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Date

04 March 2026 – revised 09 April 2026

To

Adam Henson

Address

Director, Planning Facilitation
Department of Transport and Planning
PO Box 2392
MELBOURNE 3001

Sent

Via planning permit application portal

**ADVERTISED
PLAN**

Dear Adam

**DEVELOPMENT FACILITATION PROGRAM PPA-1027
85-93 WILSON STREET & 10-16A ALVERNA GROVE, BRIGHTON**

Contour continue to act on behalf of Arcare Pty Ltd, the permit applicant of the above-mentioned application. We refer to your letter dated 26 February 2026, confirming eligibility of the proposal to be considered under the provisions of Clause 53.23 of the Bayside Planning Scheme and hereby formally lodge the application.

We here by apply to the Minister for Planning as the responsible authority under those provisions for planning permit for the Buildings and Works associated with a Section 1 use (Residential Aged Care Facility) on land within the Neighbourhood Residential Zone and for the display of internally illuminated business identification and wayfinding signage in accordance with Clause 52.05 of the Bayside Planning Scheme.

A summary of the permit triggers that are applicable to the project are as follows:

- **Clause 32.09-9**, a permit is required to construct a building or construct or carry out works for a residential aged care facility.
- **Clause 52.05-2**, a permit is required to construct or put up for display a sign.

In response to the specific items mentioned in the correspondence received, we note the following:

Section 173 agreement – A draft agreement in accordance with Section 173 of the *Planning and Environment Act* 1987 has been provided to the Department of Transport and Planning (the **Department**) for initial review and confirmation of agreement to certain edits and inclusions into the final draft has already been provided via email from the permit applicant, Arcare Pty Ltd. The final draft of this Section 173 agreement, incorporating these final edits, is currently being prepare by Russell Kennedy Lawyers and will be provided to the Department as soon as possible.

Canopy tree requirement – A revised Landscape Plan has been prepared by John Patrick Landscape Architects to ensure that at least 20% canopy cover will be provided. This revised landscape plan is here by submitted along with all other application documentation.

Further information – The further information items listed within your letter being items a through p are here included with the application.



To clarify the following documentation accompanies the application:

Request (a-p)	Document provided	Prepare by	Date / revision
a	Application fee	Knowles Group (Arcare Pty Ltd)	N/A
b	MPL certificate	ATO	25-11-2025
c	Title particulars	Landata	19-02-2026
d	Quantity Surveyors Report	WT Partnership	07-11-2025
e	Site Survey	Speedy Development Consultants	07-07-2025 (Rev 2)
f	Architectural Plans	Studio McCue	02-03-2026 (Rev G)
g	Landscape Plan	John Patrick Landscape Architects	03-03-2026
h	Town Planning Report	Contour	March 2026 – Revised April 2026
i	Signage Plans	Braggs	13-11-2025 (V2)
j	Urban Context Report	Studio McCue	13-10-2025
k	Arborist Report	Sustainable Tree Management	12-11-2025 (V2)
l	Sustainability Management Plan	Lincoln Pearce	20-11-2025 (Rev G)
m	Stormwater Management Plan	Lanigan Civil	12-11-2025 (Issue A)
n	Transport Impact Assessment	onemilegrid	23-02-2025 (Rev F)
o	Waste Management Plan	onemilegrid	11-11-2025 (Rev F)
p	Other documentation: <ul style="list-style-type: none"> Affordable Housing Report Draft S173 Agreement 	<ul style="list-style-type: none"> Arcare Pty Ltd Russel Kennedy Lawyers 	<ul style="list-style-type: none"> 09-04-2026 18-12-2025

We note that requested item ‘P’ under the heading ‘Further Information’ of the Department’s correspondence it refers to any other documentation required by the Bayside Planning Scheme. Clause 53.23 requires that a report (affordable housing report) that outlines how a proposed development contributes to the provision of affordable housing is intended to be provided should a permit be granted. A framework for the report is set out in the Clause.

We include with the application the ‘overview of the affordable housing provision’ document that was prepared by Arcare Pty Ltd during the pre-application process which we submit responds to this application requirement. We also provide the draft Section 173 agreement already prepared by Russel Kennedy Lawyers and provided to the Department during the pre-application process, noting that an updated version of this draft agreement will be provided to the Department shortly, that incorporates agreed revisions as recently discussed with the Development Facilitation team. While this agreement is not an application requirement, but rather a permit requirement, we are happy to continue to work with the Department and its chosen legal representatives, Harwood Andrews, to resolve the detail of this an agreement during the application process or after, or should a permit be granted.

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We note that the subject land at 85-93 Wilson Street and 10-16A Alverna Grove is owned by Arcare Pty Ltd.

We trust that this provides a suitably comprehensive application package and will give the Department all information necessary to progress the application, but should you have any questions at all or required any further clarification, please do not hesitate to contact me either by email at ccawkwell@contour.net.au or by calling me on 0404 003 828.

We look forward to hearing from you and the assigned assessment team member in due course.

Yours sincerely,
Contour Consultants Australia Pty Ltd

A handwritten signature in blue ink, appearing to read 'Chris Cawkwell', located below the typed name.

Chris Cawkwell
Senior Associate

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