



Metro Central Joint Development Assessment Panel Agenda

Meeting Date and Time: 21 September 2018; 9am
Meeting Number: MCJDAP/312
Meeting Venue: Town of Victoria Park
99 Shepperton Road
Victoria Park

Attendance

DAP Members

Ms Rachel Chapman (A/Presiding Member)
Ms Kym Petani (A/Deputy Presiding Member)
Mr John Taylor (A/Specialist Member)

Item 8.1

Cr Vicki Potter (Local Government Member, Town of Victoria Park)
Cr Claire Anderson (Local Government Member, Town of Victoria Park)

Item 9.1

Cr Jai Wilson (Local Government Member, Town of Bassendean)
Cr Kathryn Hamilton (Local Government Member, Town of Bassendean)

Officers in attendance

Item 8.1

Mr Michael Hancock (Town of Victoria Park)
Mr Robert Cruickshank (Town of Victoria Park)

Item 9.1

Mr Brian Reed (Town of Bassendean)

Minute Secretary

Ms Amy Noon (Town of Victoria Park)

Applicants and Submitters

Item 8.1

Mr Tayne Evershed (Planning Solutions)
Mr Ross Underwood (Planning Solutions)
Mr Julius Skinner (LSV Borrello Lawyers)
Mr Fred Chaney (Taylor Robinson Chaney Broderick)

Item 9.1

Mr Nik Hidding (Peter Webb & Associates)
Mr Brendan Foley (Lavan)

Members of the Public / Media

Nil



1. Declaration of Opening

The Presiding Member declares the meeting open and acknowledges the past and present traditional owners and custodians of the land on which the meeting is being held.

2. Apologies

Ms Megan Adair (Presiding Member)
Mr Michael Hardy (Specialist Member)

3. Members on Leave of Absence

DAP Member, Ms Megan Adair has been granted leave of absence by the Director General for the period of 17 September 2018 to 3 October 2018 inclusive.

4. Noting of Minutes

Signed minutes of previous meetings are available on the [DAP website](#).

5. Declarations of Due Consideration

Any member who is not familiar with the substance of any report or other information provided for consideration at the DAP meeting must declare that fact before the meeting considers the matter.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1** Mr Ross Underwood (Planning Solutions) presenting in support of the application at Item 8.1. The presentation will support the recommendation and request the removal of conditions 1, 3, 10 and 11.
- 7.2** Mr Julius Skinner (LSV Borrello Lawyers) presenting in support of the application at Item 8.1. The presentation will address whether condition 1 is an appropriate condition of development approval.
- 7.3** Mr Fred Chaney (Taylor Robinson Chaney Broderick) presenting in support of the application at Item 8.1. The presentation will discuss the relevance of condition 10 and 11.
- 7.4** Mr Brendan Foley (Lavan) presenting in support of the application at Item 9.1. The presentation will provide a legal submission in support of the application and against the RAR.

The Town of Victoria Park and the Town of Bassendean may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.



8. Form 1 – Responsible Authority Reports – DAP Applications

8.1 Property Location: 4 – 10 (Lot 4) Hayman Road, Bentley
 Development Description: Four storey apartment building for independent living units with basement parking and new recreational facilities
 Applicant: Planning Solutions
 Owner: Uniting Church Homes
 Responsible Authority: Town of Victoria Park
 DAP File No: DAP/18/01437

9. Form 2 – Responsible Authority Reports – Amending or cancelling DAP development approval

9.1 Property Location: Lot 54 (Nos 25-27) Hamilton Street; Lot 84 (No 68) Old Perth Road and Lot 85(No 70) Old Perth Road
 Development Description: Mixed Development Comprising Alterations and Additions to Nursing Home, Shops and 18 Multiple Dwellings
 Proposed Amendments: To amend the approval by the deletion of condition 34 relating to developer contributions
 Applicant: Peter Webb and Associates
 Owner: T & T Management Services Pty Ltd.
 Responsible Authority: Town of Bassendean
 DAP File No: DAP/18/01379

10. Appeals to the State Administrative Tribunal

Current Applications		
LG Name	Property Location	Application Description
City of South Perth	Lots 2-20 (72-74) Mill Point Road, South Perth	36 Level (118.2m) Mixed Use Development
City of South Perth	Lot 4 (No. 3) Lyall Street and Lot 11 (No. 56) Melville Parade, South Perth	43-Storey Mixed Development
City of Melville	Lots 1060 (20) and 1061 (22) Kintail Road, Applecross	16 Storey mixed use residential development with 91 apartments and 5 non-residential tenancies

11. General Business / Meeting Closure

In accordance with Section 7.3 of the DAP Standing Orders 2017 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.



Form 1 - Responsible Authority Report (Regulation 12)

Property Location:	4 – 10 (Lot 4) Hayman Road, Bentley
Development Description:	Four storey apartment building for independent living units with basement parking and new recreational facilities
DAP Name:	Metro Central JDAP
Applicant:	Planning Solutions
Owner:	Uniting Church Homes
Value of Development:	\$10,000,000
LG Reference:	5.2018.442.1
Responsible Authority:	Town of Victoria Park
Authorising Officer:	Robert Cruickshank
DAP File No:	DAP/18/01437
Report Due Date:	11 September 2018
Application Received Date:	12 June 2018
Application Process Days:	90 days
Attachment(s):	<ol style="list-style-type: none">1. Aerial photo of the site.2. Floor plans and elevations dated received 12 June 2018.3. Traffic Impact Statement dated June 2018.4. Landscape Concept Design Report dated 1 June 2018.5. Requirements of Other Council's Business Units.6. Extracts from Rowethorpe Village Masterplan

Officer Recommendation:

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/18/01437 and accompanying plans received 12 June 2018 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of Clause 29 of the Town of Victoria Park Town Planning Scheme No. 1 and Clause 30 of the Metropolitan Region Scheme, subject to the following conditions:

Conditions

1. Prior to the submission of an application for a building permit, Lots 4 and 5 are to be amalgamated into a single lot on a Certificate of Title or the proposed buildings are to be located entirely within the boundaries of Lot 4.
2. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.
3. A landscaping plan detailing the size, location and type of planting is to be provided to the satisfaction of the Town prior to the submission of an application for building permit, with the landscaping plan to include a minimum of ten (10) new trees of a minimum size of 90L at the time of planting..

4. Those existing trees noted 'Retained' on the Tree Strategy Plan are to be retained to the satisfaction of the Town.
5. Before the subject development is first occupied or commences operation all car parking spaces together with their access aisles to be clearly paved, sealed, marked and drained and thereafter maintained to the satisfaction of the Town.
6. A minimum of seven (7) car parking bays within the existing Jenkins Avenue car parking area are to be marked as visitors bays prior to the occupation of the building.
7. External colours, finishes and materials to be used in the construction of the building are to be in accordance with the colour schedule attached with the approved plans, unless otherwise approved in writing by the Town.
8. External fixtures, including but not restricted to airconditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the primary street, secondary street or right-of-way.
9. Prior to the submission of an application for a building permit a Construction Management Plan shall be submitted to and approved in writing by the Town which includes the route that construction vehicles will take to and from the site, the temporary realignment of pedestrian access ways (including crossing points and lighting), vehicular access to the site during construction, unloading and loading areas, waste disposal, the location on site of building materials to be stored, safety and security fencing, sanitary facilities, cranes and any other details as required by the Town. Construction works shall take place in accordance with the approved details at all times.
10. Further details being provided of sightlines where the driveway to the basement carpark intersects with Jenkins Avenue, with such details being to the Town's satisfaction.
11. Prior to the submission of an application for a building permit, the applicant is to submit further details of the proposed balustrades with such details being to the satisfaction of the Town.

Advice Notes

1. To avoid delays in the issuing of a building permit, the applicant should commence the subdivision/amalgamation procedure without delay. A licensed land surveyor should be engaged for this purpose.
2. The applicant/owner should refer to the **Requirements of Other Council Business Units**, enclosed with this development approval, which are relevant to the submission of a building permit and/or the carrying out of the development for which this approval is granted. This development approval does not remove the need to obtain licences, permits or other forms of approval that may be required under other legislation or requirements of Council.
3. The landscaping plan to include detail on the material used for paving on the perimeter of the building.

4. All car parking bays to be lined-marked and designed in accordance with AS2890.1 and AS2890.6.
5. All stormwater drainage for commercial/industrial and multi residential developments (5 or more units) shall be designed and signed by a practicing Hydraulic Consultant. An overland flow path is to be included in the design to ensure diversion of stormwater from the developments during storm events.
6. A demolition permit is required to be applied for and obtained from the Council prior to demolition of the existing building(s) and/or structure(s) on the site.
7. Any amendments or modifications to the approved drawings forming part of this development approval may require the submission of an application for amendment to development approval and reassessment of the proposal.
8. The Town will permit the Owner to defer compliance with condition No. 1, provided that the Owner enters into a deed of agreement with the Town prepared by the Town's solicitors at the Owner's cost agreeing to complete the amalgamation within 12 months of the issue of the building permit. The agreement shall require the registration of an absolute caveat on the title to the subject land, until such time as the amalgamation has been completed to the Town's satisfaction.

Details: outline of development application

Zoning	MRS:	"Urban"
	TPS:	"Special Use"
Use Class:		Multiple Dwellings – "P" use
Strategy Policy:		<ol style="list-style-type: none"> 1. Local Planning Policy 20 - Design Guidelines for Developments with Buildings above 3 Storeys; 2. Local Planning Policy 25 – Streetscape; 3. Local Planning Policy 23 – Parking Policy; and 4. Local Planning Policy 37 – Community Consultation on Planning Proposals 5. Rowethorpe Village Masterplan
Development Scheme:		Town of Victoria Park Town Planning Scheme No. 1
Lot Size:		9,040m ²
Existing Land Use:		Aged persons' dwellings and ancillary uses

An application was received by the Town on 12 June 2018 from Planning Solutions. The application consists of the following:

- A four (4) storey building containing 25 independent living units;
- A chapel and clubroom with associated artificial turf bowls green; and
- Car parking for 25 vehicles provided on communal street and in the building basement.

Background:

Council approved a Masterplan for Rowethorpe Village prepared by Roberts Day Town Planning and Design at its Meeting on the 28 September 2004. This document guided the future partial redevelopment of the site over an 8 to 10 year time frame. The development of Rowethorpe Village anticipated by this Masterplan has now been largely completed.

A subsequent Rowethorpe Village Masterplan (Masterplan) was approved by Council on 12 June 2018. The Master Plan was prepared by Chaney Architecture. The Masterplan guides the long term strategic direction for the future planning and development of the Rowethorpe Village and is designed to be used in the assessment of development applications.

The Masterplan provides for the eventual replacement of the majority of existing buildings and infrastructure over a 30 year time frame. Relevant extracts of the approved Masterplan are contained in Attachment 6. The Masterplan splits the precincts into designated areas, as follows:

- Village Centre;
- Residential Care Precinct;
- Villa Precinct – West;
- Villa Precinct – Central;
- Apartment Precinct – West; and
- Apartment Precinct – East.

The subject building is located within Apartment Precinct – West. The Apartment Precinct – West has been identified for redevelopment for independent living units comprising:

- Low rise apartments (up to three (3) levels) serviced by a lift access and oriented with apartment facing north-south and;
- Mid rise (minimum of three (3) levels plus podium car parking up to maximum heights of six (6) to eight (8) levels). The residential building type is proposed to be generally oriented east-west.

Car parking will be provided in at grade carports located adjacent to the apartment building. This precinct will also accommodate a new recreation hub, including a bowls green and clubhouse facility.

Prior to the formal submission of the subject development application the applicant attended a pre-lodgement Design Review Committee (DRC) meeting on Wednesday, 16 May 2018 prior to the submission of a formal application on 12 June 2018. Subsequent DRC meetings were held on 25 July 2018 and 29 August 2018.

Legislation & policy:

Legislation

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*; Schedule 2, Clause 67;
- Town Planning Scheme No. 1 (TPS1) Clause 29;
- TPS1 Precinct Plan P13 “Curtin Precinct”; and
- Metropolitan Region Scheme Text Clause 30.

State Government Policies

- State Planning Policy No. 3.1: Residential Design Codes
- State Planning Policy No. 4.2: Activity Centres for Perth and Peel

Local Policies

- Local Planning Policy 20 - Design Guidelines for Developments with Buildings above 3 Storeys;
- Local Planning Policy 25 – Streetscape;
- Local Planning Policy 23 – Parking Policy; and
- Local Planning Policy 37 – Community Consultation on Planning Proposals

Guiding Documents

- Rowethorpe Village Masterplan

Consultation:

Public Consultation

The Town’s “Local Planning Policy 37 - Community Consultation on Planning Proposals” (LPP 37) requires car parking shortfalls to be advertised for public consultation. After considering the justification provided by the applicant and the ability for parking to be accommodated throughout the whole site without impacting any external neighbouring properties, the Town elected not to advertise the application for Community Consultation.

Consultation with other Agencies or Consultants

The application was not required to be referred to any external agencies.

Planning assessment:

Local Planning Scheme

Item	Requirement	Proposal	Compliance
Building height	Curtin Precinct P13 states a building recession plane from Jarrah Road, Hill View Terrace and Marquis Street with a maximum	Maximum building height: 13.894m.	Compliant.

	building height of 15m.		
Density code	Development should generally be in accordance with the R-Codes R40 standard.	25 units.	Compliant.

Residential Design Codes

Item	Requirement	Proposal	Compliance
Plot ratio	Buildings shall have a maximum plot ratio of 0.6.	The application proposes a plot ratio of the subject building of 0.015, or 1360m ² .	Compliant. Refer to Comments section below.
Lot boundary setbacks	In areas coded R40-R60, the development complies with minimum lot boundary setback requirements as set out in Tables 2a and 2b. Subject to any additional measures in other elements of the R-codes. Wall height: 14m Wall length: 22.5m Major openings: Yes Required setback: 5m minimum.	Proposed building setback 43m from nearest lot boundary.	Compliant.
Open space	Development complies with minimum open space set out in Table 4. Open space required 45% minimum.	In accordance with endorsed Masterplan.	Compliant.
Parking (residential component)	The following minimum number of on-site car parking spaces in provided per multiple dwelling:	25 residential car parking bays and no visitor car parking bays.	Non-compliant Supported – Refer to Comments section below.

Item	Requirement	Proposal	Compliance
	<p>Location A: 1 car parking bay per dwelling and 0.25 visitor car parking bays per dwelling.</p> <p>Therefore, 25 dwellings requires a minimum of 25 residential car parking bays and 6.25 (7) visitor bays.</p> <p>One bicycle space to each three dwellings for residents; and one bicycle space to each ten dwellings for visitors, designed in accordance with AS2890.</p> <p>Therefore a minimum of 9 resident bicycle parking bays and 3 visitor bicycle parking bays are required. Resulting in a total of 12 bicycle parking bays being required.</p>	<p>No bicycle parking bays.</p>	<p>Non-compliant</p> <p>Supported – Refer to Comments section below.</p>
<p>Stormwater</p>	<p>All water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions</p>	<p>To be addressed at Building Permit.</p>	<p>Advice Note proposed.</p>

Item	Requirement	Proposal	Compliance
	allow for the effective retention of stormwater on-site.		
Utilities and facilities	An enclosed, lockable storage area, constructed in a design and material matching the building/dwelling where visible from the street, accessible from the outside the dwelling, with a minimum dimension of 1.5m when provided external to a garage and 1m when provided within a garage and an internal area of at least 4m ² shall be provided for each multiple dwelling.	Each dwelling has been provided with an internal 3m ² storage area.	Non-compliant Supported – Refer to Comments section below.

Local Planning Policy 20 “Design Guidelines for developments above 3 storeys”

Local Planning Policy 20 “Design Guidelines for developments above 3 storeys” (LPP 20) outlines a performance based approach with qualitative objectives and guidelines relating to ten design elements as follows:

- i. Site planning
- ii. Streetscape
- iii. Building Appearance and Neighbourhood Character
- iv. Private Open space
- v. Communal Open Space and Publically Accessible Spaces;
- vi. Resource efficiency
- vii. Safety and Security
- viii. Privacy;
- ix. On-site Parking and Access; and
- x. Site Facilities

Generally, the Town has found the proposed development to be consistent with the objectives of LPP 20. Particularly, the proposed development provides a high level of architectural resolution and richness. The building provides a strong distinction between private and semi-private space.

At the Design Review Committee (DRC) Meeting held on 29 August 2018, the panel members agreed that the development generally meets the intent of LPP 20.

Local Planning Policy 23 “Parking Policy”

Item	Requirement	Proposal	Compliance
Public assembly (chapel and clubhouse)	1 for every 4.5 square metres of net floor area. Therefore, a total of 32 car parking bays are required for a total of 144m ² net floor area of the clubhouse and chapel combined.	No car parking bays proposed.	Non-compliant Supported – Refer to Comments section below.

Local Planning Policy 25 “Streetscape”

Item	Requirement	Proposal	Compliance
Street setback	A minimum 6.0 metre average with a 3.0 metre minimum from the street boundary, to be determined in accordance with Figure 1a, 1b and 1c “Street Setback” as contained in the Residential Design Codes.	Proposed building is setback 95m from Hayman Road.	Compliant.

Rowethorpe Village Masterplan

Item	Requirement	Proposal	Compliance
Built form	Independent Living Apartments (mid-rise) This building type will range from a minimum of three (3) levels (plus podium car parking) up to an anticipated maximum height ranging of six (6) levels of residential accommodation.	Building is four (4) storeys.	Compliant.

Item	Requirement	Proposal	Compliance
	<p>This residential building type is typically oriented with apartments facing east-west to ensure that all residents can enjoy direct sunlight into their apartments, and to minimise the overshadowing impact of taller buildings on public spaces and streets.</p>		
Car parking	<p>Car parking to this dwelling type will typically be provided within shared at-grade carports located adjacent to the apartment building.</p>	<p>Predominantly, car parking bays are provided in a basement level. Some car parking bays have been provided at-grade.</p>	<p>Non-compliant Supported – Refer to Comments section below.</p>
Building orientation	<p>Development shall be designed to incorporate the following elements:</p> <ul style="list-style-type: none"> • Minimise road and driveway crossings to pedestrian / gopher paths. • Maximum northern sun to apartments. Staging of development that minimises disruption to existing residents. • Maximum retention of mature vegetation to retain landscape character. 	<p>One (1) vehicle driveway.</p> <p>Two (2) facades have good exposure to the northern aspect.</p> <p>Existing trees onsite are proposed to be removed.</p>	<p>Compliant.</p> <p>Compliant.</p> <p>Non-compliant Supported – Refer to Comments section below.</p>

Item	Requirement	Proposal	Compliance
	<ul style="list-style-type: none"> Shared community outdoor spaces with a diversity of uses and facilities. 	Communal landscaped areas and bowling green proposed.	Compliant.
	<ul style="list-style-type: none"> Maximised solar access into the public realm. 	Bowling green takes advantage of the northern aspect.	Compliant.

Officer Comments

In general, the proposed development is consistent with the requirements of the Town Planning Scheme No. 1, the R-Codes, relevant Local Planning Policies and the Masterplan. The Town adopted the Masterplan on 12 June 2018. Development that is consistent with the Masterplan will be 'deemed to comply' and provide certainty to Juniper and its community regarding the future planning and development of the Village.

Site Context

The subject site is situated on Hayman Road, which can be accessed via communal streets contained within the village. The subject site is zoned "Special Use" and is identified as "Residential and Special Facilities" in Precinct Plan P13 - Curtin Precinct (Precinct Plan). The Precinct Plan stipulates that the area shall continue to house specialised uses that serve the metropolitan region and be consolidated as an area for aged person's accommodation and ancillary uses.

The subject site is located within the existing Rowethorpe Village and adjacent to the Swancare Village to the north. The subject site is situated approximately 146m northeast of the Curtin University bus station and Curtin University itself. The specific location of the building within the Rowethorpe Village will remove the existing chapel and bowls green.

Plot ratio

As designated in the Town's Precinct Plan, the applicable plot ratio for the subject site is in accordance with the R40 provisions of the R-Codes. Table 4 of the R-Codes requires a maximum plot ratio of 0.6. The subject site's lot area is approximately 9040m², therefore equating to a maximum plot ratio area of 5424m². The individual development proposes a plot ratio of 0.015 resulting in a plot ratio area of 1360m². It is noted that an overall plot ratio for the entire Rowethorpe Village area has not been provided, however it is acknowledged that the Masterplan will regulate this.

Parking (residential component)

In accordance with the R-Codes, car parking is to be provided for the development consistent with Location A. Location A requires a minimum of 25 resident car parking

bays and seven (7) visitor car parking bays. To satisfy the proposed variation the Applicant provided the following justification:

“We consider this development should not be considered as a stand-alone development, but rather the redevelopment of a portion of the larger 12.5ha Village. In this respect, the Village incorporates car parking throughout which is available for visitor car parking. A review of aerial photography indicates there are 77 car parking bays available for visitors within close proximity to the proposed building.”



Figure 1 – Annotated aerial photograph

The Masterplan does not provide that each ILU building is provided with visitor parking. Instead, the Masterplan intends the village centre (to be developed in later stages) as the first ‘port of call’ for visitors. In this respect, more visitor parking will be provided in later stages of the redevelopment consistent with the Masterplan.”

The Town acknowledges that visitor car parking is available throughout the overall village, whilst the Masterplan intends the village centre to be the first ‘port of call’ for visitors. The Masterplan also indicates that the commencement of the village centre stage will be preceded by the development of the independent living units and residential care facilities. Noting this, the Town will recommend the JDAP imposes a condition requiring that seven (7) visitor car parking bays be marked and maintained in the existing car parking areas on Jenkins Avenue.

In addition to the above, bicycle parking bays are to be provided as per Clause 6.3.3 – Parking deemed-to-comply provision C3.2, which requires a minimum of 12 bicycle parking bays. In this regard, the Applicant provided the following justification for the exclusion of bicycle parking facilities:

“We note this is not a standard multiple dwelling development. Residents of Rowethorpe Village are generally less mobile than occupants of a standard apartment building. For this reason, bicycle parking is not proposed.”

The Town acknowledges the Applicants justification and, furthermore notes that gopher parking bays have been provided throughout the development. Due to the very specific nature of the proposed development, it is considered that the inclusion of gopher parking, which is not a requirement of the R-Codes, will be better utilised than bicycle parking.

Utilities and facilities

In accordance with the R-Codes, minimum 4m² storage facilities are required for multiple dwellings. These storage facilities are required to be located outside of the dwelling or within a garage. The proposed development provides for 3m² storage facilities within each individual dwelling. The Applicant has provided justification for the proposed variation, which can be summarised as follows:

- The average age of residents at Juniper's ILU's is 81 years old, with single person occupancy accounting for 94% of dwellings at Rowethorpe Village.
- Juniper Village is a church based charitable organisation with a strong focus on providing accommodation for people with little to no assets.
- Other examples of ILU's within the Rowethorpe Village which are provided with 4m² externally located storage facilities are highly underutilised with less than 50% of storage units containing any items.
- LPP 20 outlines the requirement for dwellings to provide "adequate storage areas".

In regard to the above summary of the Applicants justification and the specialised form of accommodation proposed, it is considered appropriate for the storage areas to be 3m² and located internally for ease of accessibility.

Public Assembly car parking

The proposed development will replace the existing chapel and bowls green with new facilities, as well as a purpose built clubroom. The facilities are designed to cater for the use of residents within the Rowethorpe Village and be ancillary to the overall facilities provided. The existing chapel and bowls green is currently serviced through nearby car parking facilities. The applicable car parking standard for the proposed chapel and clubroom is "Public Assembly" as per the Local Planning Policy 23 "Parking Policy" (LPP 23). "Public Assembly" uses require 1 car parking bay for every 4.5m² of net floor area. As outlined above, the combined net floor area of the chapel and clubhouse is 144m², generating a car parking requirement of 32 car parking bays. No additional car parking bays are proposed as part of the development. The Applicant has provided the following justification:

"The proposed facilities are provided for the benefit of on-site residents. All residents are located, at most, 300m from the facility and well-within an acceptable walking / gopher travel distance. It cannot be expected that any resident will desire to drive a car such a short distance to use the recreational facilities."

Further to the Applicants justification, the Town notes that there is an extensive pedestrian and gopher network across the entire Rowethorpe Village, which links into the Town's overall pathway network. The Masterplan further resolves the pedestrian network, with the subject site being located in an area of accessibility within the Village. Additionally, as mentioned above there are several gopher parking bays provided through the proposed development. These gopher parking bays provide means of access for residents who are less mobile and unable to walk. As such, the Town considers the Public Assembly facilities to be highly accessible from all parts of Rowethorpe Village and the proposed car parking shortfall acceptable.

Maximum retention of mature vegetation to retain landscape character.

Although several trees are proposed to be removed to accommodate the proposed development, there is significant vegetation throughout the entire site, much of which is within open space areas designated in the Masterplan. The applicant has provided a plan which outlines which affected trees are to be retained, relocated or removed. A total of 10 trees are proposed to be removed from the site. With a further 11 trees to be relocated. Of the trees being removed, the concept landscape plan outlines various additional newly planted trees. The Town recommends the JDAP impose a condition requiring a Landscape Plan be submitted to the Town for endorsement prior to the application for a Building Permit.

Traffic and Access

The traffic report by the proponent's transport consultant KCTT estimates a daily traffic generation of 50 vehicular trips on to the external network. The internal road network for the proposed development is under the care and control of Rowethorpe Village. However, the Town recommends the proponent provide further detail demonstrating that adequate sightlines are maintained where the driveway to the basement car park intersects with Jenkins Avenue.

It is important to note that the proponent's transport consultant KCTT stated "*The existing trip generation / attraction could be considered negligible since the existing land uses are most likely only used by the residents of Rowethorpe Village*". Officers believe some new trips could be associated with the proposed venues. In this regard, the information provided in the report was limited, however the Town does not anticipate these will have a material impact on the external road network given the redevelopment is in its early stage.

It is to be noted that the future intersection layout between roads from Rowethorpe Village and external road connections onto Hayman Road/Hill View Terrace have not been finalised at this stage. The site traffic generation and road safety assessments will dictate the ultimate layout for these new junctions as part of the Master Plan and limited movements may be imposed by the Town in the future. (e.g. Left-In/Left-Out).

Waste Management

Currently all waste within the Rowethorpe Village is collected by a Village engaged private waste collection contractor. This arrangement will be adopted for the proposed development.

Lot Boundaries

The proposed building straddles the lot boundary between Lots 4 and 5. Both properties are owned by Uniting Church Homes, which also operates Rowethorpe Village. Although it is possible to approve buildings which straddle lot boundaries, the Town would require a condition of amalgamation included as part of the approval prior to the application of a building permit. The Town has discussed this option with the Applicant, who expressed concern that this is undesirable for their client. The Applicant provided the following justification for the approval of the development as proposed:

"It is not contested that, as a matter of established planning principle, a single development should normally not extend across lot boundaries to ensure the

development remains a single entity. In the circumstances of this application, however, we do not consider it appropriate to require amalgamation for the following reasons.

There is no danger, as the Town suggests, that one of the lots will change hands. The subject site comprises Crown grants in trust which limit the allowable land uses on the land. Further, the Rowethorpe Village has developed over time as a single entity, as evidenced by the number of existing access roads, parking bays, structures, and services which extend across the lot boundaries. And the Masterplan contemplates the continued development of the site as a single integrated site. It is extremely unlikely either lot could be on-sold without there being major changes to the Masterplan and substantial physical changes being made to the site (which is not contemplated by this application).

The deliberation of the State Administrative Tribunal in Hill and City of Subiaco [2013] WASAT 203 is relevant to this matter:

[28] As the land use and the essential form and function of the house is not the subject of, and is left unaffected by, the development application for alterations and additions, and has remained materially unaltered since the house was constructed straddling the two lots comprising the site in about 1917, a condition requiring the amalgamation of the lots does not reasonably and fairly relate to the permitted development. To adopt and adapt Barker J's words in Kellett at [21]: The applicant was entitled in the circumstances to confine his application to approval of the [relatively minor alterations and additions] without bringing into question the fact and terms of his existing [lot configuration]. In the circumstances, the nature of the development proposed did not provide the occasion to alter the existing [lot configuration].

And:

[33] Although lots which collectively comprise the site of a proposed development should generally be amalgamated to ensure that development approved as a single entity will operate as a single entity throughout the lifetime of the development, in the circumstances of this case, the amalgamation of the lots comprising the site is not necessary to ensure that the development remains a single entity. The development of the site comprises a single house which has straddled two lots for almost a century. The site is located in an area of significant cultural heritage values which the planning framework contemplates should be conserved, enhanced and reinforced. As noted earlier, development approval would be required under TPS 4 for partial or complete demolition of the house on the site. Given the terms of the planning framework surveyed earlier and the cultural heritage values of the locality, it is highly unlikely that the City (or the Tribunal on review) would grant development approval for complete or substantial demolition of the house so as to enable the two lots comprising the site to operate as separate residential uses. Consequently, the house, garage and associated outbuildings, which comprise a single residential use, are likely to remain a single entity without amalgamation of the lots. The historical and current planning circumstances of the site are such that amalgamation of the lots is not necessary to ensure that the development remains a single entity.

The circumstances discussed in Hill and City of Subiaco are relevant to this application, as it reflects a site which has historically been developed and used and

continues to be integrated as a single entity, and for which it would not be possible to separate the two lots without first undertaking major changes to the layout of the site which would require development approval to be granted. For these reasons, we do not consider it appropriate to impose a condition of development approval requiring the lots to be amalgamated.”

The Town acknowledges the Applicants justification, but does not consider these as relevant examples. The examples provide by the applicant are in regard to existing Single Houses, which already straddled a lot boundary. The proposed development results in a portion of the clubhouse kitchen and storeroom being located on Lot 5 Hayman Road. As acknowledged by the Applicant, a single development should normally not extend across lot boundaries to ensure the development remains a single entity. As such, the Town will recommend a condition requiring the development to be located wholly within the subject lots boundaries by way of subdivision or amended plans.

Although not a planning consideration, advice received from Council’s Building Business Unit is that from a fire separation perspective, the Building Code of Australia prevents Building Permits being issued to buildings which straddle lot boundaries.

Design Review Committee

The proposed development has been to a number of DRC meetings, each providing further refinement to the proposed development. The applicant has been proactive in incorporating the DRC panel members advice, which has resulted in a higher quality development overall. At the DRC Meeting held 29 August 2018 the Committee Members unanimously agreed to endorse the proposed development and the variations sought. The following strengths and weaknesses of the development, and further recommendations were identified:

Strengths	Weaknesses	Further recommendations
Individual apartment planning well resolved and generous in size.	Landscaping needs to be better resolved and considered.	The curve of the access to the basement parking will have large setbacks for tactiles, this should be reduced in size.
The development demonstrates a strong sense of logic and is well planned.	Concerned about the heat island effect potential from synthetic turf bowls green.	Sofits should be coloured concrete.
A strong distinction between private and semi-private areas.	The effect of heat on the bowls green users.	A more detailed landscaping plan should be provided prior to building permit.
A strong design element is the change in roof form from the ILU building to the chapel.	Planter boxes near main entry considered to be “clunky”.	Modification of planter boxes.
The elevation treatment respects the adjacent building, but is also unique		Balustrades should be carefully considered and be to the satisfaction of

itself.		the Town.
The overall use of materials is good, particularly the red brick treatment along the perimeter of the ground floor.		
There is a richness to the building, which is achieved through good proportions and scale.		

Balustrade Design

The proposed development features a metal grey balustrade on all facades of the building. The DRC identified this as a crucial design element of the development, which will have a significant impact on the success of the building. Both Council Officers and the DRC consider it important that the specific balustrade detail be provided and reviewed, and therefore there is a recommended condition as part of this report that the balustrade design is to the satisfaction of the Town.

Council Recommendation:

Nil, as Council Officers have delegated powers to make recommendations to the JDAP on behalf of the Council.

Conclusion:

As discussed in the report, the proposed development generally demonstrates compliance with the requirements of the Town of Victoria Park's Town Planning Scheme No. 1, Precinct Plan, the applicable Town Planning Policies, Rowethorpe Village Masterplan; as well as those of the Town's internal business units. Where a variation to the Town's requirements has been sought, the proposed development has demonstrated the capacity to accommodate variations within the wider village area, or alternatively the applicant has demonstrated the needs of the residents with still be satisfied.

Accordingly, the Town of Victoria Park officers recommend to the Joint Development Assessment Panel, that the proposed 25 independent living units, chapel, clubhouse and bowling green be approved subject to meeting with standard and specific conditions of approval.

Attachment 1

Aerial photo of the site



Attachment 2

Floor plans and elevations dated received 12 June 2018





REVISIONS		
DATE	DESCRIPTION	BY REV
30.04.18	ISSUED FOR INFORMATION	JM A
08.06.18	DA SUBMISSION	JM B
20.06.18	DA SUBMISSION - ADDITIONAL INFO	JM C

SCHEMATIC DESIGN

TAYLOR
ROBINSON
CHANEY
BRODERICK

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W/ www.trcb.com.au

PROJECT
**CHAPEL APARTMENTS
Rowethorpe Village**

DRAWING
SITE SURVEY

PLOT DATE 20.06.18	JOB NUMBER 18070
DRAWN Author	DRAWING NO. DA1.01
SCALE 1:500 @ A1	REVISION C
CHECKED Checker	© Copyright 2018



RETAIN EXISTING

EXISTING VILLAS TO BE RETAINED

COMMUNITY GARDENS, TO INCLUDE:
 › EXERCISE
 › FOOD GARDENS
 › PLAY AREA
 › BBQ FACILITIES

STAGE 1 APARTMENT TO INCLUDE FIRE AND WATER INFRASTRUCTURE UPGRADES

APARTMENT WEST
 › RECREATION HUB
 › FOOD GARDENS
 › EXERCISE
 › BBQ FACILITIES
 › PLAY AREAS

MEDICAL CENTRE

VILLAGE CENTRE, TO INCLUDE:
 › RECREATION
 › RETAIL
 › FOOD AND BEVERAGE

VILLAGE RECREATION HUB, TO INCLUDE
 TOWN OF VICTORIA PARK
 Received: 12/06/2018
 › NEW CHAPEL

REFLECTION GARDEN
 › FOOD GARDENS
 › EXERCISE
 › BBQ FACILITIES

APARTMENT EAST RECREATION HUB

NEW PEDESTRIAN LINK

VILLAS TO BE RETAINED

RESIDENTIAL CARE - EXISTING FACILITIES TO BE RETAINED

RESIDENTIAL CARE

RESIDENTIAL CARE, TO INCLUDE:
 › CENTRAL CATERING
 › RESPITE CARE
 › ADMINISTRATION





KEY ROAD ALIGNMENTS:

- › Portion of River gum Drive retained
- › Future north-south road provision
- › Provision for future pedestrian path alignment (north) and Christmas Tree Avenue realignment (north)

DEMOLITION/RELOCATION:

- › Bowling Green
- › Chapel
- › Refer Landscape Statement for tree retention summary

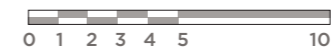
STAGE 1 NEW BUILD:

- › Bowling Green
- › Clubhouse and Chapel
- › Apartments (Independent Living Units)
- › Surrounding hard and soft landscape





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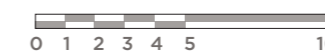
Chapel Apartments
Ground Floor Plan
Development Approval Application

B
8
07 06 18

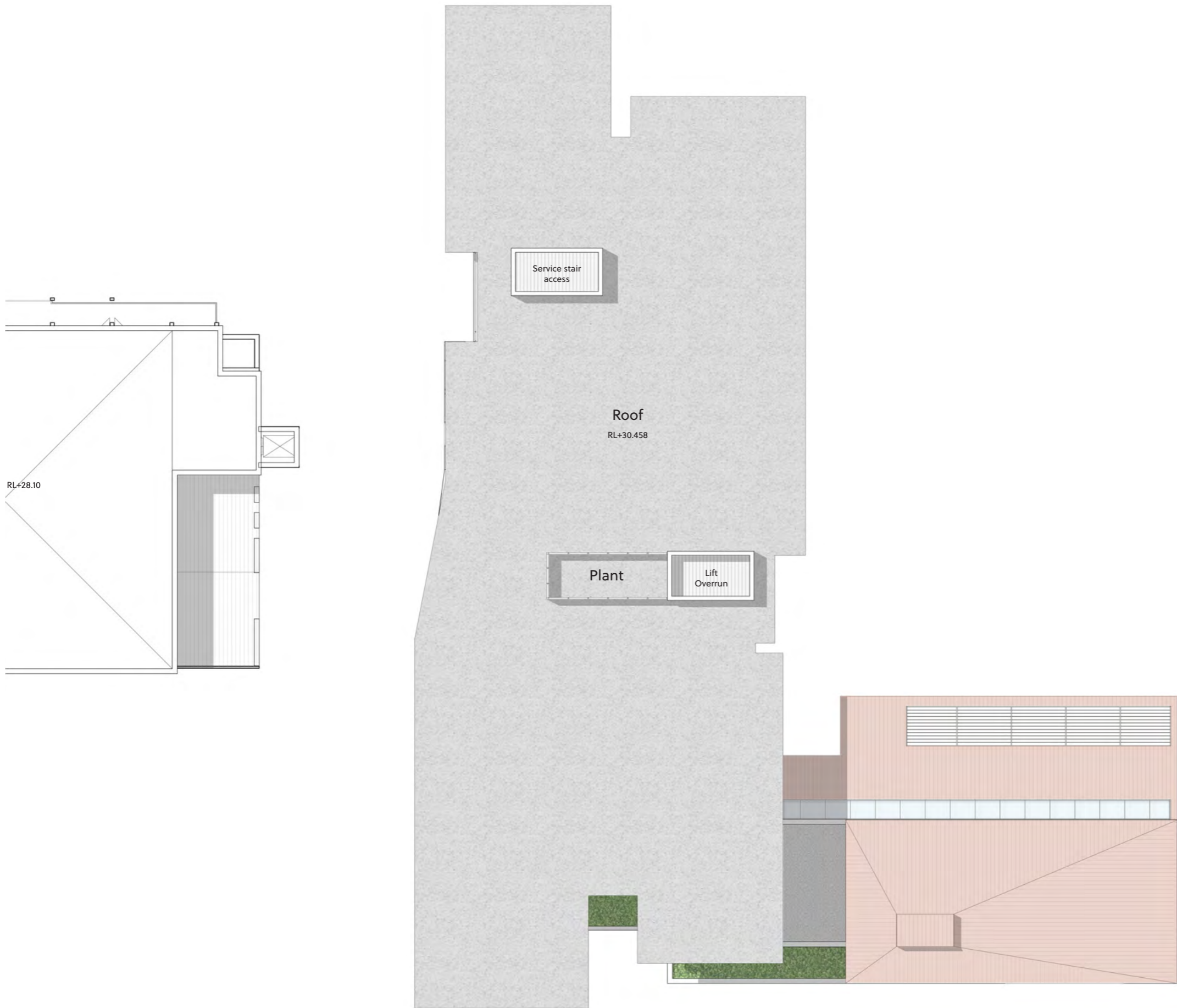
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18070
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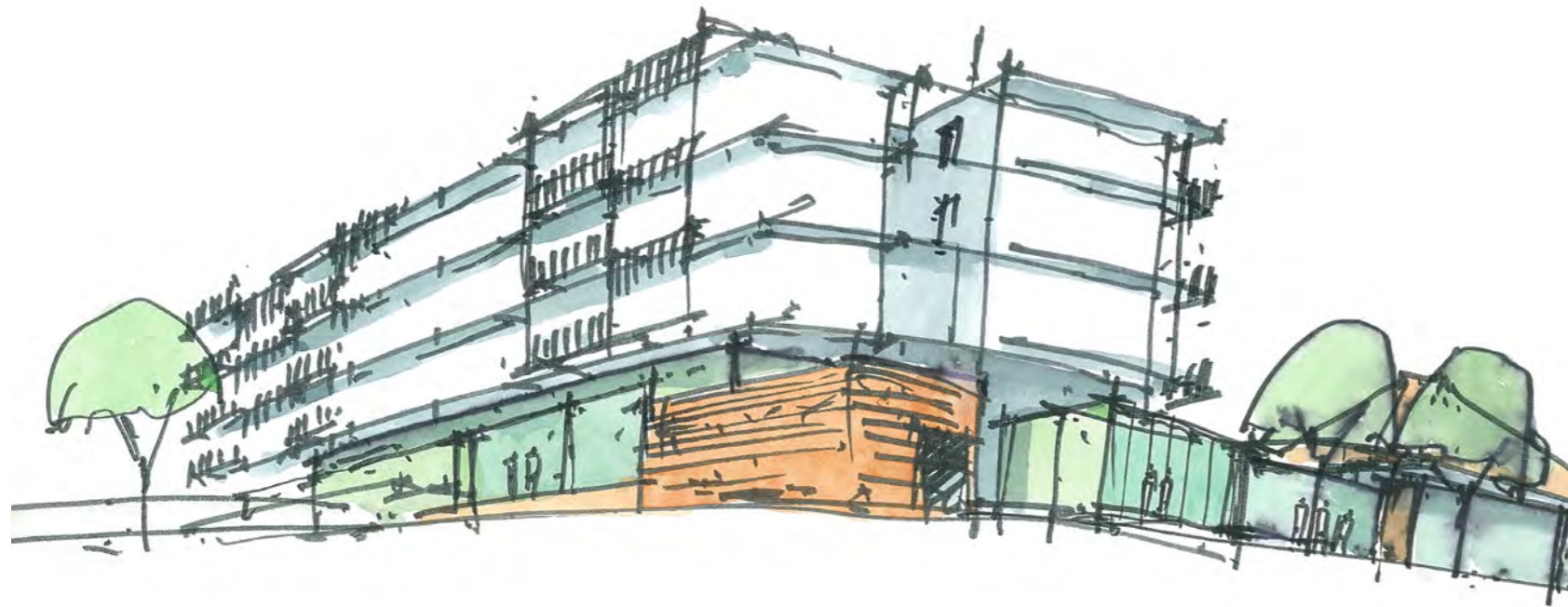
TAYLOR
ROBINSON
CHANEY
BRODERICK

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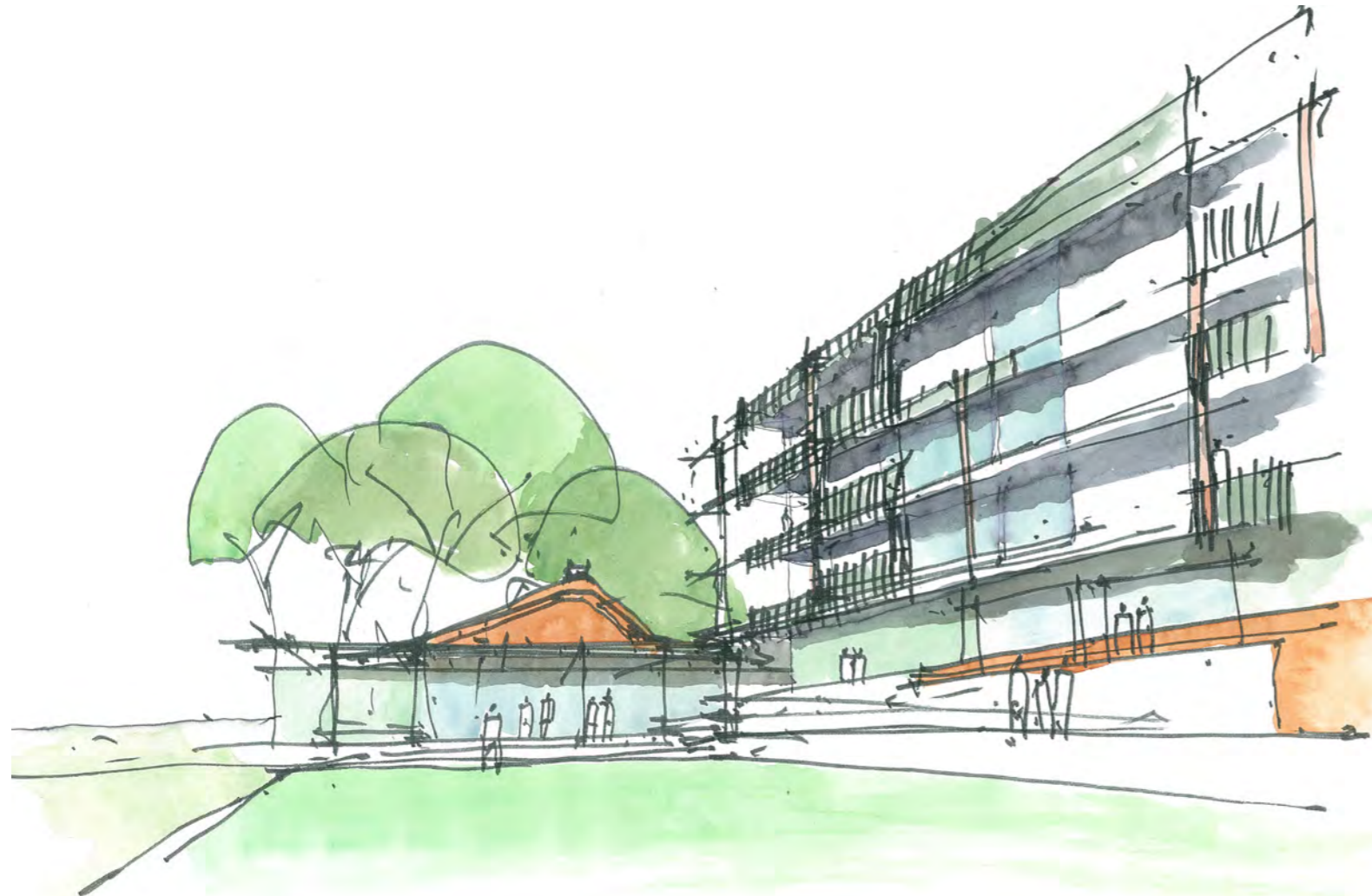


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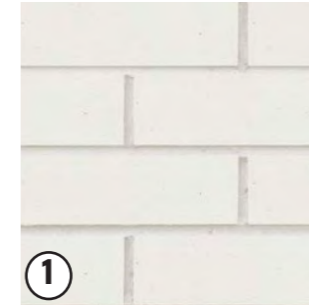
Concept Sketch
Apartments above with clubhouse, chapel and common facilities



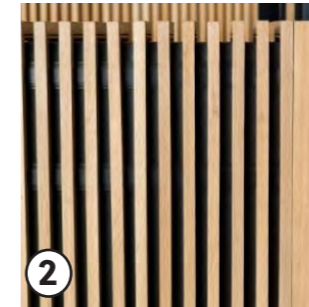
Concept Sketch
Bowling green with clubhouse (background) and apartments (right)

KEY

- ① Masonry
- ② Timber (Battens)
- ③ Green Tile
- ④ Concrete (Raw/Stain)
- ⑤ Terracotta



①



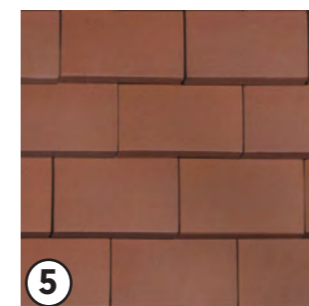
②



③



④



⑤



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Currambine Market Hall by Chaney Architecture



D House by Donovan Hill



Translational Research Institute by Wilson Architects and Donovan Hill

EAST ELEVATION

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Terracotta colour metal roof Red brick Timber coloured solar screening Tinted glass to Lobby Green coloured concrete Grey concrete Cream brick White brick Mid-grey railing Black painted columns

NORTH ELEVATION



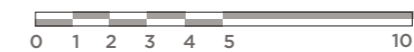
Terracotta colour metal roof Red brick Grey concrete Green coloured concrete Cream brick Mid-grey railing Black painted columns

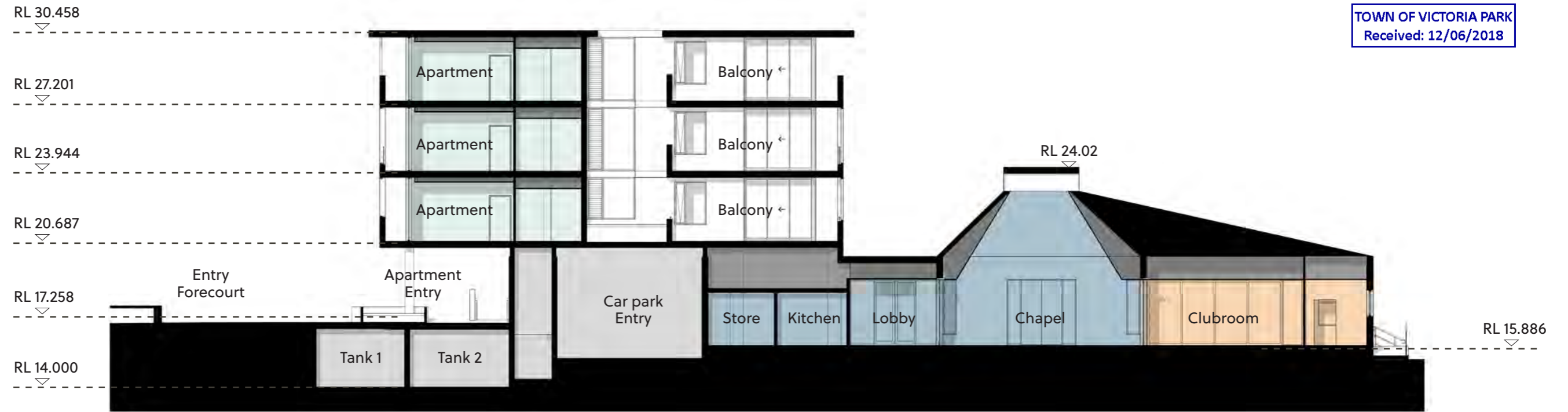
WEST ELEVATION

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SOUTH ELEVATION





SECTION A



SECTION B



ILU Type A

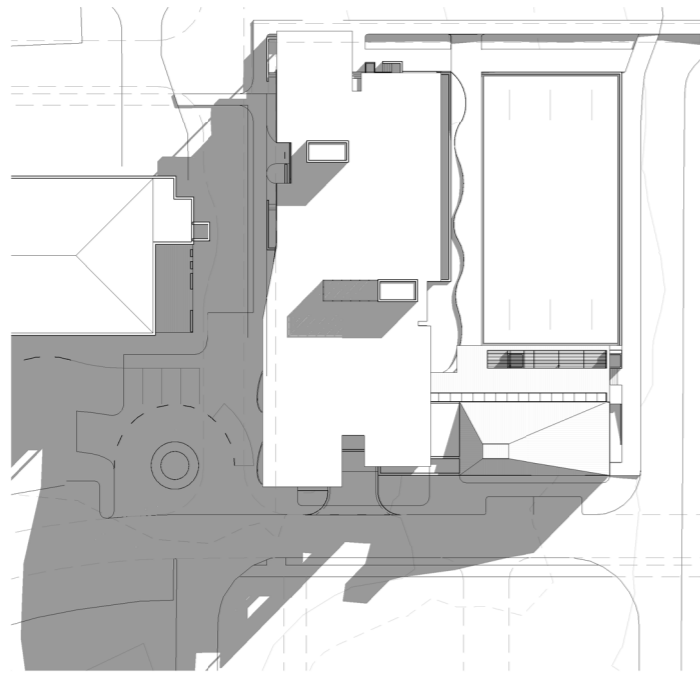
Typical to mid board locations
77 m² Internal floor area
3 m² Store



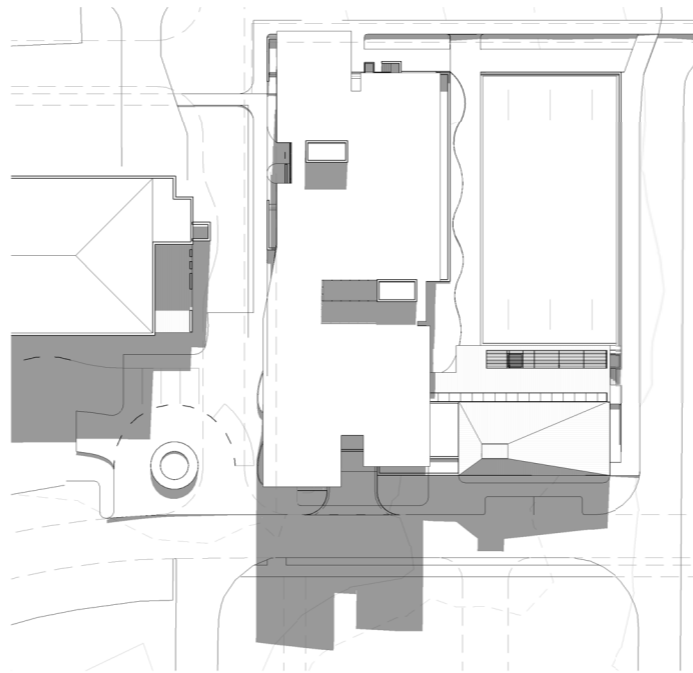
ILU Type B

Typical to corner locations
79 m² Internal floor area
3 m² Store

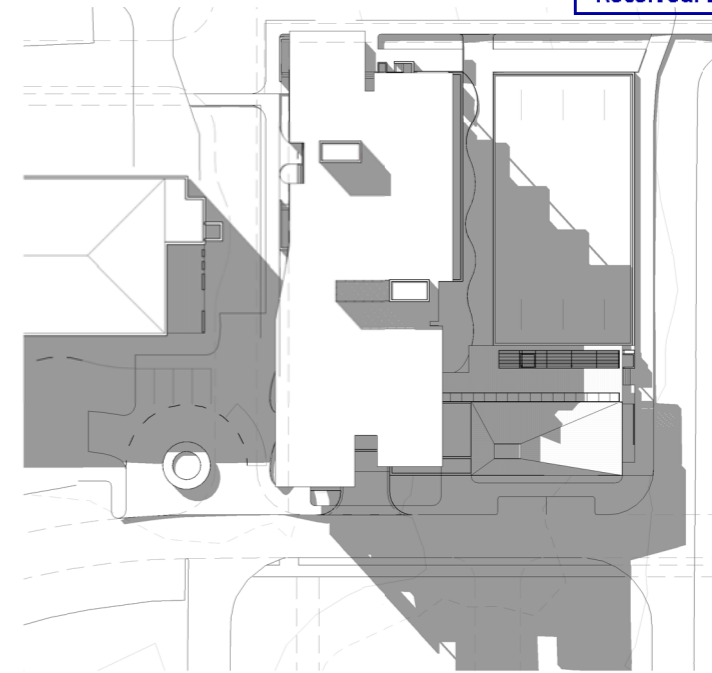




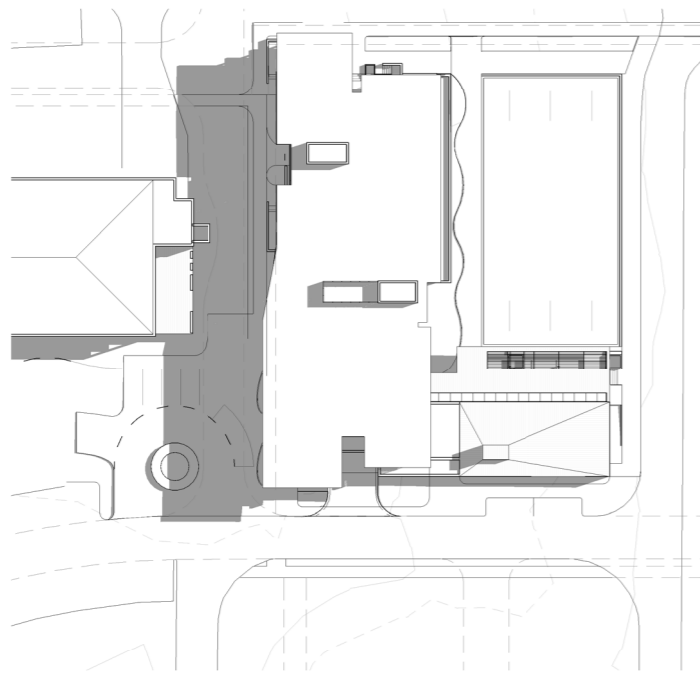
9am, 21 June



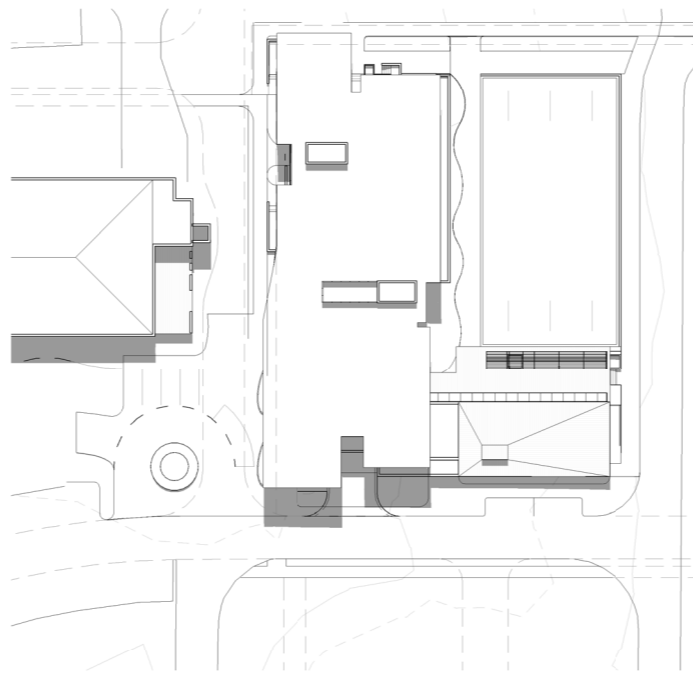
12pm, 21 June



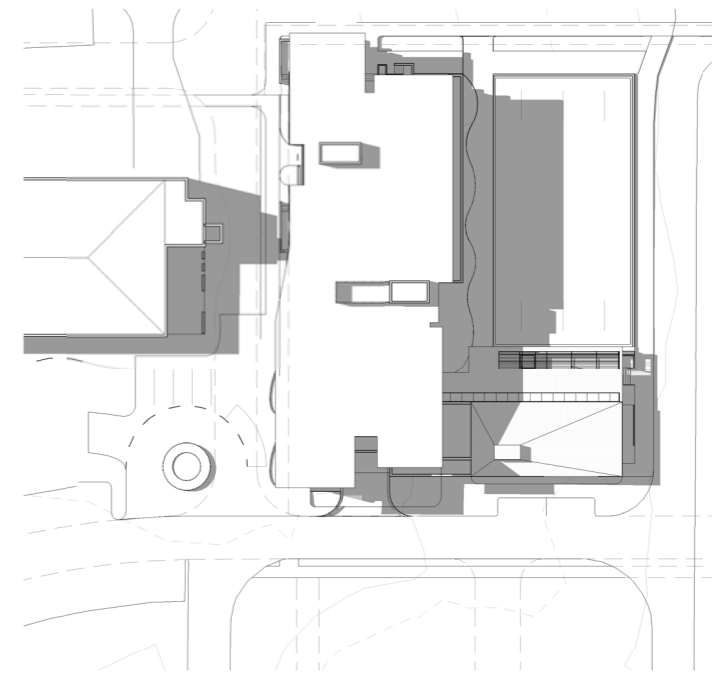
3pm, 21 June



9am, 21 October



12pm, 21 October



3pm, 21 October



TOWN OF VICTORIA PARK
Received: 12/06/2018





Attachment 3

Traffic Impact Statement dated June 2018

TRANSPORT IMPACT STATEMENT

Chapel Apartments, Juniper
Bentley

June 2018

Rev B



TOWN OF VICTORIA PARK
 Received: 12/06/2018

HISTORY AND STATUS OF THE DOCUMENT

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Rev B	7.06.2018	M Kleyweg	M Kleyweg	7.06.2018	Proposed Layout Amended

DISTRIBUTION OF COPIES

Revision	Date of issue	Quantity	Issued to
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Project Team	Jelena Simic / Harriet Farminer
Project Director / Project Manager	Marina Kleyweg
Name of Project	KC00540.000 Chapel Apartments, Juniper
Name of the Document	KC00540.000 Chapel Apartments, Juniper – Transport Impact Statement
Document Version	KC00540.000_R01_ Rev B



Quality
 ISO 9001

SAI GLOBAL

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Table of Contents

1. Executive Summary	4
2. Transport Impact Statement	6
2.1 Location	6
2.2 Technical Literature Used	6
2.3 Land Uses	7
2.4 Review of available planning documents	7
2.5 Local Road Network Information.....	9
2.6 Traffic Volumes	11
2.7 Vehicular Crash Information.....	12
2.8 Parking Requirements	13
2.9 Bicycle Parking.....	14
2.10 ACROD Parking	14
2.11 Delivery and Service Vehicles	15
2.12 Calculation of Development Generated / Attracted Trips	15
2.13 Traffic Flow Distribution	16
2.14 Road Safety.....	17
2.15 Vehicle Crossover Requirements.....	17
2.16 Public Transport Accessibility	18
2.17 Pedestrian Infrastructure.....	19
2.18 Cyclist Infrastructure	19
2.19 Site Specific Issues and Proposed Remedial Measures.....	20

Appendices

Appendix 1 - The layout of the proposed development

Appendix 2 - Transport Planning and Traffic Plans

Appendix 3 - Vehicle Turning Circle Plans

1. Executive Summary

The proposed development site is located in a premier retirement living location Juniper Rowethorpe. The proposed plans show the redevelopment of the bowling green, the existing chapel and clubhouse within Juniper Rowethorpe Village into 25 independent living units and a number of community functions including a relocated bowling green, clubhouse and chapel.

KCTT have reviewed available planning documents to gain insight into the proposed developments and road network in the surrounding area.

The plan for the proposed development features 25 parking bays (19 parking bays located inside the garage and 6 on-street parking bays) with an additional bay for pick up/drop off. The plans for the proposed development show 25 parking bays which is in line with the requirements stipulated in the Rowethorpe Village Masterplan According to profile.id analysis of car ownership in 2016, 37.8% of households in Bentley do not have access to motor vehicles. This is due to the fact that Bentley residents are mostly senior citizens, namely 72.2% are over 55 years old. Having this in mind it is safe to assume that the similar proportion can be applied to the residents of the proposed independent living apartments. Therefore, it is expected that 16 household of the 25 proposed will operate a motor vehicle and require parking, this leaves additional 9 parking bays for visitors as provided by the proponent. Moreover, Juniper Rowethorpe Village provides on street parking on most internal streets, therefore KCTT believe that the parking requirements for the residents as well as visitors will be adequately catered for. It should be noted that the pick up / drop off bay will need to be relocated once the future road to the west of the subject site is constructed.

KCTT believe that due to the nature of the development there is not a high demand for bicycle parking. It can be assumed that visitors to the proposed land uses such as visiting residents and/or users of the clubhouse and chapel may arrive on a bike however this does not constitute a high demand for bicycle parking.

Since the proposed building is a Class 2 building it does not have requirements for ACROD parking, however 4 oversized bays have been provided to cater for any potential need for accessible parking bays.

Since the proposed development is a part of a larger site with internal network, KCTT believe that waste collection can be arranged within the internal road network, with no need for designated parking bays.

KCTT have checked the parking area within the basement for navigability with a B99 (5.2m) passenger vehicle. No navigability issues were encountered.

The subject site features provision for a future two-way 5.5m road with a 3.5m wide slow point to the west of the proposed development, however this road is not a part of this development application. The future road intersection with Jenkins Avenue is located approximately 60m from the intersection of Jenkins Avenue and River Gum Drive, and approximately 100m for the intersection of Jenkins Avenue and Hayman Road. Liveable Neighbourhoods guidelines state that junction spacing for access streets or laneway junctions are not to be located closer than 20m from street intersections, with no minimum spacing between laneway junctions on local streets. The future road is located further than 20m from the existing intersections, therefore it complies with the requirements.

The existing land uses did not require crossovers, while the proposed building will have a basement parking area with the access/egress point from / to Jenkins Avenue.

The total traffic impact of the proposed development is expected to be 50 VPD and 10 VPH. This is a moderate impact on the surrounding road network according to WAPC guidelines. However, it is expected that the impact on the surrounding road network would be negligible.

TOWN OF VICTORIA PARK
Received: 12/06/2018

2. Transport Impact Statement

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2.1 Location

Street Number	4-10
Road Name	Hayman Road
Suburb	Bentley
Description of Site	The proposed development site is located in a premier retirement living location Juniper Rowethorpe. The proposed plans show the redevelopment of the bowling green and the existing chapel and clubhouse within Juniper Rowethorpe Village into 25 independent living units and a number of community functions including a relocated bowling green, clubhouse and chapel.

2.2 Technical Literature Used

Local Government Authority	Town of Victoria Park
Type of Development	Independent living units
Are the R-Codes referenced?	NO
Is the NSW RTA Guide to Traffic Generating Developments Version 2.2 October 2002 (referenced to determine trip generation / attraction rates for various land uses) referenced?	YES
Which WAPC Transport Impact Assessment Guideline should be referenced?	Volume 4 - Individual Developments Volume 5 - Technical Guidance
Are there applicable LGA schemes for this type of development?	YES
<i>If YES, Nominate:</i>	
Number of Scheme	No. 1
Name of Scheme	Town of Victoria Park Local Planning Scheme
Are Austroads documents referenced?	YES
Is the Perth Transport Plan for 3.5 million and Beyond referenced?	NO

2.3 Land Uses

Are there any existing Land Uses

YES

If YES, Nominate:

Bowling green surrounded by open space
Chapel and existing Clubhouse

Proposed Land Uses

How many types of land uses are proposed?

4

Nominate land use type and yield

Apartments – Independent Living = 25
Chapel ≈ 85m² – 40 seats
Clubhouse ≈ 58m² – 48 seats
Bowling Green ≈ 628m²

*Note *- The proposed Chapel and Clubhouse are ancillary facilities provided for the residents of Juniper Rowethorpe. Rowethorpe Village is designed to cater for senior living arrangements hence the proposed Chapel and Clubhouse are within walking distance from every part of the village. It is expected that no vehicular movements will be attracted specifically to the Chapel and Clubhouse and therefore there is no need for parking provision. The same applies to the relocated Bowling Green.*

Are the proposed land uses complimentary with the surrounding land-uses? YES

2.4 Review of available planning documents

Rowethorpe Village the Chapel Apartments - Design Review Committee Presentation

Does this document outline any potential changes of the road network?

YES

“ Key Road Alignments:

- Portion of Rivergum Drive removed (option to retain)
- New north-south road link
- Provision for future pedestrian path alignment (north) and Christmas Tree Avenue realignment (north)”

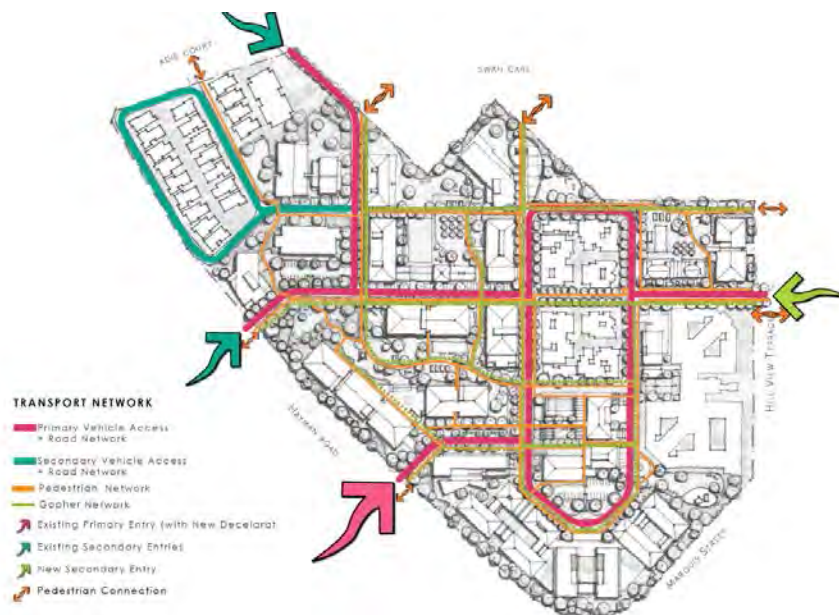


Figure 1 – Rowethorpe Village Proposed Transport Network

Rowethorpe Village Masterplan

TOWN OF VICTORIA PARK
Received: 12/06/2018

Does this document outline any potential changes of the road network?

YES

“ The Masterplan has a simplified road structure that creates large development parcels, allowing maximum flexibility for the long-term development and staging. The new structure clarifies and simplifies the organization of the site, with regular road alignments that relate to site entrances and key site developments and open space.

Access + Movement - Objectives:

- *Establish a hierarchy of legible movement systems, including a major road network for cars, service vehicles and buses, a minor road network primarily for residents and a separate network for gophers/electric carts and pedestrians.*
- *Simplify road alignments into a north/south system for legibility and to optimise solar gain into dwellings and external spaces.*
- *Improve east-west links, recognising the need to restrict ‘rat-running’ through the site.*
- *Prioritise walking over vehicular movement.*
- *Minimise road pavement widths to slow traffic and encourage walking and outdoor activities.*
- *Orient roads to support optimal building and open space orientation*
- *Incorporate integrated on-street parking for all new development*
- *Establish overall site service vehicle strategy”*

Does this document outline any potential changes of the pedestrian / cycle networks and crossing facilities?

YES

The proposed development will accommodate part of the path network for gophers, electric carts and pedestrians.

“ The Masterplan proposes a new path network for gophers, electric carts and pedestrians that is separated from the main road network. This path network will connect all major activities and facilities within the site as well as external site. The intention is to create an environment that will promote and support incidental meetings and gatherings, supporting a community environment.”

New gopher path has been established to the west of the apartment building as well as new pedestrian links to the south of the building.

Bentley-Curtin Specialised Activity Centre Draft Structure Plan

Does this document outline any potential changes of the road network?

YES

The proposed development is located within the Curtin-Bentley hub guided by the Bentley-Curtin Specialised Activity Centre Draft Structure Plan and the Greater Curtin Master Plan. The Bentley-Curtin Activity Centre Draft Structure Plan promotes an increased urbanised environment with enhanced public amenity and mix of land uses. The Bentley-Curtin specialised Activity Centre Draft Structure Plan states the following;

“ Hayman Road and Kent Street link to the wider network and provide effective vehicle access; however, 70 kilometres per hour speed limits and wide reserves divide and isolate uses. The connectivity of local streets can be improved to better serve walking, cycling and vehicle access”.

“ Hayman Road and Kent Street (within Bentley-Curtin) were constructed with large verges to cater for potential future dual use lanes”

“ Hayman Road could evolve as a Boulevard, with landscaping, trees and wide footpaths, buildings that address the street and a plaza contributing to the precincts urban and active character”.

“ The following locations are identified as potentially constrained in the local road network by 2031:

- Lawson Street into Hayman Road;
- The intersection of Kent Street and Hayman Road;
- Kent Street eastbound near Hayman Road”

“ Realignment of Brand Drive on Curtin site is imminent however it is conditioned by the future design of Art and Science precinct”.

Does this document outline any potential changes of the pedestrian / cycle networks and crossing facilities? YES

To encourage walking and cycling several principles have been outlined in the abovementioned document.

“ Examination of a potential pedestrian crossing at Hayman Road near Adie Court for improved priority and safety”.

Does this document outline any potential changes of the public transport services? YES

“ The following intersections and corridors require review to optimise functioning and give public transport priority. Lawson Street, Hayman Road and Douglas Avenue from Manning Road to Canning Highway”.

Greater Curtin Master Plan

Does this document outline any potential changes of the public transport services? YES

Assessment of public transportation services is based on the anticipated bus network to 2031 that demonstrates significant expansion and potential for a light rail service connecting the area to Perth CBD.

The current Curtin University bus station on Hayman Road, located opposite the subject site, will be downgraded to a bus stop with removal of current traffic lights as the bus station is redeveloped internally on the campus.

The structure plan shows potential for adding a stop along Hayman Road (in the vicinity of Brodie-Hall Drive), providing enhanced connectivity between Greater Curtin and Bentley Technology Park.

“ Key features of the network include the provision of:

- A mass transit spine and series of light rail enabled streets that future proof Greater Curtin to take advantage of potential extension and expansion of light rail
- A strategically located and well-designed new bus interchange and series of bus enabled streets to support a comprehensive and flexible future transit network.”

2.5 Local Road Network Information

How many existing roads front the subject site? 3 internal roads

Juniper Rowethorpe internal streets have a sign posted speed limit of 15kph and are classified as “shared zone” used by both pedestrians and vehicles to ensure safety of both tenants and visitors.

Name of Existing Roads Fronting Subject Site / Road Classification and Description:

Road 1,2,3

Road Name Jenkins Avenue, Christmas Tree Avenue, River Gum Drive

Number of Lanes	two-way, one lane
Road Reservation Width	N/A
Road Pavement Width	approximately 5.5m
On-street parking	YES

TOWN OF VICTORIA PARK
Received: 12/06/2018

Name of Other Roads within 400m radius of site, or roads likely to take increased traffic due to the development.

Road 1

Road Name	Hayman Road
Number of Lanes	Two lane, two ways
Road Reservation Width	approximately 18m
Road Pavement Width	approximately 7.5 for each direction
Classification	Significant Urban Local Road / Distributor A
Speed Limit	60kph – 70kph
Bus Route	YES
<i>If YES Nominate Bus Routes</i>	30 – Perth – Curtin University Bus Station via Labouchere Road and Hope Avenue 34 – Perth – Cannington Station via Como 70 – Perth – Curtin University bus station via Kensington 72 – Perth – Cannington Station via Victoria Park and Curtin University 75 – Perth – Canning Vale via Victoria Park and Curtin University 100 – Canning Bridge Station – Cannington Station via Kent Street and Curtin University Bus Station 101 – Canning Bridge Station – Curtin University bus station via Lawson Street 284 – Belmont – Curtin University Bus Station 998 – Circle Route 999 – Circle Route
On-street parking	NO

Road 2

Road Name	Adie Court
Number of Lanes	One lane, two-ways
Road Reservation Width	approximately 20m
Road Pavement Width	approximately 7.5
Classification	Urban Local Road / Access Road
Speed Limit	50kph
Bus Route	YES
<i>If YES Nominate Bus Routes</i>	72 – Perth – Cannington Station via Victoria Park and Curtin University 75 – Perth – Canning Vale via Victoria Park and Curtin University 284 – Belmont – Curtin University Bus Station 998 – Circle Route

999 – Circle Route
NO

TOWN OF VICTORIA PARK
Received: 12/06/2018

On-street parking

Road 3

Road Name	Hill View Terrace
Number of Lanes	One lane, two ways
Road Reservation Width	approximately 30m
Road Pavement Width	approximately 14m
Classification	Significant Urban Local Road / Distributor A
Speed Limit	60kph
Bus Route	NO
On-street parking	NO

2.6 Traffic Volumes

Road Name	Location of Traffic Count	Vehicles Per Day (VPD)	Vehicles per Peak Hour (VPH)				Heavy Vehicle % <i>If HV count is Not Available, are HV likely to be in higher volumes than generally expected?</i>	Year	
			AM Peak Time	AM Peak VPH	PM Peak Time	PM Peak VPH		Date of Traffic Count	<i>If older than 3 years multiply with a growth rate</i>
Hayman Road	North of Marquis Street	15,741	7:45 –	1,555	16:30 –	1,363	8.1%	2017	N/A
	Allen Court to Adie Court*	15,258	08:00 –	1,446	17:00 –	1,483	3.6%	May 2016	N/A
Adie Court	Hayman Road to Cul De Sac*	1,425	09:00 –	123	12:00 –	119	27.6%	May 2015	1,512 <i>(2% growth rate per annum)</i>
Boundary Road	East of Hill View Terrace	1,559	07:45 –	157	16:00 –	133	6.1%	2017	N/A
Hill View Street	North of Lawson Street	10,709	07:45 –	875	16:30 –	993	4.1%	2015	11,364 <i>(2% growth rate per annum)</i>
Marquis Street	East of Hayman Road	12,534	07:45 –	1,128	16:30 –	1,121	5.3%	2017	N/A
	Hayman Road to Earl Street*	1,085	08:00 –	94	17:00 –	102	3.1%	Jun 2014	1,174 <i>(2% growth rate per annum)</i>
Jarra Road	North of Hill View Terrace	2,152	07:45 –	231	15:45 –	180	12.4%	2017	N/A
Lawson Street	North of Manning Road	19,884	08:15 –	1,715	16:30 –	1,774	7.3%	2017	N/A

*Note * These traffic volume data have been sourced from the Town of Victoria Park*

2.7 Vehicular Crash Information

TOWN OF VICTORIA PARK
Received: 12/06/2018

Is Crash Data Available on Main Roads WA website? YES

If YES, nominate important survey locations:

Location 1 Hayman Road [SLK 1.50 – 1.56]

Location 2 Adie Court [SLK 0.08 – 0.24] – No crash data recorded

Period of crash data collection 01/01/2013 – 31/12/2017

Road Name	SLK	Functional Classification	Road Hierarchy	Speed Limit	Crash Statistics			
					No of KSI Crashes	No of Medical Attention Crashes	No of PDO Major Crashes	No of PDO Minor Crashes
Hayman Road	1.50 - 1.56	Significant Urban Local Road	Distributor A	60kph	0	0	0	1
No of MVKT Travelled at Location KSI Crash Rate All Crashes Rate Comparison with Crash Density and Crash Rate Statistics					$15,500 * 5\text{yrs} * 365 * 0.06 = 1.7 \text{ MVKT}$ 0 KSI crashes per MVKT. 1 crashes per 4.24 MVKT = 0.59 crashes per MVKT All crashes rate of 0.59 at this location is lower than the network average of 0.91 crashes per MVKT			

The following table shows the Crash Density and Crash Rates on Metropolitan Local Roads as obtained from Main Roads WA on the 21st October 2016 by email request: -

CRASH DENSITY AND CRASH RATE ON METROPOLITAN LOCAL ROADS NETWORK ONLY				
	ALL CRASHES		KSI CRASHES (FAT+HOS)	
	DENSITY ALL CRASHES/KM over 5 years	CRASH RATE/MVKT	DENSITY KSI CRASHES/KM over 5 years	CRASH RATE/MVKT
LOCAL - MIDBLOCK	3.29	0.91	0.15	0.04
LOCAL - ALL	7.16	1.99	0.31	0.09

NOTE: BASED ON 5-YEARS DATA FOR THE PERIOD 2011 TO 2015.

2.8 Parking Requirements

TOWN OF VICTORIA PARK
Received: 12/06/2018

Local Government Town of Victoria Park
Local Government Document Utilised Rowethorpe Village Masterplan
Local Planning Policy 23 - Parking Policy

Description of Parking Requirements in accordance with Scheme:

Rowethorpe Village Masterplan:

“Independent Living: 1 car parking bay per ILU dwelling

Minimum rates of car parking for other uses to be provided in accordance with the Town’s Parking Policy.”

Local Planning Policy 23 - Parking Policy:

“Public assembly - 1 for every 4.5 square metres of net floor area.”

Calculation of Parking

Land Use	Requirements	Yield	Total Parking
Apartments - Independent Living	1 parking bay per ILU dwelling	25 dwellings	25 resident bays
Parking Requirement			25 parking bays
Chapel	1 parking bays per 4.5 m ² of NLA	85 m ²	32 parking bays*
Clubhouse		58 m ²	

*Note *- The proposed Chapel and Clubhouse are ancillary facilities provided for the residents of Juniper Rowethorpe. Rowethorpe Village is designed to cater for senior living arrangements hence the proposed Chapel and Clubhouse are within walking distance from every part of the village. It is expected that no vehicular movements will be attracted specifically to the Chapel and Clubhouse and therefore there is no need for parking provision. The same applies to the relocated Bowling Green.*

Total Volume of Parking Provided by Proponent **19 undercroft parking bays**
6 on street parking bays
1 pick up/drop off bay

Justification

Rowethorpe Village Masterplan parking requirements analysis shows that the proposed development has provided 25 parking bays and 1 pick up / drop off bay which in line with the requirements.

According to profile.id analysis of car ownership in 2016, 37.8% of households in Bentley do not have access to motor vehicles. This is due to the fact that Bentley residents are mostly senior citizens, namely 72.2% are over 55 years old.

Having this in mind it is safe to assume that the same principle can be applied to the residents of the proposed independent living apartments. Therefore, it is expected that 16 household of the 25 proposed will operate a motor vehicle and require parking, this leaves additional 9 parking bays for visitors as provided by the proponent.

Moreover, Juniper Rowethorpe Village provides on street parking on most internal streets, therefore KCTT believe that the parking requirements of the residents as well as visitors will be adequately catered for.

It should be noted that the pick up/drop off bay will need to be relocated once the future road to the west of the subject site is constructed.

Have Vehicle Swept Paths been checked for Parking? YES

If YES, provide description of performance:

KCTT have checked the parking area within the basement for navigability with 5.2m passenger vehicle. No navigability issues were presented.

2.9 Bicycle Parking

Local Government Town of Victoria Park
Reference Document Utilised Local Planning Policy 23 - Parking Policy
 Guide to Traffic Management Part 11

Description of Parking Requirements in accordance with Scheme:

Local Planning Policy 23 - Parking Policy:

“ The Council may require the provision of bays marked exclusively for the use of motor cycles, bicycles, delivery and service vehicles, taxis, buses and coaches and courier services, where the nature of the development requires specific purpose bays. The Council will determine the number of bays to be marked for bicycles and the vehicles listed above depending on the nature of the development.”

KCTT have referenced Guide to Traffic Management Part 11: Parking which stipulates the following requirements:
“ Retirement village - 2 spaces”

Parking Requirement in accordance with regulatory documents

Land Use	Requirements	Yield	Total Parking
Apartments - Independent Living	N/A	25 dwellings	N/A
Chapel		85 m ²	
Clubhouse		58 m ²	

Total Volume of Parking Provided by Proponent N/A

Justification

KCTT believe that due to the nature of the development there is not a high demand for bicycle parking. It can be assumed that visitors to the proposed land uses such as visiting residents and/or users of the clubhouse and chapel may arrive on a bike however this does not constitute a high demand for bicycle parking.

2.10 ACROD Parking

Class of Building Class 2 - a building containing 2 or more sole-occupancy units each being a separate dwelling.

Does this building class require specific provision of ACROD Parking? NO

Reference Document Utilised Building Code of Australia

Since the proposed building is a Class 2 building it does not have requirements for ACROD parking, however 4 oversized bays have been provided in case of the need for accessible parking bays.

2.11 Delivery and Service Vehicles

TOWN OF VICTORIA PARK
Received: 12/06/2018

Guideline Document used as reference

Local Planning Policy 23 - Parking Policy
NSW RTA Guide to Traffic Generating Developments

Requirements

Local Planning Policy 23 - Parking Policy

“ The Council may require the provision of bays marked exclusively for the use of motor cycles, bicycles, delivery and service vehicles, taxis, buses and coaches and courier services, where the nature of the development requires specific purpose bays. The Council will determine the number of bays to be marked for bicycles and the vehicles listed above depending on the nature of the development.”

KCTT have referenced NSW RTA Guide to Traffic Generating Developments which stipulate the following requirement:

“ Residential Flat Buildings (50% of spaces adequate for trucks): <200 flats or home units = 1 space per 50 flats or home units.

Other uses (50% of spaces adequate for trucks) 1 space per 2,000m²”

Parking Requirement in accordance with regulatory documents

Land Use	Requirements	Yield	Total Parking
Apartments - Independent Living	N/A	25 dwellings	N/A
Chapel		85 m ²	N/A
Clubhouse		58 m ²	
Total Volume of Parking Provided by Proponent			0

Justification

Since the proposed development is a part of a larger site with internal network, KCTT believe that waste collection can be arranged within the internal road network, with no need for designated parking bays.

Existing waste collection facilities to the west of the apartment building will be used for the collection of waste. The development will not alter the current traffic conditions / stopping and loading bays from the existing site conditions.

2.12 Calculation of Development Generated / Attracted Trips

What are the likely hours of operation?

Not applicable for Independent Living Units

What are the likely peak hours of operation?

AM 07:30 - 08:30 and PM 17:00 - 18:00

Do the development generated peaks coincide with existing road network peaks?

YES

If YES, Which:

Both peaks partially

Guideline Document Used

NSW RTA Guide to Traffic Generating Developments

Rates from above document:

Housing for aged and disabled persons:

- 1 - 2 vehicular trips per dwelling;
- PM Peak - 0.1 - 0.2 per dwelling;

Guideline Document Used

WAPC Transport Assessment Guidelines for Developments

Rates from above document:

Residential - 0.8 vehicle trips per dwelling for the AM and PM peak hours. A 25% IN / 75% OUT split has been

adopted for the AM peak and a 67% IN / 33% OOT split for the PM peak hour;

KCTT consider peak traffic for Independent Living Units to be low. 0.1 – 0.2 vehicular trips per dwelling is more suitable for Aged Care and similar land uses where constant care is needed for the elderly. KCTT propose using 50% of the usual residential rate from the WAPC Transport Assessment Guidelines for Developments.

Land Use Type	Rate above	Yield	Daily Traffic Generation	Peak Hour Traffic Generation
Independent Living Units	Daily: 2 vehicular trips per dwelling Peak: 0.4 per dwelling	25 apartments	50 VPD	10 VPH
Chapel	N/A	40 seats	N/A	N/A
Clubhouse	N/A	48 seats	N/A	N/A
Total:			50 VPD	10 VPH

Justification

Similar to parking requirements calculations, it is expected that no vehicular movements will be attracted specifically to the Chapel and Clubhouse. Likewise, the relocated bowling green will predominantly be utilised by the current / future residents of the entire Rowethorpe Village. These uses will attract internal traffic (golf carts, pedestrians, gophers etc.)

Does the site have existing trip generation / attraction? YES – Bowling Green, Church, Clubhouse

The existing trip generation / attraction could be considered negligible since the existing land uses are most likely only used by the residents of Rowethorpe Village.

What is the total impact of the new proposed development?

The total impact is expected to be 50 VPD and 10 VPH. This is a moderate impact on the surrounding road network according to WAPC guidelines. However, it is expected that the impact on the surrounding road network would be negligible.

2.13 Traffic Flow Distribution

How many routes are available for access / egress to the site? Three (3) routes

Route 1

Provide details for Route No 1 From / to the basement parking area > Jenkins Avenue > Hayman Road to / from the north

Percentage of Vehicular Movements via Route No 1 30% [15 VPD; 3 VPH]

Route 2

Provide details for Route No 2 From / to the basement parking area > Jenkins Avenue > Hayman Road to / from the north

Percentage of Vehicular Movements via Route No 2 40% [20 VPD; 4 VPH]

Route 3

Provide details for Route No 2

From / to the basement parking area > Jenkins Avenue
> River Gum Drive > Centenary Drive > Adie Court to /
from the northeast

TOWN OF VICTORIA PARK
Received: 12/06/2018

Percentage of Vehicular Movements via Route No 2

30% [15 VPD; 3 VPH]

2.14 Road Safety

Are sight distances adequate at proposed intersections?

YES

Justification

The proposed development allows for a future road to be constructed but not at this time.

The future road intersection with Jenkins Avenue is located approximately 60m from the intersection of Jenkins Avenue and River Gum Drive, and approximately 100m for the intersection of Jenkins Avenue and Hayman Road.

Liveable Neighbourhoods guidelines state that junction spacing for access streets or laneway junctions are not to be located closer than 20m from street intersections, with no minimum spacing between laneway junctions on local streets.

The future road is located further than 20m from the existing intersections, therefore it complies with the requirements.

2.15 Vehicle Crossover Requirements

Are vehicle crossovers required onto existing road networks? YES

How many existing crossovers? 0

How many proposed crossovers? 1

If there are greater numbers of new crossovers, than existing, provide justification:

The existing land uses did not require crossovers, while the proposed building will have a basement parking area with the access/egress point from/ to Jenkins Avenue.

How close are proposed crossovers to existing intersections? App 50m to the closest intersection

Does this meet existing standards? YES

2.16 Public Transport Accessibility

TOWN OF VICTORIA PARK
Received: 12/06/2018

How many bus routes are within 400 metres of the subject site?

16 routes

How many rail routes are within 800 metres of the subject site?

No rail routes

Bus Route	Description	Peak Frequency	Saturday	Sunday
30	Perth – Curtin University Bus Station via Labouchere Road and Hope Avenue	10 minutes	60 minutes	60 minutes
34	Perth - Cannington Station via Como	13 minutes	30 minutes	30 minutes
70	Perth - Curtin University Bus Station via Kensington	60 minutes	no service	no service
72	Perth - Cannington Station via Victoria Park & Curtin University	17 minutes	60 minutes	60 minutes
75	Perth - Canning Vale via Victoria Park & Curtin University	13 minutes	60 minutes	2 hours
100	Canning Bridge Station - Cannington Station via Kent Street & Curtin University Bus Station	10 minutes	30 minutes	30 minutes
101	Canning Bridge Station - Curtin University Bus Station via Lawson Street	17 minutes	no service	no service
170	Perth - Bull Creek Station via Rossmoyne	30 minutes	60 minutes	60 minutes
176	Perth - Wilson	30 minutes	no service	no service
177	Perth - Bentley	10 minutes	60 minutes	60 minutes
179	Perth - Bull Creek Station via Riverton	30 minutes	no service	no service
201	Cannington Station – Curtin University Bus Station via Bentley Health Service & Bentley Plaza Shop Centre	30 minutes	60 minutes	no service
284	Belmont - Curtin University Bus Station	60 minutes	no service	no service
960	Mirrabooka Bus Station - Curtin University Bus Station via Alexander Drive, Edith Cowan University Mt Lawley and Perth Circle Route Clockwise:	5 minutes	15 minutes	15 minutes
998	<ul style="list-style-type: none"> • Curtin University Bus Station • Fremantle Station • Morley Bus Station • Murdoch Station • Oats Street Station • Stirling Station Circle Route Anticlockwise:	10 minutes	15 minutes	30 minutes
999	<ul style="list-style-type: none"> • Curtin University Bus Station • Fremantle Station • Morley Bus Station • Murdoch Station • Oats Street Station • Stirling Station 	12 minutes	20 minutes	30 minutes

Walk Score Rating for Accessibility to Public Transport

57 – Good Transit. Many nearby public transportation options

2.17 Pedestrian Infrastructure

Describe existing local pedestrian infrastructure within a 400m radius of the site:

Classification	Road Name
High Quality Shared Path	Brand Drive
Other Shared Path (Shared by Pedestrian and Cyclists)	Hayman Road; Lawson Street; Holder Street;
Pedestrian Paths unclassified within PBN	Adie Court; Fraser Grove; Hayman Road; Marquis Street; Hill View Terrace; Jarrah Road; The Boulevard; Jacaranda Avenue; Talbot Place; Plantation Drive

Does the site have existing pedestrian facilities? YES

Does the site propose to improve pedestrian facilities? YES

What is the Walk Score Rating?

63 – Somewhat Walkable. Some errands can be accomplished on foot.

2.18 Cyclist Infrastructure

Are there any PBN Routes within a 800m radius of the subject site? YES

If YES, describe:

Classification	Road Name
High Quality Shared Path	Brand Drive; Dumas Road; Hayman Road
Other Shared Path (Shared by Pedestrian and Cyclists)	Hayman Road; Lawson Street; Holder Street; Dumas Road
Bicycle Lanes or Sealed Shoulder Either Side	Jarrah Road; Hill View Terrace; Hayman Road
Good Road Riding Environment	Adie Court; McKay Street
Perth Bicycle Network – Continuous Signed Routes	SE24 – Boundary Road; Jarrah Road SE36 – Hill View Terrace; Beveridge Street; Sill Street

Are there any PBN Routes within a 400m radius of the subject site? YES

If YES, describe:

Classification	Road Name
High Quality Shared Path	Brand Drive
Other Shared Path (Shared by Pedestrian and Cyclists)	Hayman Road; Lawson Street; Holder Street;
Bicycle Lanes or Sealed Shoulder Either Side	Jarrah Road; Hill View Terrace
Good Road Riding Environment	Adie Court
Perth Bicycle Network – Continuous Signed Routes	SE24 – Boundary Road; Jarrah Road SE36 – Hill View Terrace;

Does the site have existing cyclist facilities? YES

Does the site propose to improve cyclist facilities? NO

2.19 Site Specific Issues and Proposed Remedial Measures

TOWN OF VICTORIA PARK
Received: 12/06/2018

How many site-specific issues need to be discussed?

Site Specific Issue No 1

Parking Requirements

Remedial Measure / Response

The plans for the proposed development show provision of 25 parking bays and 1 pick up / drop off bay which in line with the requirements of the Rowethorpe Village.

According to profile.id analysis of car ownership in 2016, 37.8% of households in Bentley do not have access to motor vehicles. This is generally due to the fact that Bentley residents are mostly senior citizens, namely 72.2% are over 55 years old.

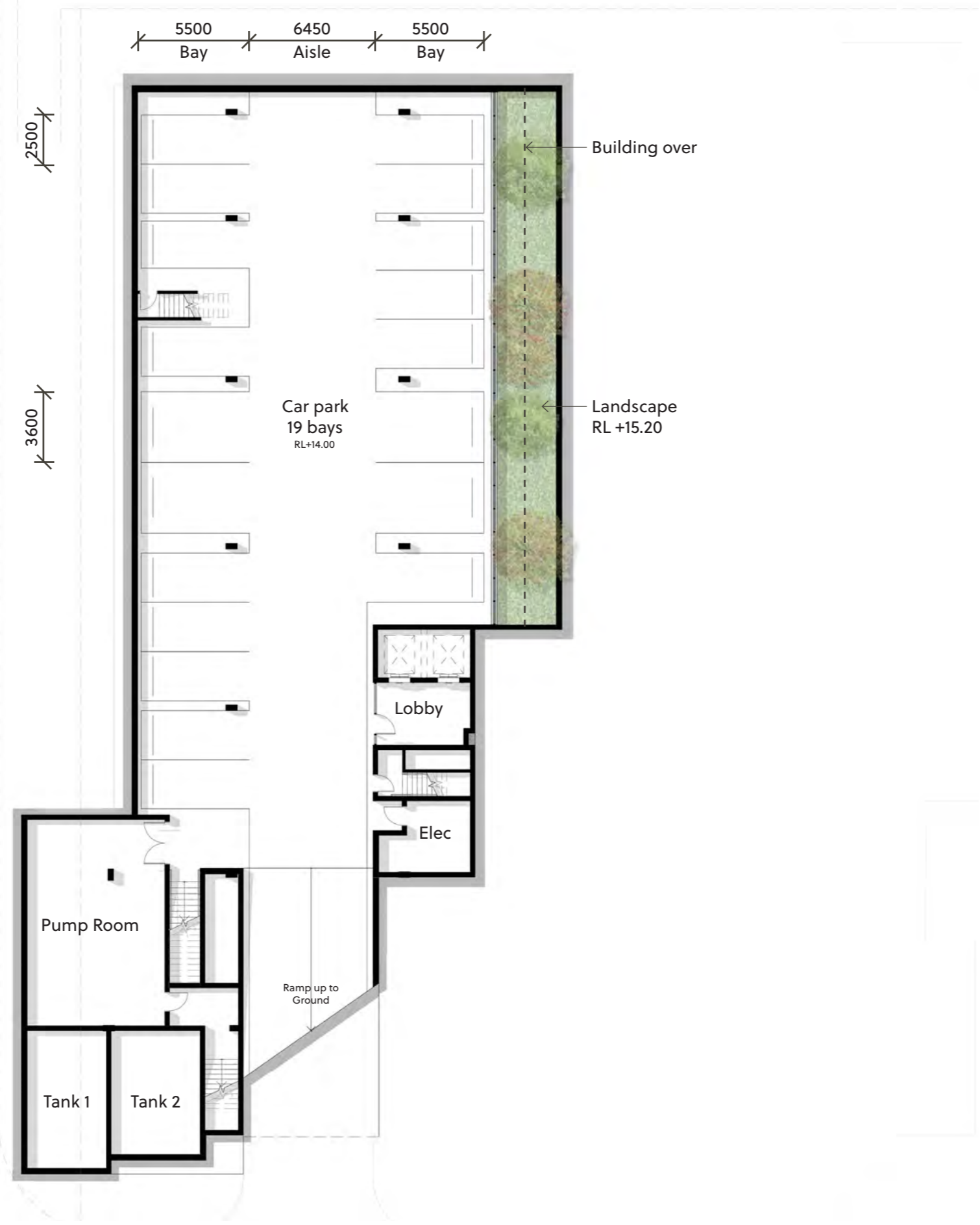
Having this in mind it is safe to assume that similar vehicle ownership ratio can be applied to the residents of the proposed independent living apartments. Therefore, it is expected that 16 households of 25 proposed will own a motor vehicle and require residents' parking, this leaves additional 9 parking bays for visitors.

Moreover, Juniper Rowethorpe Village provides on street parking on most internal streets, therefore KCTT believe that the residents' and visitors' parking requirements will be adequately catered for.

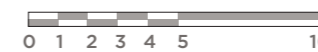
It should be noted that the pick up / drop off bay will need to be relocated once the future road to the west of the subject site is constructed.

Appendix 1

The Layout of the Proposed Development



TOWN OF VICTORIA PARK
Received: 12/06/2018





TOWN OF VICTORIA PARK
Received: 12/06/2018



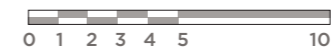
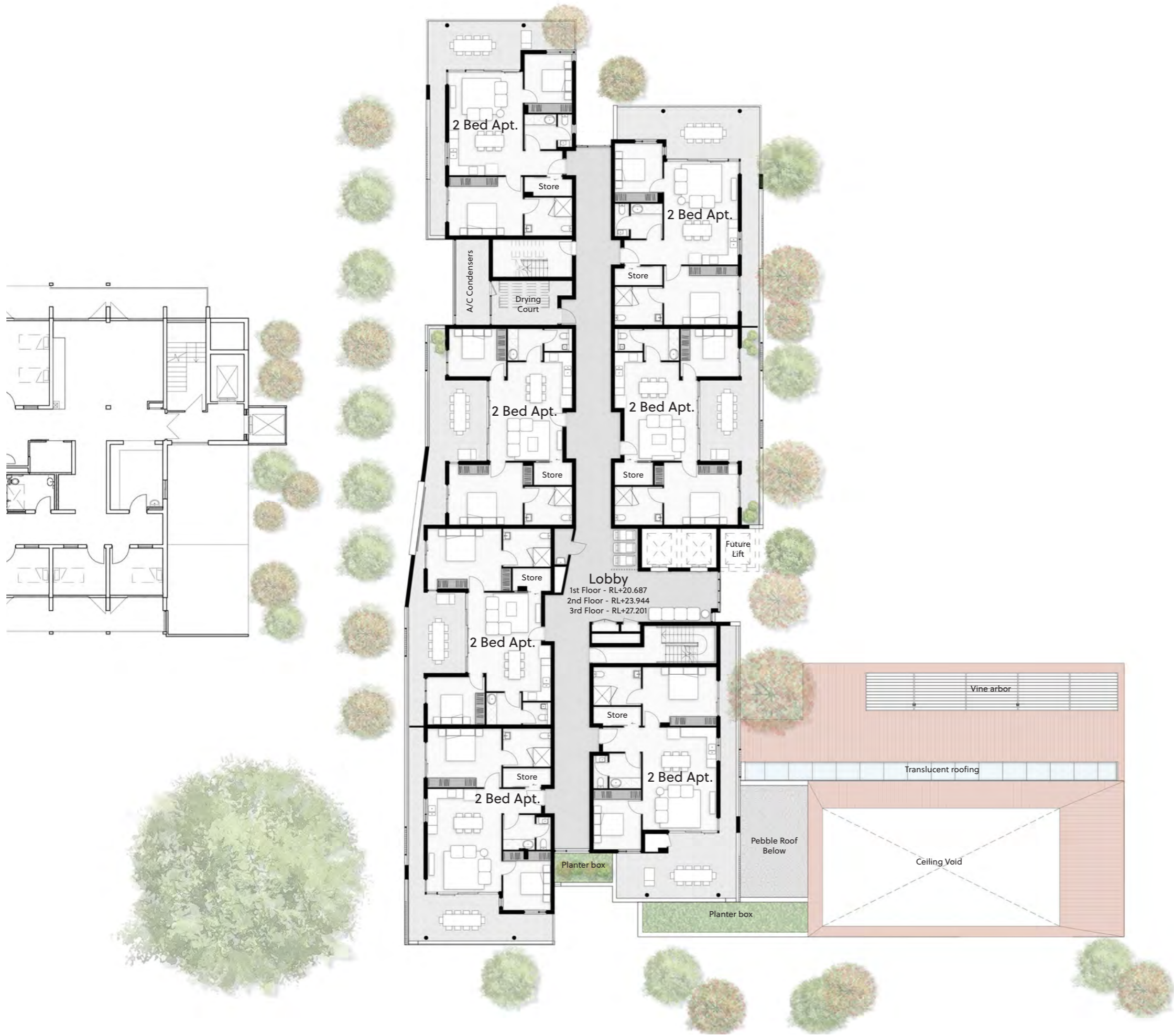
Chapel Apartments
Ground Floor Plan
Development Approval Application

B
8
07 06 18

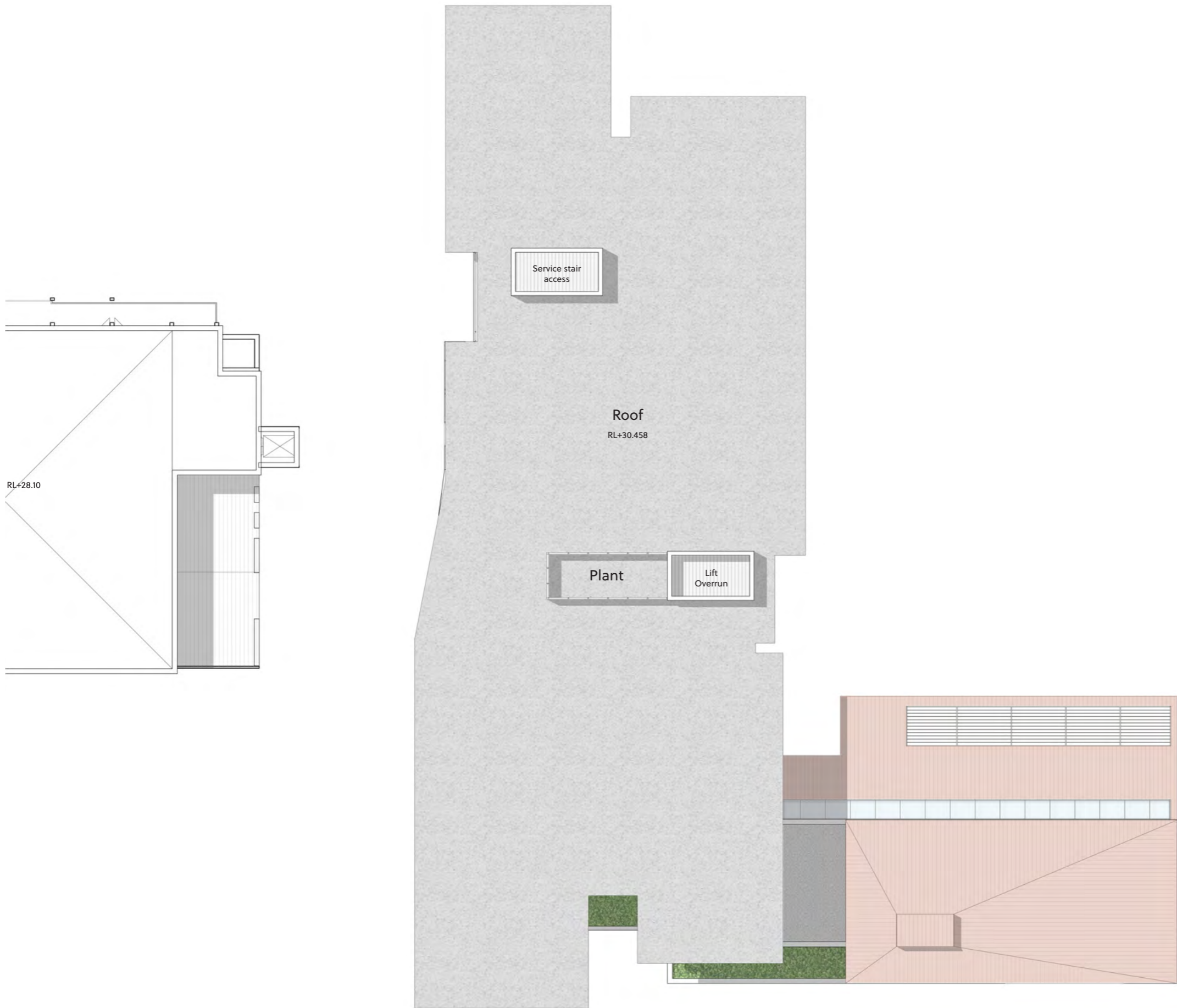
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18070
0 1 2 3 4 5 10

TAYLOR
ROBINSON
CHANEY
BRODERICK

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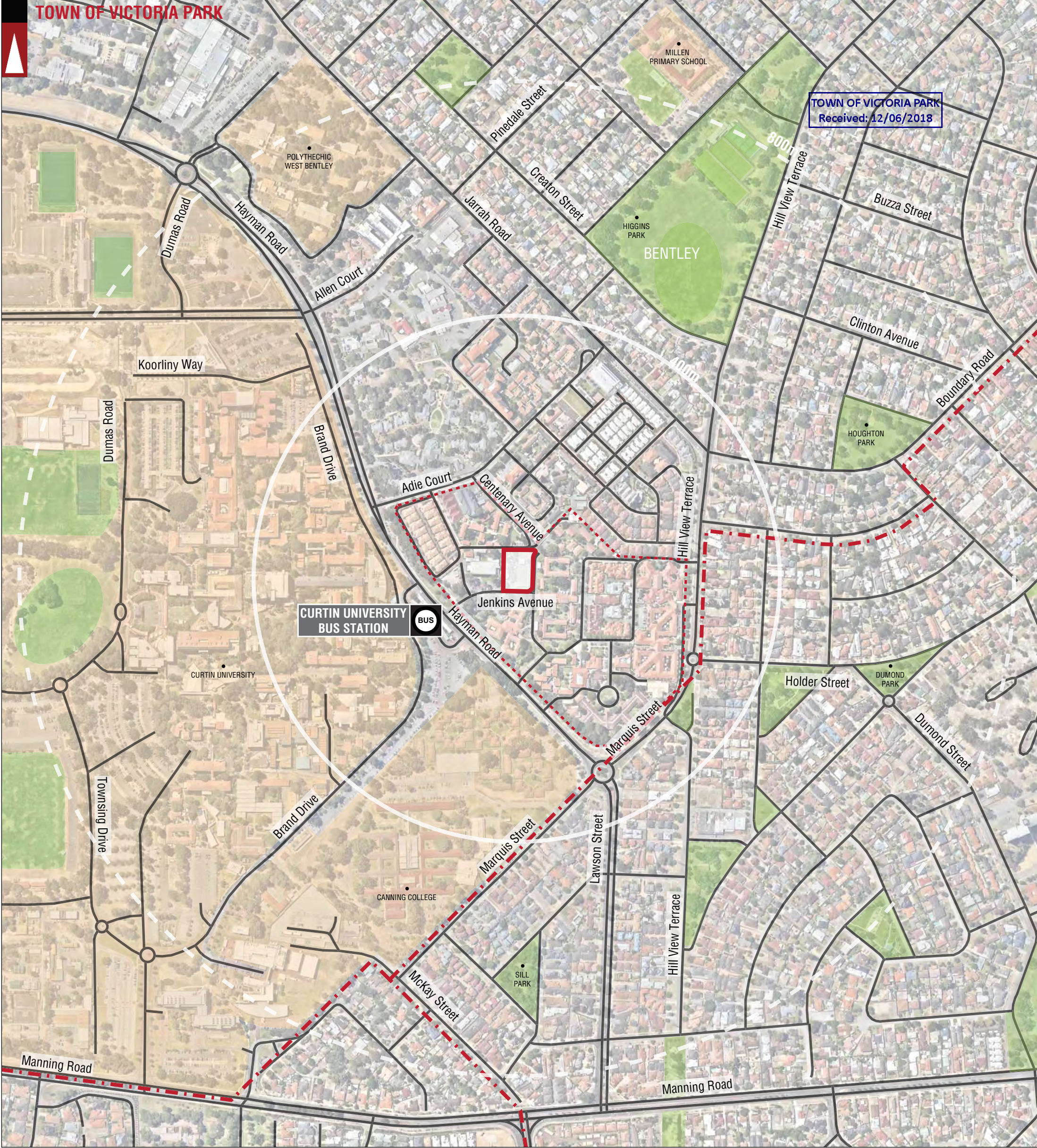
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TOWN OF VICTORIA PARK
Received: 12/06/2018

Appendix 2

Transport Planning and Traffic Plans



	PARKS AND RECREATION		LOCATION BOUNDARY		BUS STATION
	WATERWAYS		JUNIPER ROWETHORPE		
	PUBLIC PURPOSE		DISTANCE FROM LOCATION		
	ROAD		TOWN OF VICTORIA PARK		
	STREET NAME		LOCAL GOVERNMENT NAME		
			LOCAL AUTHORITY BOUNDARY		
			SUBURB		

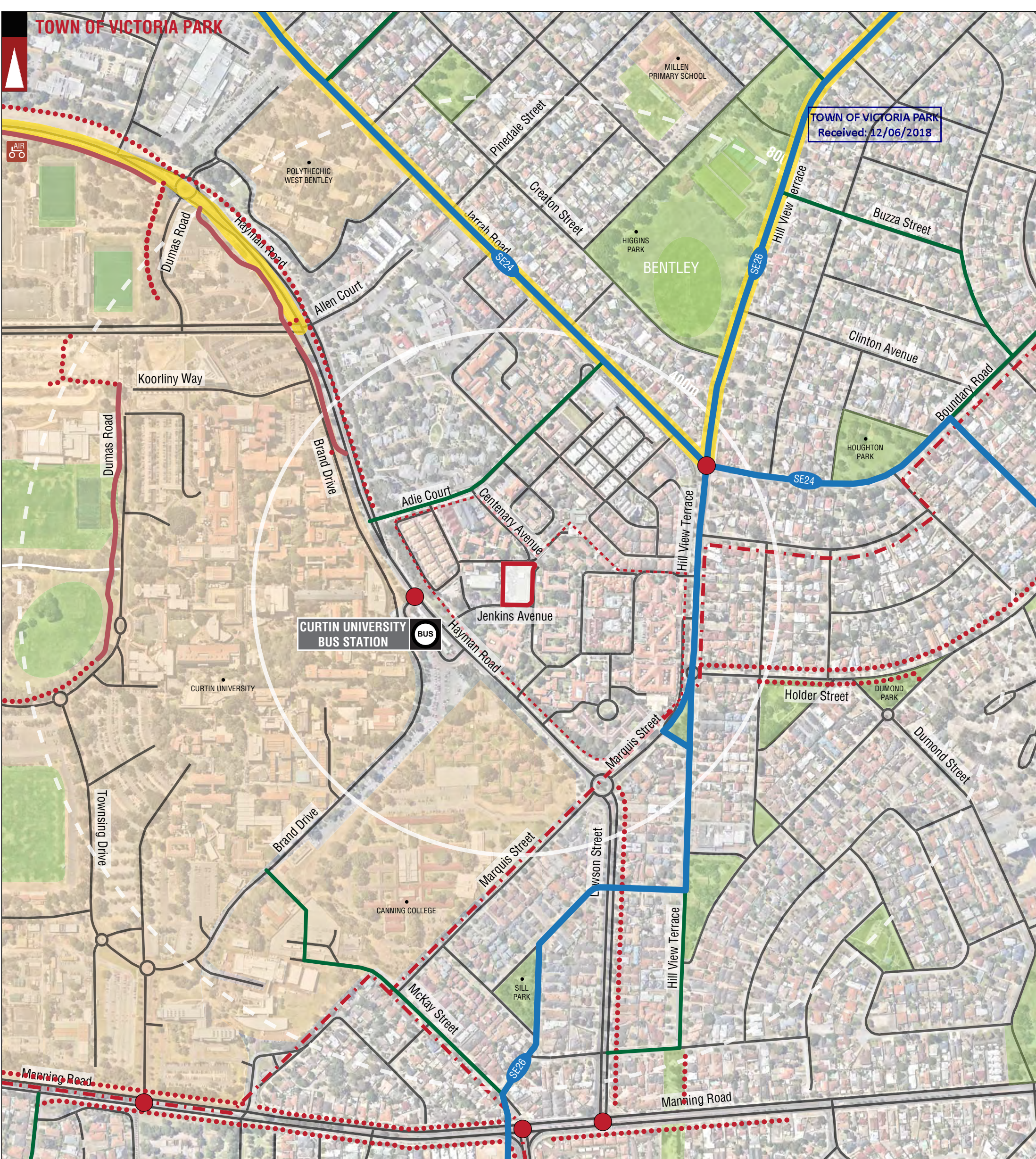
Quality ISO 9001
SAI GLOBAL

LEGEND

			PROJECT: CHAPEL APARTMENTS, JUNIPER	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021
			TITLE: LOCALITY PLAN - 800M RADIUS	A.N.
A	10-05-2018	ISSUED FOR REVIEW	DRAWING NUMBER: KC00540.000_S01	PH: 08 9441 2700 WEB: www.kctt.com.au
No	DATE	AMENDMENT		



TOWN OF VICTORIA PARK



	PARKS AND RECREATION		LOCATION BOUNDARY		BUS STATION		HIGH QUALITY SHARED PATH
	WATERWAYS		JUNIPER ROWETHORPE		TRAFFIC LIGHT		OTHER SHARED PATH (SHARED BY PEDESTRIANS & CYCLISTS)
	PUBLIC PURPOSE		DISTANCE FROM LOCATION		BIKE PUMP STATION		WALKING TRAIL
	ROAD		TOWN OF VICTORIA PARK LOCAL GOVERNMENT NAME				BICYCLE LANES OR SEALED SHOULDER EITHER SIDE
	STREET NAME		LOCAL AUTHORITY BOUNDARY				GOOD ROAD RIDING ENVIRONMENT
			BENTLEY SUBURB				PERTH BICYCLE NETWORK (PBN) - CONTINUOUS SIGNED ROUTES



LEGEND

A	10-05-2018	ISSUED FOR REVIEW
No	DATE	AMENDMENT

PROJECT:	CHAPEL APARTMENTS, JUNIPER
TITLE:	BICYCLE NETWORK PLAN - 800M RADIUS
DRAWING NUMBER:	KC00540.000_S02

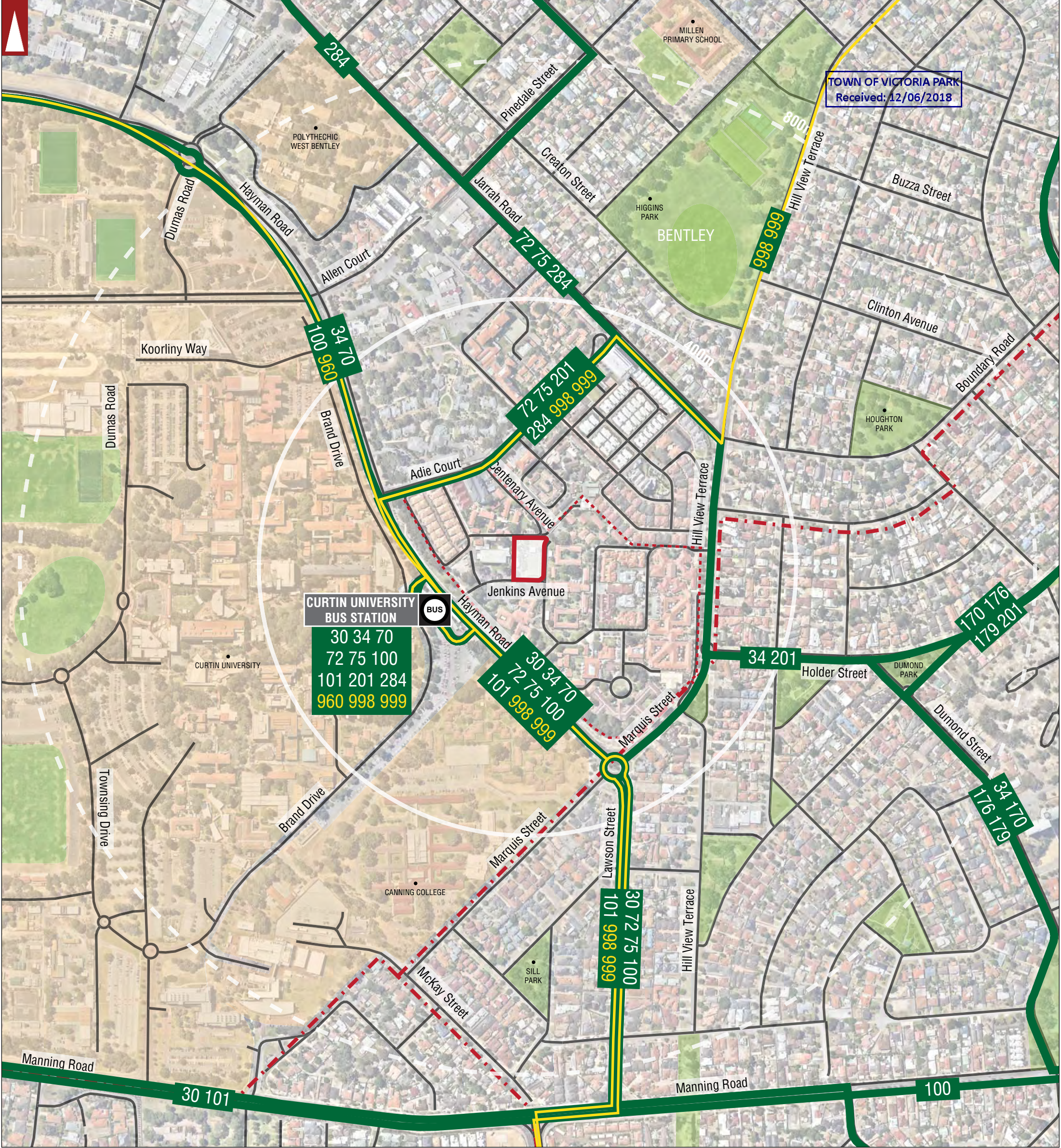
DRAWN BY: Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021

A.N.

PH: 08 9441 2700
WEB: www.kctt.com.au



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CURTIN UNIVERSITY BUS STATION
 30 34 70
 72 75 100
 101 201 284
 960 998 999

	PARKS AND RECREATION		LOCATION BOUNDARY		BUS STATION		BUS ROUTES
	WATERWAYS		JUNIPER ROWETHORPE		BUS ROUTE NUMBER		HIGH FREQUENCY BUS ROUTE
	PUBLIC PURPOSE		DISTANCE FROM LOCATION		HIGH FREQUENCY BUS ROUTE NUMBER		
	ROAD		TOWN OF VICTORIA PARK				
	STREET NAME		LOCAL GOVERNMENT NAME				
	BENTLEY		LOCAL AUTHORITY BOUNDARY				
			SUBURB				



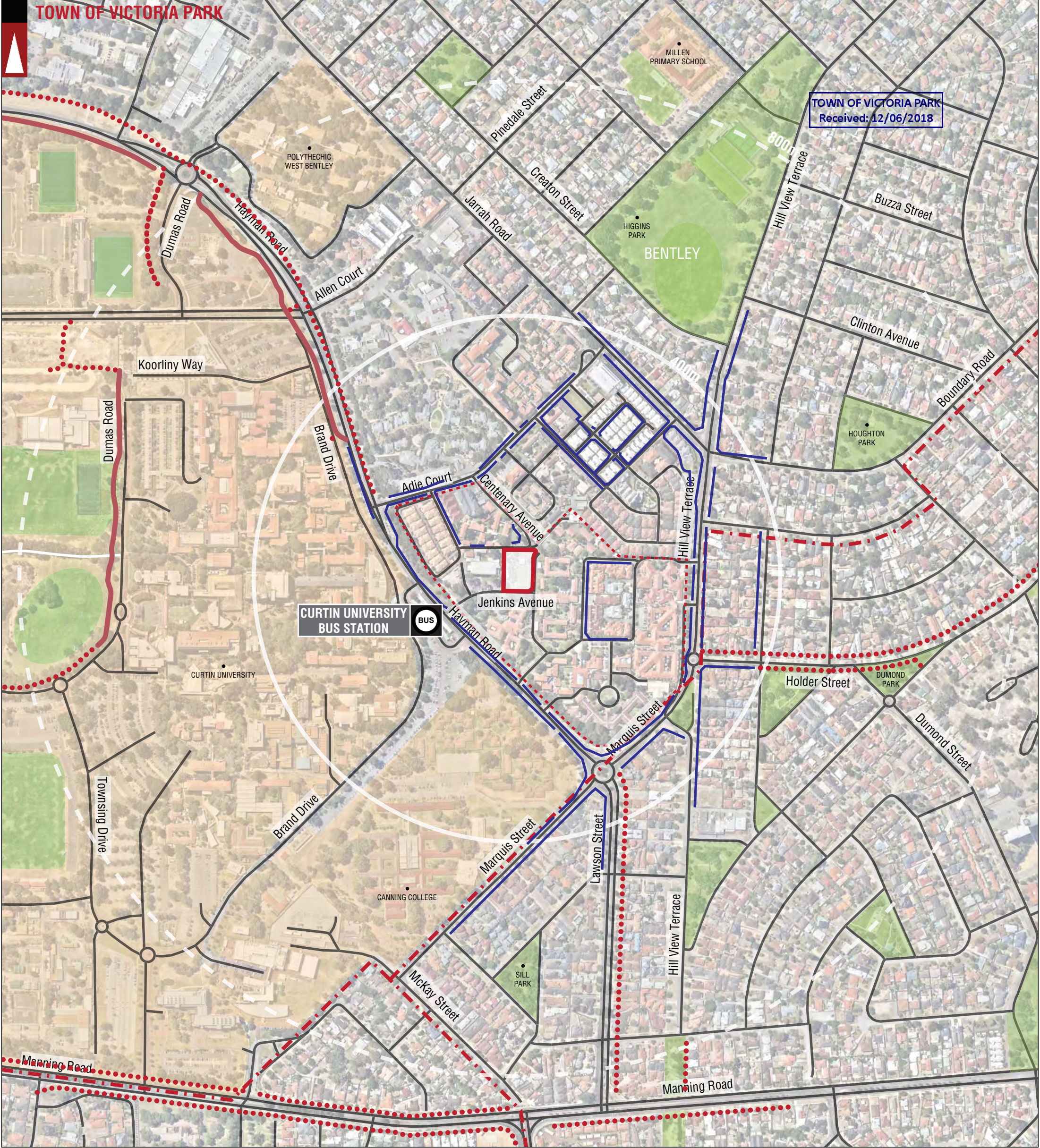
NOTE : FOR MORE INFORMATION REGARDING THE DESCRIPTION OF BUS ROUTES AND THEIR INDICATIVE PEAK AND OFF-PEAK FREQUENCIES REFER TO THE TIA REPORT

LEGEND

			PROJECT: CHAPEL APARTMENTS, JUNIPER	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021
			TITLE: PUBLIC TRANSPORT PLAN - 800M RADIUS	A.N.
A	10-05-2018	ISSUED FOR REVIEW	DRAWING NUMBER: KC00540.000_S03	PH: 08 9441 2700 WEB: www.kctt.com.au
No	DATE	AMENDMENT		



TOWN OF VICTORIA PARK



TOWN OF VICTORIA PARK
Received: 12/06/2018

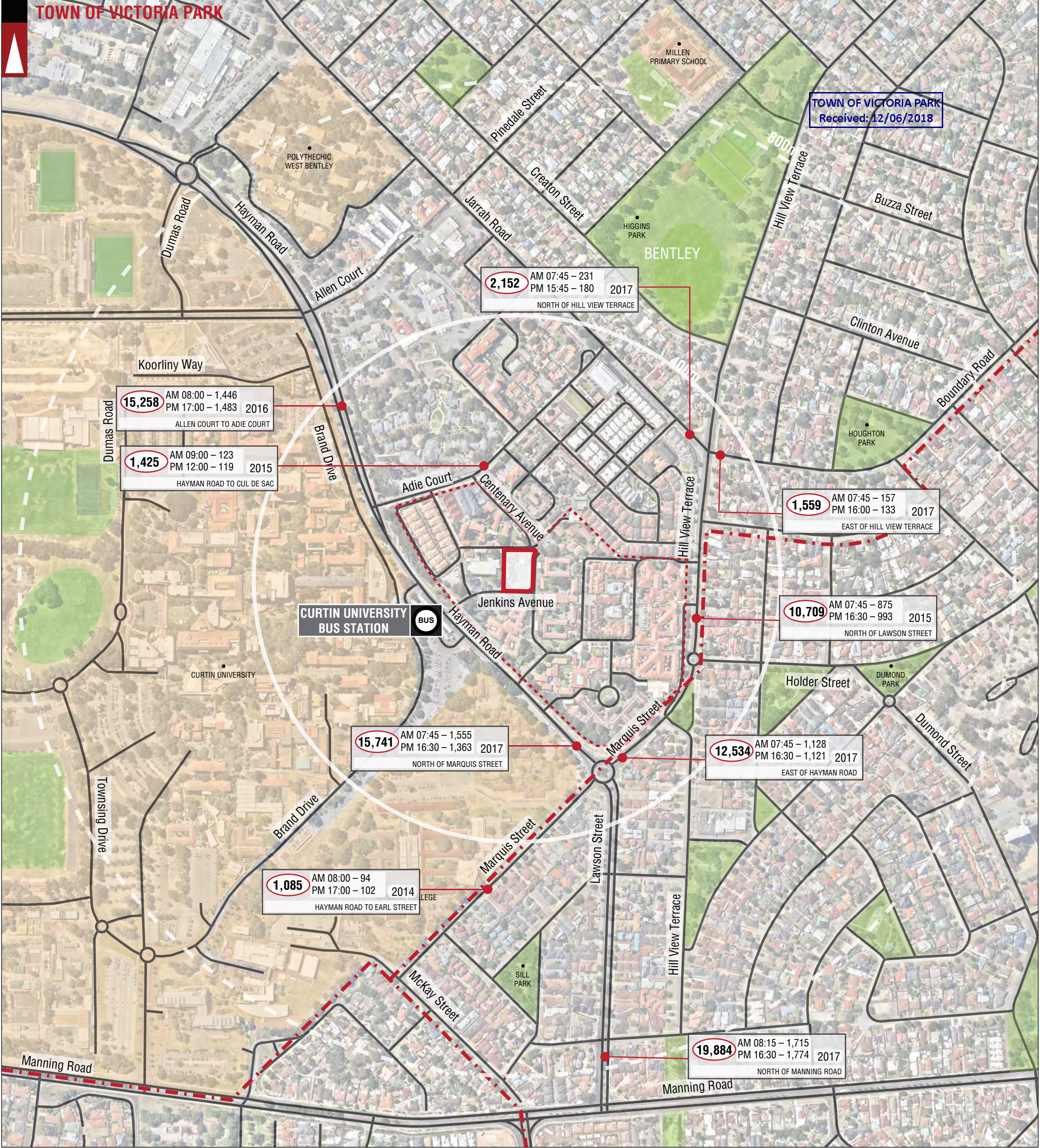
	PARKS AND RECREATION		LOCATION BOUNDARY		BUS STATION		HIGH QUALITY SHARED PATH
	WATERWAYS		JUNIPER ROWETHORPE		OTHER SHARED PATH (SHARED BY PEDESTRIANS & CYCLISTS)		WALKING TRAIL
	PUBLIC PURPOSE		DISTANCE FROM LOCATION		LOCAL GOVERNMENT NAME		PEDESTRIAN PATH
	ROAD		TOWN OF VICTORIA PARK		LOCAL AUTHORITY BOUNDARY		
	STREET NAME		BENTLEY				



LEGEND

			PROJECT: CHAPEL APARTMENTS, JUNIPER	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021
			TITLE: PEDESTRIAN PATHS PLAN - 800M RADIUS	A.N.
A	10-05-2018	ISSUED FOR REVIEW	DRAWING NUMBER: KC00540.000_S04	PH: 08 9441 2700 WEB: www.kctt.com.au
No	DATE	AMENDMENT		





TOWN OF VICTORIA PARK
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15,258 AM 08:00 – 1,446
PM 17:00 – 1,483 2016
ALLEN COURT TO ADIE COURT

1,425 AM 09:00 – 123
PM 12:00 – 119 2015
HAYMAN ROAD TO CUL DE SAC

2,152 AM 07:45 – 231
PM 15:45 – 180 2017
NORTH OF HILL VIEW TERRACE

1,559 AM 07:45 – 157
PM 16:00 – 133 2017
EAST OF HILL VIEW TERRACE

10,709 AM 07:45 – 875
PM 16:30 – 993 2015
NORTH OF LAWSON STREET

15,741 AM 07:45 – 1,555
PM 16:30 – 1,363 2017
NORTH OF MARQUIS STREET

12,534 AM 07:45 – 1,128
PM 16:30 – 1,121 2017
EAST OF HAYMAN ROAD

1,085 AM 08:00 – 94
PM 17:00 – 102 2014
HAYMAN ROAD TO EARL STREET

19,884 AM 08:15 – 1,715
PM 16:30 – 1,774 2017
NORTH OF MANNING ROAD

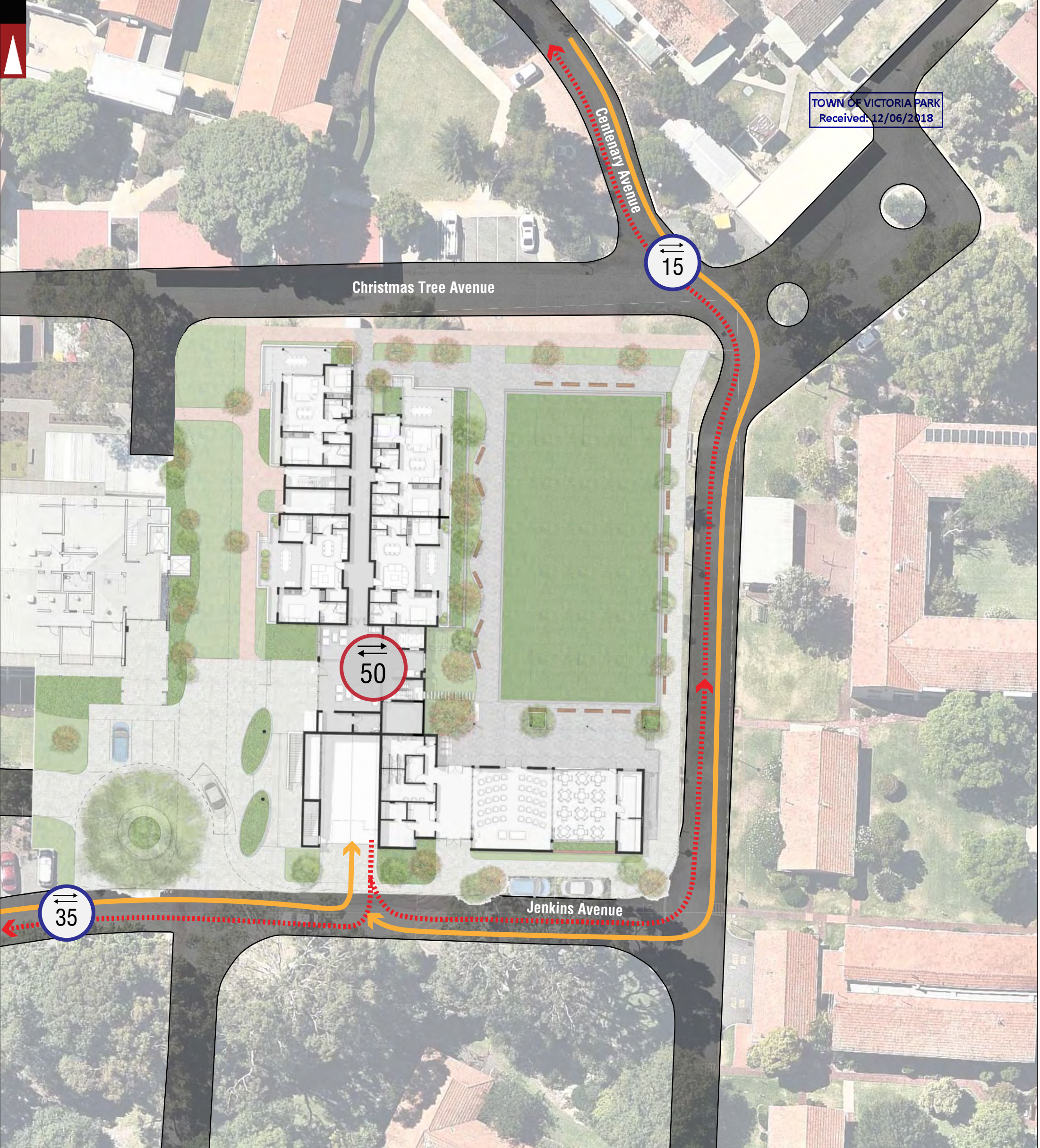
PARKS AND RECREATION	LOCATION BOUNDARY	BUS STATION	5,512 NUMBER OF VEHICLES PER DAY	
WATERWAYS	JUNIPER ROWETHORPE		AM 1145 – 381 PM 1630 – 480 NUMBER OF VEHICLES PER AM PEAK HOUR NUMBER OF VEHICLES PER PM PEAK HOUR	
PUBLIC PURPOSE	DISTANCE FROM LOCATION		2014 YEAR	
ROAD	TOWN OF VICTORIA PARK LOCAL GOVERNMENT NAME		EAST OF HARLOW ROAD LOCATION	
ROAD	LOCAL AUTHORITY BOUNDARY			
Hay Street STREET NAME	BENTLEY SUBURB			









LEGEND

PROJECT: CHAPEL APARTMENTS, JUNIPER			DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021
TITLE: EXISTING TRAFFIC COUNTS - 800M RADIUS			A.N.
A	10-05-2018	ISSUED FOR REVIEW	PH: 08 9441 2700 WEB: www.kctt.com.au
No	DATE	AMENDMENT	
DRAWING NUMBER: KC00540.000_S05			



TOWN OF VICTORIA PARK
Received: 12/06/2018



	LOCATION BOUNDARY		Total Expected Traffic Generation from the proposed development		Traffic Flow IN Direction
	ROAD (VARIED WITH ROAD WIDTH)		Total Expected Traffic Generation from Subject Site on the specific section of road - IN and OUT direction		Traffic Flow OUT Direction
	PROPOSED ROAD KERB				
	ROAD NAME				

Note - The traffic distribution takes into account the first stage of development ie the area surrounding Chapel Apartments. Once the entire Rowenthorpe Village Master Plan road network is completed, traffic distribution may change accordingly.

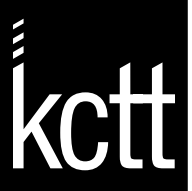


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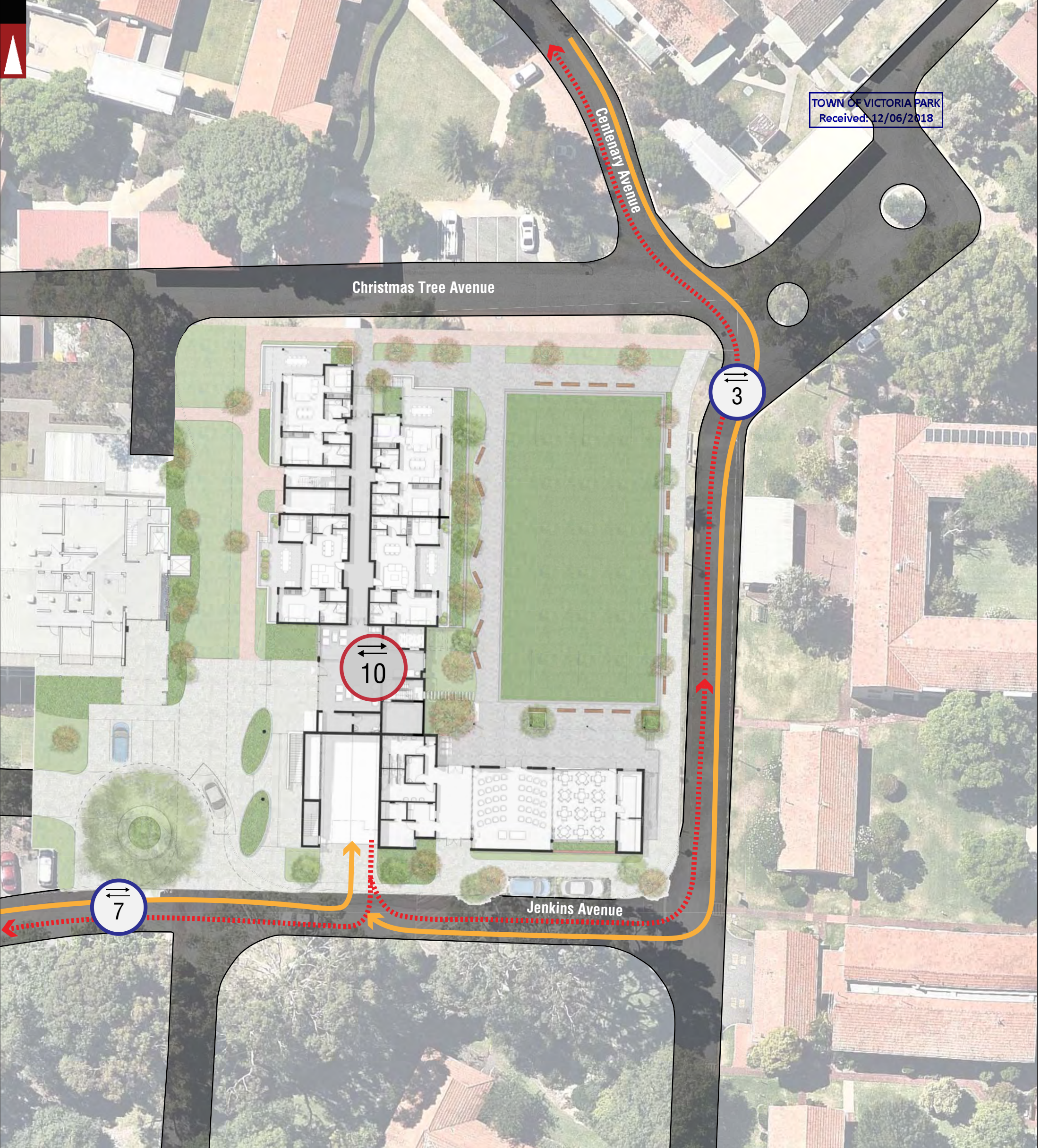
No	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	10-05-2018	ISSUED FOR REVIEW








PROJECT: CHAPEL APARTMENTS, JUNIPER	DRAWN BY: J.S.
TITLE: TRAFFIC FLOW DIAGRAM	
DRAWING NUMBER: KC00540.000_S06	

Civil & Traffic Engineering Consultants
Suite 7 No 10 Whipple Street Balcatta WA 6021
PH: 08 9441 2700
WEB: www.kctt.com.au



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	LOCATION BOUNDARY		Total Expected Traffic Generation from the proposed development - PM peak		Traffic Flow IN Direction
	ROAD (VARIED WITH ROAD WIDTH)		Total Expected Traffic Generation from Subject Site on the specific section of road - IN and OUT direction - PM peak		Traffic Flow OUT Direction
	PROPOSED ROAD KERB				
Lewis Road	ROAD NAME				

Note - The traffic distribution takes into account the first stage of development ie the area surrounding Chapel Apartments. Once the entire Rowenthorpe Village Master Plan road network is completed, traffic distribution may change accordingly.



LEGEND

			PROJECT: CHAPEL APARTMENTS, JUNIPER	DRAWN BY: Civil & Traffic Engineering Consultants Suite 7 No 10 Whipple Street Balcatta WA 6021
B	06-06-2018	PROPOSED LAYOUT AMENDED	TITLE: TRAFFIC FLOW DIAGRAM - PM PEAK	J.S.
A	10-05-2018	ISSUED FOR REVIEW	DRAWING NUMBER: KC00540.000_S07	
No	DATE	AMENDMENT		

PH: 08 9441 2700
WEB: www.kctt.com.au



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Received: 12/06/2018

Appendix 3

Vehicle Turning Circle Plan

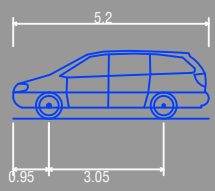


TOWN OF VICTORIA PARK
Received: 12/06/2018



Jenkins Avenue

Passenger vehicle (5.2 m)



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

- - - - - Lot boundary
- — — — — Wheel Path (Forward Vehicle Motion)
- — — — — Vehicle Chassis Envelope (Forward)
- — — — — Wheel Path (Reverse Vehicle Motion)
- — — — — Vehicle Chassis Envelope (Reverse)

LEGEND



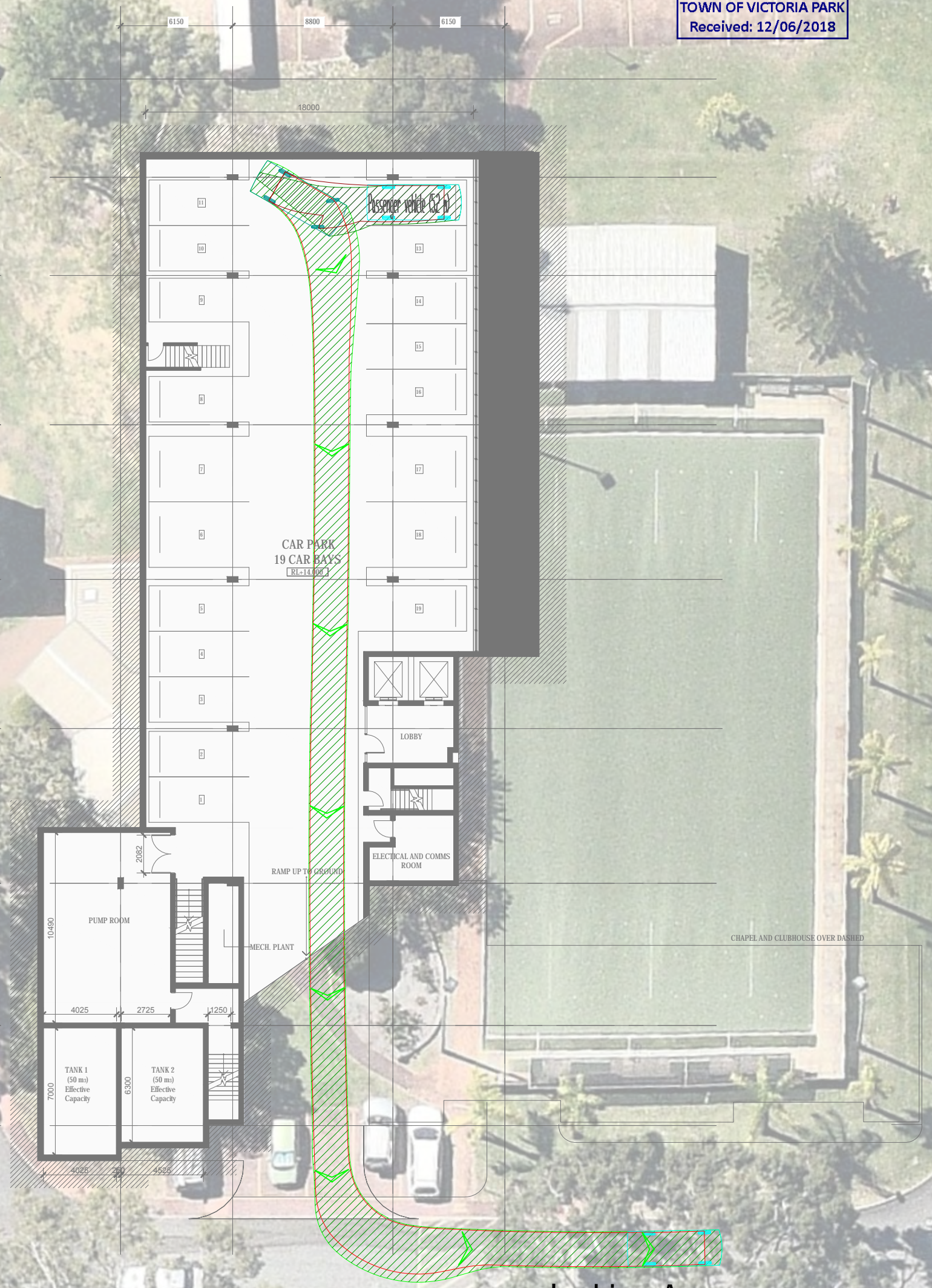
NO	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	08-05-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: J.S.
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S20	

Civil & Traffic Engineering Consultants
 830B Beaufort Street, Inglewood WA 6052
 PH: 98 4772 7770
 WEB: www.kctt.com.au
 FTP: www.kctt.nettransfer.com



TOWN OF VICTORIA PARK
Received: 12/06/2018



5400
5400
8200
8500
8200
8200
8500
8200
8200
7815
5500

6150 8800 6150

18000

CAR PARK
19 CAR BAYS
[RL=13.000]

Passenger vehicle (5.2 m)

LOBBY

ELECTRICAL AND COMMS ROOM

RAMP UP TO GROUND

PUMP ROOM

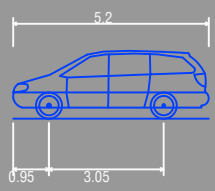
MECH. PLANT

TANK 1
(50 m³)
Effective Capacity

TANK 2
(50 m³)
Effective Capacity

CHAPEL AND CLUBHOUSE OVER DASHED

Jenkins Avenue



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Track Width 1.840m
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- Lot boundary
- Wheel Path (Forward Vehicle Motion)
- Vehicle Chassis Envelope (Forward)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chassis Envelope (Reverse)

LEGEND



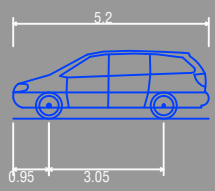
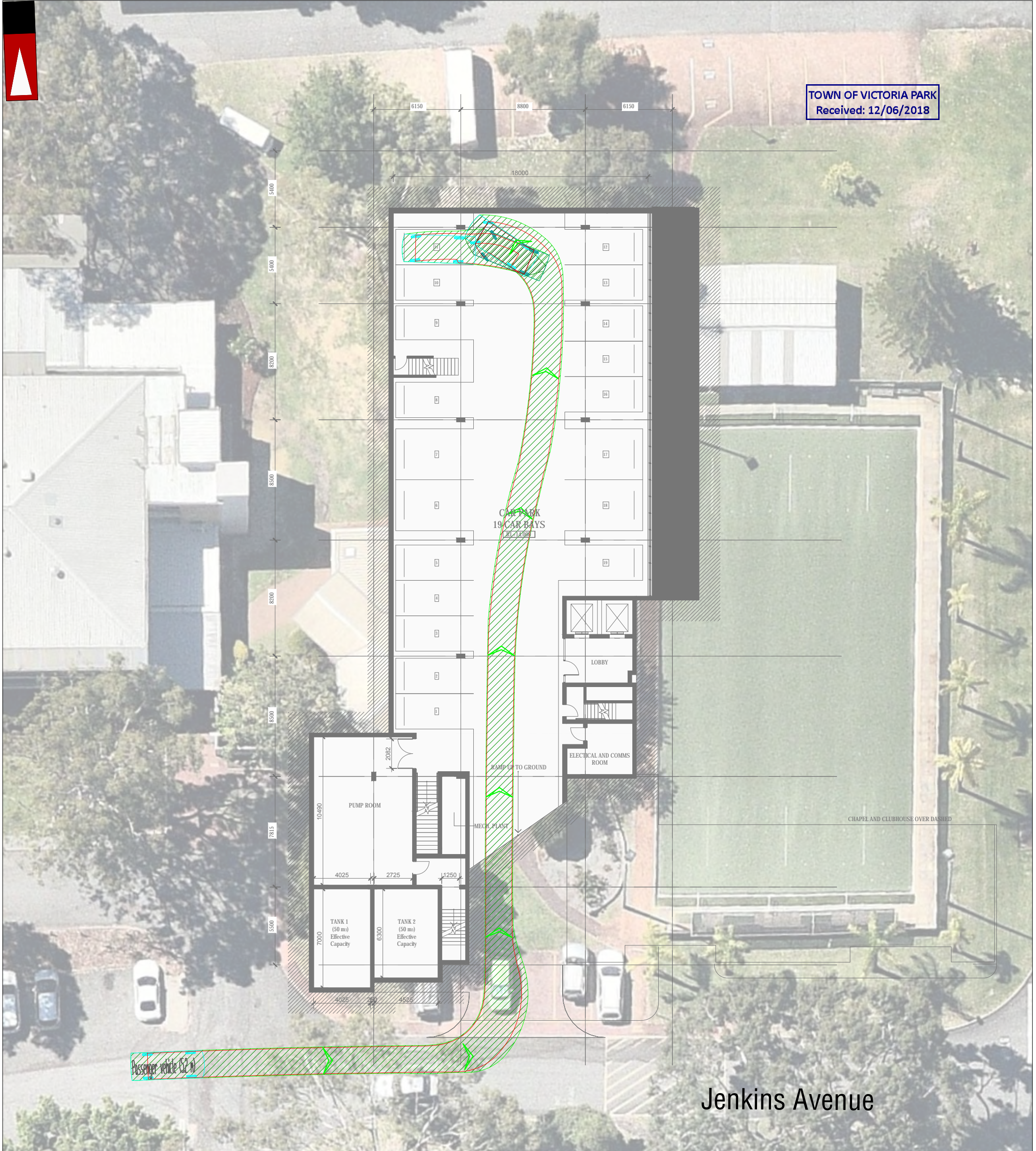
NO	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	08-05-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	J.S.
DRAWING NUMBER: KC00540.000_S21	




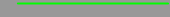

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 FTP: www.kctt.nettransfer.com



TOWN OF VICTORIA PARK
Received: 12/06/2018



Passenger vehicle (5.2 m)
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Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

-  Lot boundary
-  Wheel Path (Forward Vehicle Motion)
-  Vehicle Chassis Envelope (Forward)
-  Wheel Path (Reverse Vehicle Motion)
-  Vehicle Chassis Envelope (Reverse)

LEGEND



NO	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	08-05-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052 J.S.
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S22	

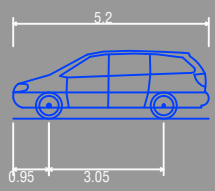
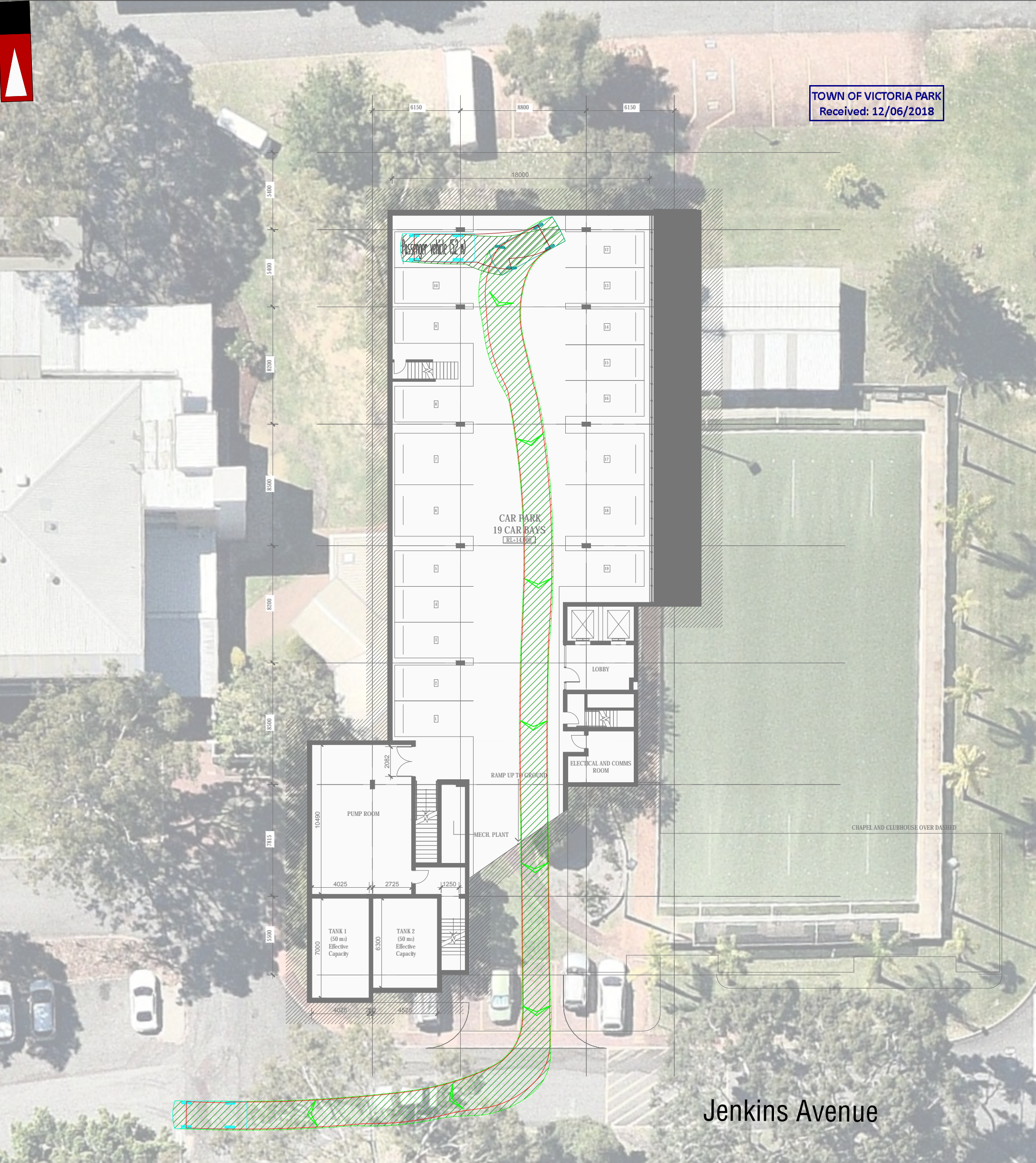
SAI GLOBAL Certified System Quality ISO 9001

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TOWN OF VICTORIA PARK
Received: 12/06/2018



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Overall Width 1.940m
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- Lot boundary
- Wheel Path (Forward Vehicle Motion)
- Vehicle Chassis Envelope (Forward)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chassis Envelope (Reverse)



LEGEND

NO	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	08-05-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: J.S.
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S23	

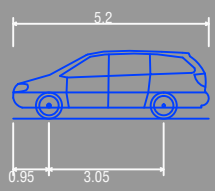
Civil & Traffic Engineering Consultants
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 PH: 98 4772 7770
 WEB: www.kctt.com.au
 FTP: www.kctt.nettransfer.com



TOWN OF VICTORIA PARK
Received: 12/06/2018



Jenkins Avenue



Passenger vehicle (5.2 m)
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Kerb to Kerb Turning Radius 6.300m

- - - - - Lot boundary
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- Vehicle Chasis Envelope (Forward)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chasis Envelope (Reverse)



LEGEND

NO	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	08-05-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S24	

J.S.

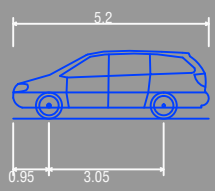
PH: 98 4772 7770
WEB: www.kctt.com.au
FTP: www.kctt.nettransfer.com



TOWN OF VICTORIA PARK
Received: 12/06/2018



Jenkins Avenue



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Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

- Lot boundary
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- Vehicle Chassis Envelope (Forward)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chassis Envelope (Reverse)

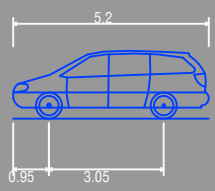
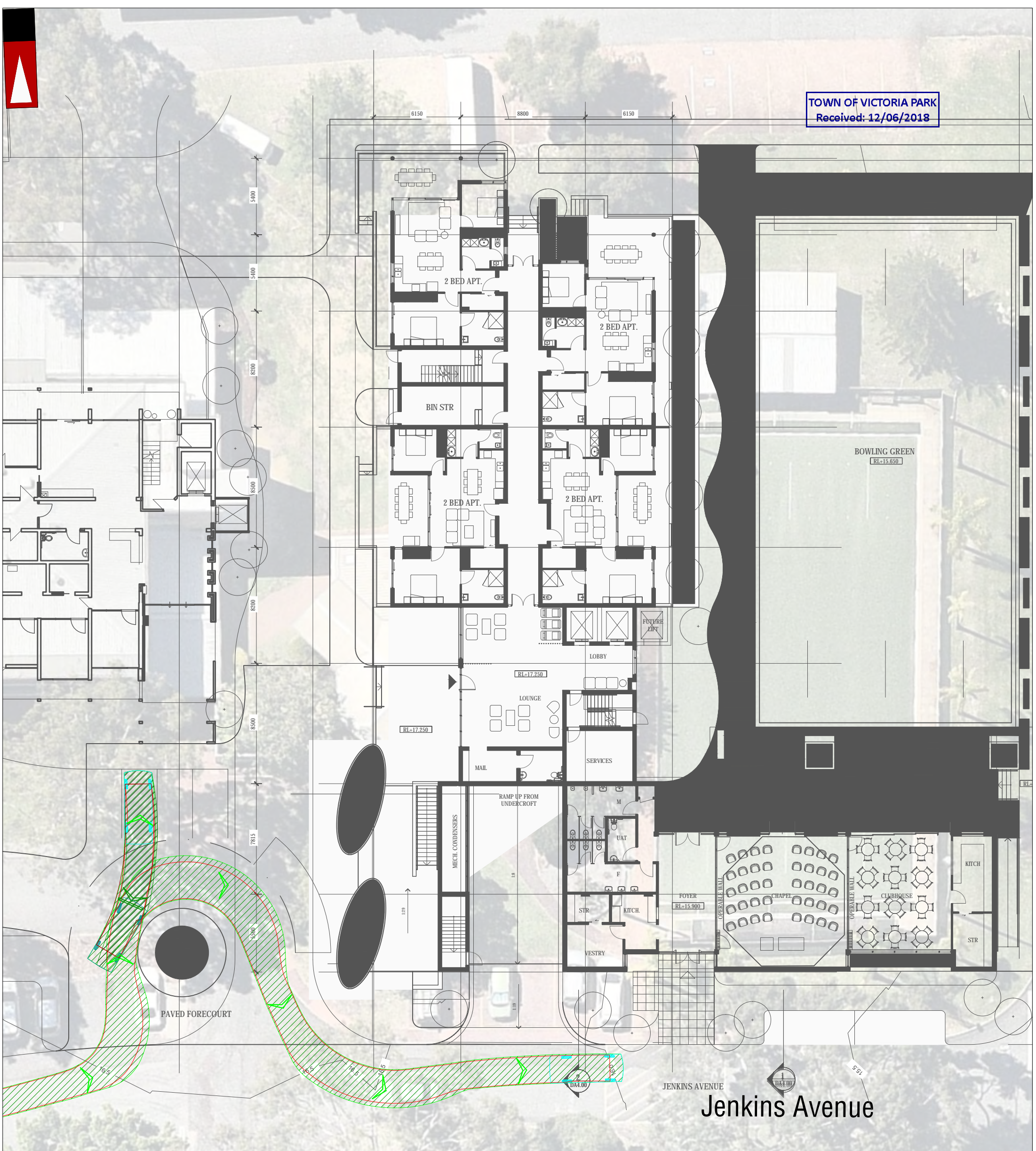


LEGEND

NO	DATE	AMENDMENT
B	06-06-2018	PROPOSED LAYOUT AMENDED
A	08-05-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S25	

PH: 98 4772 7770
WEB: www.kctt.com.au
FTP: www.kctt.nettransfer.com



Passenger vehicle (5.2 m)
 Overall Length 5.200m
 Overall Width 1.940m
 Overall Body Height 1.804m
 Min Body Ground Clearance 0.295m
 Track Width 1.840m
 Lock to Lock Time 4.00s
 Kerb to Kerb Turning Radius 6.300m

- - - - - Lot boundary
- — — — — Wheel Path (Forward Vehicle Motion)
- — — — — Vehicle Chassis Envelope (Forward)
- — — — — Wheel Path (Reverse Vehicle Motion)
- — — — — Vehicle Chassis Envelope (Reverse)



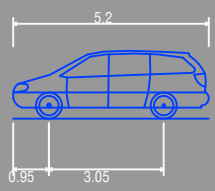
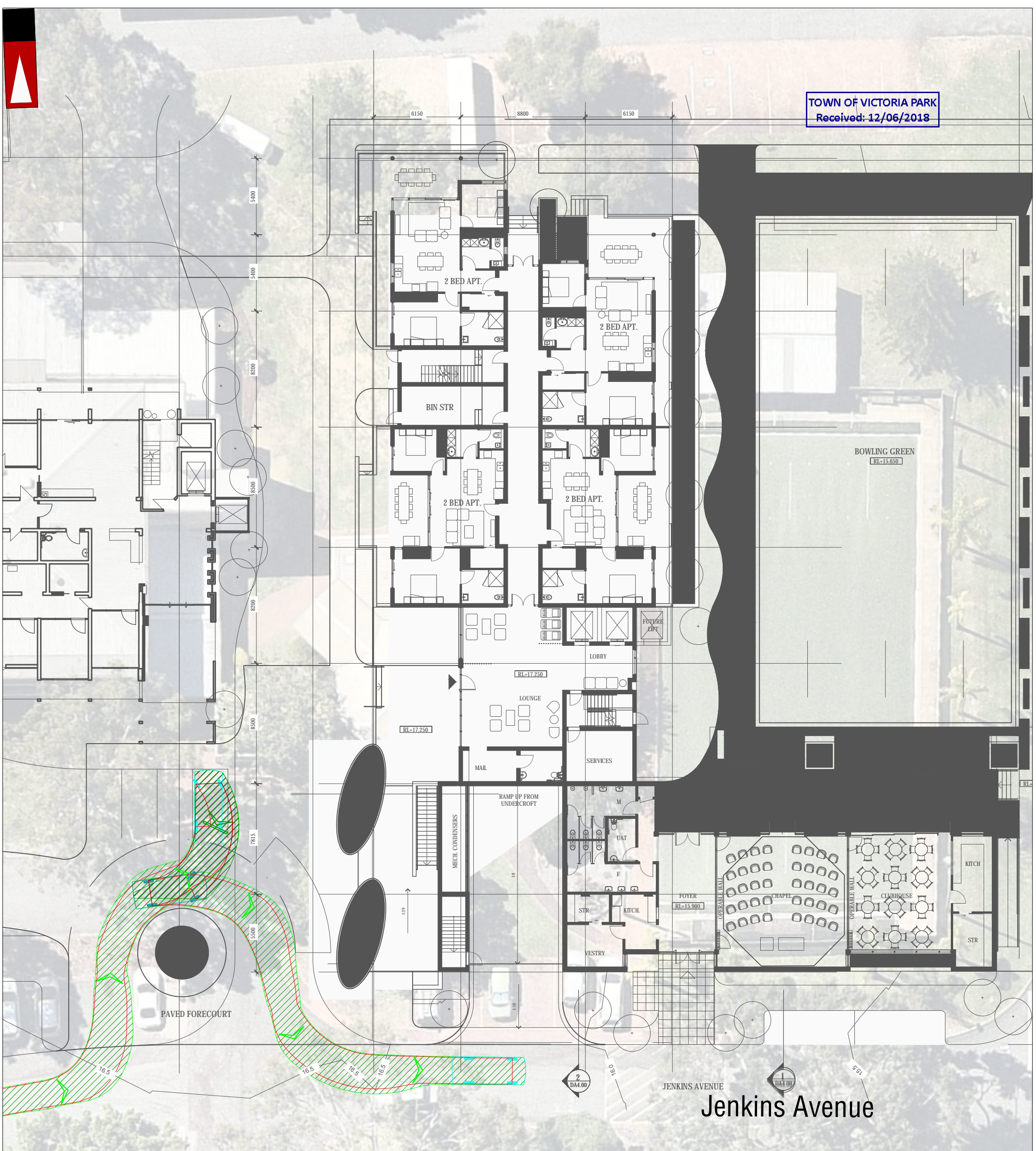
LEGEND

NO	DATE	AMENDMENT
A	07-06-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S26	

J.S.

PH: 98 4372 7770
 WEB: www.kctt.com.au
 FTP: www.kctt.nettransfer.com



Passenger vehicle (5.2 m)
 Overall Length 5.200m
 Overall Width 1.940m
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- Lot boundary
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- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chassis Envelope (Reverse)



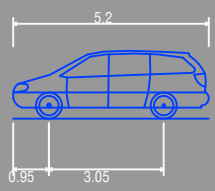
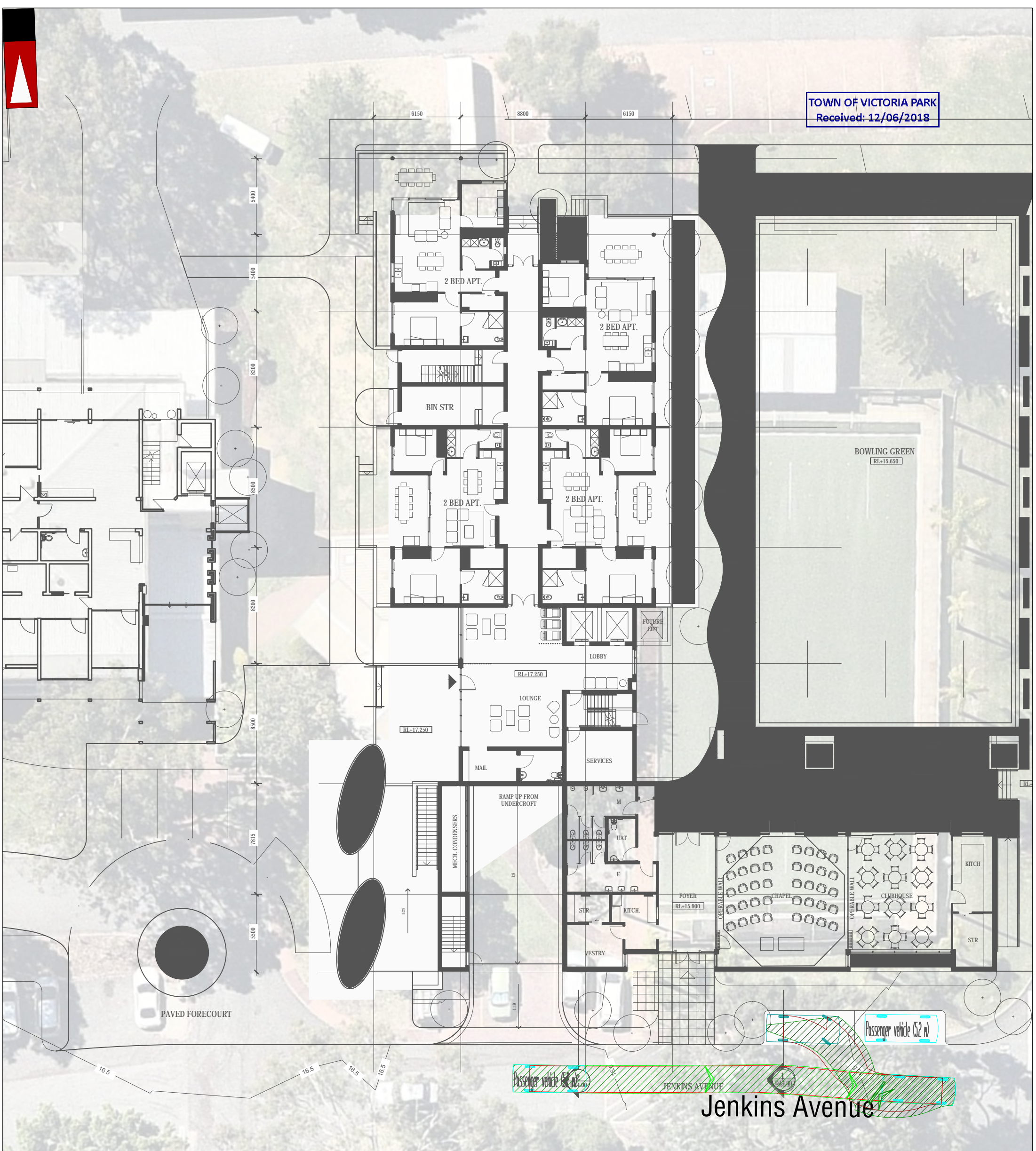
LEGEND

NO	DATE	AMENDMENT
A	07-06-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S27	

J.S.

PH: 98 4372 7770
 WEB: www.kctt.com.au
 FTP: www.kctt.nettransfer.com



Passenger vehicle (5.2 m)
Overall Length 5.200m
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Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
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Kerb to Kerb Turning Radius 6.300m

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- — — — — Vehicle Chassis Envelope (Forward)
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- — — — — Vehicle Chassis Envelope (Reverse)

LEGEND

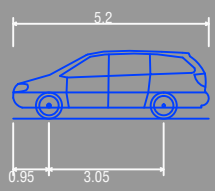
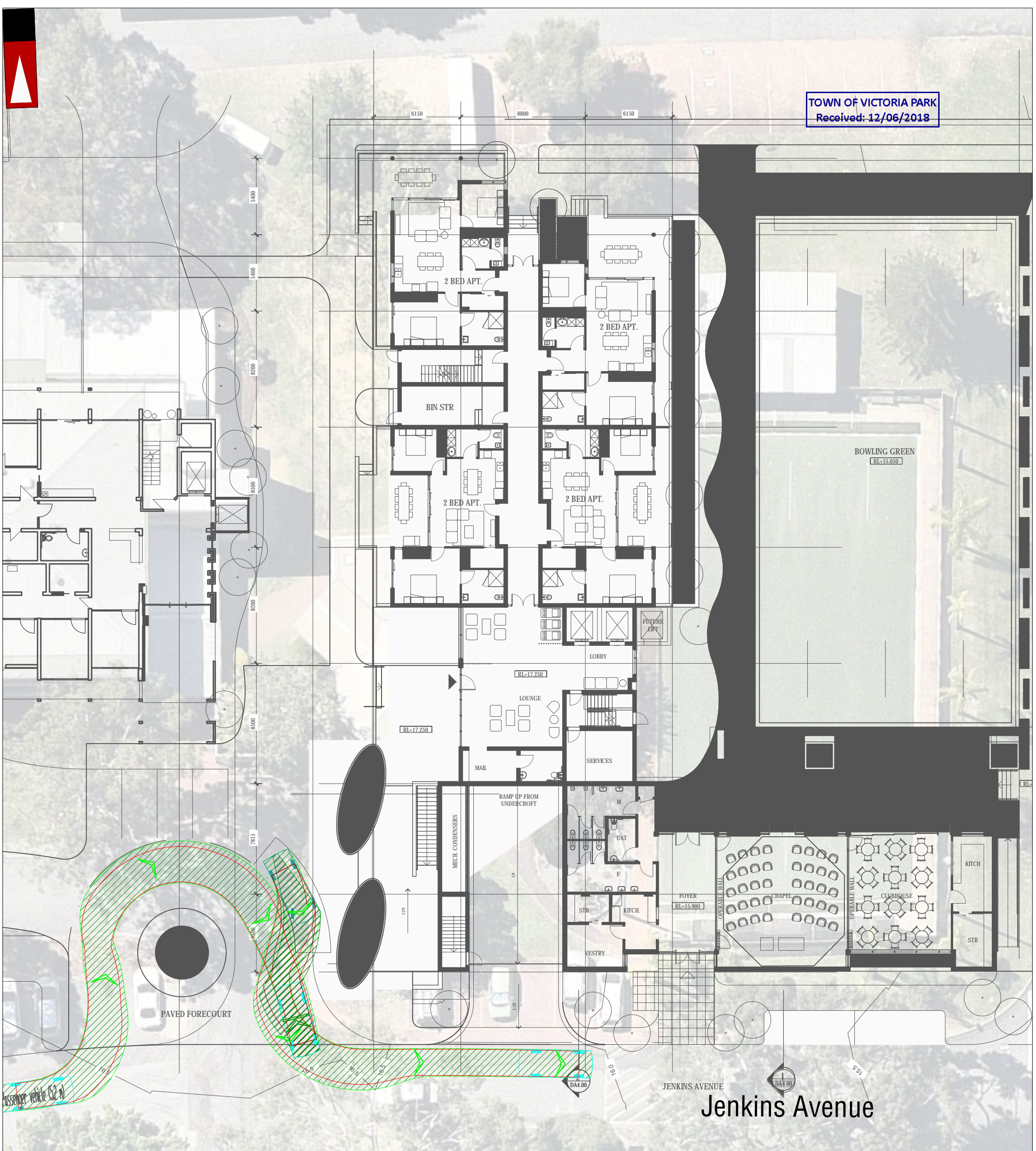


NO	DATE	AMENDMENT
A	07-06-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S28	

J.S.

PH: 98 4372 7770
WEB: www.kctt.com.au
FTP: www.kctt.nettransfer.com



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

- - - - - Lot boundary
- — — — — Wheel Path (Forward Vehicle Motion)
- — — — — Vehicle Chassis Envelope (Forward)
- — — — — Wheel Path (Reverse Vehicle Motion)
- — — — — Vehicle Chassis Envelope (Reverse)

LEGEND



NO	DATE	AMENDMENT
A	07-06-2018	ISSUED FOR REVIEW

PROJECT: Chapel Apartments, Juniper	DRAWN BY: Civil & Traffic Engineering Consultants 830B Beaufort Street, Inglewood WA 6052
TITLE: Vehicle Turning Circle Plan - Passenger Vehicle (5.2m)	
DRAWING NUMBER: KC00540.000_S30	

J.S.

PH: 98 4372 7770
WEB: www.kctt.com.au
FTP: www.kctt.nettransfer.com

Attachment 4

Landscape Concept Design Report dated 1 June 2018

TOWN OF VICTORIA PARK
Received: 12/06/2018



**ROWETHORPE AGED CARE VILLAGE
CHAPEL APARTMENTS PROJECT
LANDSCAPE CONCEPT DESIGN REPORT
1ST JUNE 2018**

Landscape
Architects

PLANE.COM.AU

ROWETHORPE AGED CARE VILLAGE - LANDSCAPE CONCEPT DESIGN REPORT

TOWN OF VICTORIA PARK
Received: 12/06/2018

Design Philosophy

The landscape designs for Rowethorpe Aged Care Village are informed by a set of simple principles, with the aim of creating sustainable, comfortable, outdoor spaces which are relevant and welcoming to the residents and visitors of Rowethorpe Aged Care. The planning of the building and layout of external areas has been developed to encourage “outdoor social interaction” spaces for all occupants. Through the use of shade, lush planting, seating opportunities, a simple materials palette for courtyards and footpaths, we create a welcoming landscape for the new facility. Integration of the architectural design elements and overall precinct guidelines of the Rowethorpe Aged Care building have also been addressed and helped to influence the landscape design.

Key landscape objectives for the Landscape Design include:

- To create sustainable, comfortable, outdoor spaces which are relevant and welcoming to the whole Rowethorpe Aged Care Residence, including visitors, and to encourage social interaction and a sense of community through good design;
- To create a landscape setting that is complimentary to the building architecture, highly legible to users and provides for all levels of mobility across the external spaces;
- The layout of spaces to encourage gathering and interaction of residents and visitors, and promote a socially inclusive ethos where residents have the opportunity to “personalise” or “take ownership” of the external spaces through landscape maintenance and planting of seasonal fruiting / flowering species;
- To introduce and establish plant species that are known to tolerate the local conditions, are adaptable to the local soil types and climatic characteristics, and provide seasonal colour, smell and texture to enhance the outdoor areas. To use low water use plants, with a preference for hardy native and exotic species to ensure that the proposed landscape reaches its’ full potential;
- Retain existing trees wherever possible and consider transplanting significant feature trees at key locations;
- To use materials that complement the colours, textures and forms of the architectural style adopted for the apartment building, and are robust in terms of ongoing maintenance and longevity, and;
- Refer to Crime Prevention through Environmental Design (CPTED) principles for the external spaces to ensure safety of residents and public is fully considered. Key aspects of the landscape strategy include no obstructions to lines of sight, low level planting with upper canopy trees, use of robust materials and detailing, and well-lit spaces.

Key Facilities

Forecourt and Drop Off Zone



Figure 1: Example of a grape arbor to create cool, green shading.

The proposed landscape treatment to the Forecourt and Drop Off Zone incorporate flowing, curved layouts with oval raised planters to promote an ‘organic’ design with lush planting that helps contrast the rigid built environment and appeal to residents and passer byers alike. A range of hardy exotic flowering shrubs and ground covers, together with an upper canopy of shade trees, existing and new, helps to define the landscape character. The intent of simple materiality to the drop off zone is to be as inviting as possible to visitors and residents alike and to create a space that is not only functional, but also tranquil in its ability to remove the dominance of a car designed drop off space. A single pavement type will help create a shared space with more importance to the pedestrian users.

The design includes warm grey exposed aggregate paving to define courtyard areas and uses terracotta coloured concrete paving to circulation paths to enhance the contrast of surrounding design styles. Timber benches to raised planters further enhance useability and help activate the spaces they cover.

Bowling Green Outdoor Area

This area retains a focal point around the bowling green to create sufficient spectator spaces with ample seating and cool shaded areas. The use of deliberate tree planting will help to cool the activity driven space and lush garden bed planting create visual reliefs from the built environment and make for an appealing social gathering space. A grape arbor also adds to the landscape character helping make the space functional as an appealing, sheltered viewing space.

Materials Palette

The materials selected for the hard works palette (paving, planters and furniture) compliment the colours, textures and forms of both the external architectural style and internal spaces adopted for the development. Use of timber bench seats, feature concrete paving, exposed aggregate and raised planters are selected to compliment the architectural aspects and also to contrast nicely with the landscape planting and turf areas.

The intent of the materials selection is to provide clear circulation, minimise surface heat-gain and glare, and be serviceable from an on-going maintenance view point. The planting palette will consist predominantly of colourful natives along with hardy exotics that will be visually pleasing and also encourage people to approach the design area. Feature trees are used to be aesthetically pleasing as well as providing shade to residents and visitors.

TOWN OF VICTORIA PARK
Received: 12/06/2018

Sustainability

As part of the overall sustainability measures adopted for this project, the landscape proposal considers materials, water consumption and maintenance from a life cycle costing viewpoint with the aim of reducing overall resource consumption during the life of the landscape. Trees, shrubs and groundcovers with low water use and minimal maintenance characteristics have been selected for use in the landscape, while paving wall and seating materials, together with the street furniture fixtures and fittings should be hard wearing, durable and long-lasting.

Suggested landscape sustainability initiatives that could be considered include;

- Use of soil amelioration and mulching to retain soil moisture and minimise irrigation requirements to gardens and turf areas;
- Utilising moisture sensors to deliver exact amounts of water required to irrigate the landscape areas;
- Direct surface water run-off into gardens and turf as supplementary water sources;
- Use of low water plants and grouping of species with similar water requirements;
- Minimise use of irrigated lawn areas;
- Potential use of fly-ash in concrete paving mixes;
- Use of recycled and recyclable materials where possible, and;
- Shading of paved surfaces to minimise heat gain.



Irrigation

The source for irrigation water will be provided from a scheme water to service all new landscape areas. The proposed irrigation regime will be designed to provide the minimum water application practicable, which would be phased out over an appropriate period following establishment, where possible, together with the use of low volume irrigation fittings and night-time watering throughout to minimise evaporation and wastage. Due to the soils characteristic of this site, the watering regime aims to strike a balance between the minimum amount of water required to sustain plant growth without the need for a major drainage system and to minimise the impact on the building footings.

Maintenance

As part of an overall philosophy to minimise ongoing maintenance costs for this project, plant and turf types with appropriate physical form and growth habit at maturity, longevity and reliability within the site soils will be selected. In addition, specific attention to micro-climatic factors will be considered in the selection of plant species, in order to reduce watering, pruning and fertilising requirements. Water conservation techniques such as both in-organic and organic mulching to increase water retention in the soil and to reduce weed growth will be promoted.



- EXISTING PARKING RETAINED
- TRANSPLANTED PALMS
- SHELTER
- COLOURED CONCRETE PAVING
- SHADE TREES
- NARROW SHADE TREES TO BASEMENT SLOPED GARDEN
- TIMBER BENCH SEATS WITH BACKRESTS
- SEATING NOOKS
- CITRUS TREES
- WARM GREY EXPOSED AGGREGATE PAVING
- GRAPE ARBOR
- 3 VISITOR BAYS
- RAISED PLANTERS WITH BENCH SEATING
- FORECOURT AND DROP OFF ZONE
- TRANSPLANTED CAMPHOR LAUREL WITH BENCH SEATING BELOW

TREES



PYRUS CALLERYANA 'CAPITAL'



CITRUS TREES



LAGERSTROEMIA INDICA



MAGNOLIA GRADIFLORA 'LITTLE GEM'

SHRUBS



RHAPHIOLEPSIS INDICA



ROSEMARY



LAVENDER



HERB PLANTS

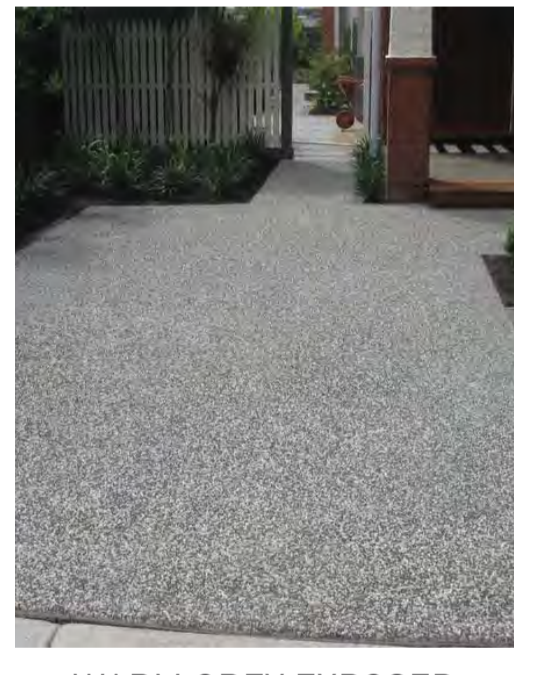
MATERIALS



GRAPE ARBOR



TERRACOTTA COLOURED CONCRETE



WARM GREY EXPOSED AGGREGATE CONCRETE



TIMBER BENCH SEATING WITH BACK RESTS

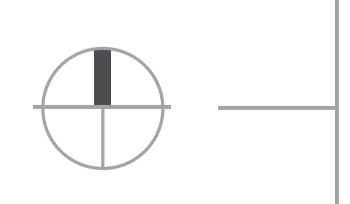
ROWETHORPE AGED CARE VILLAGE - CHAPEL APARTMENTS

LANDSCAPE CONCEPT PLAN
JUNE 2018

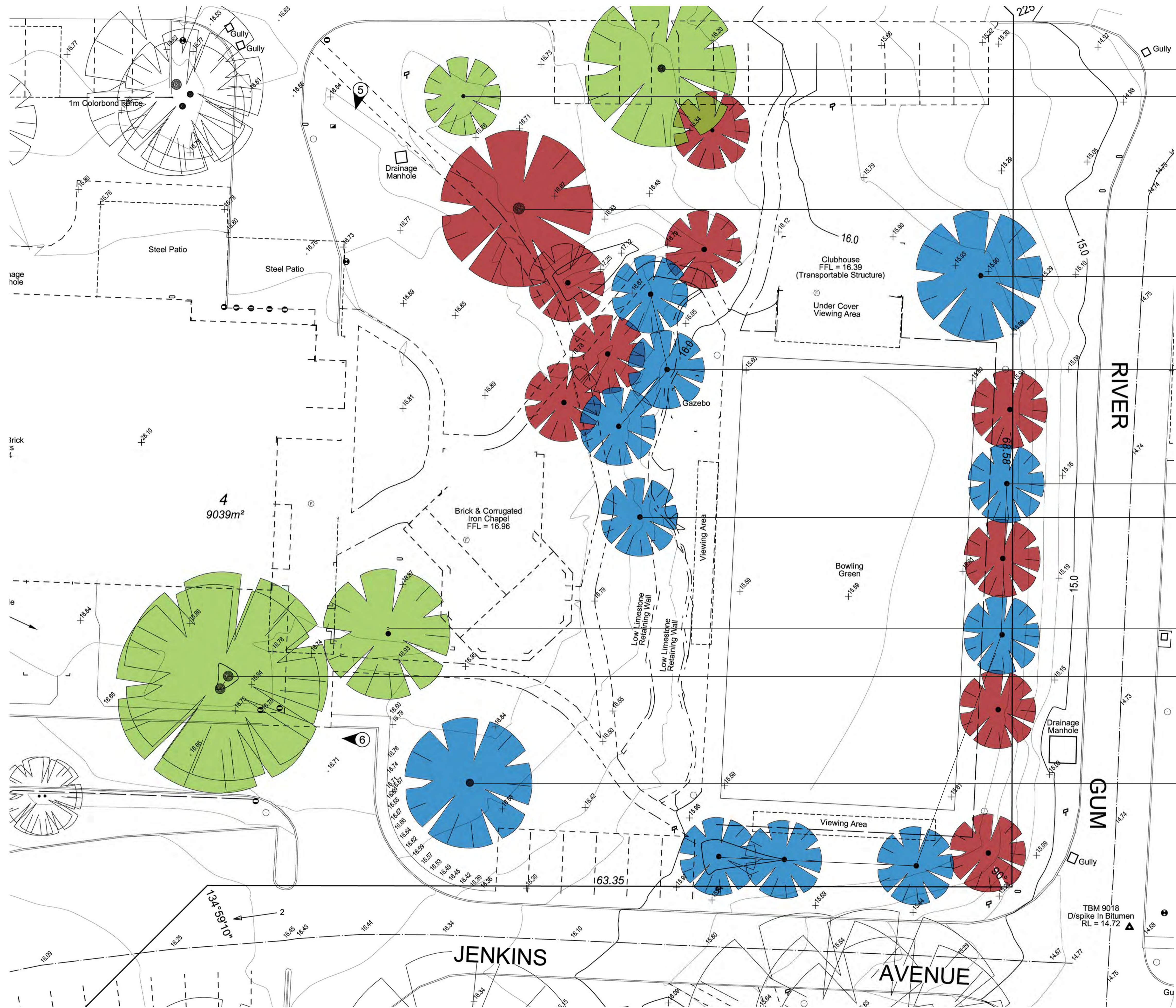
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LANDSCAPE ARCHITECTS
414 ROKEBY RD SUBIACO WA 6008
T: (08) 9388 9566 E: mail@plane.com.au



- EUCALYPT RETAINED
- LIQUIDAMBER RETAINED
- EUCALYPT REMOVED
- NORFOLK ISLAND RELOCATED OR SOLD ON
- FOXTAIL PALMS SUITABLE TO TRANSPLANT
- FOXTAIL PALMS SUITABLE TO TRANSPLANT
- MULBERRY RELOCATED OR SOLD ON
- QUEENSLAND BOX RETAINED
- LEMON SCENTED GUMS RETAINED
- CAMPHOR LAUREL TO BE RELOCATED

KEY

- RETAINED
- RELOCATED
- REMOVED

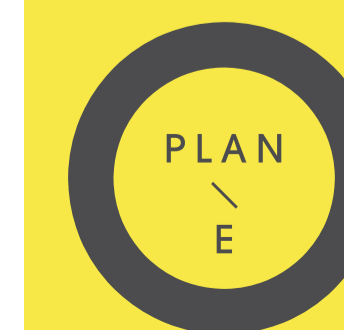
ROWETHORPE AGED CARE VILLAGE - CHAPEL APARTMENTS

TREE STRATEGY PLAN
JUNE 2018

JOB NO. 1713001 C1.102
NTS

REV A

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LANDSCAPE ARCHITECTS
414 ROKEBY RD SUBIACO WA 6008
T: (08) 9388 9566 E: mail@plane.com.au

Attachment 5

Requirements of Other Council's Business Units

<p style="text-align: center;">TOWN OF VICTORIA PARK REQUIREMENTS OF OTHER COUNCIL BUSINESS UNITS</p>

STREET LIFE BUSINESS UNIT:

Nil.

Advice to Applicant:

- (1) All soakwells under paving to have grated lids and all soakwells under paving in vehicle driveway areas to have “grated, trafficable lids”.

PARK LIFE BUSINESS UNIT:

- (1) A detailed landscape design is to be submitted for approval by the Town, which must include the following:
- Plan to scale not less than 1:200, preferably 1:100;
 - North point and lot boundaries;
 - Existing trees for retention or removal, including verge trees;
 - Verges – include all services and features from the property line to the roadway edge;
 - Hard surfacing areas, footpaths, crossovers and driveways;
 - Retaining walls, fences and other structures;
 - Note proposed irrigation type (waterwise design preferred);
 - Mulch type - large-particled to allow for effective drainage;
 - Mulch application depth - minimum 70mm;
 - Mulch is to be suitably retained on the verge to prevent the contamination of street drainage systems;
 - Landscaping of the street verge in accordance with the Town of Victoria Park’s ‘Your Street Verge -Sustainable Landscaping Guide’ on the Town’s website;
 - Plant legend showing:
 - Proposed plant species (botanic and common names);
 - Container size (not less than 130mm);
 - Plant quantities;
 - Waterwise plant selection; and
 - Appropriate spacing – moderate planting density, relative to the eventual mature size and spread of the species selected;
 - Plantings within sightline areas to be mulched and have a maximum height of 750mm on the verge and in visual truncation areas; and
 - Landscape maintenance schedule.
 - Landscaping is to be installed in accordance with the approved plan continually maintained to a standard to the satisfaction of the Town.

BUILDING BUSINESS UNIT:

- (1) A demolition permit is required to be obtained from the Town prior to the demolition of the existing building(s) and/or structure(s) on the site.
- (2) Rat baiting is to be provided and set in the proposed building to be demolished, for a minimum of 14 days prior to an application for a demolition permit being submitted to the Town. It is recommended that certification from a licensed pest management technician/registered pest management business be provided as part of the demolition permit application to confirm that the required rat baiting has occurred.
- (3) A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
- (4) Your attention is drawn to the need to comply with the requirements of Part D3 of the Building Code of Australia - Access for People with Disabilities, including parking, sanitary facilities and tactile indicators in accordance with AS 1428.1, AS 1428.4, AS 1428.5 and AS/NZS 2890.6.
- (5) Plans are to be assessed by a practicing qualified disability Access Consultant who is an accredited member of the Association of Consultants in Access, Australia Inc (ACAA) to confirm compliance with the Disability (Access to Premises – Building) Standards, Building Code of Australia and relevant Australian Standards. A Copy of the certified plans is to be provided as part of the building permit application.
- (6) In addition to the disabled access and facility requirements of the Building Code of Australia, it is the responsibility of the building owner/developer to ensure the development complies with the Disability Discrimination Act 1992. Further information may be obtained from the Disability Services Commission.
- (7) Any required excavation or filling greater than 150mm below or above existing ground levels is to be retained along any boundary by a retaining wall system designed by a practising Structural Engineer. Council approval is required for all proposed retaining wall systems greater than 150mm in height or depth.
- (8) Where applicable, protection of openable windows to a bedroom where the floor level is 2m or more above the surface beneath must comply with Part 3.9.2.5, B.C.A Volume Two 2013/2014.
- (9) Separate wash basin and laundry washtub to be provided where combined bathroom and laundry facilities are proposed, in accordance with Part 3.8.3.2 BCA Volume Two 2013/2014 and Part F2.1 Volume One 2013/2014.
- (10) Any conditions and requirements of the Department of Fire Emergency Services (DFES) to be complied with.

Advice to Applicant:

- (1) In the case of a Class 1a or 10 building, the application for a building permit can be submitted as either a certified or an uncertified application. A Class 2-9 building can only be submitted as a certified application.

ENVIRONMENTAL HEALTH BUSINESS UNIT:

- (1) If/As it is intended to use the premises as a “public building” as defined in Section 173 of the Health Act 1911 (as amended), it is necessary to make application for a Certificate of Approval stipulating the maximum accommodation numbers from the Town of Victoria Park Environmental Health Services before commencing use as a public building.
- (2) Where a public building is used for seated audiences and is provided with permanent seating, the number of persons permitted therein should not exceed the number of seats provided.
- (3) Unless otherwise approved by the Environmental Health Services, all seats used for seated audiences are to be securely fixed to the floor unless fastened together in lengths of not less than 2.7 metres and be arranged in regular rows so that:
 - I. aisles are provided on both sides of every row of seats that exceeds 3.5 metres in length; and
 - II. the number of seats in a row between aisles shall not exceed 42 seats.
- (4) All public building exits shall be marked with an "EXIT" sign that conforms with Australian Standard 2293.
- (5) The premises is to be equipped with lights sufficient to illuminate the exterior exits and passages leading to public thoroughfares. Such lights are to:
 - I. have a minimum horizontal luminance of one (1) lux; and
 - II. be illuminated at all times when the premises are open to the public.
- (6) Stage curtains in a public building shall be made of non-toxic fire retarding materials or shall be made fire retarded by a method approved by the Executive Director, Public Health.
- (7) A suitable enclosure is to be provided for the storage and cleaning of receptacles on the premises. The enclosure is to be cleaned and disinfected on a regular basis.

The enclosure to be:

 - I. of sufficient size to accommodate all receptacles used on the premises but in any event having a floor area not less than 3 square metres;
 - II. constructed of brick, concrete, corrugated compressed fibre cement sheeting or other material of suitable thickness approved by the the Town;
 - III. easily accessible to allow for the removal of the receptacles;
 - IV. contain a smooth and impervious floor –
 - of not less than 75 millimetres in thickness; and
 - which is evenly graded to an approved liquid refuse disposal system;
 - V. located to the satisfaction of the Town;
 - VI. constructed with walls not less than 1.5 m in height and an access way of not less than 1 m in width and fitted with a self-closing gate; and
 - VII. installed with a tap connected to an adequate water supply.
- (8) Floors in wet areas (WC's, urinals, bathroom, laundries and cleaners rooms) to be properly surfaced and have an even fall to an approved to floor waste outlet.

- (9) Any air conditioning system is to be located in such a position so as not to cause a noise problem to occupants of surrounding properties. An information sheet regarding the installation of air conditioners is available from Council's Environmental Health Services.
- (10) Sound levels created are not to exceed the provisions of the Environmental Protection (Noise) Regulations 1997.

Attachment 6

Extracts from Rowethorpe Village Masterplan

2.0 MASTERPLAN

2.4 PRECINCTS

The Masterplan is arranged into the following precincts:

- i. Village Centre
- ii. Residential Care Precinct
- iii. Villa Precinct - West
- iv. Villa Precinct - Central
- v. Apartment Precinct - West
- vi. Apartment Precinct - East

These precincts are indicated in the Precinct Plan, refer to Figure 12.

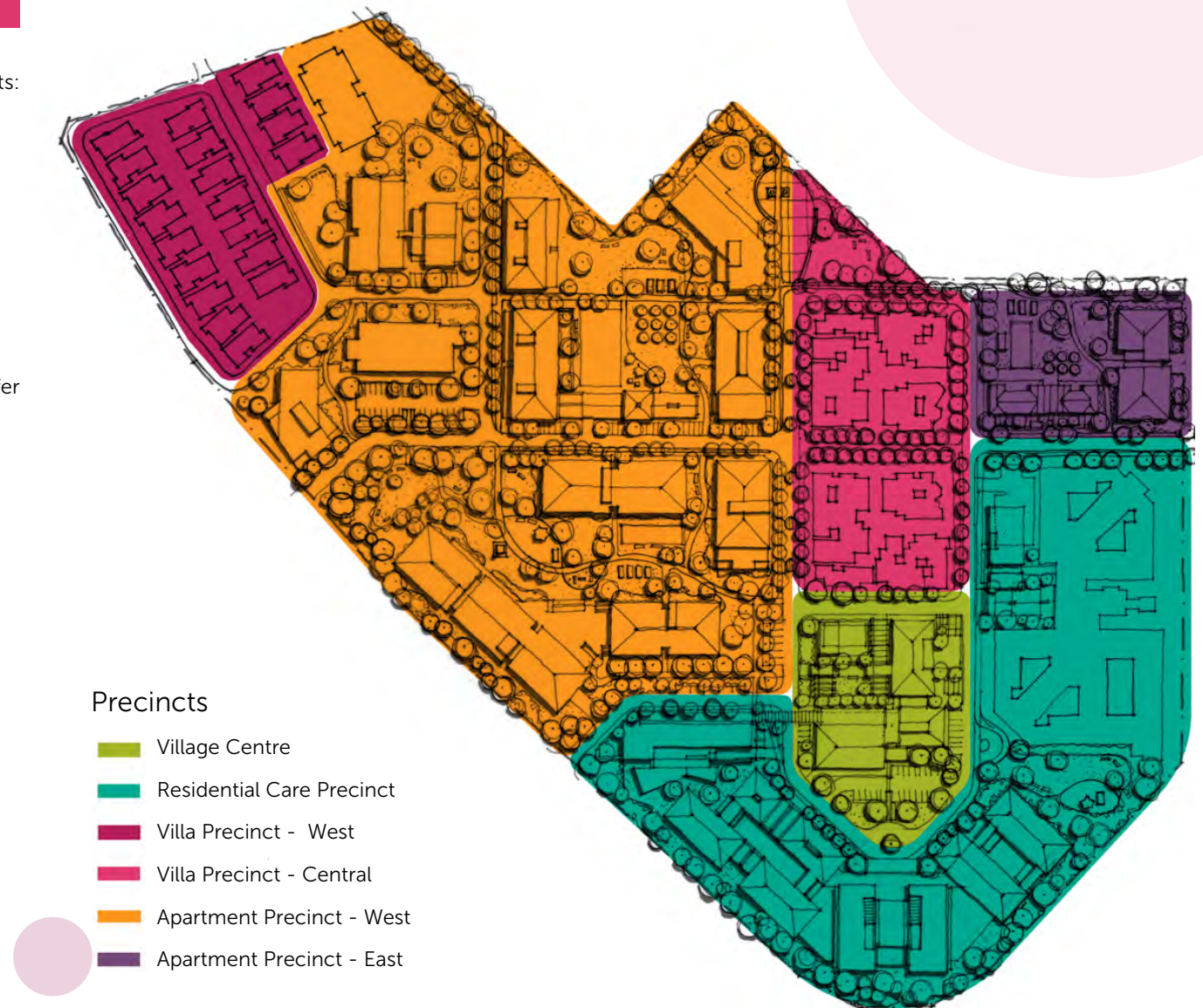


Figure 12: Rowethorpe Village Precinct Plan



- RECREATION HUB AMENITIES, INCLUDING:
- > NEW BOWLING GREEN
 - > NEW CLUB HOUSE
 - > PUBLIC FOOD GARDENS
 - > CHILDREN'S PLAY AREA
 - > RECREATION AREA
 - > COVERED SHADE
 - > EXERCISE FACILITIES
 - > BBQ FACILITIES & FAMILY GATHERING
 - > ART
 - > NEW CHAPEL

NATIVE GARDEN

- APARTMENT WEST AMENITIES HUB, INCLUDING:
- > PUBLIC FOOD GARDENS
 - > CHILDREN'S PLAY AREA
 - > RECREATION AREA
 - > COVERED SHADE
 - > EXERCISE FACILITIES
 - > BBQ FACILITIES & FAMILY GATHERING
 - > ART
 - > LANDSCAPING & GARDENS

Figure 23a: Apartment West Precinct Location Plan - Public Amenities

2.0 MASTERPLAN

2.4.5 APARTMENT – WEST PRECINCT

CURRENT SITUATION

Rowethorpe Village is predominately developed with low-level independent living units. Apartment units, including Ron Wilson House, are examples of a successful form of development accepted by residents.

OBJECTIVES

The area west of the Village Centre and Villa – Central precincts has been identified as an area suitable for redevelopment for low-rise and mid-rise apartments.

Development of this precinct also provides an opportunity to reconfigure and simplify the movement network within the village, which currently is difficult for residents and visitors to negotiate.

This precinct will include a new recreation hub, including a bowling green and clubhouse facility.

REQUIREMENTS FOR FUTURE DEVELOPMENT

Built form is to be generally consistent with one of the following residential building typologies:

i. Independent Living Apartments (mid-rise)

This building type will range from a minimum of three levels (plus podium car parking) up to an anticipated maximum height ranging of six levels of residential accommodation.

This residential building type is typically oriented with apartments facing east-west to ensure that all residents can enjoy direct sunlight into their apartments, and to minimise the overshadowing impact of taller buildings on public spaces and streets.

ii. Independent Living Apartments (low-rise)

Low-rise apartments (up to three levels) will be serviced by lift access and will typically be oriented with apartments facing north-south.

Upper floor access to these apartments will include semi-enclosed access corridors to enable cross ventilation to all dwellings.

Car parking to this dwelling type will typically be provided within shared at-grade carports located adjacent to the apartment building.

Development shall be designed to incorporate the following elements:

- › Minimise of road and driveway crossings to pedestrian/gopher paths.
- › Maximum northern sun to apartments.
- › Staging of development that minimises disruption to existing residents.
- › Maximum retention of mature vegetation to retain landscape character.
- › Shared community outdoor spaces with a diversity of uses and facilities.
- › Maximised solar access into the public realm.

A character and landscape statement and a palette of materials and colours is to be prepared to establish a set of principles for the character of the Apartment - West precinct. All future development in the precinct shall have regard to the character and landscape statement and palette of materials and colours.



Figure 23b: Existing Bowling Green

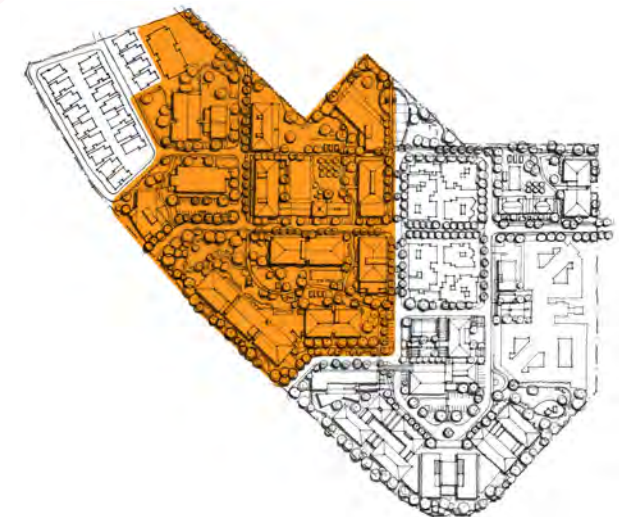


Figure 24: Apartment West Precinct Location Plan



Rudolfsson Alliker Associates Architects



Lifecare Facility, Joslin SA - Indicative Scale



Rudolfsson Alliker Associates Architects



Figure 25 (top): Affinity Village Community Centre -
Figure 26 (bottom): Resident Amenities



Living Choice Fullarton Retirement Village, SA

Figure 27 -28: Indicative Development Scale



Rudolfsson Alliker Associates Architects

Figure 29 - 30: Aged Care Village, Sydney - Indicative
Apartment Style and Landscaping

2.0 MASTERPLAN

2.5.7 BUILT FORM

CURRENT SITUATION

A range of lower-scaled residential building types including closely spaced single storey villas and one and two storey hostels and apartments largely defines the existing character and scale of Rowethorpe Village. Currently there are just two larger scale buildings (>3 storeys) – the Charles Jenkins building and Ron Wilson House – located on the site.

Earlier development on the site was characterised by a generous balance of landscaped gardens and lower-scaled residential buildings.

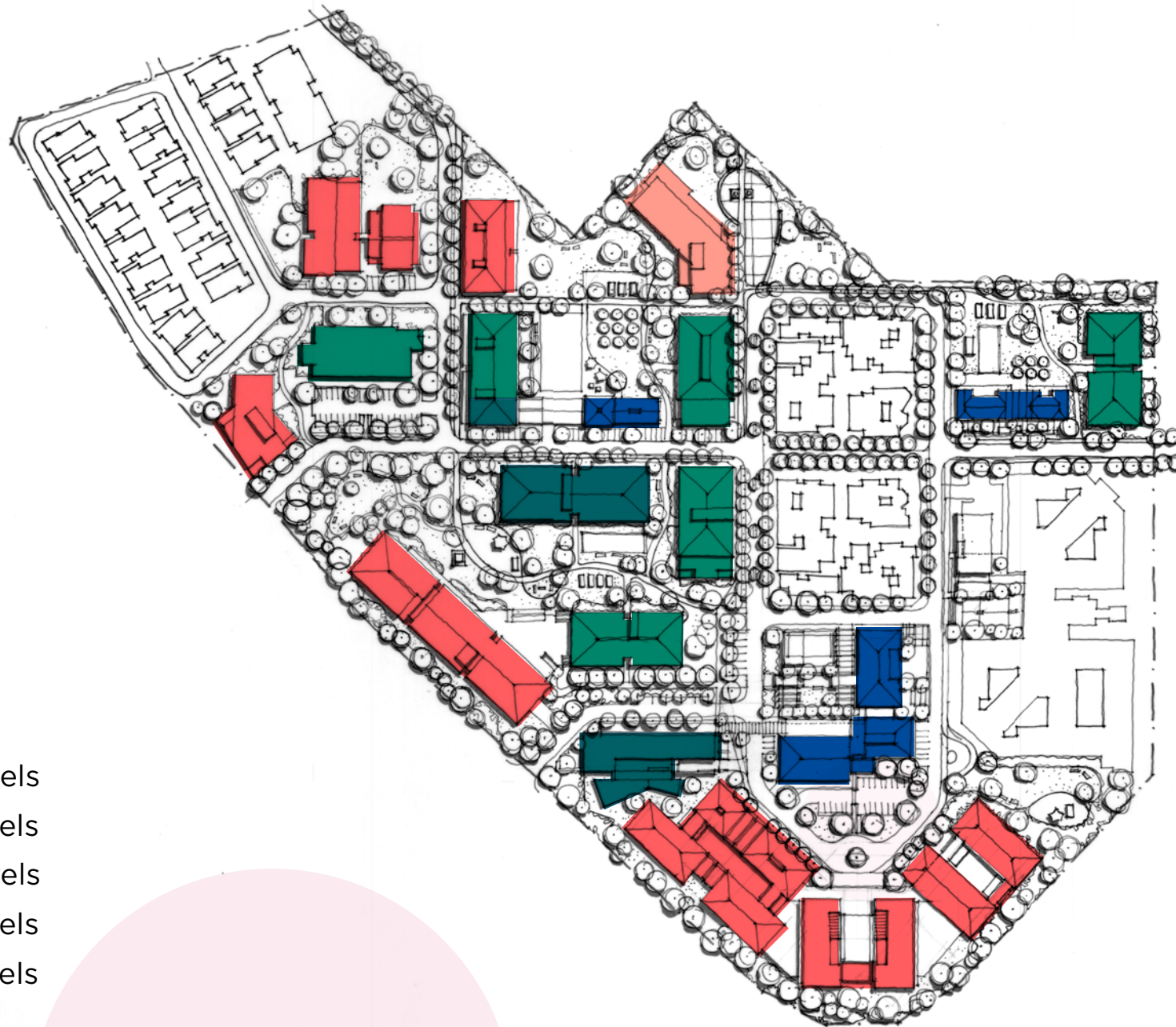
More recent villa-style accommodation has delivered relatively dense building site coverage combined with attractive street landscaping and front gardens. Recently construction residential care facility development has been based on single level construction.

OBJECTIVES

- › Maintain the garden landscape qualities of Rowethorpe Village. Built form distribution and village layout to achieve 'buildings in parkland' landscape outcomes.
- › Expand residential population of Rowethorpe Village in the longer term
- › Maintain lower scaled development in and around the proposed new village centre
- › Minimise overshadowing on public spaces and streets
- › Residential apartments generally to have access to sunlight
- › Visual impact of car parking areas to be minimised
- › Cost of car parking areas to be minimised
- › Development staging will be based on tranches of approximately 20 dwellings
- › Encourage residents to be active and outdoors
- › Stimulate residents by their environment
- › Maximise opportunities for incidental meeting and social interaction

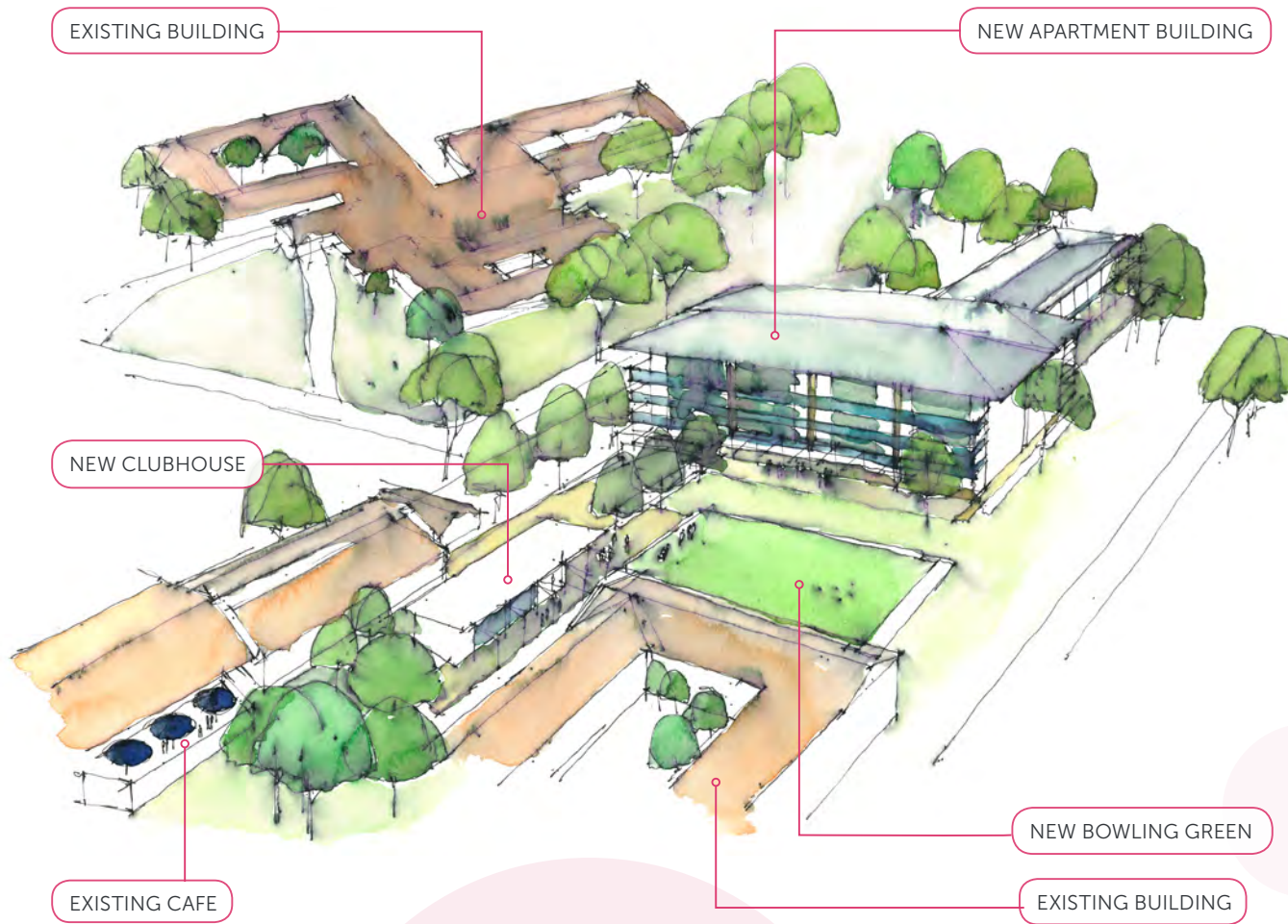
REQUIREMENTS FOR FUTURE DEVELOPMENT

- › Taller apartment buildings to generally orient east-west to minimise overshadowing and ensure double-loaded apartment buildings deliver access to sunlight to all apartments
- › Lower scaled apartment buildings (generally two levels) to orient north/south
- › Larger apartment buildings to incorporate semi-basement/ podium parking
- › Lower scaled apartments to incorporate 'on-grade'/ car port parking areas
- › Develop higher density independent living and residential care accommodation types that enable the maintenance of the village's existing garden character
- › Link residential courts with a network of pedestrian/ gopher paths
- › Create community shared spaces with a multitude of activities
- › Provide spaces with a diversity of scale, including intimate spaces as well as larger gathering spaces
- › Maximise winter sun and summer shade
- › Retain existing trees wherever possible and transplant removed trees/shrubs back into the landscape wherever possible and practical
- › Provide a range of passive and active recreation opportunities, such as: bocce court with shade shelter, children's play, community vegetable garden and orchard, fitness equipment, BBQs with seating and shade, grassed spaces for activities such as yoga, art and music.
- › Some stepping or form of articulation of the building form is required for the buildings on the periphery of the site.



- 6 levels
- 5 levels
- 4 levels
- 3 levels
- 2 levels

Figure 70B: Rowethorpe Village Masterplan Indicative Proposed Building Heights



2.7.1 STAGE 1

The proposed Stage 1 works set up the long-term upgrade of Rowethorpe Village to be a high quality, socially sustainable development. It delivers two new residential buildings and upgraded community and recreation spaces for existing residents. This development stage includes the first key community space, the Recreation Hub and the relocated and upgraded bowling green.

The reorganisation of this precinct will include a landscaped pedestrian link from Mayflower Gardens to Jenkins Avenue and increased street and visitor parking.

The focus and elements of the Stage 1 development phase were amended after community consultation and inputs from existing residents. A number of residents identified the need for a spread of community facilities and locations across the Rowethorpe site. The updated Masterplan maintains the primary village centre adjacent to the Residential Care Precinct but incorporates a second hub of community facilities including the bowling green and clubhouse. The new facilities also form part of a wider, linked community centre that includes the existing café located on The Boulevard.

KEY AMENITIES (COMMUNITY & RECREATION HUB):

- > Upgraded Bowling Club facilities
- > New cafe space
- > Additional Visitor Parking
- > The Rowethorpe Chapel

KEY SERVICES & INFRASTRUCTURE:

- > Stage 1 will require the installation of new water pumps and tanks to upgrade fire services and general water supply across the Rowethorpe site over the longer term.

Figure 74: Impression Of Stage 1 Redeveloped Recreation Hub, Including Bowling Green, Clubhouse and New ILUs.



Form 2 – Responsible Authority Report (Regulation 17)

Property Location:	Lot 54 (Nos 25-27) Hamilton Street; Lot 84 (No 68) Old Perth Road and Lot 85(No 70) Old Perth Road
Development Description:	Mixed Development Comprising Alterations and Additions to Nursing Home, Shops and 18 Multiple Dwellings
Proposed Amendments:	To amend the approval by the deletion of condition 34 relating to developer contributions
DAP Name:	Metro Central JDAP
Applicant:	Peter Webb and Associates
Owner:	T & T Management Services Pty Ltd.
Value of Amendment:	Overall estimated cost of development remains unchanged at \$13 million
LG Reference:	2018-090
Responsible Authority:	Town of Bassendean
Authorising Officer:	Brian Reed, Manager Development Services
DAP File No:	DAP/18/01379
Report Date:	10 September 2018
Application Received Date:	23 July 2018
Application Process Days:	36
Attachment(s):	<ol style="list-style-type: none">1. Original Determination Notice including Approved Plans (provided under the cover of correspondence from the DAP Secretariat dated 28 May 2018).2. Applicant's correspondence in support of current application dated 13 July 2018.

Officer Recommendation:

That the Metro Central JDAP resolves to:

1. **Accept** that the DAP Application reference number DAP/18/01379 as detailed on the DAP Form 2 dated 13 July 2018 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Refuse** the DAP Application reference DAP/18/01379 as detailed on the DAP Form 2 date 13 July 2018 in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Clause 67(g) of the Town of Bassendean Local Planning Scheme No.10, for the proposed minor amendment to the approved Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings at Lot 54 (Nos. 25-27) Hamilton Street, Lot 84 (No. 68) Old Perth Road and Lot 85 (No. 70) Old Perth Road, Bassendean, for the following reasons:

- a) Condition 24 of the approval dated 28 May 2018 does not infringe Regulation 73 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- b) Condition 24 of the approval dated 28 May 2018 is considered to be a valid planning condition inasmuch as it is made for a planning purpose, reasonably and fairly relates to the development permitted, and is not considered to be unreasonable; and
- c) Deletion of the condition would set an undesirable precedent for other applications subject to Local Planning Policy No 1 - Town Centre Strategy and Guidelines, within the Town of Bassendean.

Details: outline of development application

Zoning	MRS:	The entirety of the development site is zoned Urban under the Metropolitan Region Scheme.
	TPS:	The majority of the site is zoned Town Centre by the Town of Bassendean Local Planning Scheme No. 10 (LPS10). A portion of the site upon which the existing Nursing Home is situated is zoned Residential with an R20 density code under LPS10.
Use Class:		Shop (P) use within the Town Centre Zone; Multiple Dwelling (D) use within the Town Centre Zone; and Nursing Home (use not listed).
Strategy Policy:		Town of Bassendean Local Planning Policy No. 1 - Town Centre Strategy and Guidelines.
Development Scheme:		Town of Bassendean Local Planning Scheme No. 10 (District Zoning Scheme)
Lot Size:		Lot 54 (Nos. 25 -27) Hamilton Street: 3,101 sq.m; Lot 84 (No. 68) Old Perth Rd: 922 sq.m; Lot 85 (No. 70) Old Perth Rd: 924 sq.m TOTAL COMBINED AREA = 4,947 sq.m
Existing Land Use:		Lot 54 (Nos. 25 - 27) Hamilton Street –Nursing Home Lots 84 and 85 (Nos. 68-70) Old Perth Road – Currently unused. Most recently used for the purpose of Motor Vehicle Sales

The applicant seeks approval to modify the development approval for the extension to an existing Nursing Home, Shops and 18 Multiple Dwellings which was originally issued by the JDAP at its meeting held on 17 May 2018, by the deletion of condition 34 requiring:

“34 Prior to the issue of a Building Permit, the applicant shall pay to the Town of Bassendean the 2% contribution of the building construction costs as prescribed under LPP NO 1 – Town Centre Area Strategy and Guidelines for Bassendean. The 2% contribution is inclusive of the 1% public art contribution required in accordance with the previous condition.”

Background:

A conditional Development Approval was granted for a Mixed Development comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings by the Mero Central JDAP at its meeting held on 17 May 2018.

Legislation and Policy:

Legislation

- *Planning and Development Act 2015;*
- *Planning Development (Local Planning Schemes) Regulations 2015;* and
- Town of Bassendean Local Planning Scheme No 10.

State Government Policies

State Planning Policy 3.6 – Development Contributions for Infrastructure.

Local Policies

Town of Bassendean Local Planning Policy No 1 Town Centre Area Strategy and Guidelines.

Consultation:

Public Consultation

No public consultation has been carried out regarding the request to delete Condition 34.

Consultation with other Agencies or Consultants

The Town has sought legal advice from McLeod's, Barristers and Solicitors on whether condition 34 infringes Regulation 73 of the Planning and Development (Local Planning Schemes) Regulations and their advice has been incorporated into this report.

Planning Assessment:

Request to delete Condition 34.

Condition 34 states:

“Prior to the issue of a Building Permit, the applicant shall pay to the Town of Bassendean the 2% contribution of the building construction costs as prescribed under LPP No. 1 – Town Centre Area Strategy and Guidelines for Bassendean. The 2% contribution is inclusive of the 1% public art contribution required in accordance with the previous condition.”

The applicant has requested that the condition be deleted.

Applicant’s position.

In favour of the request that the condition be deleted the applicant has provided the following points to support their application:

The proposed amendment relates to Condition 34 which relates to a requirement for a contribution towards public realm improvements to be paid to the Town of Bassendean.

The Condition describes that the contribution is a 1% contribution in addition to the 1% public art contribution required under Condition 33.

A 1% contribution required under Condition 34 represents a contribution of **\$130,000**.

It is the applicant’s view that Condition 34 infringes Regulation 73 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (PD Regulations) which states that “a local government must not levy a contribution for the provision of infrastructure or facilities for an area unless there is a developer contribution plan in place for the area.”

In this case, the Town of Bassendean's Local Planning Policy No. 1 - Town Centre Area Strategy and Guidelines for Bassendean (LPP1) is **not** a developer contribution plan for the purposes of the PD Regulations and does not comply with the requirements for the preparation, or adoption, or ongoing maintenance of a developer contribution plan as required by State Planning Policy 3.6 (SPP3.6).

In particular, clause 5.3 of SPP3.6 provides that where local government is seeking development contributions beyond the standard provisions outlined in Appendix 1 of SPP3.6, they must be supported by a development contribution plan which identifies the need for such infrastructure for the relevant development contribution area.

No such development contribution plan has been prepared by the Town or incorporated into the Scheme as required by SPP3.6.

Officer response

In response to the assertions made by the applicant, McLeod's have offered the following advice, in terms of whether the condition infringes Regulation 73 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

Regulation 73

1. Regulation 73(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 (**Regulations**) provides:

'A local government must not levy a contribution for the provision of infrastructure or facilities for an area unless there is a development contribution plan in place for the area.'

2. In interpreting Regulation 73(1), due regard must be given to the preceding Regulations, 70(1), 71(1) and 72 of the Regulations.

3. Regulation 70 states:

'(1) A local government may determine that an area of land within a scheme area is a development contribution area if development or subdivision of the land would require the provision of infrastructure or facilities in the area to support the development or subdivision.

(2) A development contribution area must be shown as a special control area on the Scheme map for the local planning scheme.'

4. Regulation 71 (1) of the LPS Regulations states that:

'A local government must prepare a development contribution plan for each area identified in a local planning scheme as a development contribution area.'

5. Regulation 72 of the LPS Regulations states:

'The identification of a development contribution area and the preparation of a development contribution plan, or the amendment of an area or plan, are to be prepared as part of the preparation or adoption of a local planning scheme or as a complex amendment to a local planning scheme.'

What is prohibited by Regulation 73(1)?

6. The following elements must be satisfied before it can be said that a condition infringes Regulation 73(1):

- (a) the condition must levy a contribution;
- (b) the contribution must be for the provision of infrastructure or facilities;

- (c) the infrastructure or facilities must be for an area;
- (d) there is no development contribution plan in place for the area.

These requirements will be discussed in turn, commencing with (a) and (d), and concluding with (b) and (c).

Does Condition 34 levy a contribution?

- 7. Condition 34 does levy a contribution. It requires a 2% monetary contribution to be paid to the Town, based on the building construction costs of the development.

Is there a development contribution plan in place?

- 8. For the purposes of the Regulations, 'development contribution plan' means a plan prepared under Regulation 71.
- 9. Regulation 71 refers to a local government preparing a development contribution plan for 'each area identified in the local planning scheme as a contribution area'. There is no provision in Regulation 71 for a local government to prepare a development contribution plan for any area other than an 'area identified in a local planning scheme as a development contribution area'.
- 10. The subject land is not identified within the Town's Local Planning Scheme No. 10, or any other local planning scheme, as falling within an area designated as a development contribution area.
- 11. Rather there is a local planning *policy* (**LPP 1**) which applies to the Bassendean Town Centre, and there is a clause (part of clause 9.2) within LPP 1, which provides a guideline envisaging that the Town would require infrastructure contributions to be made based on the value of development. The identification of an area under a local planning *policy* is not the same as the identification of an area under a local planning *scheme*.
- 12. It is concluded that there is no development contribution plan in place for the area within which the subject Lots are located.

Is the contribution for the provision of infrastructure or facilities?

- 13. There is no definition of 'infrastructure' or 'facilities' in the Regulations.
- 14. There has been one State Administrative Tribunal case to date which has considered Regulation 73. In ***Prosser and City of Bunbury*** [2018] WASAT 41, the Tribunal took guidance from State Planning Policy 3.6 as to the meaning of 'infrastructure'. The closest that SPP 3.6 comes to defining 'infrastructure' is in clause 5.1 entitled 'Scope':

'Development contributions can be sought for items of infrastructure that are required to support the orderly development of an area. This includes the standard requirements for infrastructure contributions as outlined in appendix 1.

In addition, local governments can seek contributions for the capital costs of community infrastructure which is defined as:

'the structures and facilities which help communities and neighbourhoods to function effectively, including —

- *sporting and recreational facilities*
- *community centres*
- *child care and after school centres*
- *libraries and cultural facilities; and*
- *such other services and facilities for which development contributions may reasonably be requested, having regard to the objectives, scope and provisions of this policy.'*

Development contributions can be sought for—

- a new item of infrastructure;
- land for infrastructure;
- an upgrade in the standard of provision of an existing item of infrastructure;
- an extension to existing infrastructure;
- the total replacement of infrastructure once it has reached the end of its economic life;
- other costs reasonably associated with the preparation, implementation and administration of a development contribution plan.

The contributions are for the initial capital requirements only and not for ongoing maintenance and/or operating costs of the infrastructure.'

15. SPP 3.6 differentiates types of legitimate infrastructure according to two broad parameters. The first parameter is whether it is, on one hand, 'a standard requirement for infrastructure contribution', or, on the other hand, 'community infrastructure'. The second parameter revolves around questions such as whether it is new infrastructure or an upgrade to existing infrastructure.

16 In terms of whether the contribution here relates to 'standard requirements for infrastructure', SPP 3.6 refers the reader to Appendix 1 of that State Planning Policy.

17. Within the second column of Appendix 1, the following appear:

'Footpaths, pedestrian access ways and shared paths, where required. Upgrading, construction and widening of existing roads and laneways to accommodate additional traffic generated by a subdivision and/or development....

In addition, where set out in a structure plan for the area, grade-separated pedestrian crossings and shared paths may be required as a contribution.

Other contributions as provided for in WAPC policies.'

18. The LPP 1 provision which requires contributions is within clause 9.2. Clause 9.2 reads as follows:

9.2 Services and infrastructure

Position

A high quality, well detailed and well maintained public realm will contribute to the value of residential and commercial property in Bassendean Town Centre and provide a high level of amenity for residents and visitors.

Guidelines

- *The Town of Bassendean requires infrastructure contributions to be made based on the value of development.*
- All stormwater shall be contained on site or connected to drainage points where supplied. (Emphasis added).

The first dot point under the heading 'Guidelines' just quoted, does not expressly state what the infrastructure contribution is for. From the immediate context, however, it would seem to be in order to achieve 'a high quality, well detailed and well maintained public realm'.

The intended application of the infrastructure contributions in part is towards footpaths, pedestrian access ways and shared paths, and upgrading of existing roads. Funds for such items are contributions towards 'infrastructure' within the meaning of SPP 3.6. As such, noting the Tribunal's reliance on SPS 3.6 in interpreting the meaning of 'infrastructure' for the purposes of the Regulation, the required contribution would to that extent also be towards 'infrastructure' for the purposes of the Regulation.

Is the infrastructure for which the contribution is sought, 'for an area'?

19. In the absence of judicial authority on the point, there would be a very plausible argument for saying that the intention and effect of Regulation 73 is that infrastructure contributions can only be levied where there is in place *both* a development contribution *area* and a development contribution *plan* for that development contribution area. The intent could be suggested as being to preclude infrastructure contributions unless there exists that two-level planning framework which has been transparently and publicly developed.
20. However, Regulation 73 was not exactly interpreted in this way in the one and only Tribunal decision to date on Regulation 73, this being ***Prosser and the City of Bunbury***, referred to earlier. In that case, Deputy President Judge Parry interpreted the use of the term 'area' within Regulation 73. The Judge considered the term in the context of Regulations 70, 71 and 72, being the immediately-preceding regulations. As each regulation in essence flows from one to the next in sequence, his Honour determined that the term must be read consistently across all four regulations.
21. That is to say, that a reference to 'area' in Regulation 73 is to be read as 'development contribution area' as per the three regulations preceding: see para [31] of the decision:

"Area" in reg 73(1) therefore means "development contribution area". There is no development contribution area under LPS 8 in relation to the site and therefore condition 25 does not levy a contribution for the provision of infrastructure for an "area", that is to say, for a development contribution area for the purposes of Pt 7 of the LPS Regulations.'

22. If not for the Tribunal's interpretation of 'area' in **Prosser**, it would be difficult to deny that the contribution required here is for 'an area'. However, because it was determined in **Prosser** that a required contribution was only for 'an area' if the contribution purported to be for a Development Contribution Area as formally constituted pursuant to a local planning scheme, it follows that Regulation 73 would not be infringed here by Condition 34. Until and unless the Supreme Court were to interpret Regulation 73 differently", the **Prosser** interpretation of Regulation 73 must be applied.
23. Therefore following the interpretation of Tribunal in **Prosser**, since there is no development contribution area formally constituted under a local planning scheme affecting the subject site, there is no 'area' to which Regulation 73's prohibition can apply.
24. It is concluded that condition 34 does not infringe Regulation 73.

Validity of condition

The applicant is of the view that Condition 34 fails to satisfy the requirements of the common law test for validity of conditions of approval, which was recently affirmed in the Western Australian context in *Reid v Western Australian Planning Commission* [2016] WASCA 181. In this case, it provides that a condition of development approval must:

1. Have a planning purpose;
2. Reasonably and fairly relate to the development permitted; and
3. Not be manifestly unreasonable.

The applicant states that in the subject matter, the public realm improvement contemplated by Condition 34 is unspecific. A contribution without demonstration of nexus with the permitted development and without demonstration of cost of works is the equivalent of being a tax on development, and is legally invalid.

Officer comment

The need for a public realm infrastructure contribution is identified at various locations within LPP No. 1, including clause 7.10 as follows:

"A town centre public realm contribution of 2% of development cost will be payable to Council as a condition of development approval. This contribution will be used to enhance the public realm in the vicinity of the development site and will include public art, street furniture, planting, paving and amenities such as bicycle racks, bins, shade structures, signage etc. Timing of these enhancements will be agreed between Council and the developer to be completed shortly after construction and to suit council works programmes."

The intention of the policy provision is to make enhancements to the public realm in the vicinity of the development site and therefore is considered to reasonably and fairly relate to the permitted development.

Inasmuch as the condition is derived from a properly adopted planning policy, it is considered to have a planning purpose.

It is considered that the infrastructure contribution could be spent on the following items:

- Closure of the central median island made redundant by the removal of the current crossover on Old Perth Road. This area can be kerbed, reticulated and landscaped, including the provision of trees to match the remainder of the median in Old Perth Road;
- The provision of two additional recessed public parking bays, in the general area of the current crossover on Old Perth Road;
- The replacement of the current concrete footpath and its replacement with a brick paved footpath adjacent to the application site and Hamilton Street and a new brick paved footpath on Old Perth Road.; and
- A seat to be installed that suits the Town's streetscape furniture.

The estimated cost of the infrastructure works is approximately \$123,200.

In terms of the reasonableness of the condition, an identical condition has been placed on the following, applications approved by Metro Central JDAP:

JDAP meeting date	Proposal	JDAP Ref.
30 Aug 2012	Mixed Development – 40 Multiple Dwellings and 5 Commercial Tenancies- Lot 3 (No. 85) Old Perth Rd, Bassendean	DP/12/00644
30 Aug 2012	Shopping Centre Redevelopment- Lot 2 (No. 2) West Rd, Bassendean	DP/12/00535
9 Feb 2015	Mixed Development Comprising Adds/Alts to Place of Worship, Shop and 35 Multiple Dwellings - Lots 90-92 (Nos. 7-11) Parker St & Lots 8-9 (Nos. 2-4A) Wilson St, Bassendean.	DAP/14/00603

*Not yet implemented

The Town of Bassendean has also applied an identical condition on the following applications

Approval date	Proposal	
27 May 2014	Mixed Development Comprising 34 Multiple Dwellings, Office & Café – Lots 14 & 15 (Nos. 78 & 80) Old Perth Road, Bassendean.	2014-073
24 June 2014	Mixed Use Development containing 25 Multiple Dwellings and 3 Commercial Office Tenancies at Lot 117; no. 93 Old Perth Road & lot 2; no. 38a West Road, Bassendean.	2014-119
27 May 2014	Mixed Development Comprising 34 Multiple Dwellings, Office & Cafe Lots 14 & 15 (Nos. 78 & 80) Old Perth Road, Bassendean	2014-073
26 August 2014	Proposed Change of Use - Office to Unlisted Use (Small Bar) Along With Additions And Alterations. 77-83 Old Perth Road Bassendean	2014-055

Council Recommendation:

The deletion of condition was considered by the Council of the Town of Bassendean at its meeting held on 28 August 2018 where it was resolved to advise the Metro Central JDAP that it holds the position that Condition 34 of the approval was appropriately imposed and that the Form 2 application to delete Condition 34 from the approval should be refused

Conclusion:

It is considered that the disputed condition does not infringe Regulation 73 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and is passes the test for the validity of a planning condition as outlined in this report.



LG Ref: 2018-026
DAP Ref: DAP/18/01379
Enquiries: (08) 6551 9919

Mr Nik Hidding
Peter Webb & Associates
Po Box 970 Subiaco WA 6904

Dear Mr Hidding

METRO CENTRAL JDAP - TOWN OF BASSENDEAN - DAP APPLICATION - 2018-026 - DETERMINATION

Property Location:	Lot 54 (Nos. 25-27) Hamilton Street, Lot 84 (No. 68) Old Perth Road and Lot 85 (No. 70) Old Perth Road, Bassendean
Application Details:	Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings

Thank you for your Form 1 Development Assessment Panel (DAP) application and plans submitted to the Town of Bassendean on 16 February 2018 for the above-mentioned development.

This application was considered by the Metro Central JDAP at its meeting held on 17 May 2018, where in accordance with the provisions of the Town of Bassendean Local Planning Scheme No.10, it was resolved to **approve** the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, an application may be made to amend or cancel this planning approval in accordance with regulation 17 and 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Please also be advised that there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. Such an application must be made within 28 days of the determination, in accordance with the *State Administrative Tribunal Act 2004*.

Should you have any queries with respect to the conditions of approval, please contact Mr Christian Buttle on behalf of the Town of Bassendean on 93778022.

Yours sincerely,

DAP Secretariat

28 May 2018

Encl. DAP Determination Notice
Approved Plans

Cc: Mr Christian Buttle
Town of Bassendean



Planning and Development Act 2005

Town of Bassendean Local Planning Scheme No.10

Metro Central Joint Development Assessment Panel

**Determination on Development Assessment Panel
Application for Planning Approval**

Property Location: Lot 54 (Nos. 25-27) Hamilton Street, Lot 84 (No. 68) Old Perth Road and Lot 85 (No. 70) Old Perth Road, Bassendean

Application Details: Mixed Development Comprising Additions and Alterations to Nursing Home, Shops and 18 Multiple Dwellings

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 17 May 2018, subject to the following:

1. **Accept** that the DAP Application reference DAP/18/01379 is appropriate for consideration as a 'P' and 'D' land use ('P' for Nursing Home component) and compatible with the objectives of the zoning table in accordance with the Town of Bassendean Local Planning Scheme No. 10.
2. **Approve** DAP Application reference DAP/1801379 and accompanying plans dated 31 October 2017:

Drg No. EX1 Issue DA (site analysis plan)
Drg No. SK1 Issue B (site plan)
Drg No. SK2 Issue C (lower ground floor plan)
Drg No. SK3 Issue B (upper ground floor plan)
Drg No. SK4 Issue A (first floor plan)
Drg No. SK5 Issue A (second floor plan)
Drg No. SK6 Issue A (third floor plan)
Drg No. SK7 Issue A (elevations)
Drg No. SK8 Issue A (elevations)
Drg No. SK9 Issue A (sections)
Drg No. SK10 Issue A (shadow plan)

in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Town of Bassendean Local Planning Scheme No. 10, subject to the following conditions as follows:

Conditions

1. This decision constitutes development approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.



2. Prior to the issue of a Building Permit for this development, Lots 54, 84 & 85 shall be amalgamated into a single lot on a Certificate of Title or the owner shall enter into a legal agreement with the Town prepared by the Town's Solicitors at the owner's cost requiring amalgamation to be completed within twelve months of the issue of a building permit, or the completion of the development, whichever occurs earlier.
3. Solid walls or fences that are situated between the street alignment and the building line not exceeding 800mm in height above natural ground level.
4. External finishes according with those identified on the 'Schedule of Finishes' prepared by Montague Grant Architects and dated 8 December 2017 unless otherwise approved.
5. The blank section of wall associated with the fire pump room and transformer compound on the Old Perth Road frontage of the development shall be modified by replacing the solid balustrade to the balcony of the lounge above (which forms a continuation of the wall to the pump room and transformer) with clear glass balustrade and applying a piece of public art to this location to the satisfaction of the Town, and in accordance with the provisions contained within Local Planning Policy No. 1 Town Centre Strategy and Guidelines and Local Planning Policy No. 15 – Percent for Art Policy.
6. All multiple dwellings being provided with balconies incorporating a minimum usable area of 10 sq. metres within minimum dimensions of 2.4 metres. (see advice note).
7. An updated landscaping plan being provided prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private realm and the public realm adjoining the development site and which updates the plan submitted in conjunction with the application for development approval by:
 - (a) providing accurate details with respect to the Hamilton Street road reserve;
 - (b) providing details of proposed landscape treatment to the Hamilton Street road reserve; and
 - (c) incorporating street tree planting within the Hamilton Street road reserve in accordance with the Town's Street Tree Master Plan.
8. Street trees shall be a minimum height of 2m at the time of planting and shall be spaced generally at 7m centres.
9. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
10. Existing street trees within the street verge adjacent to the development site being protected with barricades during construction in accordance with the Town's Policy for street tree protection.



11. The submission of a detailed lighting plan is to be provided showing all security and safety lighting throughout all public and interior circulation areas, along with external lighting to the Old Perth Road and Hamilton Street frontages of the development site for the approval of the Town, prior to the issue of a building permit. Display lighting to commercial premises on both the Old Perth Road and Hamilton Street frontages shall be time-switched to remain on every evening until at least 15 minutes after the last train has left Bassendean Train Station.
12. The redundant crossover on the Old Perth Road frontage of the site and the second redundant crossover at the Hamilton Street / Old Perth Road intersection shall each be removed and the verge / footpath shall be reinstated to the satisfaction of the Town.
13. Works proposed within the road reserve around the perimeter of the site (such as footpath forward of the shop tenancies) shall be the subject of a separate plan to be submitted for the Town's approval in advance of any such works being undertaken.
14. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's specifications and those contained within AS2890.1 – Part 1: Off-street parking and Part 6: Off-street parking for people with disabilities. Drawings submitted for a Building Permit shall incorporate the following design changes:
 - (a) The length of the accessible car bay and the adjoining visitor car bay shall each be increased to 5.4m minimum without compromising the prescribed aisle width behind these bays. The column to the rear of the visitor bay shall be positioned in accordance with Figure 5.2 of AS2890.1; and
 - (b) The width of the aisle between shared use car parking bays 19 and 20 shall be increased to a minimum of 6.1 metres, clear of the columns.
15. A longitudinal section of the vehicle access driveway to the lower ground floor car park shall be provided to the satisfaction of the Town prior to or in conjunction with the application for a Building Permit which demonstrates that the ramp to the car park has been designed in accordance with the provisions contained within Cl 2.5.3 of AS2890.1 (Circulation roadway and ramp grades).
16. Car parking on any subsequent strata plan shall be allocated in accordance with the approved drawings and the following requirements:
 - (a) Each multiple dwelling shall be allocated 1 car parking bay;
 - (b) Nursing Home being allocated 20 car parking bays;
 - (c) 60 sq.m shop tenancies being allocated 2 car parking bays and the 99 sq.m shop tenancy being allocated 3 car parking bays; and
 - (d) 6 visitor car parking bays and the accessible car parking bay all being retained for the shared use of visitors to all components of the development.
17. Visitor parking spaces being clearly marked for "Visitors Only" and used only as such.



18. Prior to the submission of an application for a building permit, details of the security intercom system are to be provided to demonstrate that visitors can make contact with all components of the development in order to gain access to the visitor parking bays. The security intercom system is required to be installed and operational in accordance with the approved details prior to the occupation of the development on the subject lot and maintained thereafter.
19. A minimum of 12 bicycle parking spaces shall be provided within the secure car park and a minimum of 4 bicycle parking spaces shall be provided for visitors, external to the building. All bicycle parking spaces shall be constructed in accordance with the provisions of AS 2890.3 (as amended). Details of the location and design of the required bicycle parking spaces shall be submitted prior to or in conjunction with the application for a Building Permit.
20. The development shall be designed to accommodate storage of stormwater on site to a minimum of a 1:20 year storm event with any proposal to connect to the Town's drainage infrastructure network to accept stormwater associated with an event beyond 1:20 years incorporating a restricted outlet flow. (see footnote)
21. The provision of an externally accessed storage unit of not less than 4 sq.metres internal area for each dwelling. All stores to have minimum internal dimensions of 1.5m minimum with the exception of stores 10-14 which are approved with lesser internal dimensions subject to:
 - (a) These stores being allocated to the same dwelling as the car parking bay to which they are predominantly located in front of; and
 - (b) The door to these stores being removed and replaced with a roller door which incorporates a width that matches the car bay width forward of each respective store.
22. A pedestrian path (separate from car parking bays) being provided to stores 6-9.
23. External fixtures, including but not restricted to air-conditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street. Prior to the issue of a building permit, details being submitted of all proposed ventilation systems, including the location of plant equipment, vents and air conditioning units for the Town's approval. All equipment must be adequately screened to the satisfaction of the Town.
24. External clothes drying is prohibited where visible from the street.
25. Each dwelling shall be provided with a mechanical clothes dryer.



26. An updated Waste Management Plan (WMP) is to be submitted for the Town's approval prior to or in conjunction with the application for a Building Permit. The WMP shall address matters including, but not necessarily limited to, the following:
- (a) Consistency with respect to the identified number of bins that will be needed to service the proposed development;
 - (b) The need for an updated WMP to be prepared in the event of future change of use to any of the shop tenancies where any proposed new use would generate additional waste beyond that which the plan has been designed for;
 - (c) The number of bins that are anticipated to require kerbside collection from the development other than the nursing home;
 - (d) The placement of bins only on the Hamilton Street verge area of the development site with no bins being placed on the Old Perth Road frontage while awaiting collection;
 - (e) The number of bins that will be provided to the multiple dwellings and to the shops;
 - (f) Details of advice to be provided to owners and occupiers regarding the WMP; and
 - (g) Details of how the WMP will continue to be applied in perpetuity across the life of the development, including the WMP being incorporated into the strata by-laws for the proposed development.
27. The bin storage areas on site are:
- (a) To be surrounded by a 1.8 metre high minimum wall with a self-closing gates (where outside a building) or doors (where inside a building);
 - (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both the bins and bin storage area to be washed out; and
 - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.
28. Bins shall be stored only in an approved, designated location, and shall not be stored within any of the approved car parking bays or associated access aisles.
29. Visually impermeable roller shutters (external and internal), doors, grilles and security bars shall not be installed on any part of the frontage of the development facing Old Perth Road or Hamilton Street.
30. Prior to commencement of development, investigation for soil and groundwater contamination is to be carried out to determine if remediation is required.

If required, remediation, including validation of remediation, of any contamination identified shall be completed prior to completion of construction works to the satisfaction of the Town of Bassendean on advice from the Department of Water and Environmental Regulation, to ensure that the site is suitable for the proposed use.

Investigations and remediation are to be carried out in compliance with the Contaminated Sites Act 2003 and current Department of Water and Environmental Regulation contaminated sites guidelines.



31. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Water and Environmental Regulation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan.
32. Prior to the issue of a building permit the applicant shall lodge a Construction Management Plan to the satisfaction of the Town of Bassendean that provides details of the following:
 - (a) Estimated timeline and phasing of construction;
 - (b) Dust control measures;
 - (c) Noise control measures;
 - (d) Access points for heavy vehicles during demolition and construction; and
 - (e) 24 hours contact details of staff available to deal with either an emergency situation or to respond to complaints.
33. The incorporation of public art into the proposed development or a cash-in-lieu payment of one percent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 "Percent for Art Policy". Detailed arrangements and agreement with respect to art to be provided on site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
34. Prior to the issue of a Building Permit, the applicant shall pay to the Town of Bassendean the 2% contribution of the building construction costs as prescribed under LPP No. 1 - Town Centre Area Strategy and Guidelines for Bassendean. The 2% contribution is inclusive of the 1% public art contribution required in accordance with the previous condition.
35. Prior to the issue of a building permit, a development bond for the sum of \$9,000 being lodged with the Town to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
36. The building hereby approved shall not be occupied until all of the conditions of development approval have been complied with to the satisfaction of the Town, unless the applicant has entered into an agreement with the Town to comply with those conditions within a specified period.
37. The street number is to be prominently displayed at the front of the development.
38. Individual unit numbers are to be prominently displayed at the pedestrian entrance to each individual dwelling.

Advice Notes

1. The issue of a Building Permit is required prior to the commencement of any construction works on site.



2. Balconies shall be modified generally in accordance with the design modifications advocated within this report.

3. Dial Before You Dig:
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via Dial Before You Dig "1100" number in advance of any construction activities.

4. Telecommunications Act 1997 (Commonwealth)

The **nbn**TM network is Australia's new landline phone and internet network. It's designed to provide all Australians with access to fast and reliable phone and internet services, no matter where you live.

nbn (the company) was established in 2009 to design, build and operate Australia's new broadband network. They are responsible for providing wholesale services to phone companies and internet service providers who offer **nbn**TM plans for homes and businesses.

Each building unit or lot in a new real estate development needs to be serviced by "fibre-ready facilities" under the Telecommunications Act. For new homes, **nbn** enables developers to connect to the **nbn**TM network upfront in the new build process – but the developer needs to apply via www.nbn.com.au/newdevelopments. **nbn** asks that you apply at least 3 months before civils commence. If you do not have these facilities in place, there may be a delay with your titles process.

Telstra and **nbn** (and its authorised contractors) are the only companies that are permitted to conduct works on network and assets.

Any person interfering with a facility or installation owned by Telstra or **nbn** is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to telecommunication infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on assets in any way, please contact Telstra's Network Integrity Team on 1800 810 443 or **nbn** on relocationworks@nbnco.com.au.

5. If the development approval lapses, no development shall be carried out without further approval having first been sought and obtained.
6. Any adjustment to the design that replaces the transformer and pump room with shop fronts to match the remainder of the Old Perth Road frontage will also need to take account of the need to have regard to impacts on the layout of the car park and associated impact on the required number of car parking bays to be provided for the development.



7. If the applicant is aggrieved by this decision there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.
8. Separate approval must be obtained from the Town's Asset Services Department for the proposed crossover.
9. Separate approval must be obtained from the Town's Asset Services Department for any proposed connection to the Town's drainage infrastructure network.
10. A separate application and approval is required for any signage proposed for the development.
11. The applicant must liaise with Main Roads Western Australia with respect to arrangements to be implemented for the required relocation of the electronic 40kph school zone sign.
12. Department of Water and Environmental Regulation related advice:

In accordance with regulation 31(1) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Water and Environmental Regulation as evidence of compliance with the condition relating to site contamination. A current list of accredited auditors is available from www.dwer.wa.gov.au."

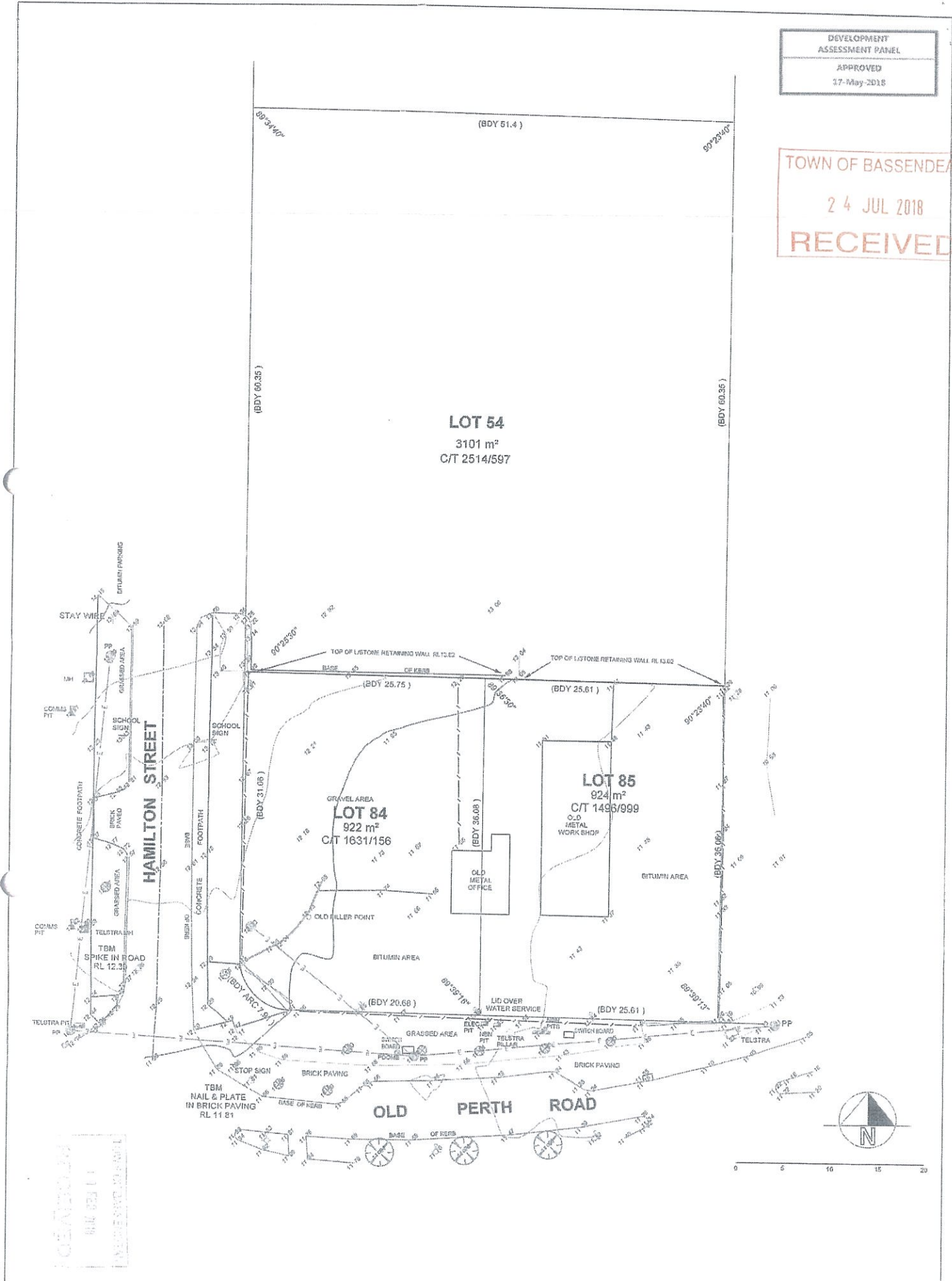
An "acid sulphate soils self-assessment form" can be downloaded from the Western Australian Planning Commission's website at: www.planning.wa.gov.au.

The "acid sulphate soils self-assessment form" makes reference to the Department of Environment and Conservation's "Identification and Investigation of Acid Sulphate Soils" guideline. This guideline can be obtained from the Department of Water and Environmental Regulation website at: www.dwer.wa.gov.au."

Where an approval has so lapsed, no development shall be carried out without further approval having first been sought and obtained, unless the applicant has applied and obtained Development Assessment Panel approval to extend the approval term under regulation 17(1)(a) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-May-2018

TOWN OF BASSENDEAN
24 JUL 2018
RECEIVED



NOTE - THIS PLAN IS NOT TO BE USED FOR ANY OTHER THAN THE STATED PURPOSE

NJP SURVEY CONSULTANTS
19 EVELYN ROAD, CLAREMONT
PH 0407 902 811
email njp@njsurvey.com.au

TITLE
FEATURE AND CONTOUR SURVEY
LOTS 84 AND 84 OLD PERTH ROAD
BASSENDEAN

NOTE:
THIS PLAN VERSION ADDS SERVICE INFO ALONG OLD PERTH ROAD
AND HAMILTON STREET THAT HAS BEEN CONSTRUCTED AFTER
ORIGINAL SURVEY DATED 6.12.2014
BOUNDARIES DERIVED FROM LANDRATHE COORDINATES
LEVELS ARE ALST. HEIGHT DATUM
FOR EMBANKMENTS AND ENCLOSURES SEE CERTIFICATE OF TITLE

BOUNDARIES SUBJECT TO SURVEY
09/06/2017 SCALE 1:250 @ A2 SIZE
LOTS 84 & 85 OLD PERTH RD., 2 - FSURV

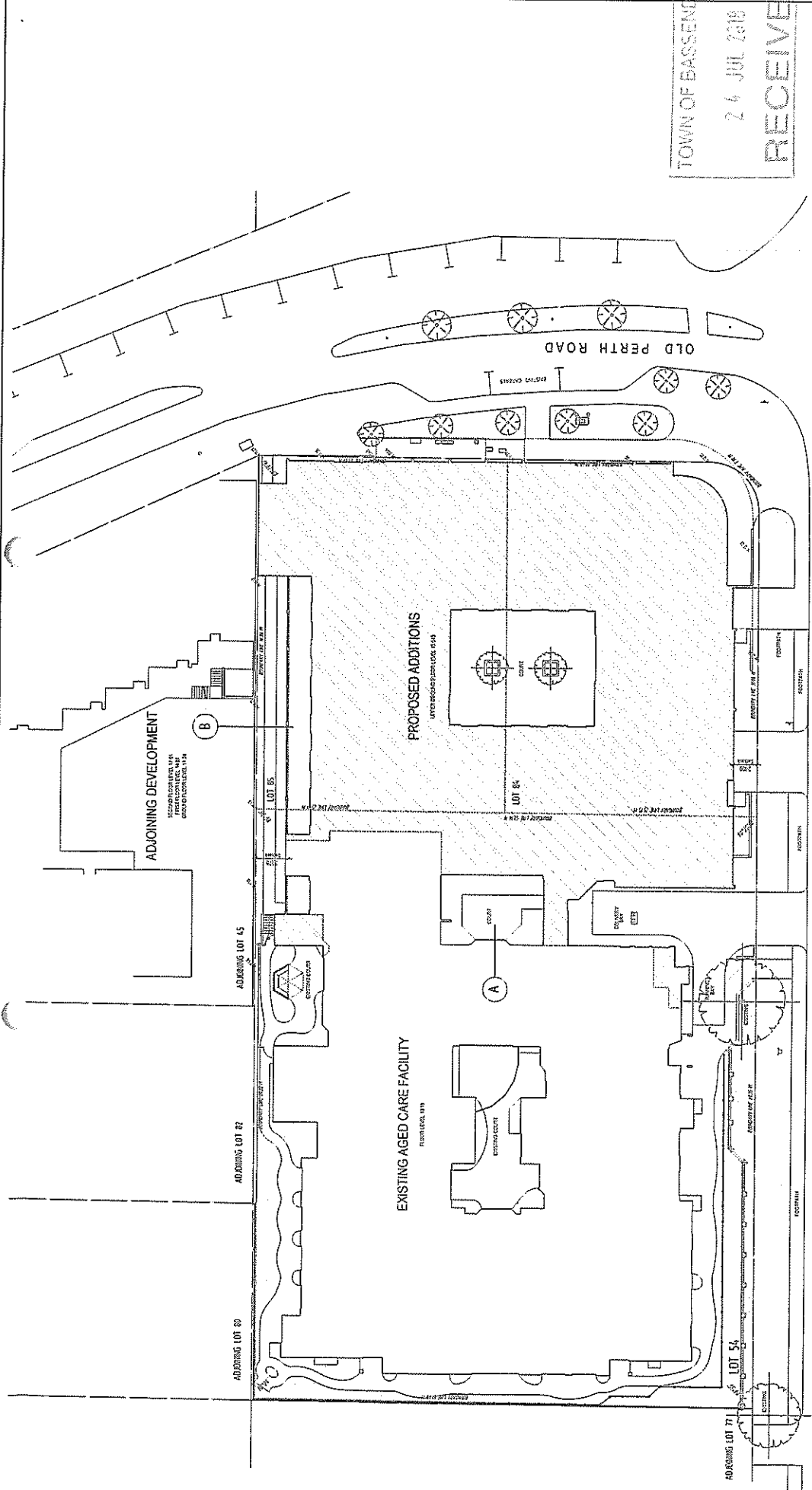
DEVELOPMENT
ASSESSMENT PANEL

APPROVED

17-MAY-2018

SITE PLAN 1:200

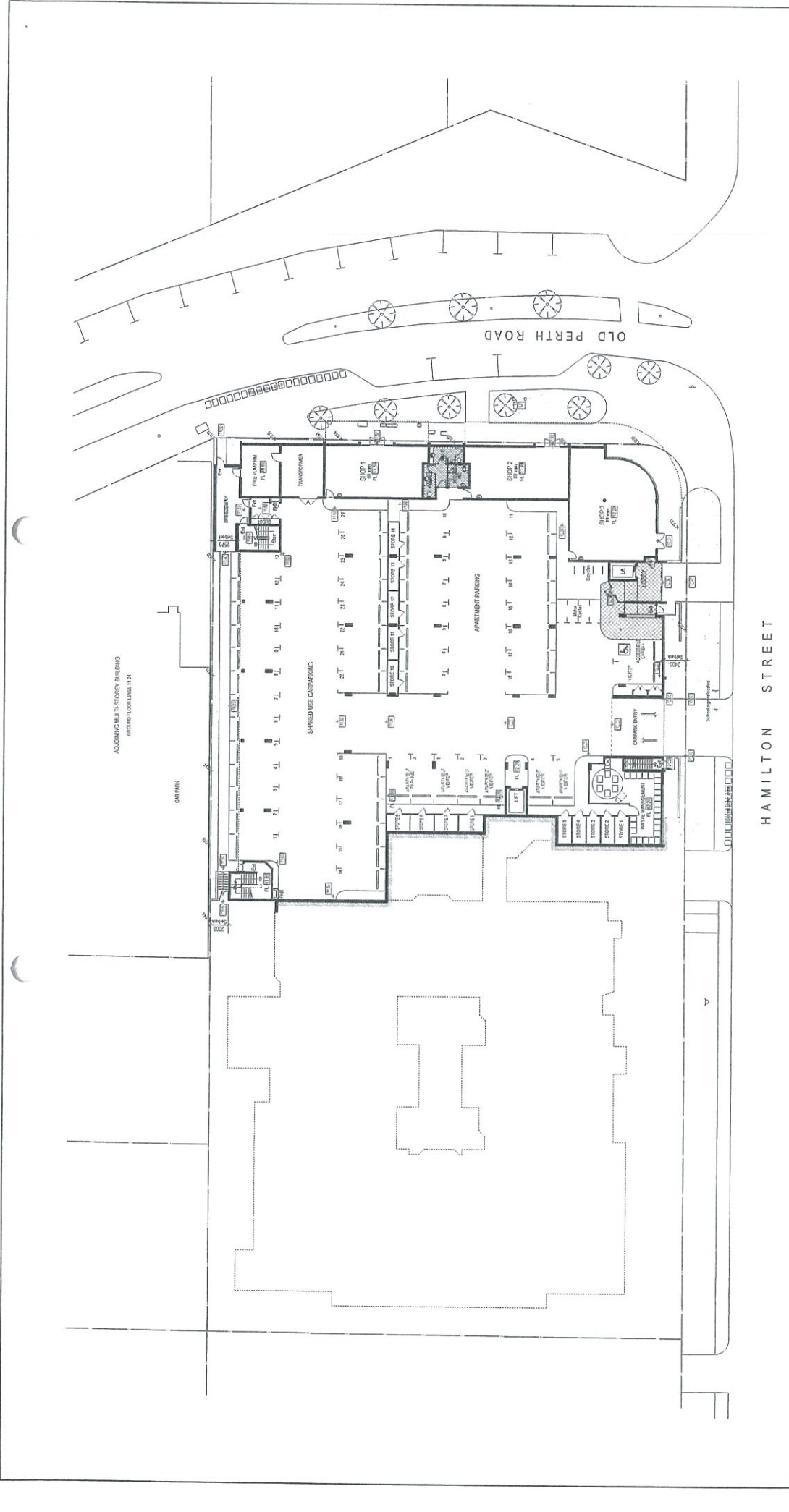
HAMILTON STREET



AEGIS BASSENDEAN ALTERATIONS & ADDITIONS

MONTAGUE GRANT ARCHITECTS PTY LTD
 26 BRIDGEMAN ST. BERRYS VALE 5000 TELEPHONE 9328 2232 FAX 9227 6246
 A.C.H. 009 072 593
SITE PLAN
 JOB NO 14.11
 DATE 14.05.18
 SHEET NO 01 OF 02
 PROJECT AEGIS BASSENDEAN AGED CARE ALTERATIONS AND ADDITIONS
 LOTS 54, 80 & 85 OLD PERTH ROAD
 BASSENDEAN
 TOWN OF BASSENDEAN
 CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE
 DRAWINGS MUST NOT BE COPIED
 MONTAGUE GRANT ARCHITECTS PTY LTD EXCLUSIVELY

TOWN OF BASSENDEAN
 24 JUL 2018
 RECEIVED



LOWER GROUND FLOOR 1:200

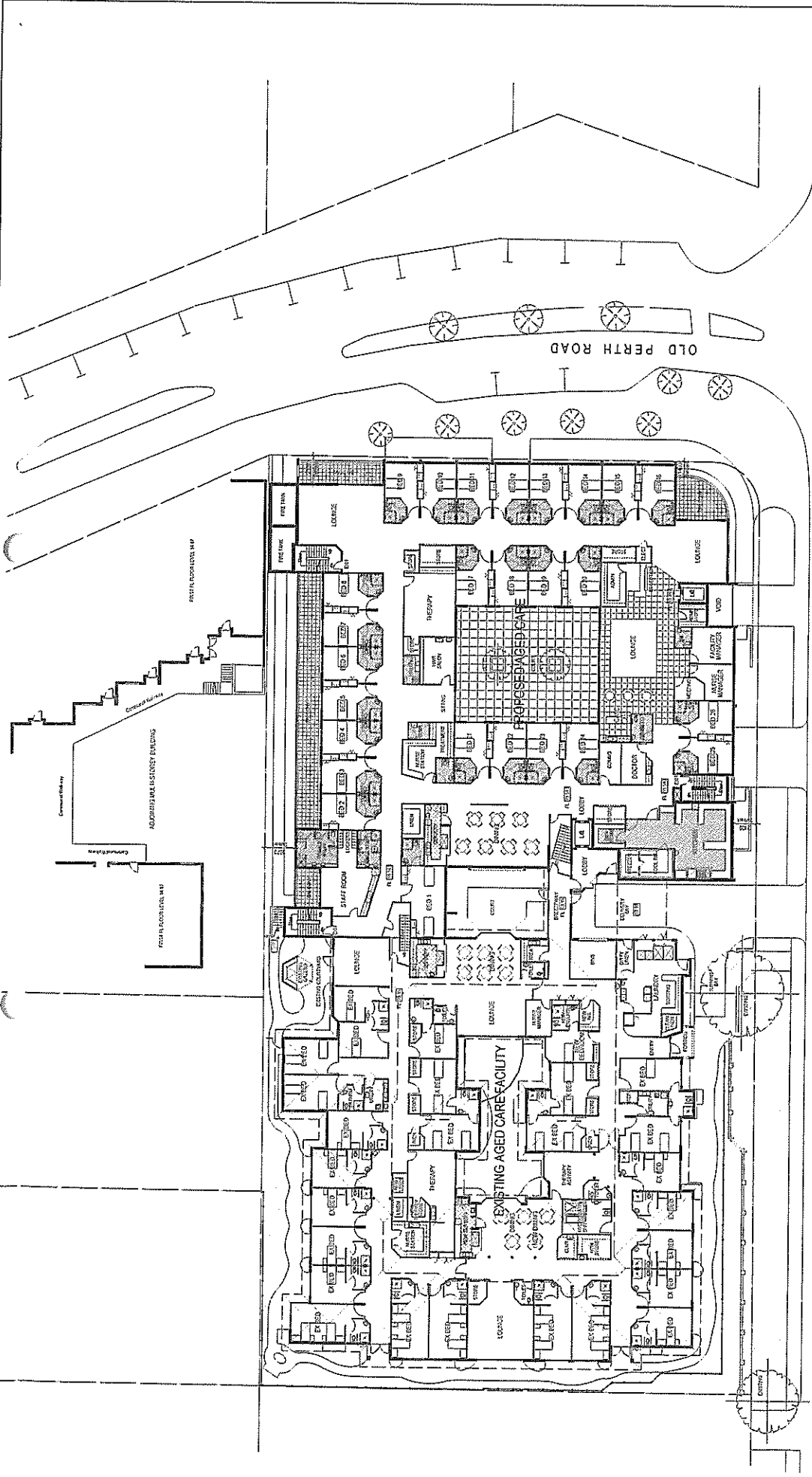
DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-MAY-2018

TOWN OF BASSENDEAN
24 JUL 2018
RECEIVED



MONTAGUE GRANT ARCHITECTS PTY LTD
 26 BREARIE ST, PERTH WA 6000 TELEPHONE: 9228 2233 FAX: 9227 6246 A.C.N. 009 072 892
LOWER GROUND FLOOR
 JOB NO. 14.11
 CLIENT AGED CARE GROUP PTY LTD
 DRAWN MCA
 DATE 31/10/17
 SCALE 1:200
 ISSUE C
 TOWN OF BASSENDEAN
 LOTS 5A, 6A & 8B OLD PERTH ROAD
 BASSENDEAN
 THIS DRAWING IS THE COPYRIGHT OF MONTAGUE GRANT ARCHITECTS PTY LTD EXCLUSIVELY

1	DATE	DESCRIPTION
1	31/10/17	ISSUE C
2	14/11/17	ISSUE C

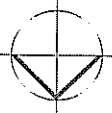


HAMILTON STREET

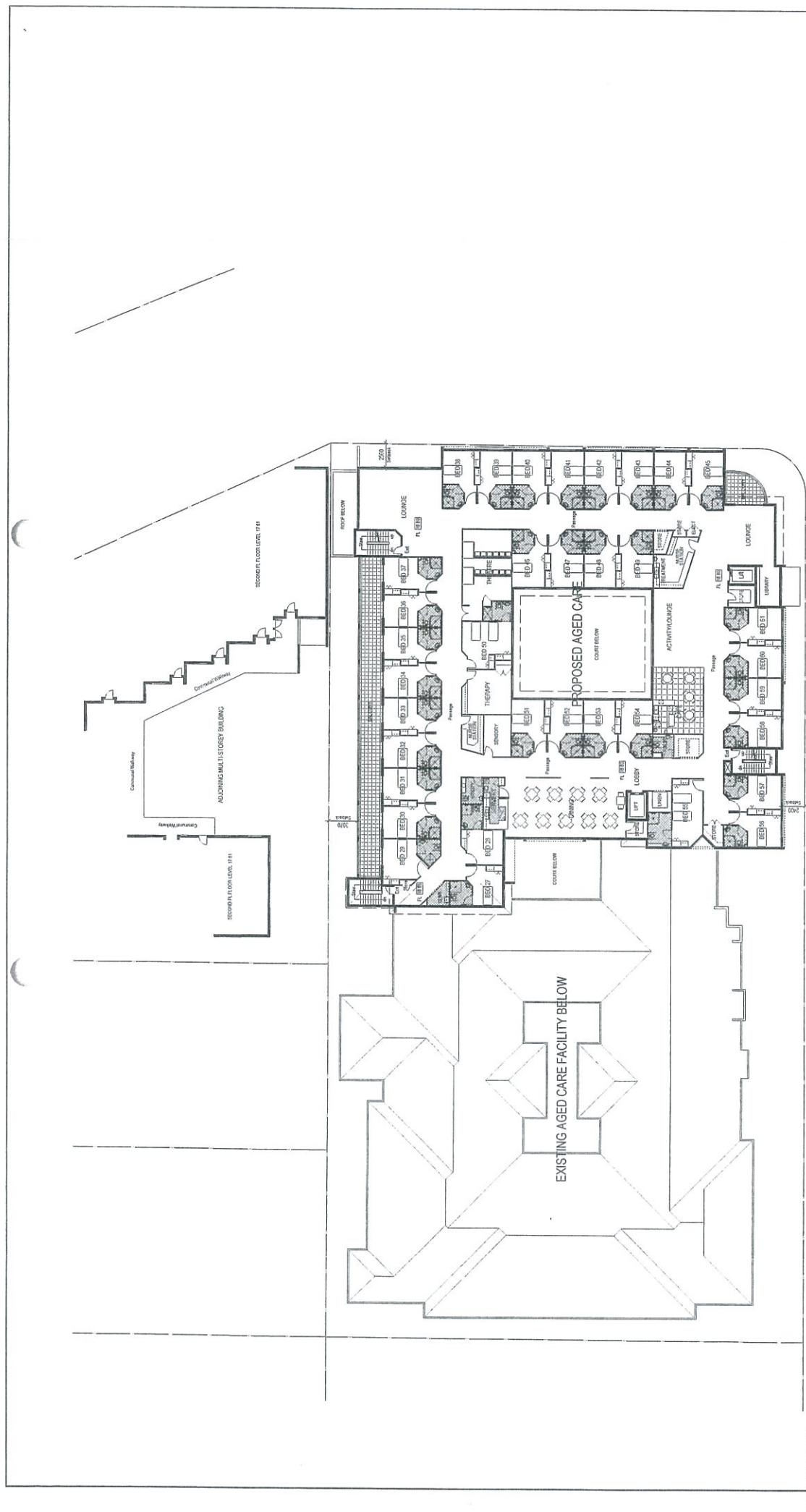
DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-May-2018

TOWN OF BASSE
24 JUL 2018
RECEIVED

UPPER GROUND FLOOR 1:200



MONTAGUE GRANT ARCHITECTS PTY LTD
 25 BRIDGE STREET, PERTH WA 6000 TELEPHONE: 9233 7233 FAX: 9232 4344 A.C.N. 009 022 819
 UPPER GROUND FLOOR
 Aged Care Group Pty Ltd
 BASSEMAN Aged Care, Alterations and Additions
 14.11
 JOB NO 14.11
 DRAWN JAGA
 SCALE 1:200
 DATE 31/01/17
 ISSUE 0
 SITE
 Contractors must verify all dimensions before commencing work or shop drawings
 DRAWINGS MUST NOT BE SCALED
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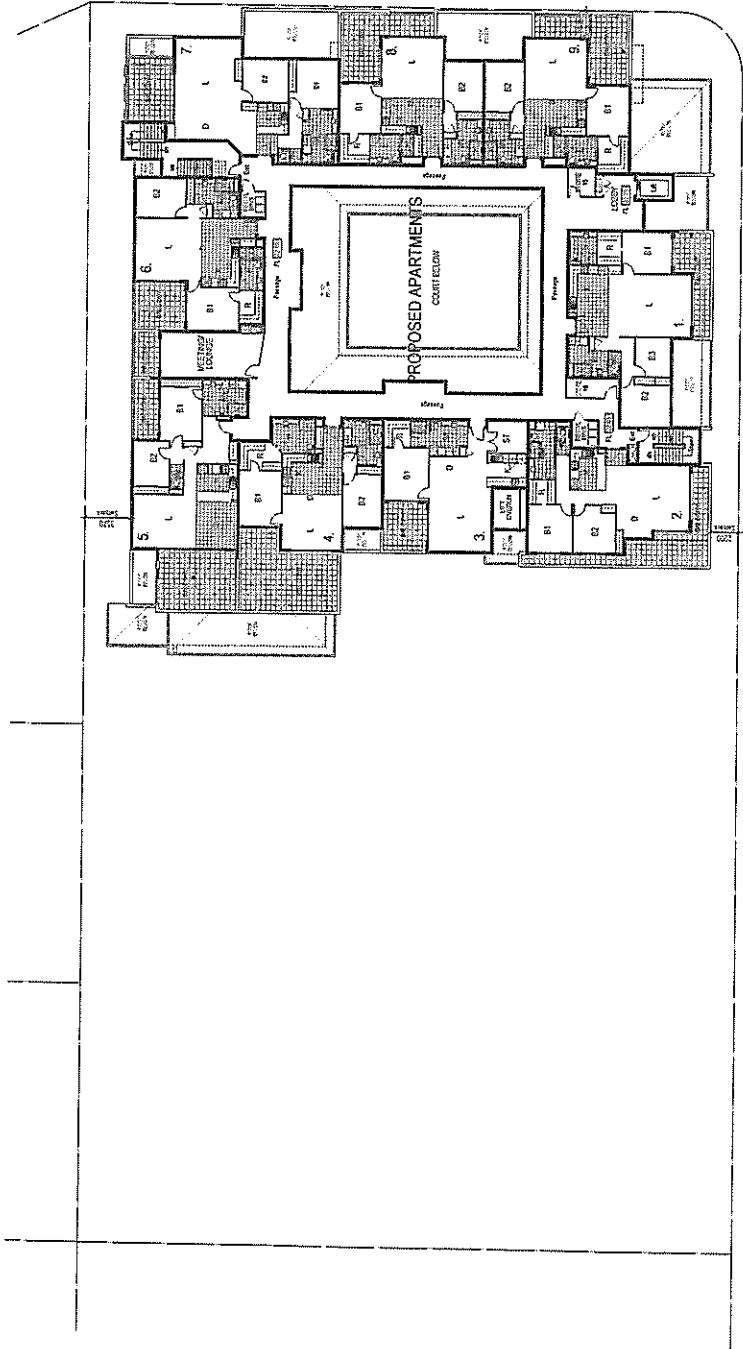


FIRST FLOOR PLAN 1:200

DEVELOPMENT ASSESSMENT PANEL APPROVED 17-May-2018

TOWN OF BASSENDEAN
24 JUL 2018
RECEIVED

MONTAGUE GRANT ARCHITECTS PTY LTD
 26 BRIGABAE ST, PERTH WA 6000 TELEPHONE: 9228 2233 FAX: 9227 6346 A.C.N. 009 072 593
FIRST FLOOR PLAN JOB NO: 14.11
 CLIENT: AGED CARE GROUP PTY LTD DRAWN: MGA
 SITE: BASSENDEAN AGED CARE, ALTERATIONS AND ADDITIONS SCALES: 1:200 DATE: 31/10/17
 TOWN OF BASSENDEAN ESSE A
 THIS DRAWING IS THE COPYRIGHT OF MONTAGUE GRANT ARCHITECTS PTY LTD EXCLUSIVELY
 Contractor must verify all Dimensions before commencing Work or Shop Drawings



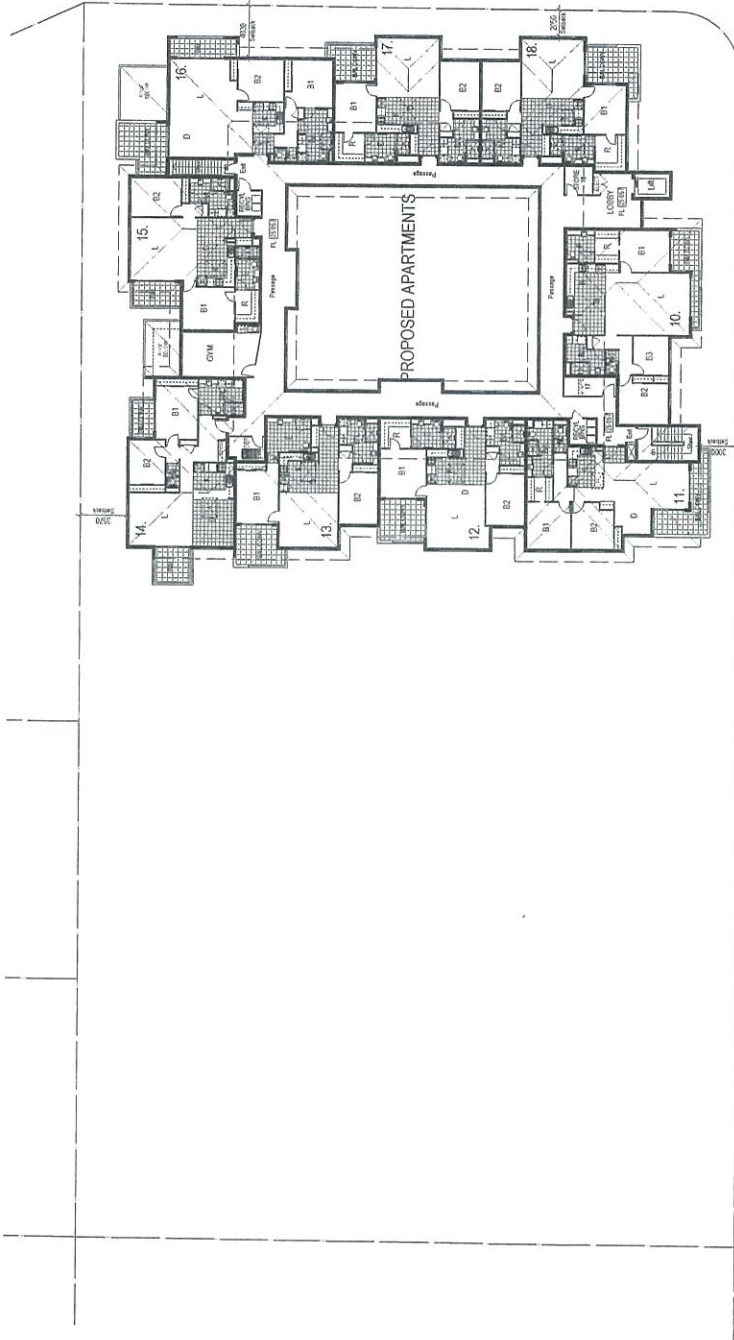
SECOND FLOOR PLAN 1:200

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-MAY-2018

TOWNSHIP OF BASSENGEAN
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 26 BRISBANE ST. PERTH WA 6000 TELEPHONE: 9228 2233 FAX: 9227 6246
 A.C.N. 099 072 873
SECOND FLOOR PLAN
 DRAWING NO: 14.11
 CLIENT: AGED CARE GROUP PTY LTD
 PROJECT: BASSENGEAN AGED CARE, ALTERATIONS AND ADDITIONS
 SITE: LOTS 24, 25, 26 & 83 OLD PERTH ROAD BASSENGEAN
 DRAWING NO: 14.11
 DATE: 31/10/17
 SCALE: 1:200
 ISSUE: A
 CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK ON THIS DRAWING
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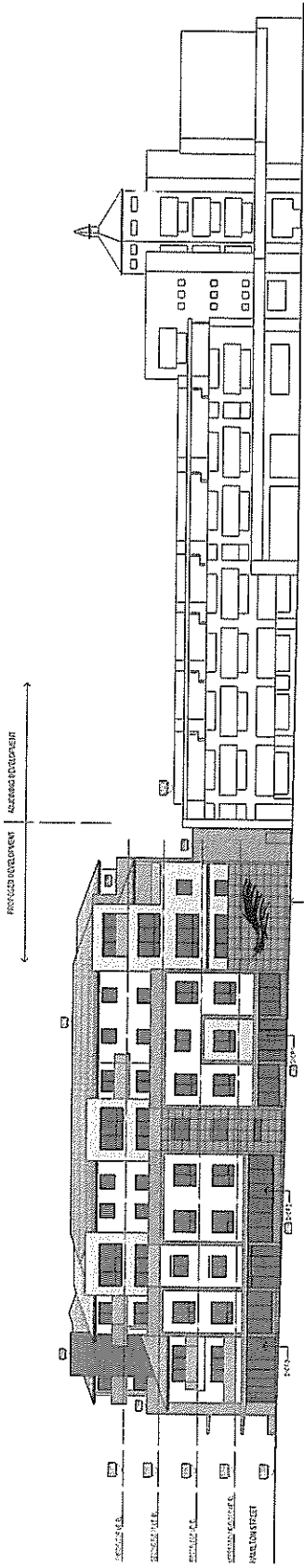
THIRD FLOOR PLAN 1:200



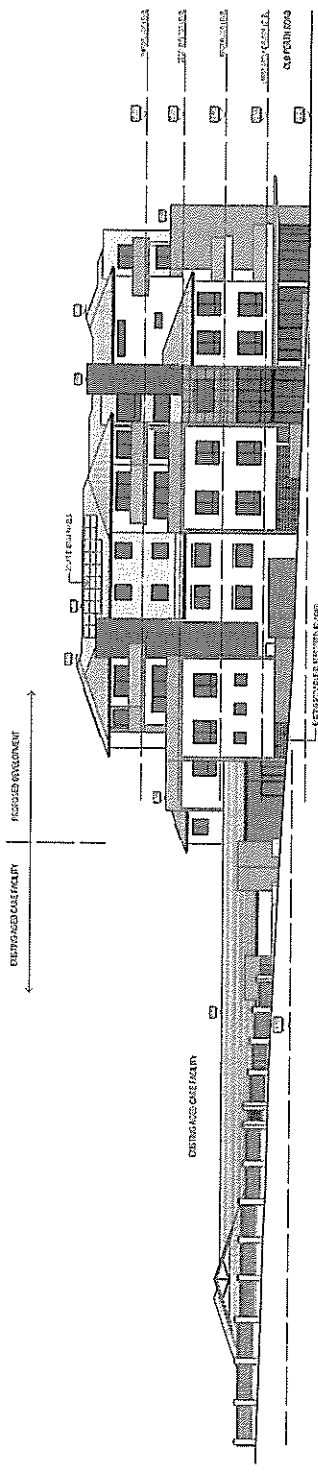
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DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-May-2018

MONTAGUE GRANT ARCHITECTS PTY LTD
 26 BEREAVE ST. PERTH WA 6000 TELEPHONE: 9328 2233 FAX: 9227 6346 A.C.N. 009 072 593
 THIRD FLOOR PLAN
 JOB NO: 14.11
 DRAWN: MGA
 CHECKED: MGA
 DATE: 31/10/17
 SCALE: 1:200
 ISSUE: A
 CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE CONSTRUCTION.
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SOUTH ELEVATION (OLD PERTH ROAD)

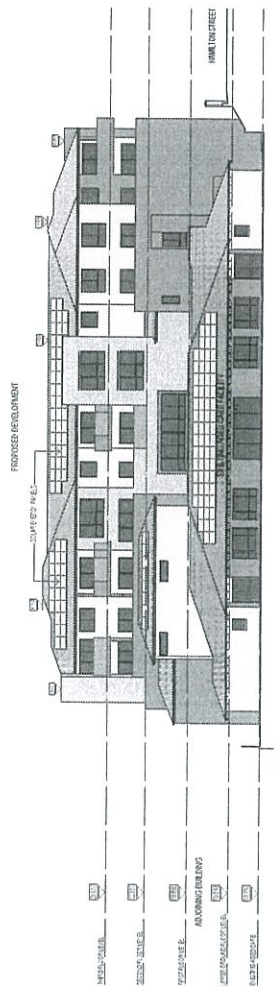


WEST ELEVATION (HAMILTON STREET)

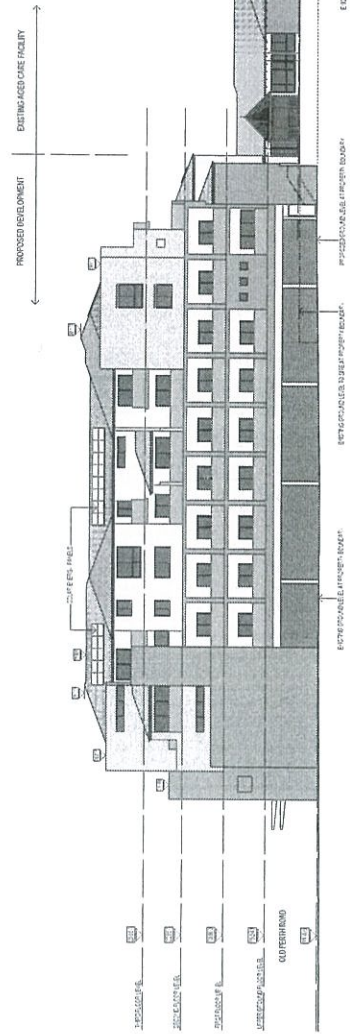
DEVELOPMENT PANEL
 APPROVED
 17-May-2018

TOWN OF BASSENDEAN
 24 JUL 2018
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MONTAGUE GRANT ARCHITECTS PTY LTD
 24 BASSENDAN ST. PERTH WA 6000 TELEPHONE: 9223 2233 FAX: 9227 6346 A.C.N. 009 072 593
ELEVATIONS JOB NO 14.11
 CLIENT AGED CARE GROUP PTY LTD DRAWN MGA DATE 31/10/17
 PROJECT BASSENDAN AGED CARE, ALTERATIONS AND ADDITIONS SCALES 1:200 ISSUE A
 SITE 1015 ST. GEORGE'S RD PERTH WA 6000 CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK ON THIS DRAWING
 TOWN OF BASSENDEAN
 DRAWINGS MUST NOT BE SCALED
 MONTAGUE GRANT ARCHITECTS PTY LTD EXCLUSIVELY



NORTH ELEVATION

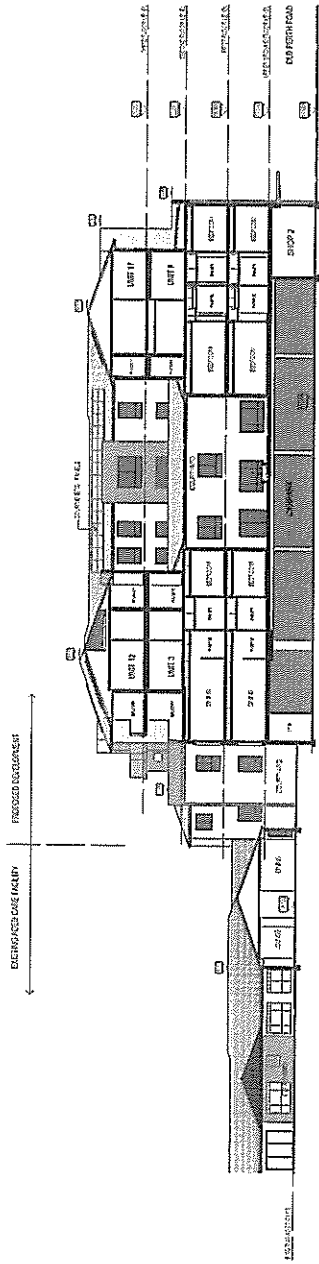


EAST ELEVATION

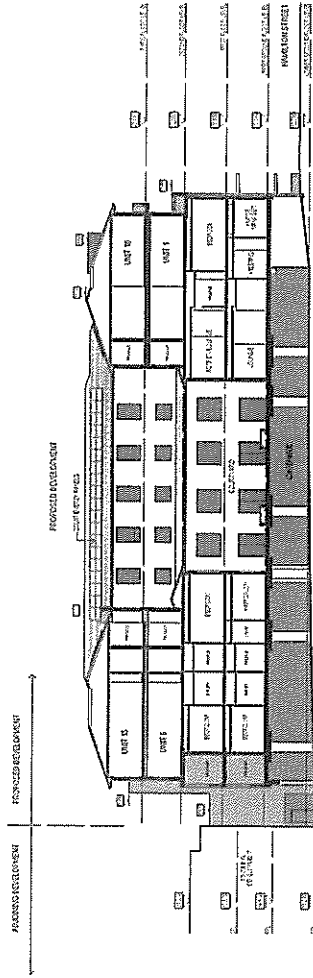
DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-May-2018

TOWN OF BASSENDEAN
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MONTAGUE GRANT ARCHITECTS PTY LTD
 26 BIRBALE ST. PERTH WA 6000 TELEPHONE 9328 2333 FAX 9227 6346
 A.C.N. 005 072 893
 JOB NO 14.11
 DRAWN MGA
 DATE 31/10/17
 ISSUE A
 SCALES 1:200
 CLIENT LEICA GROUP PTY LTD
 PROJECT BASSENDAN AGED CARE, ALTERATIONS AND ADDITIONS
 JOB 1055 ELM ST & OLD PERTH ROAD
 SITE BASSENDAN
 TOWN OF BASSENDEAN
 CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK OR SIGN DRAWING
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SECTION A



SECTION B

DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-MAY-2018

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MONTAGUE GRANT ARCHITECTS PTY LTD
 24 BEECHDALE ST, FERREYVALE 6000 TELEPHONE: 9223 2233 FAX: 9227 6346
 A.C.T. 009 072 593
 JOB NO: 14.11
 DRAWN: MGA
 DATE: 31/10/17
 SCALE: 1:200
 ISSUE: A
 CONTRACTOR MUST VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK OR SIGN DRAWING
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DEVELOPMENT
ASSESSMENT PANEL
APPROVED
17-May-2018

SHADOW PLAN 1:200

TOWN OF BASSENDEAN
24 JUL 2018
RECEIVED

HAMILTON STREET

OLD PERTH ROAD

ADJOINING MULTI-STOREY BUILDING

SHADOW OF PROPOSED ADDITIONS
PROJECTED AT 1.20 NORTH 21.5IVE

EXISTING AGED CARE FACILITY

PROPOSED ADDITIONS



MONTAGUE GRANT ARCHITECTS PTY LTD
26 BRIDGE ST, PERTH WA 6000 TELEPHONE: 9228 2233 FAX: 9227 6346
A.C.N. 009 072 593
JOB NO 14.11
DRAWN MGA
DATE 31/01/17
ISSUE A
CLIENT SEEL CARE GROUP PTY LTD
PROJECT BASSENDEAN AGED CARE, ALTERATIONS AND ADDITIONS
SITE 14 & 15 OLD PERTH ROAD
TOWN OF BASSENDEAN
CONTRACTOR must verify all dimensions before commencing Work or Shop Drawings
DRAWINGS MUST NOT BE SCALED
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13 July 2018

Our Ref: C2062-12

Chief Executive Officer
Town of Bassendean
PO Box 87
BASSENDEAN WA 6934

Attention: Planning Services

Dear Sir/Madam

**DAP FORM 2 – APPLICATION FOR AMENDMENT OF A DAP DECISION
EXTENSION TO NURSING HOME, SHOPS & 18 MULTIPLE DWELLINGS (DAP/18/01379)**

We can confirm that Peter Webb & Associates (PWA) (the Applicant) continues to act for T&T Management Services Pty Ltd, the landowner of Lot 54 (#25-27) Hamilton Street and Lot 84 & 85 (#84-85) Old Perth Road, Bassendean.

This is an Application for Amendment of a Development Assessment Panels (DAPs) Determination pursuant to Regulation 17 of the *Planning & Development (Development Assessment Panels) Regulations 2011*.

Background:

PWA was granted conditional Approval from the Metro-Central Joint Development Assessment Panel (JDAP) for the proposed development at the subject site at a JDAP Meeting held on 17 May 2018 (DAP/18/01379).

The approved development consists of an extension to an existing Nursing Home, Shops and 18 Multiple Dwellings.

A copy of the JDAP Approval is **attached** for reference.

On behalf of the owner, we now propose to amend the existing DAP Approval by deleting a Condition.

For this Application, please find **enclosed** a completed and signed DAP Form 2 and the Town of Bassendean Application for Planning Approval Form and the required (DAP + Town combined) Planning fees (\$536.00).

There is no change proposed to the approved layout of the development.

Proposed Amendment to DAP Approval:

This Application proposes to **delete Condition 34** which currently sets out the following:

34. *Prior to the issue of a Building Permit, the applicant shall pay to the Town of Bassendean the 2% contribution of the building construction costs as prescribed under LPP No. 1 - Town Centre Area Strategy and Guidelines for Bassendean. The 2% contribution is inclusive of the 1% public art contribution required in accordance with the previous condition.*

Reason for Amendment to DAP Approval:

The proposed amendment relates to Condition 34 which relates to a requirement for a contribution towards public realm improvements to be paid to the Town of Bassendean.

The Condition describes that the contribution is a 1% contribution in addition to the 1% public art contribution required under Condition 33.

A 1% contribution required under Condition 34 represents a contribution of **\$130,000**.

It is our view that Condition 34 infringes Regulation 73 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (PD Regulations) which states that “a local government must not levy a contribution for the provision of infrastructure or facilities for an area unless there is a developer contribution plan in place for the area.”

In this case, the Town of Bassendean’s Local Planning Policy No. 1 – Town Centre Area Strategy and Guidelines for Bassendean (LPP1) is **not** a developer contribution plan for the purposes of the PD Regulations and does not comply with the requirements for the preparation, or adoption, or ongoing maintenance of a developer contribution plan as required by State Planning Policy 3.6 (SPP3.6).

In particular, clause 5.3 of SPP3.6 provides that where local government is seeking development contributions beyond the standard provisions outlined in Appendix 1 of SPP3.6, they must be supported by a development contribution plan which identifies the need for such infrastructure for the relevant development contribution area.

No such development contribution plan has been prepared by the Town or incorporated into the Scheme as required by SPP3.6.

In addition to the above, it is our view that Condition 34 fails to satisfy the requirements of the common law test for validity of conditions of approval, which was recently affirmed in the Western Australian context in *Reid v Western Australian Planning Commission* [2016] WASCA 181. In this case, it provides that a condition of development approval must:

1. Have a planning purpose;
2. Reasonably and fairly relate to the development permitted; and
3. Not be manifestly unreasonable.

In the subject matter, the public realm improvement contemplated by Condition 34 is unspecified. A contribution without demonstration of nexus with the permitted development and without demonstration of cost of works is the equivalent of being a tax on development, and is legally invalid.

On this basis, it is our view that Condition 34 should be deleted from the Approval.

Should you wish to discuss any part of this Application, please do not hesitate to contact us on 9388 7111.

Yours faithfully



NIK HIDDING
Managing Director