



Form 1 - Responsible Authority Report
(Regulation 12)

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| Property Location: | Nos. 20 & 22 (1060 & 1061) Kintail Road, Applecross |
| Development Description: | 15 Storey Aged Care Development Comprising 10 High Care Units and 84 Independent Living Units and Café |
| DAP Name: | Metro Central JDAP |
| Applicant: | Norup and Wilson Projects Pty Ltd |
| Owner: | 22 Kintail Road Pty Ltd |
| Value of Development: | \$38 million |
| LG Reference: | DAP-2019-2 |
| Responsible Authority: | City of Melville |
| Authorising Officer: | Steve Cope Director Urban Planning |
| DAP File No: | DAP/19/01612 |
| Report Due Date: | 16 August 2019 |
| Application Received Date: | 17 May 2019 |
| Application Process Days: | 90 days |
| Attachment(s): | <ol style="list-style-type: none">1. Development Plans (dated 15 May, 20 June, 15 July, 19 July & 6 August 2019)2. Sustainable Design Report (dated 13 May 2019)3. Wind Comfort Report (dated 13 May 2019)4. Landscape Architecture Report5. Waste Management Plan (dated May 2019)6. Transport Impact Statement (dated 15 May 2019)6A. Technical Memorandum (dated 17 June 2019)6B. Addendum to Traffic Impact Statement (dated 18 July 2019)7. Acoustic Report (dated 19 June 2019)8. Operator Management Statement9. Place Vision Report10. Public Art Report11. Planning Control Area 117 – Canning Highway between Riseley Street and Henley Street12. Applicant Response to Objections Received13. Design Report (Norup Wilson) (dated 17 May 2019)14. Canning Bridge Activity Centre Design Review Panel Meeting Minutes (July 2019)15. Draft Local Planning Policy 1.18 |

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| | <p>16. Additional Justification from Applicants on Specific Elements of the Canning Bridge Activity Centre Plan.</p> <p>17. Grandton Applecross Market Analysis (Redacted Version) (dated May 2019)</p> |
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Officer Recommendation:

That the Metro Central JDAP resolves to:

Approve DAP Application reference DAP/19/01612 and accompanying plans in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the City of Melville Local Planning Scheme No.6, subject to the following conditions as follows:

Conditions

1. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
2. All stormwater generated on site is to be retained on site.
3. Prior to the commencement of development, Lots 1060 & 1061 Kintail Road Applecross, shall be amalgamated and new certificate of title obtained for the amalgamated lots.
4. Prior to the initial occupation of the development, all vehicle and bicycle parking bays, manoeuvring areas and points of ingress and egress shall be provided in accordance with the approved plans, to the satisfaction of the City and shall be retained for the life of the development.
5. Prior to the initial occupation of the development, all unused crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.
6. The development shall be serviced by concrete vehicle crossovers with a maximum width in accordance with the approved plans. The crossovers are to be constructed prior to the initial occupation of the development in accordance with the City's specifications, to the satisfaction of the City.
7. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s) or other buildings to the satisfaction of the City.
8. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted and approved in writing, by the City. The development shall thereafter be constructed in accordance with those approved details.

9. In accordance with City of Melville Local Planning Policy *LPP 2.1 - Non-Residential Development*, the removal of, or permanent covering of shopfront windows and openings and the use of reflective or heavily tinted glazing at ground floor level is not permitted.
10. Prior to the commencement of development, a detailed landscaping and reticulation plan for the subject site and road verges adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include details of (but not limited to):
 - (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
 - (b) Any lawns to be established;
 - (c) Any existing vegetation and/or landscaped areas to be retained; and
 - (d) Any verge treatments.

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter for the life of the development, to the satisfaction of the City. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the City's requirements.

11. The development is to be constructed and operated in accordance with the Waste Management Plan dated May 2019 and Local Planning Policy *LPP1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments*, to the satisfaction of the City.
12. Prior to the commencement of development, an amended Acoustic Report shall be submitted to the City for approval to demonstrate that noise associated with the development will comply with the 'Assigned Noise Levels' contained in the Environmental Protection (Noise) Regulations 1997 when the noise is received at any neighbouring residential premises. The development shall operate in accordance with the recommendations set out in the approved Acoustic Report to the satisfaction of the City.
13. Prior to the commencement of development and in accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals* and Element 17 of the Canning Bridge Activity Centre Plan, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. Alternatively, the public art contribution may be satisfied by a cash-in-lieu payment at the same rate, made prior to the commencement of works.
14. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the City and are to be removed prior to initial occupation of the development.

15. A Construction Management Plan is to be prepared by the Applicant and submitted to the City for approval at least 30 days prior to the commencement of development. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
- public safety and site security;
 - hours of operation;
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;
 - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
 - the parking arrangements for contractors and sub-contractors;
 - on-site delivery times and access arrangements;
 - the storage of materials and equipment on site (no storage of materials on the verge will be permitted); and
 - any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.

16. Lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting to be hooded and oriented so that the light source is not directly visible to the travelling public or abutting development.
17. Unless otherwise approved in writing by the City, all street tree/s shall be protected throughout construction via the installation of a Tree Protection Zone (TPZ). Each TPZ shall be installed prior to commencement of development, in accordance with the following criteria to the satisfaction of the City:
- A free-standing mesh fence erected around each street tree with a minimum height of 1.8m and a 2m minimum radius measured from the outside of the trunk of each tree.
 - If an approved crossover, front fence, footpath, road or similar is located within the 2m radius, the TPZ fencing shall be amended to be the minimum distance necessary to allow the works to be completed.
 - Fixed signs are to be provided on all visible sides of the TPZ fencing clearly stating 'Tree Protection Zone – No Entry'.
 - The following actions shall not be undertaken within any TPZ:
 - Storage of materials, equipment fuel, oil dumps or chemicals
 - Servicing and refuelling of equipment and vehicles
 - Attachment of any device to any tree (including signage, temporary service wires, nails, screws, winches or any other fixing device)
 - Open-cut trenching or excavation works (whether or not for laying of services)
 - Changes to the natural ground level of the verge
 - Location of any temporary buildings including portable toilets
 - The unauthorised entry by any person, vehicle or machinery
 - No unauthorised pruning of the canopy or roots of any Street Tree is permissible under the City of Melville's Street Tree Policy CP-029. Pruning may only be undertaken by the City's

approved contractors following a written submission to and approval by the City.

18. Prior to the commencement of development, detailed plans shall be submitted to and approved in writing by the City demonstrating the proposed car parking bays within the basement and the width and grades of the access ramp to the basement car park are designed in accordance to AS/NZS 2890.1:2004.
19. Prior to the commencement of development, a Management Plan for the control of deliveries to and from the site shall be submitted to and approved in writing by the City. The Management Plan shall be prepared to ensure that all service vehicles entering and exiting the site do so in forward motion. The development shall operate in accordance with the approved Management Plan for the lifetime of the development to the satisfaction of the City.
20. Prior to the commencement of the development, detailed drawings shall be provided to and approved by the City, in relation to the proposed streetscape improvements, including street furniture and landscaping.
21. Where a driveway meets the street, walls or fencing within sight line areas are to meet the requirements contained under clause 5 of Local Planning Policy *LPP3.1 Residential Development*, to the satisfaction of the City.
22. Prior to the occupation of development, a signage strategy shall be submitted to and approved in writing by the City. The strategy shall demonstrate how the future signage requirements for all uses are to be accommodated. Once approved, the signage strategy will inform the future assessment of applications for signage on the development.
23. Prior to the commencement of development, a way-finding strategy shall be submitted to and approved in writing by the City. The way-finding strategy shall include details regarding the location of public facilities on-site such as the universal toilets provided on the ground floor. The approved strategy shall be implemented prior to initial occupation and retained thereafter in perpetuity to the satisfaction of the City..
24. Prior to commencement of development, a Management Plan regarding the operation and maintenance of the publicly accessible toilets located on the ground floor shall be submitted to and approved in writing by the City. The recommendations outlined within the approved Management Plan shall be implemented to the satisfaction of the City.
25. Prior to the occupation of development, the land affected by Planning Control Area 117 shall be ceded free of cost to the State of Western Australia for the purpose of upgrading Kintail Road.
26. Subject to the other conditions of this approval, the community benefit items described by Advice Note (1), and as shown on the plans hereby approved must be provided and maintained throughout the life of the development by the owner (from time to time) of the land at Lots 1060 and 1061 (Nos. 20 & 22) Kintail Road, Applecross. The obligation on the owner to maintain the community benefits will continue notwithstanding the Land may be subsequently subject to a strata title or other form of subdivision.

27. In order to secure the provision and ongoing maintenance of the community benefits, the owner of the Land must enter into a deed with the City of Melville (City). The deed:
- (a) must be signed by the owner before any use authorised by this approval is commenced;
 - (b) is to be prepared by the City's solicitors on the City's instructions at the owner's cost;
 - (c) shall make provision for the matters described in the following conditions; and
 - (d) shall include other provisions necessary or convenient for the purpose of ensuring the community benefits are provided and maintained.
28. The deed required by the preceding condition shall include provisions which address:
- (a) the provision of the landscape and seating treatments within the verge, public showers and toilets, and bicycle bays prior to the occupation of the development, and for those community benefits to thereafter be maintained to a standard satisfactory to the City by the owner (and future owners) for the life of the development. This may include (without limitation) things such as the provision of lighting, signage, painting and/or marking out as the case may be and, if required by the City, the requirement for the owner to obtain and maintain adequate public liability insurance and to indemnify the City against any claim connected with the use of these areas;
 - (b) the obligation for the owner, in the event the Land is the subject of a strata / survey strata subdivision, to ensure that the strata company adopts a bylaw by way of a management statement under section 5C of the Strata Titles Act, which provides for the strata company to be responsible for the ongoing maintenance of the community benefits, and for the public to be able to access and use any of the community benefits which are located on common property; and
 - (c) the need for the management statement required by the preceding paragraph to be expressed to require the consent of the City to any amendment or repeal of the management statement, pursuant to section 42(2d) of the Strata Titles Act.
33. In addition to the provisions in the preceding conditions, the deed between the owner and the City shall include provisions addressing the following matters relating to the provision and maintenance of the community benefit spaces as described in Advice Note (1) of this approval, and as outlined in the approved plans:
- (a) the community facilities areas may only be used for the purposes described in the development application, or for another purpose approved by the City which (in its absolute discretion) provides a similar and adequate community benefit;
 - (b) in the event the Land is the subject of a strata / survey strata subdivision that creates separate lots for the community facilities areas, a notification pursuant to section 70A of the Transfer of Land Act shall be registered against the certificate/s of title which describes the limitation on the use of those lots in terms satisfactory to the City;
 - (c) the requirement for the owner to use best endeavours to ensure that the community benefit spaces detailed by Advice Note 1 are always used during business hours for a community purpose approved by the City, and not left vacant or inoperative;

(d) the management statement required by the preceding condition is to include provisions acceptable to the City with respect to the limitation on the use of the community facilities areas.

34. A 5 Star Green Star - Design & As Built certified rating (demonstrating 'Australian Excellence') must be achieved from the Green Building Council of Australia (GBCA) Prior to the commencement of development a Green Star Registration Certificate must be submitted to the City to confirm the intention to achieve an As Built rating. This should be supported by a project plan or similar confirmation document. Within 24 months of practical completion, As Built certification must be achieved, as per the Green Star – Design & As Built requirements, and evidence of this provided and approved in writing by the City.

Advice Notes

1. With respect to the Community Benefits related conditions listed above, the community benefits to be provided are as follows:
 - **Design comprising high quality active street frontages.** This space provided to the front of the development includes the provision of 140m² building forecourt lounge, cafe, landscaping, street furniture and public art all of which contribute to the improvement of the character of the centre;
 - **Provision of public facilities** including 1 male toilet, 1 female toilet, 1 universal toilet with a shower and adult changing place and 16 secure bicycle bays.
 - **Provision of communal facilities** on Level 2 for residents of the building including cinema, gym, yoga studio and communal activity and outdoor areas for use by occupants of the building.
 - **An Aged Care Facility** comprising 10 High Care Units and 84 Independent Living Units; and
 - **150m² of Planning Control Area 117 land to be ceded** free of charge to the State of Western Australia.

Environmental Health Services Advice Notes

2. The *Environmental Protection (Noise) Regulations 1997* must be complied with at all times. These regulations stipulate allowable noise levels which if breached constitute unreasonable noise for the purposes of the *Environmental Protection Act 1986*. These regulations can be obtained from www.slp.wa.gov.au.
3. This development constitutes an "Aquatic Facility" as per Regulation 5 of the *Health (Aquatic Facilities) Regulations 2007* and therefore shall comply with the provisions of the Department of Health "Code of practice for the design, construction, operation, management and maintenance of aquatic facilities".
4. This development constitutes a "Food Business" as per Section 107 of the *Food Act 2008* and therefore is to comply with the provisions of the *Food Regulations 2009* and the Food Safety Standards. For further information please contact the City's Health Services.

Details: outline of development application

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| Insert Zoning | MRS: | Urban |
| | TPS: | District Centre – Canning Bridge Activity Centre |

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| Insert Use Class: | Aged Care Dwellings |
| Insert Strategy Policy: | Canning Bridge Activity Centre Plan |
| Insert Development Scheme: | Local Planning Scheme No.6 |
| Insert Lot Size: | 2021m ² Lot 1061 – 1010m ² Lot 1060 – 1011m ² |
| Insert Existing Land Use: | Residential |

Background:

Planning approval is sought for a 15 storey seniors living (over 65's) aged care development comprising 10 high care units and 84 independent living units. The proposed aged care facility will be operated by Grandton Limited. The Grandton model for aged care is visioned on ensuring that partners stay together, for family members to visit and for residents to continue to engage with their friends and the community the way they choose. The 84 independent living units are designed to provide flexible and adaptable residential units which respond to the changing care needs of owners. The 10 specialist bedroom units will provide high end care for those who are no longer able to live independently.

One commercial tenancy (Café) is proposed to be located on the ground floor. The café is a preferred land use as listed by Element 1 of the Canning Bridge Activity Centre Plan (CBACP). This space has been designed to ensure that it can adapt to a range of uses overtime if necessary.

In accordance with the CBACP, the development incorporates main street design principles including some building elements directly abutting the street. The forecourt area to the building is designed to be an active and interesting frontage to the development, and will include a double height space with public art, landscaping, street furniture and an awning which covers the shared footpath area.

Vehicle access is proposed to the east side of the lot, whilst the egress position for vehicular traffic is proposed to the west side. Car parking is provided within the basement level and Level 1 of the podium for residents while 10 staff and visitor car parking bays are provided on the ground floor, screened from view of the street. The street landscaping plan is consistent with the Canning Bridge Streetscape Master Plan and has been designed to accommodate future road widening.

The development is considered to be consistent with the objectives, goals, guidelines and vision statement contained in the CBACP. The development proposes an exemplary design, high levels of sustainability and proposes a high level of community benefit. By incorporating these features into the design, the building is considered worthy of support having regard to the relevant development controls contained in Elements 1-22 of the CBACP and as such is recommended for approval.

Site Context

The subject application site comprises two lots with a total land parcel of 2021m². The application site has a single street frontage to Kintail Road. The site is located within the M10 Mixed Use zone and is within the Kintail Quarter of the CBACP.

The subject site is well serviced by public transport being within 250m of high-frequency bus routes. The application site is located approximately 600m away from

the Canning Bridge train and bus transfer station. Kintail Road is designated as a future Public Transport Boulevard under the CBACP which will result in more frequent public transport service to the site in the future. In addition to good transport links, the subject site has high levels of amenity, as a result of its location close to the Swan and Canning Rivers.

The application site currently houses residential uses in the form of two separate two-storey dwellings.

The application site slopes down from the south-west to the north-east corner of the site, with an overall fall of approximately 2m.

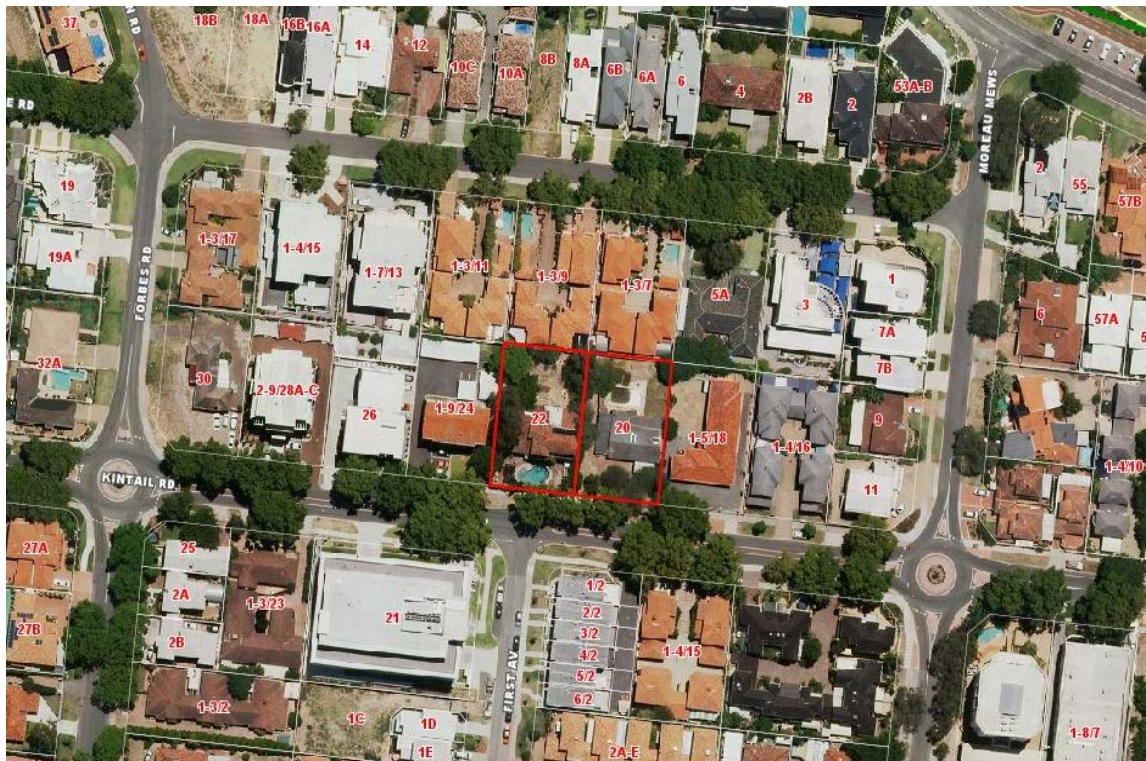


Figure 1: Aerial Map of Subject Site

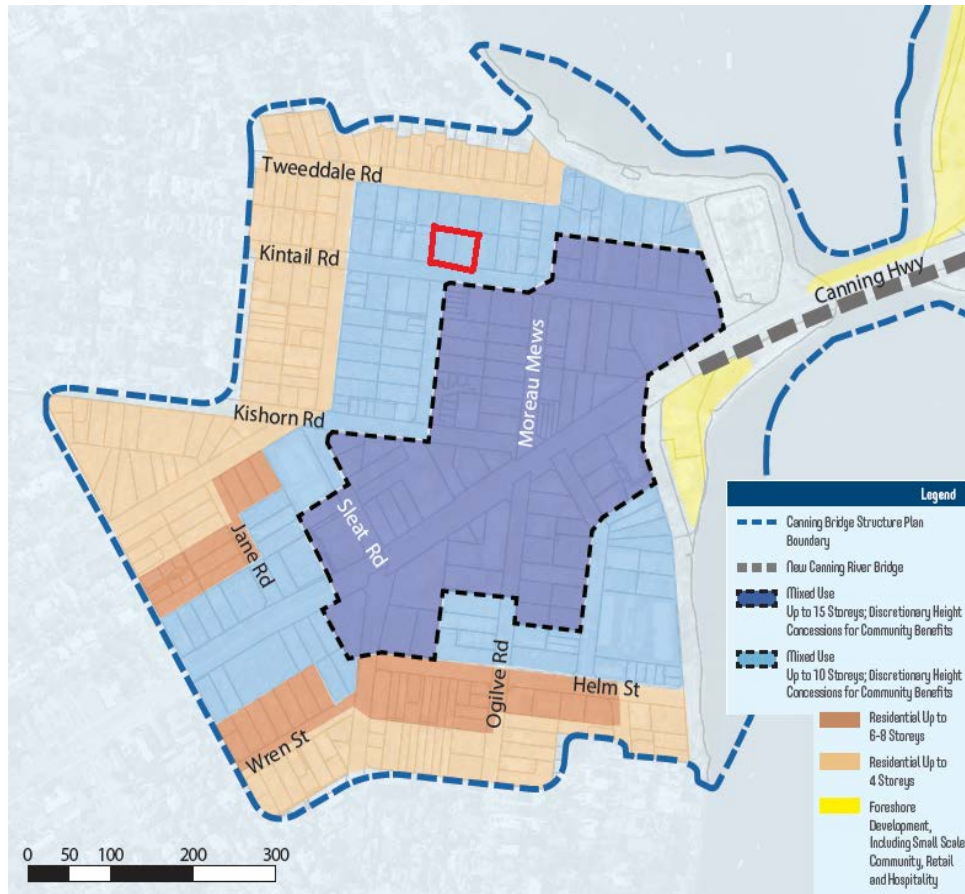


Figure 2: Extract of CBACP shows the application site (marked in red) being located within the M10 mixed-use zone

Legislation & policy:

Legislation

- Planning and Development Act 2005
- City of Melville Local Planning Scheme No. 6 (LPS6)
- Canning Bridge Activity Centre Plan

State Government Policies

- SPP3: Urban Growth and Development
- SPP4.2: Activity Centres for Perth and Peel

Local Policies

- CP-029: Street Tree Policy
- LPP1.1: Planning Process and Decision Making
- LPP1.3: Waste and Recyclables Collection for Multiple Dwellings, Mixed Use and Non-Residential Developments.
- LPP1.4: Provisions of Public Art in Development Proposals
- LPP1.6: Car parking and Access
- LPP1.8: Crime Prevention Through Environmental Design of Buildings Policy
- LPP1.10: Amenity

- LPP2.1: Non Residential Development

State Planning Policy 4.2 - Activity Centres for Perth and Peel

Under the provisions of State Planning Policy 4.2 (SPP4.2), Canning Bridge is classed as a District Centre. District Centres should develop into areas of diversity and intense activity, with a wide range of land uses including retail, commercial, entertainment and higher density development, in order to provide local employment opportunities, create a more compact and dense urban form and reduce travel demand.

City of Melville Local Planning Scheme No 6

Under the provisions of Local Planning Scheme No. 6 (LPS6), the site is within a Centre Zone C2. This is consistent with the status of Canning Bridge as a District Centre in SPP 4.2. Development controls for the Centre C2 zone are contained within the CBACP.

Canning Bridge Activity Centre Plan

The CBACP was jointly prepared by the City of Melville and the City of South Perth in conjunction with State Government transport and planning agencies. The CBACP was adopted by the WAPC in April 2016.

Under the provisions of the CBACP, the application site is located within the M10 zone of the Kintail Quarter. This is the central core of the plan area, where as of right building height of 10 storeys applies, and where consideration of additional building height may be approved where the relevant Desired Outcomes of all Elements are met or exceeded and subject to the delivery of exemplary design and significant community benefit, as required by the criteria outlined in Elements 21 and 22.

Planning Control Area 117

As outlined in Figure 3 below, a portion of the site is within Planning Control Area 117 (PCA 117) – Canning Highway between Riseley Street and Henley Street (Attachment 7). As part of this application, no development is proposed within PCA 117; therefore, no determination from the Western Australian Planning Commission (WAPC) is required.

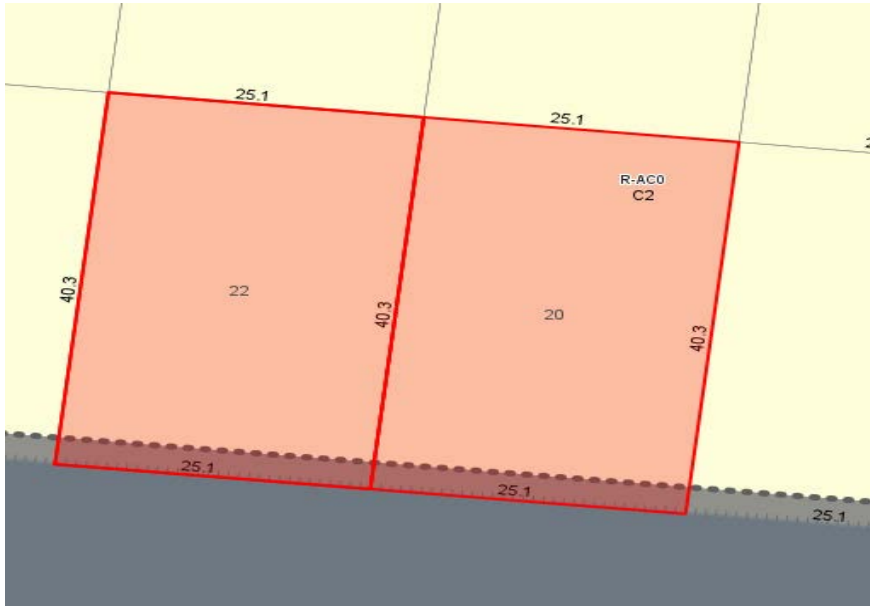


Figure 3 Portion of the subject site (marked in Red) within Planning Control Area 117 – Canning Highway between Riseley Street and Henley Street (marked in Grey)

Consultation:

Public Consultation

Formal consultation was undertaken in accordance with the provisions of Local Planning Policy *LPP1.1 - Planning Process and Decision Making*. The formal consultation process included the following measures:

- Letters issued to owners and occupiers of lots directly adjacent to the subject site as well as lots that fall within the shadow that would be cast by the proposed development;
- One sign located on the street frontage of Kintail Road of the subject site; and
- Plans for the proposal and all relevant information uploaded to the City’s website.

In response to the formal consultation, 20 submissions were received, all opposing the development. The concerns raised in the submissions are summarised as follows:

Summary of Submissions

| Nature of Concern | Officer Comment |
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| Lot size below the minimum of 2000m ² | The minimum lot size is met. The subject site is 2021m ² . An area of land located within PCA 117 (150m ²) is proposed to be ceded to the State. The actual area of land for ceding is included within the total lot area calculation for the purposes of this assessment. |
| Not an exemplary design | It is noted that the design review process concluded on 26 July 2019, and the proposed development is cited as being |

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| | of Exemplary Design (See Attachment 14). |
| Density 50% more than what is allowed | There are no specific density targets applicable within the CBACP. |
| Building height above M10 requirements | There are no maximum building heights in the M10 area of the CBACP subject to assessment against the relevant Desired Outcomes of all Elements (Elements 1 – 20) and provided the requirements of Elements 21 and 22 of the CBACP are met. Refer to Officer Comments section below. |
| The community benefits to height bonus not sufficient | Assessment is required against Element 22 of the CBACP in relation to the additional height sought based on community considerations. Refer to Officer Comment's section below. |
| Increase in traffic along Kintail Road and within CBACP | A Traffic Impact Statement (TIS) has been submitted in support of the development. The TIS has been reviewed by officers from the City's Technical Services team. In traffic terms, no objections are raised in principle to the development taking place in accordance with the plans as proposed. Kintail Road would be functioning at a desired level of service at the operation stage of the development. |
| Podium is dominant, not compliant and will impact adjoining properties | The podium is compliant with relevant requirements and desired outcomes of the CBACP. Refer to Officer Comment's section below. |
| Insufficient infrastructure to cater for over height developments in CBACP area | As part of the preparation of the CBACP, a sustainable infrastructure study was completed whereby required infrastructure upgrades were identified. These upgrades will take place when deemed necessary by the relevant agencies. |
| Overshadowing impacts | The Applicant has suitably demonstrated that consideration of solar access for adjoining properties has been applied in the design of the proposal. Refer to Officer Comments section below in relation to Element 21.4.1 of the CBACP. |

Special Council Meeting

The RAR will be presented to Council for its consideration at the 20 August 2019, Ordinary Council Meeting. The minutes from this meeting and any resolution of Council reached will be provided to the JDAP as a late attachment.

Consultation with other Agencies or Consultants

Canning Bridge Design Review Panel

The Canning Bridge Design Review Panel (DRP) was established by the Cities of Melville and South Perth in conjunction with the Office of the Government Architect in accordance with the requirements of the CBACP and to ensure development within the CBACP is of high quality. The DRP has been operating since mid-2016 and comprises a panel of professionally qualified and experienced architects, urban designers, and landscape architects. All major development proposals within the CBACP area are presented to the DRP for their design consideration and input. The

input of the DRP is particularly important in the case of planning applications for development for which additional building height is sought in accordance with Elements 21 and 22 of the CBACP. In these cases, the CBACP requires that the design of such a development is considered to be "exemplary" in the opinion of the DRP.

In the subject case, the applicant commenced pre-application discussions with the City of Melville in March 2019. The details of the proposed development were referred to the DRP at the pre-application stage on two occasions April and May 2019, and subsequently on two further occasions, June and July 2019 during the formal consideration of the development post lodgement.

The Design Review process has resulted in changes and refinements in response to the comments raised by the DRP as the planning assessment and design review process has moved forward. The applicant has responded positively to the design feedback provided by the panel on each occasion. The outcome of the process followed is a development proposal where the DRP panel at the July 2019 meeting were unanimous in confirming that the design is "exemplary" in accordance with the requirements of Element 21 of the Structure Plan, subject to a condition that the podium glazing and corner returns be addressed through amended plans and details (as outlined in Attachment 14).

After the July 2019 DRP meeting, the applicants provided amended plans and details which were referred to the DRP chair to confirm whether the condition imposed could now be removed and the proposal be granted exemplary design. The revised drawings demonstrated some depth in the façade treatment returning along the side elevations as requested along with the addition of vertical blades aligned with glazing mullions in the podium windows that offers a sense of depth and detail to the podium façade. As a result, the DRP chair was comfortable to discharge the condition articulated in the July 2019 DRP meeting minutes (Attachment 14) and confirm that the design is exemplary.

Further commentary in relation to the design quality of the proposed development and the role of the DRP is provided elsewhere in this RAR.

Internal Community Benefit Assessment Process

In considering whether the community benefits proposed by development meet the requirements of Element 22 of the CBACP, the City arranges for collaborative assessment by officers from across the administration. The officers in question met on two occasions to discuss the subject DA. A number of recommendations were made after the initial meeting, specifically to require the following:

- The provision of a bicycle storage/parking space/bay for each of the 84 independent living dwellings;
- Proposed ground floor café to introduce an opening from near the footpath, so that the entrance into the café is not just from the main entry (auto sliders) to the building; and
- Publicly accessible toilets to be re-designed so are accessible to the public.

In response, the applicant agreed to:

- Provide a bicycle storage/parking space for each of the 84 independent living dwellings;

- Provide two bi-fold entry doors adjoining the footpath of the Café; and
- Provide a male and female toilet with a shower in each.

At the second meeting further refinements were identified to require: .

- Amendment to the café entry doors (Element 22.1.1) to ensure activation of the street frontage;
- That the two public toilets on the ground floor (Element 22.1.3) to be of universal design, providing a shower in one of the facilities and an adult changing place in the other; and

The applicant has now provided amended development plans to address the matters outlined (See Attachment 1).

In summary five community benefits will be provided in accordance with Element 22 of the CBACP, , and the aged care component of the proposal is considered to be a very significant element. These community benefits are considered to meet the proportionality test required by Element 22, and the development is recommended for approval on that basis.

Planning assessment:

The development controls for this site are contained within the CBACP.

In view of the bonus height sought, assessment is required against the relevant Desired Outcomes of all Elements of the CBACP. This assessment is detailed in the Officer Comments section below.

The proposal has been assessed against, and is considered to satisfy the relevant provisions contained within Elements 1-20 of the CBACP with the exception of the following elements:

| Element | Deemed to Comply | Proposed | Officer Comment |
|-------------------------------------|--|--|--------------------------------|
| Element 18. Car Parking | A minimum of 89 resident car bays are required with a maximum of 130 car bays. Minimum 2, Maximum 4 non-residential car bays Total car parking bays required: Minimum 91 Maximum 134 | Total of 85 resident bays provided. Total of 10 Staff and Visitor car parking bays. Total car parking bays provided 95 | See planning assessment below. |
| Element 19. Servicing (Residential) | 19.5 – All residential developments | No individual lockable storage areas are proposed for each of | See planning assessment below. |

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| | shall comprise an enclosed, lockable storage area, with a minimum dimension of 1.5m with an internal area of at least 4m ² , for each grouped or multiple dwelling(s). | the dwellings. | |
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Officer Comments

Car Parking

Clause 18 of the CBACP details the minimum and maximum parking provision for residential and non-residential uses. The proposed land use is considered to be residential as it provides a permanent home for the residents of the building.

The proposed aged care development comprises 10 high care single bedroom dwellings, 12 seniors living single bedroom dwellings and 72 seniors living two and three bedroom dwellings. The proposed 94 dwellings (10 high care and 84 seniors living dwellings) have been allocated 85 residential car parking bays on-site which are located within Basement Level 1 and Level 1 of the podium.

Given the diversity in dwelling bedroom types proposed, the development requires a minimum of 89 residential car parking bays, with a maximum of 130. As a shortfall of 4 car parking bays is proposed, an assessment against the Desired Outcomes of Element 18 of the CBACP is required. The number of residential car parking bays provided in this case is considered to be appropriate in the context of Element 18 as:

- In an aged care development the levels of car ownership and car usage would be expected to be less than would be the case in a traditional multi residential development. The development proposal in question includes 10 high care single bed units, the occupiers of which will have no personal car parking requirements. In addition, the 84 independent living units will be occupied by persons in a target age demographic of 75 and over, a demographic that typically has diminishing need for car ownership over time. The target demographic is 75 and over.;
- The subject site is located in close proximity to public transport services. These include a bus stop (high-frequency route) along Canning Highway and the Canning Bridge train and bus transfer station which is within 600m;
- The subject site is well connected to pedestrian footpaths and provides safe access to and from the site for pedestrians and cyclists which will provide an alternative mode of transport to motor vehicles for residents, visitors and staff, and
- The development requires a minimum of 2 car parking bays, a maximum of 4 car parking bays for the proposed non-residential component (Café) as required by Clause 18.4 of the CBACP. There is no specific need to provide visitor bays or staff parking for the aged care facility however the additional 6

bays will provide more flexibility for staff use, whilst the overall number of car parking bays is below the maximum allowed but considered acceptable as described above.

Servicing (Residential)

Clause 19.5 of the CBACP requires the provision of an enclosed, lockable storage area, with a minimum dimension of 1.5m with an internal area of at least 4m², for each grouped or multiple dwelling(s). The development does not provide individual enclosed, lockable storage areas for the proposed 94 dwellings. The development and nature of storage space provided are nevertheless considered acceptable against the Desired Outcomes of Element 19 because:

- The standard residential storage requirements are not as readily applicable to this aged care scenario. This development is designed to meet the specific and more exacting standards of a Cat9 building, with spacious apartment layouts, incorporating functional internal storage space within. ,
- A consolidated managed storage space (19m²) within the basement for residents is provided. This will ensure goods can be stored safely and that Grandton (the operators of the building) can ensure the efficiency of servicing should residents request assistance from Grandton's concierge service for the managing of goods to and from storage areas, for example, storage and retrieval of golf clubs, suitcases etc.; and
- 18 individual bike storage cages for residents are provided within the basement level which offers an additional storage option for a number of residents.

Building Height

The development is proposed at 15 storeys in height, plus a roof terrace. The roof terrace incorporates an unroofed communal garden, a covered roof deck, a unisex toilet, store areas, plant room, the stair well and the lift shaft. The roof terrace structures are less than 3.0 metres in height, are well setback from the front and rear boundaries and provide a high level of amenity for residents of the building. The lift shaft protrudes above the roof terrace by a further 3.8 metres. The lift shaft itself, which does not constitute a storey for the purpose of the CBACP, is centrally located within the development site and its visual impact is mitigated accordingly.

As a 15 storey building is proposed within the M10 area of the CBACP, the development proposal requires assessment under the bonus height provisions of Elements 21 and 22 of the CBACP. In order to be considered for bonus height, proposals must demonstrate that the Desired Outcomes of all Elements of the CBACP are met or exceeded. The CBACP states in the preamble to Elements 21 and 22 (Bonus Provisions) that:

“For properties within the M15 or M10 Zone consideration of greater height than permitted in Element 3 may be approved where the relevant Desired Outcomes of all Elements are met or exceeded and where exemplary design is proposed in the opinion of the Design Advisory Group and where the development includes the provision of a significant benefit to the community”..... .and

“Applicants shall respond to the requirements of Element 21 and Element 22 to be eligible for bonus provisions.”

The Desired Outcomes of Element 3 ‘Heights’ states:

“To ensure that building heights are consistent with the desired scale and built form of the centre and to ensure that the interface between Zones is appropriately managed and the amenity of property both within and adjacent to the CBACP is adequately considered”

“Applicants are encouraged to provide variation in scale, bulk and form along the streetscape.....”

“Where an applicant proposes heights greater than those identified in these requirements the applicant may choose to have the development assessed against the requirements of Elements 21 and 22.....”

With respect to the Desired Outcomes, it is noted that the interface between the subject site and its neighbours, is managed via the exemplary design of the building. The proposed building is setback appropriately to ensure that it relates well to the lot on which it is located, and to neighbouring properties. The proposed podium responds well to the streetscape and sleeves the car parking through the use of inhabited and occupied spaces that result in activating the street and providing passive surveillance. The proposed building is positioned to minimise overshadowing to adjoining properties, and the applicant has demonstrated that the impacts are minimised. The development will be landscaped to a sufficient standard, through the generous provision of deep soil planters at the podium and roof terrace levels, and at ground level within the verge including street tree retention and planting areas.

This report has previously outlined how the development as proposed satisfies Elements 1 to 20 of the CBACP. This is a prerequisite for consideration of bonus height under Elements 21 and 22. The degree to which the development satisfies the specific provisions of Elements 21 and 22 will now be assessed.

Element 21 – Development Bonus Based on Design Considerations

| Element | Requirement | Responsible Officer Comment |
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| 21.1 | Exemplary design is proposed in the opinion of the DRP | Exemplary design sign off has been achieved in the opinion of the DRP. Refer below. |
| 21.3 | Minimum site area of 2,000m ² | <p>The site area is 2021m² which includes 150m² within PCA117.</p> <p>Element 22.1.10 of the CBACP implies that land required for road widening is not included when calculating site area under Elements 2.2, 2.3, 21.2 and 21.3 unless the applicant proposes to cede it free of cost.</p> <p>As the applicant has confirmed the 150m² of PCA117 will be ceded free of cost to the state, the land ceded is included within the total lot area calculation for the purposes of this assessment. Therefore, the minimum site area of 2000m² is achieved.</p> |

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| 21.4.1 | Development has been designed with regard for solar access for adjacent properties. | Due to the location and orientation of the lot the majority of shadow in mid winter falls over the road and the front setback area of the dwellings to the south., and as it stands, these properties are not orientated to benefit from their northern aspect. |
| 21.4.2 | A achieve a minimum 5 Star Green Star design rating under the Green Building Council of Australia. | The applicant has indicated via the Sustainable Design Report prepared by Cundall (Attachment 2). that the required 5-star green star rating will be achieved This will form a condition of development approval. |
| 21.4.3 | A traffic statement is submitted showing the additional floor space will not unduly impact on the surrounding centre. | <p>The Traffic Impact Assessment (TIA) (Attachment 6) submitted in support of the development demonstrates that the surrounding road network can accommodate the addition of 94 aged care units, as agreed after review by the City's Traffic Engineers who acknowledge that the traffic impact of the proposed development on the surrounding road network will be insignificant.</p> <p>An addendum to the TIA (Attachment 6B) demonstrates that the traffic generated by the additional floor space above 10 storeys will not have an adverse traffic impact on the adjacent road network.</p> |
| 21.4.4 | Development includes the provision of infrastructure which supports area-wide resource efficiency. | <p>Centralised hot water plant, shared condensers to air conditioning units, solar power panels and generators on building lifts are expected to improve the overall efficiency of the building. Measures to be enforced via a condition of approval.</p> <p>The development also demonstrates that it will meet the 5 Star Green Star rating which reduces the overall need for development wide infrastructure.</p> |
| 21.4.5 | Development demonstrates mitigation of the urban heat island effects through the provision and maintenance of landscaping. | <p>The development provides significant landscaping at all levels of the building. The 35% green landscaping area of the site exceeds the 25% requirement of the recently released Design WA Apartment Design Policy (proposed 706m² which equates to 34.9%).</p> <p>The development provides deep soil planting zones for the establishment of</p> |

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| | | <p>mature trees at the podium level and roof terrace. Consideration of these landscape benefits are implicit in the final conclusions of the design review process whereby exemplary design status was cited by the DRP</p> <p>A landscaping condition is proposed to be applied to ensure ongoing maintenance over the lifetime of the development.</p> |
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As stated in the Canning Bridge Design Review Panel section of the report above, the application has been through an extensive and rigorous design review process. The applicant has responded positively to the feedback provided by the DRP, and in addition, has responded positively to concerns raised by the City throughout the assessment process.

The following extract from the notes of the July 2019 DRP meeting outlines the reasons why the proposal is considered to be exemplary in nature.

“At the April DRP meeting, the panel identified a number of strengths in relation to this proposal which included:

- Retirement living, care support and aged care use (Retirement Villages Act);*
- Ground floor activation and engagement;*
- Art work strategy by artist Stuart Green;*
- Natural light and ventilation to the tower lobby; and*
- Cross Ventilation.*

- These strengths were reiterated at the May and June meetings and again at this meeting.

- The DRP appreciate the cooperation extended by the project team over the course of the development of the design.

- Provision of a generous street set back at ground level creates a public space accommodating an artwork and is served by a cafe and public seating.

- The two vehicle cross overs have been minimised to reduce the impact on the public domain. Future road widening has been accommodated in the master plan.

- The result is an active, engaged and publically accessible ground plane.

- The podium scale responds well to the streetscape and sleeves the car parking with inhabited and occupied spaces that offer activation and passive surveillance to the street.

- The mix of uses incorporating aged care and retirement living is an important and valuable use in this location.

- Vehicle servicing is functional and is screened from the public domain.

- The apartments are functional and well designed. Natural light to the lift lobbies creates a positive experience for the occupants.

- The inclusion of a landscaped podium and roof top terrace accessible to the occupants provides generous amenity.

- Generous provision of deep soil planters at podium and roof terrace.”

The information provided above demonstrates that the proposed development clearly meets the requirements of Element 21.

Element 22 – Development bonus based on community considerations

Where additional height is being sought Element 22 of the CBACP requires community benefit to be provided. This community benefit must be provided in proportion to the additional development being proposed and via delivery of at least four of the benefits listed in the CBACP.

When assessing the merit of community benefit proposals in the context of Element 22, the City adopts a collaborative cross-functional approach to ensure that:

1. The community benefits proposed are consistent with, and relevant to, those listed under Element 22, and
2. The community benefits proposed are provided in proportion to the additional building height proposed.

The range and quantity of community benefits proposed in this case are as follows:

| Element | Requirement | Provided |
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| 22.1.1 | Design comprising high-quality active street frontages, furniture and landscaping which contribute to the character of the centre and are kept and maintained by agreement with the owners and/or strata company of the building in perpetuity. | <p>The Kintail Road street frontage is designed as an active, engaged and publicly accessible ground plane with street furniture and landscaping. The ground floor plane is considered one of the key strengths of the design by the DRP. . As shown in Figures 4 and 5 below, the nature of the street frontage has been improved as a result of the DRP and statutory planning process.</p> <p>36.5m (73%) of the street frontage is activated by glazing and activity, 140m² public forecourt space at 4.8m high, public art sculpture, covered footpath and landscaping and street furniture within the verge are provided.</p> <p>As part of the City's cross functional officer consideration, the development has been further improved in a community benefit context via the introduction of bi-fold glazing doors to the lounge and café areas to provide direct access into these areas rather than being accessed only via the</p> |

main entry foyer. In addition, additional verge seating which will reflect as an extension to the café activity has also been accommodated within the forecourt area.

As a result, the open public building forecourt and café, both within the site itself and at the street frontage contribute towards creating a pleasant pedestrian experience.

The landscaping plan and building design take into account the Canning Bridge Streetscape Master Plan and future improvements to Kintail Road.

Implementation and maintenance of the landscaping and street furniture will be enforced via a condition of approval.

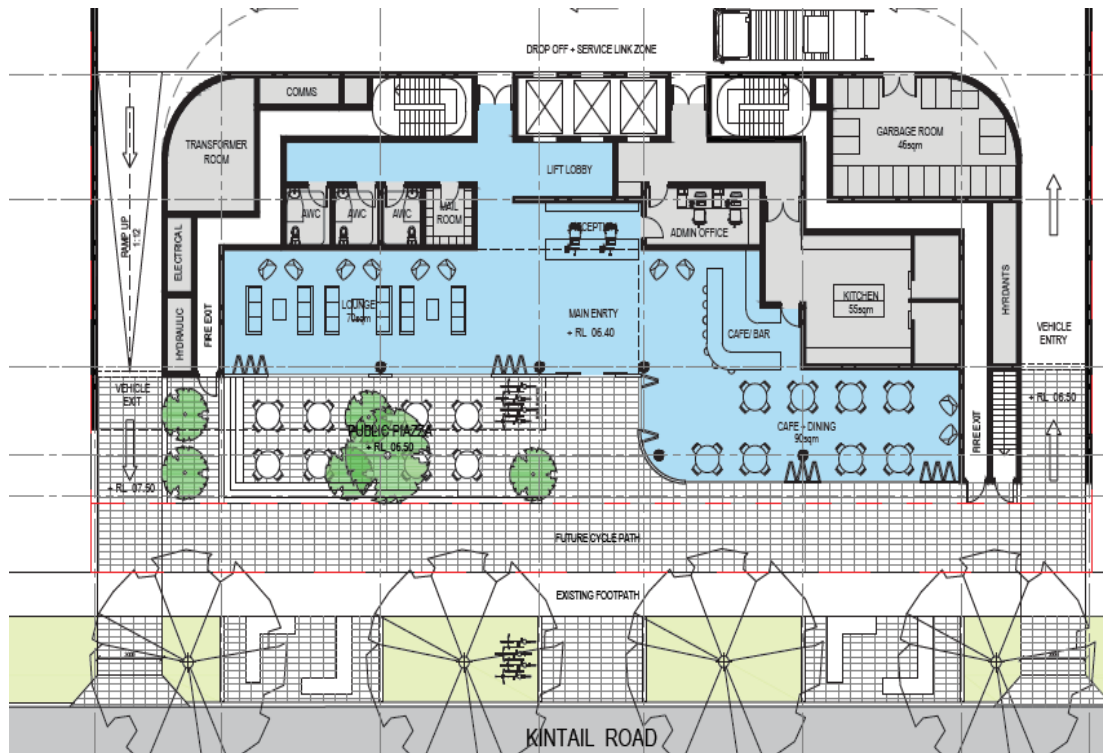


Figure 4: Original ground floor plan presented at April Canning Bridge Design Review Panel Meeting

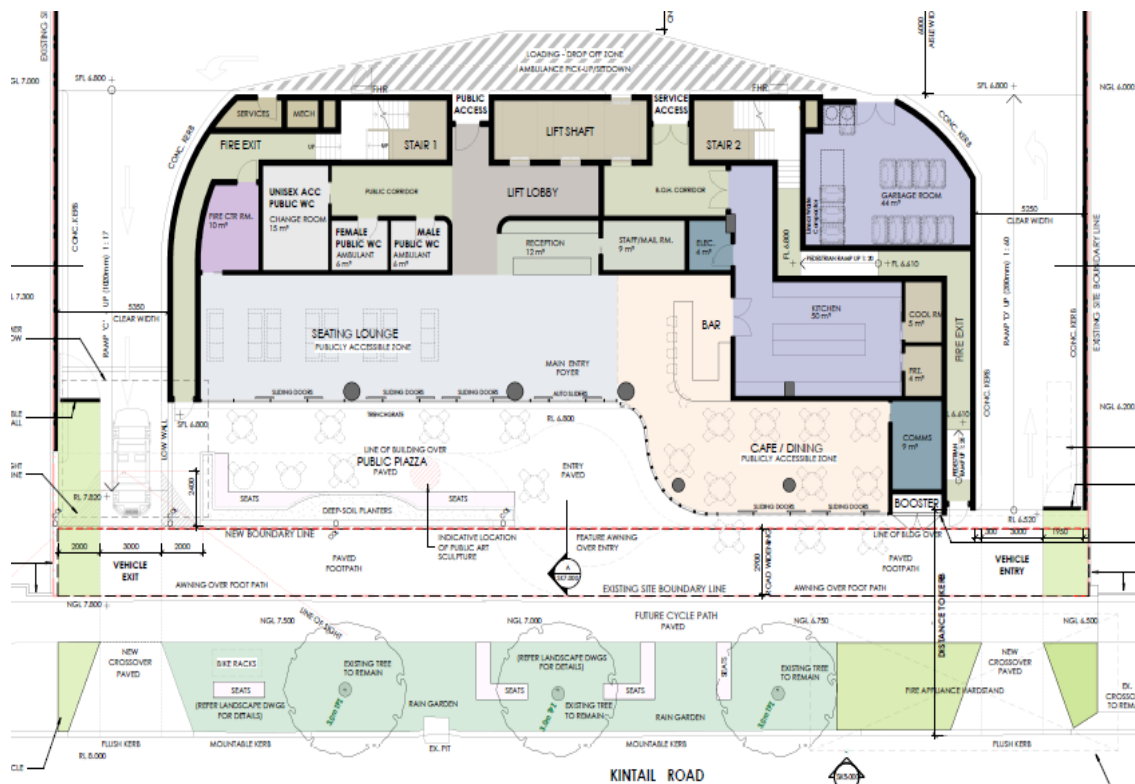


Figure 5: Current ground floor plan showing revised verge layout with additional verge seating, additional entry points into the café and forecourt area, opening up of the forecourt to users of the footpath and modified vehicle entries in and out of the site

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| <p>22.1.3</p> | <p>Provision of public facilities such as toilets, showers and sheltered bike storage.</p> | <p>The publicly accessible facilities proposed by the development are located on the ground floor and include:</p> <ul style="list-style-type: none"> • 1 x male toilet; • 1 x female toilet; • 1 x universal toilet with a shower and adult changing place; and • Public end of trip facilities comprising: <ul style="list-style-type: none"> ○ 16 x bike bays. <p>It is considered that the provision of the universal access bathroom inclusive of the adult changing place is a significant community benefit.. There is currently only one adult changing place in the City of Melville at Deep Water Point. This facility will help to make the</p> |
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| | | <p>CBACP precinct an inclusive place for people with a disability and their carers.</p> <p>To ensure these facilities are visible and accessible for members of the public, a condition has been recommended regarding a wayfinding strategy for the public facilities available on-site be provided.</p> <p>In addition, details of the management and operating hours of these spaces are proposed to be conditioned.</p> |
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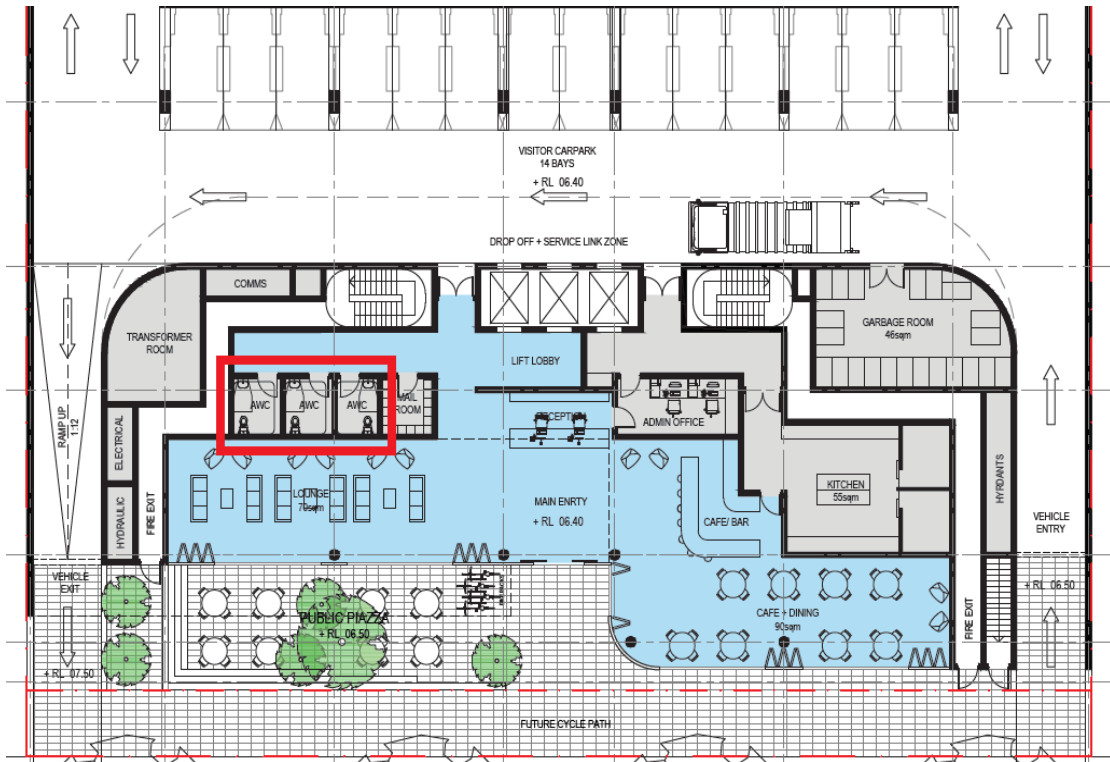


Figure 6: Ground floor plan presented at April Canning Bridge Design Review Panel Meeting with the public end of trip facilities marked in red

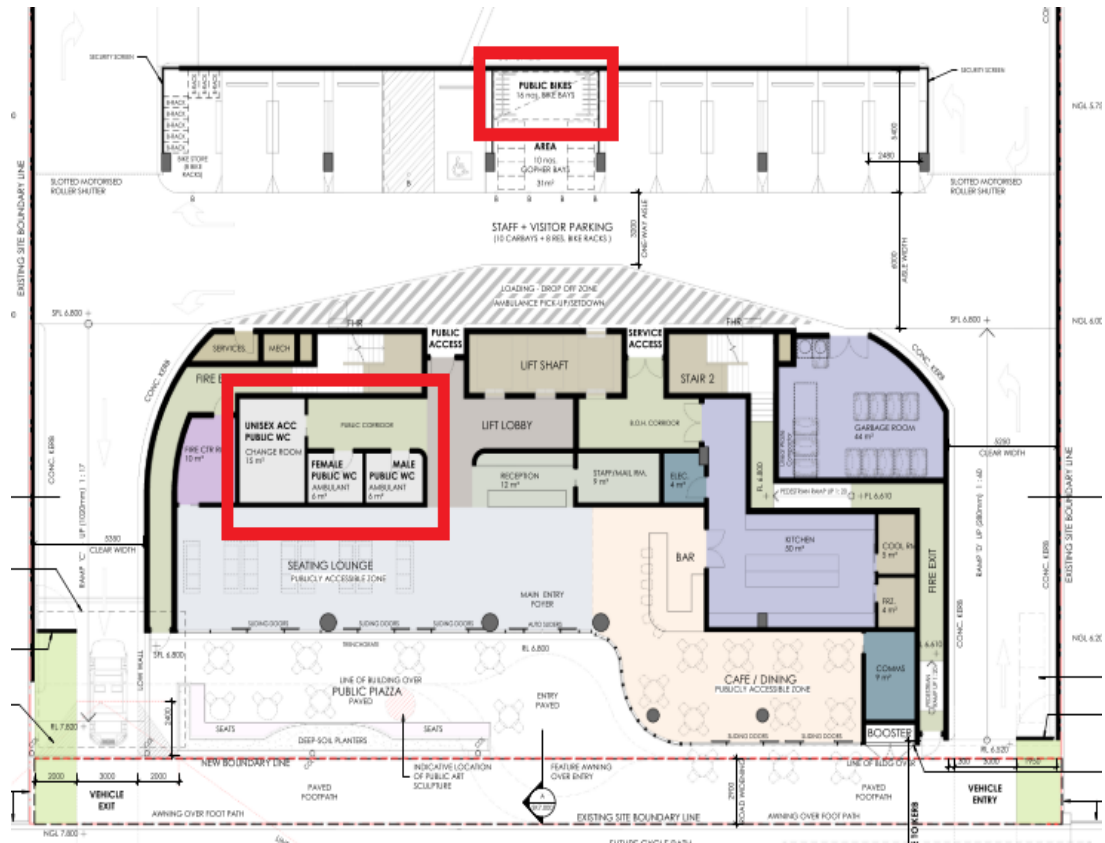


Figure 7: Current ground floor plan with public facilities comprising 1 male toilet, 1 female toilet, 1 universal toilet with shower and adult changing place and bike bays as marked in red

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| <p>22.1.7</p> | <p>Provision of community, communal and/or commercial meeting facilities.</p> | <p>The development incorporates on Level 2 of the podium a 117m² communal activity room, 190m² communal outdoor area and other communal facilities for use of residents of the building in the form of a gym, yoga studio, cinema and pool.</p> <p>As shown in Figure 8 below, the internal layout for Level 2 will encourage and provide residents with an opportunity to partake in a variety of activities and events and provide benefits such as a sense of community and the potential for collaboration and networking.</p> <p>This aspect of the development was</p> |
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| | | <p>considered to provide a communal benefit for the future residents of the development.</p> <p>Within the Operator Management Statement (Attachment 8), the operators of the building, Grandton, are proposing to promote community group events within Level 2 of the podium which would be for community groups of all ages not living within the building to access.</p> <p>The key benefit of this space is the opportunity provided for interaction between residents within the development. It may also reduce the need for residents to access other services provided by the City off site. Whilst not a Community Benefit in the context of Element 22, this provision will add to the overall level of community benefit provided by the proposal.</p> |
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Figure 8: Level 2 floor plan with communal facilities including communal activity and outdoor areas, yoga studio, cinema and gym

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| <p>22.1.9</p> | <p>The development comprises an aged care facility.</p> | <p>Within the CBACP area, there are currently no aged care developments. The entire development is an Aged Care Facility, being a Class 9C building.</p> <p>Grandton, the proposed operators of the subject building recognise the changing needs and demands of baby boomers and the changes in Federal Government aged care legislation. The proposal therefore synergises seniors accommodation with seniors care to enable seniors to live in control of their ageing process.</p> <p>Within the catchment area,</p> |
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| | | <p>there are several existing residential aged care facilities and retirement villages. This development proposal is considered to be designed to offer contemporary aged care.</p> <p>The target age group for the subject development has been established to be seniors aged 75 years and over. As referenced within Attachments 16 & 17 provided by the applicants, analysis of population demographics indicates that of the total population, there is a greater proportion of persons aged 75 years and over in both Applecross and the wider catchment area compared to State and National levels. These findings indicate that there is a large current market demand for aged care services in this catchment area.</p> <p>The applicant's review of population projections, along with the City's projections and expectations for the area, confirm that the population aged 75 years and over in the catchment area is expected to increase over the next 10 years, which further justifies the need for this type of accommodation within the CBACP.</p> <p>Given the above, it is considered that the aged care component is a very significant community benefit offer in this case. The development will offer</p> |
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| | | <p>high quality accommodation and care to the local elderly community of Applecross and the wider catchment area. Such aged care provision is currently lacking in the CBACP area.</p> |
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| <p>22.1.10</p> | <p>Where the development is located adjacent to Canning Highway and where road widening is required; the applicant proposes to cede land free of charge to the State of Western Australia for the purposes of road widening. In such a case, the area ceded will be included in the total area calculations for the purpose of Clause 2.2 and 2.3 and/or Clause 21.2 and 21.3.</p> | <p>The application proposes to cede approximately 150m² of land required for road widening within PCA 117, adjacent to Forbes Road, free of charge to the State of Western Australia as shown in Figure 9 below.</p> <p>While the CBACP only expressly recognises the possibility of the ceding of road land adjacent to Canning Highway as a community benefit.</p> <p>Schedule 2, Clause 43(1) of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> states that:</p> <p><i>'A decision-maker for an application for development approval or subdivision approval in an area that is covered by an activity centre plan that has been approved by the Commission is to have due regard to but is not bound by, the activity centre plan when deciding the application'.</i></p> <p>The ceding of land along Kintail Road within PCA 117 for road widening is considered acceptable as the purpose of PCA 117 is</p> |
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| | | <p>to protect the land required for future road upgrading of Canning Highway to ensure that Canning Highway operates effectively in the long term and continues to provide the regional road functionality that is needed to support the overall development and viability of the centres that it connects such as Fremantle, Perth and Canning Bridge.</p> |
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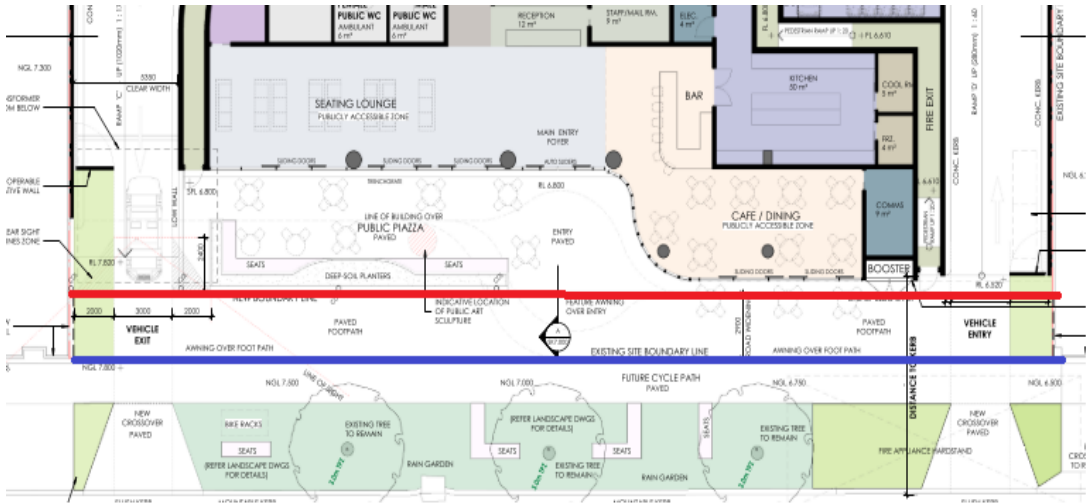


Figure 9: Ground floor plan showing Planning Control Area 117 is to the south of the red line along Kintail Road, with the blue line representing the lot boundary line

Alternate Recommendation:

May be requested in accordance with Regulation 13.

Conclusion:

Within the CBACP area, the opportunity for achieving bonus height is closely aligned to a combination of achieving excellent design outcomes, including stringent sustainable design requirements, and the provision of a high level of community benefit. It follows therefore that developments for which bonus height is sought will deliver outcomes that exceed those likely to be delivered by development proposals for which no bonus height is sought. . The delivery of such developments is a defining aspiration of the CBACP.

The subject development and its aged care offering is recommended for approval on the basis that upon assessment, and having followed a detailed design review process, it is considered to be consistent with the provisions of the Canning Bridge

Activity Centre Plan. It is therefore recommended that conditional development approval is granted.