



## **Metro Central Joint Development Assessment Panel Agenda**

**Meeting Date and Time:** 8 February 2018; 9am  
**Meeting Number:** MCJDAP/278  
**Meeting Venue:** Teleconference  
Department of Planning, Lands and Heritage  
140 William Street  
Perth

### **Attendance**

#### **DAP Members**

Ms Sheryl Chaffer (A/Presiding Member)  
Mr Christopher Antill (A/Deputy Presiding Member) – via teleconference  
Mr Michael Hardy (Specialist Member)  
Cr Renee McLennan (Local Government Member, Town of Bassendean) – via teleconference

#### **Officers in attendance**

Mr Christian Buttle (Town of Bassendean) – via teleconference

#### **Minute Secretary**

Ms Zoe Hendry (DAP Secretariat)

#### **Applicants and Submitters**

Mr Trent Will (Planning Solutions)  
Ms Louise Thompson (8 Walter Road East Bassendean Pty Ltd)  
Mr Brendan Foley (Lavan)  
Mr Alex McGlue (Lavan)

#### **Members of the Public / Media**

Nil

### **1. Declaration of Opening**

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

### **2. Apologies**

Mr Charles Johnson (Presiding Member)

### **3. Members on Leave of Absence**

Nil



#### **4. Noting of Minutes**

The Minutes of Metro Central JDAP meeting No.277 held on 7 February 2018 were not available at time of Agenda preparation.

#### **5. Declarations of Due Consideration**

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

#### **6. Disclosure of Interests**

Nil

#### **7. Deputations and Presentations**

**7.1** Mr Brendan Foley (Lavan) presenting in support of the application at Item 9.1. The presentation will address legal justification as to why the amendment should be approved by the DAP.

**7.2** Mr Trent Will (Planning Solutions) and Ms Louise Thompson (8 Walter Road East Bassendean Pty Ltd) presenting in support of the application at Item 9.1. The presentation will request that the substantial commencement date of the development be extended by two years.

#### **8. Form 1 - Responsible Authority Reports – DAP Applications**

Nil

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

<b>9.1</b>	Property Location:	Lot 3 (No. 8) Walter Road East, Bassendean
	Application Details:	Proposed 10 Multiple Dwellings
	Applicant:	Planning Solutions
	Owner:	8 Walter Road East Bassendean Pty Ltd
	Responsible authority:	Town of Bassendean
	DAP File No:	DAP/16/01058

#### **10. Appeals to the State Administrative Tribunal**

Nil

#### **11. General Business / Meeting Closure**

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



## Form 2 - Responsible Authority Report

(Regulation 17)

<b>Property Location:</b>	Lot 3 (No. 8) Walter Road East, Bassendean
<b>Development Description:</b>	Proposed 10 Multiple Dwellings
<b>Proposed Amendments:</b>	To amend the approval so as to extend the period within which the development must be substantially commenced by a further two years from that originally specified (i.e. to 6 October 2020).
<b>DAP Name:</b>	Metro Central JDAP
<b>Applicant:</b>	Planning Solutions
<b>Owner:</b>	8 Walter Road East Bassendean Pty Ltd
<b>Value of Amendment:</b>	Overall estimated cost of development remains unchanged at \$2 million dollars.
<b>LG Reference:</b>	2017-155
<b>Responsible Authority:</b>	Town of Bassendean
<b>Authorising Officer:</b>	Christian Buttle, Senior Planning Officer
<b>Department of Planning File No:</b>	DAP/16/01058
<b>Report Date:</b>	8 January 2018
<b>Application Receipt Date:</b>	28 November 2017
<b>Application Process Days:</b>	41 days
<b>Attachment(s):</b>	<ol style="list-style-type: none"><li>1. Original Determination Notice including Approved Plans (provided under the cover of correspondence from the DAP secretariat dated 11 October 2016).</li><li>2. Applicant's correspondence in support of current application dated 23 November 2017.</li></ol>

### Officer Recommendation:

That the Metro Central JDAP resolves to:

1. **Accept** that the DAP Application reference DAP/16/01058 as detailed on the DAP Form 2 date stamped received 28 November 2017 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** the DAP Application reference DAP/16/01058 as detailed on the DAP Form 2 date stamped received 28 November 2017 and accompanying plans:

Dwg No.	Drawing Name	Rev No.	Dwg Date
A01	Existing Site Plan	E	29.08.2016
A02	Proposed Site / Ground Floor Plan (Part A)	E	29.08.2016
A03	Proposed Site / Ground Floor Plan (Part B)	E	29.08.2016
A04	First Floor Plan (Part A)	E	29.08.2016

in accordance with the provisions of the Town of Bassendean Local Planning Scheme No. 10, for the proposed minor amendment to the approved 10 Multiple Dwellings at Lot 3 (No. 8) Walter Road East, Bassendean, subject to the following conditions:

### Amended Conditions

1. Modification to Condition 27 so as to now read:

This decision constitutes planning approval only and is valid for a period of 2 years from the date of determination of the Form 2 application. If the subject development is not substantially commenced within the 2-year period, the approval shall lapse and be of no further effect.

All other conditions and requirements detailed on the previous approval dated 6 October 2016 shall remain unless altered by this application.

### Details: outline of development application

Insert Zoning	MRS:	Urban
	TPS:	Residential (R20/40)
Insert Use Class:		Multiple Dwellings ('P' (permitted) land use)
Insert Strategy Policy:		Not applicable
Insert Development Scheme:		Town of Bassendean Local Planning Scheme No. 10.
Insert Lot Size:		1,200 sq.metres
Insert Existing Land Use:		N/A – Vacant Land



The applicant seeks approval to modify the development approval for 10 Multiple Dwellings which was originally issued by JDAP at its meeting held 6 October 2016 by:

- (a) Extending the period of validity within which the proposed development must be substantially commenced by a further two years beyond that originally approved (i.e. from 6 October 2018 to 6 October 2020).

**Background:**

Development approval for 10 Multiple Dwellings was previously granted by the Metro Central JDAP at its meeting held 6 October 2016.

**Legislation & policy:**

Legislation

- Planning and Development Act 2005;
- Planning Development (Local Planning Schemes) Regulations 2015; and
- Town of Bassendean Local Planning Scheme No. 10.

State Government Policies

The following state government policies are of relevance when considering the application for development approval:

- (a) Directions 2031 (Bassendean is an identified District Centre);
- (b) State Planning Policy 3.1 – Residential Design Codes of Western Australia; and
- (c) State Planning Policy 4.2 – Activity Centres for Perth and Peel.

Local Policies

The application for development approval was originally assessed against the Town's adopted Local Planning Policy No. 2 "Energy Efficient Design" and Local Planning Policy No. 3 Water Sensitive Design". These policies are referenced by Clause 5.3 of Local Planning Scheme No. 10 and were required to be suitably addressed in order for the applicant to gain development entitlements at the higher R40 density code, as proposed.

Additionally, Local Planning Policy No. 18 – Landscaping with Local Plants is of relevance when considering the application for development approval.

**Consultation:**

Public Consultation

The original application for development approval was referred to the following adjoining property owners for public comment:

- 10 Walter Road East (vacant land to the left hand (western) side of the proposed development). This vacant lot is owned by the Western Australian Planning Commission (WAPC);
- 46 Lord Street (Vacant land to the rear (northern) side of the proposed development). This vacant lot is also owned by the WAPC; and
- 6 and 6A Walter Road East (Two single houses to the right hand (eastern) side of the proposed development). Both of these houses are owner occupied.

Consultation did not extend beyond the boundaries of directly adjoining properties.

The ownership of each of the properties identified above has not changed since the original application was considered by Council and the JDAP, and as such, further consultation has not been undertaken as part of the assessment of the current application, noting that:

- The proposal relates solely to the timeframe imposed on the original notice of determination; and
- The proposed development is identical to that which was originally proposed.

Although consultation has not been undertaken in conjunction with the current application, each of the owners referred to above has been informed in writing of the new application and its consideration by JDAP.

#### Consultation with other Agencies or Consultants

The original application was advertised to the Western Australian Planning Commission as an adjoining property owner as identified above.

#### **Planning assessment:**

##### Request to Amend Condition 27

Condition 27 states that:

*“This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.”*

The applicant has requested that the period of validity of approval be extended for a further two years from 6 October 2018 to 6 October 2020.

DAP Practice Note covers Form 2, Regulation 17, Minor Amendment Applications. At part 9, it states that:

*“Where a Form 2 application is made in accordance with r.17(1)(a) ‘to amend the approval so as to extend the period within which any development approved must be substantially commenced’ the relevant planning considerations should include:*

- *Whether the planning framework has changed substantially since the development was granted;*
- *Whether the development would likely receive approval now; and*
- *Whether the holder of the development approval has actively and relatively conscientiously pursued the implementation of the development approval.”*

The following comments are made with respect to the matters identified above:

#### Changes to Planning Framework

There have been no changes implemented / formalised to the Residential Design Codes of Western Australia, the Town's operative Local Planning Scheme No. 10 (LPS10) nor supporting planning policies since the application was first approved in October 2016.

There is, however, an amendment to LPS10 which would impact the proposed development if gazetted, and the question of whether or not Amendment No. 8 is 'seriously entertained' for the purpose of the current application must be considered.

Amendment No. 8 to Local Planning Scheme No. 10 seeks to modify controls associated with Multiple Dwellings within the Town so as to:

- (a) Only permit dwelling density to be calculated on plot ratio controls and not land area per dwelling controls (as is proposed in this instance) to properties that are within an 800m walkable distance to the Bassendean Train Station; and
- (b) Only permit Multiple Dwellings to be developed to the higher density code of a split coded property (as is also proposed in this instance) to development sites that have a frontage of 25m or greater.

The proposed development meets neither of the requirements identified above.

A history of Amendment No. 8 is provided below:

- **April 2016**  
Council adopts Amendment No.8 to LPS 10 for the purpose of advertising for public comments.
- **June – August 2016**  
Amendment is advertised for public comment for 42 days from 28 June 2016 – 9 August 2016 with one submission received.
- **November 2016**  
Council considers a report on submissions resolved to support Amendment No.8 without modification.
- **December 2016**  
Amendment documents are forwarded to the Western Australian Planning Commission (WAPC).
- **August 2017**  
By way of a letter dated 10 August 2017, the Town receives advice from the WAPC that it has considered the Amendment, submitted its recommendation to the Minister and that the Minister requires the Council to modify the amendment documents in accordance with an attached schedule of modifications before being resubmitted for approval.
- **August 2017**  
Council considers an Officer report on modifications to LPS Amendment No.8 documentation. Council resolves that:

*"That the Mayor and CEO seek a deputation to the Planning Minister comprised of planners and Cr Bridges, to explain that perpetuation of the current plot ratio scenario:*

- 1. Creates community hostility by permitting construction of eight 2x2's per existing lot size;*
- 2. Limits the future ability to amalgamate and develop decent land parcels;*
- 3. Jeopardises the chances of achieving well designed higher multi residential developments;*

4. *Frustrates the provision of higher density housing in the future as advocated by the adopted Local Planning Strategy;*

*And to request reconsideration of the 25 - metre frontage requirement proposal, was put to the vote and CARRIED UNANIMOUSLY 6/0”.*

- **October 2017**

Town staff and Councillors present a deputation to the Minister for Planning on 5 October 2017 in relation the Amendment and the Council's concerns with the instructions contained within the correspondence from the Commission in its letter dated 10 August 2017.

- **October 2017**

By way of an email dated 31 October 2017 the Town followed up with the Ministers Office to ascertain the status of the Amendment following the Town's deputation.

- **December 2017**

The Town is currently awaiting advice from the Ministers office regarding the status of the Amendment.

The Commission and the Minister were both comfortable with the concept of only allowing Multiple Dwellings to be approved under plot ratio controls for development sites that were located within an 800m walkable distance of the Bassendean Train Station. The development site is situated beyond this 800m walkable distance and therefore if the Amendment were to be finalised in this manner, would allow only 5 Grouped or Multiple Dwellings (1 per 220 sq.metres of site area) as opposed to the 10 Multiple Dwellings that were previously approved.

However, uncertainty exists in relation to whether or not other provisions of the Amendment will be subject to further change and also in relation to the final timing of the Amendment. Having regard to the uncertainty that presently exists, it is not reasonable to identify the Amendment as a seriously entertained planning proposal at this time, and on this basis decision making should occur under the planning framework that is currently legally in force.

Would Development Likely Receive Approval Now

Having regard to:

- the comments that have been made immediately above;
  - the lack of change to any other component of the planning framework since approval was first granted; and
  - there being no changes to the proposed development,
- the proposal would receive the same Officer recommendation today (approval) as it did when the application was originally determined.

Active and Conscientious Pursuit of Implementing Approval

The applicant contends that the proponent has made efforts to pursue implementation of the approval which are summarised as:

- Demolition of the original dwelling which was on site; and
- Obtaining quotes for various works.

The demolition of the house occurred as the building was uninhabitable, had become a target for squatters and had become subject to active Council and Police involvement.

No information has been provided in relation to quotes that have been sought. There has been no application for a building permit; no builder appointed and no marketing of proposed dwellings for sale. As such, it would be the Town's contention that there can not be said to have been active and conscientious attempts made to implement the approval.

Notwithstanding this fact, having regard to the factors identified in the previous points, this is not seen to be a factor that should prevent an extension of time being granted.

However, given the changes to the planning framework that are actively in progress (and which would prevent approval being granted for the development if formalised), such extension should be for a maximum time period of 24 months from the date that the current application is to be determined and not 24 months beyond 6 October 2018, as has been sought by the applicant.

#### **Council Recommendation:**

The Council of the Town of Bassendean considered this proposal at its Ordinary Meeting held 19 December 2017, at which time it resolved as follows:

#### **COUNCIL RESOLUTION – ITEM 10.3(a)**

**OCM – 8/12/17**      *MOVED Cr Mykytiuk, Seconded Cr Hamilton, that Council **does not endorse** the Senior Planning Officer's Form 2 – Responsible Authority Report for the Application for Amendment of a Development Assessment Panel Application for 10 Multiple Dwellings to Extend the Period of Validity of Approval for 10 Multiple Dwellings Lot 3 (No. 8) Walter Road East, Bassendean.*  
*CARRIED 5/2*  
*Crs Mykytiuk, Hamilton, McLennan, Quinton & Wilson voted in favour of the motion. Crs Brown & Gangell voted against the motion.*

#### **Conclusion:**

It is recommended that:

- Condition 27 be modified for the reasons identified within the body of this report to so as to now read:

This decision constitutes development approval only and is valid for a period of 2 years from the date of this decision. If the subject development is not substantially commenced within the 2-year period, the approval shall lapse and be of no further effect.

All other conditions and requirements detailed within the previous approval dated 6 October 2016 shall remain unless altered by this application.

**Supplementary Information Memorandum to Accompany  
Responsible Authority Report**  
(Regulation 17 Application)

<b>Property Location:</b>	Lot 3 (No. 8) Walter Road East, Bassendean
<b>Development Description:</b>	Proposed 10 Multiple Dwellings (Application to Extend Period of Validity of Approval)
<b>DAP Name:</b>	Metro Central JDAP
<b>Applicant:</b>	Planning Solutions
<b>Owner:</b>	8 Walter Road East Bassendean Pty Ltd
<b>LG Reference:</b>	2017-155
<b>Responsible Authority:</b>	Town of Bassendean
<b>Authorising Officer:</b>	Christian Buttle, Senior Planning Officer
<b>Department of Planning File No:</b>	DAP/16/01058
<b>Date of Supplementary Information:</b>	30 January 2018

A Form 2 application for the proposal referred to above was considered by the Metro Central JDAP (JDAP) at its meeting held 25 January 2018, at which time the JDAP resolved as follows:

***“PROCEDURAL MOTION***

***Moved by:*** Mr Michael Hardy

***Seconded by:*** Cr Renee McLennan

*That the Metro Central JDAP resolves to defer DAP application reference DAP/16/01058 - Lot 3 (No. 8) Walter Road East, Bassendean until the 7 February 2018.*

***Reason:***

*To enable the panel and applicant sufficient time to consider the late but relevant information provided by the Town of Bassendean in an appropriate manner.*

***The Procedural Motion was put and CARRIED UNANIMOUSLY”***

This memorandum seeks to provide additional information to JDAP to assist its decision making in relation to the application, particularly in relation to the progress and status of Amendment No. 8 to the Town of Bassendean Local Planning Scheme No. 10. It also provides a history of the background of the application for development approval.

## **Background Associated with Application for Development Approval**

### 5 November 2015

Planning Solutions and Town commence preliminary discussions in relation to the proposed development of the site with 10 Multiple Dwellings.

### 3 June 2016

Formal application for the development of 10 Multiple Dwellings lodged with the Town.

### 27 September 2016

Original application for development approval considered by the Council of the Town of Bassendean (in order that it could provide a recommendation to JDAP).

### 6 October 2016

Original application considered (and approved) by the JDAP.

### 27 November 2017

Current Form 2 application to extend period of validity of approval lodged with the Town.

### 11 December 2017

Draft RAR finalised for distribution to Council in advance of December 2017 Ordinary Council Meeting.

### 19 December 2017

Current Form 2 application considered by the Council of the Town of Bassendean (in order that it could provide a recommendation to the JDAP).

### 8 January 2018

Form 2 – Responsible Authority Report (updated to include Council's recommendation) forwarded to DAP secretariat.

### 25 January 2018

Metro Central JDAP meeting held. Determination of application 2 placed on hold to allow further consideration of Amendment 8 to LPS10 to be made.

## **Background Associated with Amendment 8 to Local Planning Scheme No. 10**

Amendment 8 originally sought to modify controls associated with Multiple Dwellings within the Town so as to:

- (a) Only permit dwelling density to be calculated on plot ratio controls and not land area per dwelling controls (as is proposed in this instance) to properties that are within an 800m walkable distance to the Bassendean Train Station; and
- (b) Only permit Multiple Dwellings to be developed to the higher density code of a split coded property (as is also proposed in this instance) to development sites that have a frontage of 25m or greater; and

The proposed development meets neither of the requirements identified above.

A history of Amendment No. 8 is provided below:

- **April 2016**  
Council adopts Amendment No.8 to LPS 10 for the purpose of advertising for public comments.
- **June – August 2016**  
Amendment is advertised for public comment for 42 days from 28 June 2016 – 9 August 2016 with one submission received.
- **November 2016**  
Council considers a report on submissions resolved to support Amendment No.8 without modification.
- **December 2016**  
Amendment documents are forwarded to the Western Australian Planning Commission (WAPC).
- **August 2017**  
By way of a letter dated 10 August 2017, the Town receives advice from the WAPC that it has considered the Amendment, submitted its recommendation to the Minister and that the Minister requires the Council to modify the amendment documents in accordance with an attached schedule of modifications before being resubmitted for approval.
- **August 2017**  
Council considers an Officer report on modifications to LPS Amendment No.8 documentation. Council resolves that:

*“That the Mayor and CEO seek a deputation to the Planning Minister comprised of planners and Cr Bridges, to explain that perpetuation of the current plot ratio scenario:*

1. *Creates community hostility by permitting construction of eight 2x2’s per existing lot size;*
2. *Limits the future ability to amalgamate and develop decent land parcels;*
3. *Jeopardises the chances of achieving well designed higher multi residential developments;*
4. *Frustrates the provision of higher density housing in the future as advocated by the adopted Local Planning Strategy;*

*And to request reconsideration of the 25 - metre frontage requirement proposal, was put to the vote and CARRIED UNANIMOUSLY 6/0”.*

- **October 2017**  
Town staff and Councillors present a deputation to the Minister for Planning on 5 October 2017 in relation the Amendment and the Council’s concerns with the instructions contained within the correspondence from the Commission in its letter dated 10 August 2017.
- **October 2017**  
By way of an email dated 31 October 2017 the Town followed up with the Ministers Office to ascertain the status of the Amendment following the Town’s deputation.
- **18 January 2018**  
Email from Policy Advisor to Minister for Transport; Planning; Lands (provided to JDAP Members 25 January 2018) which states in part:  
*“Further to our earlier discussion, I confirm that the Minister would like the documents returned as per her previous decision”.*



## **Further Actions Required to Bring Amendment 8 to Local Planning Scheme No. 10 to Finalisation**

The following steps and anticipated timeframes now apply in order to bring Amendment 8 to finalisation:

- Town Officers must adjust amendment documents, have the amendment documents executed and return amendment documents to Department of Planning, Lands and Heritage (DPLH) / WAPC; (estimated completion by Friday 2 Feb 2018)
- Officers of DPLH / WAPC review amendment documents and after confirming everything in order on forward documentation to Minister for Transport; Planning; Lands for signing; (estimated completion within 2 to 4 weeks from receipt of documents – i.e. by 16 Feb – 2 Mar);
- Following receipt of documents from DPLH / WAPC Ministerial sign off and publishing of amendment within the Government Gazette. (estimated completion within 4 weeks from receipt of documents – i.e. by 16 Mar – 30 Mar)

The timeframes above accord with timeframes that the Town has experienced with other amendments to LPS10 that have been brought to finalisation within the last 6 years.

Noting the above, it is reasonable to suggest that Amendment 8 to LPS10 will now be brought to finalisation (by way of notice being published within the Government Gazette) by the end of March 2018.

## **Seriously Entertained Planning Proposal**

Certainty now exists in relation to the Amendment 8 to LPS10 noting that:

- The Town has now received a final directive from the Minister in relation to the content of the Amendment;
- Actions required to bring the Amendment to finalisation are now procedural in nature; and
- Timeframes associated with the imminent finalisation of the Amendment can be predicted with a level of certainty (i.e. approximately 2 months from now).

As Amendment 8 to LPS10 can be classified as a seriously entertained planning proposal, it is appropriate that it be considered in the JDAP's decision making process associated with the current Form 2 application.

In the decision of ***Nicholls and Western Australian Planning Commission*** [2005] WASAT 40 (**Nicolls**), four principal criteria were identified to determine the weight to be given to a draft planning proposal. The four criteria are:

- The degree to which the draft addresses the specific application;
- The degree to which the draft is based on sound town planning principles;
- The degree to which its ultimate approval could be regarded as 'certain'; and
- The degree to which its ultimate approval could be regarded as 'imminent'.

As identified above, the gazettal of Amendment 8 to LPS10 would have a direct impact on the ability of the current development proposal to be approved. The

method by which the permissible density of development will be calculated will be modified for properties which are located outside of an 800m walkable distance from the Bassendean train station. The development site is affected by this change and the practical implication is that in lieu of 10 multiple dwellings (as proposed), the development potential of the property will reduce to 5 multiple dwellings (or alternatively 5 grouped dwellings).

In response to the four factors that were identified in Nicolls, the following comments are made:

- The degree to which the draft addresses the specific application:  
The draft Amendment is of specific relevance to the application which is the subject of current consideration.
- The degree to which the draft is based on sound town planning principles:  
The content of the Amendment accords with WAPC principles for setting development controls for Multiple Dwellings (on a plot ratio basis for properties within a walkable distance to a high frequency train station and on a land area per dwelling basis for properties outside of a walkable distance from a high frequency train station).
- The degree to which its ultimate approval could be regarded as 'certain':  
The content of the Amendment is now certain with final directive from the Minister for Transport; Planning; Lands having been received.
- The degree to which its ultimate approval could be regarded as 'imminent':  
The remaining steps required to bring the Amendment to finality are now procedural in nature. It is likely that these procedural actions will take around 2 months to work through and on this basis the finalisation of Amendment 8 to LPS10 can now be said to be imminent.

## **Conclusion**

Noting that it has been established that Amendment 8 to LPS10 can now be properly classified as a seriously entertained proposal, it is relevant that the Metro Central JDAP give important consideration to this planning proposal in its decision making. In the absence of Amendment 8 reaching finality (through gazettal), absolute determinative weight should not be given to the Amendment at the present time, noting that planning decisions should ordinarily be made on the basis of the legal planning framework that exists (i.e. LPS10 as it currently stands) at the time when the decision is to be made.

A valid approval for the development which is proposed currently exists. As such, even if the current application were not to be approved, the development proposal could still be implemented, provided that the development were substantially commenced by 6 October 2018 (i.e. some 8 months from the current time).

The Town has been in discussion with the applicant for this particular proposal since November 2015. Preliminary planning by the applicant and property owner would have commenced some (unknown) time prior to this.

The Town's records show that the current owner entered into a contract to purchase the property on 22 May 2015 and that settlement associated with the purchase occurred on 21 September 2015. Noting this, it is reasonable to infer that the

property was purchased with the intention of undertaking development in the manner proposed (or a similar manner to that which is currently proposed), and that 'planning' associated with such a proposal commenced promptly following (or even before) the current owners formal acquisition of the property in September 2015.

On balance, and having regard to the fact that:

- Discussions between the applicant and the Town in relation to this development proposal commenced more than two years ago;
- A valid development approval exists for the proposal; and
- The current planning framework accommodates the proposed development; it is the Officer position that the recommendation contained within the RAR that was considered by JDAP at its meeting held 25 January 2018 (i.e. to grant approval for a two year timeframe extension from the date at which the current Form 2 application is to be determined, but not a two year extension from 6 October 2018 to 6 October 2020 as requested by the applicant) remain unchanged.



LG Ref: 2016-100  
DoP Ref: DAP/16/01058  
Enquiries: Development Assessment Panels  
Telephone: (08) 6551 9919

Mr Gareth Glanville  
Planning Solutions  
PO Box 8701  
Perth BC WA 6849

Dear Mr Glanville

**Metro Central JDAP – Town of Bassendean – DAP Application 2016-100  
Lot 3 (No. 8) Walter Road East, Bassendean  
Proposed 10 Multiple Dwellings**

Thank you for your application and plans submitted to the Town of Bassendean on 13 June 2016 for the above development at the abovementioned site.

This application was considered by the Metro Central Joint Development Assessment Panel at its meeting held on 6 October 2016, where in accordance with the provisions of the Town of Bassendean Local Planning Scheme No. 10, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

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

Should you have any queries with respect to the conditions of approval, please contact Mr Christian Buttle at the Town of Bassendean on (08) 9377 8022.

Yours sincerely,

*Natalie Garland*

**DAP Secretariat**

**11/10/2016**

Encl. DAP Determination Notice  
Approved plans

Cc: Mr Christian Buttle  
Town of Bassendean





## ***Planning and Development Act 2005***

### **Town of Bassendean Local Planning Scheme No. 10**

### **Metro Central Joint Development Assessment Panel**

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

**Location:** Lot 3 (No. 8) Walter Road East, Bassendean

**Description of proposed Development:** Proposed 10 Multiple Dwellings

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 6 October 2016, subject to the following:

**Approve** DAP Application reference DAP/16/01058 and accompanying plans:

<b>Dwg No.</b>	<b>Drawing Name</b>	<b>Rev No.</b>	<b>Dwg Date</b>
A01	Existing Site Plan	E	29.08.2016
A02	Ground Floor & Site Plan	E	29.08.2016
A03	Upper Floor Plan	E	29.08.2016
A04	Elevations	E	29.08.2016

Pursuant to clause 68 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, subject to the following conditions:

1. Revised drawings being submitted in advance of, or in conjunction with the application for a Building Permit, and such drawings demonstrating compliance with the following requirements, to the satisfaction of the Town:
  - (a) Pedestrian paths being widened to 1200mm minimum opposite the meals area of U1 and in front of the entrance of U4.
  - (b) The brick fence forward of the boundary wall of U1 being lowered in height to a maximum of 1.8m above ground level.
  - (c) The driveway and car parking bays being constructed of segmented brick paving in lieu of concrete.
2. A detailed and professionally prepared landscape plan being submitted prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private and public realms adjoining the development site, including, but not limited to:
  - (a) the location, type and size of proposed trees, shrubs and ground cover to be planted;
  - (b) reticulation methods, including arrangements incorporated into the design to minimize water use; and
  - (c) landscaping of the verge forward of the development site, including the provision of a street tree of a minimum pot size of 90L at the time of planting in accordance with the Town's adopted Street Tree Masterplan (*Eucalyptus tottiana*).



Landscaping design and species selection shall pay particular attention to provisions contained within the Town of Bassendean Local Planning Policy No. 18 – Landscaping with Local Plants.

3. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
4. Submission of a plan detailing the location of all external lighting, to the satisfaction of the Town prior to or in conjunction with the application for a building permit. The lighting plan shall take particular account of the need to for lighting to be provided to pedestrian paths and car parking areas. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
5. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.
6. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's specifications.
7. Each dwelling being provided with one car parking space. Such arrangement being reflected on any subsequent strata plan for the property.
8. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
9. A minimum of 4 bicycle parking spaces shall be provided for residents, and a minimum of 1 bicycle parking spaces shall be provided for visitors. The bicycle parking spaces shall be provided in the location and manner shown on the approved drawings and in accordance with the provisions of AS 2890.3 (as amended).
10. A construction management plan being submitted for the Town's approval prior to the issue of a building permit.
11. The existing redundant crossover being removed and the verge and kerbing being reinstated to the satisfaction of the Town.
12. Each dwelling being provided with a solar pergola as shown on the approved drawings. The solar pergolas shall be constructed with fixed louvres that are angled at 34 degrees to the north, and detailed construction drawings of the solar pergolas demonstrating compliance with this requirement shall be incorporated within the drawings that are the subject of an application for a building permit.
13. All storm water being contained and disposed of on site. Details of the method of storm water containment and disposal being included with the drawings submitted for a Building Permit.
14. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height. Where the ground levels vary on either side of the fence, the required height shall be measured above the higher ground level.



15. Visual privacy screening, where shown on the approved drawings, extending from floor level to a minimum height of 1.6 metres above floor level and incorporating a maximum 50mm gap between slats and no more than 25% of the surface area of the screened area being open.
16. External fixtures, including but not restricted to air-conditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street. Air-conditioning condenser units are to be located only in the positions shown on the approved drawings unless alternative positions are approved by the Town.
17. External clothes drying facilities for shall be provided for each dwelling in the positions shown on the approved drawings unless alternative positions are approved by the Town. All such facilities shall be installed so as to be screened from view of the street or other public place.
18. Waste Management arrangements for the development shall be undertaken in accordance with the stamped approved waste management plan. The Waste Management Plan shall be applied in perpetuity across the life of the development and shall be incorporated into the strata by-laws for the development.
19. The bin storage area is:
  - (a) To be surrounded by a 1.8 metre high minimum walls with a self-closing gate;
  - (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, connected to sewer, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.
20. Bins shall be stored only in an approved, designated location, and shall not be stored within any of the approved car parking bays or associated access aisles.
21. The surface finish of boundary walls on the common boundaries with adjoining properties to be the same finish as the external wall finish for the remainder of the dwellings, unless otherwise approved by the Town.
22. All building works to be carried out under this development approval shall be contained within the boundaries of the subject lot.
23. The incorporation of public art into the proposed development or a cash-in-lieu payment of one percent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 "Percent for Art Policy". Detailed arrangements and agreement with respect to art to be provided on site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
24. Prior to the issue of a building permit, an acoustic report shall be submitted to the Town for approval which shall be prepared by an acoustic consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of the Town's Health Services). The report shall be prepared in accordance with the provisions of State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Any measures recommended within the



acoustic report shall be implemented to the satisfaction of the Town, and any costs associated with such implementation shall be the responsibility of the owner/applicant.

25. The buildings hereby approved shall not be occupied until all of the conditions of planning approval have been complied with to the satisfaction of the Town, unless the applicant has entered into an agreement with the Town to comply with those conditions within a specified period.
26. Prior to the issue of a building permit, a development bond for the sum of \$5,000 being lodged with the Town to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
27. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

**Advice Notes:**

1. The issue of a Building Permit is required prior to the commencement of any works on site.
2. **Dial Before You Dig:**  
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via Dial Before You Dig "1100" number in advance of any construction activities.
3. **Telecommunications Act 1997 (Commonwealth):**  
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, please contact Telstra's Network Integrity Team on 1800810443.
4. If the planning approval lapses, no development shall be carried out without further approval having first been sought and obtained.
5. If an applicant is aggrieved by this determination there is a right of review under Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged within 28 days of the determination.



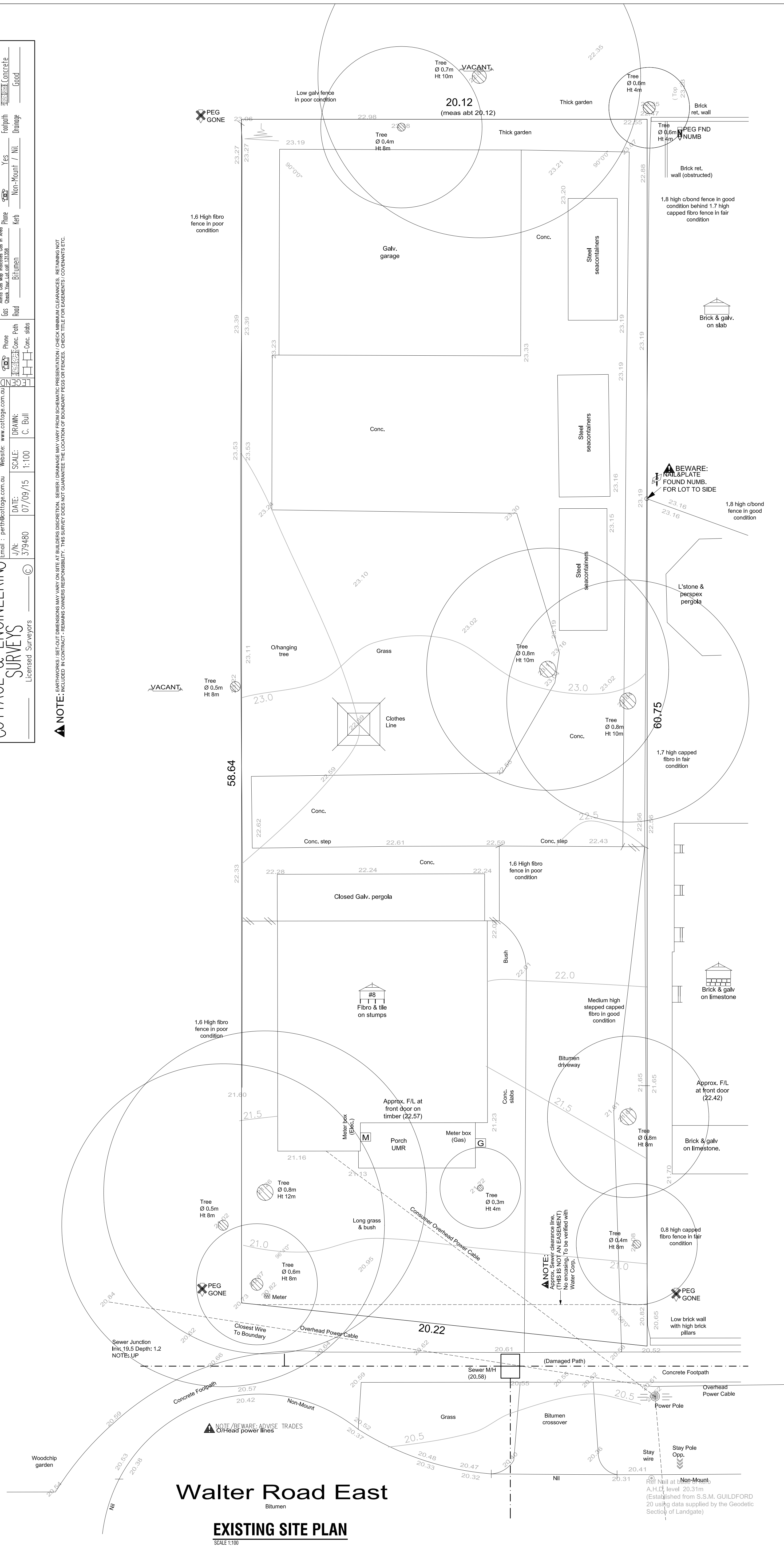


6. Separate approval being obtained from the Town's Asset Services for the proposed crossover.
7. The applicant is encouraged to undertake a dilapidation survey of adjoining properties prior to the commencement of work on-site.
8. The Town of Bassendean has no objection, in principle, to the design of the development being 'handed', should the applicant wish to pursue such a design modification by way of an amended application for approval.
9. The street number being prominently displayed at the front of the development.
10. Individual unit numbers being prominently displayed at the pedestrian entrance to each individual dwelling.
11. A separate application and approval being obtained for any fencing which is not shown on the approved drawings and which sits forward of the building line.

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

<b>COTTAGE &amp; ENGINEERING SURVEYS</b> Licensed Surveyors ————— ©		87-89 Guthrie Street, Osborne Park, Western Australia Telephone: (08) 9446 7261 Facsimile: (08) 9445 2998 Email: <a href="mailto:info@portcottage.com.au">info@portcottage.com.au</a> Website: <a href="http://www.portcottage.com.au">www.portcottage.com.au</a>	
U/N: 379480	DATE: 07/09/15	SCALE: 1:100	DRAWN: C. Bull
Legend:		Symbols:	

**NOTE:** EARTHWORKS / SET-OUT DIMENSIONS MAY VARY ON SITE AT BUILDERS DISCRETION. SEWER / DRAINAGE MAY VARY FROM SCHEMATIC PRESENTATION / CHECK MINIMUM CLEARANCES. RETAINING NOT INCLUDED IN CONTRACT - REMAINS OWNERS RESPONSIBILITY. THIS SURVEY DOES NOT GUARANTEE THE LOCATION OF BOUNDARY PEGS OR FENCES. CHECK TITLE FOR EASEMENTS / COVENANTS ETC.



**⚠DISCLAIMER:**  
 Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

**DISCLAIMER:**  
Survey does not Include verification of cadastral boundaries. All features and levels shown are based on orientation to existing pegs and fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true boundary.

**▲DISCLAIMER:** Survey shows visible features only and will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal and mains services should be confirmed prior to finalisation of any design work.

**▲ DISCLAIMER:**  
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbour levels and features that have occurred after the date on this survey. All Sewer details plotted from Information supplied by Water Corporation

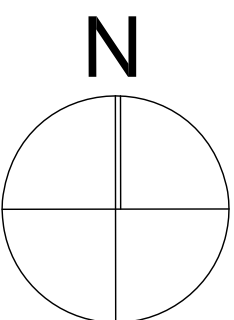
**▲DISCLAIMER:**  
Due to lack of survey marks/pegs, all building offset dimensions & features are approximate only and positioned from existing pegs/fences and walls which may not be on the correct alignment and are to be verified when repegged. Any design that involves additions to any structures shown or portion of structure is to be verified with the owner.

**boundaries to be repegged and exact offsets provided to your designer/architect before any plans are produced and before any work is started on site.**

NOT MISCLOSE  
0.030 m

SOIL DESCRIPTION and Refer to Survey
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## Planning Application



#### LEGEND & NOTES

- **FP 10.000** DENOTES FINISHED PAVING LEVELS.
-  DENOTES 90mm STUD WALL LINED AS NOTED ON PLANS
-  DENOTES BRICKWORK

	E	29.08.16	planning amendments
	D	19.08.16	planning amendments
	C	04.05.16	planning amendments
	B	22.02.16	planning amendments
	A	15.12.15	Issued for planning submission

SUE	REV.	DATE	DESCRIPTION
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**Client**  
THOMPSON DEVELOPMENT

**Address**  
LOT 3 (No. 8) WALTER ROAD  
BASSENDEAN

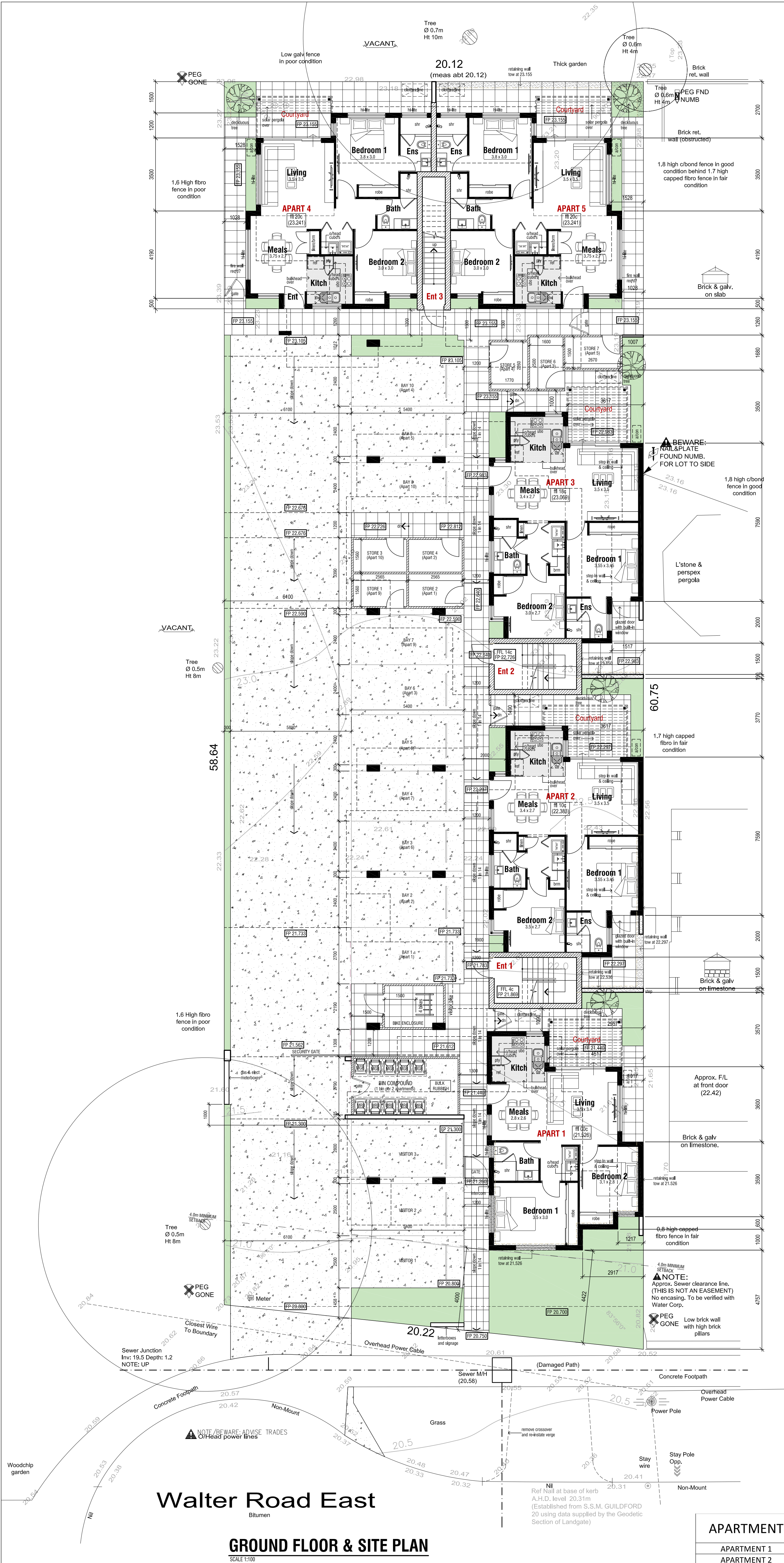
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**Drawing Title:**

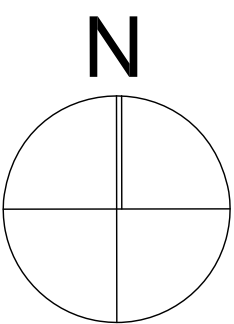
## Planning Approval

Scale: AS SHOWN	Plot Date:	
Status: Planning Approval	Drawn By: M.Carbone	
Project No. 21509	Drawing No. A01	Rev No.





Planning Application



LEGEND & NOTES

- FP 10.000 DENOTES FINISHED PAVING LEVELS.
- DENOTES 90mm STUD WALL LINED AS NOTED ON PLANS
- DENOTES BRICKWORK

E	20.08.16	planning amendments
D	19.08.16	planning amendments
C	04.05.16	planning amendments
B	22.02.16	planning amendments
A	15.12.15	issued for planning submission

ISSUE	REV.	DATE	DESCRIPTION
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Client  
THOMPSON DEVELOPMENT

Address  
LOT 3 (No. 8) WALTER ROAD  
BASSENDEAN

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Drawing Title:

Planning Approval

Scale: AS SHOWN

Status: Planning Approval

Project No.  
21509

Plot Date:

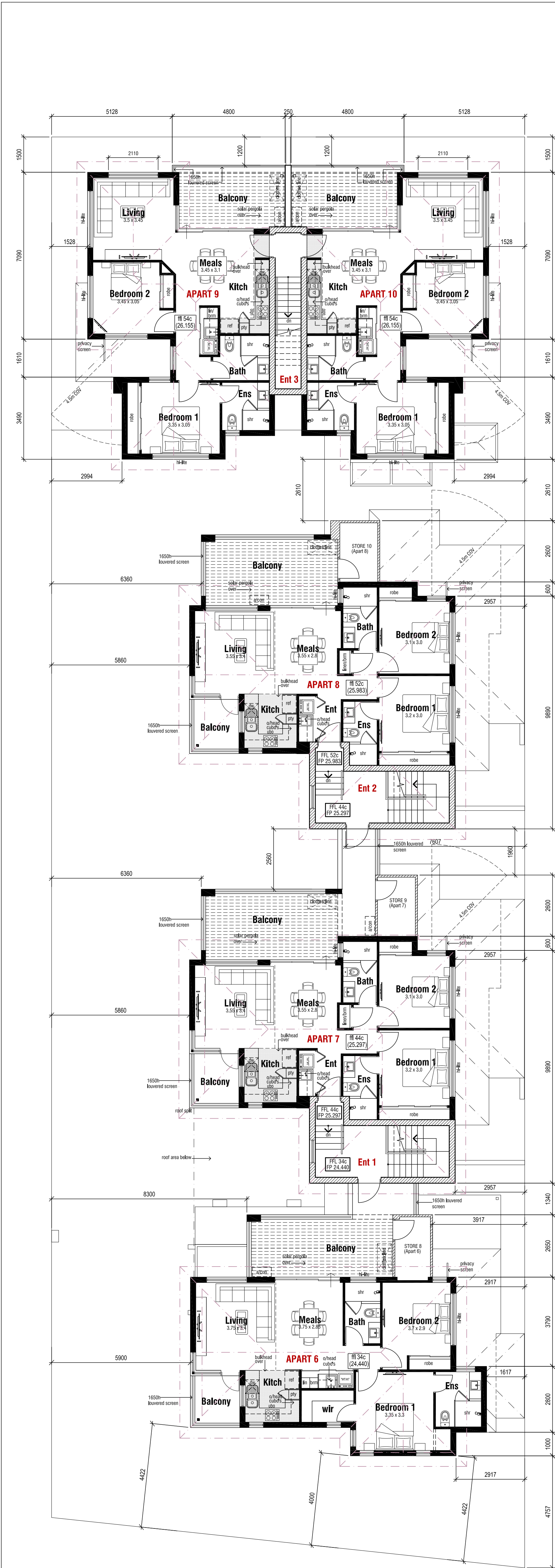
Drawn By: M.Carbone

Drawing No.  
A02

Rev No.

APARTMENT	LIVING	STORE	BALCONY/COURTYARD	TOTAL
APARTMENT 1	63.19	4.58	21.34	89.11
APARTMENT 2	70.93	4.58	26.39	101.90
APARTMENT 3	70.93	4.52	25.25	100.70
APARTMENT 4	71.52	4.61	30.63	106.76
APARTMENT 5	71.52	4.61	35.15	111.28
APARTMENT 6	76.33	4.83	25.05	106.21
APARTMENT 7	71.01	4.89	17.34	93.24
APARTMENT 8	71.01	4.89	17.34	93.24
APARTMENT 9	72.64	4.89	12.08	89.61
APARTMENT 10	72.64	4.58	12.08	89.30
TOTALS	711.72	46.98	222.65	981.35





UPPER FLOOR PLAN

SCALE 1:100

THOMPSON DEVELOPMENT

ENERGY EFFICIENT DESIGN - Apartment 1				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	12.5		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	72.5		

ENERGY EFFICIENT DESIGN - Apartments 2 and 3				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	12.5		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	72.5		

ENERGY EFFICIENT DESIGN - Apartment 4				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

ENERGY EFFICIENT DESIGN - Apartment 5				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

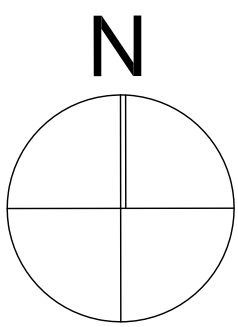
ENERGY EFFICIENT DESIGN - Apartment 6				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	10		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	12.5		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	82.5		

ENERGY EFFICIENT DESIGN - Apartments 7 and 8				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	10		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	7.5		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	10		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	72.5		

ENERGY EFFICIENT DESIGN - Apartment 9				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

ENERGY EFFICIENT DESIGN - Apartment 10				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

Planning Application



LEGEND & NOTES

- **TP 10.000** DENOTES FINISHED PAVING LEVELS.
- **90mm** DENOTES 90mm STUD WALL LINED AS NOTED ON PLANS
- **BRICKWORK** DENOTES BRICKWORK

REV	DATE	DESCRIPTION
E	29.08.16	planning amendments
D	19.08.16	planning amendments
C	04.05.16	planning amendments
B	22.02.16	planning amendments
A	15.12.15	Issued for planning submission



Client  
THOMPSON DEVELOPMENT

Address  
LOT 3 (No. 8) WALTER ROAD  
BASSENDEAN

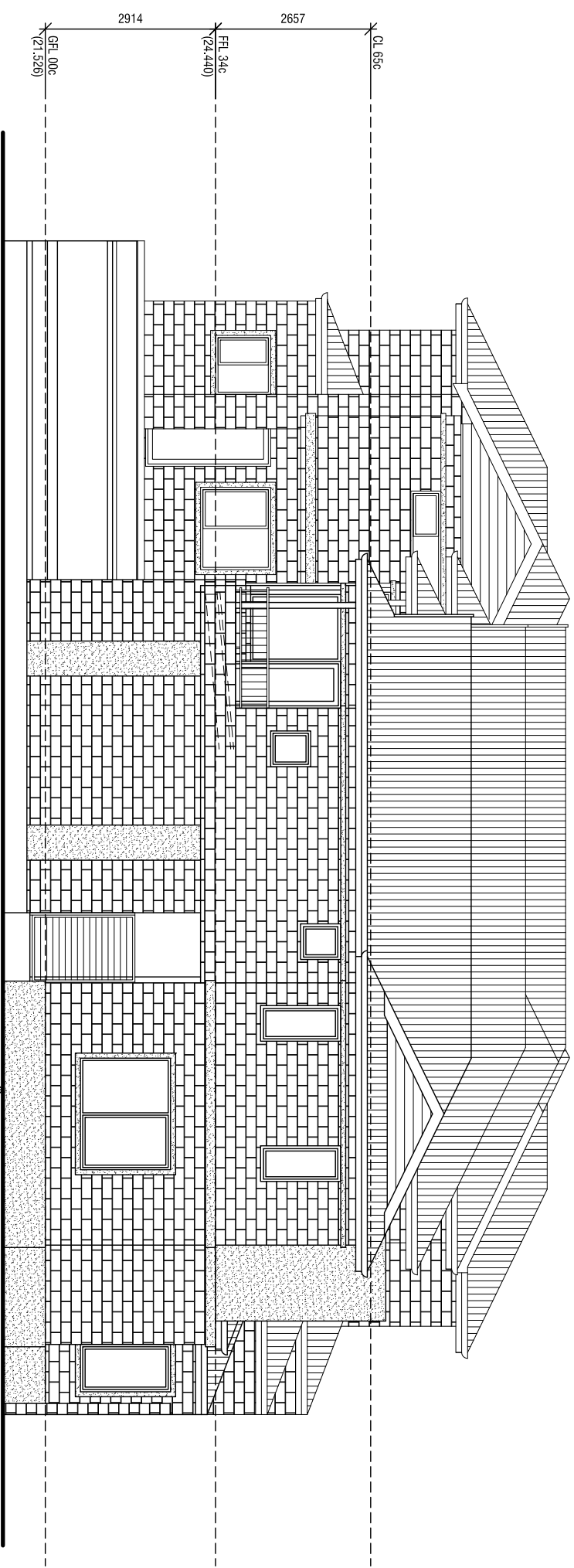
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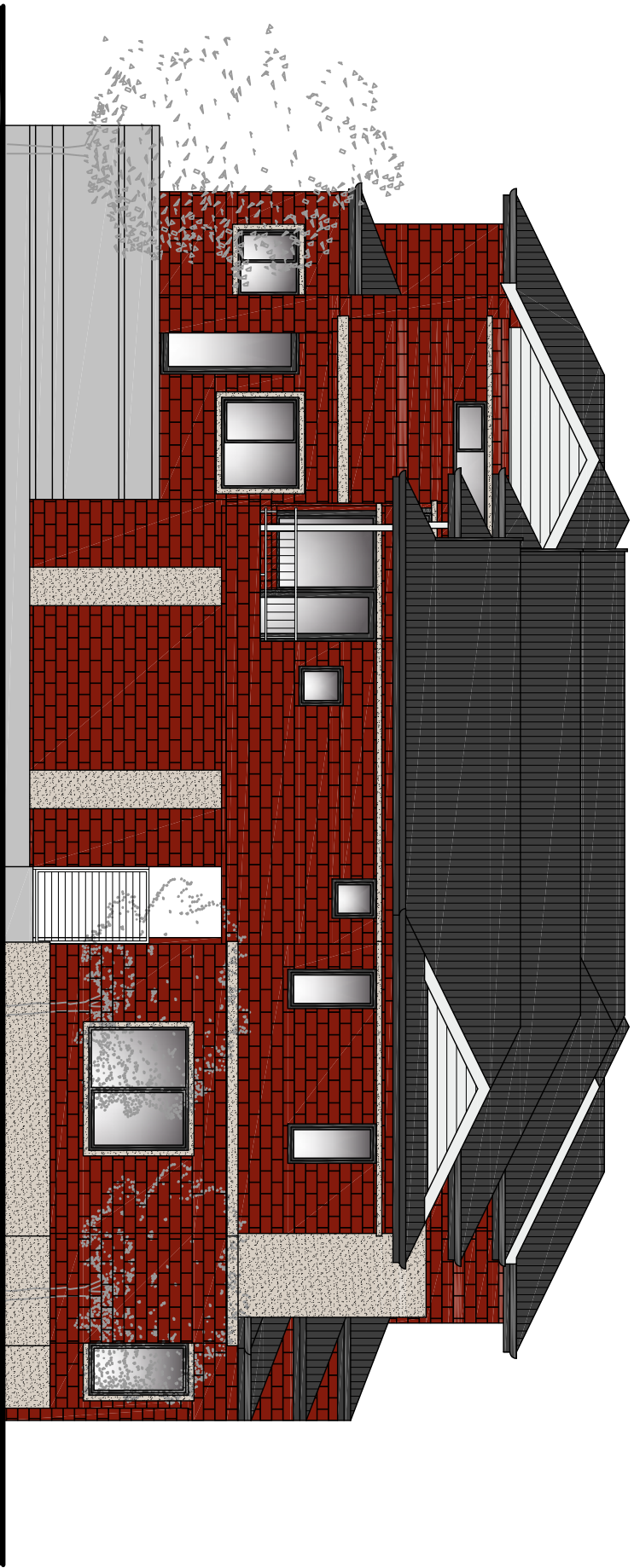
Planning Approval

Scale: AS SHOWN	Plot Date:
Status: Planning Approval	Drawn By: M.Carbone
Project No. 21509	Drawing No. A03
	Rev No.

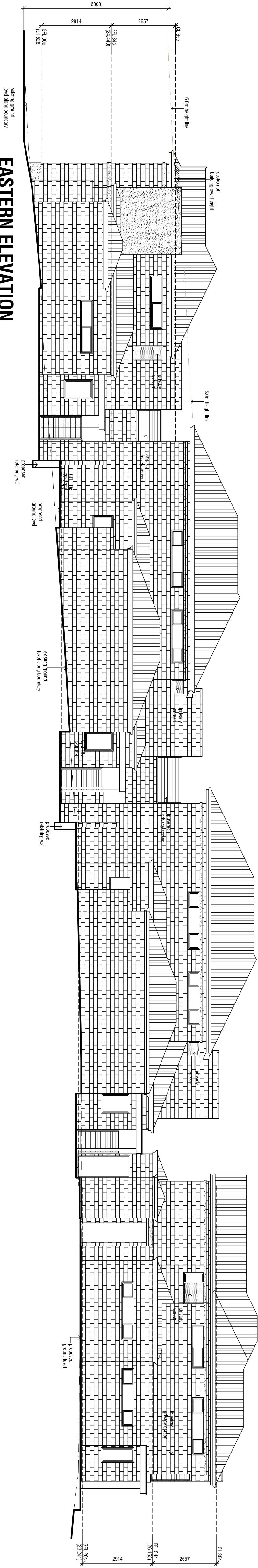




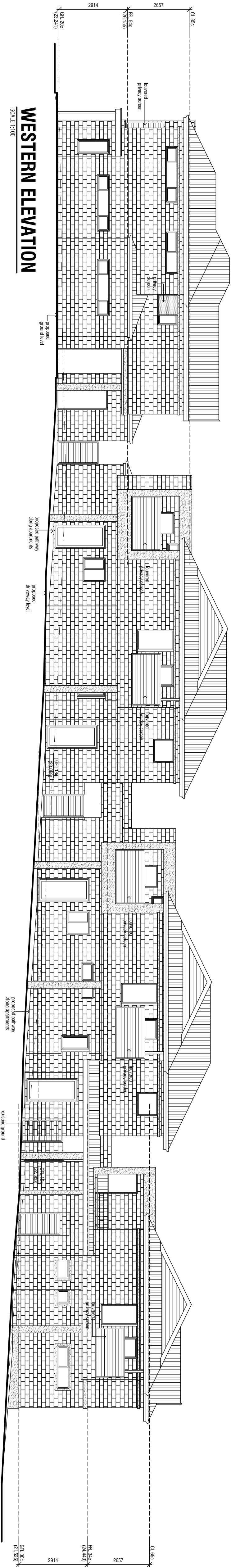
WALTER ROAD ELEVATION  
SCALE 1:100



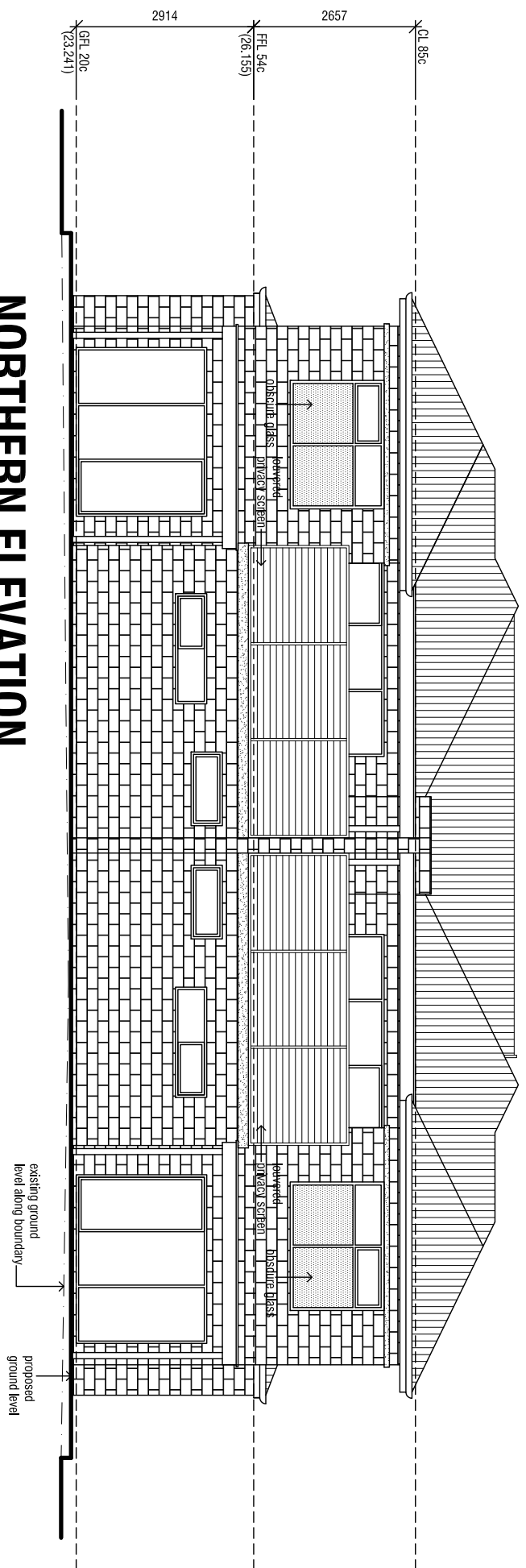
WALTER ROAD ELEVATION  
SCALE 1:100



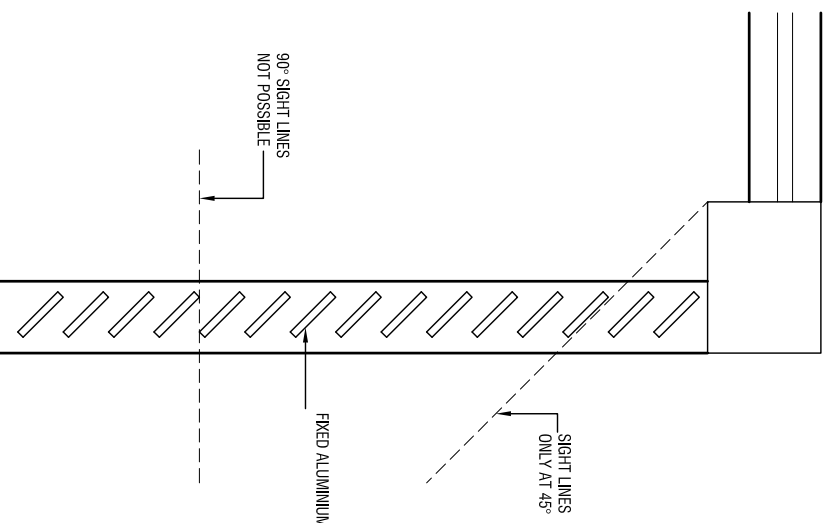
EASTERN ELEVATION  
SCALE 1:100



WESTERN ELEVATION  
SCALE 1:100



NORTHERN ELEVATION  
SCALE 1:100



BALCONY LOUVRES  
SCALE 1:20

# THOMPSON DEVELOPMENT

## Planning Application

### LEGEND & NOTES

- DENOTES FINISHED PAVING LEVELS.
- DENOTES 30MM STUD WALL LINED AS NOTED ON PLANS
- DENOTES BRICKWORK

REV.	DATE	DESCRIPTION
A	15.12.15	Issued for planning submission
B	22.02.16	Planning amendments
C	04.05.16	Planning amendments
D	19.06.16	Planning amendments
E	29.06.16	Planning amendments



Client  
THOMPSON DEVELOPMENT

Address  
LOT 2 AND 8/1 WALTER ROAD  
BASSENDEAN

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Drawing title:  
Planning Approval

Scale: AS SHOWN Plot Date:

Status: Planning Approval Drawn By: M. Carbone

Project No. 21509 Drawing No. A04 Rev No.

PS Ref: 4082  
DAP Ref: DAP/16/01058

23 November 2017

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

Attention: Planning Services

Dear Sir,

**DEVELOPMENT ASSESSMENT PANEL FORM 2 APPLICATION  
EXTENSION OF APPROVAL TIMEFRAME  
LOT 3 (8) WALTER ROAD EAST, BASSENDEAN**

Planning Solutions acts on behalf of 8 Walter Road East Bassendean Pty Ltd, the registered proprietor of Lot 3 (8) Walter Road East, Bassendean (**subject site**).

This submission has been prepared in support of an application to amend the development approval for the subject site issued by the Metro Central Joint Development Assessment Panel (**DAP**) on 6 October 2016, to extend the substantial commencement timeframe by an additional **two years**.

With regard to the above, please find enclosed:

1. The Town's Application for Development Approval Form, signed by applicant/landowner.
2. MRS Form 1, signed by applicant/landowner.
3. DAP Form 2, signed by applicant/landowner.
4. The Certificate of Title applicable to the subject site.
5. A copy of the Metro Central JDAP approval dated 6 October 2016.
6. Three copies of the approved plans, which are also the proposed plans for the purpose of this application.
7. A credit card payment form for the development application fee of \$491, in accordance with the Town's Fees and Charges 2017-2018, comprising the Town's fee of \$295 and the DAP fee of \$196.

The following information sets out the background and consideration of the relevant planning framework.

## BACKGROUND

A two-storey multiple dwelling development, comprising 10 apartments, was approved by the DAP at its meeting held on 6 October 2016.

The conclusion of the City's Responsible Authority Report (**RAR**) to the DAP for the 16 June 2015 meeting stated:

*"As identified within this report, the development site is zoned residential with a split coding of R20/40 under the provisions of the Town's Local Planning Scheme No. 10 (LPS10) and the proposed development satisfactorily addresses requirements contained within LPS10 to qualify for development at the higher density code.*

*The proposed development has generally been designed to meet the Deemed-to-comply provisions of the R-Codes with minor discretion needing to be exercised in relation to certain aspects of the development as described within the report. For the reasons identified within the report it is recommended that such discretion be exercised and that the application be approved subject to the conditions recommended."*

## PROPOSAL

This application seeks to extend the approval period by an additional two years, pursuant to clause 17(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

Clause 77(1)(a) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, allows for of an approval to be amended so as to extend the substantial commencement timeframe. There are no 'limits' to which this timeframe may be extended.

Refer to **Attachment 2** for a copy of the determination notice and approved development plans, which are also the proposed plans for the purpose of this application. No amendments to the approved development plans are proposed.

## RELEVANT CONSIDERATIONS

Section 9 of the DAPs Practice Note 4 sets out the relevant matters to be considered by a decision maker for applications to extend a development approval timeframe. The relevant considerations are:

- (a) whether the planning framework has changed substantially since the development approval was granted;*
- (b) whether the development would likely receive approval now; and*
- (c) whether the holder of the development approval has actively and relatively conscientiously pursued the implementation of the development approval.*

An assessment is provided against these considerations below.

### Whether the planning framework has substantially changed

The key planning framework documents that apply to the subject site are:

- Town of Bassendean Local Planning Scheme No. 10.

- Local Planning Policy No. 2 – Energy Efficient Design.
- Local Planning Policy No. 3 – Water Sensitive Design.
- Local Planning Policy No. 8 – Parking Specifications.
- Local Planning Policy No. 15 – Percent for Art Policy.
- Local Planning Policy No. 18 – Landscaping with Local Plants.
- State Planning Policy 3.1 - Residential Design Codes (**R-Codes**).

There have been no modifications to the abovementioned Local Planning Policies or the R-Codes since the original approval. There have been no relevant amendments to LPS 10 since consideration of the initial development application.

#### *Amendment No. 8 to LPS 10*

At its meeting held April 2016, Council resolved to initiate an amendment to LPS10 seeking to apply site and locational requirements to the development of multiple dwellings on land with a density code of R40. At the time the DAP approved the original application, the scheme amendment had been advertised for public comment, but Council was yet to consider a report on submissions. On 22 November 2016 Council resolved to adopt Amendment No. 8 and forward it to the WAPC.

It is understood the amendment is currently under assessment by the WAPC, although we understand the Statutory Planning Committee of the WAPC considered the amendment on 27 June 2017 and modifications to the amendment may be pursued.

#### Whether the development would likely receive approval today

The initial RAR concluded that the proposed development satisfactorily addresses requirements contained within LPS10 to qualify for development at the higher density code and that the application be approved subject to the conditions recommended.

No changes are proposed to the plans as part of this application.

At the time of approval, Amendment No. 8 had been initiated and advertised, but Council was yet to consider the amendment post advertising. The amendment has now been approved by Council and considered by the Statutory Planning Committee of the WAPC. Whilst it is acknowledged the amendment has progressed further since the original approval, as at the date of this letter, the planning framework is substantially the same as what was in place at the time of approval. Furthermore,

As there has not been any change to the planning framework, the approved development, should it be applied for and subject to a merit-based assessment, we submit it is still likely to be approved today.

#### Whether the proponent has actively and conscientiously pursued the implementation of the approval

There is almost a year left of the approval term, with the current approval due to lapse on 6 October 2018. However, with challenging marketing and sales conditions, we felt it necessary at this point in time to seek approval for the extension. The development proponent has made efforts to pursue implementation of the approval, which can be summarised below.



- In November 2016, the proponent demolished the existing dwelling and removed the concrete hardstand from the subject site.
- In May 2017, the proponent took steps to progress the building permit and obtained a number of quotes for:
  - BCA compliance and certification services;
  - the preparation of preliminary structural/engineering drawings; and
  - preparation of a Fire Safety Engineering Report and associated design brief.
- The proponent has also sought prices from various builders for the construction of the building.

Despite the above efforts, an extension to the approval is now required to ensure there is sufficient time to finalise construction contracts, obtain a building permit and to substantially commence the building works.

### Georgiou Property Decision

The relevant planning considerations for an extension of the substantial commencement timeframe, have been considered by the State Administrative Tribunal (**SAT**) on a number of occasions. The SAT has applied three primary considerations, which are reflected in the DAP Practice Note 4 and discussed above.

More recently, in the case of *Georgiou Property 2 Pty Ltd and Presiding Member of the Metro West Joint Development Assessment Panel [2017] WASAT 138*, the SAT considered the issue of whether all three of the primary considerations. The SAT found that failure to satisfy any one of the above considerations does not mean the application must be refused (refer Georgiou at [60]). Therefore, should the DAP find that one or two of the above components are not met, we consider the application remains capable of approval.

### **REQUEST FOR TWO YEAR EXTENSION**

A two-year extension is sought to allow adequate time for the proponent to satisfy relevant approval conditions and undertake necessary works for substantial commencement.

The proponent is actively making steps to implement the approval in a timely manner. However, a two-year extension would ensure the approval will not prematurely lapse should any unforeseen delays occur in substantially commencing works on the subject site.

### **CONCLUSION**

This proposal seeks to extend the approval timeframe for Lot 3 (8) Walter Road East, Bassendean by a further two years, until **6 October 2020**. In summary, the proposed extension warrants approval for the following reasons:

- Challenging marketing and sales conditions require an extension of two years to substantially commence the development.
- The proposal meets the three relevant considerations relating to time extension applications, as set out by DAP Practice Note No. 4.

- Whilst an amendment to the Town Planning Scheme has been progressed, it is yet to be approved and the planning framework remains substantially unchanged.
- As no changes are proposed to the plans, the approved development remains consistent with the Town's local planning framework and is considered an appropriate development outcome against the planning framework which is in place today.

Should you have any queries or require further clarification regarding the proposal, please do not hesitate to contact the writer.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Trent Will', with a horizontal line extending to the right.

---

**TRENT WILL**  
**SENIOR PLANNER**

171123 4082 DAP Form 2

**ATTACHMENT 1**

**CERTIFICATE OF TITLE**

WESTERN



AUSTRALIA

REGISTER NUMBER

**3/P3469**DUPLICATE  
EDITION  
**N/A**

DATE DUPLICATE ISSUED

**N/A**

# **RECORD OF CERTIFICATE OF TITLE** **UNDER THE TRANSFER OF LAND ACT 1893**

VOLUME  
**1857**FOLIO  
**895**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

## **LAND DESCRIPTION:**

LOT 3 ON PLAN 3469

## **REGISTERED PROPRIETOR:** **(FIRST SCHEDULE)**

8 WALTER ROAD EAST BASSENDEAN PTY LTD OF PO BOX 8018 HILTON

(T N127761 ) REGISTERED 21/9/2015

## **LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:** **(SECOND SCHEDULE)**

1. THE LAND THE SUBJECT OF THIS CERTIFICATE OF TITLE EXCLUDES ALL PORTIONS OF THE LOT DESCRIBED ABOVE EXCEPT THAT PORTION SHOWN IN THE SKETCH OF THE SUPERSEDED PAPER VERSION OF THIS TITLE. VOL 1857 FOL 895.
2. \*N127762 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 21/9/2015.
3. \*N630361 CAVEAT BY UNIFIED PTY LTD LODGED 23/5/2017.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
 \* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
 Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

## **STATEMENTS:**

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1857-895 (3/P3469)  
 PREVIOUS TITLE: 1173-659  
 PROPERTY STREET ADDRESS: 8 WALTER RD EAST, BASSENDEAN.  
 LOCAL GOVERNMENT AUTHORITY: TOWN OF BASSENDEAN

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING N127762

C.Ts. 91 - 123  
NOW. 601 - 200

PERTH 2000 18.31

APPROVED



## SCALE



ALL DISTANCES ARE IN METRES



Act 66 1912 Sec. 30 Cor. 543/13

PLAN 3469(1)  
2 SHEETS.



**ATTACHMENT 2**

**METRO CENTRAL JDAP APPROVAL &  
APPROVED PLANS DATED 6 OCTOBER 2016**



LG Ref: 2016-100  
DoP Ref: DAP/16/01058  
Enquiries: Development Assessment Panels  
Telephone: (08) 6551 9919

Mr Gareth Glanville  
Planning Solutions  
PO Box 8701  
Perth BC WA 6849

Dear Mr Glanville

**Metro Central JDAP – Town of Bassendean – DAP Application 2016-100  
Lot 3 (No. 8) Walter Road East, Bassendean  
Proposed 10 Multiple Dwellings**

Thank you for your application and plans submitted to the Town of Bassendean on 13 June 2016 for the above development at the abovementioned site.

This application was considered by the Metro Central Joint Development Assessment Panel at its meeting held on 6 October 2016, where in accordance with the provisions of the Town of Bassendean Local Planning Scheme No. 10, it was resolved to approve the application as per the attached notice of determination.

Should the applicant not be satisfied by this decision, a DAP Form 2 application may be made to amend or cancel this planning approval in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

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

Should you have any queries with respect to the conditions of approval, please contact Mr Christian Buttle at the Town of Bassendean on (08) 9377 8022.

Yours sincerely,

*Natalie Garland*

**DAP Secretariat**

**11/10/2016**

Encl. DAP Determination Notice  
Approved plans

Cc: Mr Christian Buttle  
Town of Bassendean







## ***Planning and Development Act 2005***

### **Town of Bassendean Local Planning Scheme No. 10**

### **Metro Central Joint Development Assessment Panel**

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

**Location:** Lot 3 (No. 8) Walter Road East, Bassendean

**Description of proposed Development:** Proposed 10 Multiple Dwellings

In accordance with regulation 8 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, the above application for planning approval was **granted** on 6 October 2016, subject to the following:

**Approve** DAP Application reference DAP/16/01058 and accompanying plans:

<b>Dwg No.</b>	<b>Drawing Name</b>	<b>Rev No.</b>	<b>Dwg Date</b>
A01	Existing Site Plan	E	29.08.2016
A02	Ground Floor & Site Plan	E	29.08.2016
A03	Upper Floor Plan	E	29.08.2016
A04	Elevations	E	29.08.2016

Pursuant to clause 68 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015*, subject to the following conditions:

1. Revised drawings being submitted in advance of, or in conjunction with the application for a Building Permit, and such drawings demonstrating compliance with the following requirements, to the satisfaction of the Town:
  - (a) Pedestrian paths being widened to 1200mm minimum opposite the meals area of U1 and in front of the entrance of U4.
  - (b) The brick fence forward of the boundary wall of U1 being lowered in height to a maximum of 1.8m above ground level.
  - (c) The driveway and car parking bays being constructed of segmented brick paving in lieu of concrete.
2. A detailed and professionally prepared landscape plan being submitted prior to or with the application for a Building Permit for the Town's approval which provides full detail of the scope of works to be undertaken in both the private and public realms adjoining the development site, including, but not limited to:
  - (a) the location, type and size of proposed trees, shrubs and ground cover to be planted;
  - (b) reticulation methods, including arrangements incorporated into the design to minimize water use; and
  - (c) landscaping of the verge forward of the development site, including the provision of a street tree of a minimum pot size of 90L at the time of planting in accordance with the Town's adopted Street Tree Masterplan (*Eucalyptus todtiana*).



Landscaping design and species selection shall pay particular attention to provisions contained within the Town of Bassendean Local Planning Policy No. 18 – Landscaping with Local Plants.

3. The site shall be landscaped in accordance with the approved landscaping plan and shall be maintained thereafter.
4. Submission of a plan detailing the location of all external lighting, to the satisfaction of the Town prior to or in conjunction with the application for a building permit. The lighting plan shall take particular account of the need to for lighting to be provided to pedestrian paths and car parking areas. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
5. The sealing and kerbing of all car parking areas and access ways to the Town's specifications.
6. The on site car parking spaces and access ways being constructed and maintained thereafter to the Town's specifications.
7. Each dwelling being provided with one car parking space. Such arrangement being reflected on any subsequent strata plan for the property.
8. Visitor parking spaces being clearly marked for "Visitors Only" and used as such.
9. A minimum of 4 bicycle parking spaces shall be provided for residents, and a minimum of 1 bicycle parking spaces shall be provided for visitors. The bicycle parking spaces shall be provided in the location and manner shown on the approved drawings and in accordance with the provisions of AS 2890.3 (as amended).
10. A construction management plan being submitted for the Town's approval prior to the issue of a building permit.
11. The existing redundant crossover being removed and the verge and kerbing being reinstated to the satisfaction of the Town.
12. Each dwelling being provided with a solar pergola as shown on the approved drawings. The solar pergolas shall be constructed with fixed louvres that are angled at 34 degrees to the north, and detailed construction drawings of the solar pergolas demonstrating compliance with this requirement shall be incorporated within the drawings that are the subject of an application for a building permit.
13. All storm water being contained and disposed of on site. Details of the method of storm water containment and disposal being included with the drawings submitted for a Building Permit.
14. The provision of side and rear fences, behind the street setback line, of 1.8 metres in height. Where the ground levels vary on either side of the fence, the required height shall be measured above the higher ground level.



15. Visual privacy screening, where shown on the approved drawings, extending from floor level to a minimum height of 1.6 metres above floor level and incorporating a maximum 50mm gap between slats and no more than 25% of the surface area of the screened area being open.
16. External fixtures, including but not restricted to air-conditioning units, satellite dishes and non-standard television aerials, but excluding solar collectors, are to be located such that they are not visible from the street. Air-conditioning condenser units are to be located only in the positions shown on the approved drawings unless alternative positions are approved by the Town.
17. External clothes drying facilities for shall be provided for each dwelling in the positions shown on the approved drawings unless alternative positions are approved by the Town. All such facilities shall be installed so as to be screened from view of the street or other public place.
18. Waste Management arrangements for the development shall be undertaken in accordance with the stamped approved waste management plan. The Waste Management Plan shall be applied in perpetuity across the life of the development and shall be incorporated into the strata by-laws for the development.
19. The bin storage area is:
  - (a) To be surrounded by a 1.8 metre high minimum walls with a self-closing gate;
  - (b) To be provided with 75mm min thickness concrete floors grading to a 100mm industrial floor waste, connected to sewer, with a hose cock to enable both the bins and bin storage area to be washed out; and
  - (c) To be provided with internal walls that are cement rendered (solid and impervious) to enable easy cleaning.
20. Bins shall be stored only in an approved, designated location, and shall not be stored within any of the approved car parking bays or associated access aisles.
21. The surface finish of boundary walls on the common boundaries with adjoining properties to be the same finish as the external wall finish for the remainder of the dwellings, unless otherwise approved by the Town.
22. All building works to be carried out under this development approval shall be contained within the boundaries of the subject lot.
23. The incorporation of public art into the proposed development or a cash-in-lieu payment of one percent of the construction cost of the proposed development in accordance with the Town's adopted Local Planning Policy No. 15 "Percent for Art Policy". Detailed arrangements and agreement with respect to art to be provided on site or alternatively payment of the required fee shall be made prior to or in conjunction with the application for a Building Permit.
24. Prior to the issue of a building permit, an acoustic report shall be submitted to the Town for approval which shall be prepared by an acoustic consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of the Town's Health Services). The report shall be prepared in accordance with the provisions of State Planning Policy 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Any measures recommended within the



acoustic report shall be implemented to the satisfaction of the Town, and any costs associated with such implementation shall be the responsibility of the owner/applicant.

25. The buildings hereby approved shall not be occupied until all of the conditions of planning approval have been complied with to the satisfaction of the Town, unless the applicant has entered into an agreement with the Town to comply with those conditions within a specified period.
26. Prior to the issue of a building permit, a development bond for the sum of \$5,000 being lodged with the Town to ensure the satisfactory completion of all works associated with landscaping, car parking, access ways, screen walls, and other associated works.
27. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect.

#### **Advice Notes:**

1. The issue of a Building Permit is required prior to the commencement of any works on site.
2. **Dial Before You Dig:**  
Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via Dial Before You Dig "1100" number in advance of any construction activities.
3. **Telecommunications Act 1997 (Commonwealth):**  
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, please contact Telstra's Network Integrity Team on 1800810443.
4. If the planning approval lapses, no development shall be carried out without further approval having first been sought and obtained.
5. If an applicant is aggrieved by this determination there is a right of review under Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged within 28 days of the determination.



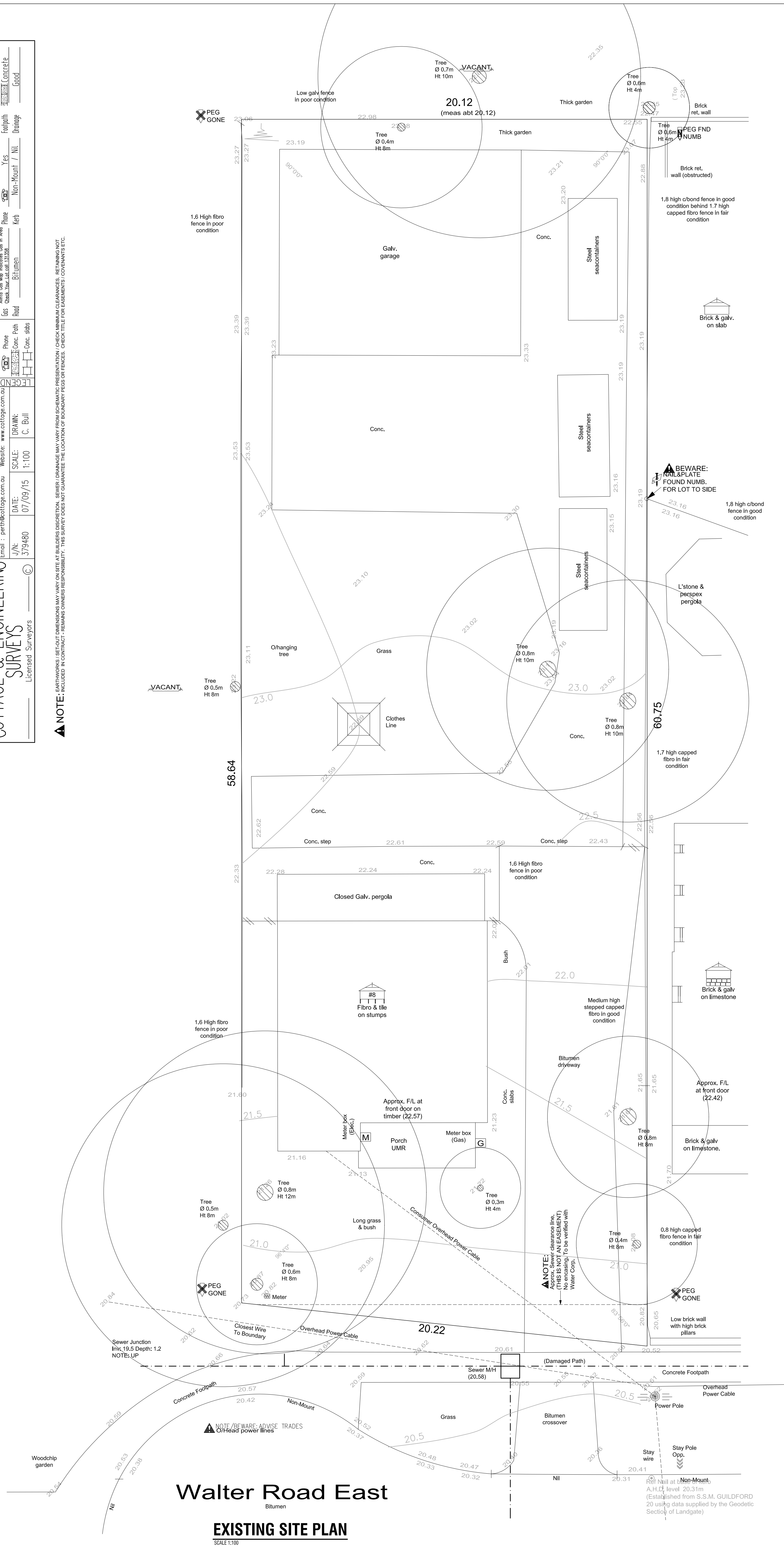
6. Separate approval being obtained from the Town's Asset Services for the proposed crossover.
7. The applicant is encouraged to undertake a dilapidation survey of adjoining properties prior to the commencement of work on-site.
8. The Town of Bassendean has no objection, in principle, to the design of the development being 'handed', should the applicant wish to pursue such a design modification by way of an amended application for approval.
9. The street number being prominently displayed at the front of the development.
10. Individual unit numbers being prominently displayed at the pedestrian entrance to each individual dwelling.
11. A separate application and approval being obtained for any fencing which is not shown on the approved drawings and which sits forward of the building line.

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



<b>COTTAGE &amp; ENGINEERING SURVEYS</b> Licensed Surveyors ————— ©		87-89 Guthrie Street, Osborne Park, Western Australia Telephone: (08) 9446 7261 Facsimile: (08) 9445 2998 Email: <a href="mailto:enquiries@cottage.com.au">enquiries@cottage.com.au</a> Website: <a href="http://www.cottage.com.au">www.cottage.com.au</a>	
J/N: 379480	DATE: 07/09/15	SCALE: 1:100	DRAWN: C. Bull
Legend:		Symbols:	
Flat:	Water:	Sewer:	Yes:
Aerial map indicates use in Area	Phone:	Footpath:	Yes:
Gas:	Conc. Path:	Drainage:	Good:
Check Local cat 63398	Bitumen:	Non-Mount / Nil:	Good:

**NOTE:** EARTHWORKS / SET-OUT DIMENSIONS MAY VARY ON SITE AT BUILDERS DISCRETION. SEWER / DRAINAGE MAY VARY FROM SCHEMATIC PRESENTATION / CHECK MINIMUM CLEARANCES. RETAINING NOT INCLUDED IN CONTRACT - REMAINS OWNERS RESPONSIBILITY. THIS SURVEY DOES NOT GUARANTEE THE LOCATION OF BOUNDARY PEGS OR FENCES. CHECK TITLE FOR EASEMENTS / COVENANTS ETC.



**⚠️DISCLAIMER:**  
 Lot boundaries drawn on survey are based on landgate plan only. Survey does not include title search and as such may not show easements or other Interests not shown on plan. Title should be checked to verify all lot details and for any easements or other interests which may affect building on the property.

**DISCLAIMER:**  
Survey does not Include verification of cadastral boundaries. All features and levels shown are based on orientation to existing pegs and fences only which may not be on correct cadastral alignment. Any designs based or dependent on the location of existing features should have those features' location verified in relation to the true boundary.

**▲DISCLAIMER:** Survey shows visible features only and will not show locations of underground pipes or conduits for internal or mains services. Verification of the location of all internal and mains services should be confirmed prior to finalisation of any design work.

**▲ DISCLAIMER:**  
Cottage & Engineering surveys accept no responsibility for any physical on site changes to the parcel or portion of the parcel of land shown on this survey including any adjoining neighbour levels and features that have occurred after the date on this survey. All Sewer details plotted from Information supplied by Water Corporation

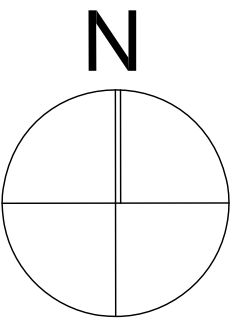
**▲DISCLAIMER:**  
Due to lack of survey marks/pegs, all building offset dimensions & features are approximate only and positioned from existing pegs/fences and walls which may not be on the correct alignment and are to be verified when repegged. Any design that involves additions to any structures shown or portion of structure is to be verified with the owner.

**boundaries to be repegged and exact offsets provided to your designer/architect before any plans are produced and before any work is started on site.**


NOT MISCLOSE  
0.030 m

SOIL DESCRIPTION	
and	
Refer to Survey	

## Planning Application



#### LEGEND & NOTES

- **FP 10.000** DENOTES FINISHED PAVING LEVELS.
-  DENOTES 90mm STUD WALL LINED AS NOTED ON PLANS
-  DENOTES BRICKWORK

E	29.08.16	planning amendments	
D	19.08.16	planning amendments	
C	04.05.16	planning amendments	
B	22.02.16	planning amendments	
A	15.12.15	Issued for planning submission	

SUE	REV.	DATE	DESCRIPTION
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**Client**  
THOMPSON DEVELOPMENT

**Address**  
LOT 3 (No. 8) WALTER ROAD  
BASSENDEAN

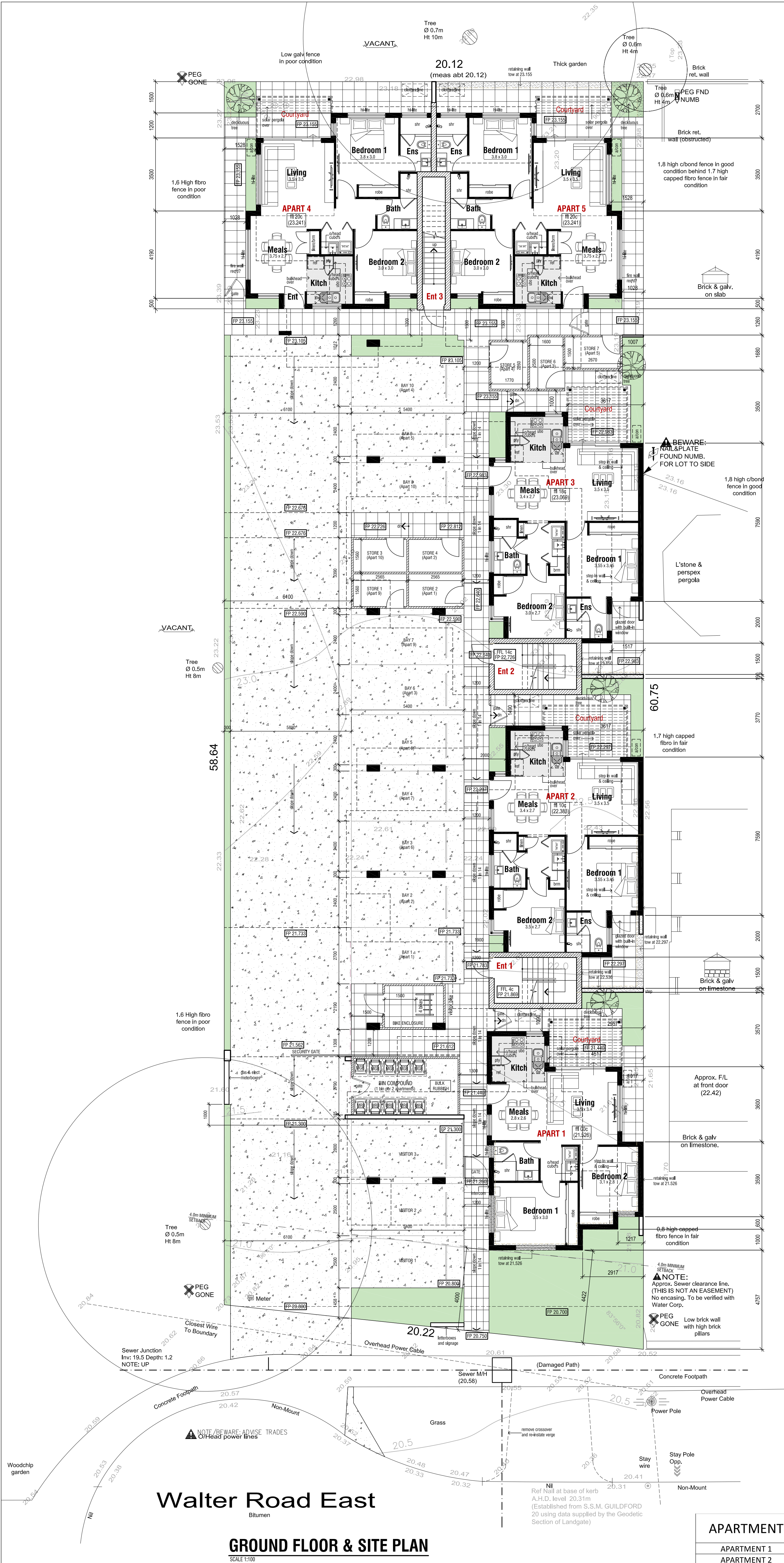
This drawing and design is subject to copyright and cannot be reproduced without prior written consent Copyright. ©

**Drawing Title:**

## Planning Approval

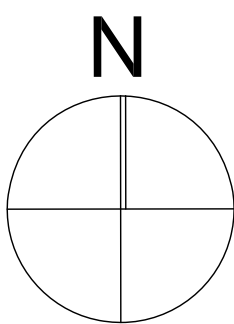
Scale: AS SHOWN	Plot Date:	
Status: Planning Approval	Drawn By: M.Carbone	
Project No. 21509	Drawing No. A01	Rev No.





THOMPSON DEVELOPMENT

Planning Application



LEGEND & NOTES

- FP 10.000 DENOTES FINISHED PAVING LEVELS.
- DENOTES 90mm STUD WALL LINED AS NOTED ON PLANS
- DENOTES BRICKWORK

E	20.08.16	planning amendments
D	19.08.16	planning amendments
C	04.05.16	planning amendments
B	22.02.16	planning amendments
A	15.12.15	issued for planning submission

ISSUE REV. DATE DESCRIPTION



Client  
THOMPSON DEVELOPMENT

Address  
LOT 3 (No. 8) WALTER ROAD  
BASSENDEAN

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Drawing Title:

Planning Approval

Scale: AS SHOWN

Plot Date:

Status: Planning Approval

Drawn By: M.Carbhone

Project No.

21509

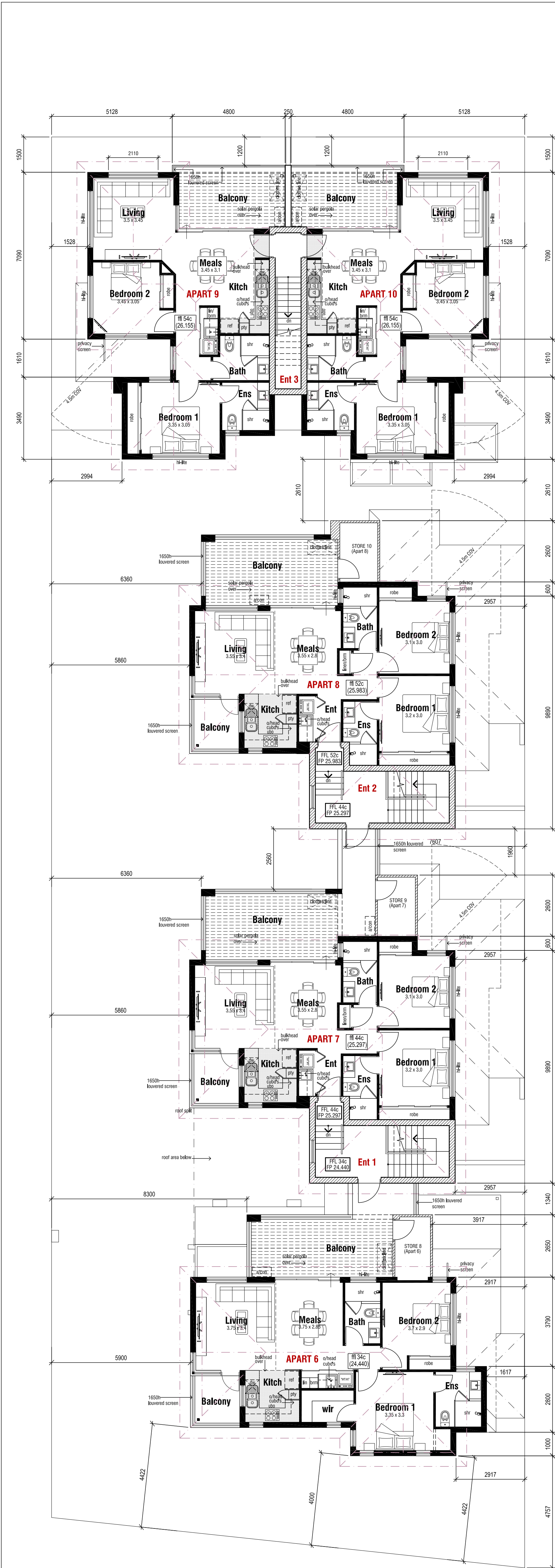
Drawing No.

A02

Rev No.

APARTMENT	LIVING	STORE	BALCONY/COURTYARD	TOTAL
APARTMENT 1	63.19	4.58	21.34	89.11
APARTMENT 2	70.93	4.58	26.39	101.90
APARTMENT 3	70.93	4.52	25.25	100.70
APARTMENT 4	71.52	4.61	30.63	106.76
APARTMENT 5	71.52	4.61	35.15	111.28
APARTMENT 6	76.33	4.83	25.05	106.21
APARTMENT 7	71.01	4.89	17.34	93.24
APARTMENT 8	71.01	4.89	17.34	93.24
APARTMENT 9	72.64	4.89	12.08	89.61
APARTMENT 10	72.64	4.58	12.08	89.30
TOTALS	711.72	46.98	222.65	981.35





UPPER FLOOR PLAN

SCALE 1:100

THOMPSON DEVELOPMENT

ENERGY EFFICIENT DESIGN - Apartment 1				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	12.5		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	72.5		

ENERGY EFFICIENT DESIGN - Apartments 2 and 3				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	12.5		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	72.5		

ENERGY EFFICIENT DESIGN - Apartment 4				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

ENERGY EFFICIENT DESIGN - Apartment 5				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

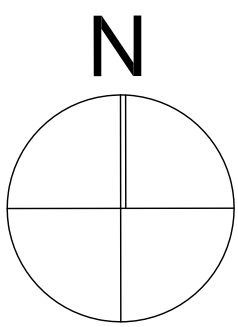
ENERGY EFFICIENT DESIGN - Apartment 6				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	10		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	12.5		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	82.5		

ENERGY EFFICIENT DESIGN - Apartments 7 and 8				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	10		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	7.5		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	10		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	72.5		

ENERGY EFFICIENT DESIGN - Apartment 9				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

ENERGY EFFICIENT DESIGN - Apartment 10				
Design Element	Credit Points Available	Credit Points Claimed	Comments	
1. Orientation (longest axis east west)	10	0		
2. North facing courtyard and main living areas with windows occupying a min 50% of the north facing wall	25 Courtyard: 12.5 Windows: 12.5	25		
3. Windows to bedrooms minimised in area and south facing. One bedroom window is permitted to face north.	15	15		
4. Eastern and western walls are either blank or only have openings to non-habitable utility rooms	20 East wall: 10 West wall: 10	20		
5. 60% of habitable rooms shall be cross ventilated	10	10		
6. The provision of either a solar pergola or solar hot water heating system	10	10		
7. Landscaping design and plant selection to provide shading to courtyard areas in summer only and demonstrate compliance with low water use gardening principles	10 Shading: 5 Low water use: 5	5	Compliant landscape design provided for low water use plants - native plant selections	
TOTAL	100	85		

Planning Application



LEGEND & NOTES

- **TP 10.000** DENOTES FINISHED PAVING LEVELS.
- **90mm** DENOTES 90mm STUD WALL LINED AS NOTED ON PLANS
- **BRICKWORK** DENOTES BRICKWORK

REV	DATE	DESCRIPTION
E	29.08.16	planning amendments
D	19.08.16	planning amendments
C	04.05.16	planning amendments
B	22.02.16	planning amendments
A	15.12.15	Issued for planning submission



Client  
THOMPSON DEVELOPMENT

Address  
LOT 3 (No. 8) WALTER ROAD  
BASSENDEAN

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Drawing Title:

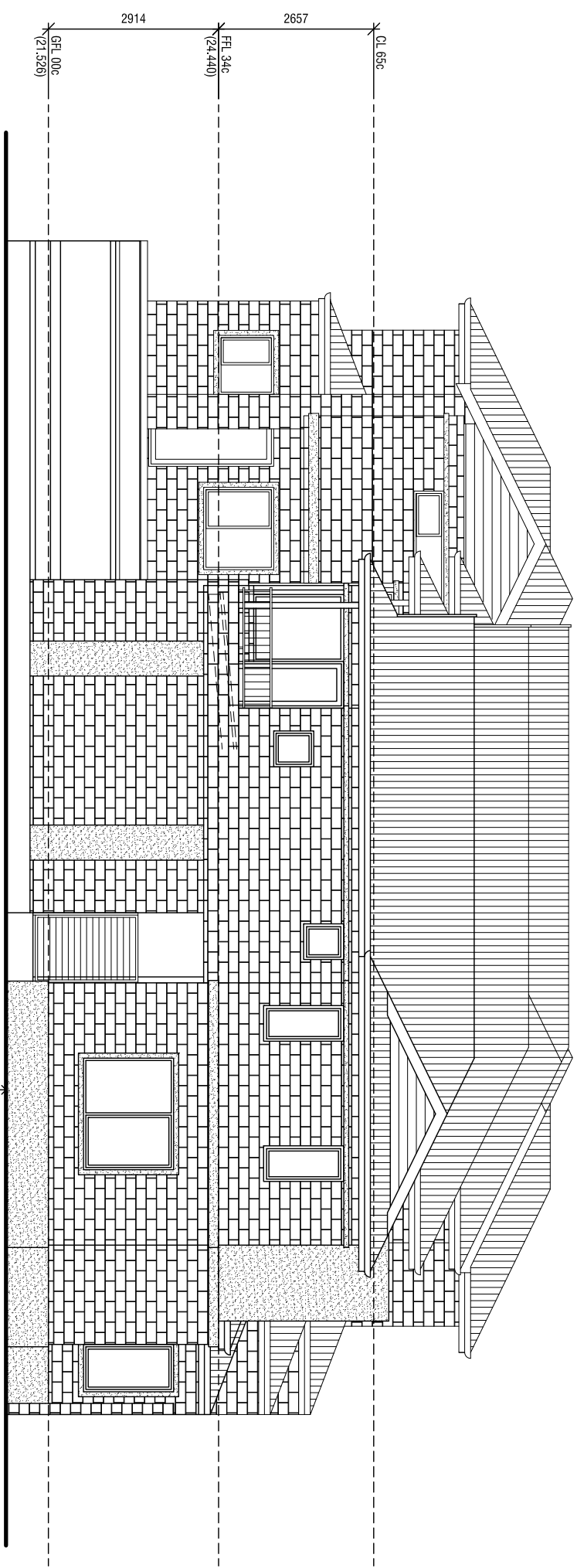
Planning Approval

Scale: AS SHOWN Plot Date:

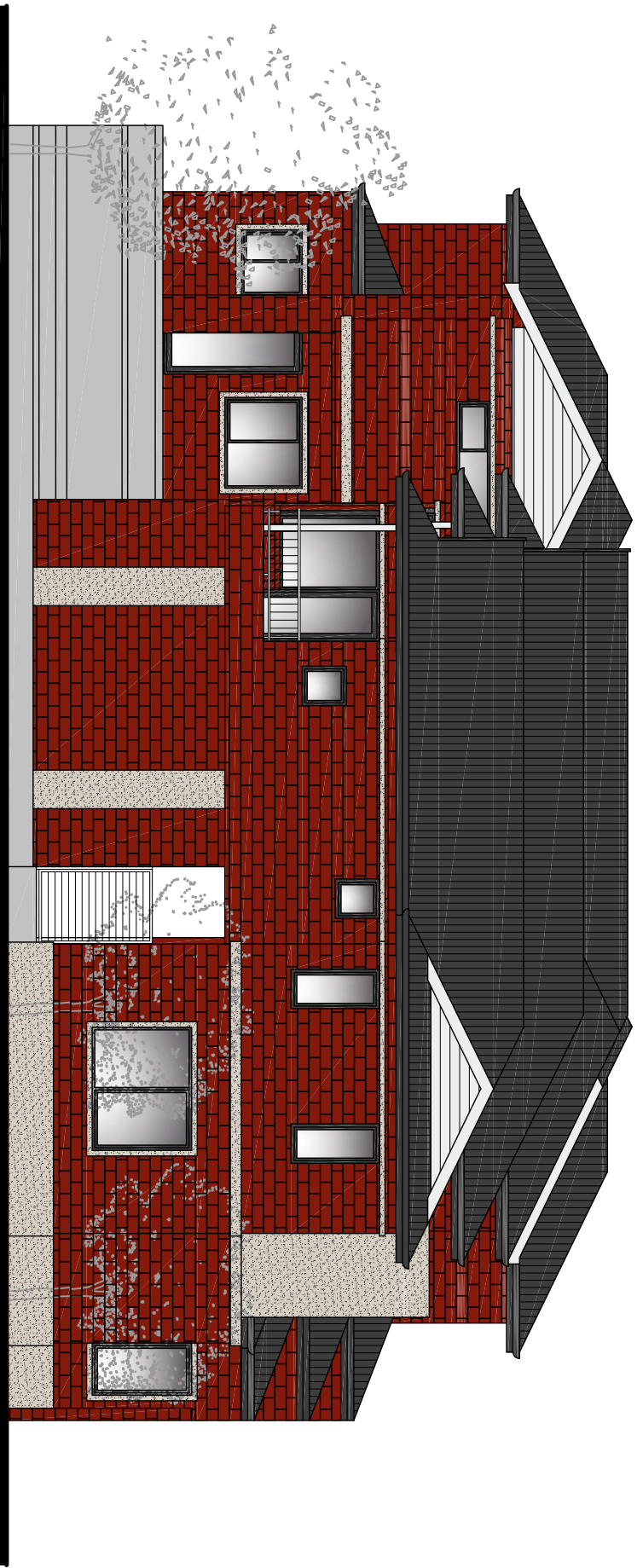
Status: Planning Approval Drawn By: M.Carbone

Project No. 21509 Drawing No. A03 Rev No.

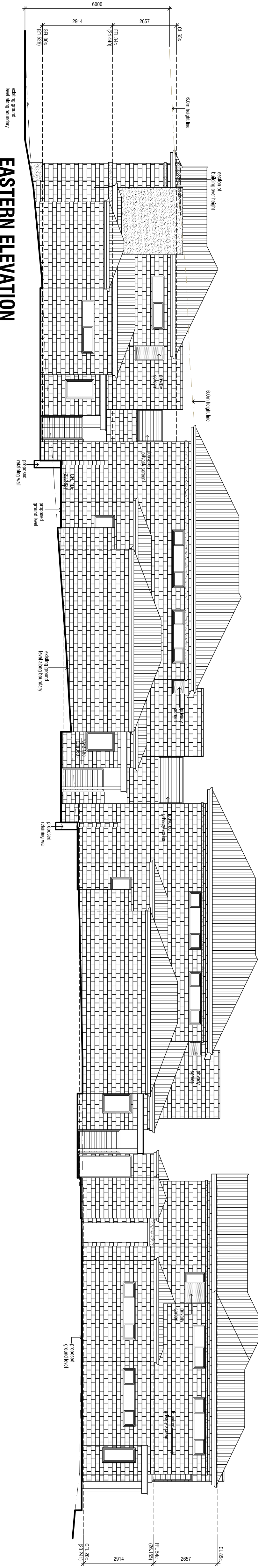




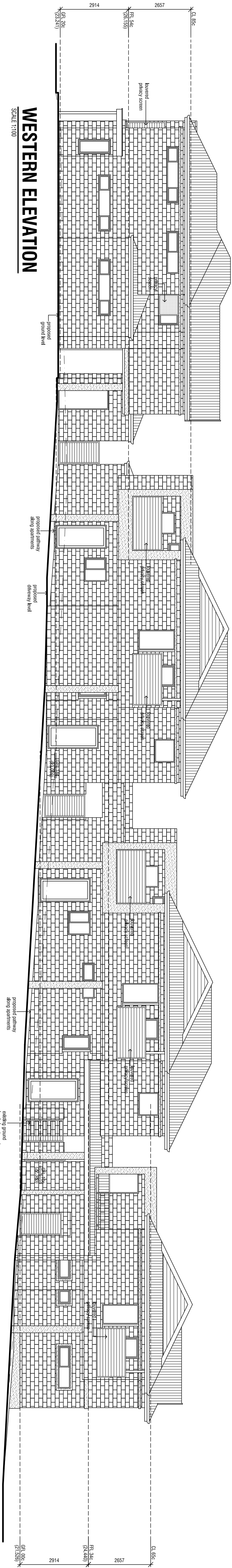
WALTER ROAD ELEVATION  
SCALE 1:100



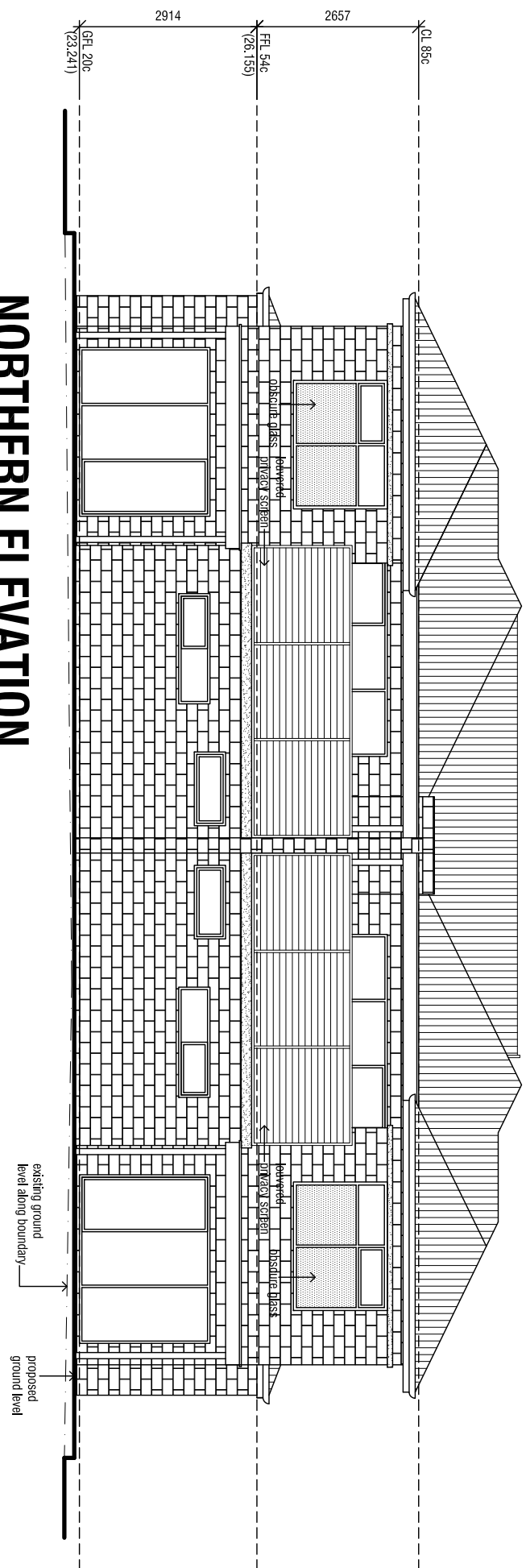
WALTER ROAD ELEVATION  
SCALE 1:100



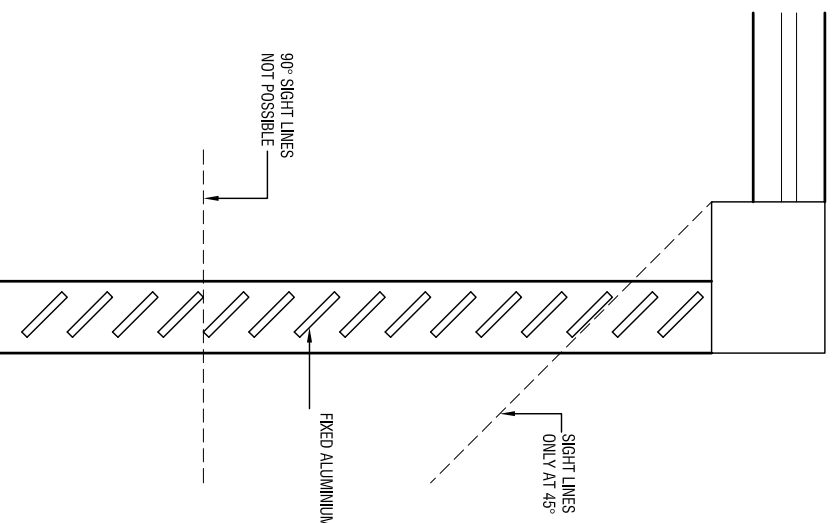
EASTERN ELEVATION  
SCALE 1:100



WESTERN ELEVATION  
SCALE 1:100



NORTHERN ELEVATION  
SCALE 1:100



BALCONY LOUVRES  
SCALE 1:20

Planning Application

LEGEND & NOTES

- DENOTES FINISHED PAINTING LEVELS.
- DENOTES 30MM STUD WALL LINED AS NOTED ON PLANS
- DENOTES BRICKWORK

REV.	DATE	DESCRIPTION
A	15.12.15	Issued for planning submission
B	22.02.16	Planning amendments
C	04.05.16	Planning amendments
D	19.06.16	Planning amendments
E	29.06.16	Planning amendments



Client  
THOMPSON DEVELOPMENT

Address  
LOT 2 AND 8/1 WALTER ROAD  
BASSENDEAN

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Planning Approval

Scale:	AS SHOWN	Plot Date:	
Status:	Planning Approval	Drawn By:	M. Carbone
Project No.	21509	Drawing No.	A04
		Rev No.	