



**ROWE**  
GROUP

Job Ref: 9787  
9 August 2024

Chief Executive Officer  
City of Kalgoorlie-Boulder  
PO Box 2024  
BOULDER WA 6432

**Attention: Development and Growth Department**

Dear Sir/Madam

**Application under Regulation 17 and 17A – (Minor) Amendments Requested to Development Approval (DAP Ref: DAP/23/02591 / LG Ref: P143/23) Lots 9003, 9004 and 9005 on Deposited Plan 32844, Broadwood**

Rowe Group acts on behalf of Kalgoorlie Management Pty Ltd, the landowner of Lots 9003, 9004 and 9005 on Deposited Plan 32844, Broadwood (the 'subject site').

We have been instructed to prepare and lodge a request to amend the development approval granted 25 January 2024 for a 'Key Workers Lifestyle Village' in accordance with Regulation 17 of the *Planning and Development (Development Assessment Panel) Regulations 2011* (the 'Regulations').

In support of this Application, please find attached the following:

- ▲ A Completed City of Kalgoorlie-Boulder Form 1;
- ▲ A copy of the current Certificate of Title;
- ▲ A copy of the development approval (DAP/23/02591);
- ▲ A copy of the amended development plans; and

Further background and justification in support of this Application is provided below for your consideration.

Level 3  
369 Newcastle Street  
Northbridge 6003  
Western Australia  
  
p: 08 9221 1991  
f: 08 9221 1919  
info@rowegroup.com.au  
rowegroup.com.au



## Site Description

The subject site comprises three land parcels, being:

- ▲ Lot 9003 on Deposited Plan 32844 Certificate of Title Volume 2225 Folio 437
- ▲ Lot 9004 on Deposited Plan 32844 Certificate of Title Volume 2225 Folio 438
- ▲ Lot 9005 on Deposited Plan 32844 Certificate of Title Volume 2225 Folio 439

Refer **Attachment 1 – Certificates of Title.**

## Planning and Development (Development Assessment Panels) Regulations 2011

The ability to amend an approval granted by a Development Assessment Panel is outlined in Regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011* (the 'Regulations'). Regulation 17 of the Regulations states the following:

- (1) *An owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply for the relevant DAP to do any or all of the following*
  - a. *To amend the approval so as to extend the period within which any development approved must be substantially commenced;*
  - b. *To amend or delete any condition to which the approval is subject;*
  - c. *To amend an aspect of the development approved which, if amended, would not substantially change the development approval;*
  - d. *To cancel the approval.*

Further to the above, pursuant to Clause 17A of the Regulations, we request that this Application is determined by the City of Kalgoorlie-Boulder.

## Application Background

### Development Approval (DAP Ref: DAP/23/02591)

On 25 January 2024, the Regional Joint Development Assessment Panel ('JDAP') granted development approval for the 'Key Workers Lifestyle Village' comprising 397 'Grouped Dwellings' with associated communal open space and accessways over Lots 9003, 9004 and 9005 on Deposited Plan 32844, Broadwood. Due to the scale of the development, the subdivision and subsequent development of the site will be implemented in stages.

Refer **Attachment 2 – Development Approval (DAP/23/02591).**

### Concurrent Freehold and Survey Strata Subdivision Applications

We note that Lots 9003, 9004 and 9005 on Deposited Plan 32844, Broadwood are currently subject to a separate freehold subdivision application which seeks approval for the amalgamation of the lots and the creation of three (3) freehold lots, representative of each development stage. Furthermore, a concurrent survey strata subdivision



application has also been lodged for the creation of 161 survey strata lots and associated common property over one of the proposed freehold lots.

The abovementioned subdivision applications accord with the modified plans the subject of this amendment application.

### **Proposed Amendments**

This Application seeks amendments to the development layout as approved by the Regional Development Assessment Panel on 25 January 2024. The proposed amendments to the plan include the following:

- ▲ The addition of communal facilities (clubhouse/office) at the southern corner of the Village Green.
- ▲ The deletion of the proposed caretaker lot as office/caretaker facilities will instead be accommodated in the communal facilities.
- ▲ The reconfiguration of north-western corner of the development via the removal of the battleaxe lots and allowing all lots/dwellings to have direct street frontage/access.
- ▲ The reconfiguration of south-western corner of the development to provide open space on either side of the entry road (which will include an entry statement) and relocation of internal intersections further into the site to assist with immediate identification of the clubhouse/office and general ease of wayfinding upon entry.
- ▲ The reconfiguration of north-eastern corner of the development to provide open space on either side of the entry road from the Airport (which will include an entry statement) and relocation of internal intersections further into the subject site to support a formal entry statement.
- ▲ The addition of three (3) separate substation sites including two (2) on the Hart Kerspien Drive frontage and one (1) on the Gatacre Drive frontage, to support electrical connections into the subject site.
- ▲ The deletion of both roundabouts on Hart Kerspien Drive as they are no longer required on the basis that the City will be constructing the new Airport Road (providing the estate with a new primary access point) at the same time as our first stage of development.
- ▲ An increase in dwelling yield by three (3) dwellings, from 397 dwellings to 400 dwellings.

Refer **Attachment 3 – Amended Development Plans**.

Further to the above, it is requested that Conditions 6(a), 9, and 16 of the development approval dated 25 January 2024 be modified or deleted to align with the abovementioned amendments. Further justification for the proposed amendment request is provided below.



## Key Considerations

### Community Facility/Office

As outlined above, this Application is seeking approval for the inclusion of a community facility within the southern corner of the Village Green. It should be noted that this community facility was contemplated as part of the original Application, however it was excluded from the approval as there was inadequate design information provided in the development plans to enable the Panel to consider this component of the development. On this basis, Condition 16 of the development approval, which is proposed to be deleted, reads:

*16. This approval excludes the Office/Communal Facility and the Caretakers Dwelling.*

In this regard and as part of this Application, supplementary plans are provided to include the community facility within the approval. The community facility will be ancillary to the approved Key Workers Lifestyle Village, providing a range of amenities for future residents of the development, and will not be open to the wider public.

The development will comprise a single-storey building with an overall height of 5.2m, and setback a minimum of 3.5m at the south-western boundary and 15.5m from the nearest residential dwelling. Given that this development is positioned internally within the Key Workers Lifestyle Village, its construction will have no external impacts on the wider area.

### Removal of Hart Kerspian Drive Roundabouts

This Application seeks to remove the proposed roundabouts to Hart Kerspian Drive where the development's access points intersect with the existing Jordan Street and Henneker Drive intersections. These intersection treatments were proposed on the basis of the existing traffic environment, namely the role of Hart Kerspian Drive in accommodating traffic associated with the airport.

Since the approval of the original development application, it is understood that the City will be progressing the construction of the new northern airport road link connection to Gatacre Drive. This access point will align with the existing Gatacre Drive and O'Connor Street intersection, which will include the construction of a new two-lane roundabout. The new northern access point to the airport will see the closure of Hart Kerspian Drive to airport traffic, aside from emergency access.

The works are expected to be undertaken over two stages, with the new Gatacre Drive roundabout and a portion of the new access road planned to be constructed by mid-2025 (stage 1), with the works for the extension of the airport road to the south expected by mid-2026 (stage 2). These works, once completed, will have the immediate result of removing airport traffic from Hart Kerspian Drive and key intersections, such as the Hart Kerspian Drive/Gatacre Drive intersection. The timing of stage 1 works will also enable the Key Workers Lifestyle Village to have access to Gatacre Drive as part of initial stages of development, rather than solely rely upon access via Hart Kerspian Drive.



In light of the City's plans for the airport road link, a review has been undertaken of the overall traffic demand associated with the proposed development through the preparation of a revised Transport Impact Assessment ('TIA'). The TIA found that the construction of the airport road link and the closure of Hart Kerspian Drive to airport traffic will have a significant and beneficial traffic impact, with no significant queuing or delay being expected on the local road network in the foreseeable future.

In considering this Application, the TIA concludes that upon the ultimate construction of the airport road link, the Hart Kerspian Drive intersections could adequately perform as 4-way priority-controlled intersections, akin to typical suburban roads in Kalgoorlie, rather than as four-way roundabouts. The TIA further concludes that the proposed intersection of the development with the existing Henneker Drive/Hart Kerspian Drive intersection will not warrant any interim treatment to accommodate initial stages of the development on the basis that:

- ▲ Traffic volumes from the site for initial development is expected to be very low.
- ▲ Hart Kerspian Drive is a relatively slow speed environment.
- ▲ There will be little to no cross-traffic from east to west between the development site and Henneker Drive.
- ▲ Vehicles turning left into the development site will be afforded a wider entrance enabling vehicles exiting the development site to pass safely.
- ▲ The 8.5m carriageway width of the Hart Kerspian Drive allows through traffic to pass either side of vehicles waiting to turn right into the development site.

On the basis of the above, this Application seeks amendments to Conditions 6 and 9, as outlined below.

6. *Prior to the commencement of on-site civil works development detailed engineering drawings shall be submitted to the City for approval addressing the following:*
  - a. *Road detailed designs addressing the proposed **intersections** ~~roundabouts~~ on Hart Kerspian Drive to Main Roads WA standards and/or Austroads guidelines, and the design details of the internal cul-de-sac(s) and road profiles/cross sections.*
- ...
9. *Satisfactory arrangements are to be made with the City for the construction of the proposed Hart Kerspian Drive **intersections** ~~roundabouts~~, prior to the occupancy of any adjacent development on the site and any direct access to Hart Kerspian Drive from the development site.*

Refer **Attachment 4 – Revised Transport Impact Assessment.**



### Increased Dwelling Yield

In undertaking a review of the development site layout, an opportunity has been identified for a minor increase in dwelling yield by three (3) dwellings, from 397 dwellings up to 400 dwellings. The increase in yield will accommodate two (2) additional 2-bedroom dwellings and one (1) additional 3-bedroom dwelling, with no changes proposed to the approved dwelling typology. This yield increase has no implications on the compliance of the development against the provisions of the Residential Design Codes.

### **Conclusion**

This Application proposes various amendments that do not substantially change the nature of the original approved development. On this basis, it is considered appropriate to deal with these amendments through Clause 77 of the Deemed Provisions.

The Application is compliant with the relevant provisions of the City of Kalgoorlie-Boulder Local Planning Scheme No. 2 and the Residential Design Codes, and where non-compliant, these matters have been addressed under the original development approval.

The TIA accompanying this Application demonstrates that the proposed removal of the entry roundabouts to Hart Kerspien Drive will not be required following the construction of the airport road link to Gatacre Drive, resulting in the downgrade of traffic utilising Hart Kerspien Drive.

We trust that the information provided in this correspondence will enable a favourable determination of this Application by the City of Kalgoorlie-Boulder.

Should you require any further information or clarification in relation to this matter, please contact Lidija Langford on 9221 1991.

Yours faithfully,

**Lidija Langford**

Rowe Group