

Deemed Provisions – Cl 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"/>
<p>Comment: The proposed use is classified as a ‘Civic Building’ which is defined under TPS2 as: <i>“a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for administrative or other like purpose.”</i></p> <p>Table 1 - Zoning Table of TPS2 does not list a reserve as a zone for the purposes of land use permissibility, however, Clause 2.3 of TPS2 states “Where an application for planning consent is made with respect to land within a local reserve, the Council shall have regard to the ultimate purpose intended for the reserve and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting its consent.”</p> <p>In this case, the reserve is vested to the Shire for the purpose of ‘Emergency Management’ and therefore the use is consistent with the intent and purpose of the reserve, consistent with TPS2.</p>			
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"/>
<p>Comment: Similar to the above, LPS3 lists a ‘Civic Use’ as “premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes.” As previously stated, the purpose of the reserve is for ‘Emergency Management’ to which the proposal is considered consistent.</p>			
c) any approved State planning policy	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>Comment: <u>State Planning Policy 3.7 – Planning in Bushfire Prone Areas</u></p> <p>The subject site lies within a bushfire prone area and as such is required to have a Bushfire Management Plan (BMP) prepared achieving compliance with the Guidelines for Planning in Bushfire Prone Areas (Guidelines).</p> <p>A BMP has been prepared as part of the application and demonstrates consistency with the elements of the Guidelines as follows:</p> <p><i>Location:</i></p> <p>The future building can be located in an area that will, on completion, be subject to bushfire rating of BAL-12.5 subject to the implementation of an asset protection zone.</p> <p><i>Siting and Design:</i></p> <p>The proposed building would be surrounded by an area of hardstand and will be provided with separation from classified vegetation to achieve BAL-29.</p> <p><i>Vehicular Access:</i></p> <p>Pony Place is an existing sealed public road and meets the standards of the Guidelines. It allows for two separate destinations to be reached in the case of a bushfire emergency. Whilst Pony Place is a cul-de-sac, there is an emergency access way leading to Wolfe Road providing means of</p>			

escape in two directions. Notwithstanding this, it is considered that due to the nature of the proposal there would be very few incidents whereby occupiers of the subject site would require this.			
Water:			
The development will be provided with a dedicated water tank for firefighting, consistent with the requirements of the Guidelines.			
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 type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" 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: The land is reserved under the MRS			
k) the built heritage conservation of any place that is of cultural significance	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input 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 type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>

Comment: The proposed building would be set back 50m from the primary street behind the car park. The building would present a 6.7m high garage with four roller shutter doors facing the street. The remainder of the building would be approximately 4.9m in height with a shale grey coloured colorbond matt finish. Notwithstanding the use of the building, larger scale buildings, particularly sheds, are commonplace within rural and rural residential areas.

The front setback of the lots opposite the subject site, where the proposal would be most visible, contain vegetation which would partially screen the proposed development.

The subject site however is relatively cleared of vegetation towards the primary street and it is considered that landscaping should be provided to further ameliorate any visual impact of the proposal on adjacent landowners. Due to the additional screening vegetation taken with the setback of the proposed building it is considered to ensure it would not adversely impact upon the character of the locality.

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

Comment: The level of amenity currently afforded to local residents is that typical of a rural residential area. To support the proposal, an Acoustic Assessment was provided to inform whether the proposal would have any adverse impact upon the locality by way of noise. The Acoustic Assessment uses the noise levels typically undertaken at a fire station, and identifies the relevant noise sources as vehicle checks, equipment training, pumping drills and voice calls. Activities such as cutting equipment and breathing apparatus are not done by BFBs, as they are not equipped to use such.

Noise modelling was used to calculate the noise generated from these activities assessed against the assigned levels under the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations) at each identified sensitive receptor (dwelling) as depicted below:



The results show that the noise generated from the vehicle and equipment checks during the day, evening, night and Sundays complies with the Noise Regulations. Noise generated from the pumping drills with voice calls resulted in areas of non-compliance at certain times at sensitive receptors as detailed in the following table:

TABLE 5.6 – ASSESSMENT OF NOISE LEVEL EMISSIONS – PUMPING DRILLS WITH VOICE CALLS

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned Level (dB) L _{A10} dB	Exceedance to Assigned Noise Level (dB)
R1	46	Day	45	+ 1 dB
		Sundays	40	+ 6 dB
		Evenings	40	+ 6 dB
		Night	35	+ 11 dB
R2	37	Day	45	Complies
		Sundays	40	Complies
		Evenings	40	Complies
		Night	35	+ 2 dB
R3	39	Day	45	Complies
		Sundays	40	Complies
		Evenings	40	Complies
		Night	35	+ 4 dB
R4	53	Day	45	+ 8 dB
		Sundays	40	+ 13 dB
		Evenings	40	+ 13 dB
		Night	35	+ 18 dB

The Acoustic Assessment concluded that there needed to be further analysis to determine reasonable and practicable measures to reduce noise. In this regard, the acoustic consultant attended the existing Oakford BFB station to measure the noise levels of the activities to be carried out using the same vehicles and equipment that would be used at the proposed new station. An updated Acoustic Assessment was provided focussing on the actual noise generated from the Oakford BFB trucks.

With regard to the pumping drills, the updated Acoustic Assessment concluded that noise to be compliant with the Noise Regulations at all sensitive receptors as detailed following:

TABLE 5.3 – ASSESSMENT OF NOISE LEVEL EMISSIONS – PUMPING DRILLS

Location	Assessable Noise Level, dB(A)	Applicable Times of Day	Applicable Assigned Level (dB) L _{A10} dB	Exceedance to Assigned Noise Level (dB)
R1	32	Day	45	Complies
		Sundays	40	Complies
		Evenings	40	Complies
		Night	35	Complies
R2	22	Day	45	Complies
		Sundays	40	Complies
		Evenings	40	Complies
		Night	35	Complies
R3	24	Day	45	Complies
		Sundays	40	Complies
		Evenings	40	Complies
		Night	35	Complies
R4	25	Day	45	Complies
		Sundays	40	Complies
		Evenings	40	Complies
		Night	35	Complies

Based on the updated Acoustic Assessment, the proposal would not adversely impact upon the amenity of surrounding residents by way of noise.

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 <input checked="" type="checkbox"/>
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Comment:

p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
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Comment: A condition is recommended to require further landscaping

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"/>
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Comment:

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

s) the adequacy of –	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
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<p>I. The proposed means of access to and egress from the site; and</p> <p>II. Arrangements for the loading, unloading, manoeuvring and parking of vehicles</p>			
Comment:			
<p>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</p>	<p>YES <input checked="" type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>N/A <input type="checkbox"/></p>
<p>Comment: The proposed development would take access onto Pony Place which is classified as an 'Access Road' under Main Roads Western Australia (MRWA) hierarchy, constructed as a two-lane single carriageway road. Current traffic volumes for Pony Place are not available however as a cul-de-sac serving 12 properties, the TIA assumes there to be 113 vehicles per day (vpd) and between 8 to 11 vehicles per hour (9vph) in the peak hours. The target daily traffic volume for an access road is typically around 1000vpd and as such the increased traffic from the proposal is considered to not adversely impact upon the capacity of this road.</p> <p>The busiest activity is likely to be the brigade training occurring 3 times per month with 15 to 20 people expected. The highest impact would be during the arrival period (starting 5:30pm) which is close to the peak hour on the road network. However, as the training does not start until 7:30pm and arrivals are spaced out the likely volume of traffic movements during the peak period is low. As a worst-case scenario, up to 20 vehicles would arrive between 5:30pm and 6:30pm. The Western Australian Planning Commission's TIA guidelines suggests that an increase of 10 to 100 peak hour vehicles would have a low to moderate impact. 20 vehicles is at the lower end of this range and so the traffic impact of this activity is considered low. It is also noted that this activity occurs only three times per month and so on the majority of days, the site will generate little or no traffic at all.</p> <p>Pony Place joins Nicholson Road, a 'Distributor A' road under MRWA hierarchy. The target daily traffic for a distributor road is between 7000 and 15,000 vpd. The current volumes on Nicholson Road are well within the target daily traffic volumes. The TIS also considers the capacity of the Pony Place/Nicholson Road intersection. The results of the capacity analysis show that this intersection would operate at a Level of Service A under all peak scenarios. Given the traffic numbers generated by the proposal and the infrequent basis the TIS considers that no upgrades are required to the intersection.</p> <p>The TIS details that the largest vehicle expected to access the site is a 10.7m long Incident Control Vehicle. It is considered that the driveway access which is currently proposed at 6m in width should be increased to 6.5m to accommodate the larger vehicles. It is also recommended that a swept path analysis is undertaken at detailed design stage to ensure the site access and internal layout has sufficient room to accommodate the manoeuvring of the expected vehicles. This is recommended as a condition should Council resolve to approve the application.</p> <p>In addition, the TIS examines sight lines from the site access and identifies a minimum required sight distance of 153m. This can be achieved subject to a condition requiring the trimming of vegetation within the road reserve.</p>			
<p>u) the availability and adequacy for the development of the following –</p> <p>I. Public transport services</p> <p>II. Public utility services</p> <p>III. Storage, management and collection of waste</p> <p>IV. Access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities)</p>	<p>YES <input type="checkbox"/></p>	<p>NO <input type="checkbox"/></p>	<p>N/A <input type="checkbox"/></p>

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