

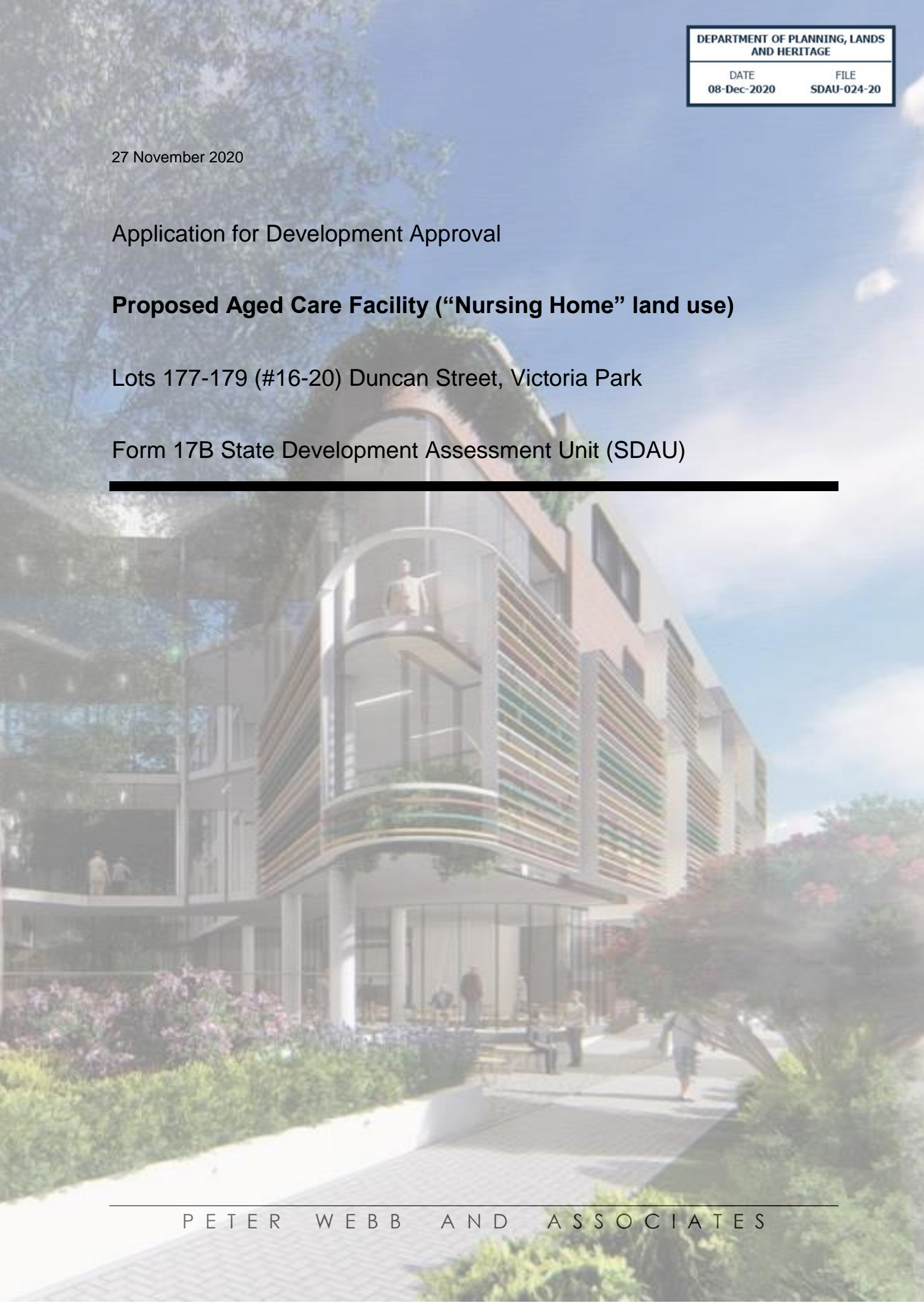
27 November 2020

Application for Development Approval

Proposed Aged Care Facility (“Nursing Home” land use)

Lots 177-179 (#16-20) Duncan Street, Victoria Park

Form 17B State Development Assessment Unit (SDAU)



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Prepared by:

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Prepared for:

ROSHANA GROUP



1 INTRODUCTION

1.1 THE APPLICATION

Peter Webb and Associates (**PWA**) has prepared this Planning Report on behalf of the Roshana Group of Companies (**Roshana**) and Burswood Care Pty Ltd (**landowner**) in support of a Development Application for a four (4) storey (plus basement) residential Aged Care Facility ("Nursing Home" land use) situated at Lots 177-179 (#16-20) Duncan Street, Victoria Park (**Subject Site**).

Burswood Care Pty Ltd currently own Lots 177 and 178, but has an Option Agreement to purchase Lot 179 Duncan Street from the current landowner (Malachy Skeffington) subject to Planning Approval being granted. The current landowner of Lot 179 has consented to this Application.

Burswood Care also has also purchased 134A Shepparton Road, a unit adjacent to the subject site, which may be used in future to allow for staff quarters. No one other than those associated with Burswood Care would be residing in that unit (and also for short periods of time). The overshadowing of this unit by the proposed development therefore does not have an impact on the community as a whole, as Burswood Care maintains ownership of it.

This Application proposes the development of a high quality, Architecturally-designed residential Aged Care Facility for 120 residents and which will also incorporate associated administration areas, allied health and resident amenities, including a café.

This Planning Report addresses all of the existing and future Planning framework applicable to the site and surrounding area and key technical issues associated with the proposed development, including traffic assessment, waste management, acoustic assessment and landscape design.

The project has an estimated construction cost of \$22 - 25 million and therefore, Roshana has made a decision to make an application to the State Development Assessment Unit (**SDAU**) for WAPC Approval given it meets the threshold for this process.

The project is anticipated to create 200 jobs through construction over a period of 2 years, and is anticipated to create 150 long term jobs through the operation of the proposed facility, through round the clock shift-work. This is a very important factor, and is considered that the job creation of this project is significant.

1.2 ROSHANA CARE GROUP

1.2.1 Services Provided

Roshana Care Group and Burswood Care operate under the Roshana Group of Companies.

Roshana Care Group is a leading service provider of Aged Care, Mental Health Care, Retirement Living, Independent Living and is a Registered NDIS Provider.

Roshana's head office is based in Bassendean, and it has a number of aged care, mental health, retirement and independent living facilities across WA.

The subject site (Lot 177-178) is currently utilised by Burswood Care Pty Ltd for the operation as a psychiatric hostel under the auspices of the *Mental Health Act 1996 Western Australia*.

The existing psychiatric hostel care recipients will be offered new, purpose-built facilities at another site in the local area to enable the construction of the new residential Aged Care Facility proposed in this application.

Although currently used for permanent accommodation for residents with psychiatric care needs, the existing home was originally constructed as a high care residential aged care facility. Whilst the site is ideally situated to be re-purposed into a residential Aged Care Facility, the existing accommodation and amenities are insufficient to meet the needs of care recipients who are increasingly seeking superior, private accommodation and a range of amenities.

It is proposed that the existing Nursing Home will be demolished and a new, purpose built 120 bed residential Aged Care Facility be constructed in its place.

Roshana focuses on the provision of care to its residents with specific dementia, psychiatric illness and social/financial hardship. Roshana continues to focus on those who are less advantaged by maintaining existing relationships with tertiary and community referrers. Roshana also aims to replicate its existing care, therapy and social programs from Valencia Nursing Home (located in Carmel WA) that also provides specialised care to these needy groups, in order to promote independence in a specialised, supported care environment.

The proposed Nursing Home will comprise four storeys of accommodation and activity spaces and a basement level for services and extensive car parking.

The building has been designed to fit with the existing footprint to expedite approvals processes. The building design is also reflective in design, scale and colour to neighbouring properties and draws from heritage elements from the historic Ursula Frayne school that is located opposite the proposed Nursing Home.

New residents will have the opportunity to choose from either single or couple suites, all of which will have ensuite bathrooms. The proposed rooms are generous and designed to meet the needs of residents, both now and in the future. Rooms will all be designed to meet accessible standards and will include a level of amenity that enables independence and individualisation. Residents will have sufficient space storage and areas for desk space to continue personal pursuits. Residents will have the ability to furnish and decorate their own room to create personalised spaces.

As a home specifically designed for residents with adverse behaviours, special consideration will be made to ensure residents have access to multiple living areas and private spaces to enable appropriate socialisation and care during times where residents are distressed or display exacerbated behaviours.

Indoor spaces and amenities will also be designed to foster independence and re-enablement. The home will enable free movement for those with limited mobility. Mobility and adaptive devices will also be incorporated into the design and fit-out of the home. Residents will have access to internet and audio-visual amenities that can be personalised. Residents will also have access to resident access areas to assist with meal preparation and indoor pursuits.

The new home will allow residents free access throughout the site but ensure the safety of residents by securing the perimeter of the site. Prox-card technology will enable some residents to leave the home independently but will ensure the security of those without the capacity to leave the home without assistance safely.

The new home will also feature a number of outdoor areas that will foster independence. Residents will have the opportunity to participate in self-directed activities such as gardening, workshop and other pursuits in areas specifically designed for these purposes. Wandering paths with specifically designed “destinations” will feature in the design of outdoor spaces.

Dedicated activity and wellness spaces, including casual lounges and a therapy gym, have been incorporated into the design to ensure a range of suitable spaces for therapy, relaxation and socialisation.

Roshana will offer a fresh-cooked meal service from a commercial kitchen located on site. Roshana has also made provision for an onsite laundry that will have the capability to launder both facility linen and personals. Dedicated spaces for maintenance and storage have also been incorporated in our design.

Given the specialised nature of the care Roshana currently provides to its residents at Valencia Nursing Home, Roshana has a sound understanding of the specific requirements for resourcing the new Burswood Nursing Home. The home will continue to have onsite clinical management, including clinical managers and 24-hour Registered Nurse cover. The home will also continue its philosophy of having higher than industry benchmark care and activity staffing ratios to ensure that the specific needs of our unique population are met. Further, the home will continue its philosophy of utilising in-house staff to provide hospitality and support services. Residents will continue to benefit from an in-house, fresh cooked meal service and have immediate access to onsite cleaning, maintenance and administrative staff, of whom will be directly employed by Burswood Care.

As a Nursing Home that will have onsite management and 24-hour staffing, Roshana has included a number of staff work areas that include an administration area, dedicated clinical

stations and work spaces for hospitality staff. Roshana has also incorporated dedicated spaces for visiting doctors, specialists and allied health practitioners.

The organisation will draw on existing, extensive links with referral and care agencies, including acute hospitals, psychiatric hospitals, community referral groups and social groups, to ensure that residents with dementia, behavioural and social/financial vulnerabilities are provided the opportunity to receive care in a specialist environment.

1.2.2 Location

As described above, Burswood Care is currently being operated as a home for residents with specialised psychiatric needs. The home has previously been operated as a high care residential aged care facility.

The site is located on flat ground and is not impacted by environmental encumbrances, land claims or heritage restrictions.

The site is located on the corner of Duncan Street and Shepparton Road in the inner eastern Perth suburb of Victoria Park.

Duncan Street is a residential street, predominantly surrounded by single dwelling residential homes to the north and a school to the west. The street is quiet and provides a relaxed environment for residents and their visitors and safe access for visitors accessing the site by car, bicycle or on foot. Roshana's plans incorporate a basement parking area that will provide appropriate secured parking for visitors and staff.

The site is adjacent to Shepparton Road to the south. Shepparton Road is considered a major arterial road from the Perth CBD to the eastern and southern suburbs and, as such, provides excellent access by car and bus. The bus service stops within 30 metres of the proposed nursing home. The site also has excellent access to train networks with the local Victoria Park train station being located at the northern end of Duncan Street.

Whilst Duncan Street residents have immediate access to a small delicatessen on the street, they are also afforded access to a large number of shops at the Victoria Park Centre shopping centre, located 30 metres from the home entrance on Shepparton Street. The shopping centre has a supermarket, food outlets (restaurants and cafes), banks, hair and beauty outlets and clothes stores.

There is also access to a large number of local GPs, some of whom already service the home. There is also immediate access to pharmacy services.

Residents will be able to access church and extended community services, including a library and community hall, available in the shopping district between Shepparton Road and Albany Highway. Residents will also have immediate access to parklands and gardens at Duncan

Reserve, located only six houses down the street. Lathlain Park, Read Park, John Bisset Reserve and Tom Wright Reserve are located within one kilometre of the site.

The Town of Victoria Park has implemented a disability access and inclusion plan that is resulting in the redevelopment of council and public spaces for access and inclusion by people with a disability. Although there is a lack of available aged care places in the area, the town also has an active Seniors programme.

The site is located five kilometres away from Royal Perth Hospital, one of Perth's largest public tertiary hospitals. The site is also located within short driving distance of the Bentley Health Service. The service has extended geriatric, aged care rehabilitation management, allied health and mental health services.

There is currently no residential aged care facilities located in Victoria Park. The closest home is located in neighbouring Kensington, which Roshana considers to be insufficient to meet the needs of the local community in Victoria Park. Other homes, located some distance from the subject site, are universally dated. Most only offer shared accommodation and/or amenities and are not considered to meet the increasing needs of residents who are seeking private accommodation spaces and increased levels of amenity. Roshana's research has indicated that there is an immediate need for new, contemporary aged care accommodation in Victoria Park.

1.3 AGED CARE BED LICENSE

Roshana made an application for residential aged care places in the 2016-17 Aged Care Approvals Round (**ACAR**). Subsequently, Roshana was awarded a Commonwealth Department of Health License for the proposed 120 beds for the subject site. The License was granted on the basis of a demonstrated need for aged care beds in the Victoria Park locality.

In that respect, Roshana has to meet certain milestones in order to retain the License, one of which includes obtaining Planning Approval and committing to a construction timeline. The License is valid for four years and expires in June 2021. However, the *Aged Care Act 1997* allows applicants to seek two, 12 month extensions to the provisional allocation period. Therefore, there is a real need for Roshana to secure Planning Approval and commence construction in 2021 to meet the current License requirements.

Refer **Annexure 1** for a copy of the Department of Health Aged Care Bed License.

Roshana commits to constructing the project as soon as possible following approval. The Commonwealth Bank is funding the project, with finance commitment already secured for the project.

1.4 PREVIOUS CONSULTATION & PROCESSES

A collaborative planning and design process for the proposed development has been undertaken, and numerous processes have already been undertaken.

1.4.1 Development Assessment Panel

A formal Development Assessment Panel (**DAP**) Application was made in March 2020, and accordingly, the planning assessment process was undertaken by Town of Victoria Park officers. The Application was advertised for public comment, and the Project Team responded to a number of rounds of comments from the Town to progress the project. The DAP process also enabled the project to be considered by the Town's Design Review Panel on two occasions.

Roshana made a decision in September 2020 to withdraw the DAP Application, and instead submit an application to SDAU.

1.4.2 Design Review Panel Meetings

At least four (4) meetings have been convened with the Town's Design Review Panel (**DRP**), to seek preliminary comment on the proposal from a planning and design perspective.

The following DRP meetings were convened for this project:

1. 21 November 2018 – Preliminary Scheme
2. 19 July 2019 – Early Design Stage
3. 17 June 2020 – Detailed Design Stage / DAP Application process
4. 12 August 2020 – Response to earlier DRP / DAP Application process

Minutes for each of these DRP meetings are provided at **Annexure 2**.

1.4.3 Previous Executive & Minister Meetings

A meeting was convened with the Chairman of the Western Australian Planning Commission (**WAPC**) to discuss the merit of proposed development from a State Planning perspective, and in particular, how the development would integrate in the Train Station Precinct as set out in the Perth & Peel at 3.5 million Planning Framework. This meeting occurred prior to the DAP Application being submitted.

The Applicant's team also met with the Hon. Roger Cook MLA (Deputy Premier; Minister for Health; Mental Health) on 19 December 2019 (prior to the DAP Application) to discuss the merits of the proposal including providing urgently needed aged care services in the Victoria Park locality. The Minister strongly supports the project in providing additional quality services to the community.

A preliminary meeting was convened with the SDAU (with Margaret Smith and Ciara Clarke) on 10 September 2020 to discuss the project, the history of the project, and a pathway forward to submitting a formal application with SDAU.

1.4.4 State Design Review Panel

Given the proposal has undergone comprehensive local design review and revision in response to feedback which has resulted in a final development application set, a review by the State Design Review Panel (**SDRP**) is considered to not be required, nor is it requested by the Applicant.

2 OVERVIEW & SITE DETAILS

2.1 OVERVIEW

Applicant:	Peter Webb & Associates (PWA)
Architect:	Mark Aronson Architecture (MAARCH)
Landowners:	Burswood Care Pty Ltd (Lot 177 & 178) Malachy Gerard Skeffington (Lot 179)
Scheme:	Town of Victoria Park Town Planning Scheme No. 1 (TPS 1)
Zoning:	TPS 1 : “Residential R40” MRS: “Urban”
Current Use:	Nursing Home (Lots 177-178) and Single Dwelling (Lot 179)
Combined Lot Size:	2,833m ²
Proposed Use Class:	“Nursing Home” (AA – discretionary use)
Construction Cost:	\$22-25 million

2.2 SITE DETAILS

The Subject Site comprises Lots 177-179 (#16-20) Duncan Street, Victoria Park. Refer to **Table 1** below for a description of the land the subject of this Application.

A copy of the Certificates of Title for each of the existing lots is provided at **Annexure 3**.

Table 1 Summary of Lot Details					
Lot	Area	Plan	Vol/Folio	Proprietor	Encumbrances
177	809m ²	Plan 2916	1450/647	Burswood Care Pty Ltd	Nil
178	1012m ²	Plan 2916	1450/646	Burswood Care Pty Ltd	Nil
179	1012m ²	Plan 2916	1544/507	Malachy Gerard Skeffington	Nil

The Subject Site has a total land area of 2,833m² and has a frontage of approximately 44m to Shepparton Road (westerly aspect) and approximately 51m to Duncan Street (northerly aspect).

The Subject Site is located within the Town of Victoria Park and is 300m from the Victoria Park Train Station. The site is located at the intersection of Duncan Street and Shepparton Road.

The corner of Duncan Street and Shepparton Road is a prominent junction along Shepparton Road that is currently underutilised. Duncan Street is the main connecting road to the Victoria Park Train Station. Therefore, this site presents an opportunity to activate the corner by creating an iconic, architecturally designed building to distinguish this as a landmark site.

Lots 177-178 currently accommodate a single storey Nursing Home and Lot 179 currently accommodates a Single Dwelling. All existing buildings will be demolished to facilitate the proposed development.

An Aerial Photograph is included below at **Figure 1** showing the site in its context. An aerial view of the site (drone photo) is provided at **Figure 2**.

Figure 1: Aerial Photograph



A series of photographs of the existing site are also included below.



Photo 1: Looking east across Lots 177 & 178 (existing Nursing Home) from the corner of the subject site.



Photo 2: Looking south across the existing Nursing Home site from the opposite side of Duncan Street.



Photo 3: Looking south-east across Lot 179 and the existing dwelling on the site from Duncan Street.



Photo 4: Aerial photo showing the entire subject site looking north-west towards Perth CBD.

3 PROJECT DESCRIPTION

3.1 PROJECT PLANNING

Maarch and the project team have undertaken a long and detailed design methodology in preparing the plans, including considering the wider precinct which is designated to be a Train Station Precinct under the State Planning Framework, anticipated for higher density residential development.

3.2 PROJECT OVERVIEW

This Application seeks Planning Approval for a four (4) storey Aged Care Facility (“Nursing Home” use) with 120 aged care beds and also includes associated administration areas, support services, resident amenities and a café. The building has a basement level for car parking and services and a roof top garden for gathering with friends and family and for other social activities.

The project has been comprehensively designed by Mark Aronson Architecture (**Maarch**). A complete set of Architectural Drawings prepared by Maarch is included at **Annexure 4**.

The objective of this project is to deliver a landmark 120-bed Aged Care Facility on the Subject Site to provide much-needed aged care services to the Victoria Park community.

A Design Report indicating Maarch’s design methodology is included at **Annexure 5**.

3.2.1 Building Height

The proposed building is four storeys in height, with a total height of approximately 18.131m to the top of the roof structure on the roof terrace, measured from the Duncan Street pavement. This is shown in the Elevations where the top of the roof structure is marked as a level of ‘40,631’ and Duncan Street is measured at a level of ‘22,500’.

Obviously, the height of the building varies depending on where it is measured from, but the building is not uniform in height across the site, as it steps down as the building form changes.

The building has been designed to ‘step down’ towards the southern boundary, in order to reduce the impact of building bulk and overshadowing.

3.2.2 Plot Ratio

The proposed development has a plot ratio area of 3057m², which is a combination of the aged care bed rooms (total 2617m²) and the space allocated for offices, café, nurse bases, med preps, kitchen etc (440m²). The plot ratio area does not include stores, sanitary facilities or communal spaces.

The plot ratio area of 3057m² works out to be a plot ratio of 1.079 (**1.08**) when calculated against the site area of 2833m². The proposed plot ratio of 1.08 is a variation to that which is available under the current R40 density code which offers a plot ratio of 0.6.

The plot ratio calculation is shown on the Basement Floor Plan (Drawing SK11) contained within the plan set at **Annexure 4**.

3.3 FLOOR LAYOUTS

3.3.1 Ground Level:

The proposed Aged Care Facility has a main pedestrian entry from Duncan Street into a lobby. The lobby provides access to the proposed café, administration areas and provides the main point of entry to the lifts to the upper floors of the facility.

The café will act as a meeting place for families and has a prominent location near the main entry, facing out over Duncan Street and towards the internal play space and garden. The café will provide increased ground level activity along Duncan Street during the day.

The ground level also accommodates administration offices, staff toilets, training rooms, staff lunch room, maintenance room, lifts, salon, and commercial kitchen located along the south-west part of the site (adjacent to Shepparton Road).

The ground level also has an activity/lounge room and dining area located at the south-eastern part of the site, with access to adjacent courtyard and garden spaces. This activity area then connects to a corridor providing access to 14 aged care beds, with a sitting room located at the end (northern end). The bedrooms look out either over the internal play space and garden area or the rear courtyard garden area.

Vehicular access to the site is located at the northern end of the site with a ramp down to the basement car park. A new 6.60m wide crossover is proposed to Duncan Street, with the existing two crossovers to Duncan Street servicing the existing sites being removed. The proposed crossover to the development site is located at the furthest point away from the traffic signals at the intersection of Duncan Street and Shepparton Road.

The proposed development will be set amongst deep planting areas in key locations, along with gardens, courtyard areas and planter boxes. The rear courtyard area has a covered pavilion for shelter.

The ground level is set back 3.20m from the south-east boundary, 2.01m from Duncan Street, 2.105m from Shepparton Road and 3.084m from the north-east boundary.

3.3.2 Basement Level:

In the basement level, there are 55 car parking bays consisting of 2 disabled bays, 4 bays in tandem arrangement and 49 standard bays. The basement level also accommodates fire pumps

and tanks, laundry facility, delivery area, loading and refuse dock, bin store and bin wash room, lifts to upper floors, and a transformer.

The basement is open on the southeast side allowing natural ventilation and light into the basement car park. There is a 1.60m barrier wall on the open side of the basement car park for safety.

3.3.3 First Floor:

The first floor accommodates a further 39 aged care beds, activity/dining space located at the main corner, sitting areas and a balcony that faces south / south-east. The balcony is set back 6.20m from the south-east boundary.

The floor plan is connected at the northern end with a bridge that will have full height glazing to allow natural light in as well as louvres to allow for natural ventilation. There will be a small seating area in this bridge area as an informal space to stop and relax and overlook the trees.

Each of the bedrooms has a view either out over the adjacent roadways or over internal garden and courtyard spaces.

The first floor is set back 3.10m from the south-east boundary, 900mm from Duncan Street, 1.00m from Shepparton Road and 3.20m from the north-east boundary.

3.3.4 Second Floor:

The second floor accommodates a further 35 beds, activity/dining space located at the main corner, sitting areas and a balcony that faces south / south east.

The floor plan is connected at the northern end with a bridge, similar to the floor below it.

Each of the bedrooms has a view either out over the adjacent roadways or over internal garden and courtyard spaces.

The second floor is set back approximately 6.00m from the south-east boundary, 1.00m from Duncan Street and 900mm Shepparton Road and 3.00m from the north-east boundary.

3.3.5 Third Floor:

The third floor accommodates a further 32 beds, activity/dining space located at the main corner, sitting areas and a balcony that faces south / south east.

The floor plan is connected at the northern end with a bridge, similar to the floor below it.

Each of the bedrooms has a view either out over the adjacent roadways or over internal garden and courtyard spaces.

The third floor is set back approximately 6.40m from the south-east boundary, 1.00m from Duncan Street and 900mm Shepparton Road and 3.00m from the north-east boundary.

3.3.6 Roof Garden:

The roof garden is accessed by a lift and has an undercover area for entertaining and a circular walk around the top of the building amongst planted areas. The roof garden will have excellent views towards the Perth CBD and other areas.

There is a 110m² roof garden for plantings.

The roof area will also house solar panels and mechanical plant and equipment however, these will be screened from view. The roof garden area is contained with a 1.00m high planter box wall together with a 600mm high glass screen.

3.4 LANDSCAPING DESIGN RATIONALE

The landscape for the proposed Nursing Home is based on the simple pleasures of living amongst a verdant, shady garden that promotes WA's unique flora with several places to relax and enjoy time with loved ones. The site is situated on the corner of Shepparton Road and Duncan Street and is a prominent landmark location opposite the Ursula Frayne College campus.

The proposed planting rationale respects this historic location by referencing locally relevant materials and highlighting proposed architectural colour schemes through flowering and foliage colours of indigenous shrubs and groundcovers nestled under a canopy of flowering evergreen and deciduous trees.

The frontage to the property is a clean, elegant and open native garden retaining two existing street trees (*Platanus x acerifolia* & *Melaleuca quinquenervia*) on Duncan Street and Shepparton Road. Streetscapes across each frontage will be enhanced with several new street trees to replace the aging power poles on Duncan Street (to be under-grounded at a future stage) using the same species to maintain the character of the street and extend the urban canopy on this exposed corner.

The verge immediately adjacent to the kerb will be kept clear using low groundcovers in lieu of turf, with new pavements incorporated according to the Town's urban design standards. The new streetscape paving will assist in improving universal access to a standard suited to the elderly and provide a revitalised entrance to the site and a safe, off-peak drop-off point on Duncan Street.

This open verge treatment will house trees in beds that will be graded to receive localised run-off as passive irrigation to new street trees and groundcovers to soften its presentation whilst reinforcing natural wayfinding cues and maintaining good passive surveillance of the street.

The scale of the landscape for this project is varied. At the rear of the complex, shaded rear courtyards will accommodate trees sufficient in height to shade the facades of the building in

summer but allow for solar gain in winter and contribute to the building's passive solar design. An additional middle and lower order canopy will establish vegetative privacy and soften neighbouring outlooks. Courtyards and terraces incorporate substantial potted and built-in planters to frame outlooks whilst screening views to neighbouring sites. Wayfinding is clearly defined by a selection of insitu and unit paving materials in mute tones to complement building materials. Pathways are further highlighted with striking feature shrubs and trees adjacent with a subtle and elegant lighting rationale that focusses user's attention to the vegetation surrounding them.

The quality of the communal gathering areas and private terraces will be simple, elegant and rich in species, texture, contrast and seasonal flowering. Discrete gathering areas and internal the central atrium will be shaded by a multi-layered canopy of deciduous and native trees with the lower parts of the canopy supporting productive fruit trees and native flowering species to promote edible plants and local ecologies concurrently.

This complex of inter-connected gardens will offer a variety of passive uses and functional activities like alfresco dining, intergenerational play and exercise interactives, quiet places to read, interact and converse with staff and residents while optimising both internal and external amenity for occupants, visitors and neighbours. Both private and shared spaces will be environments that are low maintenance using durable materials that are comfortable and seamlessly promote a productive and healthy lifestyle.

The architectural drawings have shown the areas proposed for landscaping, and it is indicates that an area of 138.45m² of landscaping is proposed within the street setback area (or 39% of the street setback area), which exceeds the Town's requirements of 25%.

A Landscape Plan has been prepared by Propagule is attached at **Annexure 6**.

3.5 SUPPORTING ASSESSMENTS

The proposed Nursing Home development is supported by the following expert assessments:

1. Traffic Impact Statement – Donald Veal Consultants
2. Acoustic Report & Noise Management Plan – Herring Storer Acoustics
3. Waste Management Plan – Talis Consultants

3.5.1 Traffic Impact Statement

A Traffic Impact Statement (**TIS**) has been prepared by Donald Veal Consultants (**DVC**) in support of the proposed development and is attached at **Annexure 7**.

As summarised in the TIS, the proposed Nursing Home is not expected to have any significant impact on the mid-block capacity of Duncan Street, nor the operation of the adjacent signalised intersection with Shepparton Road.

The proposed development is favourable in terms of traffic and transport impacts on the adjacent road network.

3.5.2 Acoustic Assessment

An Acoustic Assessment has been prepared by Herring Storer Acoustics in support of the proposed development and is attached at **Annexure 8**.

The Acoustic Assessment assessed mechanical services and the basement car park noise sources and confirms that the proposed development will comply with the *Environmental Protection (Noise) Regulations 1997* during standard operation.

A Noise Management Plan (**NMP**) has also been prepared to address WAPC State Planning Policy 5.4 "Road and Rail Noise". The purpose of the NMP was to assess the noise that would be received within the development area from vehicles travelling on Shepparton Road for future traffic volumes and compare the results with accepted criteria, and if exceeded, to develop the framework for the management of noise. The NMP is also included at **Annexure 8**.

3.5.3 Waste Management Plan

A Waste Management Plan has been prepared by Talis Consultants in support of the proposed development and is attached at **Annexure 9**.

The site will be serviced by private contractors using a rear-lift waste collection vehicle which will access the basement to service bins in the bin storage area utilising the loading and refuse dock. The rear-lift waste collection vehicle will enter and exit the proposed development in forward gear from Duncan Street.

The types of waste generated from the development is set out in Part 4 of the Waste Management Plan.

As summarised in the Waste Management Plan, the proposed development provides a suitably sized Bin Storage Area for storage of refuse and recyclables, based on the estimated waste generation and a suitable configuration of bins.

3.5.4 Hydraulic & Mechanical Design

Maarch has also coordinated the provision of hydraulic and mechanical designs, and these designs have been brought forward into the Planning stage, as it is intended that project gets put to construction as soon as possible following approval. The Applicant can provide hydraulic and mechanical design information if the WAPC requires it.

3.5.5 Universal Access

Milestone Certifiers (building certifiers) has undertaken an initial assessment of the schematic drawings including a preliminary review against the requirements of BCA Part D3 (disability

access) and confirmed that site and floor levels, pathway widths and room circulation will meet the BCA requirements for universal access. The certifiers will undertake a more comprehensive review when the working drawings are available and will address Part D3 and AS1428.1 in more detail at that stage.

3.6 DEMOLITION

The existing Nursing Home on Lot 177-178 (#16-18) and the existing Dwelling on Lot 179 (#20) Duncan Street will be demolished to make way for the proposed development.

The existing dwelling on #20 Duncan Street is not included on a statutory heritage list and as such, there is no impediment to its demolition.

However, Roshana has made arrangements for the re-use and recycling of brickwork and building materials from the demolition of the existing dwelling, and this is reflected in SK32 of the plan set at **Annexure 4**. The recycled bricks are intended to be used in the façade of the proposed building, but can also be used in the landscape works in the following ways:

- Planter and seating walls as double skin with good waterproofing applied internally;
- Boundary fencing;
- Crushed brick aggregate to non-structural masonry elements, inorganic mulches, free draining ballast and paving;
- As paving headers and banding in low traffic areas.

The recycled brickwork will add some colour warmth to public gathering spaces.

A Demolition Plan is also included in the plan set at SK30. Although not specifically shown on the Demolition Plan, it is intended that all existing crossovers to Duncan Street will be removed, and a single new crossover will be constructed in the proposed location.

4 STATUTORY PLANNING FRAMEWORK

This section outlines the relevant State and Local Government statutory and strategic Planning Framework documents applicable to the site and proposed development. This section also provides an assessment against the relevant Planning criteria of each document.

We understand that the WAPC, in considering and determining applications in the SDAU process, must have due regard to (but is not bound by) -

1. **The purpose and intent of any planning scheme that has effect in the locality to which the development relates; and**
2. **The need to ensure the orderly and proper planning, and the preservation of amenity, of that locality; and**
3. **The need to facilitate development in response to the economic effects of the COVID-19 pandemic; and**
4. **Any relevant State planning policies and any other relevant policies of the Commission.**

These four (4) considerations are set out in sections 4.1 to 4.4 below.

4.1 PURPOSE & INTENT OF ANY PLANNING SCHEME

This section reviews the purpose and intent of any Planning Scheme that is applicable to the site and proposed development. The Metropolitan Region Scheme and the Town of Victoria Park Town Planning Scheme No. 1 (together with the Deemed Provisions, the Town's Precinct Plans and the Town's Local Planning Policies) are reviewed in the following sections.

4.1.1 Metropolitan Region Scheme

The Subject Site is zoned "Urban" under the Metropolitan Region Scheme (**MRS**) and fronts Shepparton Road which is a "Primary Regional Roads" Reserve.

As the site abuts a "Primary Regional Roads" reserve, the Applicant's previous DAP application was referred to Main Roads WA (**MRWA**). On 23 June 2020, MRWA wrote to the Town and confirmed that it had "no objections" to the Proposed Development, subject to two conditions being imposed. The two conditions related to having the applicant prepare a transport noise assessment in accordance with WAPC SPP5.4 (*Road and Rail Transport Noise and Freight Considerations in Land Use Planning*) and to install noise insulation "Deemed to Comply" packages in the development.

MRWA also advised that the previously proposed on-street car parking bays were not supported. The Applicant has since removed those on-street bays and they do not appear on the plans.

A copy of MRWA submission is included at **Annexure 10**.

No direct access to Shepparton Road (the Primary Regional Road) is proposed or required for the proposed development.

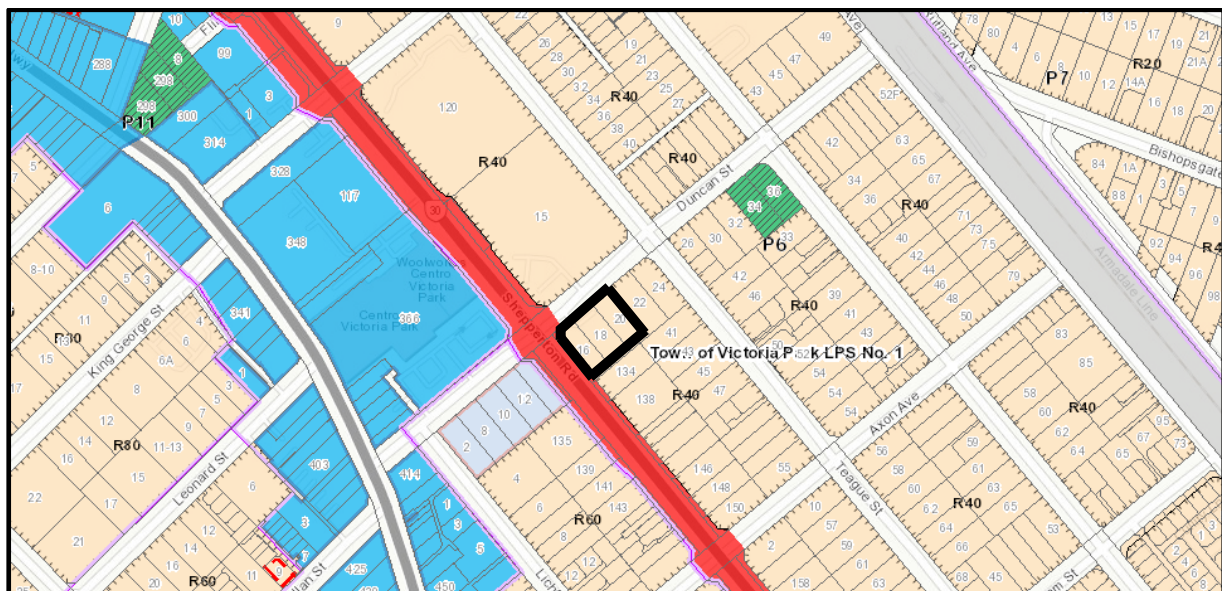
The proposed development is consistent with the provisions of the MRS and can be approved accordingly.

4.1.2 Town of Victoria Park Town Planning Scheme No. 1

The Town of Victoria Park Town Planning Scheme No. 1 (TPS1) applies to the subject site. TPS 1 is supplemented by the provisions in Schedule 2 (**Deemed Provisions**) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Subject Site is zoned “Residential R40” under TPS1. TPS1 was gazetted in 1998 and is in need of review. Refer to Zoning Map extract at **Figure 2**, below.

Figure 2: Zoning Map Extract - PlanWA



The proposed development meets the definition of “Nursing Home” which is defined in TPS1 as:

“Any building used for the medical treatment or care of sick persons, whether resident or not, but does not include consulting rooms”.

This use class is the most appropriate use class for the proposed development.

A “Nursing Home” is listed as an “AA” use within the “Residential” zone in TPS1. Clause 15 of TPS1 provides that “AA” means that the use is discretionary within the “Residential” zone, and is therefore, capable of approval.

4.1.3 Victoria Park Precinct Plan (P6)

TPS1 divides the Town into a number of precincts, with each precinct subject to a precinct plan which sets out the desire for future redevelopment. Due to the operation of Clause 3(1)(c) of TPS1, the precinct plans form part of TPS1 itself.

TPS1 designates the Subject Site within an the P6 – Victoria Park Precinct Plan (**Precinct Plan**), which also shows the land as having a residential density coding of R40.

Neither TPS1 or the Precinct Plan contain any specific requirements or standards which apply to a “Nursing Home” use on the Subject Site.

The Statement of Intent for the Precinct Plan is discussed further in this report.

4.1.4 Deemed Provisions

The Deemed Provisions outlines matters to be given due regard by local government when assessing development applications. **Table 2** below provides an assessment against matters relevant to this proposal.

Table 2: Matters to be Considered

Relevant Matters to be Considered	Comment
(a) <i>The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i>	The propose use and development is consistent with the aims and provisions of the Town’s TPS1 for the following reasons: <ul style="list-style-type: none"> • The proposal seeks approval for a land use which is “AA” (Discretionary) and therefore, capable of approval. • The proposed development is in general compliance with the provisions of TPS1 as evidenced further in this Report; • The proposed development will improve the amenity of the site.
(b) <i>The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i>	This report demonstrates the proposed development is in general compliance with the State and local planning framework applicable to the subject site.
(c) <i>Any approved State planning policy.</i>	
(d) <i>Any environmental protection policy approved under the Environmental Protection Act 1986 section 31 (d);</i>	Not Applicable to this development
(e) <i>Any policy of the Commission.</i>	
(f) <i>Any policy of the State.</i>	
(g) <i>Any local planning policy for the Scheme area;</i>	This report demonstrates the proposed development is in general compliance with the local planning policies applicable to the subject site and proposed development – refer section

Relevant Matters to be Considered	Comment
	4.1.5 of this report.
(h) <i>Any structure plan, activity centre plan or local development plan that relates to the development.</i>	Not Applicable.
(i) <i>Any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;</i>	Not Applicable.
(j) <i>In the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve.</i>	Not Applicable.
(k) <i>The built heritage conservation of any place that is of cultural significance.</i>	Not Applicable, as the site is not on the local heritage inventory.
(l) <i>The effect of the proposal on the cultural heritage significance of the area in which the development is located.</i>	Not Applicable, as the site is not on the local heritage inventory.
(m) <i>The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</i>	<p>The proposed development is entirely compatible with its setting for the following reasons:</p> <ul style="list-style-type: none"> • The proposed development is suitably located and designed to reduce in height as the development gets closer to the side boundary. • The proposal presents an attractive, high quality built form which enhances the appearance of the subject site and its impact on adjoining properties and the streetscape; • The amenity of the subject site and surrounds will be improved through the redevelopment of the subject site; <p>Having regard to the above, the nature of the proposed development is entirely compatible with its surroundings, and improves amenity of the locality.</p>
(n) <i>The amenity of the locality including the following –</i> <i>(i) Environmental impacts of the development;</i> <i>(ii) The character of the locality;</i> <i>(iii) Social impact of the development;</i>	<p><u>Environmental Impacts:</u></p> <p>The proposed development is not anticipated to result in any adverse environmental impacts.</p> <p><u>Character of the Locality:</u></p> <p>The proposed development will increase the amenity of the immediate locality by removing the existing (old) development and replacing it with new modern facilities.</p>

Relevant Matters to be Considered	Comment
	<p><u>Social Impacts:</u></p> <p>The proposed development will not have any adverse social impacts on the surrounding locality, but will provide a positive social impact through the creation of jobs through construction and operation of the facility with hundreds of employment positions being created.</p>
<p>(o) <i>The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.</i></p>	<p>Not Applicable</p>
<p>(p) <i>Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.</i></p>	<p>The proposed development includes a comprehensive landscaping regime which is considered to be high-quality.</p>
<p>(q) <i>The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk.</i></p>	<p>Not Applicable</p>
<p>(r) <i>The suitability of the land for the development taking into account the possible risk to human health or safety.</i></p>	<p>Not Applicable</p>
<p>(s) <i>The adequacy of –</i> <i>(i) the proposed means of access to and egress from the site; and</i> <i>(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i></p>	<p>As outlined in this Report and the supporting Transport Impact Statement (TIS) prepared by DVC (Annexure 7), the proposed access arrangements to and from the site are satisfactory.</p> <p>The development has been appropriately designed, including appropriate arrangements for loading, unloading, manoeuvring and parking of vehicles in the basement.</p>
<p>(t) <i>The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</i></p>	<p>The Transport Impact Statement prepared by DVC (Annexure 7) indicates that the proposed development will not have an unacceptable level of impact on the surrounding road network.</p>
<p>(u) <i>The availability and adequacy for the development of the following –</i> <i>(i) Public transport services;</i> <i>(ii) Public utility services;</i> <i>(iii) Storage, management and collection of waste;</i> <i>(iv) Access for pedestrians and cyclists (including end of trip storage, toilet and shower</i></p>	<p>Access for people with disability has been a key requirement for this development, and has been designed accordingly.</p>

Relevant Matters to be Considered	Comment
<i>facilities);</i> (v) <i>Access by older people and people with disability.</i>	
(v) <i>The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses.</i>	No loss of any community service or benefit is expected to occur as a result of the proposed development.
(w) <i>The history of the site where the development is to be located;</i>	Not Applicable
(x) <i>The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.</i>	It is considered that the proposed development will have a positive impact on the community, by providing urgently needed aged care services.
(y) <i>Any submissions received on the application.</i>	We understand that the SDAU will seek the comments of the local community.
(za) <i>The comments or submissions received from any authority consulted under clause 66;</i>	We understand that the SDAU will seek the comments of referral authorities.
(zb) <i>Any other planning consideration the local government considers appropriate.</i>	Noted.

Having regard to **Table 2** above, the proposal appropriately addresses matters to be given due regard as set out in the Deemed Provisions.

4.1.5 Local Planning Policies

The Town publish a number of Local Planning Policies, which assists decision-makers in exercising discretion in the consideration of development applications under TPS1.

Clause 67 of the Deemed Provisions provides that a local planning policy is a relevant consideration for decision makers in the assessment of proposed development. Importantly, while clause 67 of the Deemed Provisions requires a decision maker to have “due regard” to such policy, such policy is not binding on any decision maker.

The following section provides a response to each of the relevant Local Planning Policies that apply to the Proposed Development. The relevant Local Planning Policies include:

1. **LPP 3** – Non-Residential Uses in or Adjacent to Residential Areas
2. **LPP 20** – Design Guidelines for Developments with Buildings above 3 Storeys
3. **LPP 23** – Parking Policy; and
4. **LPP 33** – Guide to Concessions on Planning Requirements for Mixed Use, Multi Dwelling and Non-Residential Developments
5. **LPP 29** – Public Art

LPP3 - Non-Residential Uses in or Adjacent to Residential Areas

Local Planning Policy 3 (LPP3) relates to non-residential uses in or adjacent to residential areas and therefore applies to the proposed development.

An assessment of the proposed development against the provisions of LPP3 is provided at **Table 3** below.

Table 3 Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas	
Policy Provision	Response
1. Preferred Location	
a) <i>Non-residential uses are generally encouraged to locate on sites which have access to main streets or major roads, and are discouraged from locating within a local access street or laneway.</i>	The site is located at a prominent intersection at the corner of Duncan Street and Shepparton Road (a major road) and therefore, complies with the Preferred Location requirement of LPP3. However, the site gains access from Duncan Street rather than Shepparton Road and we understand this is preferred by Main Roads WA. Complies
b) <i>Should be located such that residential properties are not isolated between non-residential uses</i>	The proposed development does not result in residential properties being isolated between non-residential uses. Complies
2. Traffic Generation	
a) <i>Non-residential development should only be permitted where it does not negatively impact the function or safety of the adjacent roads or cause undue conflict through the generation of traffic or demand for parking.</i>	The proposed development is supported by a Traffic Impact Statement (TIS) which confirms that there will be no negative impact on the road network through traffic generation or demand for parking. Refer Annexure 7 which includes the TIS for further detail. Complies
b) <i>In assessing an application for non-residential development, in addition to considering matters such as traffic volumes, road capacity and road safety from a technical engineering perspective, Council will have also regard to these matters from a residential amenity perspective.</i>	It is considered that the proposed development will not affect the residential amenity of the locality in relation to traffic generated by the development. The site is adjacent to a high traffic highway which already forms the existing amenity in terms of visual impact of cars, and noise associated with traffic. Complies
c) <i>A Transport Impact Statement (TIS) or Transport Impact Assessment (TIA) prepared by a suitably qualified independent traffic consultant may be required to be submitted as part of a development application, which assesses the likely traffic impacts associated with the proposed development.</i>	A TIS has been prepared in support of this application – refer Annexure 7 . Complies
d) <i>The appropriate level of traffic assessment required to be undertaken for the proposed development will be determined by Council having regard to the requirements of the Western</i>	The TIS has been undertaken in accordance with the WAPC's Transport Impact Assessment Guidelines. Complies.

Table 3 Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas	
Policy Provision	Response
<i>Australian Planning Commission's (WAPC) (2016) Transport Impact Assessment Guidelines.</i>	
3. Control of Noise, Pollution or Other Impacts Associated with the Use	
<i>Non-residential development shall only be permitted where the nature of the non-residential use will not cause undue conflict or adversely affect the amenity of the neighbourhood through the emission of light, noise, fumes, odours, dust, vibration, electrical interference, waste water, or any other form of pollution which may be undesirable in residential areas. Development applications for a non-residential use should be accompanied by a statement and/or specialist reports outlining if and how any impacts arising from the activities proposed to be conducted on the site will be prevented or appropriately managed to ensure that the amenity of surrounding residential properties is maintained (e.g. Acoustic Report).</i>	<p>The proposed development has been supported by a Waste Management Report, Acoustic Report and Noise Management Plan to ensure the activities arising from the development are appropriately managed to ensure that the amenity of the surrounding residential area is maintained. Refer Annexures 8 and 9 for further detail.</p> <p>Complies</p>
4. Plot Ratio	
<i>Non-residential development on Residential zoned land is required to comply with the plot ratio development standards for Multiple Dwellings of the relevant R-Code on which the development is located. For the purposes of this Policy, in areas with a density coding of less than R40, a plot ratio of 0.5:1 applies.</i>	<p>The proposed development has a plot ratio of 1.08 which exceeds the R40 plot ratio requirement of 0.60. A variation to this Policy requirement is required.</p> <p>However, the site is within an area set for increased density, as the site is within a Train Station Precinct under the State's Perth & Peel @ 3.5million document.</p> <p>The form of development and density is anticipated to be consistent with what is likely to eventuate in the immediate area, so in reality, the plot ratio will comply once the Planning Framework progresses. Further, the R-Codes (Vol 2) states that for a residential coding of R80 to R100 (which this development seeks to be in line with), a plot ratio of between 1.00 and 1.30 is required. Therefore, the proposed development fits exactly within the plot ratio range expected for the future of this locality.</p> <p>Variation Required</p>
5. Building Setbacks	
<p>a) <i>Front setback requirements:</i></p> <p>(i) <i>For non-residential development on Residential zoned land – to comply with the requirements applicable to residential development under the relevant Precinct Plan, R-Codes and/or Council Policies.</i></p>	<p>From the R-Codes Vol 2, the primary setback requirement for R40 is 4m.</p> <p>The secondary street setback requirement for R40 is 1.50m.</p> <p>The proposed development varies the setback requirements of the underlying R40 code, as the proposed development has a 900mm setback to Duncan Street and a 1.00m setback to Shepparton Road.</p>

**Table 3
Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas**

Policy Provision	Response
	<p>However, the site is within an area set for increased density, as the site is within a Train Station Precinct under the State's Perth & Peel @ 3.5million. It is anticipated that future development in this area will include reduced setbacks toward the street and therefore, the proposed development will likely be consistent with setbacks once the Planning framework progresses.</p> <p>Further, as the site is a prominent site, it is considered that development closer to the street is acceptable to provide a landmark building.</p> <p>Variation Required</p>
<p>b) Side setback requirements for non-residential development on Residential zoned land or those portions of a non-residential development adjacent to Residential zoned land:</p> <p>(i) To be setback from side boundaries as per the requirements for residential development under the Residential Design Codes;</p>	<p>Minimum 2.00m side setback required under R-Codes Vol 2 for R40.</p> <p>Proposed = 3.00m side setback (technically compliant).</p> <p>As the proposed development is more in line with an R80-R100 development, the R-Codes Vol 2 would require a minimum of 3.00m side setbacks, which has been provided.</p> <p>Complies</p>
<p>(ii) A wall containing a window, door or other opening which is capable of affecting the privacy or amenity (e.g. through associated access/activity/noise) of nearby residences or future residences will be treated as a major opening for calculating the required side setback under this clause; and</p>	<p>Side setbacks have been proposed in accordance with the requirements for residential development under the R-Codes Vol 2.</p> <p>Complies</p>
<p>(iii) A nil side setback may be permitted to adjoining Residential zoned property where the length and height of the boundary wall complies with the requirements for residential development applicable to the adjoining residential property under Council's Local Planning Policy No.26 – Boundary Walls.</p>	<p>Not applicable.</p> <p>Complies</p>
<p>6. Visual Privacy</p>	
<p>Major openings (any window, door or other opening which may affect the privacy of nearby residences or future residences) should be located such that they do not directly face or are screened from surrounding residential properties. This is particularly important where they may serve as a means of frequent access, allow the escape of noise, or serve as sources of overlooking into adjoining residential</p>	<p>Major openings have been designed such that they do not directly face or are otherwise screened from surrounding residential properties.</p> <p>Complies</p>

Table 3 Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas	
Policy Provision	Response
<i>properties by staff or visitors/customers to the site.</i>	
<p><i>Where located adjacent to existing residential properties, developments are to be designed to satisfy the following criteria:</i></p> <p>a) <i>All major openings to operational rooms or amenities frequented by staff/customers of the development that have a finished floor level raised 0.5 metres or more above natural ground level which overlook any part of an adjoining residential property behind its street setback line, are to:</i></p> <p>(i) <i>be setback, in direct line of sight, a minimum of 6.0 metres from the boundary of the adjoining residential property (as measured from a 45 degree cone of vision from the external face of the opening).</i></p>	<p>Major openings to operational rooms or amenities that are accessible to staff and residents (and visitors) are set back at least 6.00m from the adjacent property boundary.</p> <p>For example, the activity/lounge on the ground level is set back 6.00m from the south-east boundary.</p> <p>Complies</p>
<p>b) <i>All unenclosed outdoor spaces (balconies, decks, verandahs and the like) where the finished floor level is raised 0.5 metres or more above natural ground level which overlook any part of an adjoining residential property behind its street setback line, are to:</i></p> <p>(i) <i>be setback, in direct line of sight, a minimum of 7.5 metres from the boundary of the adjoining residential property (as measured from a 45 degree cone of vision from the external perimeter of the unenclosed outdoor space); or</i></p>	<p>Balconies are set back are minimum of 7.50m (as measured from a 45-degree cone of vision). The plans detail the cone of vision compliance.</p> <p>Complies</p>
7. Building Design	
<p><i>The design and siting of new non-residential buildings/facilities on Residential zoned land should have regard to the existing neighbourhood character and reflect a residential scale and appearance, particularly with regard to the following elements:</i></p> <p>a) <i>Building and roof form;</i> b) <i>Building height and setback;</i> c) <i>Design detail, including façade articulation, verandahs, window and door style and placement; and</i> d) <i>Building materials, colours and finishes.</i></p>	<p>The proposed building materials reflects the existing neighbourhood character.</p> <p>The proposed building and roof form, building height and setbacks and articulation of facades will be consistent with the type of development and form anticipated under the State Planning framework and Train Station precinct.</p> <p>Complies</p>
8. Location of Vehicular Access/Car Parking and Provision of Boundary Fencing	
<p>a) <i>Where car parking or vehicular access ways are already provided in the vicinity of adjacent residential properties or cannot be (re)located elsewhere,</i></p>	<p>The proposed car park in the basement will ensure that no vehicle can damage boundary fencing.</p> <p>Complies</p>

Table 3 Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas	
Policy Provision	Response
<i>suitable barriers shall be provided to protect boundary fencing, which may be required to be upgraded to protect the amenity and/or privacy of adjoining residents.</i>	
b) <i>New or upgraded boundary fencing should be a minimum of 1.8 metres high and be of masonry construction in a colour/finish that complements the development as well as being of compatible colours and materials to any neighbouring residential properties.</i>	Any new fencing required will be 1.80m high and compatible with neighbouring residential properties. Complies
c) <i>It is recommended that the applicant obtain agreement with neighbouring properties regarding the height, materials and finish of any new/upgraded boundary fencing.</i>	Noted.
d) <i>The provision of new/upgraded boundary fencing may be applied as a condition of development approval where it is deemed necessary by the Council to reduce the potential impacts of the non-residential development on adjoining residential properties.</i>	Noted.
9. Location of Building Services and Bin Storage Areas	
a) <i>Delivery, loading and building services areas are to be located such that they are not visible from the street or adjoining residential properties.</i>	The delivery, loading, waste collection and other services are located in the basement away from public view and away from view of adjoining properties. Complies
b) <i>Bin storage areas are to be appropriately screened and located so that they do not harm the amenity of surrounding residential properties by way of visual nuisance, noise, odours or other impacts.</i>	The bin store area is located in the basement away from public view. Waste will be collected by a private contractor. A Waste Management Plan has been prepared in support of the application. Refer Annexure 9 . Complies
10. Antisocial Behaviour & Crime Prevention	
<i>The development should demonstrate that it has been designed and will operate in a manner that does not encourage crime or antisocial behaviour to occur. Non-residential development should be designed in accordance with relevant Crime Prevention Through Environmental Design (CPTED) principles, having regard to the Policies adopted by Council as well as relevant State Planning Guidelines, to address matters including propensity for crime and antisocial behaviour to occur, personal safety, passive surveillance, vandalism/graffiti etc. Roller doors/shutters will not be acceptable in any instance.</i>	The proposed development has been comprehensively designed in accordance with CPTED principles. The Architect has prepared a checklist against the CPTED principles and it is included at Annexure 11 . Complies
11. Landscaping	
a) <i>A high quality of landscaping should be</i>	A comprehensive landscaping plan has been

**Table 3
Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas**

Policy Provision	Response
<p><i>provided to soften the appearance of the development, screen car parking areas and provide for a pleasing aspect that is compatible with the streetscape and amenity of surrounding residential properties.</i></p>	<p>prepared in support of this application and will provide a high-quality planting regime including deep planting zones. Refer Annexure 6.</p> <p>Complies</p>
<p>b) <i>For non-residential development on Residential zoned land, a minimum of twenty five per cent (25%) of the site area is to be landscaped, and a minimum of fifty per cent (50%) of the front setback area is to be soft landscaping.</i></p>	<p>24% of the site has been landscaped, calculated by adding the podium landscaping, roof top landscaping and deep planting zones. Refer Basement Floor Plan at Annexure 4 for area calculations.</p> <p>Given the type of development proposed, there is reduced opportunity for landscaping in the front setback area. However, there is additional landscaping in the front setback area, between the building and both Duncan Street and Shepparton Road. There is at least 39% of the front setback area proposed for landscaping (which equals to 138.45m²). The additional landscaping of the front setback area now ensures that the minimum 25% of the site is set aside for landscaping.</p> <p>Complies</p>
<p>12. Signage</p>	
<p>a) <i>All signage associated with the non-residential development should be detailed as part of the development application for the main (re)development. Where final specifications are unknown, a signage strategy identifying the location, size and type of external advertising signage to be installed on the building/site is to be submitted to Council as part of the development application.</i></p>	<p>The proposed facility intends to have one single sign on the north-western side of the building displaying 'Roshana Care'</p> <p>There will also be an 'R' sign in the vertical element over the main entry on Duncan Street.</p> <p>A low wall displaying 'Roshana Care' with the number '16' will also be installed near the pedestrian entry on Duncan Street.</p> <p>Each of these signs will be detailed under a separate application, and can be conditioned accordingly.</p> <p>Complies</p>
<p>b) <i>All signage is to be designed and located so as to provide a balance between providing appropriate identification for visitors to the site and ensuring that the signage has regard to its residential context and minimises any adverse amenity impacts, as follows:</i></p> <p>(i) <i>being designed integrally with the building, and being of a modest size and scale that respects the amenity and streetscape of surrounding residential properties;</i></p>	<p>The proposed signage is minimal but has been integrated into the proposed building.</p> <p>The proposed signage will be detailed in a separate application. The proposed signage does not directly face any dwelling or property, as the main signage is proposed on the corner of the building, facing out over the signalised traffic intersection. The detail of this will be provided under a separate signage application.</p> <p>Complies</p>

Table 3 Local Planning Policy 3 – Non-Residential Uses in or Adjacent to Residential Areas	
Policy Provision	Response
<p>(ii) <i>where illuminated, not contain any flashing, pulsating or chasing light, and being located and baffled to prevent light spill/glare into surrounding residential properties;</i></p> <p>(iii) <i>not comprise highly reflective materials or visually 'loud'/obtrusive colour schemes that cause glare or visual nuisance in direct line of site of adjoining residential properties; and</i></p> <p>(iv) <i>are generally located (or are provided with screening or landscaping) such that they primarily face the street/public realm and do not directly face dwelling entries or windows to habitable rooms of adjoining residential properties.</i></p>	
<p>c) <i>The design, type, location and number of signs on the site/building is subject to the requirements of Council's Local Planning Policy and/or Local Law related to Signs and/or a signage strategy approved by Council as part of a development application.</i></p>	<p>Signage will be dealt via a separate application.</p> <p>Complies</p>
13. Hours of Operation	
<p>a) <i>Hours of operation for all non-residential uses will be considered having regard to the nature and intensity of the use and the context of the site and surrounding areas.</i></p> <p>b) <i>Loading and unloading of vehicles should only occur between the hours of 7am to 7pm.</i></p>	<p>The aged care facility will be operated 24/7, however public access will be limited to day time hours and early evening.</p> <p>Loading and unloading of vehicles and refuse collection will only occur between 7am and 7pm.</p> <p>Complies</p>

LPP20 – Design Guidelines for Developments with Buildings above 3 Storeys

Local Planning Policy 20 (**LPP20**) includes Design Guidelines that set the planning and design framework for any development incorporating buildings above 3 storeys (or 11.5m) in height, and therefore it applies to the proposed development.

There are 10 Design Elements listed in LPP20 which have been addressed in **Table 4** below.

Table 4**Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys**

Policy Provision	Response
6. Design Elements	
<p>6.1 Site Planning</p> <p><i>i. The site layout integrates with the surrounding environment through:</i></p> <ul style="list-style-type: none"> • <i>building, streetscape and landscape design relating to the surrounding neighbourhood character or desired future urban character;</i> • <i>appropriate pedestrian, cycle and vehicle circulation patterns within and around the site;</i> • <i>buildings facing and addressing streets and public spaces;</i> • <i>building position and orientation having consideration for minimising impact on amenity from reflective glare and/or over-shadowing of adjacent properties; and</i> • <i>location and design of building services within the development minimising impact on adjoining properties and public spaces.</i> <p><i>ii. The site layout takes into account on-site features, topography, views, landmarks, vegetation, structures, drainage, services and access and where appropriate, retains any item or natural site feature of identified conservation or heritage value.</i></p> <p><i>iii. The site layout takes into account daylight, orientation and microclimatic considerations.</i></p> <p><i>iv. The site layout takes into account attractive neighbouring sites and streetscape conditions and maintains a reasonable level of amenity.</i></p> <p><i>v. The site layout enhances personal safety and minimises potential for crime, vandalism, and fear.</i></p> <p><i>vi. Buildings are sited and designed to minimise energy use, provide amenity and allow sunlight to open spaces.</i></p>	<ul style="list-style-type: none"> • The proposed development integrates with the surrounding environment including using materials and colours that reflect the character of locality. • The development has appropriate pedestrian and vehicle circulation accessways within and around the site. • The building clearly addresses both street frontages and public spaces. • The building has been well-designed to ensure minimal overshadowing and amenity impact – refer Overshadowing Diagrams in the Plan set. It should be noted that overshadowing from a compliant development under the local planning framework is substantially greater than the overshadowing that results from the proposed development. • All services (including loading, laundry, refuse) are located in the basement away from the public realm and will be operated in a way that minimises impact on adjoining properties and public spaces. <p>The site layout optimises views of significance and the development itself will create a landmark site. There are no natural vegetation or other significant features on the site.</p> <p>The site layout has been well-designed to take into account natural daylight, northern orientation and solar access.</p> <p>The site layout takes into account the attractive site opposite (Ursula Frayne) and will improve the amenity of the street.</p> <p>The development has been designed in accordance with CPTED principles and minimises the potential for crime and vandalism.</p> <p>The development has been orientated to optimise solar access into the heart of the development and to allow daylight to access the aged care rooms. This has also been done to minimise energy use. Solar panels will assist with energy consumption also.</p>

Table 4**Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys**

Policy Provision	Response
<p>vii. <i>Where the layout provides open spaces, these contribute to the legibility and character of the development, provide for a range of uses and activities, and are readily maintained.</i></p> <p>viii. <i>Site layout facilitate the infiltration of stormwater run-off where practicable (subject to climatic, soils and urban character criteria).</i></p> <p>ix. <i>In areas exposed to significant levels of off-site noise, the site layout and building design assists in minimising noise intrusion.</i></p> <p>x. <i>Building siting takes into account site levels and minimises changes to existing levels at site boundaries and street frontages.</i></p> <p>xi. <i>The setback and orientation of buildings provides an appropriate transition space between buildings and site boundaries, contributes positively to existing or proposed streetscapes and adjoining open spaces, and assists in the integration of new development.</i></p> <p>xii. <i>Sufficient access is provided for emergency vehicles.</i></p>	<p>The proposed open spaces will benefit the development and provide for a play space for children who are visiting the facility with their families.</p> <p>The development will have a comprehensive stormwater drainage management system.</p> <p>The proposed development is situated on a busy corner with high levels of traffic on Shepparton Road. A Noise Management Plan has been prepared in accordance with SPP5.4 to provide management measures for noise.</p> <p>The proposed development addresses site levels and will be developed to ensure minimal impact on neighbours.</p> <p>The proposed setbacks of the development are appropriate given the likely future development in the locality and contributes positively to the streetscape.</p> <p>The basement can be used by emergency vehicles, and parts of the building fronting streets can also accommodate emergency vehicle parking if required.</p> <p>Complies</p>
<p>6.2 Streetscape</p> <p>i. <i>The street, building and landscape design achieves:</i></p> <ul style="list-style-type: none"> • <i>the creation of attractive environments with clear character and identity;</i> • <i>respect for existing attractive streetscapes and heritage streetscapes in established areas;</i> • <i>appropriate streetscapes in areas where desired future urban character has been defined;</i> • <i>optimisation of site attributes including views and existing features of natural and cultural value; and</i> • <i>safety and passive street surveillance.</i> 	<ul style="list-style-type: none"> • The street, building and landscape design achieves a very high quality, attractive environment with clear character and identity. • The proposed development is sympathetic to existing heritage style streetscapes by using similar materials and colours, but in modern translation. • The proposed form of development is appropriate considering that desired future urban character of the locality will include higher buildings and higher density development in the Train Station Precinct. • The proposed development optimises views towards the Perth CBD from the roof top garden.

**Table 4
Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys**

Policy Provision	Response
<p>ii. <i>The design of the landscape in and fronting streets:</i></p> <ul style="list-style-type: none"> • <i>complements the functions of the street;</i> • <i>reinforces desired traffic speed and behaviour;</i> • <i>is appropriately scaled relative to both the street reserve width and the building bulk and scale;</i> • <i>provides for appropriate street tree planting taking into account the image and role of the street, solar access requirements, soils, selection of appropriate species, and services;</i> • <i>retains and incorporates existing significant and mature vegetation where appropriate;</i> • <i>appropriately recognises and responds to items and places of heritage significance;</i> • <i>assists in microclimate management;</i> • <i>integrates and forms visual and physical linkages with parks, reserves and transport corridors;</i> • <i>enhances pedestrian comfort and safety;</i> • <i>achieves and maintains lines of sight for pedestrians, cyclists and drivers of vehicles;</i> • <i>ensures adequate lighting for safety and security purposes;</i> • <i>provides where appropriate attractive and coordinated street furniture to meet user needs; and</i> • <i>satisfies maintenance and utility requirements and minimises the visual impact of above-ground utilities.</i> 	<ul style="list-style-type: none"> • As the facility is operated 24/7, there will be good passive street surveillance., <p>The design of landscaping in and fronting the street will be high quality.</p> <p>Refer Landscaping Plan at Annexure 6. It is considered the proposed planting regime will satisfy these policy requirements.</p> <p>Complies</p>
<p>6.3 <i>Building Appearance & Neighbourhood Character</i></p> <p>i. <i>Buildings and their entries are readily apparent from the street.</i></p> <p>ii. <i>Building height at the street frontage maintains a compatible scale with adjacent development where appropriate.</i></p>	<p>The main pedestrian entry to the facility is readily identifiable from Duncan Street.</p> <p>The proposed building height at the street frontages will be compatible with likely future development in this locality and represents an appropriate scale for this corner landmark site.</p>

Table 4**Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys**

Policy Provision	Response
<p><i>iii. Building appearance enhances the quality of an area.</i></p> <p><i>iv. Garages and parking structures are screened from public streets.</i></p> <p><i>v. Consideration is given to the design of any large areas of roof that may be overlooked from the development or adjacent properties.</i></p> <p><i>vi. Existing buildings in sound condition that contribute to the streetscape character plus items of heritage or conservation significance are retained, incorporated and sympathetically treated, where possible.</i></p> <p><i>vii. Front fences and walls, where used, improve amenity and allow some outlook between the building and the street to achieve safety and surveillance and contribute positively to the streetscape.</i></p> <p><i>viii. Boundary walls and retaining structures have regard for the impact on neighbours.</i></p>	<p>The proposed building form, articulation, materials/colours, landscape, urban design elements and pedestrian amenity all enhance the quality of the area.</p> <p>The basement parking structure is screened from the public realm.</p> <p>The roof area has been designed to include a roof top garden (with planting) and entertaining area. This reduces the extent of standard roofing material and therefore if overlooked, the development will appear substantially superior.</p> <p>The existing buildings will be removed to facilitate development of the site. The existing Nursing Home on the corner is not in sound condition to be retained or incorporated.</p> <p>There are no front fences proposed. Low walls will be incorporated as part of the landscaping proposed, but this will still allow surveillance between the building and street.</p> <p>There are no boundary walls proposed.</p> <p>Complies</p>
<p>6.4 Private Open Space</p> <p>Note: Policy states that private open space relates to dwellings.</p>	<p>This Policy provision does not apply to the proposed development.</p>
<p>6.5 Communal Open Space & Publicly Accessible Space</p> <p><i>i. Communal open space and publicly accessible space is designed according to projected user needs.</i></p> <p><i>ii. The landscape design achieves an appropriate balance of hard and soft landscape treatment and determines the location and species of trees,</i></p>	<p>The proposed open space areas have been comprehensively designed to allow for children play spaces for visiting families, and other more intimate gathering spaces in around the site. The roof top garden also provides for a space for social gatherings. The open space proposed in this facility therefore, has been designed specifically for the aged care facility and anticipated users.</p> <p>The proposed landscaping balances hard and soft landscape treatment and includes deep planting zones as well.</p>

Table 4**Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys**

Policy Provision	Response
<p><i>shrubs and ground cover:</i></p> <p>iii. <i>Lighting is provided to all accessible spaces to ensure a high level of safety and security for users at night.</i></p> <p>iv. <i>Ensure that appropriate security measures are incorporated and management procedures allow for limited or controlled access where and when required.</i></p>	<p>It is anticipated that the publicly accessible landscaped spaces will have lighting to provide for safety and security at night.</p> <p>The site will be appropriately managed around the clock to allow for limited access or controlled access when and if required.</p> <p>Complies</p>
<p>6.6 Resource Efficiency</p>	
<p><i>To adhere to the principles of ecologically sustainable development by incorporating features which limit the use of fossil fuels and natural resources and reduce greenhouse gas emissions over the life of the development.</i></p>	<p>A Resource Efficiency Report can be developed at detailed design stage and provided as a condition of planning approval, prior to a building permit being submitted.</p> <p>Complies</p>
<p>6.7 Safety and Security</p>	
<p>i. <i>Buildings are designed to overlook public and communal streets and other public spaces to provide casual surveillance.</i></p> <p>ii. <i>Site planning, buildings, fences, walls, landscaping and other landscape treatments and features clearly define territory and ownership of all public, common, semi-private and private spaces without the need for supplementary signage</i></p> <p>iii. <i>Appropriate lighting is provided to all pedestrian paths between public and shared communal and private areas, parking areas and building entries.</i></p> <p>iv. <i>Building entries are clearly visible from public spaces and provide a sense of security for all users.</i></p> <p>v. <i>Buildings are designed to minimise access between roofs, balconies and windows of adjoining dwellings tenancies and/or buildings.</i></p> <p>vi. <i>Materials vulnerable to graffiti and vandalism are avoided and robust materials which are aesthetically pleasing are used in public or communal spaces</i></p>	<p>The building has been designed to overlook both street frontages to provide for casual surveillance of the street and pedestrian footpaths.</p> <p>The site has been designed to incorporate areas of low walls and landscape treatments to assist in clearly defining areas between public and private property, which avoids the need for supplementary signage.</p> <p>Pedestrian walkways and paths linking the public realm and the private facility will be appropriately lit for safety and security. Similarly, the basement will be lit to allow for safe access and egress.</p> <p>The main entry to the facility is clearly identifiable from Duncan Street.</p> <p>Not applicable.</p> <p>Aesthetically pleasing materials are used in the public and communal spaces.</p>

Table 4**Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys**

Policy Provision	Response
<p>vii. <i>Pedestrian site access and car parking are clearly defined, appropriately lit, visible to others and provide direct access to buildings from areas likely to be used at night.</i></p> <p>viii. <i>Major pedestrian, cycle and vehicle thoroughfares are identified and reinforced as “safe routes” through:</i></p> <ul style="list-style-type: none"> • <i>appropriate lighting;</i> • <i>the potential for casual surveillance;</i> • <i>minimised opportunities for concealment;</i> • <i>and</i> • <i>landscape and urban design which allows clear sight lines.</i> <p>ix. <i>Entries to individual dwellings/tenancies are clearly identifiable by visitors and drivers of emergency vehicles.</i></p> <p>x. <i>Public facilities, including public toilets and street furniture, are located to maximise opportunities for casual surveillance, and are designed and constructed of high-quality, robust materials.</i></p> <p>xi. <i>In mixed use developments a diversity of complementary land-use activities is provided to encourage a public presence at different times of the day and night; and</i></p> <p>xii. <i>Landscape and fencing/walling treatments maintain clear visibility to and from doors, windows and pedestrian ways.</i></p>	<p>Pedestrian access points and car parking areas are well defined, appropriately lit and clearly visible.</p> <p>Main pedestrian entries and the basement for vehicle traffic is clearly identifiable and have clear sightlines.</p> <p>This is not applicable to the development as there are no individual dwellings.</p> <p>The café, outdoor area and street furniture enable casual surveillance of the development and adjacent public realm and will include high quality robust materials.</p> <p>The proposed development is not a mixed-use development; however, the facility will be operational 24/7.</p> <p>Landscape treatments and low walls clearly define pedestrian ways and provide a delineation of public vs private property space.</p> <p>Complies</p>
<p>6.8 Privacy</p> <p>i. <i>Direct overlooking of main internal living areas and private open spaces of other dwellings is limited.</i></p> <p>ii. <i>Effective location and design of windows and balconies is preferred to the use of screening devices, high sills or obscured glass.</i></p> <p>iii. <i>Site layout separates active recreational areas, parking areas, vehicle accessways and service equipment areas from bedroom areas of dwellings,</i></p>	<p>This does not apply to the proposed development as there are no individual dwellings or private open spaces.</p> <p>Window placement and balcony locations have been well-designed to ensure privacy is respected and to avoid unnecessary screening measures.</p> <p>The site layout ensures parking areas and vehicle accessways are separate to open space areas and pedestrian walkways. This provides a high level of safety, but also limits noise to open spaces and</p>

Table 4 Local Planning Policy 20 – Design Guidelines for Developments above 3 Storeys	
Policy Provision	Response
<p><i>and limits high levels of external noise entering dwellings.</i></p> <p>iv. <i>Dwellings close to high-noise sources (e.g. busy roads, railway lines, airport flight-paths or industry) should be designed to limit noise intrusion.</i></p> <p>v. <i>Building design, materials selection and services assists in minimising the transmission of solid and airborne sound throughout the development, adjacent properties and public spaces.</i></p>	<p>areas where residents of the facility may gather.</p> <p>Aged care rooms will be appropriated treated to ensure road noise from adjacent busy Shepparton Road is not intrusive.</p> <p>The building design and materials selection will assist in minimising the transmission of noise throughout the development and towards adjacent properties.</p> <p>Complies</p>
<p>6.9 On-Site Parking and Access <i>To ensure appropriate provision of secure and accessible on-site parking and access for occupants and visitors.</i></p>	<p>Car parking complies with the Town's parking requirements.</p> <p>Complies</p>
<p>6.10 Site Facilities</p> <p>i. <i>All facilities such as garbage bin areas, mail boxes and external storage facilities are sited and designed for attractive appearance and function, and complement the architecture and environs;</i></p> <p>ii. <i>Garbage collection systems are designed for efficient and convenient use and collection and allow for collection of recyclable materials;</i></p> <p>iii. <i>Mail boxes are located for convenient access by occupants and deliverers, and are in a location offering passive surveillance; and</i></p> <p>iv. <i>Dwellings are provided with adequate storage areas.</i></p>	<p>All loading, laundry, refuse collection activities occur in the basement away from public view.</p> <p>Waste collection will occur from the basement. A Waste Management Plan has been prepared for the proposed development.</p> <p>Not applicable to this development.</p> <p>Not applicable to this development.</p> <p>Complies.</p>

LPP23 – Parking Policy

Local Planning Policy 23 (**LPP23**) provides the Town's required car parking ratios for the proposed development.

Table 5 below provides the car parking calculation for the proposed development and demonstrates that the parking proposed complies with the requirements of LPP23.

Table 5 Local Planning Policy 23 –Parking Policy	
Policy Provision	Response
<i>Institutional Home / Nursing Home</i>	
<i>1 for every 40 square metres of net administration/office floor area and consulting/treatment areas, plus 1 for every 3 beds provided.</i>	<p>The proposed development includes:</p> <ul style="list-style-type: none"> • 600m² net admin/office and consult/treatment area = 15 bays • 120 beds = 40 bays <p>Total Required = 55 bays</p> <p>Total Provided = 55 bays</p> <p>Complies</p>

Originally, it was intended to install on-street parking in Duncan Street for parking during 'off-peak' times, however, following comments from Main Roads WA and the Town, these car parking bays have been removed and are no longer proposed.

Further, it was raised by the Town that tandem parking cannot be used to calculate the number of car parking bays for a development, and on that basis there is a shortfall in parking. However, as The Town's LPP23 is not binding on a decision-maker, the Applicant considers it appropriate to include tandem parking for staff, and thus, include those parking bays in calculating the number of car parking bays for the proposed use. The tandem bays will not be for visitors, and as such, do not present a problem for viable use. Roshana Management will ensure use of the tandem bays for staff will operate effectively, particularly for staff who are there all day. Therefore, it is our view that there is no car parking shortfall and the proposed number of bays is suitable and compliant.

The proposed 55 car parking bays is considered to be appropriate for the proposed development for the following reasons:

- Not all staff will be allocated parking bays, and the well-located site enables staff to consider public transport for access to the site.
- Staff are on shifts, so maximum number of staff on site at any one time is approx. 40.
- Parking for staff is primarily for Facility Manager, Administration and Clinical Managers = 15-20, leaving the balance for visitors.
- On weekends and after 5pm on other days, there is a reduced number of administration staff, and more visitors, allowing the reduced pressure for staff to provide for more parking for visitors.
- During weekdays 8am to 5pm there are less visitors, and higher number of staff, therefore the balance of car parking appears appropriate.

LPP33 – Guide to Concessions on Planning Requirements for Mixed Use, Multi Dwelling and Non-Residential Developments

Local Planning Policy 33 (LPP33) provides a guide to concessions for non-residential development.

Concessions on planning requirements are often sought for Multiple Dwellings and Mixed-Use developments in the Town. This is largely driven by the metropolitan- wide objective to increase population densities in appropriate inner urban areas.

The purpose of LPP33 is to outline the matters that will be considered by the Town in dealing with concessions to planning requirements for developments such as the one being proposed in this application.

Table 6 below provides a response against the criteria of LPP33.

Table 6 Local Planning Policy 33 – Guide to Concessions on Planning Requirements for Mixed Use, Multi Dwelling and Non-Residential Developments	
Policy Provision	Response
3 a. Response to local character and townscape	
<i>Does the development integrate particularly well into its local context?</i>	As a prominent site along Shepparton Road and opposite Ursula Frayne Catholic College, the proposed development integrates well with its context, and responds appropriately to adjacent low-density residential dwellings. It should also be recognised that the site is within a Train Statement precinct earmarked for future medium density residential development. In these circumstances, the development integrates well into the local context, both now and into the future. Complies
3 b. Contribution to the existing streetscape	
<i>Does the development make a significant positive contribution to the streetscape and, does it set a high standard to be emulated by others?</i>	The proposed development makes an incredible statement, and thereby makes a significant positive contribution to the streetscape. Its high standard of design, complemented with good landscaping and functionality sets the benchmark for other developments in this area. This development may create a catalyst for further redevelopment and investment in this area. Complies
3 c. Impact on the adjacent public realm	
<i>This section mainly applies to the developments in mixed-use areas, including Albany Highway, Burswood Road and the Goodwood Parade area.</i> <i>Does the development make a significant positive contribution to the quality and character of the public realm for the long term?</i>	The policy does not apply to the subject site however, the development makes a significant contribution to the quality and character of the public realm in this location, being located on a prominent corner and the main pedestrian and vehicular entry to the Victoria Park train station. Further the quality built form and design improves the amenity of the site and location in general as viewed from the surrounding streetscape.

Table 6 Local Planning Policy 33 – Guide to Concessions on Planning Requirements for Mixed Use, Multi Dwelling and Non-Residential Developments	
Policy Provision	Response
	Complies
3 d. Site planning and building block layout	
<i>Does the development provide superior amenity for residents and visitors while minimising impacts on neighbours?</i>	The development has been comprehensively designed by the Project Architect to provide superior amenity for the residents and visitors of the Nursing Home, while minimising impacts such as overshadowing, effects of bulk and scale and noise on neighbours. It should be noted that overshadowing from a compliant development under the local planning framework is actually greater than the overshadowing that results from the proposed development This is demonstrated in Overshadowing Diagrams in the plan set at Annexure 4 , which includes comparison to a compliant (hypothetical) development. Complies
3 e. Internal apartment layouts	
<i>Do internal layouts of apartments provide maximum amenity and usefulness for the residents in the long term?</i>	Not applicable, however if related to bed rooms, each room has been designed appropriately for its use. Complies
3 f. Long-term building performance and services	
<i>Does the building provide maximum environmental comfort for residents while still achieving high levels of energy efficiency?</i>	The building has been designed for high levels of energy efficiency and will provide maximum levels of comfort to all the residents of the facility as would be expected. Complies
3 g. Development overall	
<i>Does the development, in overall terms, earn consideration for a relaxation of planning requirements?</i>	The development overall earns consideration for the relaxation of the building height, plot ratio, and setbacks requirements. Complies

LPP29 - Public Art

Local Planning Policy 29 (**LPP29**) outlines requirements for Public Art.

A Public Art Submission has been prepared by Daniel Guiffre in support of the Proposed Development. The Public Art for the Proposed Development comprises the proposed Façade Screen Louvres across the front of the building, which will also be illuminated at night through the use of Flextube

Daniel Guiffre has explained the design and colour selections and the relationship of the artwork concept to the local context as follows:

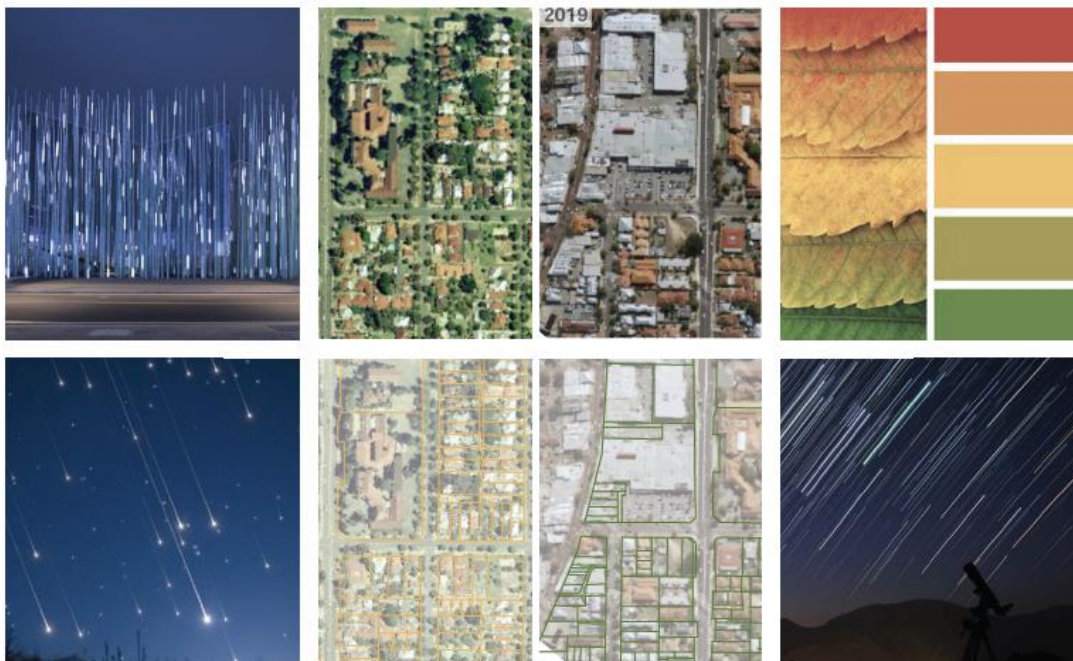
The integrated artwork proposal for Duncan Street uses form, colour, light, and space in a simple yet elegant way. The artwork was inspired by the historical urban developments of its immediate site and surrounding context. This integrated artwork proposal picks up on the patterns and shapes created by the changing planning zones and cadastre outlines, relating to the site both historically and presently.

Architecture has always shared a blurred line with art. As an integrated artwork, this piece not only strives to contribute to the vibrant and diverse social and urban character of the Town of Victoria Park, but it provides a functional purpose to the building. The shading provided by the artwork façade intends to create interesting moments of light and shadow internally.

The ambition is to represent the above ideas conceptually through abstraction, rather than a figurative or literal representation. The resonant shapes within the artwork are emblematic of historical narratives are supported by a unique and distinctive colour palette inspired by the colours of Autumn.

At night the artwork comes to life, through the use of integrated, programmed lighting. The theme for the lighting was developed by exploring 'Autumn', which is the theme initially expressed by the architects. The intent behind the artwork lighting is inspired by the Eta Aquariid meteor shower, which occurs every May. A meteor shower appears much like a shooting star in the sky.

The intention is for the lighting to be subtle. Using only a limited colour pallet (whites, blues and purples), and will be pre-programmed to simulate the effects of shootings stars and meteor showers.



Refer to **Annexure 12** for the Public Art Submission.

In terms of lighting, and to ensure that lighting does not pose a risk to safety of drivers, the Applicant would accept that the lighting will at no time display red, green or amber and the lighting will not be of such an intensity as to distract drivers, or overpower the traffic signals. Main Roads WA may provide specific wording for a condition.

The proposed Public Art has been costed at \$423,000, and the artist's fees including design documentation is a further \$55,000. The cost meets the requirements of LPP29, which requires a contribution of 1% of the development cost of the project. 1% would represent a contribution of \$220,000, and therefore, the cost of the proposed Public Art is actually closer to 2% of the development cost.

It has been requested in Pre-Lodgement Advice that the public art screen be applied to the ventilation screen along the service area adjacent to Shepparton Road. However, as the budget for the public art has already far exceeded the policy requirement of 1% (explained above), the budget doesn't permit the art screen to be expanded further. Additionally, in response to local design review comments, the ventilation screen area will be enhanced by the proposed landscaping programme which will provide hanging/climbing plantings over the front of the wall space adjacent to the screens. This is shown in the **Figure 3** below, taken from one the renderings.

Figure 3: Retaining Wall and Ventilation Screen Treatment



It is considered that the Public Art for the Proposed Development will increase the amenity of the locality, but also provide a landmark feature on the site during the day and at night.

4.1.6 Non-Complying Applications

As the proposed Nursing Home does not comply with some of the above Policy Standards (the key variations being plot ratio and building height), it is considered to be a “non-complying application” for the purposes of Clause 29 of TPS1, which allows any standard or requirement for non-residential development (i.e. the Nursing Home) to be varied.

Importantly, Clause 29(3) of TPS1 sets out the basis on which decision makers may grant approval for non-complying applications.

It is considered that the proposed development is worthy of approval with the variations.

4.2 ORDERLY & PROPER PLANNING / PRESERVATION OF AMENITY

Given the comprehensive assessment of the local planning framework, including the assessment against the Town’s local planning policies set out in Section 4.1, it is evident that the proposed development is consistent with orderly and proper planning and will enable the amenity of the locality to be preserved and enhanced.

4.3 FACILITATE DEVELOPMENT IN RESPONSE TO COVID-19 PANDEMIC

It is noted that the WAPC will have due consideration to facilitate development in response to the economic effects of the COVID-19 pandemic.

Roshana is committed to construct the proposed development as soon as possible following planning approval, and has funds committed specifically for this project.

Roshana is currently constructing a Nursing Home project in Carmel WA (Valencia Nursing Home) which received DAP Approval in 2019. That project will be finalised in 2021, allowing the Duncan Street project to commence shortly thereafter (possibly in 2022). Assuming development approval is granted (likely in early 2021) and a two-year approval is provided, this will enable Roshana to commence construction in 2022, and substantially commence the project during 2022. Therefore, a condition requiring substantial commencement of the development within two years (i.e. by early 2023) is accepted by the Applicant.

Jaxon, a leading construction company in WA, has been engaged by Roshana to construct the Valencia Nursing Home. Roshana has a Memorandum of Understanding (MOU) with Jaxon to engage them once to start on the Duncan Street project once the Valencia Nursing Home has been completed in 2021.

Currently, Commonwealth Bank of Australia (CBA) is funding the Valencia Nursing Home project and CBA has given approval in-principle to fund this Duncan Street project in 2022. The funding model for the project is such that Roshana will collect Refundable Accommodation Deposits

(RADs) for 60% of occupancy which is equal to $120 \times 60\% \times \$350,000 = \$25M$ to cover the construction cost in 12-24 months with full occupancy.

In terms of job creation, through construction the project will generate 200 jobs over 2 years.

The operation of the Nursing Home will generate 150 jobs for the local community, through round the clock shift work (three shifts over 24 hours).

Roshana has advised that a single shift can create 40 jobs, and that there are three (3) shifts over 24 hours (which enables 120 jobs to be provided). In addition to that, the extra services from sub-contractors and increase in Roshana’s head office staff for governance, care, quality and accounting can create an additional approximately 30 jobs, therefore generating approximately 150 jobs in total. Roshana has provided a copy of its proposed roster for the Duncan Street staff (refer **Figure 4** below), which demonstrates a total of 40 jobs for one shift.

Figure 4: Anticipated Staff Roster

Roshana Group Roster - Duncan St						
Staff Numbers for 120 Beds						
	Mon	Tue	Wed	Thu	Fri	Sat/SUN
CARERS	10.00	10.00	10.00	10.00	10.00	10.00
REGISTERED NURSE	4.00	4.00	4.00	4.00	4.00	4.00
ENROLLED NURSE	4.00	4.00	4.00	4.00	4.00	4.00
CATERING	3.00	3.00	3.00	3.00	3.00	3.00
CLEANING	5.00	5.00	5.00	5.00	5.00	5.00
LAUNDRY	3.00	3.00	3.00	3.00	3.00	3.00
THERAPY	3.00	3.00	3.00	3.00	3.00	3.00
MAINTENANCE	1.00	1.00	1.00	1.00	1.00	1.00
ADMINISTRATION	5.00	5.00	5.00	5.00	5.00	5.00
SITE MGT	2.00	2.00	2.00	2	2	2
Occupancy	90.00%	90.00%	90.00%	90.00%	90.00%	90.00%
TOTAL	40.00	40.00	40.00	40.00	40.00	40.00

The job creation for this project is not insignificant and will benefit the local community with long term jobs and economic activity.

The SDAU’s approval for the project will enable Roshana to move forward to the construction stage and fulfil its obligations under the Department of Health License for the aged care beds.

4.4 RELEVANT STATE PLANNING POLICIES & OTHER RELEVANT WAPC POLICIES

It is noted that the WAPC will have due consideration to any relevant State Planning Policies and other relevant policies of the Commission.

4.4.1 SPP5.4 – Road & Rail Noise

State Planning Policy 5.4 (**SPP5.4**) Road and Rail Noise is a relevant policy that is required to be given consideration.

As set out previously in this report, a Noise Management Plan has been prepared to address the provisions of SPP5.4 and provide noise amelioration measures (quiet house' design standards). Refer to **Annexure 8** for the Noise Management Plan.

4.4.2 SPP7.0 - Design of the Built Environment

State Planning Policy 7.0 (**SPP7.0**) Design of the Built Environment is a relevant policy that is required to be given consideration.

The proposed development more than comfortably meets with each of the overarching Design Principles of SPP7.0. The compliance of the development with SPP 7.0 is detailed below at **Table 7**.

Table 7: SPP7.0 Design Principles Assessment

Table 7 SPP7.0 Design Principles Assessment	
SPP 7.0 Design Principles	Comment
<p>1. Context and character <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p>	<p>The high quality design of this development appropriately responds to the site and location. The prominent location of the site demands a high profile development that interfaces directly with the street, with an urban edge. The design methodology reflects the materiality of the Victoria Park locality, and colours have also been sourced with local identity.</p> <p>The development of the site will improve the amenity of the locality, by incorporating well-designed built form (together with landscaped setting) and removing old buildings from the site.</p>
<p>2. Landscape quality <i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p>	<p>Recognising that outdoor spaces are important for aged care facilities, the development includes a detailed Landscape Plan which incorporates local plant species and is designed to improve the visual amenity of the site and improve site sustainability.</p> <p>Both soft and hard landscaping areas are proposed, resulting in a well-integrated place that contributes to local identity and streetscape character.</p> <p>Deep planting zones are proposed to enable planting and growth of large trees, which will be able to be viewed from upper levels of the development and also attract bird life.</p>
<p>3. Built form and scale <i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future</i></p>	<p>The built form, scale and height of the proposed development is appropriate to this setting, providing an urban edge to surrounding streets, but stepping-down the development towards residential neighbours in order to reduce the bulk and scale.</p> <p>It is recognised that the intended future character of the area will include similar development forms and higher residential</p>

Table 7**SPP7.0 Design Principles Assessment**

SPP 7.0 Design Principles	Comment
<i>character of the local area.</i>	densities.
<p>4. Functionality and build quality</p> <p><i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i></p>	<p>The design of the development is a high-quality proposal incorporating extensive architectural detailing.</p> <p>The building is to be constructed of durable materials and finishes to ensure it is resilient to wear and tear and is climate responsive.</p> <p>The proposed development is purpose-designed for the caring of the aged.</p>
<p>5. Sustainability</p> <p><i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p>	<p>The development has been designed with sustainability in mind, including orientation of the development, appropriate window treatments and screens to reduce heat loading, providing opportunity for large trees to grow.</p> <p>The development will also be provided with solar panels.</p> <p>It is also proposed to re-use and recycle building materials and bricks from the existing buildings on the subject land, and use old bricks for features in the façade of the proposed development.</p>
<p>6. Amenity</p> <p><i>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p>	<p>The development improves the amenity of the locality and provides a welcoming, comfortable environment that is universally accessible.</p>
<p>7. Legibility</p> <p><i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p>	<p>The proposed development includes a single pedestrian access point from Duncan Street which is easily identifiable, being marked with design features including street numbering (No. 16). Internally, the facility is high legible for residents and visitors.</p>
<p>8. Safety</p> <p><i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>	<p>The building design maximises opportunities for casual surveillance over the surrounding street frontages through windows and the main entrance to the facility.</p> <p>The Architect has undertaken a Designing Out Crime exercise in the development of the plans.</p>
<p>9. Community</p> <p><i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i></p>	<p>The development is specifically designed to accommodate the care of the aged in the local community.</p> <p>It is an urgently needed facility in this locality, and therefore, this development responds to the needs of the community.</p>
<p>10. Aesthetics</p> <p><i>Good design is the product of a skilled, judicious design process</i></p>	<p>The proposed development incorporates a high level of articulation, materiality, colour variation and interesting building</p>

Table 7	
SPP7.0 Design Principles Assessment	
SPP 7.0 Design Principles	Comment
<i>that results in attractive and inviting buildings and places that engage the senses.</i>	elements to maximise visual interest of the urban form. The landscaping design of the site also results in an attractive, vibrant place.

Having regard to **Table 7** above, the proposal appropriately addresses the Design Principles of SPP7.0.

5 CONCLUSION

This Application seeks the WAPC's approval for a four (4) storey (plus basement) residential Aged Care Facility ("Nursing Home" use) situated at Lots 177-179 (#16-20) Duncan Street, Victoria Park.

The proposed development is a high-quality facility that will greatly benefit the local community and create a landmark site at a high-profile corner location.

The WAPC's approval of the proposed Nursing Home will assist the Roshana Group in meeting its obligations under the current Department of Health 120-bed aged care license it currently holds for the subject site.

The proposed Nursing Home is considered to be an appropriate development in this locality, particularly in the circumstances where the State Planning framework for the locality indicates for increased density and development in the immediate area, given the close proximity to the Victoria Park Train Station.

The proposed Nursing Home development has been comprehensively designed by Mark Aronson Architecture, and is supported by expert technical assessments including traffic, acoustic, noise management, and waste management and a quality landscape design.

The Nursing Home use is an "AA" (discretionary) use in the "Residential" zone and therefore, the WAPC has the discretion to approve the proposed development, notwithstanding that there are some variations to the current standards and requirements of the current Planning Framework (including the very-dated Town of Victoria Park Town Planning Scheme No. 1).

The approval of the proposed Nursing Home facility presents an excellent opportunity to support and encourage the progress of caring for the aged within this local government area and to provide that service in a high-quality development.

It is on this basis that we respectfully seek the approval of the WAPC.

Peter Webb & Associates