

<b><u>Technical Report</u></b>			
<b>TRIM Number:</b>	<b>PA21/930</b>	<b>Synergy Number:</b>	<b>PA21/930</b>
<b>Receipt Date:</b>	<b>23 September 2021</b>	<b>DAU Date:</b>	
<b>Address:</b>	<b>L1 &amp; 2, 865 South Western Highway, Byford</b>		
<b>Proposal:</b>	<b>Extension and Alterations including Signage</b>		
<b>Land Use:</b>	<b>'Shop'</b>	<b>Permissibility:</b>	<b>P (Permitted)</b>
<b>Owner:</b>	<b>Lenz Corp Pty Ltd Atf The Lenz Investment Trust</b>		
<b>Applicant:</b>	<b>D Forbes</b>		
<b>Zoning:</b>	<b>Urban Development</b>	<b>Density Code:</b>	<b>N/A</b>
<b>Delegation Type:</b>	<b>12.1.1</b>	<b>Officer:</b>	<b>Ryan Fleming</b>
<b>Site Inspection:</b>	<b>Yes</b>		
<b>Advertising:</b>	<b>Yes</b>		
<b>Outstanding Internal Referrals:</b>	<b>No</b>		
<b>External Referrals:</b>	<b>No</b>		
<b>Within a Bushfire Prone Area:</b>	<b>No</b>		
Part 10A, Cl. 78B of the Planning and Development (Local Planning Schemes) Regulations 2015 exempts the requirement for a BAL assessment.			

### **Introduction:**

The purpose of this assessment is for Council to consider a development application for alterations, additions and signed to the existing retail development at Lot 1 and Lot 2, 865 South Western Highway, Byford.

These specifically propose a loading dock and aesthetic screen (to George Street) and signage to facilitate a Dan Murphy's Store.

The application is presented to Council, as it seeks variations to the built form and design requirements of Local Planning Policy 3.8 – Byford Town Centre Built Form Guidelines (LPP3.8). Officers do not have delegated authority to determine development applications which vary Local Planning Policies in accordance with Delegated Authority – 12.1.1 – Determination of Development Applications.

It is considered that the application is generally consistent with the intent and objectives of LPP3.8, and the broader planning framework of Shire of Serpentine Jarrahdale Town Planning Scheme No. 2 (TPS2). The application is therefore recommended for conditional approval.

### **Background:**

#### Existing Development:

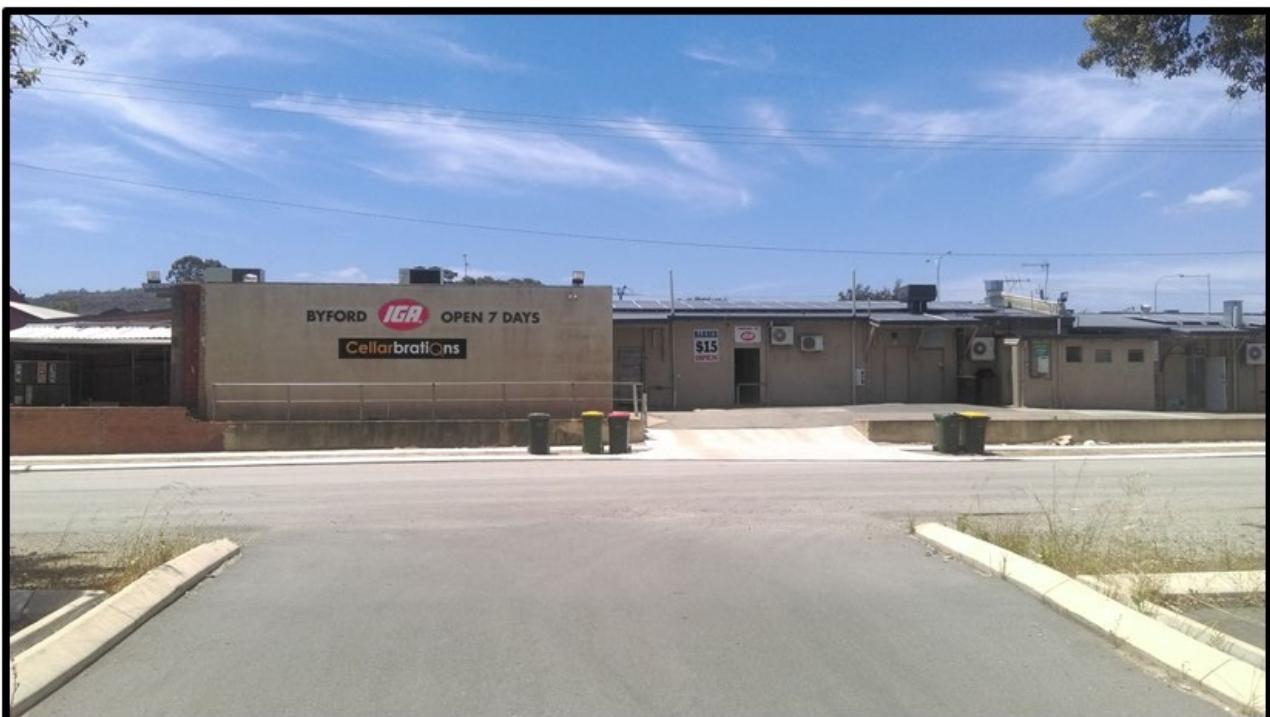
The subject property is 5,139m<sup>2</sup> and is currently established with a mainly retail (food offering and service provision) development on the land. The tenancy subject to this application is a former IGA and associated Cellarbrations Liquor Store.



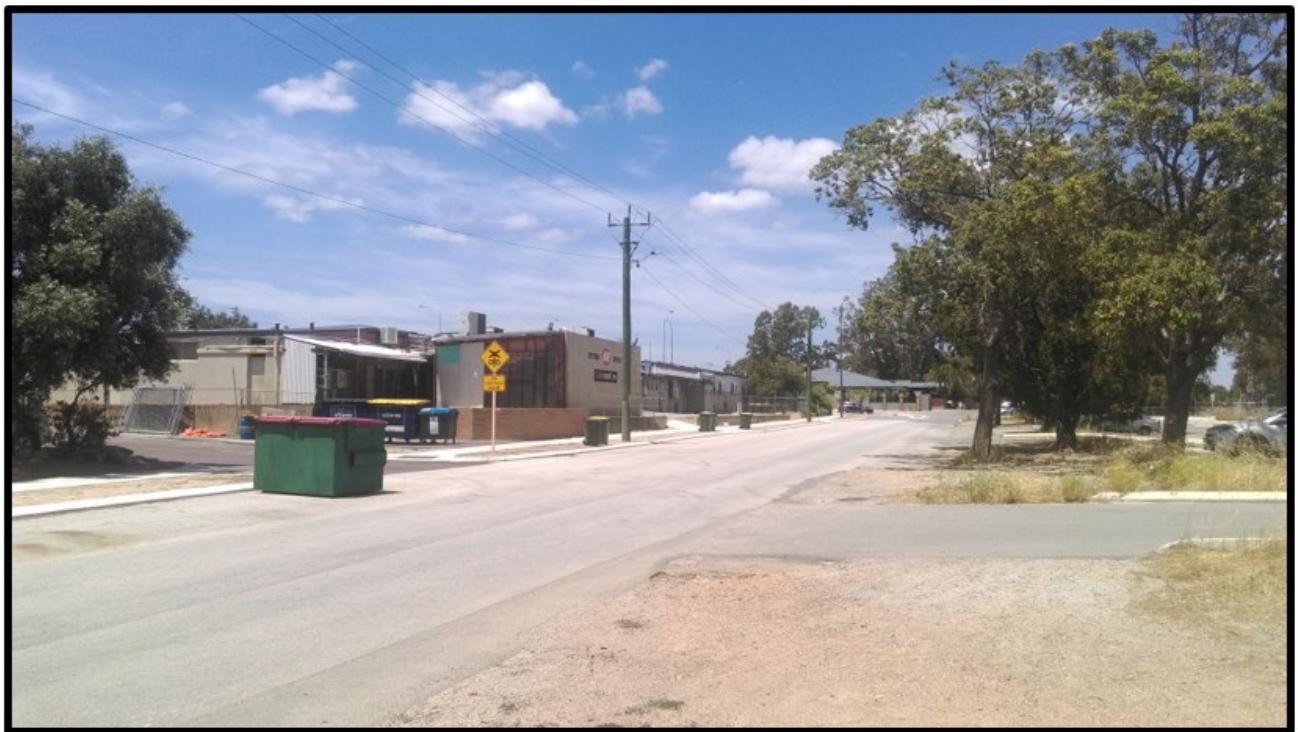
**Figure 1: Aerial context**

The focus of the alterations and additions is to the loading dock and frontage of the development to George Street. The proposed signage and external colour changes to the building will also be viewable from the George Street, Abernethy Road and South Western Highway frontages.

The current interface of the development to George Street is shown following:



**Figure 2: View of the existing back of house arrangements from George Street**



**Figure 3: View of the site from George Street, looking south**



**Figure 4: View of the crossovers and future planting screen locations from George Street, looking north**

There is a mentioned aesthetic edge screen proposed along George Street, that will attempt to better present the development to George Street.

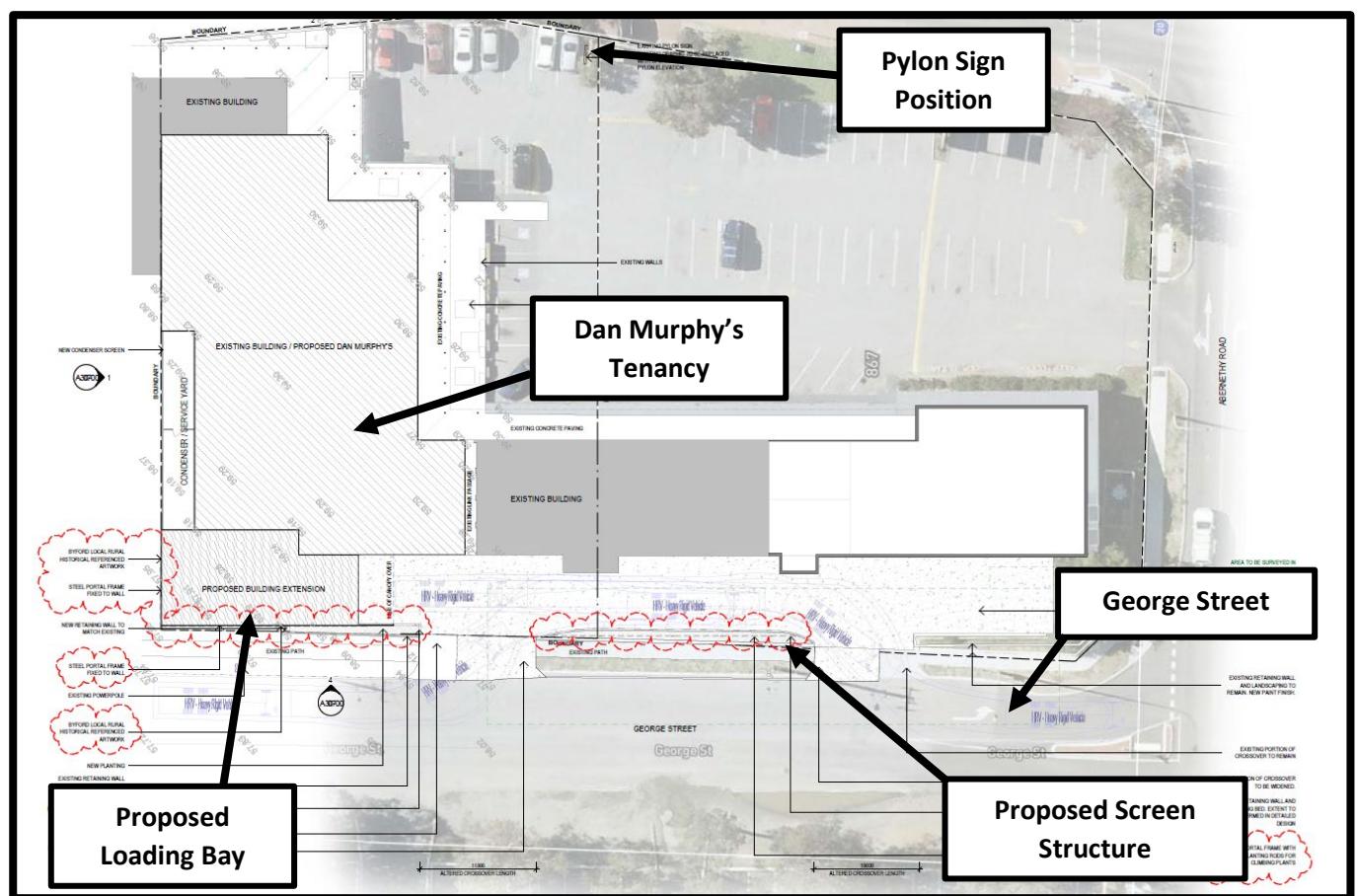
## Proposed Development:

The land use of Liquor Store continues the permitted use of the land. Thus, this application deals with the physical works component only, which (in conjunction with land use) needs to be approved under TPS2.

The application does not propose any changes to the size of the sales area of the shop, the car parking arrangements or the current approved land use of the site under TPS2. Thus the application relates only to the following works:

- Replacement of signage to the exterior of the existing building and on the existing pylon sign;
  - An extension to form a new loading dock towards the north-west corner of the site ( $173m^2$  of floor area), removing the existing half-constructed building;
  - Access from South Western Highway and Abernethy Road will remain however widening of the crossovers along George Street to accommodate larger vehicles is proposed; and
  - A new steel framed aesthetic landscape screen to the George Street façade.

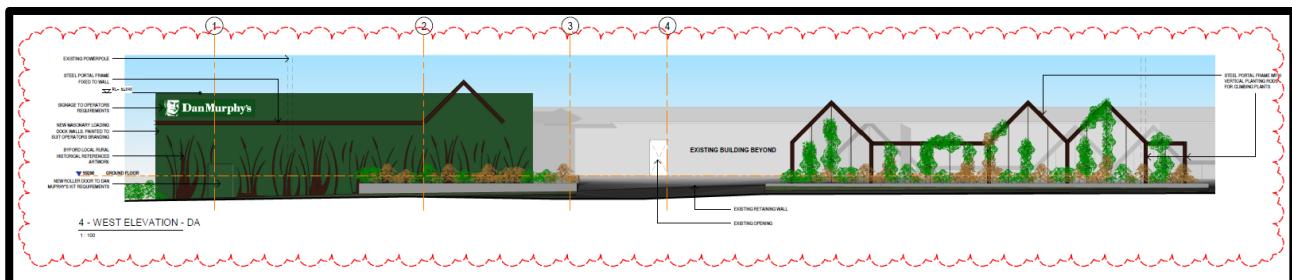
There are no exemptions for these works under the *Planning and Development (Local Planning Schemes) Regulations 2015* and therefore development approval is required.



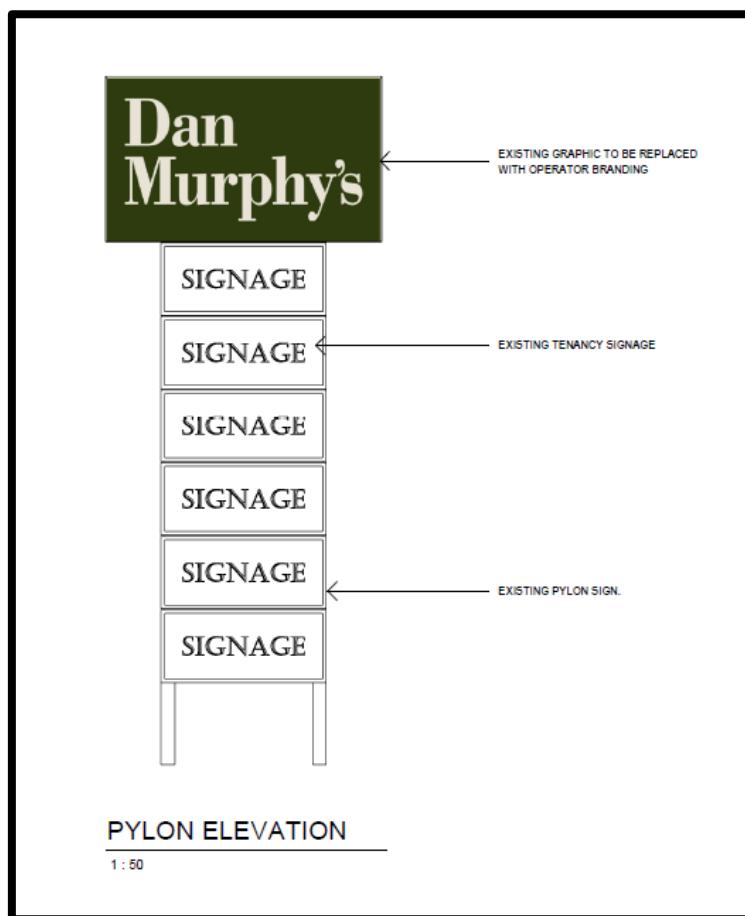
**Figure 5: Site plan**



**Figure 6: North, East and South frontages**



**Figure 7: George Street (West) frontage showing the screening frame to the right and new loading dock to the left**



**Figure 8: IGA sign on existing pylon sign to be replaced with 'Dan Murphy's' signage**

#### **Community / Stakeholder Consultation:**

The application was advertised to affected landowners within a 200m radius for a period of 14 days from 22 November 2021 to 6 December 2021, in accordance with Local Planning Policy 1.4 – Public Consultation for Planning Matters (LPP1.4). During the consultation period, five submissions were received, one objecting to the proposal and four providing comments with no specific objections.

The concerns raised in the objection to the proposal and recommendations made in the submissions, in summary, are listed below:

- The back of house façade to George Street of the existing building should be improved;
- The proposed landscaping along George Street is not sufficient;
- The proposed steel portal screening frame would not sufficiently screen the development nor is of a high-quality design;
- Possibility of a community painted mural on the George Street frontage; and
- The compatibility of the development with the future intention of George Street to be a Town Centre street.

#### **Main Roads Western Australia (MRWA)**

The application was referred to MRWA for a period of 42 days due to the pylon sign fronting South Western Highway which is a 'Primary Regional Road' under the Metropolitan Regional Scheme.

MRWA provided a submission raising no objections subject to conditions which have been incorporated into the Officer recommendation.

### **Statutory Environment:**

#### Legislation

- *Planning and Development Act 2005;*
- *Planning and Development (Local Planning Schemes) Regulations 2015;*

#### State Government Policies

- South Metropolitan Peel Sub-Regional Framework Towards Perth and Peel 3.5 Million;

#### Local Planning Framework

- Shire of Serpentine Jarrahdale Town Planning Scheme No.2
- Shire of Serpentine Jarrahdale Local Planning Strategy
- Shire of Serpentine Jarrahdale Draft Local Planning Scheme No.3
- Byford District Structure Plan 2020
- Byford Town Centre Local Structure Plan
- Local Planning Policy 1.4 - Public Consultation for Planning Matters
- Local Planning Policy 1.6 - Public Art for Major Developments
- Local Planning Policy 3.7 - George Street Design Guidelines
- Local Planning Policy 3.8 - Byford Town Centre Built Form Guidelines

### **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 proposal falls within the following land use definition of TPS2:

**Shop** – “means a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector’s yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.”

The subject site is zoned ‘Urban Development’ with a designation of ‘Town Centre’ under the Byford Town Centre Local Structure Plan (LSP). Under the Zoning Table of TPS2, the ‘Shop’ land use is a permitted land use within the ‘Town Centre’.

### **Orderly and Proper Planning:**

Clause 67 of the regulations, specifically A – J, considers state and local planning policy frameworks including draft schemes, strategies, state planning policies, local planning policies and

the like. These frameworks provide guidance in order to establish if a development is consistent with orderly and proper planning.

#### TPS2:

The subject site is zoned 'Urban Development' under 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 Structure Plans, which guide land use permissibility and development.

The subject site lies within the Byford District Structure Plan 2020 (BDSP) and the Byford Town Centre Local Structure Plan (LSP) which provide the relevant precinct designations. Pursuant to the BDSP and the LSP, the subject site is identified as 'District Centre' and 'Commercial' respectively.

In respect of the equivalent 'Commercial' zone designation of TPS2, this aims to "*encourage the establishment of a commercial centre in each of the four towns in the Shire, to maximise the public benefit and amenity in the towns in respect of retail, office and entertainment facilities.*" The development would provide a continued retail use, consistent with the intent of the LSP for the site.

#### Local Planning Scheme No.3 (LPS3):

Under the Shire's Draft Local Planning Scheme No. 3 (LPS3), the site will be zoned 'District Centre'. The objectives of the 'District Centre' zone under LPS3 are to promote a variety of commercial land uses and development that generates employment and diversity within the centre. It seeks to ensure a vibrant and active area which acts as a focal point for the community to meet. Officers consider the development meets the objectives of the 'District Centre' zone as it provides a continuation of retail use and employment within the town centre.

#### Form of Development and Amenity:

Clause 67 of the Deemed Provisions, specifically K, L, M, N, P, all relate to the form and amenity of the development that is required to be assessed.

#### Local Planning Policy 3.5 – Byford Town Centre – Public Realm Guidelines:

LPP3.5 relates primarily to the development of streetscapes, and provides principles for consideration for development within key areas of the Town Centre. Officers note the proposal includes the widening of crossovers and the development of a loading dock, on the interface of the site to George Street. The relevant principles applicable from LPP3.5 relate to the requirement to consider high quality design and safety aspects of the pedestrian environment.

The development proposes to implement an aesthetic landscape screen to help moderate the current visual edge of the development to George Street. This aims to improve what is a strategic and visual aspect of the town centre, noting the presence directly north of the intersection of George Street and Abernethy Road.

#### Local Planning Policy 3.8 – Byford Town Centre – Built Form Guidelines:

Development within the Byford Town Centre is guided by LPP3.8 in order to ensure the built form of development meets the standards expected of a town centre. The proposed development does

not fully meet some elements of policy provisions, though overall is considered to achieve the most critical in respect of building interface and design.

The table below provides an assessment of those provisions:

Policy Objectives	Policy Requirement	Proposal	Officer comment
<b>Building Height</b>			
O1.1. Ensure development responds to the desired scale and character for the Byford Town Centre	Building heights comply with precinct specific requirements.	Precinct specific provisions seek 1-2 storey heights. Proposed works involve the loading dock, which would have a wall height of 6.1m at its highest point, being consistent with the policy requirement in this instance.	Compliant.
O1.1. Allow reasonable daylight access to all developments and the public domain	Floor to ceiling height of 4.5m or greater for retail, commercial and civic uses.	No changes to the retail area proposed, though the loading dock would have a height of 4.8m from the ground floor to the roof ridge.	Compliant.
	Floor to ceiling height of 3.75m for Residential development.	The proposal is not for residential development	N/A
	Roof top equipment and architectural features may be contained above the maximum height for the precinct to a maximum of 4m as long as it does not result in visual intrusion to the street scape.	No roof top equipment is proposed. Small architectural feature of a pitched steel framed portal.	Compliant.
<b>Setbacks</b>			
O2.1. Establish the desired spatial proportions of the street and definition of street edge	Setbacks as per precinct specific requirements	The loading dock would have a nil setback to the side (north) boundary and the George Street (west) boundary.	There are only precinct specific requirements for development towards SW Hwy (3m). The proposal is towards George Street, where there are no development standards in LPP3.8 nor in TPS2 that are applicable. An assessment against the merit of the proposal and the policy objectives has
O2.2 Ensure developments make a positive contribution to the			

Policy Objectives	Policy Requirement	Proposal	Officer comment
streetscape and public areas, including promoting safe streets and public spaces  O2.3. Ensure that developments respond to the desired streetscape character	Occupable spaces such as balconies shall not protrude beyond the property boundary.	No occupiable spaces proposed.	been undertaken.  N/A
	Insets up to 3.0m deep and up to 10.0m long for facade walls may be permitted above ground floor. Insets shall be framed on at least one side by a solid wall.	No insets proposed.	N/A
<b>Architectural Character</b>			
O3.1 Achieve a high standard of architectural design that responds innovatively to Byford's rural atmosphere whilst contribution to an attractive streetscape.	The architectural style of new buildings should reinforce contemporary rural town feel. Styling shall be simple and contemporary, referencing on the simple forms and styling of traditional rural architecture.	The construction of the proposed loading dock employs a bulky tilt up panel design. This would be painted a dark green and bear signage relating to the branding of Dan Murphy's. The proposal incorporates some vegetation themed painting on the façade and a feature steel portal frame with a pitch and line shape.	VARIATION –  The provisions of LPP3.8 relating to architectural character require development to employ a contemporary rural theme. This theme is to be emphasised through materials, building articulation and colours. The site generally maintains this theme with the use of colour and artwork, however, the loading dock addition comprises of a tilt-up concrete wall with only small amounts of articulation.  Officers acknowledge the scope of the proposal is not to redesign the whole site, but rather provide small-scale short-term improvements, being the loading dock. Acknowledging this, it is considered that overall, the proposal improves the visual appearance of the building and goes further to provide a responsive design to the rural atmosphere of Byford. The provision of the portal frame projecting to form a gable roof form reflects much of the rural vernacular of the Shire,
	The contemporary rural architectural character should: <ul style="list-style-type: none"> <li>Emphasise local identity through built form, materials, articulation and colour;</li> <li>Respond to local climatic conditions providing protection against easterly winds while taking advantage of views to the foothills.</li> </ul>	The proposal includes mainly the dark green colour, with earth highlight tones. The material would be the concrete tilt up panel, with the steel portal frame element.	
	Australian vernacular styling used in a contemporary fashion	The proposal features use of metal beams as	

Policy Objectives	Policy Requirement	Proposal	Officer comment
	which takes advantage of steel and modern glazing creatively.	feature design pieces, though does not utilise Australian vernacular design with the tilt up panel design of the wall.	and also presents an interpretation of the gradual lines of the escarpment. It is noted that the colour scheme proposed (green), a nominal painted reed artwork and the steel framed portal contribute to a rural theme.
	Inconsistent architectural styles with the theming of the LSP area, such as Tudor, Mediterranean, Santa Fe and Tuscan are not supported.	Proposal does not feature any of the architectural style listed - Compliant	As viewed from the streetscape, the wall of the loading dock will be 6.18m at its highest point and 22m in length. As identified in the community submissions, the large wall provides opportunity for public or community art to feature on the wall. This also reflects Local Planning Policy 1.6 (Public Art for Major Developments), which provides the basis for the related public art condition. The public art condition results in the following process taking place:
	The architectural character of pavilions, shelters, kiosks and other structures within the public realm shall complement the architectural identify of surrounding developments	N/A	<ol style="list-style-type: none"> <li>1. Artist is nominated, including the artist's qualification, experience and suitability to the project;</li> <li>2. Design documentation including research, concept development, design theme is presented;</li> <li>3. Detailed design plans of the artwork with plans to scale and which include, dimensions location, materials colours and installation details and engineering certification where required (including details relating to anti vandal treatment);</li> <li>4. Details of the cost of the art. This is limited to the artist's fee; labour, materials; installation and</li> </ol>

Policy Objectives	Policy Requirement	Proposal	Officer comment
			<p>naming plate; building fabric that the art is attached to (e.g. fences, walls), anti-vandal treatment or coatings or any other associated construction costs.</p> <p>A condition has therefore been recommended to affect this outcome.</p>
<b>Landmark Location</b>			
O4.1. Encourage legibility and visual interest  O4.2. Assist with way finding	<p>Opportunities for landmark elements are identified in Diagram 2.</p> <p>Landmark locations shall as a minimum incorporate an element of increased height, as per precinct requirement. In addition landmark locations are encouraged to include the following elements:</p> <ul style="list-style-type: none"> <li>• Distinct roof forms;</li> <li>• Public art; and/or</li> <li>• A landscaped forecourt</li> </ul>	The site has a landmark location identified in the south-east corner of the block. No landmark is proposed as part of this application.	Despite the prominence of the site and the identification of it for a landmark under LPP3.8, Officers consider that due to the development occurring in the north-west of the block and only being to renovate the existing structure, that it would be onerous to require a landmark as part of this application. A future redevelopment of the site would trigger this requirement.
<b>Building Articulation and Building Materials</b>			
O5.1. Provide built form of architectural quality and visual interest  O5.2. Promote buildings of articulated design and massing, with building facades that contribute to the character of the street and public domain  O5.3. Encourage building facades to respond to environmental conditions and	<p>Blank and flat facades facing the public realm must be avoided. Facades should articulate at intervals of 6m to 10m.</p> <p>Corner development shall through the incorporation of a design element reinforce both street frontages to enhance streetscape and add visual interest.</p> <p>Facades facing the public realm shall have balanced proportions and architectural integrity and shall be modulated to add variety and interest.</p>	<p>No articulation is proposed for the loading dock, it is a flat tilt up panel wall</p> <p>Subject site is a corner lot, though the development is in the north-west corner of the site and is not a street corner development.</p> <p>The proposal incorporates no elements listed in this provision</p>	<p>The building articulation and building materials section of LPP3.8 provides further design requirements that buildings within the Byford Town Centre should adhere to. The applicable provisions relate to preventing blank and flat building facades with the use of architectural elements to break up facades and the use of a composite of building materials. The improvement of the existing 'back of house' George Street façade was also a matter raised as a concern in submissions. The development</p>

Policy Objectives	Policy Requirement	Proposal	Officer comment
promote energy efficient design principles	This may include but is not limited to:		proposes a 6.18m high and 22m in length flat building façade to George Street, with visual interest to be approached through public art treatment and a lightweight portal section on this wall.
O5.4. Utilise building articulation elements of appropriate scale to their use and context	<ul style="list-style-type: none"> <li>• Projections and/or recessions;</li> <li>• Balconies, roof gardens and verandahs;</li> <li>• Tower elements on corner sites where solar access is considered;</li> <li>• Shade devices, noise barriers and privacy screens;</li> <li>• Expression of building entries with awnings, porticos, recesses, blade walls and projecting bays;</li> <li>• Deep window reveals; and</li> <li>• Interesting roof forms and varied colours and materials.</li> </ul>		The proposed loading dock wall will be a prominent structure on what is to be a key street within the Byford Town Centre Train Station precinct. Officers note the policy framework that strives for a positive design outcome in this regard, and that the public art condition for this wall aims to address this.
	Building articulation should have regard to the preferred character for the precinct.	No articulation preference listed.	
	Building facades shall be articulated and detailed with an emphasis on vertical form to create a perception of complimentary bulk and height.	No building articulation proposed.	
	<p>Exterior walls of buildings are required to feature a composite of construction materials.</p> <p>Face brickworks, stucco trim or rendered masonry shall be the dominant materials and are to be complimented by detail elements of alternative materials such as:</p> <ul style="list-style-type: none"> <li>• Face and rendered/painted</li> </ul>	The proposed development is primarily concrete tilt up panel design with a steel portal frame design element.	

Policy Objectives	Policy Requirement	Proposal	Officer comment
	<p>brick work/block work of contrasting colour;</p> <ul style="list-style-type: none"> <li>• Stone cladding;</li> <li>• Clear glazing;</li> <li>• Limestone block;</li> <li>• Timberwork; and</li> <li>• Corrugated sheet metal cladding in colorbond finish.</li> </ul>		
	<p>Light coloured (including limestone) bricks shall not be used as dominant cladding material. Some light colours may be allowed where they are considered to complement the local landscape.</p>	No light coloured materials or colours proposed.	
	<p>Materials should be selected to:</p> <ul style="list-style-type: none"> <li>• Achieve simplicity and strength of design;</li> <li>• Avoid busy compositions;</li> <li>• Assist in providing comfortable thermal conditions; and</li> <li>• Avoid high levels of reflectivity.</li> </ul>	<p>The proposed design is simple and does not feature busy compositions.</p> <p>The development would not lend to assist in providing comfortable thermal conditions with the tilt up panel design.</p>	
	All new developments must demonstrate best practice in ecologically sustainable design.	The proposal is to renovate an existing structure	
	The use of bulk and/or reflective insulation to walls, ceiling and roofs is required.	No information about insulation provided.	
	The use of building materials which are low embodied energy materials, recycled or recyclable, come from renewable sources, or involve environmentally acceptable production methods, is recommended.	No information about materials provided.	
	The use of rainforest	No timberwork	

Policy Objectives	Policy Requirement	Proposal	Officer comment
	timbers from old growth forests should be restricted.	proposed.	
	The use of modern durable and low maintenance cladding materials (Sycon products like Matrix and Stria masonry cladding or Linea weatherboard) is encouraged.	The proposal does not involve these elements.	
<b>Roofscape</b>			
O6.1 Provide quality roof designs, which contribute to the overall design and performance of a development.	Rooflines require to be of suitable vernacular and innovative but non-intrusive; contribute to the rural identity of the area; and reflect the range of uses and development types in the precincts.	The site features variance in the roofline across the façade of the site. The steel portal frame element of the proposed loading dock will assist in providing some variation to the roof line of the proposal, also emphasising the rural pitch design.	Compliant.
O6.2 Integrate the design of the roof into the overall façade, building composition and desired streetscape.	A mix of skillion, pitched and flat deck behind parapet roofs are supported. Pitched roofs shall be between 20 – 30 degrees where visible from public domain, shallower pitches are acceptable for verandahs, canopies and small areas of skillion. Gables fronting the public domain is encouraged to add interest to the streetscape.	The proposal features variance in the roofline across the façade as a result in bold framed elements projective up and out from the roofline.	Compliant.
	Architectural feature roofs, such as clock towers, poles and spires, curved and floating roofs and any shapes accommodating roof gardens, are encouraged for the landmark site identified in diagram 2.	The development is not in the landmark location of the site.	No comment.

Policy Objectives	Policy Requirement	Proposal	Officer comment
	<p>Roofs should generally be expressed in a way which compliments the architectural style of the buildings. Which provides clear silhouettes and minimises visual clutter. Appropriately proportioned dormer windows and skylights can add interest to the external appearance of a roof and break up its volume.</p>	Flat roof of the proposed loading dock is not visible from the street.	No comment.
	<p>Roof design should minimise bulk and overshadowing of neighbouring properties.</p>	The flat roof design would not impact by way of bulk or overshadowing.	Compliant.
	<p>Where the roof form permits, the roof or loft spaces shall be designed to be used. Rooms located in the roof cavity should have a minimum head height of 2.4m over two thirds of the floor area. Flat roof spaces shall be used as outdoor recreational areas, taking advantage of access to sunlight and views towards the scarp.</p>	N/A	N/A
	<p>The permissible roof materials include metal roofing, clay tiles and light grey (timber) shingles. Roofing materials made from cement tiles or composite materials are not permitted. Zincalume finish may be permitted but shall be treated to reduce its reflective qualities and impact upon neighbouring lots.</p>	The roof material is not listed in the development plans, though is thought to likely be of a masonry design, as the walls are. However, as the roof is flat, it will not be visible and so would not adversely impact the streetscape or neighbouring lots.	N/A
	<p>Roof colours to be predominantly neutral</p>	Not visible from the streetscape.	N/A

Policy Objectives	Policy Requirement	Proposal	Officer comment
	and have low visual impact. No dark colour roof materials and roofs with poor thermal properties shall be permitted. Only clay tiles in traditional terracotta colours will be permitted. For recommendation on appropriate metal roofing colours, please refer to the colour chart in Appendix A.	Flat roof design.	
	Minimise the visual intrusiveness of service elements by integrating these into the design of the roof.	No services indicated on the plans.	This element could be conditioned to comply.
<b>Entrances and Pedestrian Access</b>			
O7.1 Create entrances which provide a desirable identity for the development.	Building entrances are to be designed as a clear and identifiable element of the building in the street.	The proposal does not impact existing pedestrian entrances to site.	N/A
O7.2 Contribute positively to the streetscape and building façade design.	Provide direct physical and visual connections between street and entry. Pedestrian entrances to buildings must be clearly visible and identifiable within a 180 degree line-of-site from each entry point. Minor obstructions to views are acceptable.	The proposal does not impact existing pedestrian entrances to site.	N/A
O7.3 Ensure car park and services entries do not detract from the street.	All new developments are required to be accessible to people with mobility disabilities, including the aged and people with prams. Pedestrian entrances must be at finished pavement level to allow Universal Access, and any changes of level should take place within buildings.	The proposal is an amendment to the existing development, not a new development	N/A
O7.4 Provide increased street activity and surveillance.	Buildings should have multiple entries to activate the street edge	The site as a whole has the frontage of its	N/A

Policy Objectives	Policy Requirement	Proposal	Officer comment
	<p>or reinforce a rhythm of entries along the street. Separate entries should be provided for:</p> <ul style="list-style-type: none"> <li>• Pedestrian and vehicles;</li> <li>• Different uses; and</li> <li>• Ground floor premises.</li> </ul>	businesses towards South Western Highway, where the subject loading dock alterations do not impact pedestrian entry points of the site.	
	Access to residential premises above commercial tenancies should not occupy more than 20% of the ground floor frontage.	N/A	N/A
<b>Visual and Acoustic Privacy</b>			
O8.1 Site and design buildings and associated open spaces to provide visual privacy, and protect the visual privacy of neighbouring properties.	All residential and mixed use developments are to be in accordance to the relevant privacy provisions under the R-Codes.	N/A	N/A
O8.2 Design and site buildings to minimise noise impact.	Buildings are constructed in accordance with AS 3671: Acoustics – Road Traffic Noise Intrusion, Building Siting and Construction and the State Planning Policy Road and Rail Transport Noise.	The proposal is to only amend the existing loading dock, which is away from South Western Highway.	N/A
	The internal layout of rooms, courtyards, terraces and balconies, is to be designed to minimise the transmission of noise to adjacent residential premises through the choice of materials and the use of appropriate openings, screens and blade walls.	The development does not have internal rooms, courtyards, terraces, or balconies.	N/A
	All commercial developments shall be in accordance with any relevant local policy provisions and demonstrate that any noise emitted does not	Built form amendments to the structure along with no proposed change of use mean that there is no trigger	N/A

Policy Objectives	Policy Requirement	Proposal	Officer comment
	exceed the assigned decibel levels in accordance with the <i>Environmental Protection Regulations 1997</i> (as amended).	to assess noise issues.	
	To reduce the risk of overlooking, commercial properties are to consider: <ul style="list-style-type: none"> <li>• Careful siting of windows and the use of obscure glass or highlight windows where necessary;</li> <li>• Screen planting / vegetation;</li> <li>• Screening devices such as fences, window screens, wing walls and courtyards screens; and</li> <li>• Horizontal screening.</li> </ul>	No additional windows or balconies are proposed with the works applied for.	N/A
	Noise impact associated with goods delivery and garbage collection, particularly early mornings, should be minimised through design.	The back of house portion of the development has been located to the west of the site, along George Street. There are no sensitive receptors that would suffer to the west of site due to service vehicles accessing site. Residential development is to the east of site, across South Western Highway. No change to the loading dock location is proposed.	Compliant.
	Any boundary fencing must be constructed with durable materials which can easily be cleaned and are vandalism resistant.	No fencing proposed. The planting screen proposed will not easily be able to be vandalised.	Compliant.

Policy Objectives	Policy Requirement	Proposal	Officer comment
<b>Building Orientation</b>			
O9.1 Ensure the buildings make a positive contribution to the streetscape and public areas, Design and plan street edges to enhance the public domain and promote pedestrian movement.	<p>All building facades at ground floor level shall be oriented towards the street and public opens spaces (Including the town square, multiple use corridors and wetlands) to encourage surveillance. On cornered sites, buildings must address both street frontages.</p>	<p>The building is primarily oriented towards South Western Highway. The George Street façade, including the proposed loading dock features a back of house development front to George Street. This is not considered to encourage surveillance.</p>	<p><b>VARIATION –</b> It is noted that comments in the community consultation section of the report raised concern with the effectiveness of the screening device as proposed. Officers are supportive of the concept of a landscape screening approach; however, there needs to be some greater ‘filling out’ of the screen. While it is important to keep a degree of visibility through the screen from a safety perspective, some additional filling out, through the likes of angled slats, could create a more robust treatment that addresses the desired aesthetic improvement.</p> <p>A condition is therefore recommended to require, as part of the plans submitted for a Building Permit, that the aesthetic landscape screen incorporate greater filling out components, to the satisfaction of the Shire. This will provide a more immediate measure of screening and give time for the vegetation to establish itself to complete the full screen.</p>
	<p>Ground level facades should be designed to have transparent elements (i.e. doors, windows or display panels) so that a visual and/or physical connection is created between the activity within the building and the public realm. The use of bi-fold doors or similar is encouraged.</p>	<p>No windows or transparent elements are proposed to George Street</p>	
	<p>Transparent elements for commercial premises within the LSP area should comprise of at least 60% of the ground level façade to make the inside easily discernible to the passers-by. The use of reflective and highly tinted glass is not permitted.</p>	<p>No change proposed to the existing transparent glass on the South Western Highway frontage. The proposed loading dock extension towards George Street has no transparent elements.</p>	
	<p>Upper floor facades should be transparent and maintain a minimum 30 – 50% area of windows.</p>	N/A	
	<p>Small scale retail and civic activities shall sleeve large supermarkets and retail outlets and provide</p>	N/A	

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
	active frontages to surrounding streets and public places.		
<b>Boundary Treatment</b>			
O10.1 Defined the boundaries between areas within the development having different functions or owners.	No fencing shall be erected to the street boundary of commercial and retail tenancies (unless otherwise determined by Council).	N/A	N/A
O10.2 Encourage the design of boundary treatments which enrich the streetscape.	Ground floor residential premises may provide fencing to the street boundary and multiple use corridors. Such fencing shall have a solid base not exceeding 0.5m in height and may have piers to a maximum height of 1.8 metres with infill panels which are at least 50% visually permeable to allow facilitate casual surveillance.	N/A	N/A
O10.3 Ensure street surveillance is possible to assist safety.	Fences facing multiple use corridors shall include gates so direct access can be obtained from the private development into the public space.	N/A	N/A
	Fences shall be constructed of masonry or stone. Building materials and colours should be compatible with the building and landscape design.	N/A	N/A
	Fibrous cement fencing and profiled sheet metal are not to be used within the front setback area or where it can be seen from public areas.	N/A	N/A
	Any boundary fencing must be constructed with durable materials which can easily be cleaned and are	N/A	N/A

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
	vandalism resistant.		
<b>Outdoor Eating</b>			
O11.1 Encourage outdoor eating establishments to provide a pleasant street environment with minimal disturbance to pedestrian circulation.	Outdoor dining activities on a pedestrian pavement, in a road reserve or right of way requires the Shire's Planning Approval.	N/A	N/A
	Alfresco dining areas will have to be located against shops open windows to allow for continuous easy movements of pedestrian along the footpath and allow for clear access to entrances and adjoining buildings. A minimum unobstructed pedestrian zone of 1.8 metres should be maintained. No items may extend in to the walkaway zone at any time.	N/A	N/A
	Outdoor dining areas should be located so as not to interfere with car parking and vehicular movement. Dining furniture is not to be placed within 3 metres of any road corner bus stop or taxi stand.	N/A	N/A
	North and West facing Alfresco dining areas are encouraged in order to benefit climatic conditions.	N/A	N/A
	Outdoor dining activities on a pedestrian pavement, in a road reserve or right of way requires the Shire's Planning Approval.	N/A	N/A
<b>Weather Protection</b>			
O12.1 Provide weather shelter where buildings abut a street sidewalk to	Developments with retail, commercial or community uses at ground level shall provide weather	The existing building provides awnings.	Compliant.

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
encourage pedestrian amenity.	protection along the street facade, which shall typically take the form of an awning or verandah.		
	All weather protection devices shall be located at first floor height at a minimum of 3 metres above finished pavement level (Diagram 3). They may be raised at entries or lobbies to emphasise an entry point.	No changes to the existing building awnings of the site are proposed.	Compliant.
	Weather protection devices shall not extend to within 600 millimetres of the road kerb.	Existing building overhang setback over 600mm from street boundary.	Compliant.
	Weather protection shall be designed to take into account any street trees to allow for canopy spread and ongoing maintenance.	Existing building overhang is not in proximity to any street trees.	Compliant.
	Where one protection device abuts another, the connection between them is to be treated so as to prevent the penetration of rain.	No change to existing cover.	Compliant.
	Awnings shall be cantilevered or suspended and provide no obstructions or hazard to pedestrians. Verandah posts may be positioned within the road reserve provide these posts are not an integral part of the structural integrity of the verandah (i.e. ornamental). The developer shall make all arrangements in relation to public liability.	No change to existing cover.	Compliant.
	Any awnings shall have a maximum fascia depth of 300mm.	No change to existing awnings.	Compliant.
	A variety of materials for weather protection shall	No change to	Compliant.

Policy Objectives	Policy Requirement	Proposal	Officer comment
	be provided to promote a diverse experience across the town centre. Typical materials shall be sheet metal, wood, polycarbonate or similar.	existing cover.	
<b>Signage</b>			
O13.1 Provision of signage which is informative and contributes positively to the overall streetscape and is not excessive or obtrusive.	All signage in the LSP are required to obtain planning approval from the Shire. A signage Strategy will be required for every development application, where signage is proposed.	The five tenant wall signs and two advertising wall signs comply with the allowable type for this. The pylon sign is already approved, just the content of the sign is changing to accommodate the new tenant. Window signs are also proposed.	VARIATION – The signage provisions of LPP3.8 require that signage on buildings in the town centre area should not be repetitive, nor take up more than 10m <sup>2</sup> of a building façade. The proposal incorporates five wall signs that bear the tenant's logo and name; however, these are displayed across each façade and are not considered to present as repetitive or overbearing. Signage proposed on the southern facing façade measures a total of 11.6m <sup>2</sup> in area, which however is a slight variation of 1.6m <sup>2</sup> .
O13.2 provision of signage which is creative, individual, handcrafted, unique and drawing from local character is strongly encouraged.	Signage shall be of high design standards and shall be integrated into the building design and shall not adversely impact visual amenity or conflict with architectural features. Signage should be kept simple and only display information that relates to the activities carried out on the premises.	Signage is simple in nature, detailing the tenant or providing information to customers.	The design principles for signage in LPP3.8 seek to create signage that is creative, unique and contributes to local character. Officers note that the signs are generally small in scale, being no greater than 5.1m <sup>2</sup> and are spread across the different elevations of the building. The signs therefore do not dominate the building façade and incorporate a dark green colour, consistent with the rural character of the area. In light of the minor variations proposed, the nature of the proposal being only to provide small scale improvements to the existing structure, Officers
	Appropriate locations for signage include: <ul style="list-style-type: none"> <li>• Hanging from the awning;</li> <li>• Ground floor shop front windows and;</li> <li>• Ground floor facades.</li> </ul>		
	Signage mounted below and awning shall: <ul style="list-style-type: none"> <li>• Provide a minimum clearance of 2.7m above finished pavement level (diagram 4);</li> <li>• Be limited to one such sign per street frontage of the subject tenancy; and</li> <li>• Be limited to a maximum size of 2m<sup>2</sup>.</li> </ul>	There is no awning mounted signage.	

Policy Objectives	Policy Requirement	Proposal	Officer comment
	Window signs shall cover no more than 33% of the window as required within the Byford DAP.	Window signs appear to be provided, though not detailed how much of the window would be taken up by them.	are supportive of the signage considering it meets the intent of the design principles.
	Signs attached to the building facades should be aligned with and relate to the design lines of the façade. Wall sign are permitted with an aggregate area of 0.4m <sup>2</sup> per 1m of street frontage of the subject tenancy (up to a maximum aggregate area of 10m <sup>2</sup> )	The signs in aggregate do not take up more than 8m <sup>2</sup> per frontage and so comply.	
	Building identification is the only signage permitted above the ground floor. The use of affixed individual letters and/or numbers is encouraged.	No signage proposed above ground floor.	
	Repetition of the same sign is discouraged.	The five wall signs are all the same.	
	A coordinated presentation for all signs is required where there are multiple occupancies or uses with a single building development.	No signage proposed.	
	<p>The following signage is not permitted:</p> <ul style="list-style-type: none"> <li>• Roof mounted signs;</li> <li>• Signage on the front face or on top of an awning fascia;</li> <li>• Free standing pylon structure;</li> <li>• Advertising signs on the public footpath;</li> <li>• flashing signs;</li> <li>• Sequined or glittering signs;</li> <li>• Box-like or three dimensional signs;</li> <li>• Flags or bunting.</li> </ul>	Generally complies. The site has an existing approved pylon sign, of which no changes to the form or dimensions are being made, only the details of the new tenant are being updated.	

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
	Illuminated signs may be permitted and where suitable the use of LED lighting is strongly encouraged, however their use shall be limited between 8am and 9pm only.	No illuminated signage proposed.	
<b>Parking</b>			
O14.1 provide adequate car parking on-site in accordance with projected need related to: the type and size of the development; The availability of on-street and other offsite parking; The location of the proposed development in relation to public transport and other facilities.	On-site car parking spaces shall be provided for all new developments at the rates set out in the Byford Town Centre LSP.	No changes to carpark proposed. No changes to retail sale area.	N/A
O14.2 Provide convenient and safe parking.	Off street parking must be provided in accordance with AS 2890.1.	No changes to carpark proposed.	N/A
O14.3 Car parking facilities and their access are to be unobtrusively located and are not to dominate the streetscape.	All on-site car parking, carports and garages are encouraged to be set at the rear or side of the building alignment and should not be located so as to face the street boundary.	No changes to carpark proposed.	N/A
	Where possible, the on-site parking for multiple land holdings should be coordinated and combined.	No changes to carpark proposed.	N/A
	Locate service entries on secondary streets or lanes, where possible, to minimise the impact on the primary streetscape.	Service entry takes access to the secondary street.	Compliant.
	Access to parking areas (both for vehicle and pedestrian) are clearly identified through the use of signage.	No signage to site proposed.	This is considered to be unnecessary; however, could be resolved through a condition of approval.
	Dedicated pedestrian paths are provided within parking areas to avoid conflict with vehicle movements.	No impact to parking areas.	N/A
	Car parking areas shall provide appropriate	No changes to	N/A

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
	services for disabled users such as designated handicapped parking bays and ramps in accordance with the Building Codes of Australia (BCA).	carpark proposed.	
	Parking should be designed to minimise the impact of development-related nuisance on nearby residents such as light spill, noise and vehicle movements.	No changes to carpark proposed.	N/A
<b>Site Facilities</b>			
O15.1 Ensure site facilities are accessible, functional and unobtrusive.	Loading facilities must be provided at the rear or side of development. Such loading areas shall be designed to prevent crime and vandalism and shall be in accordance with the WAPC's Designing Out Crime Planning Guidelines.	Facilities located to the rear (George Street frontage) of the development.	No change to the existing arrangement.
	Adequate garbage and recycling areas must be provided. These areas are to be visually integrated with the development to minimise their impact on the streetscape. Such facilities must be located that problems associated with smell are avoided.	Contained within back of house area.	Compliant.
	Solar panels and solar water systems may be visible only where they are located in the same plane as the roof and there is no alternative location than can offer a similar level of solar efficiency.	No solar panels proposed.	N/A
	Antennas, satellite dishes and the like are to be positioned in a	No such facilities proposed.	N/A

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
	location where they concealed from public view.		
	Lockable mail boxes should be provided close to the street, integrated with front fences or building entries.	No mail boxes proposed.	N/A
	Vents to commercial kitchens should be designed and located to minimise the negative impact of smells on occupants on upper levels.	N/A	N/A
	Buildings are to be designed so as to avoid overshadowing of photovoltaic electrical systems and other solar-based renewable energy systems on adjacent buildings.	No overshadowing of existing systems.	N/A
<b>Crime Prevention</b>			
O16.1 Create an environment which is safe and secure for residents and visitors.	Orientate habitable rooms with views over public streets or public open spaces to allow for casual surveillance.	There are no habitable rooms or public open spaces proposed.	N/A
O16.2 Provide for surveillance (actual and perceived) between individual developments and the public domain and minimise opportunities for concealment and entrapment.	The use of bay windows and balconies which protrude beyond the main facade and enable a wider angle of vision to the street are encouraged.	No balconies or bay windows proposed.	N/A
	Where rear lanes are used for vehicular access, provide surveillance of these lanes which could consist of habitable spaces above garages (including studio housing) and balconies.	No rear lanes present	N/A
	Ensure building entrances are oriented to face open or active spaces.	No additional building entrances are proposed as part of this application.	N/A
	Building entrances shall		

Policy Objectives	Policy Requirement	Proposal	Officer comment
	be easily distinguishable, well-lit and under passive surveillance from surrounding buildings where possible to enhance personal safety of occupants and visitors.		
	Provide direct entry to ground floor residential premises from the street.	No residential development proposed.	N/A
	Avoid creating entrapment spots or places where intruders may loiter or be concealed.	No entrapment spots or spaces in which intruders could be concealed are proposed. The proposal improves the existing George Street façade, removing the existing half developed loading dock which does promote anti-social behaviour.	Compliant.
	Buildings shall be constructed from materials that are resistant to vandalism. The use of anti-graffiti coatings is encouraged.	The tilt up panel design of the building, while it is a large face to potentially graffiti, will be covered with art, thereby discouraging graffiti.	Compliant.
	Ensure landscape design does not conceal the views of paths and open spaces from streets and surrounding developments.	The landscaping will be small scrubs. The planting frame will be visually permeable, softening the back of house visuals of the development, while also not blocking full view or create concealable spaces.	Compliant.

Policy Objectives	Policy Requirement	Proposal	Officer comment
	Public parking areas must be well lit, have clearly defined access points and have clear views within the parking area.	No changes to carpark proposed.	N/A
	On-site vehicle parking for residents and workers shall be secured and access restricted to residents only.	N/A	N/A
	Through block connections must provide a clear sightline from one end to the other, for surveillance and accessibility. Through block connections must have a minimum width of 3m, clear of any obstruction.	No change to the existing through block connection of the development is proposed.	N/A
<b>Stormwater Management</b>			
O17.1 Minimise the impact of developments and infrastructure on the ecologic, social aesthetic and cultural values of natural drainage systems.	The design and implementation of stormwater management practices shall be as per the requirements of the Byford Townsite Drainage and Water Management Plan (Parsons Brickerhoff, 2005) and the Byford Town Center Local Water Management strategy (GHD 2009).	Stormwater management plan not provided. Only a minor extension to the existing roof area is proposed with the addition of the loading dock.	A condition of approval will be required to ensure stormwater management occurs on site.
O17.2 Protect the built environment from flooding and waterlogging.			
O17.3 Implement stormwater management systems that are economically viable in the long term.	Generally, all water draining from roofs and other impermeable surfaces shall be directed to soakwells, bio-retention basins or rainwater tanks where climatic and soil conditions allow for the effective retention of stormwater on-site.	No change to stormwater management arrangements identified on the plan.	Compliant.
O17.4 Maximise the re-use of stormwater	Stormwater management measures must be detailed in an urban water	No urban water management plan submitted with application.	Officers will recommend a condition to ensure stormwater management measures are captured.
O17.5 Ensure the			

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
implementation of best practice stormwater management principles.	management plan submitted with development and subdivision applications.		
<b>Landscaping</b>			
O18.1 Create a safe and pleasant living and working environment.	A landscaping plan shall be submitted with every application for planning approval to demonstrate the manner in which the external areas of the site will be finished in terms of hard and soft landscaping.	Indicative landscaping provided.	A condition has also been imposed to address landscaping of the adjoining verge areas, in order to complete the development and its adjoining frontages. This reflects the policy provision for an integrated landscape and built form outcome, creating the sense of a seamless and well-designed public and private realm interface.
O18.2 Provision of landscaped areas which area compliments the surrounding developments.	All developments are to be appropriately landscaped to contribute to the amenity of the area, the aesthetic quality of the associated buildings and reflect the streetscape character.	3% of site landscaped	
O18.3 Improve the stormwater quality and reduce quantity.	Landscaping is of an appropriate scale relative to the road reserve and building bulk.	The minimum width of landscaped areas is 550mm and the maximum width is 4.5m.	
O18.4 Improve the microclimate and solar performance.	Retain and incorporate existing vegetation where possible to reduce solar glare.	No existing vegetation proposed for removal on site.	
O18.5 Improve air quality.	Landscaping shall be designed using water sensitive design principles.	Landscaping details provided are indicative only.	
O18.6 Retain and protect existing remnant vegetation contributing to strong sense of place.	Take into account the provision of shade. Vegetation can be incorporated into a developments sustainable design features by reducing heat load though the shading of walls.	Existing landscaping provided within car parking area and at street interface that can provide shade.	
O18.7 Protect existing biodiversity and nature links and create new urban ecology.	Car parks shall be appropriately landscaped, overlayed with regular grid of trees	Existing landscaping provided within the car parking	
O18.8 Introduce distinctive local plants to create a greater sense of			

<b>Policy Objectives</b>	<b>Policy Requirement</b>	<b>Proposal</b>	<b>Officer comment</b>
identity and awareness of the uniqueness of the local flora.  O18.9 Include art in landscape as part of enhanced sense of place, connection with the land and ambience.	between parking rows to provide visual break-up, shade and infiltration of stormwater. Trees shall be planted every 5 <sup>th</sup> parking bay within vegetation swales and bio-retention tree pits (refer to image of carparks on page 16)	area.	
	Landscaping themes and species must be consistent with the Byford Town Centre Public Realm Guidelines.	Landscaping details provided are indicative only.	
<b>Private Outdoor Space</b>			
O19.1 Ensure every dwelling has access to private open space.	The provision of private outdoor areas shall be provided in accordance wot relevant provisions under the R-Codes.	N/A	No comment.
	Where direct access to ground level private open space is not available , provide at least one balcony, terrace, verandah, roof terrace or deck for each dwelling with a minimum dimension of 2m and minimum area of 10m <sup>2</sup> in south facing areas and a minimum area of 12m <sup>2</sup> in north facing areas. This element shall be located addressing the primary street/public open space and should be accessible from a principal living pace.	N/A	No comment.
	It is preferred that courtyards or balconies for residential components be located in positions where they may enjoy exposure to direct sunlight for at least two hours between 9:30 and 14:30 on June	N/A	No comment.

Policy Objectives	Policy Requirement	Proposal	Officer comment
	21 <sup>st</sup> .		
	Lightweight pergolas, sun screens, privacy screens and planters are permitted on the roof provided they do not increase the bulk of the building.	N/A	No comment.
	Developers shall demonstrate how climatic elements such as the easterly winds and the prevailing breezes are considered in the design of private outdoor areas.	N/A	No comment.

Town Centre East Precinct Assessment			
Provision	Proposal	Officer comment	
<b>Land Use</b>			
The following land-uses are preferred in the Town Centre East Precinct: <ul style="list-style-type: none"> <li>• Retail;</li> <li>• Office;</li> <li>• Café;</li> <li>• Civic facilities;</li> <li>• Showrooms and;</li> <li>• Residential.</li> </ul>	The proposal is for a 'Shop' land use, consistent with the retail type use identified by LPP3.8 for this area.	Compliant.	
<b>Building Height</b>			
(a) The preferred building height in this precinct is 1- 2 storeys.	Single storey loading dock proposed	Compliant.	
(b) All landmark locations within this precinct shall have a minimum building height of 2 storeys (as indicated on Diagram 2). Landmark elements may have a decorative function only.	N/A	No landmark proposed.	
<b>Setbacks</b>			
(a) The maximum setback from the South Western Highway road reserve is 3.0 metres to achieve a village style atmosphere (refer Diagram 22).	No development proposed towards South Western Highway.	N/A	
<b>Building Orientation</b>			
(a) Active ground floor uses shall be provided to address South Western Highway, George Street and the POS corridor (refer Diagram 23).	The development proposes an extension of back of house	Refer to the variation as discussed in the previous table's building orientation section.	

	development to George Street.	
<b>Parking and Site Access</b>		
(a) Shared on-street parking on George Street to be provided and to be shared between uses (refer Diagram 24).	N/A	N/A
(b) Off-street parking shall be placed in between developments (perpendicular to the South Western Highway and George Street) to encourage shared parking and accessibility.	Existing parking on South Western Highway frontage, no change.	N/A
(c) Any parking facilities in the rail reserve will be subject to PTA approval, shall be shared between uses and will be subject to potential conversion into Park & Ride facilities in the future.	N/A	N/A
(d) No vehicle access to or from South Western Highway will be permitted other than that shown on the existing South Western Highway Vehicle Access Strategy.	N/A	N/A
<b>View Corridors</b>		
(a) Developments within the Town Centre East Precinct must respond and maintain the key view corridors as identified at Diagram 25.	N/A	N/A
(b) The view corridors shall have a minimum width of 15.0 metres and may traverse through parking areas.	N/A	N/A

<b>LPP4.11 – Advertising Assessment</b>		
<b>Provision</b>	<b>Proposal</b>	<b>Officer comment</b>
<b>Pylon Sign</b>		
The maximum sign face area is 10m <sup>2</sup> per face, for a maximum of two faces.	No change to the existing pylon sign. Only changing the content of the sign from IGA to the new tenant's name.	N/A
The maximum height above the ground is to be 6.5m or the height of a building in close proximity, whichever is the greater, but is not to exceed 10m. The height of a building is defined as the height of the uppermost part of the building above ground level.		
Must be mounted as a free-standing structure.		
Must not be located less than 1.5m from the front property boundary (including the primary and secondary street frontages of a corner lot), and must not project beyond the alignment of any property boundary.		

Must not face adjoining premises unless the sign is a minimum of 3.0m from the property boundary of that premises, or unless the landowner of the adjoining premises consents to the sign being a lesser distance from the boundary.		
Must not expose an unsightly back view of the sign to a road or other public place. Must not be located on a street frontage of a premises along which is located another pylon sign, billboard sign or pole sign.		
<b>Wall Signs</b>		
A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.	The wall signs display the tenants name and logo	Compliant
The maximum single face area is 10m <sup>2</sup> , and must not extend beyond 12.0m above the ground even if the wall is higher than this.	No wall sign is greater than 10m <sup>2</sup> , the larger wall signs are 5.1m <sup>2</sup>	Compliant
Must not project more than 300mm from the wall and/or fascia to which it is affixed.	Compliant.	
Must not project beyond the edges of a wall and/or fascia.	Compliant.	
A wall sign, which extends above a wall, may be considered as a roof sign.	N/A	N/A
<b>Window Signs</b>		
A wall sign is to only to display the name, logo or slogan of the business premises to which the sign is applied.	The wall signs display the tenants name and logo	Compliant



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

The objective of LPP 1.6 is to facilitate public art to enhance public enjoyment, engagement and understanding of places through the integration of percent for art. The policy sets out the requirements for physical and financial contributions for public art for any development valued at \$1 million or greater.

As detailed above, the Shire policy expectation to enhance the interest of the building and to engage pedestrians within the public domain is for elevations of the development to be used for public art. As such, the recommendation includes conditions of approval for the provision of public art. This will ensure general consistency with the overall planning framework for the site.

#### **Options and Implications:**

Option 1: DAU may resolve to approve the application subject to conditions.

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

Option 1 is recommended.

#### **Conclusion:**

The application seeks approval for the alterations and additions on Lot 1 and Lot 2, 865 South Western Highway, Byford. The item is presented to Council to exercise its discretion regarding the variations to LPP3.8. Officers acknowledge that the nature of the proposal is to provide functional improvements to the site, limiting the scope to the loading dock, widening of the crossovers and rebranding signage to suite the new tenant. The application is recommended for approval subject to conditions.

#### **Attachments:**

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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
---	---	---------------------------------------	--

**Comment:** Refer to TPS2 section

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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
---	---	---------------------------------------	--

**Comment:** Refer to LPS3 section

c) any approved State planning policy	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
---------------------------------------	--	---------------------------------------	---

**Comment:**

d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d)	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
--	--	---------------------------------------	---

**Comment:**

e) any policy of the Commission	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
---------------------------------	--	---------------------------------------	---

**Comment:**

f) any policy of the State	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
----------------------------	--	---------------------------------------	---

**Comment:**

g) any local planning policy for the Scheme area	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
--	---	---------------------------------------	--

**Comment:** Refer to consideration of LPP's

h) any structure plan, activity centre plan or local development plan that relates to the development	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
---	---	---------------------------------------	--

**Comment:** Town Centre LSP and Byford DSP considered

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>	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
---	--	---------------------------------------	---

**Comment:**

## Development:

k) the built heritage conservation of any place that is of cultural significance	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <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	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
---	---	---------------------------------------	--

**Comment:** Refer to the built form and amenity section of the assessment

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
--	--	---------------------------------------	--

**Comment:** Refer to the built form and amenity section of the assessment

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" 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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" 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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
--	--	---------------------------------------	---

**Comment:**

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

**Comment:**

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

**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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
---	--	---------------------------------------	---

**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) V. Access by older people and people with disability	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
---	---	---------------------------------------	--

**Comment: Consideration granted to the pedestrian realm in the planning assessment. Waste has been conditioned**

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	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
--	--	---------------------------------------	---

**Comment:**

w) the history of the site where the development is to be located	<b>YES</b> <input type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input checked="" type="checkbox"/>
---	--	---------------------------------------	---

**Comment:**

x) the impact of the development on the community as a whole	<b>YES</b>	<b>NO</b>	<b>N/A</b>
--	------------	-----------	------------

notwithstanding the impact of the development on particular individuals	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Comment:</b>			

y) any submissions received on the application	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input type="checkbox"/>	<b>N/A</b> <input type="checkbox"/>
--	---	---------------------------------------	--

**Comment: Refer to the community consultation section**

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

**Comment: No objection from Main Roads**

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

**Comment:**