

PROPOSED CHILD CARE PREMISES

LOT 320 (NO. 109) BROOKLANDS DRIVE, HENLEY BROOK



PROJECT REF: 2654



Prepared for

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1.0 Introduction

Dynamic Planning and Developments acts on behalf of Maxas Nominees Pty Ltd, the contracted purchaser of Lot 320 (No. 109) Brooklands Drive (herein referred to as the 'subject site').

This planning report has been prepared in support of an application for planning approval for a proposed 'Childcare Premises' at the subject site. This planning report contains the following pertinent details of the proposal relevant to the assessment of the proposed application:

- Details of the proposal;
- Detailed assessment of the proposal against the relevant planning provisions applicable under the City of Swan Local Planning Scheme No. 17 and any relevant Local Planning Policies; and
- Detailed justification of any variations sought.

In addition to this planning report, the following documentation has been provided in order to assist the City of Swan and the Metro Outer Development Assessment Panel in making a recommendation and decision on the proposed application:

- Certificate of Title (**Appendix 1**);
- Development plans (**Appendix 2**);
- Acoustic Report (**Appendix 3**);
- Traffic Impact Statement (**Appendix 4**).

2.0 Site Details

2.1 Legal Description

The subject site is legally described as:

Lot	Plan	Volume	Folio	Street Address
320	428096	4080	642	109 Brooklands Drive, Henley Brook

The area of the subject site is 2,047m². A copy of the Certificate of Title pertinent to the subject site is contained in **Appendix 1**.

2.2 Locational and Land Use Context

2.2.1 Regional and Local Context

The subject site is located approximately 28km northeast of the Perth Central Business District and sits within the municipal locality of the City of Swan and the suburb of Henley Brook. The site obtains access from Brooklands Drive. The subject site has an area of 2,047m² and is currently occupied by a single storey dwelling.

The subject site is located within a 'Residential Development' zone and is in a rapidly expanding urban area with residential subdivision occurring around the site. The site is located in close proximity (380m) to Henley Brook Primary School. The subject site is accessible through public and private transport to a nearby (2.55km) shopping centre which facilitates daily shopping needs.

Figures 2 and 3 depict the subject site in its regional and local context, respectively.

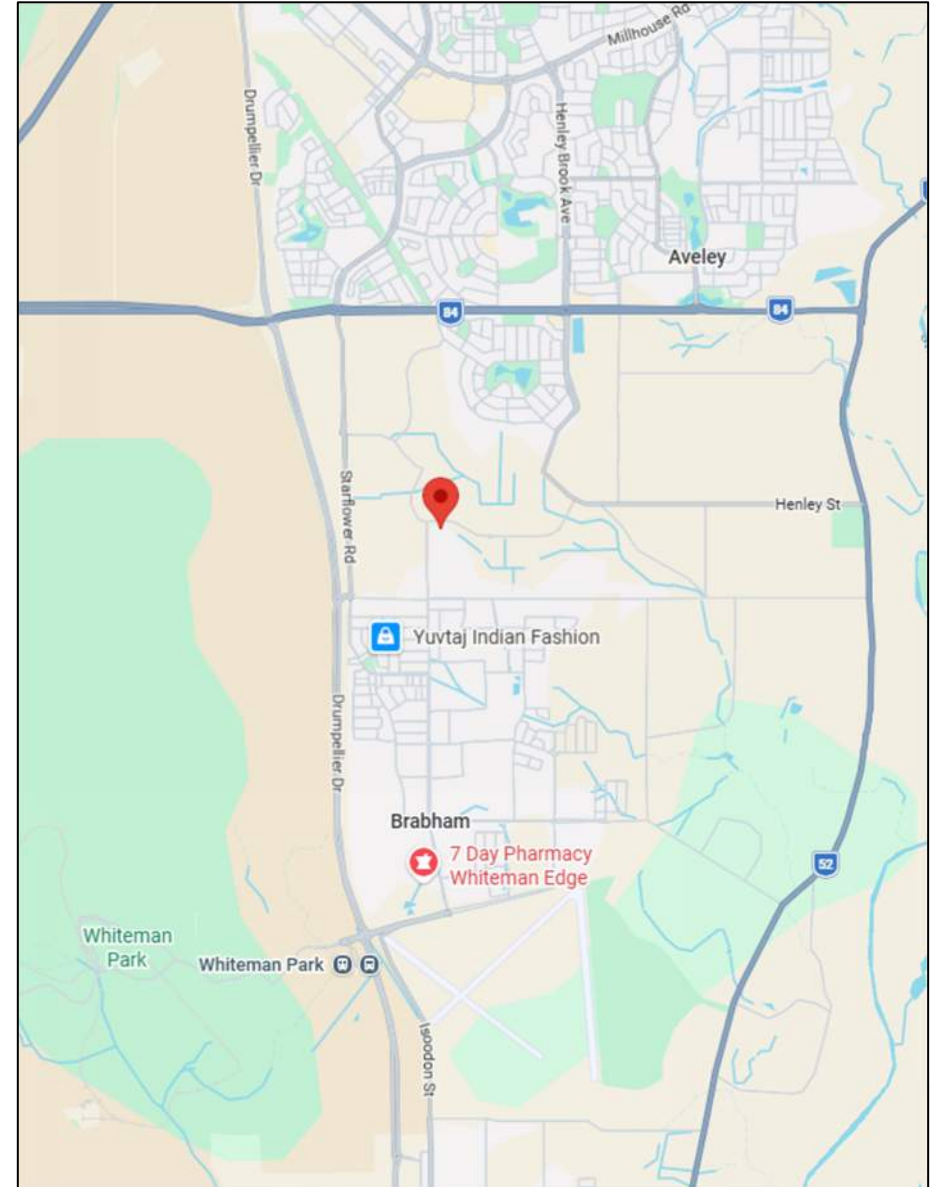


Figure 1 – Regional Context

Figure 2 – Local Context

3.0 Planning Framework

3.1 Metropolitan Region Scheme (MRS)

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS). The proposed development is considered to be consistent with the 'Urban' MRS zoning applicable to the subject site.

3.2 City of Swan Local Planning Scheme No. 17 (LPS17)

3.2.1 Zoning

Under the City of Swan Local Planning Scheme No. 17 (LPS 17), the subject site is zoned 'Residential Development'. The objectives of the 'Residential Development' zone, as stipulated by LPS 17, are as follows:

- (a) *Provide for the coordinated development of future residential areas through the application of a comprehensive plan to guide subdivision and development to be known as a "Structure Plan";*
- (b) *Provide for predominantly residential development, but including also a range of compatible services, consistent with the needs of an integrated neighbourhood, and planned so as to minimise adverse impacts on amenity;*
- (c) *Avoid the development of land for any purposes or at a time when it is likely to compromise development elsewhere in the district or prejudice the future development of land in the Residential Development zone for more appropriate purposes;*
- (d) *Take account of the need to protect the amenity and on-going use of adjacent property owners as well as to provide for the needs of future residents*

In accordance with the 'Residential Development' zoning, the City of Swan have adopted the Henley Brook Local Structure Plan which has considered and complied with the relevant zone objectives and requirements. The Henley Brook Local Structure Plan is discussed in greater detail below.

3.2.2 Land Use Permissibility

The subject application seeks approval for a 'Child Care Premises' land use. LPS 17 defines 'Child Care Premises' as having the same meaning as "Child Care Service" in the Child Care Services Act 2007, which dictates

- (a) *an education and care service as defined in the Education and Care Services National Law (Western Australia) Section 5(1), other than a family day care service as defined in that section, is provided; or*
- (b) *a child care service as defined in the Child Care Services Act 2007 section 4 is provided."*

The land use permissibility associated with a Child Care Premises uses is determined with regard to the zoning table in LPS 17 and the range of use capable of approved in the 'Residential' zone.

Detailed assessment of the proposal against the provisions of LPS 17, including land use permissibility is further discussed in Section 5 of this report.

3.3 Henley Brook Local Structure Plan (LPS17)

In accordance with the Henley Brook Local Structure Plan, the subject site is identified for development consistent with a 'Residential' zoning in the LPS17. Land use permissibility and development requirements are determined with respect to the provisions included in LPS17 and any relevant local planning policies which are discussed in more detail in Section 5 of the report below.

An extract of the relevant Local Structure plan is provided below in Figure 3.

3.4 Planning Bulletin 87 – High Pressure Gas Transmission Pipelines in the Perth Metropolitan Region

The proposed development site is within a trigger distance of both the Parmelia and Dampier to Bunbury Gas Pipeline. Being a child care development within the trigger distance, a pipeline risk management plan is going to be required as a condition of planning approval. Further, it is likely that risk mitigation measures will be required to the pipeline which is separately being negotiated with the relevant pipeline authorities.

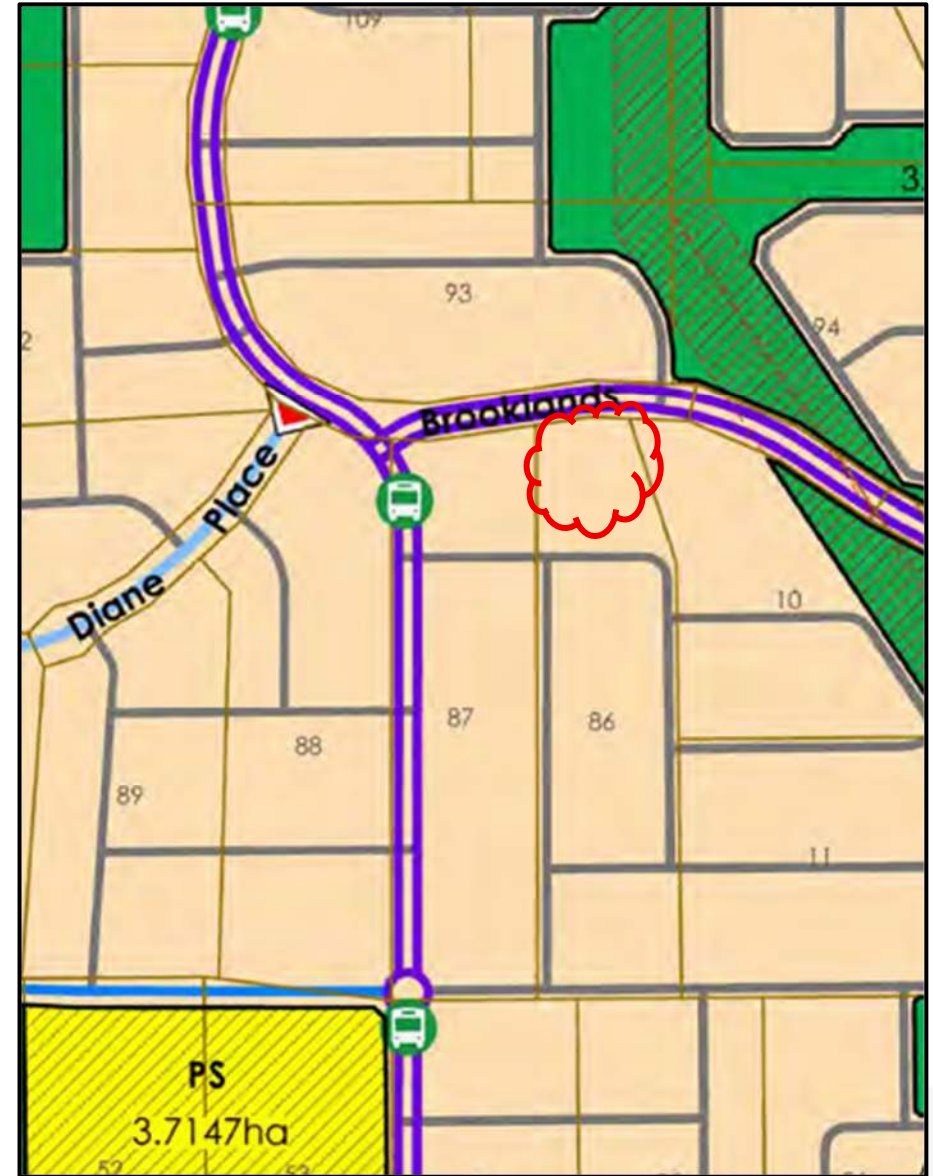


Figure 3 – Local Structure Plan Extract

4.0 Proposal Details

The proposed development seeks approval for a 'Child Care Premises' at the subject site.

4.1 Development Details

Key aspects of the proposed design have been summarised below:

- The built form will include rooms for each age group, toilets, cots area for smaller children, a kitchen, staff room, laundry, and offices. It has a total of 307sqm of internal play area and 669sqm of outdoor play area.
- An external parking area with twenty-eight (28) parking bays is provided, with one (1) ACROD bay.
- Landscaping includes surrounding the external parking area and between the verge and proposed building. Landscaping detail of the outdoor play area will be provided at the building permit stage.
- There is a dedicated bin store on the southwestern side, which is 40m from the primary street and would not require additional screening
- Access and egress are proposed from one (1) crossover to Brooklands Drive.
- Visually permeable fencing between the outdoor play area and Brooklands Drive is proposed to encourage engagement with the streetscape.
- Installation of signage along the façade of the building, integrated within the gable end.
- Acoustic fencing to boundaries adjoining the residential development are proposed to a maximum height of 2.1m to ensure a suitable amenity outcome is achieved.

4.2 Operational Details

- The CCP will operate with a maximum capacity of 94 children and up to 16 staff members at any one time. The centre will cater for children aged between 0–12 months and 3+ years.
- The proposed hours of operation are 7am to 7pm, Monday to Friday, enabling flexibility for working families.
- The proposed operating hours are considered appropriate for the locality and are consistent with other childcare centres within residential areas.

The proposed development is considered to have adequately considered the amenity of the adjoining residential development while also providing a necessary service for local residents.

A copy of the proposed development plans is contained in **Appendix 2**.

5.0 Assessment

5.1 Development Requirements

The statutory provisions applicable to the subject site require assessment of the proposal to be undertaken against the provisions of the following documents:

- City of Swan LPP 129: Vehicle Parking Standards.
- WAPC Position Statement – Child Care Premises.
- State Planning Policy 7.0 – Design of Built Form Environment.
- State Planning Policy 7.3 – Residential Design Codes

An assessment of the proposed development's compliance with the abovementioned documents has been provided in the following sections.

City of Swan LPP 129: Vehicle Parking Standards

The proposed development has been designed with a total of twenty-eight (28) car-parking bays. As demonstrated by the below table, the proposed CCP on the subject land meets the 'deemed to comply requirements' of the City's Local Planning Policy in terms of on-site car parking.

LAND USE		PARKING STANDARD	PERSONS	BAYS REQUIRED
Child Care Premises	Care	1 space per every 8 children	94 children	12
		1 space per employee	Max. 16	16
Bays Provided				28

WAPC Position Statement – Child Care Premises

Key requirements applicable to the proposed development, as outlined in the Position Statement, have been addressed in the below table.

Policy Requirement	Development Compliance
Noise and Emissions – a Noise Impact Assessment is required.	A noise impact assessment has been provided as part of the application that illustrates compliance with the Environmental Protection (Noise) Regulations 1997.
Operating Hours – 7am to 7pm	Operating hours are limited to 7am to 7pm to comply with the position statement.
Design to be consistent with the surrounding residential development.	The proposed development is consistent in scale and appearance to the adjoining development being a single storey with low site cover. The design also includes a pitched roof, use of face brick and cladding to give an inherently residential appearance.
Traffic and access – a Traffic Impact Statement or Traffic Impact Assessment is required.	A traffic impact statement has been provided as part of the application that illustrates that the traffic generated by the development can be accommodated on the surrounding road network and there is sufficient parking provided on site.

State Planning Policy No. 7.0: Design of Built Form Environment

The following table below provides an assessment of the proposed development against the design principles of State Planning policy 7.0 (SPP7).

DESIGN PRINCIPLE	RESPONSE
<u>Context and Character</u> <i>"Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place."</i>	• The surrounding locality is yet to undergo development, but review of the existing and ongoing projects that have occurred to the south and east of the site reveal that majority of development adopts single storey residential development • A contemporary style has been adopted where the external façade utilise rendering and cladding, common in WA building practices • The use of various material and colours ensures that the proposed building and associated fencing will deliver a design consistent with the local character, through adopting appropriate colour and materials. • The childcare centre offers a critical service to the adjacent area, as it is situated in a location surrounded by various education establishments.



Image 5 – External Appearance of Proposal

<u>Landscape Quality</u> <i>“Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.”</i>	• Previous development/use of the lot has not retained any significant endemic vegetation. • The proposed development will incorporate landscaping to the parking areas, primary street setbacks and adjoining residential development through the outdoor play area, the detail for which will be included at a later date. • Where 45% of the lot is required to be open space as per the R-Codes, over 70% of the lot will be utilised as open space. The result is an outcome that is not inconsistent with the requirements of the surrounding local area.
<u>Built Form and Scale</u> <i>“Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.”</i>	• The proposed building adopts a 4.5m setback in lieu of a 4m minimum as per the R40 deemed-to-comply requirements. • A lot boundary setback of 4.51m is proposed where a minimum of 1.5m is required • The proposed development will meet all relevant deemed-to-comply requirements as stipulated for R40 lots under Volume 1 of the R—Codes (see table 3). • The proposed development will not depart from the planned and existing architectural/landscaping quality of the area and will provide a neutral outcome that reflects the area in an appropriate manner and form. • Given the above, the built form and scale of the proposed development is considered to be consistent with adjoining development and planned character of the local area.
<u>Functionality and Build Quality</u> <i>“Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.”</i>	• The design of the CCP is functional, with the internal layout designed to appropriately accommodate children and staff, ensuring internal access is unimpeded to all spaces. • In addition to the above, the development has been designed to satisfy the statutory requirements for the child care premises (i.e. Child Care Services (Child Care) Regulations 2006), including the required internal and external area to accommodate the proposed number of children attending the venue. • The development will comprise an entry point (pedestrian access path) that is clearly defined and promotes a uniform exchange and exit to the site. This also allows for a link between the CCP and the future pedestrian network within the area to encourage walking. • The development has been designed to allow for access to natural light (including access to the northern winter sun) and cross ventilation (air flow through the building). Major openings are utilised on the northeastern façade of the building and ensure appropriate orientation regarding solar access.

	• A verandah abutting the southern, eastern and northern facades will ensure adequate shading is provided during the warmer months.
<u>Sustainability</u> <i>“Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes”</i>	• The proposed development has been designed to obtain access to both natural light and ventilation, locating the outdoor play area to obtain access to the northern winter sun. The access to the natural light and ventilation is reinforced by the provision of large setbacks from the lot boundaries. It is contended that the design layout of the development will assist with reduced running costs. • Adequate landscaping will be provided to accord with water-sensitive design, provide natural shading during the summer months and provide adequate greenery to benefit the development. • The development has good access to a residential catchment through a pedestrian path network which will assist with reducing motor vehicle dependency and provide for alternative methods of transportation to motor vehicle usage. • Large parts of the external play area will be located to obtain access to the northern winter sun. This will also allow for the winter sun to penetrate the internal active spaces of the building.
<u>Amenity</u> <i>“Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.”</i>	• The design layout also includes easy connection/access between the internal and external play areas for the children. In addition, the key administrative areas have been organised to be accessible from the external parking area. • The development, including both the internal and external play areas, will comprise orientation towards Brooklands Drive provide improved passive surveillance within the site. • Good pedestrian paths/access is provided for the staff and patrons of the CCP. The path also connects onto the pedestrian path network along Brooklands Drive.
<u>Legibility</u> <i>“Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.”</i>	• The proposed development is legible in that it provides a distinctive façade and clear location of the on-site car parking area. • The main entry into the development allows for easy access from both the street and the car parking area, with the entry being directly from the street via a pedestrian path and allowing for easy access for parents and children to the CCP. This entry is easily identifiable and provides designated access to one secure entry area. This will provide clear access for parents during pick up and drop off times.

<u>Safety</u> <i>“Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.”</i>	• The proposal provides multiple windows facing the street, the vehicle/pedestrian entrances to the building, the car parking area and the outdoor play areas. • The development will provide adequate security through the use of gates and fencing to secure the CCP after hours. • The location of windows from the child care premises over the car parking area will provide an element of passive surveillance during the day time period. • The child care premises has been designed to ensure that children will not have unsupervised access to the street. In addition, the entry foyer has been designed to ensure that parents pick up and drop of children in a safe environment and avoid the chances of a child walking into the car parking area or street without a parent. The development has been designed to allow for all vehicles to entry the public street network in a forward gear. The vehicle access point comprises adequate visual sightlines to provide a safe pedestrian environment.
<u>Community</u> <i>“Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.”</i>	• The proposed child care premises will provide a much needed service to the local community and would support the future population within the area. The anticipated demographics within the area is likely to be young families with children, which will require child care services. • The development will include a community seating area to enable parents and staff to interact. • The proposed development will provide employment opportunities within the area and will foster growth of the area. • The proposed child care premises will assist with early learning for children within the Henley Brook area
<u>Aesthetics</u> <i>“Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.”</i>	• The design of the proposed development incorporates sufficient and safe pedestrian movements, whilst allowing for ease of access to various on-site facilities such as the bin storage area, administration areas and car parking. • The proposed façade for the development provides visual interest, includes an active frontage and articulation. • Aesthetics of the proposed street facing facades includes the use of a variety of materials and renders, varied setbacks and windows of varying sizes. • The proposed façade provides visual interest and an active frontage that provides a connection between the public and private realms.

State Planning Policy 7.3 – Residential Design Codes

In considering the appropriateness of the proposed development within a residential context we have reviewed and assessed key built form requirements that would otherwise apply to residential development in the below table. We have based this assessment on the R40 density coding applicable to the site under the approved local structure plan.

Development Component	Development Standard (deemed-to-comply)	Proposed	Compliance
SETBACKS			
Primary Street	Required 4m (R40)	4m	Yes
Rear	1.5m (as per wall length/height)	4.51m	Yes
Lot Boundary (east)	1.5m	7.37m	Yes
Lot boundary (west)	1.5m	18.8m	Yes
Open Space	Required 45% (921.15m ²) Open Space (R40)	Provided 70.8% (1450.52m ²) open Space (R40)	Yes
Building Height	Required wall height: - Pitched – 7m Ridge – 10m - Concealed – 8m	Proposed wall height: Ridge – 7.05m	Yes
Street fencing	Visually permeable fencing	Areas 1.2m above the fence will be visually permeable.	Yes

6.0 Conclusion

Based on the contents of this planning report, it is clear that the development proposal is appropriate for approval as it delivers a development opportunity for the City of Swan, its residents, and the local community that will improve access to services and amenities within the Henley Brook locality which has a rapidly increasing residential population. As considered in detail within the contents of the planning report, the proposal will deliver a functional built form outcome that aligns with the provisions of the applicable planning framework. In summary, reasons in support of the proposal are reiterated as follows:

- The proposed development is consistent with the definition of a 'Child Care Premises' which is a discretionary use capable of approval in the 'Residential' zone under LPS 17;
- The proposed development is almost entirely compliant with the applicable development requirements and where any variations exist, they have been appropriately justified;
- The amenity impacts to adjoining residential development have been demonstrated to be acceptable through the submitted acoustic and traffic supports.

Based on the above, the proposal is considered to warrant favourable consideration and support of the City of Swan.