

TOWN OF BASSENDEAN

NOTICE OF A SPECIAL COUNCIL MEETING

Dear Council Member

A Special Meeting of the Council will be held on Tuesday, 16 October 2018 in the Council Chamber, 48 Old Perth Road, Bassendean, commencing at 6.00pm. The purpose of the meeting is for Council to consider the:

1. Responsible authority report to be presented to the Metro Central Joint Development Assessment Panel for a Convenience Store Providing for the Sale of Fuel and Convenience Goods (Vibe) at Lot 75 (No 72 Walter Road East , Eden Hill; and
2. Final Concept Design for 1 Surrey Street, Bassendean.

Mr Bob Jarvis
CHIEF EXECUTIVE OFFICER

12 October 2018

A G E N D A

1.0 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Town of Bassendean acknowledges the past and present traditional owners of the land on which we gather to conduct this meeting, and pays its respects to their Elders, both past and present.

2.0 PUBLIC QUESTION TIME AND ADDRESS BY MEMBERS OF THE PUBLIC

3.0 ATTENDANCES, APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE

4.0 **DECLARATIONS OF INTEREST**

5.0 **DEPUTATIONS**

6.0 **REPORTS**

6.1 **Responsible authority report to be presented to the Metro Central Joint Development Assessment Panel for a Convenience Store Providing for the Sale of Fuel and Convenience Goods (Vibe) at Lot 75 (No 72 Walter Road East , Eden Hill**

APPLICATION

At its Ordinary Council meeting held in May 2011, Council resolved to require that all Joint Development Assessment Panel (JDAP) applications be the subject of a report to Council in order that Council can make an alternative recommendation to the Metropolitan Central JDAP, should it see fit.

ATTACHMENTS

Attachment No. 1

Attachments relating to the Form 1 – Responsible Authority Report

BACKGROUND

Background information is provided within the Form 1 report, below.

COMMUNICATION AND ENGAGEMENT

Details of consultation undertaken and responses received are discussed in detail in the Form 1 report, below.

STRATEGIC IMPLICATIONS

The following components of the Town’s adopted Strategic Community Plan 2017-2027 are of relevance when considering the application for development approval:

Strategic Priority 1: Social

Objective 1.3: Plan for a healthy and safe community	Strategy 1.3.2 Promote and advocate community health and well-being.
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Strategic Priority 4: Economic

Objective 4.1: Build Economic Capacity	Strategy 4.1.1 Encourage and attract new investment and increase capacity for local employment.
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COMMENT

Detailed comments in relation to the proposed development are contained within the Form 1 report, below.

STATUTORY REQUIREMENTS

All statutory requirements are discussed in detail in the Form 1 report, below.

FINANCIAL CONSIDERATIONS

Nil

CONCLUSION

The remainder of this report includes the Senior Planning Officer's report and recommendation to the JDAP. The report is presented in the format required by the Development Assessment Panel Regulations (Form 1 – Responsible Authority Report).

Council's options are to either endorse the recommendation contained in the report below, or to make an alternative recommendation.

Council's nominated members for the JDAP are Mayor McLennan and Councillor Hamilton. Alternate members, should the need arise, are Councillor Brown and Councillor Wilson.

The Development Assessment Panel Training notes make the following comments in terms of Local Government representatives as DAP members:

"The role of a local government representative is made difficult by their dual roles of local government Councillor and DAP member.

The Code of Conduct acknowledges this difficulty in clause 2.1.2. A local government may make a decision in relation to a DAP application as a basis for providing a DAP with a recommendation, as it is required to do in accordance with regulation 12.

Clause 2.1.2 provides that a local government DAP member is not precluded from voting in relation to a DAP application where it has also been involved with the decision or recommendation made by the local government.

Clause 2.1.2 requires only that local government DAP member exercise independent judgment, and consider the application on its planning merits.”

OFFICER RECOMMENDATION – ITEM 6.1

That Council endorses the Senior Planning Officer’s Form 1 – Responsible Authority Report for the Application for a Convenience Store Providing for the Sale of Fuel and Convenience Goods (Vibe) at Lot 75 (No. 72) Walter Road East, Bassendean.

Voting requirements: Simple Majority

Form 1 – Responsible Authority Report
(Regulation 12)

Property Location:	Lot 75 (No. 72) Walter Road East (cnr Marion Street), Bassendean
Development Description:	Convenience Store Providing for the Sale of Fuel and Convenience Goods (Vibe)
DAP Name:	Metro Central JDAP
Applicant:	Planning Solutions
Owner:	K. & W. Sales & Distribution Pty Ltd
Value of Development:	\$2 million
LG Reference:	2018-088
Responsible Authority:	Town of Bassendean
Authorising Officer:	Christian Buttle – Senior Planning Officer
DAP File No:	DAP/18/01473
Report Due Date:	19 October 2018
Application Received Date:	3 August 2018
Application Process Days:	90 days

Attachment(s):	<ol style="list-style-type: none">1. Applicant's Development Application Report incorporating:<ul style="list-style-type: none">• Aerial photo showing development site in context of surrounding locality (Page 9);• Zoning Map (Page 15);• Development Plans (Appendix 5); and• Traffic Impact Statement (Appendix 6)2. Schedule of Submissions resulting from public advertising.3. External Government Agency Comment comprising:<ul style="list-style-type: none">• Department of Planning, Lands and Heritage (Letter dated 13 August 2018);• Environmental Protection Authority (Email dated 21 August 2018);• Contaminated Sites Branch of DWER (Letter dated 28 August 2018);• Department of Education (Incorporating comment from the Department of Health) (Letter dated 4 September 2018)4. Town of Bassendean Local Planning Policies:<ul style="list-style-type: none">• No. 7 – Local Shopping Zone Design Guidelines;• No. 15 – Percent for Art Policy;• No. 16 – Control of Advertisements under Local Planning Scheme 10; and• No. 18 – Landscaping with Local Plants.5. Town of Bassendean Specification for the construction of Crossovers
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Officer Recommendation:
That the Metro Central JDAP resolves to:

1. **Refuse** DAP Application reference DAP/18/01473 and accompanying plans:

- Dwg A01 Sheet 1 (Site Plan) Rev C dated 28.06.18;
- Dwg A02 Sheet 1 (Building Plans) Rev C dated 28.06.18;
- Dwg A02 Sheet 2 (Building Plans) Rev C dated 28.06.18;
- Dwg A02 Sheet 3 (Building Plans) Rev C dated 28.06.18;
- Dwg A03 Sheet 1 (Petrol Canopy Plans) Rev C dated 28.06.18;
- Dwg A03 Sheet 2 (Petrol Canopy Plans) Rev C dated 28.06.18; and
- Dwg A01 Sheet 2 (Site Plan – Landscaping) Rev C dated 28.06.18;

in accordance with Clause 68 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Town of Bassendean Local Planning Scheme No. 10, for the following reasons:

Reasons

1. The development site directly adjoins a sensitive land use to the north (Eden Hill Primary School) and is also positioned directly opposite sensitive land uses to the west and south (residential development). The applicant has failed to demonstrate how the absence of an Environmental Protection Authority recommended separation distance between the proposed development and adjoining / adjacent sensitive land uses is appropriate, having regard to the results of a site specific scientific study which considers the proposed development in the context of adjoining / adjacent development. On this basis, the suitability of the land for the proposed development taking into account the possible risk to human health or safety has not been demonstrated, contrary to clause 67(r) of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
2. The applicant has failed to demonstrate how potential adverse noise impacts associated with the development will be satisfactorily ameliorated;
3. The applicant has failed to demonstrate how non-standard 15m long petrol tankers will be retained for use in conjunction with the proposed development, both with respect to the intended current operator of the facility along with any future operator of the facility;
4. The proposed development has not been designed to accommodate the standard heavy rigid vehicles (HRV) for waste management and articulated vehicles (AV) for petrol deliveries contrary to the provisions of AS 2890.2 – *Off-street commercial vehicle facilities* which states that facilities shall be designed to accommodate the standard vehicle type or types appropriate to the use required by the operator of the facility;
5. The inability of service vehicles (petrol tankers) to remain lane correct within public streets when approaching the development site;
6. The ability for vehicles to traverse the site in opposing directions being unsafe in use;
7. The width of car parking bays immediately forward of the proposed convenience store being non-compliant with the 2.6m minimum specified within Australian Standard AS 2890.1 (*Off-street car parking*) for the kind of development that has been proposed;

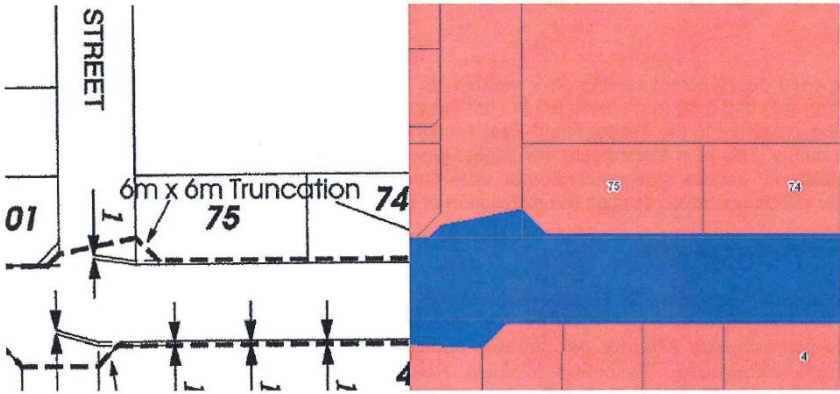
8. The width of bowser bays for pumps 2-6 being non-compliant with the 2.9m minimum (comprising 2.6m minimum plus 300mm clearance) specified within Australian Standard AS 2890.1 (Off-street car parking) for the kind of development that has been proposed;
9. The width of the service bay / loading bay associated with the proposed convenience store being non-compliant with the 3.5m minimum specified within Australian Standard AS 2890.2 (Off-street commercial vehicle facilities) for the kind of development that has been proposed;
10. The clearance height beneath the proposed petrol canopy being less than the 4.5m minimum specified by AS 2890.2 (Off-street commercial vehicle facilities);
11. The 5.5m separation distance between the corner truncation reserved under the Metropolitan Region Scheme and the crossover on the Marion Street frontage of the development site being less than the 6m minimum specified by both the Town of Bassendean Specification for the Construction of Crossovers and Australian Standard AS 2890.1 – Off-street car parking;
12. The design of the proposed crossovers for the development not demonstrating compliance with the Town’s Specification for the Construction of Crossovers;
13. The width of landscaping along the Walter Road East frontage of the proposed development being less than that specified by Town of Bassendean Local Planning Policy No. 7 – Local Shopping Design Guidelines;
14. The proposed building setbacks to the Walter Road East frontage of the development site are considered to be unacceptable, having regard to the unsatisfactory urban design outcome that results from the blank building façade facing this street. As proposed, the compatibility of the development with its setting in terms of its orientation and appearance is not acceptable, contrary to clause 67(m) of the Planning and Development (Local Planning Schemes) Regulations 2015;
15. The application provides insufficient information with respect to the positioning of external fixtures (such as air-conditioning and refrigeration plant, vent pipes etc.) and the suitability of such placement having regard to potential off site impacts that such fixtures may have; and
16. The application provides insufficient detail with respect to proposed waste management arrangements associated with the proposed development.

Advice Notes

Nil.

Details: outline of development application

Insert Zoning	MRS:	<ul style="list-style-type: none"> • Urban (Predominantly); and • Other Regional Roads (1m wide strip of land along the Walter Road East frontage of the site along with an associated 6m x 6m corner truncation area).
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	(Note: A copy of the land requirement plan provided by the Department of Planning Lands and Heritage is included below).
 <p>Land Requirement Plan No. 1.5286</p>	
Local Planning Scheme No. 10:	<ul style="list-style-type: none"> • Local Shopping (Predominantly); and • Other Regional Roads to accord with the MRS.
Insert Use Class:	<p>‘P’ (‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme).</p>
Insert Strategy Policy:	Not applicable.
Insert Development Scheme:	Town of Bassendean Local Planning Scheme No. 10 (District Zoning Scheme).
Insert Lot Size:	1056 sq.metres.
Insert Existing Land Use:	Site is vacant.

The application proposes the development of a ‘Vibe’ branded convenience store which provides for the sale of convenience goods and fuel. Site planning for the proposed development incorporates:

- A retail building of 148 sq.metres (gross) positioned to the eastern end of the development site;
- 6 car parking bays (1 of which is an accessible bay) and 1 loading bay located immediately in front of the convenience store;
- A bin compound located in the north-eastern corner of the development site;
- A fuelling canopy of 151 sq.metres providing shelter for 3 bowsers with a total of 6 pumps;

- A full movement crossover located on the Marion Street (western) frontage of the development site and a proposed left in left out crossover on the Walter Road East (southern) frontage of the development site
(Note: this arrangement is dependent upon the extension of a central median within the Walter Rd East road reserve);
 - Signage; and
 - Landscaping around a portion of the perimeter of the development site.
- The site has a 'Local Shopping' zoning under the operative Local Planning Scheme No. 10 (LPS10), and within this zone a 'Convenience Store' is a 'P' use.

LPS10 defines a Convenience Store as meaning premises:

- “(a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents, or the retail sale of petrol and those convenience goods;*
- (b) operated during hours which include, but may extend beyond, normal trading hours;*
- (c) which provide associated parking; and*
- (d) the floor area of which does not exceed 300 square metres net lettable area.”*

LPS 10 explains that a land use assigned a 'P' classification is:

“...permitted by the Scheme provided the use complies with the relevant development standards and the requirements of the Scheme.”

Background:

The site was originally developed for the purpose of a service station in 1958. This approval included a single bowser and a building used primarily for vehicle servicing, but which also included a sales area of 14 sq.metres. The service station was demolished in approximately 2004.

A memorial pursuant to the Contaminated Sites Act 2003 was placed on the certificate of title for the property in 2007.

In 2014, the site was developed for the purpose of a billboard. This billboard was subsequently demolished in 2018 and the site is now vacant.

Although some remediation works have been undertaken, the site remains classified as “Contaminated – remediation required” under the Contaminated Sites Act 2003. Impacted soil remains adjacent to the southern boundary of the site to depths of 3m below ground level and groundwater impact is present as a plume that extends in a southerly direction beneath Walter Road East.

The development site is located on the corner of Walter Road East and Marion Street. Walter Road East is reserved as an 'Other Regional Road' under the provisions of the Metropolitan Region Scheme while Marion Street is a local road. Under the Main Roads Functional Road Hierarchy Walter Road East is classified as a 'Distributor A' road while Marion Street is classified as an 'Access Road'.

To its east, the development site is adjoined by a matching sized lot which is also zoned 'Local Shopping' and which is developed with the Walter Road Handy Mart (Deli / Corner Store). The Town's earliest records for a shop on this site date back to 1926.

To its north, the development site is adjoined by the oval of the Eden Hill Primary School. The closest classrooms are approximately 95m from the shared boundary between the two sites. A primary school has been on this site since 1915 with the original school buildings being replaced in the early 1950's with the current school buildings (there have also been subsequent building works on since this time).

To the west on the opposite side of Marion Street is a single house, while to the south on the opposite side of Walter Road East the development site faces three single houses at Nos. 63, 65 and 67 Walter Road East.

Diagonally opposite the development site (to the south-east) is further commercial development.

Legislation and Policy:

Legislation

- (a) Planning and Development Act 2005;
- (b) Planning and Development (Local Planning Schemes) Regulations 2015;
- (c) Metropolitan Region Scheme; and
- (d) Town of Bassendean Local Planning Scheme No. 10.

State Government Policies

- (a) Western Australian Planning Commission State Planning Policy 4.1 – State Industrial Buffer Policy;
- (b) Western Australian Planning Commission Development Control Policy 5.1 – Regional Roads (Vehicular Access);
- (c) Western Australian Planning Commission Development Control Policy 5.4 – Advertising for Reserved Land; and
- (d) Department of Water and Environmental Regulation – Environmental Protection Authority – Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses No. 3 – June 2005.

Local Policies

The following Town of Bassendean Local Planning Policies are of relevance when considering the application:

- (a) Planning Policy No. 7 – Local Shopping Zone Design Guidelines;
- (b) Planning Policy No. 15 – Percent for Art Policy;
- (c) Planning Policy No. 16 – Control of Advertisements under Local Planning Scheme 10; and
- (d) Planning Policy No. 18 – Landscaping with Local Plants.

The following Town of Bassendean Specification is of relevance when considering the application:

- (a) Town of Bassendean Specification for the Construction of Crossovers.

Consultation:

Public Consultation

The application was advertised for public comment in the following ways:

- By way of 16 direct mail notices to owners and occupiers of properties within closest proximity to the development site;
- On the Town's Facebook Page; and
- On the Town's Your Say Bassendean web page.

Advertising of the application generated significant community interest and resulted in the following responses being received:

- 17 separate submissions made directly to the Town by mail or email. These submissions included:
 - (a) A submission from Dave Kelly, the local Member of Parliament;
 - (b) A submission from the Department of Education;
 - (c) A submission from the Board of the Eden Hill Primary School;
 - (d) A submission from the P & C Association of the Eden Hill Primary School;
 - (e) A submission from a year 4/5 class teacher from the Eden Hill Primary School which incorporated 21 individual letters from the students of this teacher;
 - (f) A submission from a year 6 class teacher from the Eden Hill Primary School which incorporated 10 separate letters on behalf of 19 students of this teacher; and
 - (g) A submission which was made on behalf of 77 community members.
- 114 separate submissions were also made directly to the Towns Have Your Say Bassendean community consultation platform.

Of the 131 submissions received:

- 122 (93%) objected to the proposed development;
- 6 (5%) supported the proposed development; and
- 3 (2%) provided general comment on the proposed development.

A detailed summary of submissions which details issues raised in individual submissions along with an officer response, is provided as an attachment to this report.

Consultation with other Agencies or Consultants

In addition to the general public consultation that was undertaken, the Town also consulted with state government agencies as follows:

(a) Department of Planning, Lands and Heritage

By way of correspondence dated 13 August 2018, the Department of Planning, Lands and Heritage (DPLH) provided comment on land requirements under the MRS, the proposed access arrangements (which include direct access to Walter Road East) along with comment on the Transport Impact Statement provided by the applicant. In summary, DPLH indicated that they had no objection to the proposed development on regional transport grounds subject to the following:

1. A recommendation that the submitted swept path analysis plans be verified / checked to the satisfaction of the Town's engineering staff, having regard to the small size of the development site and the sharp turning movements which must be made to accommodate the 15m long petrol tankers referenced within the report;
2. The provision of a median treatment within the Walter Road East reservation to limit turning movements to left in left out only on Walter Road East; and
3. Signage associated with the development not interfering with sight lines, not distracting drivers and not having the potential to become confused with traffic signals or road signs.

(b) Environmental Protection Authority (EPA)

(c)

Although the EPA advised that they would not generally provide specific advice on development applications, they did advise that if an applicant is proposing a separation distance which is less than that recommended by Guidance Statement No. 3 – Separation Distances between Industrial and Sensitive Land Uses, that a site specific scientific study should be undertaken to ensure that sensitive land uses are not adversely affected by the proposed development.

They recommended that the following extracts from Guidance Statement No. 3 be given particular consideration as a part of the decision making process:

“In line with the requirements of the EP Act, it is necessary for individual industrial developers to take all reasonable and practicable measures to prevent or minimise emissions from their premises. It is generally expected that, through appropriate site layout, design of facilities, and the implementation of engineering and process controls, emissions from an individual industrial land use can be prevented from causing an adverse environmental impact beyond the boundaries of the particular site or beyond the boundaries of an industrial estate.”

“The separation distances outlined are not intended to replace the need for proponents and relevant authorities to take all reasonable and practicable measures to minimise emissions and off-site impacts.”

“Where a separation under consideration is less than in the table, it is recommended that a new project does not proceed in the absence of site-specific investigations and a report demonstrating that the separation distance will meet acceptability criteria and that enforceable management techniques will be applied to ensure an appropriate environmental outcome.”

(d) Contaminated Sites Branch, Department of Water and Environment Regulation

The Contaminated Sites Branch of DWER provided the following comments on the proposed development:

- Formal advice on the suitability of the proposed development is required, noting the contaminated status of the land;

- The proposed land use is not considered to be a more sensitive land use beyond that which previously existed on site, and on this basis DWER has no objection to the proposed development and does not consider that a contamination condition is necessary as part of the development approval;
- It is likely that contamination issues at the site may be addressed during the construction of the proposed retail fuel outlet; and
- DWER will manage the review and possible reclassification of the site under the Contaminated Sites Act.

(e) Department of Education (incorporating comment from Department of Health)

Consultation with the Department of Education occurred having regard to their status as owner of the adjoining school site. The Department of Education sought input from the Department of Health who have provided the following comments:

- The minimum separation distance advocated within the EPA's Guidance Statement No. 3 has not been provided;
- In assessing an application for a Dangerous Goods Storage and Handling Licence, the Department of Mines, Industry Regulation and Safety will give consideration only to control of fire and explosion risk for flammable liquid storage and transfer. Environmental emissions and possible health effects that may result from the proposed development will not be considered as part of this process;
- Notwithstanding the installation of a Vapour Recovery System, there are some evidence based studies conducted overseas to suggest that volatile organic compounds, particularly airborne benzene concentrations, are elevated up to 150m from a petrol station and there is a possible link in increased risk in increased childhood leukaemia with either proximity to petrol stations or petrol station density per square kilometre; and
- In the absence of a scientific study or a health assessment to demonstrate a lesser separation distance, and that the justification provided by the proponent does not address the potential public health implications of vapour emissions, the 50m separation distance requirement should apply.

The Department of Education note that the determining planning authority should have due regard to the deemed provisions set out in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, particularly relating to the suitability of the proposed development taking into account the possible risk to human health or safety.

Noting that the school is classified as a sensitive land use; that the minimum separation distance specified by the EPA has not been provided; and that there has been no scientific study to demonstrate that the lesser distance should be supported, the Department of Education have indicated that they do not consider the proposed development to be a compatible land use and on this basis they do not support the proposed development.

Planning Assessment:

Local Shopping Zone Objectives from Local Planning Scheme No. 10

The objectives of the Local Shopping Zone are:

- (a) To provide for the local retail and service needs of the locality;
- (b) To ensure that the local needs of residents are met, whilst maintaining a retail hierarchy to ensure that the catchment of the Town Centre zone is not adversely affected;
- (c) To ensure a respect for the residential amenity of the surrounding neighbourhood, particularly in terms of design and location of vehicle parking, pedestrian movement, pedestrian and vehicular safety, and control of signage; and
- (d) To ensure that development conforms with the Local Planning Strategy and the principles of any Local Planning Policy adopted by the Council.

Matters to be Considered by Local Government

As identified in the submission made by the Department of Education, in determining this application, the JDAP must have regard to Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 which form part of the Town's Local Planning Scheme No. 10. Of particular relevance are the following matters which must be considered:

- “(b) the requirements of orderly and proper planning;*
- (d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31 (d);*
- (e) any policy of the State;*
- (f) any local planning policy for the Scheme area;*
- ...*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following –*
 - (i) environmental impacts of the development;*
 - (ii) the character of the locality;*
 - (iii) social impacts of the development;*
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (s) the adequacy of –*
 - (i) the proposed means of access to and egress from the site; and*
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probably effect on traffic flow and safety;*
- (y) any submissions received on the application;*

- (za) *the comments or submissions received from any authority consulted under clause 66; and*
- (zb) *any other planning consideration the local government considers appropriate.”*

Development Standards

Clause 4.11.2 of LPS10 states that *“in considering applications for development approval within the Local Shopping Zone, the local government shall have regard to the objective for the Zone and all development shall have regard to the following Policy Statements:*

- (a) Local Shopping Zone Design Guidelines; and*
- (b) Any other relevant Policy Statement prepared by the local government.”*

Item	Requirement	Proposal	Compliance
Building Setbacks	LPP7 specifies that building setbacks are to be determined at Council’s discretion having regard to existing setbacks in the locality, the impacts of the development on the streetscape, and the provision of adequate car parking and landscaping areas.	The building is set back 1.345m beyond the alignment of the land required for Walter Rd East widening. Signage associated with the proposed development is set back 145mm beyond the alignment of the land required for Walter Rd East widening.	No The blank building frontage to Walter Rd East is inconsistent with urban design principles and on this basis the setback which is proposed is not supported. See further comment after table.
Building Materials / Appearance	No detailed controls specified. CI 67(m) of the LPS Regs allow for compatibility of development with its setting to be considered.	Steel petrol canopy with surrounding fibre cement fascia. Convenience store building pre-cast concrete panel with glazing only on western side of building which faces internally toward forecourt. Externally, other Vibe petrol stations are brightly	No Although there are no specific design controls for such development within the Local Shopping Zone, the blank building frontage which presents to Walter Rd East is seen to conflict with CI 67(m) of the LPS Regs as it is incompatible with its setting.

		coloured orange / red / yellow blue.	See further comment after table.
Building Height	No controls specified.	Single level development proposed.	Yes
Car Parking – Number of Bays	12 Bays.	12 Bays. (6 refuelling bays and 6 bays in front of store)	Yes Complies if refuelling bays are accepted as car bays. See further comment after table
Car Parking – Dimension of Bays - Customers	2.6m minimum bay width prescribed by AS2890.1 for convenience store customer bays.	2.5m bay width proposed.	No Customer car bays for convenience store are under width. See further comment after table.
Bowser Bay – Dimensions	2.9m minimum bay width prescribed by AS2890.1 (i.e. 2.9 x 2 = 5.8m width required between obstructions associated with bowsers).	5.3m width provided between obstructions associated with bowsers.	No See further comment after table.
Commercial Vehicle – Dimensions of Service Bay	3.5m minimum bay width prescribed by AS2890.2.	3.0m service bay width proposed.	No See further comment after table.
Service Vehicle Access – Petrol Tankers	AS 2890.2 states that design should be prepared to accommodate standard 19m long petrol tankers.	Design based upon a non-standard 15m tanker length with no justification provided for such design basis.	No Site cannot be serviced by a standard petrol tanker.

(Within the development site)	(Vehicle Class – Articulated Vehicle)	(Unknown Vehicle Class which is not referenced in relevant Australian Standard)	See further comment after table.
Vehicle Movement Through Site	Safe and coordinated vehicle movement through site.	The design allows vehicles to enter the site from either Marion St or Walter Rd East and to traverse the site in opposing directions.	No Having regard to site constraints, traffic movement through the site should be limited to one way only. See further comment after table.
Service Vehicle Access – Petrol Tankers (Approaching the development site on road)	Design to lawfully utilise road network.	Service vehicles cannot access the site 'lane correct'.	No See further comment after table.
Crossovers	Town of Bassendean Crossover Specifications – Crossovers to be positioned 6.0m minimum from point of corner truncation	Crossover to Marion Street positioned 5.5 metres from point of truncation	No The proposed Marion St crossover is positioned too close to the street corner and neither crossover has been designed to the Town's design specifications. See further comment after table.

<p>Landscaping</p>	<ul style="list-style-type: none"> • 2m minimum width adjacent to primary street frontage. • 1.5m minimum width adjacent to secondary street frontage. <p>Shade tree provision.</p>	<p>Post required road widening, the following landscaping will be provided:</p> <ul style="list-style-type: none"> • 1m minimum width adjacent to Walter Rd East frontage; and • 1.5m minimum width adjacent to Marion Street frontage. 	<p>No</p> <p>No justification has been presented for the variation to landscaping requirements and no tree planting has been proposed in conjunction with landscaping of the site.</p> <p>See further comment after table.</p>
<p>Plot Ratio</p>	<p>No controls specified</p>	<p>Not applicable</p>	<p>Not applicable.</p>
<p>Signs</p>	<p>Signs affixed to building generally exempted by Schedule 5 of Local Planning Scheme No. 10.</p> <p>Pylon sign (price board sign):</p> <ul style="list-style-type: none"> • 6m max height; • 4sq.m max area; and • 1m min street setback. 	<p>Pylon sign meets height and area requirements but has a setback of only 145mm from property boundary once required land for road widening has been taken.</p>	<p>No</p> <p>See further comment after table.</p>
<p>Stormwater Management</p>	<p>Retain on site pursuant to provisions of Local Planning Policy No. 14 – On-Site Stormwater Policy.</p>	<p>Planning report states that details of stormwater management will be provided at a later date but will incorporate a purceptor system (to separate fuels, oils and other contaminants).</p>	<p>Unknown</p> <p>Although the application lacks detail, this matter could be dealt with by way of a condition of approval in the event that the application were to be approved.</p>

Lighting	CI 4.7.9 of LPS10 requires that lighting not be installed unless: <i>“The emission of light from such devices is oriented or controlled so as not to interfere with the amenity of any adjacent residential zone nor cause traffic hazard in the nearby street system.”</i>	Potential sources of nuisance are identified as headlight glare, lighting beneath the fuel canopy and lighting of the retail building. Applicant advises that this matter will be subject to future detailed design.	Unknown Although the application lacks detail, this matter could be dealt with by way of a condition of approval in the event that the application were to be approved.
External Fixtures / Plant and Equipment	Screen from view of the street.	Detail of plant and equipment such as air-conditioning and refrigeration plant, vent pipes associated with fuel storage etc. not provided.	Unknown Application lacks required detail to facilitate assessment. See further comment after table.
Waste Disposal	Adequate capacity to house receptacles of a size that will accommodate rubbish generated by the proposed development.	Bin storage area of around 2.6m x 2.8m internal area has been provided which is situated at the north-eastern corner of the development site.	Unknown See further comment after table.

Officer Comments

Separation Distance to Sensitive Uses

Environmental Protection Authority Guidance Statement No. 3 – ‘Separation Distances between Industrial and Sensitive Land Uses’ specifies minimum separation distances between developments of this kind and ‘sensitive’ land uses which include the adjoining school and adjacent residential properties.

For developments of the kind proposed in this instance it recommends that a buffer distance of 50 metres be provided for premises which operate during normal hours (i.e. Monday-Saturday 7am to 7pm) with an increased buffer distance of 200 metres for premises which operate 24 hours a day

Potential impacts from development of this kind are said to include:

- Gaseous;
- Noise;
- Odour; and
- Risk

As identified in advice provided by the EPA:

- Any application which involves a lesser separation distance should be supported by a well researched, robust and clear justification arguing the need for, and appropriateness of, that variation;
- Such justification should be scientific in nature and detail site specific circumstances along with applicable industry specific information; and
- The justification would need to demonstrate that unacceptable impacts would not result in the event that the lesser distance were to be approved.

In their planning justification report at page 18, the applicant acknowledges the need for such a scientific study, yet no such study has been provided in support of the application. Having regard to the specific characteristics of this application (directly adjoining a primary school on one boundary and directly opposite residential development on two other properties) the siting of the proposed development should not be accepted in the absence of such study

Building Setbacks and Building Materials / Appearance

Local Planning Policy No. 7 – Local Shopping Zone Design Guidelines states:

“All building setbacks within the ‘Local Shopping’ zone shall be determined at Council’s discretion, having regard to existing setbacks in the locality, the impacts of the development on the streetscape, and the provision of adequate parking and landscaping areas.”

Clause 67(m) of the Planning and Development Act (Local Planning Schemes) Regulations 2015 identifies that building appearance is a matter to be considered in the decision making process as follows:

“(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;”

Although there are no specific design guidelines specified for the local shopping zone, it is undesirable from an urban design perspective for such development to be designed so as to 'turn away' from a street frontage as the proposed development has done. This is evidenced by the Town's Local Planning Policy No. 1 (LPP1) – Town Centre Strategy and Guidelines which include the following requirements:

“No façade shall appear as a “back” and blank walls should be avoided.”

“Blank walls longer than 2.0 metres at street level are not permitted.”

While LPP1 is not applicable to the development site, the design principles that it encompasses are of relevance when considering the application.

It would only be appropriate to approve the building setbacks that have been proposed if an improved urban design outcome were achieved by way of an improved façade on the Walter Road East frontage of the convenience store building.

Car Parking – Number of Bays

Clause 4.7.2.1 of LPS10 states that *“a person shall not develop or use land or erect, use or adapt any building for use for the purpose indicated in Table 1 of the Scheme, unless car parking spaces of the numbers specified in Table 2 are provided and such spaces are constructed, marked and maintained in accordance with the provisions of the Scheme.*

Where an application is made for development approval and the purpose for which the land or building is to be used is not specified in Table 2, the local government shall determine the number of car parking spaces to be provided on the land having regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of the obstruction of roads and streets, and the orderly and proper development of the locality and the preservation of its amenities.”

Noting that Table 2 does not make reference to a convenience store land use, the parking requirement for this component of the development has been assessed on the same basis as that required for a shop, being 1 per 12.5 sq.metres of gross floor area. Based upon the gross floor area of 148 sq.metres, this would require 12 car parking bays.

The development provides 6 dedicated car parking bays immediately forward of the convenience store building while it is also considered reasonable to accept the 6 refuelling bays as car parking bays also, noting that people who are parked in these bays will be convenience store customers.

Car Parking – Convenience Store Bay Design

Australian Standard AS 2890.1 – “Parking Facilities – Off-street car parking” specifies a minimum bay width of 2.6 metres for the car parking bays forward of the convenience store whereas bay widths of only 2.5m have been provided.

Car Parking – Space Between Bowsers

Australian Standard AS 2890.1 specifies a minimum individual bay width of 2.9 metres (2.6m bay plus 300mm additional width noting that there are side obstructions) for cars to park alongside bowsers. With the exception of the filling bay alongside pump 1, the bay width provided alongside all other bays is deficient of that specified as shown below:

- Between Pump 2 and Pump 3 (two car bays):
Minimum combined bay width clear of obstructions prescribed – 5.8 metres;
and
Minimum combined bay width clear of obstructions provided – 5.3 metres.
- Between Pump 4 and Pump 5 (two car bays):
Minimum combined bay width clear of obstructions prescribed – 5.8 metres;
and
Minimum combined bay width clear of obstructions provided – 5.3 metres.
- Alongside Pump 6 (one car bay):
Minimum bay width clear of obstructions prescribed – 2.9 metres; and
Minimum bay width clear of obstructions provided – 2.6 metres.

Car Parking – Service Bay

AS 2890.2 prescribes a minimum service bay width of 3.5 metres whereas the proposed development incorporates a service bay with a width of only 3.0 metres.

Service Vehicle Access (Petrol Tankers) Within Development Site

A standard petrol tanker is 19m in length whereas the applicant advises that the design has been prepared on the basis of the site being serviced by 15m long tankers.

The applicant has been asked to provide information / justification regarding the 15m length tanker referred to in application documentation, however no such information / justification has been provided and in the absence of this the facility should be designed to accommodate the industry standard service vehicle (i.e. 19m long tanker) as specified by Australian Standard AS2890.2 – Parking Facilities – Part 2: Off-street commercial vehicle facilities.

AS 2890.2 also specifies a requirement for a 5.2m wide service aisle for the petrol tanker alongside pump 1 for petrol tanker manoeuvring (and filling in this instance) whereas an aisle width of only 4.4 metres has been provided in conjunction with the proposed development.

Vehicle Movement through Development Site

Documentation provided in support of the application suggests that service type vehicles will enter the site from Marion Street and then exit the site onto Walter Rd East, however nothing is said in relation to controlling traffic movements within the site generally. As such, a range of conflicting movements could result as shown below:

- Customers could enter from Marion St and exit to Walter Rd East;
- Customers could enter from Marion St and exit back out onto Marion St;
- Customers could enter from Walter Rd East and exit to Marion St; or
- Customers could enter from Walter Rd East and exit back onto Walter Rd East.

Such arrangements are considered to be unsafe in use having regard to the constrained nature of the site, and if the development were to be approved, it is recommended that traffic movements be limited to entry from Marion St and exit to Walter Rd East only in order to eliminate conflicting traffic movements.

Preventing vehicles from exiting the site onto Marion St also has the potential to improve amenity outcomes for residents on the opposite side of this street by eliminating potential for adverse impacts from headlight glare associated with vehicles leaving the site.

Service Vehicle Access (Petrol Tankers) Approaching Development Site

When approaching the development along Walter Road East (from the west), petrol tankers are unable to remain lane correct (i.e. they must use the entirety of the road), when turning into Marion Street. They must then use the entirety of the Marion Street road pavement up to the point where they enter the development site (and when entering the development site they must also utilise the entire width of the crossover on the Marion St frontage of the development site).

The Transport Impact Statement is silent on the potential traffic conflict at the Marion St / Walter Rd East intersection and in relation to the potential conflict at the entry point to the development site simply states *“Fuel tankers are expected to access the site 2 to 3 times per week during the off peak periods. Therefore, no traffic conflict between fuel tankers and light vehicles accessing the site is expected.”*

If a petrol tanker is arriving at the Marion St / Walter Rd East intersection at the same time that vehicles are attempting to exit Marion St onto Walter Rd East in a westerly direction, the petrol tanker must wait on Walter Rd East and allow vehicles on Marion Street to clear completely in order that it can make its (non-lane correct) approach to the entrance of the petrol station. However, while paused on Walter Rd East, a petrol tanker would be blocking the line of sight for vehicles wanting to exit onto Walter Rd East. The line of sight for such vehicles would be restricted beneath Approach Site Distance (ASD) requirements and below Safe Intersection Sight Distance Requirements (SISD).

A standard 19m long petrol tanker cannot satisfactorily access the site based upon the current design configuration.

The inability of a petrol tanker to remain lane correct when approaching the site along Marion St; the restriction on sight lines that would result if a petrol tanker needed to pause on Walter Rd East to allow traffic to clear Marion St and the inability of a standard 19m long petrol tanker to service the development are each unsatisfactory from a traffic safety perspective.

Crossovers

Both the Town's Specification for the Construction of Crossovers and Australian Standard AS2890.1 state that crossovers are to be positioned a minimum of 6m from the point of a standard corner truncation. The proposed development incorporates a separation distance between the point of the corner truncation and crossover of 5.5 metres, being less than that specified by both the Town's specifications and the relevant Australian Standard.

Additionally, neither of the crossovers that are proposed for the development have been designed to the Town's specifications in relation to shape and size and footpath configuration.

Landscaping

Local Planning Policy No. 7 – Local Shopping Zone Design Guidelines states:

“All development within these zones shall be landscaped in accordance with the following requirements:

- (a) the minimum width of front boundary landscaping shall be 2 metres, except in the case of a corner lot, in which case the minimum shall be 1.5 metres as nominated by Council;*
- (b) the minimum width of side boundary landscaping (excluding side street boundaries) shall be 1 metre, to be provided from the front boundary to the setback line; and*
- (c) landscaping is to be provided in accordance with Council's landscaping policy as amended from time to time, and shall be maintained by the owner of the lot thereafter.”*

The development provides (post road widening) a 1m wide landscape strip to the Water Rd East frontage and a 1.5m wide landscape strip to the Marion St frontage (although the vast majority of this frontage is actually consumed by crossover). No shade trees have been provided within the proposed site landscaping.

The applicant has not provided any justification for the proposed landscaping arrangements and there is no apparent reason why the proposed arrangement would warrant support.

Signs

Schedule 5 of the Town's Local Planning Scheme No. 10 exempts the following signs from the need for approval:

“All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting By laws.”

The pylon sign is generally compliant with the controls specified within the Local Planning Policy with the exception of its setback from the front property boundary.

External Fixtures / Plant and Equipment

It is important that detail on these matters be provided in conjunction with the application as there is no apparent location as to where air-conditioning and refrigeration plant could be positioned, other than on the roof of the proposed convenience store. If such plant and equipment were to be positioned on the roof it would be necessary to ensure that appropriate design measures were implemented to appropriately screen this equipment from view of the street.

Waste Disposal

The application doesn't detail anticipated volume of rubbish and recycling likely to be generated; types of rubbish receptacles to be provided, nor capacity of the bin store to house these receptacles etc.

Having regard to the possible need to adjust the design of the bin store to house bulk bins, it is preferable that this information be provided in advance of a decision on the application being made.

Air and Water Bay

Car parking bay No. 6 (immediately forward of the convenience store) is also said to double up as an air and water bay. The lack of space around this bay means that it is not fit for purpose.

Noise

Noise impacts associated with developments of this kind relate to matters such as:

- Vehicle movements;
- Vehicle door closing;
- Vehicle start-ups;
- Fuel deliveries and rubbish collection;
- Operation of fuel pumping equipment;
- Mechanical plant;
- Tannoy systems (of particular relevance for establishments that operate beyond standard trading hours as is proposed in this instance); and
- Patrons.

While the applicant provides some comment on this matter within their planning report at page 19, it lacks detail on considerations that have been made with respect to this matter, particularly noting that the premises are intended to be operative from 5am – 11pm daily.

In the absence of an acoustic report prepared by a qualified acoustic consultant, the application lacks detail to demonstrate that residents opposite the development site (on both Marion Street and Walter Rd East) will not be adversely impacted by noise associated with the proposed development.

Public Art

If the application were to be approved, the proposed development would be subject to the provisions of Local Planning Policy No. 15 – Percent for Art Policy.

Walter Road East

At its Ordinary meeting held 28 August 2018, the Council of the Town of Bassendean adopted the following notice of motion with respect to its future intentions for the redevelopment of Walter Road East (and Lord Street):

“11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion - Cr Quinton: Road Network Priorities: Walter Road East & Lord Street

COUNCIL RESOLUTION – ITEM 11.1

OCM – 27/08/18 *MOVED Cr Quinton, Seconded Cr McLennan, that Council:*

1. *Endorses, as its official position, its intentions to:*
 - a) *Convert Walter Road East from the existing four travel lanes down to two with tree lined boulevard style median division & bike lanes; and*
 - b) *Convert Lord Street south of Morley Drive to a boulevard with tree lined median division, remaining single carriage with turning lanes where identified necessary; and*
2. *Considers an allocation of funds in the 2019/20 Budget for the development of plans to deliver these road network priority outcomes on both Walter Road East & Lord Street.*

CARRIED UNANIMOUSLY 6/0”

A change in road design to reduce Walter Road East from 4 lanes in total (2 in each direction) to 2 lanes in total (1 in each direction) and introduce a tree lined central median would affect turning manoeuvres for service vehicles (petrol tankers, rubbish trucks and other delivery vehicles), particularly with respect to egress. Indeed, if a central median of the type referred to in the Council’s resolution were to be introduced, this would prevent petrol tankers from being able to leave the site, based upon the current design.

Although this change has been endorsed by Council as its 'official' position, drawings have not yet been prepared for the road changes that would result and accordingly this matter is seen as being too early in the process to be used as a factor in decision making for the current application.

Options/Alternatives:

Nil.

Council Recommendation:

To be inserted following Council meeting.

Conclusion:

The development site housed a service station from 1958 until 2002 and a Convenience Store (as proposed) is a 'P' (permitted) land use. Noting this, the acceptability of the proposed land use itself cannot be questioned.

However, as identified within the RAR, there are a number of concerns held with the actual development itself. These concerns arise from:

- The relationship of the proposed development to sensitive land uses which adjoin and are adjacent to the proposed development;
- Non-compliance with prescribed development standards, resulting primarily from the small size of the development site and the proposed intensification of development compared to that which previously existed on the site; and
- Absence of information to support the application for development approval.

Having regard to the matters identified above, it is considered that the development in its current format is not suitable for approval, and on this basis it is recommended that the application be refused.

6.2 1 Surrey Street, Bassendean 2C Design – (Ref: COMDEV/TENDNG/10 - Director Operational Services, Simon Stewart-Dawkins)

APPLICATION

The purpose of this report is for Council to adopt the revised 2C Schematic Plan for No. 1 Surrey Street, Bassendean and to request that SIA Architects Pty Ltd and associated sub-contractors amend the existing detailed drawings / specifications to incorporate the child health clinic requirements, in order for the Town to invite tenders from suitable Heritage Builders.

ATTACHMENTS

Attachment No. 2:

- Culture & Context - 1 Surrey St. Stakeholder Workshop Report
- Council Workshop Meeting Notes - 09/10/2018
- SIA Architects Pty Ltd revised (11/10/2018) 2C Schematic Plan
- Lotterywest – 10 September 2018 letter of extension
- Child & Adolescent Community Health Services – 13 September 2018 letter of support

BACKGROUND

In November 2015, Council (OCM-6/11/15) approved SIA Architect option 2C schematic design for 1 Surrey Street. As a result, SIA Architects Pty Ltd and the Town's officers held regular meetings with Dr Fiona Bush, Heritage & Archaeology consultant who researched historical images of the Pensioner Guard Cottage and Residence, all of which have been used to guide the detailed designs. As part of this process the Surrey Street Steering Group, and other relevant representatives to provide progressive feedback on the detailed designs.

After receiving the required conditional approvals from State Heritage Office and Development Services, Council (OCM-14/11/16) noted that in accordance with the 2016/2017 Capital budget provisions, that a Lotterywest grant application would be submitted.

In April 2017, a Notice of Motion (OCM – 3/04/17) was supported by Council to rescind resolution OCM-6/11/15 and to prepare plans consistent with the SIA Architect Option 1 design.

November 2017, Council (OCM – 14/11/17) considered the tender submissions to prepare the Option 1 design and in part resolved not to accept any of RFQ 351 2017-18 Heritage Architect proposals submitted because of insufficient funding, the Lotterywest Grant Variation requirements; stakeholder feedback received that did not support Option 1 and the risks of possibly forfeiting the grant funding. This resolution also requested in part, that the Town prepare a Whole of Life Costs for Options 1 and 2C and Business Case for 1 Surrey Street, Bassendean.

A Councillors' workshop was held on 31 January 2018 where Mr Paul Bridges made a presentation to Elected Members, and the Director Operational Services provided the year to date expenditure, the Whole of Life Costs for option 1 and option 2 based from a 2014 SIA Architects report previously presented to Council. In addition, the Town used the UK National Trust adopted Chorley Formula to ensure that any heritage building being managed, calculates the endowment required, taking in to account expected high-level maintenance and repairs, likely revenues, workers wages and any other factors.

In April 2018, Council (OCM – 17/04/18) adopted a project brief for the 2C design to include an infant health clinic and to conduct a workshop.

On the 4 July 2018 Culture & Context Dr Felicity Orel-Ednie Brown facilitated the workshop with representatives from Council, the State Heritage Office; Bassendean Historical Society Inc; National Trust of Australia (WA); the Royal Western Australian Historical Society Inc, together with SIA Architects Pty Ltd and Department of Health, Child & Adolescent Community Health Services to discuss the repurposing the 2C design for the proposed Interpretation of the heritage listed site, incorporating an Infant Health Clinic and providing the opportunity for other community use of the facility.

The Culture & Context report was presented to Council (OCM - 21/07/18) and the following was resolved:

1. *Receive Culture & Context report attached to the Ordinary Council Agenda of 24 July 2018;*
2. *Accepts the 4 July 2018 support of the State Heritage Office, Bassendean Historical Society Inc, National Trust of Australia (WA) and Royal Western Australian Historical Society Inc representatives for their endorsed support of the change of use on the following basis:*

“The Residence: its primacy of use is for interpretation, including passive use of the spaces for compatible purposes”

3. *Acknowledges that compromise by the Representative Organisations has been made to allow the Town to move forward to secure the future of these heritage buildings;*
4. *Requests SIA Architects Pty Ltd to revise the 1 Surrey Street 2C design to:*
 - a) *Achieve a waiting room, child health clinic and community office within the proposed new Community Space, as outline in Appendix 4 “Indicative changes” section of the Culture & Context report attached to the 24 July 2018 Ordinary Council meeting agenda;*
 - b) *Investigate the opportunity to provide a suitable sized storage area adjacent to the kitchen or other suitable area, for the storage of tables/chairs and other incidentals, so that the useable floor area of the community meeting space can be maximised;*
5. *Writes to Lotterywest regarding Grant 421010236 to advise that:*
 - a) *State Heritage Office, Bassendean Historical Society Inc, National Trust of Australia (WA) and Royal Western Australian Historical Society Inc representatives endorsed supporting the change of use for the revised 2C design for the Residency conditional that its primacy of use is for interpretation, including passive use of the spaces for compatible purposes;*
 - b) *Council requests an extension from April 2019 to October 2019 for the initial claim to be submitted to provide additional time to undertake the required planning, statutory approvals and tendering process to appoint the heritage builder;*
6. *Subsequent to receipt of Lotterywest funding approval, review the “Creative Spaces” Pensioner Guard Cottage Site Interpretation Plan – exhibition layout plan for the Residence — to assess passive use of the space for purposes compatible with interpretation.*

COMMUNICATION & ENGAGEMENT

Council (OCM -21/07/18) resolution accepted the State Heritage Office, Bassendean Historical Society Inc, National Trust of Australia (WA) and Royal Western Australian Historical Society Inc representatives endorsed support for the 2C design and the change of use, on the following basis:

“The Residency: its primacy of use is for interpretation, including passive use of the spaces for compatible purposes”.

SIA Architects Pty Ltd has conducted a number of meetings with Town of Bassendean staff and Child & Adolescent Community Health Services Facilities Manager, Regional Nurse Manager and Bassendean Nurse to discuss the layout of the clinic rooms, as outline in Appendix 4 “Indicative changes” section of the Culture & Context report attached to the 24 July 2018 Ordinary Council meeting agenda.

The Department of Health’s Child & Adolescent Community Health Services representatives requested minor amendments to the office space and waiting area all of which have been accommodated in the attached revised 2C Schematic Plan.

Please see attached the Lotterywest letter approving an extension in the timing for commencing the project and the Child & Adolescent Community Health Services letter of support and advise that the department will meet the cost of the window treatments to the two clinics and loose furniture for the waiting room and two clinics.

At the Council meeting held on 25 September 2018, the following was resolved (OCM – 14/09/18):

“That the final concept design of Surrey Street be deferred to the 16 October 2018 Special Council Meeting, subject to a workshop with SIA architects that addresses the concerns raised by Councillors into design including but not limited to the number and size of the toilets, the need for a waiting room and entry into the clinic offices that benefits families and children in the Bassendean community.”

Attached is a copy of the meeting notes from the Councillor Workshop conducted on Tuesday 9 October 2018. As a result of this workshop, SIA Architects has further refined the 2C designed for Council consideration.

STRATEGIC IMPLICATIONS

The Community Strategic Plan 2017-2027, contains the following under the Strategic Priority 3 Built Environment:

Objectives <i>What we need to achieve</i>	Strategies <i>How we're going to do it</i>	Measures of Success <i>How we will be judged</i>
3.3 Enhance the Town's appearance	3.3.1 Improve amenity and the public realm	Community Stakeholder Satisfaction Survey (heritage, amenity and appearance) /
	3.3.2 Strengthen and promote Bassendean's unique character and heritage	
	3.3.3 Implement design policies and provisions of buildings and places	

COMMENT

In accordance with the Council (OCM – 17/04/18) adopted a project brief for the 2C design to include an infant health clinic and the Council (OCM -21/07/18) direction provided to SIA Architects Pty Ltd, the 2C designs have been amended to accommodate the two infant health clinics, a waiting room, community office a suitable sized storage area.

It should be noted that the floor area of Community Meeting Space has been extended under the verandah area and in doing so, a ceiling bulk head has been provided. In order to maximise the Community Meeting Space, large openable sliding doors have been provided to a verandah, which will provide good connectivity to the outdoor area and provide all weather coverage for various activities.

A suitable sized storage area has incorporated and designed in such a way that when the tables/chairs are in use, the entire floor area will be available. In addition, the Community Meeting Space is connected via the verandah to the Multifunctional Space and Community Office.

After the 9 October 2018 Councillor Workshop, SIA Architects has further refined the 2C designed to address the following elected members consensus requests:

- Multi-Functional Space retailed to provide additional usable space - tender documents request the space be priced separately;
- Waiting Area - A thermal curtain is illustrated on the plan to screen the opening into the entrance hall, carpet and lounge chair has been shown on the plan. Light dimmers will be incorporated;

- Driveway amended after the Entry (“Residence” near Room 2) to provide Universal Access Path which will lead visitors to the double door entry for the Community Space and Child Health Clinic;

Universal Accessibility Guidelines require an unobstructed clear path of travel with a minimum width of 1.5 m (preferably 1.8 m). To address Elected Member comments from the Workshop, a 1.5 metre path has been designed to permit one wheelchair and one person to comfortably pass through at the same time. It is suggested that Council increasing the width of the path to 1.8 metres to improve mobility and manoeuvrability for people with disabilities and for other pedestrians;

- Where the driveway was previously located opposite the Community Kitchen and Community Meeting Space an appropriate subsurface will be investigated for the landscaped area;
- Security gate provided to restrict public access to the rear gardens;
- Door locks for Residence Room 2 and Room 3 to be installed on the side facing the Child Health Clinic, for increased security of Clinic – this will be undertaken as part of the detailed design phase;
- CCTV to be installed where appropriate round the Community Space and Child Health Clinic– this will be undertaken as part of the detailed design phase; and
- Landscaping – a landscape consultant will be engaged once Council to adopts the SIA Architects Pty Ltd’s revised 2C Schematic Plan to prepare new landscape plans that reduce the hard landscaping in front of the cottage and to provide landscape treatments to the areas where the driveway had previously been shown.

All of the requested changes from the Councillor Workshop have been addressed and incorporated into the attached revised 2C REV 3 schematic plan.

In regards to the residence, to achieve its “*primacy of use for interpretation, including passive use of the spaces for compatible purposes*”, the existing door from the foyer to room 2 and the existing double doors between room 3 and 4 are planned to be restored, which will increase the flexibility of these rooms.

For the April 2018 Ordinary Council Meeting agenda, a timeline was provided to indicate the critical dates required to achieve the Lotterywest funding variation requirement, and in particular, the requirement that the first claim be submitted by 30 April 2019.

In accordance with OCM -21/07/18 resolution, the Town wrote to Lotterywest, providing a copy of the Culture & Context report and request for a grant extension. On the 10 September 2018 Lotterywest provided the attached letter approving an extension for payment to the 31 December 2019.

Please note in regards to the below time line, SIA Architects and the subcontractors have been delayed in modifying the 2C detailed design/specification documentation due OCM – 14/09/18 deferring this report to the 16th October 2018 Special Council Meeting Agenda:

Activity	Required date
Report to Council – revised SIA Architect 2C R6 schematic plan presented for final approval <i>NB. Any significant design changes will take addition time, fees/cost and resources to amend the schematic plan and detailed drawings/ specifications and this will jeopardise the Council achieving the 31 December 2019 Lotterywest grant approval</i>	25 September 2018 OCM – 14/09/18 deferred to 16 th October 2018
SIA Architect and subcontractors modified 2C detailed design/specification documentation.	October 2018 <i>Refer to above comments</i>
1 Surrey Street Development Application submitted in accordance with Council approved 2C schematic design to Town of Bassendean & State Heritage for change of use	November 2018 <i>Refer to above comments</i>
Planning approval <i>Nb Generally advertising and assessment a 90 day process</i>	February 2019 Any delays will result in not achieving required submission date and will impact all the remaining tasks
Town of Bassendean to invite tenders for the 1 Surrey Street Restoration works – 3 month process for inviting tender, evaluating submissions and report to Council	March 2019 <i>Refer to above comments</i>
Council to approve the Heritage Builder	June 2019 <i>Refer to above comments</i>
Heritage Builder appointed	July 2019 <i>Refer to above comments</i>
Heritage Builder commences works – approximately 32 weeks to complete construction works	August 2019 <i>Refer to above comments</i>
Town of Bassendean submits 1 st claim to Lotterywest extension for payment to the 31 December 2019	October 2019 <i>If any milestone delays occur, this will delay the Town being able to submit the initial Lotterywest claim</i>

Any further schematic design changes will result in SIA Architects and the associated consultants charge additional fees to amend the schematic plan/detailed drawings/specifications and this will most likely jeopardise the Council achieving the Lotterywest grant variation requirement to submit the initial drawdown by no later than by 31 December 2019.

STATUTORY REQUIREMENTS

Local Government Act 1995
Local Government (Functions and General) Regulations 1996
Heritage of Western Australia Act 1990

FINANCIAL CONSIDERATIONS

The draft 2018/2019 Budget has listed for Council consideration the following:

Capital Budget

- AB1811 \$150,000 Surrey St Redevelopment Gen

Operational:

- BM 008 \$29,000 - Building Maintenance
- 151359 \$52,000 - Architect/sub-consultants
- 151384 \$8,000 - Review "Creative Spaces" exhibition layout plan – *Funding withdrawn as a result of 11/06/18 at Budget Workshop*

In regards to the 2018/2019 Capital Works Budget, funding has been allocated to permit the Town to invite tenders, which will enable Council to appoint a heritage builder to commence the 1 Surrey Street restoration and construction works.

As Council is aware, in March 2017, Lotterywest advised that the Town of Bassendean had been awarded a \$375,000 grant, which was \$100,000 more than anticipated or allocated in the 2016/2017 Budget.

Since this grant was provided, Lotterywest staff have advised that there has been a significant decline in Lotterywest revenue and that should the current grant lapse, it would be highly unlikely Council would receive the same level of financial support.

The Lotterywest Grant (variation) is contingent on payment to be made on the provision of written approvals and/or endorsements for Council's final adopted plans for the conservation and redevelopment of the Pensioners Guard Cottage, from the following organisations:

- State Heritage Office
- Bassendean Historical Society Inc
- National Trust of Australia (WA)
- Royal Western Australian Historical Society Inc

Lotterywest conditions that once the overall conditions have been met, initial drawdown of this grant funding can commence, with payment made IN ARREARS on provision of receipts or original Builders'/Architects' certificates or certified copies for progress payments and a written request for payment before the 31 December 2019.

OFFICER RECOMMENDATION – ITEM 6.2

That Council:

1. Adopts the SIA Architects Pty Ltd revised 2C Schematic Plan attached to the 16 October 2018 Special Council meeting agenda for the Pensioner Guard Cottage, Residence and Community Space located at No. 1 Surrey Street, Bassendean;
2. Requests SIA Architects Pty Ltd and relevant subcontractors amend the current detailed designs/specifications and pretender estimates to reflect the 16th October 2018 Special Council revised adopted 2C Schematic Plan for the Pensioner Guard Cottage, Residence and Community Space located at No. 1 Surrey Street Bassendean, in order for the Town to obtain Statutory Planning approval and to invite tenders; and
3. Notes that the tender to appoint the Heritage Builder will be provided to Council for consideration.

Voting Requirements: Simple Majority