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 X
Comment:			
e) any policy of the Commission	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			

f) any policy of the State	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
g) any local planning policy for the Scheme area	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Local Planning Policy 1.4 – Public Consultation for Planning Matters Local Planning Policy 4.11 – Advertising			
h) any structure plan, activity centre plan or local development plan that relates to the development	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: Byford Main Precinct (The Glades) Local Structure Plan			
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 X
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 X
Comment:			
k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
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 X
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 X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: The retrospective development is considered to be compatible with surrounding development.			
n) the amenity of the locality including the following – I. Environmental impacts of the development II. The character of the locality Social impacts of the development	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: The retrospective development is not considered to have impacted upon the character or amenity of the area, or resulted in any social impacts.			
o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A X
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
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 X
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A X
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 <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
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) Access by older people and people with disability	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
w) the history of the site where the development is to be located	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
y) any submissions received on the application	YES X	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Comment: No submissions received during advertising.			
Za) the comments or submissions received from any authority consulted under clause 66	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			
Zb) any other planning consideration the local government considers appropriate	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A X
Comment:			