

PS ref: 9175

23 May 2025

**TOWN OF VICTORIA PARK**  
**Received: 23/05//2025**

Town of Victoria Park  
99 Shepperton Road  
Victoria Park, WA 6100

Attention: Planning Services

Dear Sir/Madam,

**LOT 100 (2) HAWTHORNE PLACE, BURSWOOD**  
**APPLICATION FOR APPROVAL TO COMMENCE DEVELOPMENT**  
**AMENDMENT TO APPROVED MIXED USE DEVELOPMENT**

Planning Solutions acts on behalf of SKS Hawthorne Pty Ltd, the registered proprietor and proponent of the approved development at Lot 100 (2) Hawthorne Place, Burswood (**subject site**).

This submission has been prepared in support of an application to amend the existing development approval issued by the Metro Inner-South Joint Development Assessment Panel (**DAP**) on 14 October 2022.

Pursuant to Regulation 17(1) of the *Planning and Development (Development Assessment Panel) Regulations 2011* (**DAP Regulations**), we make this application to amend aspects of the approved development which, if amended, would not substantially change the development approval.

With regard to the above, please find enclosed:

1. DAP Form 2 Application Form
2. Town of Victoria Park (**Town**) Development Application Form and Checklist
3. Certificate of Title
4. Amended Development Plans
5. Updated Landscaping Plan
6. Updated Traffic Impact Statement
7. Updated Waste Management Plan
8. Updated Wind Comfort Report
9. Updated Sustainability Report

We kindly request an invoice is generated in the name of the landowner 'SKS Hawthorne Pty Ltd' for the required development application fees.

The following submission discusses various matters pertaining to the proposal, including:

- Site details
- Background
- Proposal
- Town planning considerations

## SITE DETAILS

### Legal description

The subject site is legally described as "Lot 100 on Deposited Plan 39970", being the whole of the land contained within Certificate of Title Volume 426 and Folio 122A.

The subject site has a total area of 4,485m<sup>2</sup>.

Refer **Appendix 1** - Certificate of Title.

### Site context

The subject site is located in the suburb of Burswood, approximately 3.5km southeast of the Perth Central Business District (CBD). The subject site is located on the corner of Hawthorne Place and Lane 59. Hawthorne Place and Lane 59 intersect with Burswood Road which connects the subject site with Great Eastern Highway, the Perth CBD and wider metropolitan region.

The subject site is widely surrounded by a mix of one and two-storey commercial developments along Hawthorne Place and Lane 59. In terms of its immediate surroundings, the subject site is bounded by:

- To the north, G.O. Edwards Park;
- To the west, Hawthorne Place; and
- To the southeast, Lane 59.

Refer to **Figure 1** for an aerial photograph of the subject site.



**Figure 1: Aerial photograph** (Nearmap 2025)

Consistent with the site conditions at the time of the existing approval, the subject site remains vacant. The subject site is primarily flat, with a slight and consistent slope from the southern corner to the north and northeast.

## BACKGROUND

### Form 1 DAP Approval

Development approval for a 'mixed use development comprising multiple dwellings and offices' was granted by DAP at its meeting on 14 October 2022. The existing development approval permits a 20-storey mixed-use development comprising 119 multiple dwellings, one commercial (office) tenancy, 153 car parking bays, landscaping and vehicle access via Laneway 59.

The existing approval has not been substantially commenced, however, the approval remains valid until 14 October 2026.

### Design Review Panel

The amended development design was presented to the Town's Design Review Panel (DRP) for consideration on 12 March 2025. At the meeting, the DRP acknowledged the applicant for engaging with the Panel prior to lodgement of an application to amend the existing approval. The DRP Minutes are provided in **Appendix 2**.

In response to the amended design concept, the Panel noted:

*The Panel understands the rationale for the redesign, especially in the context of challenging economic conditions. The Panel broadly supports the redesign and acknowledges that design has, in many aspects, improved. This is particularly evident in the reshaping of the building mass, the architectural expression of the tower form, and the improved landscape amenity on the podium deck.*

With respect to the revised concept design, the DRP noted elements of the amended design that the Panel consider require further consideration to achieve full support. In relation to these matters, the Panel noted:

*However, there remains scope for improvement to secure the Panel's full support. Of these areas for improvement, an updated response to the matter of sustainability is particularly important given that the sustainability 'goalposts' have moved since the previous design.*

*Also, of particular concern to the Panel is the location of the transformer, and the fire pumps and tanks in the most prominent locations of the entire ground plane. These should be reviewed and relocated to a less imposing location. If they absolutely cannot be relocated, then compelling evidence is required, along with an architectural/ landscape strategy on how to mitigate the visual impact of these elements.*

The DRPs advice has been considered in the final design outcome presented within this amendment application. Architectural responses to the matters raised by the DRP is provided in **Appendix 3 – Response to DRP Comments**.

## PROPOSED AMENDMENTS

### Design Modifications

The development application proposes a range of minor amendments to the approved mixed-use development. The following are key amendments between the approved and proposed developments:

- Podium height reduced from 4 storey to 3 storey
- Tower floorplate reduced from 926m<sup>2</sup> to 780m<sup>2</sup>
- Plot ratio area reduced from 12,827m<sup>2</sup> (2.85:1) to 10,826m<sup>2</sup> (2.4:1)
- Apartment numbers increased from 119 to 174 dwellings
- Office floorspace removed from Level 1, and reduced overall from 317m<sup>2</sup> to 133m<sup>2</sup>
- Vehicle parking bays increased from 153 to 208, and reconfigured between Ground Level and Level 2

The proposed development maintains the same design intent as the existing approved development, however, some façade and materiality modifications are proposed. Overall, the amended development maintains primarily the same building form.

Refer **Appendix 4 – Amended Development Plans**.



Perspectives of the revised development are provided in **Figures 2-4** below.



**Figure 2: Perspective of amended development, as viewed from Hawthorne Place (northwest)**



**Figure 3: Perspective of amended development, as viewed from GO Edwards Park (north)**

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**Figure 4: Perspective of amended development, as viewed from Hawthorne Place (west)**

#### Extension of Time

As part of the proposed amendment to the existing approved development, we request an extension to the substantial commencement timeframe of two years, taking the substantial commencement period to 6 years from the original approval date. This provides the proponent time for completion of development design, achievement of Building Permit approval, pre-sales and substantial commencement.

With respect to the proponents' actions to actively pursued progression of the development application since approval in October 2022, the following is noted:

- The developer (SKS) has worked with the following consultants on detailed design, development costing and construction related matters:
  - Independent cost consultant Quantity Surveyor
  - Builder to price construction costs
  - Real estate agents on development marketing
- Based on rising construction costs and apartment sale price escalations, the project was determined to not be feasible to launch to the market and progress in the approved form.
- SKS conducted project review and worked with relevant project consultants to develop an alternate apartment dwelling mix and spatial areas to ensure apartment development and costing would be feasible with construction costs, interest rates and market competition.
- SKS commenced redesign with the project architect, Cottee Parker, to update the design scheme with revised apartment yield and mix suitable for the evolving market.

SKS have been continuously working to progress the project and achieve a development that is affordable to buyers and feasible to develop.

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As has now been evident for several years, the construction market has been significantly impacted, with many significant projects such as the proposed development unable to commence construction due to project viability, builder availability (some entering into liquidation or opting to not tender for significant scale projects), quality trade shortages and interest rate rises. Despite this, SKS has not stopped investing in the project in terms of time and cost.

Separately, following approval of the amendment application, the developer will be required to complete the following actions before commencement:

- Six (6) months from DA approval (assumed mid-late 2025) to progress the development design to obtain accurate pricing from the builder, and several months following this for construction estimates.
- A minimum of 12 months to market and sell the development and satisfy finance conditions for funding (assumed mid 2027).
- Builder engagement and mobilisation to commence construction and achieve substantial commencement (assumed end 2027, early 2028).

The requested two year extension to October 2028 is considered reasonable to achieve progression of design development, sales and construction related actions.

### CONSULTANT REPORTS

Whilst the development application proposes primarily minor amendments to the approved mixed-use development, updated supporting technical consultant reports have been prepared with respect to the proposed development design.

The following reports are provided in support of the proposed development amendments:

- Updated Landscape Report outlining the amended landscape strategy for the development, including:
  - Deep soil and planting on structure calculations
  - Tree planting strategy and planting palette
- Updated Traffic Impact Statement addressing revisions to parking provision, vehicle access and compliance with Australian Standards.
- Updated Waste Management Plan addressing revisions to waste generation rates and required storage areas. The collection strategy previously approved in the substantive development is not altered as part of the revised Waste Management Plan.
- Updated Wind Comfort Report addressing revisions to the building form and architectural design with respect to wind management and consideration of impact on the public and private realm.
- Updated Sustainability Report addressing the sustainability strategy to maintain the development achieving a minimum 4 Star Green Star rating (or equivalent).

Refer to the following appendices for updated consultant reports:

- **Appendix 5** – Landscape Report
- **Appendix 6** – Traffic Impact Statement
- **Appendix 7** – Waste Management Plan
- **Appendix 8** – Wind Comfort Report
- **Appendix 9** – Sustainability Report

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## TOWN PLANNING CONSIDERATIONS

### Metropolitan Region Scheme

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS). In accordance with Part 4, Clause 22 of the MRS, the purpose of the Urban zone is:

*to provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities*

The proposed mixed-use development provides a residential development and employment opportunity to the surrounding locality and is deemed to be with the intent of the Urban zone. The development warrants approval accordingly.

The subject site is not affected by land reserved by the MRS, however, it does adjoin G.O Edwards Park to the north which is identified as a 'Regional Open Space' reservation under the MRS.

### Town of Victoria Park Local Planning Scheme No. 2

The proposed amendments seek modifications to the existing approved development, as set out within this submission. The scope of proposed amendments is not considered to substantially alter the overall built form or appearance of the approved mixed-use development.

The Town's *Local Planning Scheme No. 2 (LPS2)* applies to the subject site.

### Zoning

The subject site is zoned 'Mixed Use' in accordance with the provisions of LPS2.

The objectives of the Mixed Use zone under LPS2 are:

1. *To provide for a wide variety of active uses at street level which are compatible with residential and other non-active uses on upper levels.*
2. *To allow for the development of a mix of varied but compatible land uses such as housing, offices, shops and eating establishments and other appropriate land uses that can exist in harmony with residential uses.*

The proposal seeks to provide a range of residential dwellings and ground-floor commercial office tenancy on the currently vacant site. This type of development is consistent with the objectives of the Mixed Use zone under LPS2 and warrants approval accordingly.

### Permissibility

The proposed development maintains 'Multiple Dwelling' and 'Office' land uses, consistent with the approved development. Both land uses are classed as 'P' (permitted) uses in the Mixed Use zone under LPS2.

Under LPS2, Multiple Dwelling in the Mixed Use zone is identified as 'P1'. In accordance with Footnote 1 of Table 3 – Zoning Table of LPS2, Multiple Dwellings within the Mixed Use zone are subject to Clause 32 of LPS2. This matter is further considered within this report.

### Additional site and development requirements

Schedule C – Additional site and development requirements of LPS2 outlines additional development requirements for land zoned Mixed Use.

ASR1 of Schedule 3 states, as follows:

1. *Multiple dwellings, grouped dwellings and single house shall be:*
  - (a) *located behind non-residential uses at the streets primary commercial frontage; or*
  - (b) *designed for future adaption to non-residential uses.*

Schedule C of LPS2 sets out additional development requirements for the development of multiple dwellings in the Mixed Use zone, and for development within the Causeway Precinct. Refer to **Table 1** below for an assessment against the additional development requirements of LPS2.

**Table 1: LPS2 additional development requirements**

Development requirement	Comment
<b>ASR1 – All land zoned Mixed Use, Local Centre or District Centre</b>	
<i>Multiple dwellings, grouped dwellings and single houses shall be:</i> a) <i>Located behind non-residential uses at the street's primary commercial frontage; or</i> b) <i>Designed for future adaption to non-residential uses.</i>	<p>Multiple dwellings are proposed on the ground floor level of the development fronting Hawthorne Place, consistent with the existing development approval.</p> <p>Whilst this is a variation to the provisions of LPS2, the land uses are already approved and are not proposed to be amended as part of the amendment application. As such, the variation is considered acceptable and should not be considered a variation obstructing approval of the proposed amendments.</p>
<b>ASR2 – All land zoned Mixed Use, Local Centre or District Centre</b>	
<i>In the absence of an approved precinct structure plan, structure plan, local development plan or local planning policy, non-residential buildings shall be designed in accordance with the building height, plot ratio, street and side setback requirements of the R-Codes with regard to the assigned density code.</i>	<p>The subject site is within ASR9 - Causeway Precinct of LPS2. Development is therefore to be considered with <i>Local Planning Policy 22 – Development Standards for the Causeway Precinct (LPP22)</i>.</p>
<b>ASR9 – Causeway Precinct</b>	
<i>All site and development requirements shall be in accordance with a precinct structure plan, local development plan or local planning policy adopted for the Causeway Precinct.</i>	<p>The proposed development has been assessed against LPP22 as part of this submission.</p>

## State Planning Policies

### State Planning Policy 5.4 – Road and Rail Noise

The purpose of *State Planning Policy 5.4 – Road and Rail Noise (SPP5.4)* is to minimise adverse impacts of road and rail noise on noise sensitive land uses and developments within proximity to strategic freight and major traffic routes and other significant freight and traffic routes.

As per the original development application, the subject site is within proximity to Great Eastern Highway, which is identified as a 'Strategic Freight/Major Traffic Route' in accordance SPP5.4. An acoustic consultant was previously engaged to assess the development and potential noise impacts and mitigation measures to ensure the proposed development can adhere to the objectives of SPP5.4.

As per the original development application, an Acoustic Assessment and Noise Management Plan were submitted to address noise matters. Given the design of the development is not fully resolved at the development application stage, a condition (Condition 15) was applied to the existing development approval requiring submission of a detailed acoustic assessment report prior to submission of a Building Permit.

The development is not proposed to substantially change from the existing development approval, and further acoustic assessment will be completed and issue to the Town prior to the submission of a Building Permit to confirm the development suitably addresses SPP5.4.

Condition 15 (requiring provision of detailed acoustic assessment) remains valid and is not proposed, or required, to be amended as part of the amendment application.

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## State Planning Policy 7.0 – Design of the Built Environment

State Planning Policy No.7 – Design of the Built Environment (SPP7) applies to the subject site. An assessment of the proposed development against the design principles of SPP7 is provided in **Table 2** below.

**Table 2: SPP7 Design Principles statement**

Design principle	Design response
<b>Context and character</b>	
<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>	<p>The proposed development maintains the design intent of the existing development approval, preserving its contextual response to the surrounding context in scale, form and materials.</p> <p>The amended development is consistent with the desired future character of the Burswood Parkside Residential area, as set out in LPP22.</p> <p>The amended development is also considered to remain consistent with the context and character of the locality, as:</p> <ul style="list-style-type: none"> <li>• The development is a contemporary residential development fronting GO Edwards Park. The development fronts the parkland and Hawthorne Place, maintaining a distinct urban edge between GO Edwards Park and the development.</li> <li>• The development directly addresses and integrates with GO Edwards Park and Hawthorne Place, with dedicated pedestrian entries provided to both major frontages.</li> <li>• The development provides high levels of active and passive surveillance over the park and the adjoining streets, enhancing safety and usage of the area.</li> <li>• The tower form has continued to be refined through the design development process and has been enhanced to create two distinct sides to the building. Along the northern elevation to GO Edwards Park, the development maintains its unique sculpted form reflective of the extinct 'derbarl yerrigan' oyster beds.</li> </ul>
<b>Landscape quality</b>	
<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>	<p>The proposed amendments seek to integrate and maintain a cohesive landscape design that connects all levels of the development and establishes private, communal, and public landscape areas to maintain the development within the immediate parkland setting.</p> <p>The development continues to compliment, connect and respond to the broader neighbourhood through active interfaces and connection points (private and communal) to at Hawthorne Place and GO Edwards Park.</p> <p>Materiality and planting treatments reference the urban, parkland and industrial context.</p> <p>The development will retain the existing tree on site directly adjoining GO Edwards Park and integrates this existing within the amended built form. The wider development is supported by a range of planting types that softens the built form and assists in integrating it within the parkland setting.</p>
<b>Built form and scale</b>	
<i>Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>	<p>The built form maintains, and enhances, vertical and horizontal layers. The building form maintains its original (and approved) design intent, however, the mass of the podium is reduced by one level which the DRP considers "improves the proportional relationship with the tower above".</p> <p>The refinement of the tower form to create two distinct sides to the building is acknowledged by the DRP who noted the "...tower expression of two intersecting forms is more elegant and sophisticated...". Further commentary from the DRP regarding the improvement of contrasting materials and colours between the two sides of the tower have been considered and addressed in the updated development plans.</p> <p>The use of contemporary materials and colours ensures depth to the building and creates visual interest. The materials and design are reflective of historical and current context.</p>

Design principle	Design response
<b>Functionality and build quality</b>	
<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.</i>	<p>The functionality of spaces has been carefully considered to ensure flexibility in their use. Apartment layouts maintain generous, functional and well-considered layouts with main living spaces and bedrooms having direct views and access to balconies and terraces to take advantage of the parkland and surrounding views.</p> <p>The residential design incorporates open plan typology which maintains connectivity with private open spaces and maintains appropriate natural cross-ventilation outcomes wherever possible.</p>
<b>Sustainability</b>	
<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i>	<p>The proposal maintains a considered approach to sustainability of the development and delivers a positive environmental, social and economic outcome.</p> <p>The orientation and proposed articulation of the facades will enable the buildings to passively utilise the local environment. Balconies and openings enable solar access in winter but mitigate summer sun penetration and cross ventilation has been maximised to apartments, where possible.</p> <p>The project maintains sustainable design solutions for the active systems, such as energy efficient HVAC, low energy lighting and water efficient design fittings and technologies. The roof maintains significant solar PV array to assist reduction of energy consumption, carbon emissions and reduce the peak demand of the building. The sustainability strategy has been reviewed and updated to reflect current sustainable design requirements.</p>
<b>Amenity</b>	
<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.</i>	<p>Apartment maintain good design outcomes through provision of a variety of sizes and configurations. The development provides an increased number of apartments and maintains diversity in the range of apartment typologies, along with generously sized rooms designed to consider size and placement of furniture to optimise occupant use of space.</p> <p>Apartments achieve good natural ventilation outcomes and include wide ranging views of the surrounding spaces and streets.</p> <p>The design maintains a variety of gathering and social amenity areas and facilities within the development, primarily on Level 3 communal terrace. The Hawthorne Place Forecourt is a semi-public space designed to allow social and communal amenity and interaction.</p> <p>The podium level offers resort style amenities for residents including a private dining room and gym overlooking the landscaped roof, with outdoor alfresco and barbeque areas, landscaped paths, lawn and seating zones.</p>
<b>Legibility</b>	
<i>Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.</i>	<p>The design continues to achieve strong legibility for residents, workers, visitors and neighbours through and around the development. The 3-storey podium base is built to the boundary which reinforces the street edge of triangular site.</p> <p>Entry points for pedestrians and vehicles are expressed in the architectural design and are well-considered aspects of the podium level.</p>
<b>Safety</b>	
<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>	<p>The design encourages a communal feel throughout, between all the users of the building. The commercial tenancies on the ground floor at street level encourages activation and pedestrian movement. The residential occupants and visitors interact directly with commercial tenants through the residential entry directly adjacent.</p> <p>Passive surveillance to Hawthorne Place, Lane 59 and the adjoining public open space is maintained from the adjoining residential apartments.</p>



Design principle	Design response
<b>Community</b>	
<i>Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.</i>	<p>The project strives to create a strong community within the development and to enhance and connect with the wider Burswood Community.</p> <p>A diverse range of studio, 1-, 2- and 3-bedroom dwellings are proposed to encourage a dynamic, vibrant and inclusive community.</p> <p>The revised design outcome intends to continue engagement with the adjoining GO Edwards Park and Lane 59 to encourage and facilitate connectivity with the wider community. Off-site landscaping, footpaths and public art opportunities further enhance and contribute to the community.</p>
<b>Aesthetics</b>	
<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>	<p>The development is designed by Cottee Parker Architects, who have invested significant time and energy into creating a well-considered design that fits within the context of the locality, creates an attractive and inviting built form, and includes varied materials and design elements.</p>

## Residential Design Codes Volume 2

Since approval of the substantive development, the Residential Design Codes - Volume 2 (Apartments) (R-Codes) have now become a Planning Code. The R-Codes remain applicable to the development.

Whilst the proposed amendments have altered some aspects of the existing approved development, particularly in relation to residential dwelling diversity, car parking and landscaping, the development is considered to remain consistent with the R-Codes.

Where an element of the approved development is proposed to be amended, this aspect has been considered with the relevant Element Objectives and Acceptable Outcomes (refer **Appendix 10** - Residential Design Codes Assessment).

## Local Planning Policies

### Local Planning Policy 4 - Mixed use development and residential uses in non-residential areas

The Town's *Local Planning Policy No. 4 – Non-Residential Uses in or Adjacent to Residential Areas (LPP4)* applies to the subject site. Refer **Table 2** below for assessment against the provisions of LPP4.

**Table 3: LPP4 development requirements assessment**

Development requirement	Comment
<b>Address, Servicing and Access</b>	
<i>The address and entry points for the residential use must be separate from other uses and readily identifiable. All necessary rubbish bin areas, letterboxes, drying areas and similar facilities and services must be separately provided for residential uses.</i>	<p>The residential and commercial components have been provided with separate, readily identifiable entrances.</p> <p>Bin storage areas for the residential and commercial components of the development are appropriately separated.</p> <p>Letter boxes and similar other relevant facilities are accessible and provided for residential occupants.</p>
<b>Amenity and Security</b>	
<i>A high level of amenity and security should be ensured for all uses, particularly residential. All development should be designed to avoid problems such as overlooking, overshadowing and nuisances. In addition, maximum advantage should be taken of available views and favourable orientation for residential development.</i>	<p>The proposed development is oriented to minimise overlooking, overshadowing and other adverse impacts to adjoining properties.</p>

Development requirement	Comment
	Passive surveillance of public and semi-public spaces has been provided or enhanced where possible throughout the amended development design. Residential dwellings are oriented to capitalise on favourable views, particularly those to the north.
<b>Parking</b>	
<i>Car parking shall be provided as required under the relevant Local Planning Policy requirements. Parking for the residential use(s) shall be separate from parking for other uses. Access to car parking spaces shall be available for all uses at all times of operation.</i>	Car parking has been provided with consideration for the R-Codes requirements and LPP23.  The amended design separates parking for the commercial tenancy and visitor parking bays from the residential parking areas. Access to each parking area will be available for the relevant user at all times.
<b>Setbacks</b>	
<i>Setbacks for residential development shall be provided as required under the Scheme and relevant Precinct Plan requirements. For the purpose of determining the distance between non-residential and residential buildings or parts of buildings on the same site, both shall be treated as though they are residential and set back accordingly. Likewise, windows, doors and similar openings in non-residential buildings shall be treated, for the purposes of calculating setbacks, as though they are major openings in residential buildings.</i>	LPP22 permits a minimum nil street setback for all frontages and side setbacks at podium level. The tower element is to be setback a minimum of 8m from podium edge at street frontages and 4 m from lane/mini-street.  The proposed podium has nil setback to all boundaries. The tower element has an 8m setback to Hawthorne Place, and a 3.5m setback to Lane 59.  The revised design results in a minor variation to tower location because of the revision to tower floorplate design. Refer assessment against LPP22 below for further consideration of the setback variation.
<b>Open Space</b>	
<i>Open space shall be provided for residential uses as required under the Residential Design Codes. For the purposes of calculating the amount of required open space for Single Houses and Grouped Dwellings, the 'site' (area) shall be that portion of the site set aside for residential purposes.</i>	Common spaces have been carefully considered and are designed in an attractive manner. The main common areas on the tower podium (Level 3) are provided with extensive and high-quality landscaping.
<b>Visual Privacy</b>	
<i>The non-residential portion of any mixed-use development is to be designed to minimise overlooking of major openings and outdoor active habitable spaces of the multiple dwellings within the site.</i>	The commercial office tenancy has direct views of Hawthorne Place and the Hawthorne Place Forecourt. There are no direct sightlines to major openings or outdoor active habitable spaces from the office tenancy.

### **Local Planning Policy 22 - Development standards for Causeway Precinct**

The Town's *Local Planning Policy 22 – Development Standards for Causeway Precinct (LPP22)* applies to the subject site. An assessment against the relevant provisions of LPP22 is provided in **Table 4** below.

**Table 4: LPP22 development requirement assessment**

Development requirement	Comment
<b>Desired future character</b>	
<i>Contemporary residential development fronts onto parkland, forming an urban edge of apartments with city and park views. Potential for up to 4 taller residential buildings a maximum of 18 storeys having a 3 to 4 storey podium.</i>	The proposed development includes a three-storey podium with a 20-storey overall height. The podium level of the development has reduced to 3-storey, whilst the overall 20-storey height is consistent with the approved development.
<i>Residential development affords good surveillance over the parks, enhancing safety and usage. Apartments address both the park and the streets with dedicated pedestrian entries provided to both.</i>	The development has been designed so that the building facades are orientated towards G.O. Edwards Park, Lane 59 and Hawthorne Place.



Development requirement	Comment
	<p>Most dwellings are contained within the tower component of the development and are designed to face north towards G.O. Edwards Park.</p> <p>All apartments are provided with balconies at or above ground level, ensuring interaction is maintained with the street and passive surveillance is maintained to the public realm. Additionally, direct pedestrian access to G.O. Edwards Park is maintained from the residential development via both dwellings at Ground Level within the podium and from direct access to Level 1.</p>
<i>Ground floor commercial activity is required to street frontages with scope for additional commercial or community uses above.</i>	A commercial office tenancy is proposed with direct frontage to Hawthorne Place. There is no scope for additional commercial/community uses above the ground floor, and this is not considered appropriate to integrate with the residential dwellings on the upper level.
<b>Land use</b>	
<i>Residential towers with an office/commercial component only being permitted within the first 3 to 4 storeys and required to all streets at ground level.</i>	The proposed development includes a commercial office tenancy on the ground floor with frontage to Hawthorne Place.
<b>Density</b>	
R160	The proposed development is consistent with LPP22 requirements of height and proposed high density urban residential development.
<b>Plot ratio</b>	
3	The proposed development has a plot ratio area of 10,826m <sup>2</sup> and an overall plot ratio of 2.4:1.
<b>Building height and form</b>	
<p><i>Potential location for up to one tower on each of the following sites:</i></p> <ul style="list-style-type: none"> <li>• 43-47 (Lot 2) Burswood Road</li> <li>• 53-63 (Lot 905) Burswood Road</li> <li>• 1-15 (Lot 1) Thorogood Street</li> <li>• 2 (Lot 100) Hawthorne Place</li> </ul>	The proposed development includes one tower.
<i>Maximum 18 storeys (max 67.5 m), stepping down to min 2 storeys (7.5 m) and max 3 storeys (max 11.25 m) at street, lane and park frontages.</i>	<p>The proposed development includes a three-storey podium (maximum 11.25m) and 20-storey overall height (max 62.7m) limit at the top of the tower element.</p> <p>The development proposes a reduction in height to the podium, but the approved tower height is not altered.</p>
<b>View sharing</b>	
<i>Tower elements to have maximum building width of 30m when measured parallel to alignment of Hampton St on the ridge.</i>	The amended tower form has a maximum 30m width as viewed from Hampton Street (refer Drawing Number SD1001 in <b>Appendix 2</b> ).
<i>Minimum building separation of 30m between any two tower elements when measured parallel to alignment of Hampton St. Tower elements to be sited to enable sufficient offset to achieve 30m separation from potential adjacent towers.</i>	The proposed development includes only one tower. No other towers are located within the surrounding area and therefore the development is not required to provide further separation.
<b>Setbacks</b>	
<i>Nil setback to all frontages.</i>	The podium maintains a nil building setback to Hawthorne Place, G.O. Edwards Park and Lane 59 (to the laneway widening point).
<i>Nil side setbacks permitted for podium levels.</i>	

Development requirement	Comment
<i>Tower elements setback min 8m from podium edge at street frontages and 4 m from lane/mini-street.</i>	<p>The tower has a proposed setback of 8m from Hawthorne Place, consistent with the requirements of LPP22.</p> <p>The tower element has a setback of 3.5m to Lane 59 in lieu of the required 4m.</p> <p>The portion of the tower which extends into the setback area is minor, comprising the corner of an open balcony and a portion of one apartment on Levels 4 to 19.</p> <p>The two portions of building projecting into the setback area equate to approximately 6.8m of projection. Considering this minor projection across the 135m width of Lane 59, this projection is to approximately 5% of the overall boundary of the development site. In combination with the tower width being contained within the 30m view corridor, and the articulation and form of the tower stepping away from the Lane 59 interface, the minor variation has no adverse impact on the lane or adjoining properties.</p>
<b>Access and parking</b>	
<i>All car parking screened from view, no forecourt parking permitted.</i>	<p>The design and location of the on-site car parking has been designed to ensure it is sleeved by the building form and does detract from the visual amenity of the streetscape.</p>
<i>Car parking at and above ground level to be located behind a viable depth of commercial or residential activity for the majority of the street frontage.</i>	
<i>Basement or ground level parking may be provided directly adjacent to the park, with a maximum wall height of 3.5 m. Walls to be of high architectural/artistic quality when viewed from the park.</i>	<p>The proposed development maintains separation of parking areas from G.O Edwards Park.</p>
<i>Parking on upper levels is to be screened by residential and/or commercial development for the majority of the park frontage.</i>	<p>Parking throughout the development is screened by the residential and commercial building form, including the entirety of the park frontage. Where the built form is broken up, parking levels are screened by appropriate materials which will form the public art treatments.</p>
<b>Other</b>	
<i>Building design is to address and overlook parkland to improve safety and security for park users and provide an attractive frontage when viewed from the park.</i>	<p>All apartments fronting G.O. Edwards Park have been provided with balconies overlooking the park. This provides safety and security to park users, whilst also creating visual interest as viewed from the park.</p>
<i>All upper floors are to provide a high level of outlook over the parkland and residential development must provide extensive balconies on this frontage.</i>	
<i>Provide separate clearly identifiable entries for residential and commercial uses, with adequate pedestrian weather protection at entries.</i>	<p>The pedestrian entry from Hawthorne Place is designed in accordance with universal design principles, providing access to the main lobby of the building.</p> <p>The large entry forecourt is legible and accessible to both residents, commercial occupants and visitors. The area is partially covered, providing areas for protection from bad weather at the building entry.</p>
<i>Provide pedestrian entry to developments from adjacent parkland.</i>	<p>Dedicated pedestrian entries to G.O. Edwards Park have been provided for residents.</p>
<i>Buildings with long frontages to parkland shall be appropriately detailed and articulated to reduce their apparent length and bulk.</i>	<p>Appropriate articulation has been included along the building frontage adjoining G.O. Edwards Park, ensuring the length of the building is appropriately broken up. This has been achieved by providing the podium apartments with a variety of wall lengths and heights, fencing and landscaping.</p>

Development requirement	Comment
	The addition of the pedestrian access point to G.O. Edwards Park also assists to break up the frontage.
1m lane widening required on both sides of lane for land abutting Hawthorne Place	The proposed development maintains 1m of laneway widening area along the full extent of the laneway.

### **Local Planning Policy 23 – Bicycle Parking, Car Parking, and Access for Non-Residential Development**

Since approval of the substantive development application in October 2022, the Town has adopted *Local Planning Policy 23 – Bicycle Parking, Car Parking, and Access for Non-Residential Development (LPP23)* to provide guidance on development outcomes that align with the Town's Integrated Transport Strategy.

Part 4 of LPP23 outlines the scope of the policy with respect to applications for development. The policy is application to buildings developed or used for non-residential purposes, including the non-residential components of a mixed use development. As such, LPP23 is applicable to the non-residential office component of the development only.

The relevant provisions of LPP23 have been considered in further detail below.

#### **Bicycle Parking and End of Trip Facilities**

Clause 5.1.1 of LPP23 requires bicycle parking to be provided in accordance with Table 1 of the policy. Refer Table 5 below for assessment against the bicycle parking requirements.

**Table 5: LPP23 bicycle parking requirement calculation**

Type	Minimum bicycle parking rate	Requirement
Short-stay bicycle parking	1 space per 500m <sup>2</sup> NLA	1 space
Long-stay bicycle parking	1 space per 250m <sup>2</sup> NLA	1 space
<b>Total</b>		2 spaces

The proposed development provides short-stay bicycle parking within the Hawthorne Place forecourt which provides for the 2 spaces to meet the requirements of LPP23.

The proposed development is not required to provide end of trip facilities for non-residential uses as less than five (5) bicycle bays are required.

#### **Car Parking**

There is minimum or maximum car parking requirement required for the commercial elements of the proposed under LPP23.

Three (3) parking bays, including one (1) accessible parking space, within the visitor car park are to be reciprocal use bays with the commercial tenancy having access to these bays during office hours and the bays reverting to visitor parking outside office hours. These spaces have been designed in accordance with relevant Australian Standards and will be managed through the Parking Management Plan required by Condition 25 of the existing development approval.

Clause 5.2.3 of LPP23 requires provision of an ACROD parking bay at a rate of 1 space for every 20 car parking spaces provided. This requirement can only relate to non-residential parking bays provided, of which three (3) are proposed, including one (1) ACROD bay. This satisfies the requirements of Clause 5.2.3.

### **Local Planning Policy 29 - Public Art Private Developer Contributions**

The proposed development requires a public art contribution in accordance with *Local Planning Policy No. 29 – Public Art Private Developer Contributions (LPP29)*. The existing development approval captures this requirement through Condition 5 of the substantive approval.



### **Local Planning Policy 39 – Tree Planting and Retention**

The Town's Local Planning Policy 39 – Tree Planting and Retention (**LPP39**) applies to the subject site. As per the existing development approval, the existing tree on the subject site (directly adjoining GO Edwards Park) will be retained. Given the retention of an existing tree on site, LPP39 require the provision of 9 medium trees on the subject site. The proposed landscaping plan provides 4 large trees, 10 medium trees and 24 small trees on the subject site, exceeding the requirements of LPP39.

### **CONCLUSION**

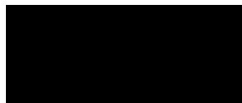
The proposed amendments to the existing development approval are minor in nature comparative to the substantive development approval issued by DAP. The proposed amendments are a result of design development and response to market conditions and will permit the development to proceed to construction.

It is considered that the amendments should be favourably determined, on individual merit, recognising the amendments are aligned with the previous development approval, being minor in nature and consistent with the applicable planning frameworks.

We therefore respectfully request the application for development approval be considered on its merits and favourably determined by the DAP.

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

Yours faithfully,



**MATTHEW CAIN**  
**ASSOCIATE**

**TOWN OF VICTORIA PARK**  
**Received: 23/05//2025**