

Your Ref:
Our Ref: 1716 – 02 DA Report B

23rd October 2017

Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Sir/Madam,

REQUEST FOR PLANNING APPROVAL OF A RESIDENTIAL BUILDING, MEDICAL CENTRE & CAFE - LOTS 13 (57), 14 (59) & 15 (61) BANDICOOT DRIVE, KUNUNURRA

Esam Williams act on behalf of the owner of the abovementioned land in relation to this application for planning approval. The application seeks Council's approval of a residential building, medical centre and cafe. Accordingly please find enclosed:

- A signed Application Form;
- A copy of the plans, and;
- A copy of the Certificate of Title.

The following information is provided in support of the proposal and should be considered in conjunction with the development plans, which accompany the application.

1.0 LOCATION & SITE DESCRIPTION

The site is located on Bandicoot Drive, Kununurra, approximately 60m north east of the intersection of Pruinosa Street. The subject land is currently vacant and is relatively flat. The site is bordered by existing commercial properties. See Figure 1 following.



Figure 1: Site Context

The subject site is legally described as follows:

Lot No.	Street Number & Address	Certificate of Title Volume and Folio	Lot Area (m ²)
13	57 Bandicoot Drive, Kununurra	2849/498	1879
14	59 Bandicoot Drive, Kununurra	2849/499	1879
15	61 Bandicoot Drive, Kununurra	2849/500	1879

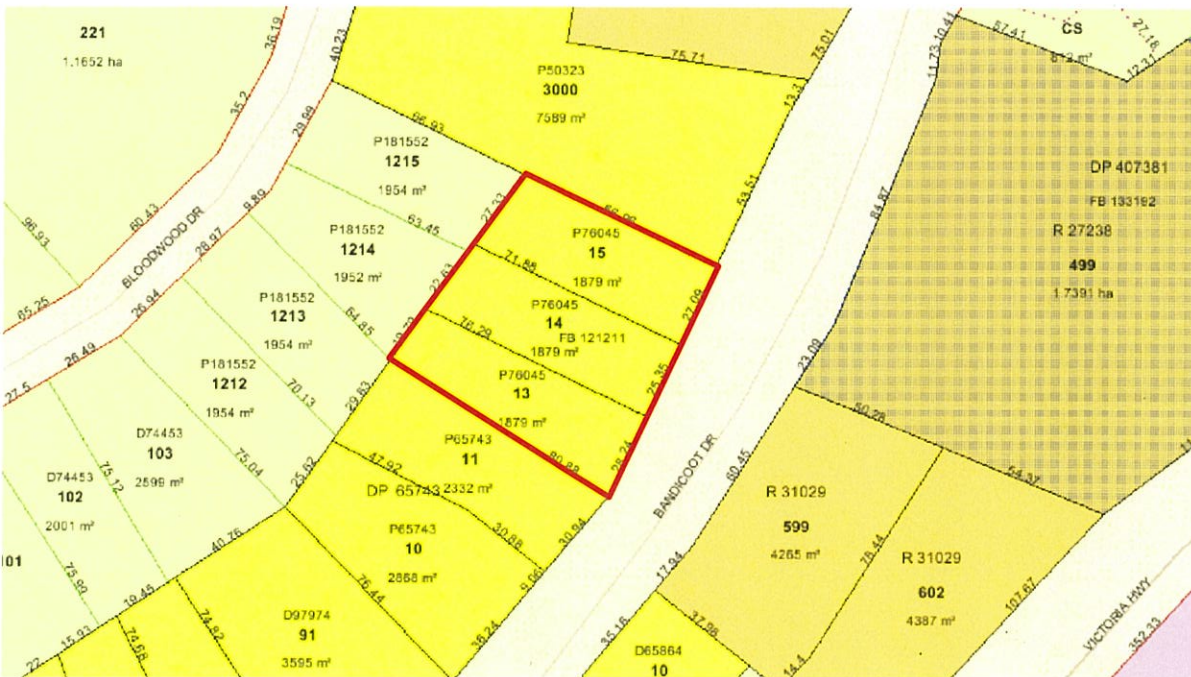


Figure 2. Subject Site

2.0 PROPOSED DEVELOPMENT

The purpose of the application is to obtain approval for a mixed use development comprising a medical centre, cafe and twenty (20) accommodation units. A new Medical Centre is required in Kununurra to better service the local community and the annual tourist influx. The present Kimberley Medical Services (KMS) centre is operating with three doctors and during the annual busy season patients are waiting for up to two weeks for a consultation with a doctor. Accommodation units and a café are also proposed to support the operation of the Medical Centre. The accommodation units will provide a convenient place to stay for both visiting patients and consultants, whilst the café will provide additional amenity to the centre.

The Medical Centre is to be a single storey building and will feature the following:

- A reception area and management offices;
- Thirteen (13) consulting rooms, six (6) for doctors and seven (7) for visiting consultants, such as Psychologists, Dentists, Physiotherapists and Cardiologists.
- An Ambulance access point with a dedicated drive way;
- Treatment rooms for minor surgery;
- A small pharmacy room for use of the Medical Centre's visitors;

The Medical Centre building will also contain three (3) of the twenty (20) accommodation units proposed. These three units will be one bedroom with a floor area of 39m². The other seventeen accommodation units will be in a two storey structure with 8 of the units on the ground floor and 9 on the upper floor. A variety of unit sizes and configurations are proposed to cater for diversity of visitors. These include:

- 1 x one bedroom, one bathroom with a floor area of 44m²;
- 1 x one bedroom, one bathroom with a floor area of 50.6m² and disabled access;
- 1 x one bedroom, one bathroom with a floor area of 61m²
- 1 x two bedroom, one bathroom with a floor area of 51m²;
- 10 x two bedroom, one bathroom with a floor area of 61m²
- 1 x two bedroom, one bathroom with a floor area of 67m² and disabled access, and;
- 2 x two bedroom, two bathroom with a floor area of 78m².

Each of the units will have an open plan kitchen, dining and living area, an outdoor living area in the form of a balcony or courtyard and a storage area. Please refer to the plans attached.

The proposed café will be located on the ground floor of the two storey building and will include an alfresco area that faces the street.

Parking for the development, which comprises 72 car bays, will be located between the two buildings and at the rear of the property. As it is proposed to subdivide the property

so each of the buildings will be on their own lots a reciprocal rights of access easement will be required over the parking and access areas.

The proposed hours of operation for the Medical Centre and Café are 7.30am to 4.30pm.

Both of the proposed buildings will be built to be as energy efficient as possible using the Thermastruct construction system from Thermal Comfort Homes.

3.0 PLANNING FRAMEWORK

3.1 Land Use Classification

It is considered that the appropriate standards to be applied to this development are those specific to 'Medical Centre', 'Restaurant' and 'Residential Building'. These uses are defined in Local Planning Scheme No. 7 (LPS7) as follows:

Medical Centre means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);

Restaurant means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the Liquor Licensing Act 1988;

Residential Building: A building or portion of a building, together with rooms and outbuildings separate from such building but incidental thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation:

- temporarily by two or more persons; or
- permanently by seven or more persons, who do not comprise a single family, but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

3.2 Zoning Permissibility

The subject land is zoned "Mixed Business" and therefore the permissibility of the proposed uses is as follows:

- Medical Centre is a 'P' use, which means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the local government in granting Development Approval;
- Restaurant is an 'AA' use, which means that the local government may, at its discretion, permit the use, and;
- A Residential Building is a 'SA' use, which means that the local government may, at its discretion, permit the use after notice of application has been given in accordance with Clause 64 of the deemed provisions.

4.0 DEVELOPMENT STANDARDS

The provisions of LPS7 that determine the development standards for the site are set out in the table below along with an explanation on how the proposed development meets these requirements.

Standard	Clause	Required	Provided	Comment
Building Height	5.2.3	Maximum 10m above NGL	7.0m	Complies
Primary Street Setback	5.1.1	Consulting Rooms = 7.5m Restaurant = 9m	Consulting Rooms = 3.9m Restaurant = 8.6m	Does not comply. See below
Side boundary setback	5.1.1	Consulting Rooms = 1m Restaurant = 3m	Consulting Rooms = 1.38m Restaurant = 3.6m	Complies
Rear boundary setback	5.1.1	Consulting Rooms = 6m Restaurant = 6m	Consulting Rooms = 21m Restaurant = 52m	Complies
Landscaping	5.14.6	The local government may require the first 5 metres of the front setback on any lot to be landscaped to the satisfaction of local government.	Landscaping provided in accordance with Council's requirements	Complies
Parking	5.1.1	Four spaces per practitioner = 52	44	Does not comply. See below
		One bay for every 10m ² GFA or one bay for every 4 seats whichever is the greater = 9	0	Does not comply. See below

Clause 5.5 is also applicable to the assessment of the proposal. This clause requires the assessment of residential development against the provisions of Statement of Planning Policy 3.1: Residential Design Codes (R-Codes). Residential elements of mixed use development within non R-Coded land is to be assessed against the R-AC3 R-Code provisions. An assessment of the Residential Building against these provisions is set out in the table below.

Standard	Clause	Required	Provided	Comment
Building Size	6.1.1	Plot ratio (2.0) = 7,516m ²	1,039.6m ²	Complies
Building Height	6.1.2 & 5.2.3 of LPS7	Top of external wall = 18m Top of pitched roof = 10m	5.88m 7.0m	Complies
Primary Street Setback	6.1.3	2m	6.4m	Complies
Side and rear boundary setback	6.1.4	North West = 2.8m South West = 6.3m North East = 6.3m	North West = 3.2m South West = 21m North East = 6.5m	Complies

Open Space	6.1.5	Minimum 45%	54%	Complies
Street Surveillance	6.2.1	Elevations to address the street & entry points visible	All entry points visible	Complies
Street walls and fences	6.2.2	Visually permeable to 1.2m above NGL	Fully Visually permeable	Complies
Sight lines	6.2.3	Fences truncated or no higher than 0.75m at vehicle access intersections	Fencing will be set well back from the vehicle access intersection	Complies
Outdoor living area	6.3.1	All dwellings, with minimum 2.4 depth and minimum area of 10m ²	Minimum 2.6m x 5.2m = 14m ²	Complies
Landscaping	6.3.2	No parking in street setback, Separate pedestrian paths, shade trees between car spaces, lighting & clear sight lines.	Shade structures instead of trees provided	Complies
On-site parking	6.3.3	1.25 bays per <110m ² Unit = 25	25	Complies
Number of visitor car bays		0.25 per dwelling = 5	5	Complies
Car Space Design	LPS15 & 6.3.4	Compliance with AS2890.1 Visitor parking signposted Landscaping with shade trees	Provided	Complies
Vehicular Access	6.3.5	Two way access driveways	Provided	Complies
Site Works	6.3.6	Fill or excavation less than 0.5m	N/A	Complies
Retaining Walls	6.3.7	Less than 0.5m high	N/A	Complies
Stormwater	6.3.8	Retained on-site	Retained on-site	Complies
Visual Privacy Setbacks	6.4.1	Bedrooms = 3m Living Areas =4.5m Balconies = 6m	Bedrooms = 6m Living Areas =5.8m Balconies = 3.9m	Does not comply. See below
Dwelling Size	6.4.3 C3.1	Minimum 20% 1 bed Minimum 40% 2 bed	30% 1 bed 70% 2 bed	Complies
	6.4.3 C3.2	Minimum 40m ²	Minimum 39m ²	Does not comply. See below
External Fixtures	6.4.5	Located in accordance with 6.4.5	Located in accordance with 6.4.5	Complies
Utilities & Facilities	6.4.6	Storage area x 20 bin store clothes drying	17 Not Provided Dryers provided	Does not comply. See below

4.1 Primary Street Setback

A variation to the required primary street setback is requested on the basis that it is not considered to detrimentally impact on the prevailing development context and streetscape or the amenity of the proposed development.

4.2 Parking

A variation to the number of parking bays required to be provided onsite for the Medical Centre and Café is requested on the basis that the proposed Medical Centre will introduce a new service where an "On Call bus" will be used to collect patients from around town and to deliver them home after their consultation. Patients who require the "On Call Bus" will simply be booked in for a pick up when they call the Medical Centre to arrange their appointments. This service will reduce the number of car visits to the site and will make access to the available services much easier for the local population and visitors who do not have a car available. At the present KMS offices at the Hospital, they estimate that approximately 15% to 20% of their patients arrive by Taxi or on foot. Taxi and foot traffic provides an important part of the KMS patient load and it is believed that the more central location of the new KMS site in Bandicoot drive will encourage more locals to walk to the Medical Centre. These significant numbers are the motivation for the "ON Call bus" pick up service. The "On Call bus" will be sized to match the demand for the service. The bus will be used solely for this service. The patient set down bay has been increased in size to allow for the "On Call bus" the number of people arriving without cars will raise to around 30% of the total numbers of patients. This service and the increasing numbers arriving without cars will help to reduce the parking loads at the Medical Centre. KMS believe that the introduction of the On Call bus will result in a much better service for the towns elderly and infirm and will ensure that they have a more reliable access to medical services.

With regards to the Café parking it is anticipated that most patrons will be staff, residents and visitors to the Medical Centre. In consideration of the above it is requested that the shortfall of 17 bays is approved.

4.3 Visual Privacy Setbacks

A variation to the visual privacy setbacks requirements for the balconies is requested on the basis that will not impinge on the privacy of any adjoining dwellings, as the adjacent property is currently used for light industrial purposes.

4.4 Dwelling Size

Approval for a variation to the minimum dwelling size requirement of 40m² is requested on the basis that it is only a minor variation of 1m² and will only apply to 3 of the Residential Building units that will not be used on a permanent basis.

4.5 Utilities & Facilities

A variation against this provision is sought on the basis that the 3 Residential Building units located within the Medical Centre will primarily be used by visiting doctors on a short term basis and therefore will not need the storage.

5.0 SUMMARY AND CONCLUSION

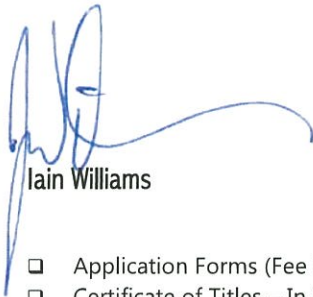
We see the major benefits and merits of this proposal as being:

- The proposal has been designed and configured to meet most of the standards of the Shire of Wyndham-East Kimberly Local Planning Scheme and policies and where variations are proposed they are considered minor in nature and will not have a detrimental impact on the streetscape or amenity of the area.
- The proposed development will provide a positive benefit to the Town in terms of additional health and food services and an improved streetscape for Bandicoot Drive.
- This proposal is an efficient use of land resources to address the need for a diversity of accommodation types in the Town.

On this basis we respectfully request the Shire of Wyndham-East Kimberley grant approval for the development. Should you have any enquiries regarding this matter or require additional information, please do not hesitate to contact me, on 08 9242 4047.

Yours sincerely

esam WILLIAMS



Iain Williams

- Application Forms (Fee Pending Advice)
- Certificate of Titles – In Order for Dealings as purchased recently.
- Drawings